

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

ORDINANCE NO. 141- P

AN ORDINANCE AMENDING THE UPPER SAUCON TOWNSHIP ZONING ORDINANCE OF 2009, AS AMENDED, TO ELIMINATE REGULATIONS RELATING SPECIFICALLY TO AGE QUALIFIED COMMUNITIES AND TO INCORPORATE AGE QUALIFIED COMMUNITY DEVELOPMENT REGULATIONS INTO CONSERVATION DESIGN DEVELOPMENT REGULATIONS AND TO FURTHER REVISE AND UPDATE CONSERVATION DESIGN DEVELOPMENT REGULATIONS.

SECTION1: 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 changing needs of the community; and

WHEREAS, the Supervisors find that regulations relating to Age Qualified Communities (hereinafter, "AQC"), found at Section 214 of the Zoning Ordinance, and regulations relating to Conservation Design, found at Section 427 of the Zoning Ordinance, needlessly overlap and present occasionally inconsistent approaches to what in effect are similar forms of development; and

WHEREAS, the Supervisors find that the elimination of separate regulations for AQCs and incorporation of such development within the Conservation Design regulations is consistent with the public health, safety and general welfare as the same will simplify the regulations, eliminate inconsistencies and facilitate plan review and approval; and

WHEREAS, the Supervisors find that the inclusion of AQC regulations into Conservation Design regulations presents an opportunity to update the latter so as to address the changing needs of the community; and

WHEREAS, the Supervisors acknowledge that several, Age Qualified Community Overlay District Map Amendments have been approved over the years and that several, AQCs have been constructed or have been the subject of plan approval; and

WHEREAS, it is the intent of the Supervisors that in accordance with the requirements of the Municipalities Planning Code, as amended (hereinafter, "Act"), AQC communities which are the subject of a filed preliminary plan, are approved or are under construction shall have the protections afforded by the Act and shall remain subject to the AQC regulations in existence prior to the effective date of this Ordinance 141-P; and

WHEREAS, it is the intention of the Supervisors that the development of an AQC in an approved, Age Qualified Community Overlay District (hereinafter, "AQCOD"), for which preliminary plans have not been filed prior to the effective date of this Ordinance 141-P, shall be subject to the Conservation Design Development regulations set forth herein and made applicable to development in the Multi-Family Residential (R-3) Zoning District, regardless of the underlying zoning district classification for the AQCOD; and

WHEREAS, it is the intention of the Supervisors that, unless specifically repealed herein, the regulations set forth in Article 3 General Provisions and Article 4 Specific Criteria relating to multiple zoning districts, including AQCODs, shall continue to apply to ACQODs, whether developed in accordance with AQC or Conservation Design Development regulations; and

WHEREAS, the Supervisors desire to amend the Zoning Ordinance consistent with the afore-stated findings and goals.

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 214, titled "SECTION 214 - AGE QUALIFIED COMMUNITY OVERLAY ZONE (AQC)," is deleted in its entirety and the following is substituted therefor:

"SECTION 214 – AGE QUALIFIED COMMUNITY OVERLAY ZONE (AQC)

214.A Existing AQCOD Tracts – Tracts of land receiving the Age Qualified Community Overlay Zone (AQC) District designation prior to the effective date of Ordinance 141-P shall be subject to the requirements of this Zoning Ordinance as follows:

1. Every tract receiving an Age Qualified Community Overlay Zone Map Amendment for which a preliminary plan was filed prior to the effective date of Ordinance 141-P shall be subject to the Age Qualified Community Zoning Ordinance regulations in effect at the time of filing the preliminary plan, but only to the extent required by the Act.

2. Every tract receiving an Age Qualified Community Overlay Zone Map Amendment, for which a preliminary plan to develop an Age Qualified Community was not filed prior to the effective date of Ordinance 141- P, shall be subject to the Conservation Design Development regulations of this Ordinance applicable to development in the Multi-Family Residential (R-3) Zoning District, regardless of the underlying zoning district classification for the AQCOD, for the subsequent development of an Age Qualified Community."

