

**CARROLL TOWNSHIP
YORK COUNTY, PENNSYLVANIA
ORDINANCE NO. 2023-254**

**AN ORDINANCE AMENDING CHAPTER 450 OF THE
CODE OF CARROLL TOWNSHIP, YORK COUNTY,
PENNSYLVANIA GOVERNING ZONING; UPDATING
SECTION 450-112 PERTAINING TO THE DEFINITIONS OF
WAREHOUSE AND DISTRIBUTION/FULFILLMENT
CENTER AND AMENDING SECTION 450-385
GOVERNING WAREHOUSES AND/OR DISTRIBUTION
CENTERS WITHIN THE TOWNSHIP.**

WHEREAS, the Township of Carroll is a municipality organized and existing under the laws of the Commonwealth of Pennsylvania, including but not limited to the Second Class Township Code, 53 P.S. §65101 *et. seq.*, and the Municipalities Planning Code, 53 P.S. §10101 *et. seq.* and;

WHEREAS, Pursuant to Article VI of the Municipalities Planning Code, the Township of Carroll desires to amend Chapter 450 of the Township Code to update the definitions of warehouse and distribution/fulfillment center, and to update Section 450-385 governing criteria for warehouses and distribution/fulfillment centers; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Carroll, County of York, Commonwealth of Pennsylvania, as follows:

Section 1: Section 450-112 of the Carroll Township Code.

Section 450-112 of the Carroll Township Code is hereby amended as follows:

The existing definition for Warehouse is hereby repealed. The definition for Warehouse shall now read as follows:

Warehouse – A building or group of buildings primarily used for the long-term indoor storage, transfer, and distribution of 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. Materials within a Warehouse are usually supplied to manufacturers or wholesalers rather than directly to consumers.

The following definition is hereby added to Section 450-112 of the Carroll Township Code:

Distribution/Fulfillment Center – A freight movement (logistics) facility that stores finished goods before they are picked and packed to fulfill orders directly to the consumer or retail locations. Materials within a distribution / fulfillment center are usually stored short-term. Office space associated with each distribution / fulfillment center building may be included.

Motor Freight Terminal – A building or group of buildings on the same lot used for the purpose of parking, storage, and incidental repairs and maintenance of primarily tractor-trailers and/or commercial vehicles. A Motor Freight Terminal may include as accessory uses if they are closely related to the principal use: repair, washing, refueling, and maintenance facilities for vehicles using the terminal, administrative uses for the terminal. A Motor Freight Terminal that exceeds 25,000 square feet in gross floor area shall be required to satisfy the requirements of Section 450-385 (Warehouses and/or Distribution/Fulfillment Center).

Section 2: Section 450-385 of the Carroll Township Code.

Section 450-385, Warehouse and/or Distribution/Fulfillment Center is hereby amended to read as follows:

A warehouse and/or distribution / fulfillment center is permitted as provided in Article 2 herein and subject to the following criteria:

A. The applicant shall provide a detailed description of the proposed use in each of the following topics:

- 1.) The nature of the on-site activities and operations, hours of operation, number of employees, the types of materials stored, the frequency of distribution and restocking, the duration period 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 state and federal regulations.
- 2.) Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, wastewater, stormwater, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use comply with applicable laws and ordinances, including, but not limited to, those listed in Article 3 of this chapter.
- 3.) A traffic impact study prepared by a professional traffic engineer, according to § 435-27C, or successor section, of Chapter 435, Subdivision and Land Development. The traffic impact study shall clearly delineate the proposed use (i.e. Warehouse or Distribution / Fulfillment Center). In addition to requirements of Chapter 435, the traffic impact study shall include truck and automobile analysis to project and break out different vehicle trips throughout the entire day (not just the peak hours) to illustrate the full potential traffic generation of the site.

B. The subject property shall have a minimum lot area of five acres and a minimum lot width of 300 feet. A maximum lot coverage of 60% shall be permitted.

C. The use shall provide sufficiently long stacking lanes and on-site loading/unloading areas, so that trucks waiting to be loaded/unloaded will not back up onto public roads. No parking areas or loading/unloading areas shall be permitted within 50 feet of any public street right-of-way line.

D. Vehicular access shall be so arranged as to minimize danger and congestion along adjoining roads and to avoid the creation of nuisances to nearby properties. Access drives used by trucks shall only intersect with arterial or collector roads or new streets that are proposed, designed, and constructed to serve the distribution / fulfillment center and/or warehouse.

E. The subject property shall have a minimum of 300 feet of contiguous road frontage along an arterial and/or collector road.

F. Buildings (up to 100,000 S.F.), access drives, parking areas, staging areas and loading/unloading areas on the subject property shall be located no closer than 300 feet from a residential use or zone, and/or any property containing a school, day-care facility, park, playground, library, hospital, nursing, rest or retirement home, or medical residential campus. For buildings proposed over 100,000 S.F., a 500-foot setback shall apply.

G. Access driveways shall be a minimum of 28 feet, as measured at the street right-of-way line (unless a different width is required by PADOT as part of the highway occupancy permit process), and a maximum of 40 feet wide, as measured at the throat of the access drive. All access drives onto the same road shall be set back at least 150 feet from one another, as measured from closest points of cartway edges.

