

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

**ORDINANCE NO. 141- Q**

**AN ORDINANCE AMENDING THE UPPER SAUCON TOWNSHIP ZONING ORDINANCE OF 2009, AS AMENDED, TO ADD A NEW SECTION 232 “ENTERPRISE OVERLAY ZONE,” TO CREATE A CORPORATE CAMPUS USE AS A PERMITTED USE IN THE ENTERPRISE OVERLAY ZONE, TO ADD A NEW SECTION 493 TO CREATE REGULATIONS FOR THE CORPORATE CAMPUS USE AND TO ADD AND MODIFY CERTAIN DEFINITIONS GERMANE TO THE CORPORATE CAMPUS USE; AND FURTHER TO AMEND THE OFFICIAL ZONING MAP TO DESIGNATE A SECTION OF THE ENTERPRISE (E) ZONE AS INCLUDING THE ENTERPRISE OVERLAY ZONE (EOZ)**

**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**, the Zoning Ordinance has been amended from time-to-time to, among other things, clarify, modify or eliminate regulations, accommodate changing patterns of development and to provide for new or creative forms of development and land use; and

**WHEREAS**, the Zoning Ordinance provides for an Enterprise (E) Zone, the purpose of which is to provide a location for industry, business and other institutions to pursue business activities in a park-like setting with shared infrastructure, access and amenities; and

**WHEREAS**, the Supervisors find that the accommodation of national and multi-national business entities stimulates the local economy, brings prestige to communities and provides opportunities for innovative and sustainable development; and

**WHEREAS**, the Supervisors find that the easing of height restrictions can, if managed appropriately, result in the more efficient use of land, the preservation of open space and a reduction in stormwater impacts by decreasing impervious cover; and

**WHEREAS**, the Supervisors believe that a “campus” setting provides advantages to large companies and their employees by allowing for the performance of a multitude of inter-related business functions, the creation of efficiencies and the provision of important personal services for employees such as banking, child care, recreation and dining; and

**WHEREAS**, the Supervisors find that portions of the E Zone, by virtue of their development and proximity to Interstate 78 are appropriate locations for corporate campuses and increased building heights; and

**WHEREAS**, the creation of an overlay zone is an appropriate vehicle by which to capitalize upon the benefits provided by the E Zone while at the same time providing for innovative design and business operations as part of a corporate campus setting; and

**WHEREAS**, the Supervisors find that the proposed size and location of the Enterprise Overlay Zone (EOZ) will allow a number of organizations to take advantage of the corporate campus use while minimizing visual impacts along the Center Valley Parkway corridor; and

**WHEREAS**, the Supervisors find that this Amendment is consistent with the public health, safety and general welfare, the existing E Zone, the Comprehensive Plan and the vision for the Stabler Center; and

**WHEREAS**, the Supervisors desire to amend the Zoning Ordinance and the Official Zoning Map 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. Article II, titled “Zone Provisions” is hereby amended to add a new Section 232 as follows:

“232 ENTERPRISE OVERLAY ZONE (EOZ)

232.A **PURPOSE OF ZONE**

The purpose of this Zone is to establish an area within the existing Enterprise (E) Zoning District where large-scale development of a Corporate Campus can be accomplished in a more efficient and environmentally responsible manner. All requirements of the base Enterprise (E) Zone remain applicable, except as set forth in Section 493.

232.B **USES PERMITTED BY RIGHT**

Corporate Campus development subject to the requirements of Section 493.”

2. Article 4, titled “Specific Criteria,” is amended to add a new Section 493 as follows:

**“Section 493 Corporate Campus**

493.A Within the Enterprise Overlay Zone (EOZ), a Corporate Campus is permitted by right, subject to the following criteria.

493.B **Purpose**

This use is intended to provide for the development of large-scale operations that serve as a corporate campus for a national or multi-national corporation or other similarly organized entity. The use shall include a single principal structure and may also include multiple secondary structures designed to accommodate research and development, training, marketing, finance, human relations, information technology, parking or other uses, all directly associated with the operation of the entity. When proposed, such secondary structures associated with a Corporate Campus shall not be subject to the provisions of Section 305.

