

**BEFORE THE BOARD OF COMMISSIONERS OF  
THE TOWNSHIP OF WHITEHALL**

**ORDINANCE NO. 3393**

**BILL NO. 14-2025**

**AN ORDINANCE AMENDING CHAPTER XVII OF THE WHITEHALL TOWNSHIP  
CODIFIED ORDINANCES, ZONING, BY REVISING ARTICLE XVI, DEFINITIONS, AND  
ARTICLE XI, CONDITIONAL USE PROVISIONS. (PLANNING COMMISSION)**

**WHEREAS**, Whitehall Township has adopted a zoning ordinance and corresponding map, and

**WHEREAS**, the township now desires to amend certain provisions of the zoning ordinance with respect to warehouse and distribution uses,

**NOW, THEREFORE**, be it ordained that the following sections of the Zoning ordinance be amended as follows:

1. Article XVI of the Whitehall Township Zoning Ordinance, §27-194 Definitions, by revising the following definitions:

**WAREHOUSE** — A building, or any part thereof, used for the storage of products, merchandise, goods, materials, food stuffs, manufactured parts or documents for a charge. A warehouse is NOT a distribution facility, a logistics center, a truck terminal, or a parcel or fulfillment center, nor is any portion of a warehouse any of these.

**DISTRIBUTION FACILITY** — A building, structure or part thereof, used for the temporary storage of products, merchandise, goods, materials, food stuffs or manufactured parts, which are intended to be repackaged, relabeled, assembled or removed from the premises soon thereafter.

2. Amending Article XI of the Whitehall Township Zoning Ordinance (conditional use provisions) by adding new section §27-124.1 - Distribution Facility:

The following regulations shall apply to all proposed distribution facilities. A distribution facility may also be referred to as a parcel hub, fulfillment center or logistics center, or any facility conducting similar type of activity regardless of how permitted/authorized by the Township. In the event that any of the following regulations are found to be in conflict with regulations found elsewhere in this chapter, the more restrictive regulations shall be applied, unless otherwise stated:

- A. Minimum Distance any adjacent residentially zoned or used parcel lot line: 150 feet for trucks, loading/unloading areas, structures, outdoor storage or truck parking.
- B. There shall be no storage of garbage permitted other than what is routinely produced on site and awaiting regular collection in closed storage containers. The bulk storage of materials that are inflammable, explosive, hazardous, or commonly recognized as hazardous shall not be permitted.
- C. Uses that involve more than 50 tractor-trailer trips in any 24 hour period will be required to address additional requirements of § 22-38 of the Whitehall Township Subdivision and Land

Development Ordinance. A trip shall be defined as one arrival to or one departure from the facility.

- D. The applicant, as part of the conditional use application, shall provide the following information:
1. A detailed description of the nature of the proposed on-site activities and operations
  2. The type of materials proposed to be stored
  3. The frequency of distribution and restocking
  4. The duration period of storage of materials
  5. The method of disposal of any surplus or damaged materials
  6. Documentation that the disposal of materials shall be accomplished in a manner that complies with state and federal regulations
  7. The general scale of the operation proposed, in terms of market area, specific floor space requirements for each activity, total number of employees on each shift and number of shifts, anticipated truck traffic, and overall needed site size.
  8. Any anticipated environmental impacts (e.g. noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, stormwater, solid waste, etc.) and specific measures employed to mitigate or eliminate any resulting negative impacts.
  9. Documentation that the number of off-street truck parking spaces will be adequate to accommodate the expected demand generated by the distribution activities.
  10. A traffic study, prepared by a registered professional traffic engineer, documenting the impacts of the proposed development on the existing and proposed road network.
  11. Proposed hours of operation
  12. Statements documenting consistency with all of the conditional use provisions as listed herein
  13. Details regarding proposed truck route for all proposed trucks entering and exiting facility from the site to the township boundaries.
- E. Any merchandise subject to legal restrictions may be entered for warehousing except for perishable (refrigerated & frozen included) merchandise & explosive substances. Dangerous and highly flammable merchandise, though not classified as explosive, shall not be entered for facility without the written consent of the township, local emergency agencies, solicitor and insurance company insuring the facility in which the merchandise is to be stored.
- F. Vehicular access shall be arranged so as to minimize congestion along adjoining roads and to avoid any adverse traffic issues.
- G. Bicycle racks shall be provided, as well as electric vehicle charging stations as noted herein.
- H. Developer shall contact the Lehigh Northampton Transportation Authority regarding possible public transit service to the facility and shall provide necessary accommodations for transit riders and pedestrians to the facility.
- I. On street loading will not be permitted.
- J. A plan of facility lighting, prepared by a registered design professional experienced with lighting issues shall be prepared and presented to the township with the conditional use application.

Proposed facility shall comply with all provisions of §27-103 of this chapter, Lighting and Glare Limitations.

1. Horizontal surfaces: For the lighting of predominately horizontal surfaces, such as, but not limited to, parking areas, roadways, vehicular and pedestrian passage areas, loading docks, building entrances, sidewalks, bicycle paths and site entrances, luminaires shall be aimed to the ground, and shall meet Illuminating Engineering Society of North America (IESNA) fully cut-off/fully shielded criteria.
2. Non- Horizontal surfaces: for the lighting of predominantly non-horizontal surfaces such as, but not limited to, facades, landscaping and signs, luminaires shall be shielded and shall be installed and aimed not to project their output into the windows of neighboring residences or structures, adjacent uses, past the object being illuminated, skyward, or onto a public roadway.
3. Adjacent Residential uses: the illumination projected onto a residential use shall at no time exceed 0.1 footcandle, measured line-of-sight from any point on the receiving property.
4. Adjacent Non-Residential Uses: the illumination projected from any property onto a non-residential use shall at no time exceed 0.5 initial footcandle, measured line of sight from any point on the receiving property.