2. Section 427, titled "SECTION 427 CONSERVATION DESIGN DEVELOPMENTS," is deleted in its entirety and the following is substituted therefor:

"Section 427 Conservation Design Developments

427.A Where Permitted - Within the (R-1, R-2, and R-3) Zones, conservation design developments are permitted by right if applicants demonstrate compliance with the following requirements during the applicable subdivision and/or land development

approval process. Regardless of the availability of municipal water and/or public sewer, parcels of land located in whole or in part with the (A) Agricultural Conservation, (OSR) Open Space and Recreation, and (SMC) South Mountain Conservation Zones shall not be eligible for consideration for inclusion within a Conservation Design Development.

427.B Purpose – This use is intended to blend various residential development types amid substantial areas of the Township that are characterized by natural sensitivity and/or proximity to existing or proposed public parklands. It is the express purpose that this Section will offer the highest densities and the most flexible design standards available within each respective Zone as enabled in the Act when a proposed development successfully integrates the preservation and protection of natural-cultural features and/or the provision of publicly accessible common open space.

427.C Uses Permitted by Right

1. Residential Dwelling Units
 - a. Single Family Detached Dwellings.
 - b. Duplex Dwellings.
 - c. Townhouse Dwellings.
 - d. Multiple-Family Dwellings (R-3 only).
2. Accessory uses customarily incidental to the above permitted uses, including, but not limited to, the following:
 - a. Alternative energy production facilities, subject to the requirements of Section 404 of this Ordinance.
 - b. Community Center or clubhouse consisting of inter alia, activity rooms, kitchen areas, meeting rooms, craft rooms, fitness rooms, lounges or similar facilities for the exclusive use of members of the community and invited guests.
 - c. Domestic composts, subject to the requirements of Section 429 of this Ordinance.
 - d. Garage, yard, and/or moving sales, subject to the requirements of Section 442 of this Ordinance.
 - e. Gardening and raising of plants for personal use.
 - f. Gate houses, entrance facilities and other similar structures.
 - g. No-impact home-based business, as defined herein.
 - h. Play structures, as defined herein, provided such structures are confined to the side or rear yard and are located no closer than fifteen (15') feet from the closest side and/or rear lot line.
 - i. Recreational uses, for the exclusive use of the community and invited guests.
 - j. Residential swimming pools, subject to the requirements of Section 472 of this Ordinance.
 - k. Residential tennis/athletic courts, subject to the requirements of Section 473 of this Ordinance.
 - l. Routine repair and servicing of personal motor vehicles, subject to the requirements of Section 476 of this Ordinance.
 - m. Satellite dish antennas, subject to the requirements of Section 478 of this Ordinance.

n. Sheds.

Such accessory uses shall only be permitted when the principal dwelling unit is located on its own fee simple lot.

427.D Required Ratio of Housing Types – The following table identifies permitted residential structure types within Conservation Design Developments:

Percentage of Dwelling Units Required by Structural Type			
Zone	Single Family Detached	Duplex	Townhouses or Multi-Family Dwellings
R-1	100%	Not permitted	Not permitted
R-2	Not less than 85%	No more than 15%	Not permitted
R-3	Not less than 50%	No more than 50%	No more than 50%

427.E Bulk and Design Requirements

1. No minimum overall development tract size shall apply and no individual minimum lot sizes shall apply.
2. The impervious cover for the overall development tract shall be in accordance with Section 427.F and no additional individual maximum lot coverage requirements shall apply.
3. The maximum permitted net density of the overall development tract shall be as follows:
 - a. R-1 Zoning District maximum net density of 1.5 dwelling units/acre.
 - b. R-2 Zoning District maximum net density of 3.0 dwelling units/acre.
 - c. R-3 Zoning District maximum net density of 6.0 dwelling units/acre.
4. Net densities shall be calculated upon the overall development tract size which shall be comprised of the combination of each lot or lots to be developed and otherwise consistent with the definition of Lot Area.