493.C USES PERMITTED BY RIGHT

1. Offices.

493.D ACCESSORY USES

The following accessory uses shall be permitted only when included as an integral part of the Corporate Campus:

1. Secondary Structures as identified in 493.B above.
2. Parking Structure.
3. Laboratories.
4. Heliports subject to the requirements of Section 447, except that the same shall not be a conditional use.
5. Alternate energy production facilities subject to the requirements of Section 404.
6. Outdoor Recreation Area/Open Space.

493.E ACCESSORY USES

The following accessory uses shall be permitted only when incorporated in or on the principal structure or co-located in one or more permitted secondary structures:

1. Alternate energy production facilities subject to the requirements of Section 404.
2. Recycling collection facilities provided such facilities are sufficiently enclosed to prevent the scattering of debris, the materials collected are removed at regular intervals, and the facility is posted to prohibit the disposal of any material that cannot be placed within the actual recycling bin.
3. Financial institutions without a drive-thru; intended for use by employees within the Corporate Campus.
4. Co-located communication antennas subject to the requirements of Section 422.
5. Day care facilities intended for use by employees within the Corporate Campus and subject to the requirements of Section 423.F.
6. Health/fitness club intended for use by employees within the Corporate Campus and subject to the requirements of Section 444.I.
7. Café, coffee shop, or similar food service area intended for use by employees within the Corporate Campus.

493.F REQUIRED SIZE

1. The principal structure shall include a minimum of 200,000 square feet of office space and support a minimum of 1,000 employees.
2. The minimum lot size shall be twenty (20) acres.

493.G SCREENING

1. A visual screen shall be provided along any lot forming a part of the Corporate Campus, the boundary of which is located within three hundred feet (300') of the OSR, SMC, R-1, R-2, or R-3 Zones.
2. The screening shall comply with Section 321.D and E.

3. Existing, mature vegetation shall be credited toward the required screening where it achieves the intended screening through materials consistent with Section 321.E.

#### 493.H LANDSCAPING

1. Any portion of the site not used for buildings, structures, off-street parking lots, off-street loading spaces, and sidewalks shall be maintained with a vegetative ground cover, existing mature vegetation, and other ornamental plantings (see Section 321).
2. In addition to any screening required in Section 493.G, above or, by Section 314, a minimum twenty-five foot (25') wide landscape strip shall be provided along all property lines. Such landscape strip may be eliminated in portions of the site where a joint off-street parking lot and/or shared off-street loading spaces are located or where existing, mature vegetation is located, sufficient to meet the intent of this Sub-Section 493.H.2.

#### 493.I HEIGHT REQUIREMENTS

1. The height of a principal or secondary structure shall not exceed five (5) stories or seventy-five feet (75'), whichever is greater, above the finished grade, exclusive of architectural features and any uninhabitable portions of the structure which include areas necessary to house mechanical appurtenances, when erected as an integral part of such structure.
2. All uses shall comply with the following:
  - a. All structures shall be at least two (2) stories or thirty feet (30'), whichever is greater, in height.
  - b. At least sixty percent (60%) of the off-street parking provided shall be located either below the ground floor level of the principal structure or in a separate parking structure.
  - c. A parking structure shall not exceed the height of seventy-five feet (75') measured from the finished grade.

#### 493.J HEIGHT INCREASES

1. The maximum permitted height for a principal structure regulated by Section 493.I may exceed the seventy-five foot (75') maximum provided that the applicant demonstrates compliance with the following:
  - a. The proposed structure does not violate Federal Aviation Regulation No. 77;
  - b. Compliance with the BOCA National Fire Prevention Code, 1999, as amended; and
  - c. Compliance with Sub-Section 2 of this Section 493.J.
2. Additional development potential in the form of increased building height may be achieved for a project which incorporates one or more of the features listed below. The bonus height is in addition to the maximum building height restriction in Section 493.I. The bonus is applicable only to the principal structure. The maximum height after application of all bonuses shall be one hundred fifty feet (150') exclusive of architectural features and other uninhabitable portions of the principal structure. Options for obtaining bonus height increases include the following:
  - a. Implementation of Architectural Design Standards per Section 493.J.3.
  - b. Implementation of Low Impact Development Techniques per Section 493.J.4.

c. Provision of Active Open Space Features per Section 493.J.5.

