

BOARD OF SUPERVISORS
NORTH WHITEHALL TOWNSHIP
LEHIGH COUNTY, PENNSYLVANIA

ORDINANCE NO. 2021-4

**AN ORDINANCE OF THE TOWNSHIP OF NORTH WHITEHALL, LEHIGH COUNTY,
PENNSYLVANIA, AMENDING THE TOWNSHIP ZONING ORDINANCE 2002-3, AS
AMENDED, TO INCLUDE REVISED DEFINITIONS FOR WAREHOUSE AND
TRUCKING COMPANY TERMINAL, TO CHANGE THE PERMITTED USE OF
WAREHOUSE IN THE COMMERCIAL AND INDUSTRIAL DISTRICTS, AND TO
INCLUDE ADDITIONAL REGULATIONS AND PROVISIONS FOR THE
DEVELOPMENT OF WAREHOUSES IN PERMITTED DISTRICTS.**

WHEREAS, the Board of Supervisors of North Whitehall Township, Lehigh County, Pennsylvania, is desirous of amending the provisions of Ordinance 2002-3 regarding Zoning regulations, specifically pertaining to warehouse uses; and

WHEREAS, the Board of Supervisors of North Whitehall Township is authorized by the Second-Class Township Code, the Act of May 1, 1933 (P.L. 103, No. 69) as amended, to establish such rules and regulations done so by adopting Ordinance 2002-3.

NOW THEREFORE, be it enacted and ordained changes to the North Whitehall Township Zoning Ordinance by the Board of Supervisors of North Whitehall Township, a municipal corporation and Township of the Second Class, duly organized and lawfully existing in the County of Lehigh, Commonwealth of Pennsylvania, as follows:

SECTION I. Article II, Definitions, Section 202, Terms Defined, shall be amended to replace the definition of "Warehouse" as follows:

Warehouse. A building or group of buildings primarily used for the indoor storage, transfer and distribution of products and materials, that have been manufactured, assembled, or harvested, or are being stored for manufacture, assembly or processing, by the owners of the warehouse. Office space associated with each warehouse building may be included. This Ordinance categorizes warehouses into the following subcategories:

- a. Small Warehouse. Any warehouse, as defined, with a gross floor area of less than 25,000 square feet.
- b. Large Warehouse. Any warehouse, as defined, with a gross floor area of 25,000 square feet or more.

SECTION II. Article III, Districts, Section 306, Table of Permitted Uses by District, shall be amended to revise "Warehousing" as follows:

TYPES OF USES (See definitions in Article II)	BUSINESS DISTRICTS				
	VC	C	LI/B ¹	ME/I	C2
INDUSTRIAL USES (Cont.)					
Small Warehouse (S. 402) (other than truck terminal), not including storage of explosives, fireworks, ammunition or gunpowder (except within a government-owned facility)	N	P	P	P	N
Large Warehouse (S. 402) (other than truck terminal), not including storage of explosives, fireworks, ammunition or gunpowder (except within a government-owned facility)	N	N	P	N	N

SECTION III. Article IV, Additional Requirements for Specific Uses, Section 402, Additional Requirements for Specific Principal Uses, subsection 402.75 shall be amended to read as follows:

75. Warehouse or Wholesale Sales. The following provisions shall be applicable to both small warehouses (less than 25,000 s.f. gross floor area) and large warehouses (25,000 s.f. gross floor area or more).
- a. Access to the site shall be from an arterial street as identified on the North Whitehall Township Street Classification Map.
 - b. Maximum building height for such use shall be 50 feet.
 - c. A traffic impact study consistent with the requirements of Appendix E of the Subdivision and Land Development Ordinance shall be prepared and submitted as part of the application. The traffic impact study shall be prepared by a professional traffic engineer. In addition to the requirements of Appendix E of the Subdivision and Land Development Ordinance, the traffic impact study shall also include a truck routing map identifying anticipated routes to and from the proposed facility to the Township boundary. The truck routing map shall be consistent with existing truck routing signage and trip distribution data presented in the traffic study, and will identify any new proposed truck routes and necessary truck routing signage.
 - d. Buffer yards. Buffer yards shall be required between uses and along existing and proposed streets in accordance with the provisions of Section 803.D and the following requirements specific to warehouse or wholesale sales use:
 - 1) The buffer plantings are intended to be an impenetrable visual screen. However, it is not intended to be a monocultural planting. A variety of evergreen tree species in conjunction with deciduous and/or evergreen shrubs should be utilized to provide complete screening and aesthetic variety and appeal.
 - 2) A 30-foot buffer shall be required along the frontage of all streets.
 - 2) A 50-foot buffer shall be required between the industrial use and all other uses.
 - 3) Trees used for screen buffers shall be composed of 100% evergreen varieties. Shrubs may be a combination of evergreen and deciduous varieties. The required plant material shall be so arranged as to provide a 100% visual screen within 8

- years of planting. Where the screen buffer planting requires more than 50 trees, no more than 1/3 of these trees will be of a single variety.
- 4) Where space is limited or there are other site constraints, walls, fences and/or earth berms may be used in combination with plant material subject to the approval of the Board of Supervisors.
 - 5) Plant materials shall be permanently maintained and any plant material which dies shall be replaced by land owner.
- e. The minimum yard setbacks shall be as follows:
- 1) Front yard: 50 feet
 - 2) Side yard (each): 50 feet
 - 3) Rear yard: 50 feet
 - 4) Where a property abuts a residential use, the required side and rear yards shall be increased to 100 feet.
- f. Parking requirement. One space per 5,000 square feet of gross floor area for the first 100,000 square feet, plus one space per 10,000 square feet of gross floor area over 100,000 square feet. Of the required parking spaces at least ten percent shall be reserved as truck staging spaces measuring 12 feet by 75 feet. Loading docks/areas may not be counted towards the required truck staging spaces.
- g. Sufficient off-street queueing space shall be required at facility entrances to prevent vehicles from queueing on public streets while waiting for access to the facility.

SEVERABILITY. If a court of competent jurisdiction declares any provisions of this Amendment to be invalid in whole or in part, the effect of such decision shall be limited to those provisions expressly stated in the decision to be invalid, and all other provisions of this Zoning Amendment shall continue to be separately and fully effective.

REPEALER. All provisions of Township ordinances and resolutions or parts thereof that were adopted prior to this Ordinance and that are in conflict with this Ordinance are hereby repealed, including but not limited to, and conflicting provisions of the North Whitehall Township Zoning Ordinance of 2002, as amended.

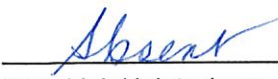
ENACTMENT. This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of North Whitehall Township.

DULY ENACTED AND ORDAINED this 8th day of November, 2021, by the Board of Supervisors of North Whitehall Township, at a duly advertised, noticed, published and lawfully assembled regular public meeting and hearing.

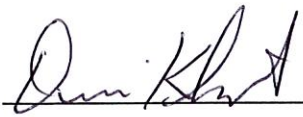
ATTEST:

**BOARD OF SUPERVISORS OF
NORTH WHITEHALL TOWNSHIP**


Brenda Norder, Secretary


Ronald J. Heintzelman, Chairman


Mark Hills, Vice-Chairman


Dennis Klusaritz, Supervisor