427.F Required Design Standards – The following table and its footnotes present applicable design standards applied to the various dwellings/lots:

Figure 427.F CONSERVATION DESIGN DEVELOPMENT DESIGN STANDARDS								
Zone	Use	Maximum Building Height	Minimum Lot Width BSL/Frontage	Maximum Imper-vious Coverage	Minimum Required Yards ⁴			
					Front ³	One Side	Both Side	Rear ⁴
R-1	SFD ²	35'	120'/100'	50%	25'	15' ²	30'	35'
R-2	SFD ²	35'	80'/65'	55%	25'	10' ²	20'	25'

R-2	Duplex	35'	80'/65' per unit	55%	25'	25'	NA	25'
R-3	SFD ²	35'	60'/50'	60%	25'	5'	10'	15'
R-3	Duplex ²	35'	45'/40' per unit	60%	25'	10'	NA	15'
R-3	Townhouse ¹	35'	18'/18' per unit	75%	25'	15'	NA	20'
R-3	MF ²	35'	150'/200'	60%	35'	30'	60'	35'

¹No townhouse building shall contain more than eight (8) units. For each townhouse building containing more than four (4) units, no more than sixty percent (60%) of such units shall have the same front yard setback; the minimum variation of setback shall be two feet (2'). In addition, no more than two (2) contiguous units shall have identical roof lines that generally parallel the ground along the same horizontal plane. All townhouse buildings or single family detached dwellings not on individual lots shall be set back a minimum of fifteen feet (15') from any interior access drives, or parking facilities contained on commonly-held lands. All townhouse buildings or single family detached dwellings not on individual lots shall be set back at least thirty feet (30') from any perimeter boundary of the conservation design development site. In those instances where more than one townhouse building or multiple family dwelling not on individual lots are located on the same lot, the following footnote 3 shall apply.

²In those instances where more than one townhouse or multi-family dwelling is located on the same lot, the following separation distances will be provided between each building:

- a. Front to front, rear to rear, or front to rear, parallel buildings shall have at least fifty feet (50') between faces of the building. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as ten feet (10') at one end if increased by similar or greater distance at the other end.
- b. A minimum yard space of thirty feet (30') is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of twenty feet (20').
- c. A minimum yard space of thirty feet (30') is required between end walls and front or rear faces of buildings.
- d. All multiple-family dwelling buildings shall be set back a minimum of fifteen feet (15') from any interior access drives or parking facilities contained on commonly-held lands. All multiple-family dwelling buildings shall be set back at least thirty feet (30') from any perimeter boundary of the conservation design development site.
- e. Where more than one single family or duplex dwelling unit is located on the same lot, documentation shall be provided to demonstrate that each dwelling unit separately complies with the design standards above.

³If the property abuts an arterial road, the minimum front yard setback for all dwellings shall be forty feet (40') from the ultimate right-of-way line. Except for multiple-family dwellings, the minimum front yard setback for accessory residential garages shall be twenty-five feet (25').

⁴No part of a principal residence or other principal building shall be located within one hundred feet (100') of any adjoining property within the Agricultural Zone, unless such adjoining property is already developed for non-agricultural purposes. No part of a residential or other accessory structure shall be

located within fifteen feet (15') of any adjoining property within the Agricultural Zone, unless such adjoining property is already developed for non-agricultural purposes.

427.G Required Buffer Strip – A minimum thirty (30') foot wide landscape buffer strip shall be provided along all front, side, and rear boundaries of the overall development tract. Such area shall comply with Section 321 of this Ordinance.

427.H Utilities

1. The proposed development shall be served by both public water supply and public sewage disposal systems.
2. All fire services shall be designed and constructed in accordance with ISO standards. The Township Fire Chief shall review and approve all fire hydrant locations and access ways to the development.
3. All utilities shall be installed underground. Design and installation of utilities shall be in accord with applicable requirements of the Township, Upper Saucon Sewage Treatment Authority, (USSTA) Upper Saucon Township Municipal Authority (USTMA), or provider as applicable.

427.I Delineation of Common Open Space – Conservation Design Developments are characterized by the required preservation of common open space as defined herein.

1. Common Open Space shall be set aside for each Conservation Design Development and shall comprise no less than 50% of the acreage of the overall development tract, regardless of the underlying zoning district.
2. In the case of conservation developments that abut the (A) Zone and/or properties subject to permanent agricultural easement, applicants may opt to provide for continued agricultural use of the common open space provided that the planning considerations of Section 201.F of this Ordinance are followed and suitable permanent agricultural preservation easements are recorded in a form acceptable to the Township solicitor.
3. Acreage designated as required common open space shall be integrated throughout the development and not entirely consolidated in a single location. An improved trail shall be incorporated throughout the overall development tract that links with, and is part of, a larger community trail system identified within the Saucon Region Comprehensive Recreation and Open Space Plan, the Comprehensive Plan, the Official Map, or, as determined to be suitable by the Board of Supervisors. Such trail shall provide pedestrian and bicycle linkages to the required common open space and be designed in accordance with Section 507.B of the Township's Subdivision and Land Development Ordinance.
4. With Township approval, land area containing storm water management facilities designed and constructed as wet ponds or shallow basins and which incorporate natural features, landscaping, and/or recreational uses may be attributable to the common open space requirement of this Section. The inclusion

of spray irrigation facilities is expressly excluded from inclusion within the required common open space.