3. Architectural Design Standards – One additional story or fifteen feet (15’), whichever is greater, in building height for each of the following:

- a. Provide prominent entryway design features and pedestrian linkages from the primary entrance of the principal structure to parking facilities, secondary structures and active open space features within the Corporate Campus.
- b. Exceed Energy Efficiency Standards under conventional building code requirements and demonstrate eligibility for LEED Certification or consistency with sustainable design criteria of another, similar agency that recognizes and calculates sustainable or green properties of building construction. Applicable LEED standards include building design and construction, interior design, and building operation and maintenance.
- c. Incorporate roof material in compliance with Environmental Protection Agency (EPA) Energy Star Cool Roof Program Specifications.
- d. Provide 100% of required employee off-street parking in parking structure(s).

Submission of graphic elevations and associated documentation designed by a licensed architect or engineer registered in the Commonwealth of Pennsylvania depicting compliance with these standards is required.

4. Low Impact Development Techniques – One additional story or fifteen feet (15’), whichever is greater, in building height for compliance with the following:

- a. Use of Low-Impact-Development (LID) techniques, including stormwater management techniques such as permeable pavement, grassy swales/buffer strips, stormwater ponds, bio retention areas, and other structural controls designed as water features and other amenities and incorporated into the site to provide infiltration, filtration, and pollutant removal of stormwater runoff.

5. Active Open Space Features – One additional story or fifteen feet (15’), whichever is greater, in building height for compliance with the following:

- a. Site design, including the arrangement of buildings, streets, and open spaces, which enhance and support common space within the Corporate Campus. Buildings shall be arranged to provide views and access to open spaces including plazas, fountains, courts, public art, garden areas, or other focal points. Outdoor recreation areas, pathways, and trails shall be incorporated to enhance the usable open space for employees within the Corporate Campus.

493.K LOT COVERAGE

BUILDING HEIGHT	MAXIMUM LOT COVERAGE
UP TO 75’	50%
OVER 75’	30%

493.L SETBACKS

1. To properties within the (E) or (EOZ) Zones:

BUILDING HEIGHT	FRONT YARD SETBACK*	SIDE YARD SETBACK*	REAR YARD SETBACK*
UP TO 75'	100'	60'	60'
OVER 75'	1000' from CVP	100'	100'

\* These setbacks are not applicable between structures within the Corporate Campus. Building to building setbacks within each Corporate Campus site shall comply with the applicable UCC regulations.

2. To properties in OSR, SMC, R-1, R-2 or R-3 Zones:

BUILDING HEIGHT	FRONT YARD SETBACK*	SIDE YARD SETBACK*	REAR YARD SETBACK*
UP TO 75'	100'	60'	60'
OVER 75'	N/A	200'	200'

\* These setbacks are not applicable between structures within the Corporate Campus. Building to building setbacks within each Corporate Campus site shall comply with the applicable UCC regulations.

493.M ACCESS REQUIREMENTS

1. A Corporate Campus shall front on an Arterial or Collector Street. Access to the street system shall be designed to ensure adequate dispersion of vehicles from the site.

2. In addition to vehicular access, the applicant shall be required to construct pedestrian linkages that connect the principal and secondary structures within the site to each other and to any existing walkway system so as to provide safe and convenient access to existing and future nearby uses.

3. Unless there is an existing bus stop within ¼ mile of the site, an improved bus stop, located so as to be conveniently accessible to employees who would travel to and from the site by bus shall be provided. Each stop shall include a shelter, seating, a waste receptacle, and at least one (1) shade tree.

4. A traffic impact report shall be provided in conjunction with the land development plan in accordance with the requirements of Section 305.A.5 of the SALDO. The report shall identify anticipated traffic impact on surrounding existing road network along with vehicular circulation improvements proposed as part of the development.

