

**TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA**

ORDINANCE NO. 4 - 2015

**AN ORDINANCE OF THE TOWNSHIP OF MIDDLESEX,
CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING
ORDINANCE NO. 3-89 ENACTED JUNE 30, 1989 KNOWN
AS THE "MIDDLESEX TOWNSHIP ZONING
ORDINANCE", ARTICLES X, XII AND XIV PERTAINING
TO AMENDMENTS TO THE CH – COMMERCIAL
HIGHWAY ZONING DISTRICTS, IG – INDUSTRIAL
GENERAL ZONING DISTRICTS AND SUPPLEMENTARY
REGULATIONS.**

BE IT HEREBY ENACTED AND ORDAINED and it is hereby enacted by the Board of Township Supervisors in and for the Township of Middlesex, Cumberland County, Pennsylvania, as follows:

SECTION 1: The Middlesex Township Zoning Ordinance is hereby amended as follows:

- A. Article X, CH – Commercial Highway Districts, Section 10.03 E, is hereby amended in its entirety as follows:
 - E. Vehicle sales and services, such as vehicle service stations, repair garages, new and used car dealers, and automotive supplies, subject to the requirements of Section 14.46.
- B. Article X, CH – Commercial Highway Districts, Section 10.03, is hereby amended to include the following additional Paragraph as follows:
 - S. Wholesaling, storing, warehousing, and distribution centers, including lumber yards, building contractors, and farm supply and building material yards, when any portion of the subject property (a) is located less than 1,320 feet (i.e. ¼ mile) from a grade separated highway interchange (as measured from the nearest highway ramp terminal to any contiguous portion of the property); and (b) abuts the (IG) Industrial General, subject to the requirements of Section 14.61.
- C. Article X, CH – Commercial Highway Districts, Section 10.05 I., is hereby amended in its entirety as follows:
 - I. Wholesaling, storing, warehousing, and distribution centers, including lumber yards, building contractors, and farm supply and building material yards, when the subject property is located 1,320 feet (i.e., ¼

mile) or more from a grade separated highway interchange (as measured from the nearest highway ramp terminal to any contiguous portion of the property) or (b) does not abut the (IG) Industrial General Districts, subject to the requirements of Section 14.61.

- D. Article XII, IG – Industrial General Districts, Section 12.03 18, is hereby amended to include the following additional permitted use as follows:

18. Vehicle services, such as vehicle service stations and repair garages, subject to the requirements of Section 14.46.

- E. Article XIV, Supplementary Regulations, Section 14.46 is hereby amended as follows:

1. Section 14.46 A.1. is hereby amended in its entirety as follows:

1. Vehicle service stations.

2. Section 14.46 B.1. is hereby amended in its entirety as follows:

1. Lot Requirements

1.a. The minimum lot size for the uses listed in Section 14.46 A. above shall be one (1) acre, and the minimum street frontage shall be 150 feet.

1.b. The maximum lot size for vehicle service station uses listed in Section 14.46 A.1. above, shall be two (2) acres in the (VC) Village Center Districts and four (4) acres in the (CH) Commercial Highway Districts.

- F. Article XIV, Supplementary Regulations, is hereby amended to add sub-section 14.61 as follows:

14.61 Wholesaling, Storing, Warehousing, and Distribution Centers.

A. The subject property shall have a minimum lot area of 10 acres and a minimum of 300 feet of frontage on an arterial or collector road.

B. Parking, staging and loading/unloading areas, and buildings shall be located no closer than 500 feet from a residential use or district and/or property containing a school, day-care facility, park, playground, library, hospital, or nursing, rest or retirement home, except where such parking, staging and loading/unloading areas, and buildings are separated from such other uses by a limited access highway.

- C. When served by public sewer and public water and any portion of the subject property is located less than 1,320 feet (i.e., ¼ mile) from a grade separated highway interchange (as measured from the nearest highway ramp terminal to any contiguous portion of the property), a maximum lot coverage of 50% and a maximum impervious coverage of 65% shall be permitted.
- D. A 200 foot deep buffer strip shall be provided along any lot line of the subject property that adjoins a residential use or district, except where the subject property is separated from such residential use or district by a limited access highway. A 75 foot deep buffer strip shall be provided along any adjoining right of way of an arterial street (other than a limited access highway).
- E. Screen buffers in accordance with the Subdivision and Land Development Ordinance shall be provided in all buffer strips. Where a 75 foot or 200 foot deep buffer strip is required under Subsection D above, an earthen berm shall be provided within such buffer strips. Such earthen berm shall have minimum height of 15 feet and a maximum slope of 3 feet of run to 1 foot of rise (i.e., 3:1). The screen buffers required under the Subdivision and Land Development Ordinance shall be placed on the top of the berm. Stormwater management facilities shall be permitted to be located within buffer strips.
- F. The maximum building height shall be permitted to increase by 1 foot for every 2 feet by which the building exceeds applicable minimum yard requirements, up to maximum building height of 50 feet.
- G. The site shall be provided with sufficiently-long stacking lanes and on-site loading/unloading facilities so that trucks or trailers or other vehicles waiting to park, or be loaded /unloaded, will not back up onto public roads.
- H. The outdoor storage of unlicensed and/or un-inspected trucks or trailers is prohibited.
- I. Any exterior public address system shall be designed and operated so that the audible levels of any messages conveyed over the system will not exceed the ambient noise levels of the use, as measured at each of the lot lines.
- J. Electric hookups shall be installed to reduce idling of main and auxiliary engines when trucks are in a stationary position.

SECTION 2: Except only as amended, modified and changed herein, the Middlesex Township Zoning Ordinance as originally enacted and previously amended shall remain in all other respects in full force and effect.

SECTION 3: If any section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance or the Middlesex Township Zoning Ordinance is declared by any reason to be illegal, unconstitutional, or invalid by any court of competent jurisdiction, such decision shall not effect or impair the validity of this Ordinance as a whole, or any other section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this Ordinance or the Middlesex Township Zoning Ordinance. The Board of Township Supervisors hereby declares that it would have adopted this Ordinance and each section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase or word thereof, irrespective of the Fact that any one or more of the sections, sub-sections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

SECTION 4: In the event any provision added by this Ordinance to the Middlesex Township Zoning Ordinance has been numbered, lettered or otherwise designated out of sequence, same shall be corrected and/or correctly numbered, lettered or designated upon discovery of same.

SECTION 5: This Ordinance shall become effective in accordance with applicable law.

ENACTED AND ORDAINED this 1st day of July, 2015.

TOWNSHIP OF MIDDLESEX

By: _____

Chairman, Board of Township
Supervisors

ATTEST:

Aileen M. Gault

Township Secretary

(Township Seal)