

TILDEN TOWNSHIP
BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE OF TILDEN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA, AMENDING THE TILDEN TOWNSHIP ZONING ORDINANCE, CHAPTER XXXII OF THE CODE OF ORDINANCES BY: ADDING SECTION 405 WHICH PROVIDES FOR A "LOGISTICS PARK OVERLAY DISTRICT" TO ESTABLISH A SPECIAL OVERLAY TO CERTAIN PROPERTIES IN THE UNDERLYING R-2 ZONING DISTRICT

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of Tilden Township, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Addition of "Logistics Park Overlay District." Chapter XXXII, Part 4, is amended to add the following provisions:

Section 405. Logistics Park Overlay District.

The Logistics Park Overlay District is established as a special overlay to the underlying R-2 Zoning District, for properties containing at least One Hundred (100) contiguous acres and with all points of ingress and egress situated within one (1) mile of the interchange of Interstate 78 (I-78) and Pennsylvania State Route 61 (PA-16), and all building footprints situated within 1 ¼ miles of the I-78/PA 61 interchange.

Section 405.1 Specific Intent.

To establish reasonable standards of performance for the use of property within the Township to serve as logistics parks to achieve an improved balance of such commercial development within the Township, utilizing such property for development in an efficient and functional manner, as a conditional use.

Section 405.2. Definitions.

Logistics Park shall be defined as primarily an e-commerce/warehouse distribution facility containing mainly warehousing and related office space.

Section 405.3. Applicable Zoning District.

The Logistics Park Overlay shall be permitted by conditional use upon properties within the R-2 Zoning District of the Township for properties containing at least One Hundred (100) contiguous acres and with all points of ingress and egress situated within one (1) mile of the interchange of Interstate 78 (I-78) and Pennsylvania State Route 61 (PA-16), and all building footprints situated within 1 ¼ miles of the I-78/PA 61 interchange, which meet the performance standards set forth in this Part.

Section 405.4. Use Permitted by Conditional Use

The use of property as a logistics park shall be permitted when conditional use approval is granted by the Board of Supervisors.

Section 405.5. Performance Standards for Conditional Uses

- a) Building Height. The maximum height of the any building shall be fifty-five (55) feet.
- b) The properties shall be served by public water and public sewer facilities.
- c) The maximum building square footage shall be 1.2 million square feet and the minimum building square feet shall be 350,00 square feet.
- d) Not more than 50% of the lot area shall be occupied by buildings.
- e) The maximum impervious surface shall be 75% of the lot area.
- f) The minimum front setback shall be 200' inclusive of a 100' landscape buffer.
- g) The minimum rear setback shall be 200' inclusive of a 100' landscape buffer.
- h) The minimum side yard setback shall be 200' on each side yard inclusive of a 100' landscape buffer. *Each Side*
- i) The minimum lot area of 100 contiguous acres.
- j) The minimum lot width shall be 400'. *How Given*
- k) The minimum parking space size for private passenger motor vehicle spaces for employees shall be 9' width by 18' length.
- l) Sufficient parking areas shall be provided for trucks (tractor-trailers) when operators may be taking breaks or waiting to load or unload. Tractor-trailers shall not be permitted to idle or park within any access drive area.