493.N OFF-STREET PARKING

1. Any off-street parking provided within the site shall be subject to the requirements of Section 314.
2. Off-street parking areas shall be set back a minimum of twenty-five (25') feet from all boundaries of the Corporate Campus site.

493.O SIGNAGE

1. Signage for the principal structure shall be governed by the provisions for Individual Headquarters Buildings found in Section 322.D Table 4.
2. Informational and Directional Signage only shall be permitted on secondary structures.

493.P REQUIRED UNIFIED DESIGN AND MANAGEMENT

All uses within a Corporate Campus shall be under the management and control of a single entity and shall incorporate a coordinated architectural scheme, unified landscaping, lighting, and signage, as well as integrated open space and pedestrian oriented space. These details shall be highlighted on the required Land Development Plan.

493.Q OPERATIONS STANDARDS

All operations shall be in compliance with any Commonwealth of Pennsylvania and/or Federal Government regulations, as required by the most recent regulations made available from these governmental bodies.

493.R RELATIONSHIP TO BASE ZONE

In addition to the provisions specifically set forth herein, the following sections of the Enterprise (E) Zone are hereby superseded: 231.C, 231.D, 231.E, 231.Q, and 231.U.

493.S RELATIONSHIP TO OTHER ORDINANCES

1. Every subdivision and land development plan relating in whole or part to the Corporate Campus use shall be subject to the regulations contained in this Zoning Ordinance, the Upper Saucon Township Subdivision and Land Development Ordinance and all other applicable ordinances and resolutions of Upper Saucon Township and shall be subject to municipal review and approval in accordance therewith, except as otherwise expressly set forth in this Section 493.

2. Nothing contained herein shall eliminate or modify the requirements for building, zoning, and occupancy permits or certificates.

3. In the event of a conflict between this Section 493 and any other Section or provision of the Zoning Ordinance or any other ordinance or resolution of Upper Saucon Township which may be applicable to the Corporate Campus use, this Section 493 shall control.”

3. Article 1, titled “Background Provisions” is amended to revise Section 108, titled “ESTABLISHMENT OF ZONES” to add a new category of zones and a new zone as follows:

“Overlay Zones Mapped  
Enterprise Overlay Zone (EOZ) – Section 232.”

4. Article 1, titled “Background Provisions” is amended to revise Section 118, titled “SPECIFIC WORDS AND PHRASES,” to add the following definitions:

“CORPORATE CAMPUS - A location for the development of large scale operations for a national or multi-national corporation or other similarly organized entity. A Corporate Campus may include one or more structures designed to accommodate multiple uses that are directly associated with the operation of the entity in accordance with the provisions of Section 493.”

and

“PARKING STRUCTURE (Also parking garage, parking deck or indoor parking) - A building designed for vehicle parking where there are one or more indoor levels or floors on which parking takes place; an indoor, stacked parking lot. A parking structure may include above ground and/or underground levels for parking.”

5. Article 1, titled “Background Provisions” is amended to revise Section 118, titled “SPECIFIC WORDS AND PHRASES,” to delete the term, and definition for, “LABORATORY” and substitute therefore the following:

“LABORATORY - A use associated with the conduct of experiments; medical or scientific study; or research and development.”

### **SECTION 3: MAP AMENDMENT**

The Official Zoning Map of Upper Saucon Township is amended such that an approximate 194.645 acre part of the Enterprise (E) Zoning District and identified by Lehigh County Tax Parcels 641532781492, 641543130846, 641542397975, 641553194519 and 641586528154 are designated as the Enterprise Overlay Zone (EOZ). A true and correct copy of a map indicating the precise area to be rezoned is attached hereto, made a part hereof and marked as “**Exhibit A.**”

**SECTION 4: PROTANTO REPEAL**

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

**SECTION 5: EFFECTIVE DATE**

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

**SECTION 6: 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 12th day of February, 2018, 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**

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**VICE CHAIRMAN**

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**SUPERVISOR**

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**SUPERVISOR**

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**SUPERVISOR**

**ATTEST:**

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**SECRETARY**