

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

ORDINANCE NO. 141-M

AN ORDINANCE AMENDING THE UPPER SAUCON TOWNSHIP ZONING ORDINANCE OF 2009, AS AMENDED, TO REDUCE THE NUMBER OF OVERSIZE PARKING SPACES FOR HOTEL AND MOTEL USES; AMEND THE DEFINITION OF "SHED" AND REGULATIONS RELATING TO THE NUMBER OF SHEDS PER LOT; REVISE REGULATIONS RELATING TO THE HEIGHT AND PLACEMENT OF FENCES AND WALLS; REVISE REQUIREMENTS FOR SUBMISSION OF INDIVIDUAL LOT GRADING PLANS AND REVISE REGULATIONS RELATING TO THE NUMBER AND SIZE OF CERTAIN SIGNS

SECTION 1: STATEMENT OF LEGISLATIVE FINDINGS

WHEREAS, on June 9, 2009, the Board of Supervisors of Upper Saucon Township (hereinafter, "Supervisors") enacted a comprehensive amendment to the Upper Saucon Township Zoning Ordinance, which amendment is known as Ordinance No. 141 (hereinafter, "Zoning Ordinance"); and

WHEREAS, on October 4, 2010, the Supervisors enacted Ordinance No. 141-A to amend the Zoning Ordinance; and

WHEREAS, certain requirements of the Ordinance, as drafted and amended from time to time, have been determined to impose regulation which is not consistent with the needs of the community, including certain requirements relating to over-size parking, the location and height of fences and walls, the definition of "shed" and the number of sheds per lot, the size and number of certain types of signs and the requirements for submission of individual lot grading plans; and

WHEREAS, the Supervisors desire to amend the Ordinance to clarify, revise or eliminate regulation which imposes unnecessary or improper restrictions on the use of property with respect to the subjects noted above.

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 of 2009, as amended.

SECTION 2: ZONING ORDINANCE TEXT AMENDMENTS

1. Section 314.V, titled "SCHEDULE OF REQUIRED PARKING SPACES," is amended with respect to "Hotels, motels" to delete the phrase "20 guest sleeping rooms" and substitute therefore the phrase "See note 4."

2. Section 314.V, titled "SCHEDULE OF REQUIRED PARKING SPACES," is amended to add a new note 4 as follows: "One per use, plus one additional space that may overlap with delineated passenger vehicle parking spaces, subject to approved signage."

3. The text of Sections 200.B.9.t, 201.B.9.x, 210.B.10.u, 211.B.12.u, 212.B.12.p, 213.B.12.p, 220.B.23.i, 230.B.31.i and 231.B.18.i, relating to sheds, is deleted in its entirety and with respect to each the following text is substituted therefore:

“Sheds, provided that one (1) shed shall be permitted for any lot with a lot area of at least 20,000 square feet. One (1) additional shed may be permitted for each 20,000 square feet of lot area, or fraction thereof, in excess of the initial 20,000 square feet. The cumulative coverage of all sheds on a lot shall not exceed 25% of the footprint of the principal residence.”

4. Section 113, titled “SPECIFIC WORDS AND PHRASES” is amended to add the following language to the definition of the term SHED:

“For the purpose of calculating the maximum size/number of sheds on a residential lot, the term “footprint” shall mean the contiguous surface space occupied by the foundation of the principal structure.”

5. Section 306.A, relating to fences and walls, is deleted in its entirety and the following is substituted therefore:

“306.A. Notwithstanding other provisions of this Ordinance, within the SMC, A, OSR, R-1, R-2, R-3 and AQC Zones, fences and walls are permitted within required yard areas, provided that no fence or wall shall be erected to a height of more than four (4) feet, except as follows:

1. Fences and walls erected upon reverse frontage lots may extend up to a height of six (6) feet within that front yard that does not contain vehicular access, and
2. Six (6) feet in any side or rear yard.

Agricultural walls or fences, required junk yard or tennis court walls or fences, and retaining walls remain subject to the specific regulations of this Ordinance.”

6. Section 308.A, relating to individual lot grading plans, is amended to delete the following text:

“Unless subject to a subdivision or land development improvements agreement and except as related to the tilling of soil for farming or gardening purposes, or as noted in Section 513.F. of this Ordinance, any”

and the following is substituted therefore: “Any.”

7. Section 322.C.34.G, relating to general regulations for signs, is amended to delete the phrase “All properties” and substitute therefore the phrase “Every business.”

8. Section 322.D, Table 1, relating to “Permanent Sign Requirements” is hereby amended with respect to “Residential nameplates identifying name of home, its occupants, or both to delete the stated requirements relating to maximum permitted sign area in its entirety and substitute the following therefore:

“6 square feet.”