427.J Protection of Common Open Space

1. The developer shall include on the record plan for the development and within the governing association document or management corporation document a depiction of all required common open space necessary to satisfy the requirements of this Ordinance. In addition, the developer shall include on the record plan and within the governing association document or management corporation document a statement that no buildings, structures, or other impervious surfaces shall be permitted to be built in the required common open space.
2. The applicant shall be required to include a note on the record plan for any approved conservation design development that perpetually limits the use of all required common open space(s) for their approved purpose(s).
3. Required common open space shall also be subject to permanent conservation easement(s) and agreement(s) in a form that is acceptable to the Township Solicitor. Such conservation easement and agreement shall limit future development and define the range or permitted activities. (For example, the clearing of woodland habitat shall generally be prohibited, except as necessary to create trails, active recreation facilities, and/or to install subsurface spray irrigation facilities. The determination of necessity shall lie solely with the Board.) The ownership and maintenance of required common open space shall be governed by Section 316 of this Ordinance and shall be detailed in the agreement.

427.K Content of Required Common Open Space – As part of the site planning process for the Conservation Design development, the applicant shall be required to demonstrate compliance with Article 5 of this Ordinance. Features inventoried during that process shall become all or part of the required common open space. Qualified experts must identify, describe and plot each of the following found on the proposed site:

1. Mandatory conservation features – the following features **must** be undisturbed and integrated within the Conservation Design development’s required common open space:
 - a. Floodplains;
 - b. 500 square feet of areas with very steep slopes (greater than 25%);
 - c. Wetlands and buffers, streams, ponds, or other waterways;
 - d. Sinkholes, caves or rock outcroppings;
 - e. Riparian buffers, as regulated by Section 511 of this Ordinance; and,
 - f. Threatened or endangered species habitats as required by the PNDI
2. Suggested conservation features – the following features **shall** be undisturbed and integrated within the Conservation Design development’s required common open space when necessary to meet the required minimum percentage of required common open space:

- a. Steep slopes (greater than 15%);
 - b. Significant geologic features;
 - c. Scenic vistas;
 - d. Threatened or endangered species habitats, not already required by the PNDI;
 - e. Historic and archaeological resources; and
 - f. Significant stands of mature trees.
3. The required common open space shall be sized and configured so as to accommodate its intended uses. Sufficient lot width/depth dimension shall be provided so as to accommodate, where applicable, ball fields, courts, or open play areas. Where a development is proposed at a location contiguous to an existing park, any common open space shall be provided as an expansion of the existing facility except where not practicable to do so.
 4. The required common open space shall have suitable topography and soil conditions for the intended use and, where applicable, for development as active play areas. Any unimproved area within the required common open space that will be used as open play area shall be provided with a healthy and vibrant grass ground cover. No more than twenty-five (25%) percent of any portion of the land area proposed as an open play area shall be comprised of floodplains, permitted storm water management facilities and/or slopes exceeding three (3%) percent.
 5. No part of the required common open space shall be located in front of or between any building or dwelling unit nor shall it include any part of any required setback, yard and/or open space for adjoining lots or uses as regulated by the Zoning Ordinance. Additionally, the area within twenty-five feet (25') of the rear wall of any structure shall be specifically excluded from the calculation of required common open space.
 6. The developer shall comply with Section 522 of the SALDO, which compliance shall be in addition to, and not in lieu of, compliance with the provision of required common open space.

