

TOWNSHIP OF MOORE
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 2021-___

AN ORDINANCE OF THE TOWNSHIP OF MOORE, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP ZONING ORDINANCE, ORDINANCE NO. 73-1, AS AMENDED FROM TIME TO TIME, BY CHANGING THE USE OF A WAREHOUSE FROM A PERMITTED BY-RIGHT USE TO A CONDITIONAL USE IN THE INDUSTRIAL DISTRICT AND BY FURTHER CREATING REGULATIONS FOR THE DEVELOPMENT OF WAREHOUSES IN THE INDUSTRIAL DISTRICT AS A CONDITIONAL USE.

WHEREAS, the Board of Supervisors of Moore Township, Northampton County, Pennsylvania, desire to regulate the use of warehouses within the Township as a conditional use; and

WHEREAS, Moore Township believes the most appropriate location for a warehouse use is as a conditional use in the Industrial Zoning District.

NOW, THEREFORE, be it enacted and ordained by the Board of Supervisors of Moore Township, Northampton County, Pennsylvania, and the same is hereby ordained and enacted as follows:

SECTION I. DEFINITION OF WAREHOUSE. Section 200-8 shall be amended by deleting the definition of Warehouse in its entirety and shall now read as follows:

WAREHOUSE – A building or group of buildings primarily used for indoor storage, transfer and distribution of products and materials, but not including retail uses or a truck terminal. The term “Warehouse” shall include distribution facility, fulfillment center, logistics facility and similar uses.

SECTION II. WAREHOUSES PERMITTED AS A CONDITIONAL USE. Section 200-20 (Industrial Zoning District) shall be amended by deleting the use of a warehouse from Section 200-20 B (uses permitted by right). Further, Section 200-20 (Industrial Zoning District) shall be amended by adding the use of a warehouse as a Conditional Use under Section 200-20 D (Conditional Uses).

SECTION III. WAREHOUSING. Section 200-22 Subsection G-14 is deleted in its entirety and shall now read as follows:

G-14 Warehouse.

Within the Industrial (I) Zone, Warehouses shall be permitted as a Conditional Use, subject to the following criteria:

(1) Special Dimensional Requirements for Warehouses

- a. The maximum building height shall be 44 feet.
- b. The total maximum building coverage shall be 44%.
- c. The total maximum impervious coverage shall be 55%.
- d. Where the footprint of the proposed principal warehouse structure is greater than 100,000 square feet:
 - i. The minimum lot area shall be 10 acres.
 - ii. All access points shall be a minimum of 250 feet from any dwelling.
 - iii. All drive aisles, loading/unloading areas, and parking areas intended for use by tractor trailers as well as outdoor storage areas shall be a minimum of 250 feet from any dwelling.

(2) Buffer Yards

- a. A one-hundred-foot-wide buffer yard shall be provided along the entire length of the street frontage of any property upon which a warehouse is located. Further, a one-hundred-foot-wide buffer yard shall be provided along any property line which abuts a residential or agricultural zoning district or an existing residential use.
- b. The buffer yard shall be measured from the property line or street right-of-way line. Where a lot line drainage or utility easement is required, the buffer yard shall be measured from the inside edge of the easement.
- c. The buffer yard shall be a landscaped area free of roads, sidewalks, driveways, parking lots, storage, buildings, and structures of any kind, except for emergency access roads or pathways and/or sidewalks as may be required by Township ordinances or fire or safety regulations and/or as may be required and/or approved by the Board of Supervisors.
- d. The buffer yard shall be landscaped with evergreen trees, deciduous trees, flowering trees, and shrubs of types resistant to diesel exhaust.

- e. All areas of the buffer yard not covered with plantings shall be covered by a well-maintained, all-season vegetative ground cover such as grass.
- f. Earthen berms shall be constructed within buffer yards in accordance with Section (3), Berm Requirements, herein.
- g. Minimum planting requirements in Buffer Yards:
 - i. Trees and shrubs shall be planted in the following minimum quantities per 100 lineal feet of buffer yard, as measured parallel to the buffer yard.
 - (1) Ten evergreen trees.
 - (2) Five deciduous trees.
 - (3) Three flowering trees.
 - (4) Ten shrubs.
 - ii. This Landscaping shall be provided in addition to any landscaping required by other Township regulations.
 - iii. Plantings shall be arranged so as to provide a complete visual screen of the warehouse of at least 14 feet in height (measured in addition to the height of the berm) within three years.
 - iv. The plantings shall be arranged on the outside (non-warehouse side) and top of the berm.
 - v. Evergreen trees shall have a minimum height of eight (8) feet. Deciduous trees shall have a minimum trunk caliper of two (2) inches measured three feet above the top of the root ball and a minimum height of twelve (12) feet. Flowering trees shall have a minimum height of seven (7) feet. Shrubs shall have a minimum height of thirty (30) inches. Minimum heights shall be as measured from finished grade at the time of planting.