9. A true and correct copy of a revised Table 1 is attached hereto as **Exhibit A**.

10. Section 450.L, relating to signs advertising a home occupation, is amended to delete the phrase "twelve (12) square feet in display area, including all sides on the sign;" and substitute therefore the phrase "six (6) square feet."

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

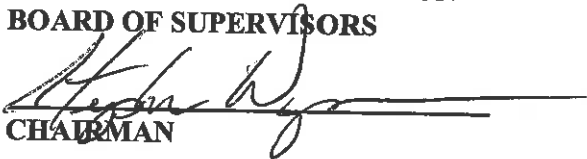
This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of Upper Saucon Township.

SECTION 5: SAVINGS CLAUSE

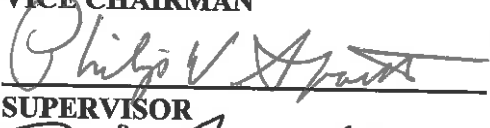
To the extent that any word, portion or provision of the text hereof is found by any court of competent jurisdiction to be invalid or void on constitutional or other grounds, such word, phrase, portion of provision shall, if possible, be deemed to be repealed and those remaining valid portions of the text shall remain in full force and effect if the 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 10th day of April, 2017, 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

SUPERVISOR

ATTEST:


SECRETARY

§ 322.D. - PERMANENT SIGN REQUIREMENTS (TABLE 1)

Sign Type	Maximum Permitted Number	Maximum Permitted Sign Area	Maximum Height of Freestanding Signs	Maximum Height Of Flat Roof & Wall Signs	Maximum Height Of Roof & Wall Projecting Signs	Maximum Projection from Wall/Roof Projecting Signs	Permitted Zones	Other Requirements	Permit Required
Signs owned and associated with uses operated by the Township. Official traffic signs.	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	All		No
Signs identifying public and semi-public uses (e.g., schools, churches, utilities, hospitals, libraries, parks, fire stations, post offices, and other similar uses).	2 per principal building	64 sq. ft. for freestanding signs; 20% of the area of the wall/roof facade not to exceed 300 sq. ft.	10 feet	Height of wall to which sign is attached.	Height of wall to which sign is attached.	10 feet, but no closer than 10 feet from any lot line.	All	See footnote 1 below.	Yes
Residential nameplates identifying name of home, its occupant, or both, not including name listing on mailbox.	1 per dwelling unit	6 square feet	5 feet	10 feet	Not Permitted	Not Permitted	All		No
Property control signs (e.g., "No Trespassing," "Private Property," "No Hunting or Fishing," "Posted," "Private Drive," or similar type signs).	1 per 25 lineal feet of property line	2 square feet per sign	5 feet	Not Permitted	Not Permitted	Not Permitted	All	Spacing at no less than 25 foot intervals.	No
Institutional & Residential development/neighborhood signs. Such signs shall only list the name of the neighborhood/development and shall not list any names of contractors, realtors, or both.	1 per street entrance, but no more than 2 total	1 square foot per dwelling, not to exceed 32 square feet per sign	15 feet	Height of wall to which sign is attached.	Height of wall to which sign is attached.	10 feet, but no closer than 10 feet from any lot line.	SMC, A, OSR, R-1, R-2, R-3 & AQC	The applicant shall submit a written description of the maintenance responsibilities in a form satisfactory to the Township Solicitor.	Yes
Individual business signs identifying the name and type of business, any trademark of the business conducted on the premises, or any combination thereof. This does not include businesses contained within planned centers, as defined herein.	1 per principal use	25 square feet, plus 2 square feet per 5 lineal feet of lot frontage, not to exceed 64 square feet per sign.	15 feet	Height of wall to which sign is attached.	Height of wall to which sign is attached.	20 feet, but not closer than 10 feet from any lot line.	All, except E, see Table 4	No flat wall sign, nor wall projecting sign shall be larger than 15% of the wall area to which the sign is attached.	Yes
On-site directional, entrance, exit, rest room, and other informational signs.	4 per building	2 square feet per sign; however, no more than 10% shall exceed 16 sq. ft.	5 feet	10 feet	Height of wall to which sign is attached.	2 feet	All, except E, see Table 4		No
Billboards									See Section 414 of this Ordinance.

In addition, two (2) off-premise signs shall be permitted per use. Such signs shall not exceed six (6) square feet per side. If more than one organization collectively erects one sign, each organization shall be permitted a maximum of six (6) square feet of sign area; however, no such sign shall exceed a total sign area of twenty-four (24) square feet. Each use of a collective sign shall constitute one (1) of the organization's two (2) permitted off-premise signs. Off-premise signs may only be located upon private property with the written permission of the landowner, a copy of which must be submitted to the Zoning Officer upon application for a zoning permit. No off-premise sign shall be located within the street right-of-way. Off-premise signs must be designed and located so as not to interfere with the clear sight triangle of any driveway, access drive or street. No more than two (2) off-premise signs shall be located within two hundred (200) feet of any street intersection.