427.L Pedestrian Circulation System - A pedestrian circulation system shall be provided as an integral part of any Conservation Design development in accordance with the following:

1. Pedestrian sidewalks, a minimum of five (5') feet in width, shall be provided on a minimum of one (1) side of all interior public or private streets, and along off-street parking areas where pedestrian usage is anticipated. All pedestrian sidewalks shall be concrete.
2. Pedestrian sidewalks shall be set back a minimum of five (5') feet from the curb line of all interior streets where street trees are placed between the sidewalk and the curb. Where street trees are placed between the sidewalk and building façade, the distance between the curb and sidewalk may be reduced to four (4') feet.

3. Pedestrian sidewalks may adjoin off-street parking, however off-street parking shall not encroach upon the pedestrian sidewalk. Provision shall be made to prevent vehicles from overhanging pedestrian sidewalks.
4. Pedestrian trails, a minimum of eight (8') feet in width shall be provided through the proposed development to interconnect pedestrian sidewalks with the required common open space, recreation space, amenities and facilities. Pedestrian trails shall be designed in accordance with Section 507.B of the Township's Subdivision and Land Development Ordinance.
5. Pedestrian sidewalks and trails shall be ADA compliant.

427. M Required Streetscape Design Standards – All interior streets shall be designed and constructed to Township standards for public residential streets as set forth in Ordinance 153.

427. N Traffic - Properties located within the traffic improvement district shall comply with the Township's traffic impact fee ordinance. IF the proposed development is outside the traffic improvement district, the developer shall prepare and abide by a traffic impact report in accordance with Section 305.A.5 of the SALDO. The traffic impact report shall be submitted to the Township for review and approval, and all recommendations contained in the approved traffic impact report shall be implemented by the developer in accordance with this Ordinance and other applicable laws, rules, regulations, ordinances, and standards. All improvements recommended by the approved traffic study shall be constructed in conjunction with the land development and/or subdivision as required by law or ordinance. All on site improvements shall be the responsibility of the developer.

427. O Off-Street Parking

- 1 A minimum of two (2) off-street parking spaces shall be provided for each dwelling unit. Garage spaces may count toward this requirement provided that the developer includes in its declarations and restrictions an enforceable covenant that each counted space be used for parking and not converted to another use; however, at least one (1) of the required off-street parking spaces must be an exterior space (outside the garage). For multi-family structures, the developer shall construct separate parking facilities in accordance with regulations contained in Section 314 of this Ordinance to meet the requirements of this Section.
- 2 Off-street parking areas for a community center or other community amenities shall be set back a minimum of twenty (20') feet from all buildings and a minimum of thirty (30') feet from the overall development tract boundaries. For a community center, a minimum of seven and one-half (7.5) off-street parking spaces shall be provided for every 1,000 square feet of gross floor area.
- 3 Overflow/Guest Parking spaces shall be provided at the rate of one (1) space for every five (5) single family detached or duplex dwelling units proposed. The overflow parking shall be provided in separate parking areas distributed throughout the development so as to be within convenient walking distance [<500'] to the units served.

- a. The maximum number of overflow/guest parking spaces permitted in any one location shall be six (6).
- b. Up to 10,000 square feet of area associated with overflow/guest parking spaces provided in or along the street frontage associated with the required, common open space will not be deducted from the required reservation of such space as long as the spaces do not encroach into any mandatory or suggested conservation features.
- c. A ten (10) foot landscape strip shall be provided along all areas reserved for overflow/guest parking.
- d. All overflow/guest parking spaces shall be directly connected to the pedestrian sidewalk/trail system serving the development.

4 Except as provided herein, all off-street parking facilities shall comply with Section 314 of this Ordinance.”

3. The following Sections, Sub-sections or parts of the Zoning Ordinance are amended as a result of the elimination of the Age Qualified Community Overlay District:

a. The Table of Contents is amended by deleting the phrase, “(AQC) Age Qualified Community Overlay Zone,” and all of the Sub-sections 214.A through and including 214.M and substituting therefore the following:

“Section 214 (AQC) Age Qualified Community Overlay Zone [page 89.]
 214.A. Existing AQCOD Tracts [page 89.]”

b. Section 108, titled “ESTABLISHMENT OF ZONES,” is amended by deleting the phrase “Age Qualified Community Overlay Zone (AQC) – Section 214.”

c. Section 113, titled “SPECIFIC WORDS AND PHRASES,” is amended by deleting the reference to, and definition for, “AGE QUALIFIED COMMUNITY.”

