

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

**ORDINANCE NO. 141- U**

**AN ORDINANCE AMENDING THE UPPER SAUCON TOWNSHIP ZONING  
ORDINANCE OF 2009 BY AMENDING ARTICLE II - "ZONE PROVISIONS" TO ADD A  
NEW SECTION 233 CREATING THE CONSERVATION DESIGN BUFFER OVERLAY  
ZONE AND PROVIDING RULES AND REGULATIONS FOR APPROVING A ZONING  
MAP AMENDMENT AND FOR USES AND DEVELOPMENT IN THAT ZONE**

**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; and

**WHEREAS**, Article 2 of the Zoning Ordinance provides for certain Zoning Districts; and

**WHEREAS**, over the years development along the Route 309 Corridor (hereinafter, "Rte. 309") has changed, and continues to change, from residential to increasingly commercial uses; and

**WHEREAS**, the increasing commercial development along Rte. 309 and other commercial corridors in the Township often abuts or is adjacent to residential development; and

**WHEREAS**, the Supervisors desire to enact regulations which provide for a transitional type of development between commercial uses along commercial corridors which abut, or are adjacent to, residential uses or zones; and

**WHEREAS**, the Supervisors find that the need for transitional development is site specific in nature; and

**WHEREAS**, the Supervisors find that an overlay zone is the best vehicle to provide site specific relief; and

**WHEREAS**, the Supervisors conclude that an applicant for an overlay zone should follow the procedures set forth in Article 9, Section 904 of the Zoning Ordinance, relating to "Amendments," in pursuing a legislative decision by the Supervisors to place an overlay zone on a specific tract of land; and

**WHEREAS**, the Supervisors find that it is critical to the Section 904 application process that an applicant present a proposed plan for the development of the overlay zone so that interested parties have a meaningful opportunity to review and comment upon the proposal at a public hearing on the proposed, Zoning Map amendment; and

**WHEREAS**, through this Amendment to Article 2, the Supervisors seek to balance development along commercial corridors with the legitimate desires of abutting and adjacent property owners to preserve their property values; and

**WHEREAS**, for the above-mentioned reasons, the Supervisors find that this Ordinance is consistent with the public health, safety, morals, and general welfare; 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 amendment to the Upper Saucon Township Zoning Ordinance of 2009, as amended.

## **SECTION 2: ZONING ORDINANCE TEXT AMENDMENT**

1. Article II, titled "Zone Provisions," is hereby amended to add the following Section 233:

"SECTION 233 – CONSERVATION DESIGN BUFFER OVERLAY ZONE (CDBO)

### **233.A PURPOSE OF ZONE**

The Conservation Design Buffer Overlay (hereinafter referred to as "CDBO") shall be an overlay to permit various types of residential development within areas designated on the Township Zoning Map by the Board of Supervisors. The overlay is intended to serve as a buffer between existing zoning districts of varying intensity by blending a mix of residential unit types in order to provide a transition between such zones. Residential development within the Overlay must follow a coordinated architectural scheme with unified landscaping, lighting, and signage, and shall be permitted by right in accordance with the following requirements.

1. Application for use of the Overlay District shall specify either CDBO -2 or CDBO-3.
  - a. CDBO2 is intended to allow for the development of a transitional buffer between existing lower density residential development and higher intensity uses. Residential uses in this overlay are restricted as set forth in Section 233.D. A CDBO-2 designation may, if requested and approved by the Board of Supervisors, also be used as a buffer between residential and existing or future non-residential development sites.
  - b. CDBO3 is intended to allow for the development of a transitional buffer between existing residential and existing or future non-residential uses of a higher intensity as set forth in the following regulations.
2. Use of this overlay is intended for locations where the subject property is located, in whole or part, between arterial corridors, commercially zoned or developed sites, industrially zoned or developed sites and existing residential development or, between two residential areas which provide for different densities.

3. Pursuant to Section 904 of this Ordinance, relating to proposed zoning amendments, the Board of Supervisors may consider an amendment to the Zoning Map to include a particular parcel or parcels of land within the CDBO, thus enabling the development of such parcel(s) in accordance with this Section. In determining the propriety of a zoning map amendment under this Section, the Township shall comply with all requirements of the Act, relating to zoning map amendments and in addition to the specific requirements of this Section, consider the following criteria:

- a. Consistency with the Township's Comprehensive Plan and other development objectives as embodied in the Township Ordinances, documents, and records;
  - b. Consistency with the Comprehensive Plan adopted by the Lehigh Valley Planning Commission;
  - c. Conduciveness of development to, and impact of development on, all relevant environmental factors;
  - d. Compatibility with the character of the neighborhood in which the subject property is located;
  - e. Impact of the development on traffic and vehicular circulation both within and outside of the development;
  - f. Whether such amendment, if enacted, would violate established legal principles; and
  - g. The availability of appropriate infrastructure either existing or proposed.
4. Notwithstanding the requirements of sub-section 3 above, and regardless of the availability of municipal water and/or public sewer, any parcels of land located in whole or in part within the (OSR) Open Space Residential, (A) Agricultural Preservation, (SMC) South Mountain Conservation, and (R-1) Rural Residential Zones shall not be eligible for consideration for inclusion within any CDBO.
5. Regardless of the applicant's ability to meet one or more of the criteria set forth in sub-section 3 above, any decision to amend the Zoning Map pursuant to this Section shall be fully discretionary with the Board of Supervisors.

#### 233.B USES PERMITTED BY RIGHT

The following uses are permitted by right.

- 1. Governmental uses and uses and facilities of Upper Saucon Township or its agencies and/or authorities including but not limited to government structures and facilities.
- 2. Open space.
- 3. Public utilities and structures.
- 4. Residential dwelling units.

- a. Single family detached dwellings.
  - b. Duplex dwellings.
  - c. Townhouse dwellings.
  - d. Multiple-family dwellings (CDBO-3 only).
5. Parking structure for use by on-site residents and guests only.
6. Accessory uses customarily incidental to the above permitted including the following community-wide facilities:
- a. 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.
  - b. Gate houses, entrance facilities and other similar structures.
  - c. Recreational uses, for the exclusive use of the community and invited guests.
7. Accessory uses customarily incidental to the above permitted uses which shall be permitted only when the approved stormwater management plan has accounted for such uses on the lot or the overall site:
- a. Deck or patio.
  - b. Shed (only one per lot), gazebo.
8. Accessory uses permitted but subject to other provisions of the Ordinance.
- a. Domestic composts, subject to the requirements of Section 429 of this Ordinance.
  - b. Garage, yard, and/or moving sales, subject to the requirements of Section 442 of this Ordinance.
  - c. Home Occupation, subject to the requirements of Section 450 of this Ordinance.
  - d. Residential swimming pools, subject to the requirements of Section 472 of this Ordinance.
  - e. Residential tennis/athletic courts, subject to the requirements of Section 473 of this Ordinance.
  - f. Routine repair and servicing of personal motor vehicles, subject to the requirements of Section 476 of this Ordinance.
  - g. Satellite dish antennas, subject to the requirements of Section 478 of this Ordinance.
  - h. Play structures, as defined and regulated by this Ordinance.

### 233.C BULK AND DESIGN REQUIREMENTS

1. The subject property shall be a minimum of five (5) acres.
2. No individual minimum lot sizes shall apply to new lots created within the subject property.
3. When development is proposed in a manner that does not provide for fee simple ownership of each residential lot, the impervious cover for the overall development tract shall be:
  - a. CDBO-2 maximum impervious cover - 75%.
  - b. CDBO-3 maximum impervious cover - 85%.
4. Building design for all structures within the overlay shall place special emphasis on architectural treatments and aesthetics, including integrated architectural treatments, landscaping, lighting, signage, streetscape amenities and pedestrian features to promote a cohesive and aesthetic appearance.
  - a. Quality materials, selected for durability and sustainability shall be incorporated.
    - (1) Compliance with the architectural design standards specified in Section 220.U.1 (c), (d), (e), and (g) of this Ordinance (with no density bonus attached) is required.
    - (2) So as to demonstrate compliance with this sub-section, the applicant is required to submit evidence which may include proposed distinctive architectural styles, details, palettes, cut-sheets, colored elevations, and samples for Township approval during the subsequent land development review.
  - b. All structures shall be designed by a registered architect.
5. When development is proposed in a manner that results in multiple buildings on a single lot, all buildings and accessory structures shall comply with Section 305 of this Ordinance.
  - a. Additionally, all buildings and their accessory structures shall be set back at least thirty feet (30') from any perimeter boundary of the subject property except where such boundary may align with an existing or proposed street.
  - b. Building height shall be used strategically to add visual interest through perspective, depth, and overlapping forms. Taller buildings shall be buffered with lower building heights in a layered approach that is context appropriate.
6. When the development proposes lots around each residential structure, the maximum impervious cover for each lot shall comply with the table in Section 233.F, below.
7. The maximum permitted density of the subject property shall be as follows:

- a. CDBO-2 maximum density of 5.0 dwelling units/acre.
  - b. CDBO-3 maximum density of 8.0 dwelling units/acre.
8. Densities shall be calculated upon the total acreage of the subject property, exclusive of public rights-of-way, easement areas, and public and private streets.
  9. Low impact development techniques and sustainable features such as rain gardens, cisterns, porous pavers, and stormwater management features shall be integrated into the site design.