K. Air Quality. 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 (EPA) air quality standards. All reasonably foreseeable project impacts, including the project's total, statewide, and cumulative emission impacts, shall be fully analyzed.

1. Truck Impacts. The applicant will be required to fully analyze impacts from truck trips for all possible routing to and from the subject site.
2. Electric.
  - a. Encourage the installation/use of electric hook-ups to eliminate idling of main and auxiliary engines during loading and unloading, and when trucks are not in use.
  - b. Encourage the installation and/or use of on-site equipment, such as forklifts and yard trucks, that are electric with the necessary electrical charging stations provided.
  - c. Encourage the installation and/or use of zero-emission light- and medium-duty vehicles.
3. Idling. Trucks are to be prohibited from idling as stated in applicable motor vehicle laws.
4. Truck Charging Stations. The applicant shall construct sufficient electric truck charging stations for the facility.

L. Berms/Buffer Yard

1. Any vehicle or tractor-trailer truck parking, outdoor storage, and loading/unloading areas that are visible from and are within 250 feet of the exterior lot lines of the use shall be separated from such lot lines by an earthen berm in accordance with this section. A landscaping plan, prepared by a registered design professional, shall be submitted with

conditional use application which provides additional landscaping to satisfy the requirements of the following and provide an aesthetically pleasing site.

- a. The berm shall average a minimum of five feet in height; or more, as required to be acceptable to the township - above the average adjoining grade ground level (disregarding any drainage channel) on the outside of the berm.
- b. The berm shall not have one completely continuous height, but instead shall vary in height by one (1) foot or two (2) feet in places.
- c. The top of the berm shall not have a width less than five (5) feet.
- d. The berm shall have a maximum side slope of three (3) feet horizontal to one (1) foot vertical.
- e. The berm shall be covered by a well-maintained all season natural ground cover, such as grass.
- f. Required screen plantings shall be arranged on the outside and top of the berm or sound proof fencing on top of berm along with plantings. All plantings shall be in accordance with Shade Tree Commission's recommendations of native species.

M. Signage

1. Signs shall be installed at all truck exit driveways directing truck drivers to the truck route as indicated in the truck routing plan and state highway system.
2. Interior and exterior-facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations, shall be posted.
3. Facility operators shall post signs in prominent locations inside and outside of the building indicating that off-site parking for any employee, truck, or other operation related vehicle is strictly prohibited. The municipality may require the facility operator to post signs on surface residential streets indicating that off-site truck parking is prohibited by municipal ordinance and/or the truck routing plan
4. Signs shall be installed in public view with contact information for a local designated representative who works for the facility operator and who is designated to receive complaints about excessive dust, fumes or odors, and truck and parking complaints for the site. Any complaints made to the facility operator's designee shall be answered within 72 hours of receipt.
5. All signs under this section shall be reflective, legible, durable, and weather-proof.

N. The facility shall include an appropriate system to contain and properly dispose of any fuel, grease, oils, or similar pollutants that may spill or leak.

O. External building materials shall be of colors that are low-reflective, subtle, or earth tone. Fluorescent and metallic colors shall be prohibited as exterior wall colors.

P. LEED certification is encouraged as well as roof-mounted accessory solar energy systems.

Q. 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 facility.

- R. Woodland disturbance, including alteration or removal of any hedgerows, shall be minimized. No portions of tree masses, tree line, hedgerow, or individual freestanding trees measuring six (6) inches or greater in diameter at breast height (DBH) shall be removed unless it is clearly necessary to effectuate the proposed development. No more than 50% of any existing tree masses, tree lines, hedgerows, or individual freestanding trees with six (6)-inch or greater DBH shall be removed unless approved by the township. For purposes of this subsection, a woodland is defined as a tree mass or plant community in which tree species are dominant or codominant and the branches of the trees form a complete, or nearly complete, aerial canopy. Any area, grove or stand of mature or largely mature trees (i.e., six (6)-inch or greater DBH) covering an area of .25 of an acre or more, or consisting of more than 50 individual trees six (6) inches or greater DBH, shall be considered a woodland. Trees shall be replaced at a tree per tree ratio.
- S. Facility Amenities. Proposed facility shall provide, at minimum, the following amenities for drivers:
1. Drivers lounge with table, seats, food vending machines and restrooms
  2. Showers, sleeping/resting areas, entertainment based upon number of loading doors

All other provisions of these sections shall remain unchanged.

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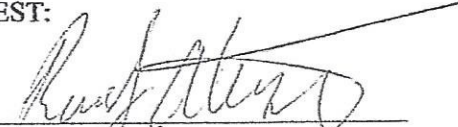
**APPROVED AND ADOPTED** this 12th day of May, 2025, by the Board of Commissioners of Whitehall Township, Lehigh County, Pennsylvania, in lawful session duly assembled.

**BOARD OF COMMISSIONERS  
TOWNSHIP OF WHITEHALL**


By: 

Thomas Slonaker President

ATTEST:

  
Randy Atiyeh, Secretary

AND NOW, to wit, this 12<sup>th</sup> day of May, 2025, the above is approved.

  
Joseph J. Marx, Jr., Mayor