(3) Berm Requirements

- a. A raised earthen berm shall be constructed along the entire length of the street frontage of any property upon which a warehouse is located. Further, a berm shall be constructed along any property line which abuts a residential or agricultural zoning district or an existing residential use.
- b. The berm shall have a minimum average height of 14 feet measured above existing grade on the outside (non-warehouse side) of the berm. The berm shall not have a completely continuous height but shall vary in height by one or two feet along the length of the berm.

- c. The berm shall have a maximum side slope of three feet horizontal to one foot vertical.
- d. The berm shall have a minimum top width of 10 feet.

(4) Other Requirements

- a. All access points for all warehouses shall be to and from a collector or arterial roadway, built to Township standards and directly connected to the nearest collector or arterial roadway built to those standards.
- b. Idling Restrictions. The use shall include site features, amenities, and/or signage to ensure compliance with PA Act 124 of 2008 as amended.
- c. The use shall comply with the General Performance Standards set forth in Sections 200-30 and all other applicable Township regulations.
- d. Drone operations shall be limited to the hours between 7:00 AM and 9:00 PM and between sunrise and sunset, whichever is more restrictive.
- e. Driveways, walkways, and parking, staging, and loading areas shall be designed to minimize potential conflicts between cars, trucks, and pedestrians internal to the site and at access points to adjacent roadways.
- f. Traffic Study. Applicant shall provide a Traffic Study prepared by a professional engineer, licensed in the State of Pennsylvania, pursuant to Section 200-30 K, Traffic Study Criteria, and in accordance with PennDOT “Policies and Procedures for Transportation Impact Studies related to Highway Occupancy Permits”, latest edition. The final scope of the study shall be subject to approval by the Township, and PennDOT if the project will impact a State highway.
- g. Off-street parking, loading, and staging spaces and loading docks are required as follows:
 - i. Off-street parking spaces – 1.5 parking spaces for every 1 employee at peak periods of operation, including any potential overlap between shifts.
 - * In the event that a particular tenant has not been identified for the facility, the applicant shall demonstrate adequacy of proposed parking to meet requirements of Sections 200-57.G14, Warehousing.
 - ii. Staging spaces – Two (2) 12-ft. x 75-ft. truck staging spaces for every one (1) loading dock.
 - * A minimum of five (5) percent of required truck staging spaces shall be reserved for outbound trucks which are required to layover or rest due to

hours of service regulations. Such spaces must be accessible during and after the facility's operating hours as necessary.

- iii. Loading spaces – One (1) 12-ft. x 75-ft. truck loading space for every one (1) loading dock.
- iv. Loading docks – The minimum number of loading docks shall be determined using the following calculation:

Number of trucks per hour (at the peak hour of the use) x Turnaround time per truck (in hours) = Number of required docks.

The number of docks determined by the above formula shall be rounded up to the next whole number.

By way of example: 17 trucks are required to be serviced during the peak hour of the use, each requiring 45 minutes (0.75 hours) to service. This equates to 17 trucks per hour x 0.75 hours per truck = 12.75 docks required, rounded up to 13 docks.

* In the event that a particular tenant has not been identified for the facility, a minimum of one (1) loading dock shall be provided per 5,000 square feet of building gross floor area.

- h. The use shall provide designated snow storage areas of sufficient size and at appropriate locations on the site. Snow storage areas shall not include any areas necessary to meet minimum parking, staging, or loading space requirements.
- i. Driveways and internal drive aisles shall be designed with adequate widths and turning radii to allow tractor trailers to complete turning maneuvers while remaining within their designated travel lanes. Turning templates shall be provided for all anticipated vehicle types and routes.
- j. Truck drivers shall be instructed as to the acceptable travel routes (relative to the class of vehicle) between the facility and the nearest arterial roads by way of on-site and off-site signage and other appropriate means as necessary.
- k. An exterior access stair tower shall be provided to allow public safety personnel direct emergency access to the roof of the building from the ground level. Steps, guiderails, handrails, brackets, gates, and other components shall meet or exceed applicable Uniform Construction Code and Occupational Safety and Health Administration (OSHA) standards. The final location and specifications for the exterior access stair tower shall be subject to review and approval by the Emergency Services Coordinator and/or Fire Marshall.