- 24'. m) The minimum parking aisle width for perpendicular parking shall be
- n) Landscape Buffer.
- 1) A landscape buffer having a width of one-hundred (100) feet shall be provided between all residential zoning districts and residential uses within the 200' setback from the front, rear and side yards.
 - 2) THE LANDSCAPE BUFFER SHALL PROVIDE A VISUAL FILTER OF THE PARKING AREAS, LOADING AREAS AND DOCKS, INCLUDING SOUND FROM FACILITY OPERATIONS. AT A MINIMUM IT SHALL BLOCK INTERNAL HEADLIGHTS AND SOUND FROM NEIGHBORING PROPERTIES.
 - 3) THE LANDSCAPE BUFFER SHALL CONSIST OF FREE FORM BERMS OF VARIOUS HEIGHTS, WIDTHS AND SLOPES ALONG WITH BOTH EVERGREEN AND DECIDUOUS TREES AND SHRUBS. ALL LANDSCAPE PLANS SHALL BE CERTIFIED BY A REGISTERED LANDSCAPE ARCHITECT IN THE COMMONWEALTH OF PENNSYLVANIA USING PLANT SPECIES APPROPRIATE FOR THE REGION. ~~NATIVE SPECIES SHALL BE PROPOSED.~~
 - 4) Aside from groundcover, the proposed vegetation within the landscape buffer shall begin a minimum of twenty (20) feet from any exterior property line or ultimate (future) street right-of-way line.
 - 5) The Applicant shall provide profile views from neighboring properties, or other plans or materials, to demonstrate that the required visual filter is being achieved.
 - 6) Stormwater management and drainage facilities may be constructed within the landscape buffer area.
 - 7) All plantings within the landscape buffer area shall be maintained permanently, and any plant material that does not live shall be replaced within one (1) year.
 - 8) A clear sight triangle shall be maintained at all street intersections and at all points where commercial or industrial access drives intersect public streets.
 - 9) THE 200' SETBACKS AND 100' LANDSCAPE BUFFER SHALL NOT LIMIT THE PLACEMENT OF DRIVEWAYS, UTILITY ACCESS OR GUARDHOUSE/SECURITY/UTILITY BUILDINGS WITHIN SUCH SETBACKS OR BUFFERS.
- o) Private Passenger Vehicle Parking Spaces – Minimum one (1) space per employee on the largest shift (including truck drivers).
- p) Signs – On-site signage, including building signs, wall signs, and directional signs permitted under Section 1914 as permitted in the Highway Interchange Commercial District are similarly permitted in this Logistics Park Overlay District and subject to the same standards.

- q) No manufacturing shall be permitted on the site.
- r) No vehicle repair work, except emergency repairs, shall be permitted on the site.
- s) The warehouse buildings comprising the Logistics Park may include, in addition to warehousing and storage, office areas, lounge areas for employees and business invitees, and restrooms.
- t) Tractor-trailer trucks entering and exiting the site shall be permitted only between 7:00 a.m. and 4:00 p.m., prevailing time, Monday through Friday, with the exception of the period between _____ and _____, when there shall be no restrictions on days or times. There shall be no restrictions on hours of operations for employees working within the enclosed building(s).

Section 405.6. Impacts on Other Properties. All uses shall be planned and designed to minimize and reduce impacts on other properties, including but not limited to light, noise, and odor emissions onto adjacent properties.

SECTION 405.7 Traffic.

1) A Transportation Impact Study (Study) shall be provided which includes all information as described within the Policies and Procedures for Transportation Impact Studies, prepared by PennDOT.

2) All streets to be utilized by employees and trucks shall be noted in the Study. Once the Logistics Park is approved, no additional streets may be utilized to access the site.

3) Signage from SR 0061 to the site, and from the site to SR 0061, along existing/proposed streets shall be provided by the Applicant. Signs such as 'All Truck Traffic Must Turn Left' (directional signs) and 'No Truck Traffic Except for Local Deliveries' shall also be provided.

3) All intersections of those streets identified shall be analyzed within the Study. For intersections that show a drop in the Level of Service (LOS), the Applicant shall follow the "Mitigation Procedure" as outlined within the Policies and Procedures for Transportation Impact Studies, prepared by PennDOT, which may involve building improvements to mitigate the LOS drop. Any necessary permitting from PennDOT shall be the responsibility of the Applicant.

4) Turning movement exhibits through all intersections, including street intersections and intersections of proposed access drives with streets, shall be provided. Any intersection that does not allow for sufficient movements of

trucks shall be upgraded by the Applicant. In no case shall trucks be allowed to turn into other lanes to maneuver through street intersections.

5) Core samples shall be obtained by the Applicant for all Township Streets to be utilized in accordance with PennDOT and/or ASTM standards). If the thicknesses of bituminous materials are found to be insufficient for the proposed traffic, the Applicant shall upgrade the streets accordingly.

6) All Township streets to be utilized shall be upgraded to meet the minimum required widths for shoulders and cartways by the Applicant, if necessary.

7) All proposed streets shall meet the current Township standards, or be based upon a design for the proposed traffic, whichever provides for the thicker pavement section.

8) Sufficient stacking areas shall be provided for trucks at the main entrance to the site so that trucks are not waiting to enter on Township Streets. At no times shall trucks be permitted to idle or park within any street right-of-way area.

9) Any existing drainage pipe or culvert crossing any Township street to be utilized must be studied to determine if excess loads will adversely impact the integrity of the structure. Any pipe or culvert found to be insufficient to handle the proposed loading shall be replaced by the Applicant, provided adequate right-of-way (or a drainage easement) exists to allow for the work to be performed.

