

**TOWNSHIP OF UPPER SAUCON
LEHIGH COUNTY, PENNSYLVANIA**

ORDINANCE NO. 141-C

AN ORDINANCE AMENDING THE UPPER SAUCON TOWNSHIP ZONING ORDINANCE BY AMENDING THE ZONING MAP TO DESIGNATE 39.351 ACRES OF A CERTAIN TRACT OF LAND IDENTIFIED AS LEHIGH COUNTY TAX PIN NUMBER 642548134563, ALSO KNOWN AS 4373 ROUTE 378, BETHLEHEM, AND PIN NUMBER 642536947758, ALSO KNOWN AS 2115 SAUCON VALLEY ROAD, BETHLEHEM, AS AN AGE QUALIFIED COMMUNITY OVERLAY ZONE; AND TO DESIGNATE 14.946 ACRES OF SAME TRACT OF LAND AS VILLAGE COMMERCIAL OVERLAY ZONE.

SECTION 1: STATEMENT OF LEGISLATIVE FINDINGS

WHEREAS, the Stabler Land Company and Old Saucon Investment, LP, submitted a landowner request for an amendment to the Zoning Ordinance of Upper Saucon Township pursuant to Article 9 Section 904 of the Ordinance; and

WHEREAS, the request is to amend the Official Zoning Map of Upper Saucon Township to establish 39.351 acres of a certain tract of land as an Age Qualified Community Overlay Zone; and

WHEREAS, the request is also to amend the Official Zoning Map of Upper Saucon Township to establish 14.946 acres of the same certain tract of land as a Village Commercial Overlay Zone; and

WHEREAS, the Township Planning Commission reviewed the proposed map amendment on May 3, 2011, and recommended approval of the same; and

WHEREAS, the Township Board of Supervisors (hereinafter "Board") finds that the proposed map amendments are consistent with the criteria enumerated in the Zoning Ordinance for the establishment of Age Qualified Community and Village Commercial overlay zones; and

WHEREAS, the Board finds that the exercise of its legislative discretion to approved the requested map amendment is consistent with the public health, safety and general welfare.

NOW, THEREFORE, the Board of Supervisors of Upper Saucon Township does hereby enact and ordain the following amendments to the Upper Saucon Township Zoning Ordinance:

SECTION 2: ZONING MAP AMENDMENT

1. The Official Zoning Map of Upper Saucon Township shall be amended such that a 39.351-acre portion of a certain tract of land identified as Lehigh County Tax PIN 642548134563, also known as 4373 Route 378, Bethlehem, and 642536947758, also known as 2115 Saucon Valley Road, Bethlehem, is designated as an Age Qualified Community Overlay Zone (AQCOZ). A true and correct copy of a map indicating the precise area to be rezoned to receive the Overlay is attached hereto and made a part hereof and marked as "Exhibit A".
2. The Official Zoning Map of Upper Saucon Township shall be amended such that a 14.946-acre portion of a certain tract of land identified as Lehigh County Tax PIN 642548134563, also known as 4373 Route 378, Bethlehem, is designated as a Village Commercial Overlay Zone (VCOZ). A true and correct copy of a map indicating the precise area to be rezoned to receive the Overlay is attached hereto and made a part hereof and marked as "Exhibit B".

SECTION 3: PROTANTO REPEAL

Unless otherwise specifically stated in this Ordinance, all ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4: EFFECTIVE DATE

This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of Upper Saucon Township.

SECTION 5: SAVINGS CLAUSE

To the extent that any word, portion or provision of the text hereof is found by any court of competent jurisdiction to be invalid or void on constitutional or other grounds, such word, phrase, portion or provision shall, if possible, be deemed to be repealed and those remaining valid portions of the text shall remain in full force and effect if same can be accomplished without the structure of the Ordinance having been destroyed by the elimination of that word, phrase, portion or provision found to be invalid or void.

DULY ENACTED AND ORDAINED this 6th day of June, 2011, by the Board of Supervisors of the Township of Upper Saucon, Lehigh County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF UPPER SAUCON
BOARD OF SUPERVISORS

CHAIRMAN

VICE CHAIRMAN

SUPERVISOR

SUPERVISOR

ATTEST:

SECRETARY

SUPERVISOR