4. The following Sections, Sub-sections or parts of the Zoning Ordinance are amended as a result of revisions to the Conservation Design Development regulations:

a. The Table of Contents is amended by deleting “Section 427 Conservation Design Developments” and all of the Sub-sections 427.A through and including 427.J and substituting therefor the following:

- “Section 427 Conservation Design Developments
- 427.A Where Permitted
 - 427.B Purpose
 - 427.C Uses Permitted by Right
 - 427.D Required Ratio of Housing Types
 - 427.E Bulk and Design Requirements
 - 427.F Required Design Standards
 - 427.G Required Buffer Strip
 - 427.H Utilities
 - 427. I Delineation of Common Open Space

427.J Protection of Common Open Space
427.K Content of Required Open Space
427.L Pedestrian Circulation System
427.M Required Streetscape Design Standards
427.N Traffic
727.O Off-Street Parking.”

b. Sub-section 210.A, titled “PURPOSE OF ZONE” is amended by deleting the fourth sentence as follows: “Conservation design developments are encouraged to offer the greatest density and design flexibility so that proposed developments can partner in the protection of sensitive and/or valuable natural and cultural features of the site.”

c. Sub-section 210.B, titled “USES PERMITTED BY RIGHT,” is amended by deleting Sub-section 4, relating to Conservation design developments, in its entirety and substituting the following therefor: “Reserved.”

d. Sub-section 210.J, titled “AREA AND DESIGN REQUIREMENTS WITHIN THE (OSR) ZONE,” is amended by deleting from Figure 210.J (a chart, titled “AREA & DESIGN REQUIREMENTS WITHIN THE (OSR) ZONE”) the last segment relating to “Conservation Design Developments.”

e. Sub-section 211.I, titled “AREA AND DESIGN REQUIREMENTS WITHIN THE (R-1) ZONE,” is amended by deleting from Figure 211.I (a chart, titled “AREA & DESIGN REQUIREMENTS WITHIN THE (R-1) ZONE”) the last segment relating to “Conservation Design Developments.”

f. Sub-section 212.H, titled, “AREA AND DESIGN REQUIREMENTS WITHIN THE (R-2) ZONE,” is amended by deleting from Figure 212.H (a chart, titled “AREA & DESIGN REQUIREMENTS WITHIN THE (R-2) ZONE”) the last segment relating to “Conservation Design Developments.”

g. Sub-section 213.I, titled “AREA AND DESIGN REQUIREMENTS WITHIN THE (R-3) ZONE,” is amended by deleting from Figure 213.I (a chart, titled “AREA & DESIGN REQUIREMENTS WITHIN THE (R-3) ZONE”) the last segment relating to “Conservation Design Developments.”

h. Sub-section 306.A is amended by deleting the phrase “within the SMC, A, R-1, R-2, R-3 and AQC Zones” and substituting therefor the phrase “within the SMC, A, R-1, R-2 and R-3 Zones.”

i. Section 113, titled “SPECIFIC WORDS AND PHRASES,” is amended with respect to the definition of “COMMON OPEN SPACE” by eliminating the last sentence of the definition as follows: “With Township approval, common open space can include golf courses and parklands subject to the requirements of Section 427.E or Section 214.I of this Ordinance.”

SECTION 3: PROTANTO REPEAL

1. Unless otherwise specifically stated in this Ordinance 141-P, all ordinances in conflict herewith are hereby repealed to the extent of such conflict.

2. The following Sub-sections of Article 3 General Provisions are not amended hereby, and all such references to AQC communities shall remain in effect: 310.F.1 and 11.C and E, 312.A, 313.D and K, 314.U, W and X and 317.F.

3. The following Sub-sections of Article 4 Specific Criteria are not amended hereby, and all such references to AQC communities shall remain in effect: 402.C, 402.9, 410.I, 411.E and G, 414.E, 419.C, 423.B, 426.B, 430.G, 432.D, 436.E, 410.G.1, 442.A, 443.A, 445.D, 448.E, 450.A, 451.E, 453.M, 458.E, 459.H, 460.C, 461.F, 462.D and G, 463.B, 467.J, 496.D and G, 470.B and C, 478.B and C, 479.B, 480.L, 482. K, 484.E, 485.E, 488.G and 492.D.

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 20th day of NOVEMBER, 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