- l. Commercial Knox Boxes are required to provide public safety personnel access to any secured areas of the site, the principal building structure, and any accessory structures. The final location(s) and specifications for Knox Boxes shall be subject to review and approval by the Emergency Services Coordinator and/or Fire Marshall.

- m. When submitting a conditional use application, the applicant shall provide a written Narrative, and additional supporting information, documentation, studies, and reports as necessary or required below, containing detailed descriptions of the proposed use and substantive evidence demonstrating consistency of the proposed use relative to each of the following topics:
 - i. The nature of all activities and operations to be conducted on the site, the types of materials to be stored, the duration of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with applicable state and federal regulations.
 - ii. Hours of operation and the times and frequency of deliveries, distributions and/or restocking.
 - iii. The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, and the total number of employees on each shift.
 - iv. Consistency of the proposed use with each of the general standards for a Conditional Use as set forth in Section 200-24.C(1).
 - v. Consistency of the proposed use with the General Performance Standards set forth in Sections 200-30 relative to any environmental or other impacts (e.g. odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, stormwater, solid waste, etc.) that are likely to result from the use and any specific measures to be employed to mitigate or eliminate any such negative impacts.
 - vi. The applicant shall submit a current Pennsylvania Department of Conservation and Natural Resources PNDI environmental review receipt for the project and additional evidence as necessary to demonstrate that no endangered species will be negatively impacted by the proposed development.
 - vii. The applicant shall submit a traffic study as required elsewhere herein.
 - viii. Adequacy of the number, size, and location of loading and staging spaces provided for trucks to accommodate the expected demand generated by the use, including both pre-loading and post-loading activities.
 - ix. Adequacy of off-street staging spaces available for tractor trailers arriving during non-business hours to prevent vehicles from parking on public streets while waiting to access the facility.

- x. Adequacy of off-street staging spaces available at facility entrances to prevent vehicles from queuing on public streets while waiting to access the facility.
- xi. The applicant shall submit a truck routing map identifying anticipated routes to and from the proposed facility to the Township boundary, consistent with truck routing signage and trip distribution data presented in the traffic study as required elsewhere herein.

(5) Facility Amenities

- a. Each and every building containing this use shall provide amenities for the truck drivers/operators of the vehicles using the facility in addition to any similar amenities provided to on-site employees. The following provisions shall apply:
 - i. The amenities shall include, at a minimum, a suitable lounge for drivers/operators sized to accommodate six lounge seats and one four-person table, with restroom facilities, and dispensing machines or other facilities to provide food and beverages.
 - ii. At least one additional amenity (i.e. showers, sleeping areas, entertainment area, etc.) shall be provided for every 30-truck loading/unloading docks/doorways of the use. The size/quantity of each such amenity shall be appropriate and proportionate to the number of loading/unloading docks/doorways of the use.
 - iii. At least one 12-ft. x 75-ft. truck parking space shall be provided per each required lounge seat of the amenity. Such parking spaces shall be provided in close proximity to the amenity and in a suitable, safe, and separately defined location.
 - iv. Electrical outlets shall be provided for use by drivers/operators at each amenity parking space.
 - v. Appropriate signage shall be provided directing trucks to park in the designated amenity parking spaces while awaiting access to a loading/unloading dock/doorway, unless all such spaces are already occupied.
 - vi. Appropriate signage shall be provided prohibiting idling of trucks parked in amenity parking spaces unless required for safety or weather-related reasons.
 - vii. Mechanical scraper systems shall be installed at each truck exit drive for the purpose of removing snow, slush and ice from trailer and truck rooftops. During winter months, all trucks must pass under these mechanical scrapers prior to exiting the warehouse facility.

SECTION IV. Severability. In the event any of the provisions of this Ordinance are declared unconstitutional, unlawful, or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance or of this Ordinance as a whole, and said Ordinance shall continue in full force and effect as though the unconstitutional, unlawful, or unenforceable provision had never been a part hereof.

SECTION V. Repealer. All Ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed.

ENACTED AND ORDAINED by the Township of Moore, Northampton County, Pennsylvania, this day of , 2021.

ATTEST:

MOORE TOWNSHIP

Nicholas Steiner, Manager

BY: _____
Daniel Piorkowski, Chairman
Board of Supervisors