

UPPER HANOVER TOWNSHIP, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER 2024-04

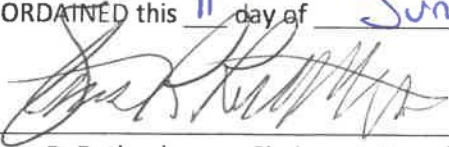
AN ORDINANCE OF UPPER HANOVER TOWNSHIP REPEALING ORDINANCE 2024-1; AMENDING ORDINANCES 500-1701, 500-1708, 500-1800, 500-1801 AND 500-1902; REMOVING WAREHOUSES AS A PERMITTED USE IN THE LIC-1, LIC-2 AND OS ZONING DISTRICTS; ALLOWING WAREHOUSES IN THE LI DISTRICT BY CONDITIONAL USE ONLY, REGARDLESS OF SIZE; ESTABLISHING CRITERIA FOR CONDITIONAL USE APPROVAL INCLUDING ROAD FRONTAGE, LOT SIZE, AND OTHER CRITERIA; ESTABLISHING AN EFFECTIVE DATE; INCLUDING SEVERANCE AND REPEALER CLAUSES

WHEREAS, the Upper Hanover Township Board of Supervisors, recognizing an increase in applications for the development of warehouses, and sensitive to the specific needs and limitations of the infrastructure within the Township and surrounding community, has determined that the health, safety and welfare of the community is best served by making large warehouses subject to conditional use approval, hereby ORDAINS as follows:

1. Ordinance 2024-1, adopted March 12, 2024, is repealed in its entirety.
2. In ordinance 500-1800, Declaration of legislative intent for the LI Light Industrial Zoning District, the existing language at section 1800.C is deleted and replaced with the following: "Confine traffic impacts by taking vehicular access only from roads that are capable of responsibly handling the additional traffic generated thereby, as further established herein."
3. In ordinance 500-1701, permitted uses in the LIC-1 and LIC-2 light industrial and limited commercial zoning districts, the following changes are made:
 - a. The chart entry "Warehousing, storage or wholesale business located within a building as a principal use, and/or distribution of products or materials, including transportation depot and truck terminals" is deleted entirely from the chart.
4. Ordinance 500-1708, Prohibited Uses is amended by the addition of a new sentence which reads: "Warehouses are prohibited in the LIC-1 and LIC-2 zoning districts."
5. Ordinance 500-1801, Permitted Uses in the LI Light Industrial zoning district, is amended as follows: The existing language at section 500-1801.A(4) is deleted and replaced with the following: "As a conditional use pursuant to the criteria set forth elsewhere in this ordinance, Warehousing, storage or wholesale business located within a building as a principal use and/or distribution of products or materials, including transportation depot and truck terminals."
6. A new section is hereby added to the LI zoning district ordinance, being section 500-1808, entitled "Conditional Use Standards and Criteria for Warehousing and Related Uses", the text of which is as follows: " For the uses permitted by conditional use in section 500-1801.A(4) of this ordinance, the following criteria apply:

- A. The parcel(s) must front a principal arterial road.
 - B. Interior vehicular cartways shall be improved at least to the level of collector roads.
 - C. A warehouse can only be situated on a parcel of ten acres or larger. Immediately contiguous parcels (not separated by any roadway) may be combined for this purpose.
 - D. Where the tenant and nature of use is known at the time of land development, plan approval will be based upon a traffic impact study using the ITE Trip Generation Manual then in effect and using the land use code and classification applicable to the plan.
 - E. When the plan is developed without a tenant or details of intended use at the time of land development, the traffic impact study shall be developed assuming the highest and most intense use that the submitted plan could reasonably support.
 - F. Except where the highest and most intense level of traffic has been assumed, an applicant must demonstrate upon obtaining a tenant that the tenant's use matches the level of use upon which approval was granted, and this is a prerequisite to obtaining a certificate of occupancy. The determination of compliance shall be made by the Township traffic consultant.
 - G. Any change in tenant after initial occupancy requires an application for a change in use. A new occupancy permit will be issued if the Township traffic consultant determines that the new occupancy will be of equal or lesser intensity than the prior occupancy. If the Township traffic consultant determines that the new use is of greater intensity, the owner will be required to obtain amended final land development approval showing such improvements as are necessitated by the additional intensity of use.
 - H. Plans shall demonstrate available on-site queuing areas for trucks to avoid any queuing on public roads.
 - I. Plans shall include electric hookups to minimize truck idling of temperature-controlled loads, where applicable.
 - J. All plans shall be accompanied by a community and economic impact study.
 - K. The site must include a truck snow/ice scraper system."
7. Ordinance 500-1902, Permitted Uses In the OS Outdoor Storage zoning district, is amended as follows. The existing language at section 500-1902.A is deleted and replaced with the following: "Uses contained in §500-1801, Permitted Uses of the Limited Industrial District of this chapter, developed according to LI District standards; except however, the use permitted in section 500-1801.A(4), Warehousing, storage, distribution, and transportation depots and truck terminals, is not permitted in the OS zoning district."
8. This ordinance is effective five days after adoption.
9. Should any existing ordinance include language inconsistent with the foregoing, then to the extent of such inconsistency the prior ordinance is repealed.
10. Should any provision of this ordinance be found invalid by a court of competent jurisdiction, then to the extent possible such invalid portion shall be severed from the remainder of the ordinance, which shall continue in full force and effect.

SO ORDAINED this 11th day of June, 2024.



Steven R. Rothenberger, Chairman, Board of Supervisors

Attest: Anne W. Klepfer

Anne Klepfer, Board Secretary