H. Any gates or other barriers used at the entrance to parking areas shall be set back and arranged to prevent vehicle backups onto adjoining roads during peak arrival periods.

I. Outdoor vehicle service, and/or repair activities, shall be prohibited.

J. The outdoor storage of unlicensed and/or uninspected vehicles is prohibited.

K. The demolition or junking of vehicles and machinery is prohibited. Demolished vehicles and/or parts thereof shall be removed within 30 days after arrival.

L. All outdoor loudspeaker systems are prohibited.

M. The parking, storage, staging and/or loading/unloading of vehicles associated with the use shall be confined to the subject property; no satellite parking, storage, staging and/or loading lots or areas shall be permitted.

N. The applicant shall furnish evidence that the storage and disposal of materials and waste will be accomplished in a manner that complies with all applicable state and federal regulations.

O. Green space shall be 300 feet along adjoining lands containing a residential use or zone.

1.) Within the required green space, a forty-foot-wide landscape screen is required and an earthen berm having a maximum slope three feet horizontal to one foot vertical and a minimum height of 15 feet above grade; and

2.) Stormwater management facilities may be located within the green space but not within the required landscape screen.

P. In addition to the requirements set forth in §450-403.C, site lighting shall be equipped with motion sensors so that lights turn off or dim at least 50% after sundown when no motion is detected for ten minutes.

Q. The applicant shall be required to submit qualified expert evidence of the methods that will be used to assure that the proposed use will not contribute materially to air pollution and will comply with all applicable Federal Environmental Protection Agency air quality standards. Test data must be furnished by the applicant addressing Particulate Matter 2.5 (total weight of particles in the air that are less than 2.5 microns in size) levels taken within 30 days of application by a certified independent air-testing firm during peak use periods of the day. Warehouses not in compliance with the National Ambient Air Quality Standard (NAASQS) for PM 2.5, as established by the EPA and as amended by EPA regulations from time to time, will furnish the Zoning Hearing Board or Board of Supervisors in the case of a conditional use application a plan within 60 days for reducing PM 2.5 emissions to acceptable levels. Upon approval of that plan, the terminal will have 90 days to provide evidence that satisfactory PM 2.5 levels have been reached, or it will be found in violation of this chapter. Upon approval of special exception, warehouse owners must provide PM 2.5 data on a quarterly basis as sampled by a certified independent air-testing firm during peak use periods of the day at locations every 200 feet around the perimeter of the warehouse and at a distance of 75 feet from the warehouse building.

R. Prior to conditional use approval, the applicant shall establish and submit for approval to the governing body, a truck routing plan to and from the state highway system. The plan shall describe proposed truck routing to and from the facility to designated truck routes that avoids passing a residential use or zone, and/or any property containing a school, day-care facility, park, playground, library, hospital, nursing, rest or retirement home, or senior residential campus to the greatest extent possible. The plan shall include measures, such as signage and pavement markings, queuing analysis and enforcement, for preventing truck queuing, circling, stopping, and parking on public streets. The facility operator shall be responsible for enforcement of the plan. The governing body shall have discretion to determine if changes to the plan are necessary including any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility.

S. Tractor-trailer parking spaces shall be reserved for outbound trucks which are required to layover or rest due to federal hours of service regulations. The number of spaces shall be a minimum of 10% of the proposed loading docks. Such spaces must be made available to tractor-trailers during and/or after the facility's operating hours as necessary.

T. Each and every building containing a loading dock shall have amenities for the truck drivers/operators of the vehicles using the facility in addition to any similar amenities provided to on-site employees.

1.) Each amenity shall include, at a minimum, a suitable lounge for drivers/operators containing not less than five (5) seats, a four-seat table, restroom facilities, including at least three sinks, stalls, etc., per restroom, and dispensing machines or other facilities to provide food and beverage.

2.) At least one amenity shall be provided for every thirty (30) truck loading/unloading docks of the use.

Section 3: Severability.

If any provision, section, sentence clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance or other Ordinances affected by this Ordinance, it being the intent of Carroll Township that such remainder shall be and shall remain in full force and effect.

Section 4: Relationship to Other Ordinances.

All other provisions of Chapter 450 of the Code of Carroll Township and all other ordinances enacted by the Carroll Township Board of Supervisors not amended herein shall remain in full force and effect.

Section 5: Effective Date.

In accordance with Section 1601 of the Pennsylvania Second Class Township Code, this Ordinance shall become effective five (5) days following adoption by the Board of Supervisors.

Duly adopted this _____ day of _____, 2023, by the Carroll Township Board of Supervisors.

ATTEST:

BOARD OF SUPERVISORS

Secretary

Chairman

Vice-Chairman

Supervisor

Supervisor

Supervisor

CERTIFICATE

I, the undersigned, Secretary of the Township of Carroll, York County, Pennsylvania (the “Township”), certify that the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the “Board”), which duly was enacted by affirmative vote of a majority of the members of the Board at a meeting held on _____, 2023; said Ordinance duly has been recorded in the Ordinance Book of the Township; said Ordinance duly has been published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this _____ day of _____, 2023.

Secretary

(SEAL)