Section 405.8 Safety. The applicant shall show that the use will not create significant public safety hazards, including fire, toxic, or explosive hazards, and that adequate security will be provided, including but not limited to the following:

a. The Chief of the Fire Company which would be the primary emergency responder shall review all plans for Logistics Parks for fire safety, including ingress and egress, sufficient hydrants and water supply for fire suppression, access and maneuver of fire apparatus, and compliance with life safety standards.

b. The entire site shall be surrounded by a chain link fence having a minimum height of six feet (6').

c. All local emergency responders shall be provided with keys or similar access to the site at all times.

d. All Logistics Parks shall provide security gates/stations at all entrances. The Owner shall be responsible to have its own security system for the entire property and must demonstrate compliance with this requirement at the time of Zoning application.

e. The Owner shall provide to the Township Office and keep current contact information with a Property Manager or Management Company for the Logistics Park.

Section 405.9. Storm Water Management. Applicant shall demonstrate that it will follow professionally accepted engineering methods to manage storm water in accordance with the Township's stormwater management ordinance and Pennsylvania law.

Section 405.10. Lighting. Outdoor lighting shall be provided by the developer as needed in accordance with reasonable commercial standards. A Lighting Plan shall be provided that shows footcandle levels from all proposed light fixtures for the entire property as well as lighting details for site lights and specific light fixtures. Lighting should be shielded and designed so as to avoid glare and light spill beyond the property boundary line.. *Compliance w/ standards*

Section 405.11. Access. Provisions shall be made for safe ingress and egress to and from public streets and highways without causing undue congestion or interference with normal traffic flow. All Logistics Parks shall have two (2) means of ingress and egress from surrounding streets (one for employees and one for trucks).

Section 405.12. Utilities. All properties are required to be served by public sanitary sewer and public water supply connections. All utility connections shall be installed in accordance with all specifications adopted by Tilden Township and/or the public utility company providing service to the use.

Section 405.13. Noise.

a) Applicant shall enforce, and require tenants of the proposed distribution center to enforce, the Anti-Idling Policy, including in particular the installation at each proposed building of a bank of electrified parking spaces to provide an alternate power source for trucks. A copy of the Logistics Park's proposed Anti-Idling Policy document shall be provided to the Township for its review and concurrence. The Anti-Idling Policy shall be included as part of rules and regulations relating to any leases of the distribution center buildings. Until such time as the Township in writing directs otherwise, Applicant shall report any violations of the Anti-Idling Policy to the Township Manager on a monthly basis. Compliance with such idling restriction shall be enforced by an employee working in the guard shack or other employee.

b) Trash removal from any dumpsters/trash containers shall not occur on any day during the hours 10:00 p.m. through 6:00 a.m.

c) The installation and/or use of any exterior loud speaker(s) and/or exterior public address system is prohibited.

d) All trucks and tractors, including jockey trucks (semi-tractors intended to move semi trailers within a cargo yard, warehouse facility, or intermodal facility) operating at the proposed distribution center buildings shall not utilize back-up alarms. Rather, such trucks shall be equipped with cameras, sonars, or other technology so that back-up alarms are not required to be used.

e) The use of "jake brakes" (and all other similar compression release engine brakes used by large trucks) is prohibited for all trucks associated with Logistics Parks operating on Township roads. Applicant shall be responsible to install "No Jake Brake" signs along the truck routes to and from the Logistics Park along Township roads.

SECTION 2. Severability. If any sentence, clause, section, article or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections articles or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of Tilden Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section, article or part thereof not been included herein.

SECTION 3. Repealer. All ordinances or parts of ordinances of this Township which are inconsistent herewith are hereby repealed.

SECTION 4. Remainder of Zoning Ordinance in Full Force and Effect. The Zoning Ordinance of Tilden Township, Berks County, Pennsylvania, shall be and remain unchanged and in full force and effect except as amended, supplemented or modified by this Ordinance. This Ordinance shall become a part of the Zoning Ordinance, as amended, of Tilden Township, Berks County, Pennsylvania, upon adoption.

SECTION 5. Effective Date. This Ordinance shall become effective on the earliest date allowed by law.

ENACTED AND ORDAINED this _____ of _____, 2017.

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