#### 233.D PERMITTED MIX OF HOUSING TYPES

1. The applicant shall comply with the Table of Dwelling Units Permitted by Structural Type, as follows.

	Dwelling Units Permitted by Structural Type			
	Single-Family	Duplex	Townhouses	Multiple-Family Dwellings
OVERLAY				
CDBO-2	not less than 20%	permitted	permitted	not permitted
CDBO-3	not less than 10%	permitted	permitted	permitted

#### 233. E TRANSITION REQUIREMENTS

1. Whenever the overlay is to be applied to land adjacent to existing single-family residential uses where the average size of the lots adjoining the subject property are one (1) acre or more, only the CDBO-2 option shall be permitted, subject to the following:
  - a. Units within the CDBO-2 development shall be situated such that, where possible, single-family homes and/or common open space abut an existing single-family unit that is in whole or in part adjacent to the subject property;
  - b. Townhouses shall, where possible, be located closest to the higher intensity use(s) (arterial roadway, non-residential development, other townhouses or multi-family units) which in whole or in part abuts the subject property; and
  - c. The style and form of new buildings shall be complementary to abutting properties and the context of the surrounding neighborhood.
2. Whenever the overlay is to be applied to land where the adjoining uses are non-residential, are residential uses where the average size of the lots adjoining the subject property are less than one (1) acre, are townhouses, or are multi-family units, the use of CDBO-3 is permitted subject to the following:

- a. Units within the CDBO-3 development shall be situated such that, where possible, all single-family homes and/or required common open space abut an existing single-family unit that is in whole or in part adjacent to the subject property;
- b. Townhouse and multi-family units, when proposed, shall, where possible, be located closest to the higher intensity use(s) (arterial roadway, non-residential development, other townhouses, or multi-family units) which in whole or in part abuts the subject property; and.
- c. The style and form of new buildings shall be complementary to abutting properties and the context of the surrounding neighborhood.

## 233.F DESIGN STANDARDS

1. The applicant shall comply with the Table of Development Design Standards as follows.

DEVELOPMENT DESIGN STANDARDS						
Unit-Type	Building Height	Minimum Lot Width Frontage & Setback	Front Yard Setback (4)	Side Yard Setback	Rear Yard Setback	Maximum Impervious Coverage
Single Family Detached	35'	60'	25' (3)	15'	25'	60%
Duplex (1)	35'	30'	25'	15'	25'	60%
Townhouse (2)	45'	18'	20'	15' (end)	10'	70% (5)
Multi-Family	35'- 60'	100'	0'-25'	30'	30'	80%
Community Center	45'	45'	25'	30'	35'	75%
Community-wide Recreational Use	N/A	-	30'	15'	15'	N/A
Shed (accessory)	20'	N/A	100'	5'	5'	-

(1) When located on separate lots or over/under units on the same lot.

(2) When access is provided from a rear lane the front yard setback shall be zero to five feet (0'-5') and the rear yard setback shall be 20'.

(3) The minimum front yard setback for accessory residential garages (attached or detached) shall be thirty feet (30').

(4) If the property abuts an arterial road, the applicable setback for all dwellings shall be forty feet (40') from the ultimate right-of-way line.

(5) Where the units are located on fee simple lots, access is provided from the rear, and the open space provided exceeds the 40% minimum, the maximum impervious lot coverage can be increased to 75%.

2. Proposed townhouse units shall comply with the following.

a. Townhouse buildings shall contain no more than six (6) units.

(1) 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').

(2) Distinct architectural designs shall be reinforced through incorporation of façade details constructed of high-quality materials and designed to draw attention to doors, windows, front entrances, cornices, and eaves.

b. Roof lines shall add visible interest to each unit and complement adjacent structures.

c. Entrances to individual units shall include a covered porch, stoop, veranda or other feature that emphasizes and highlights the entry. Blank walls and dominant garage doors are prohibited.

d. Townhouse buildings containing up to seven (7) units can be considered only if determined to also be compliant with all of the following:

(1) A significant variation in the front setbacks of units or variation in material, window spacing or composition, and architectural features in these buildings is provided to minimize the bulk and mass of the building.

(2) Units are constructed of a variety of quality materials that individually distinguishes them from each adjoining unit.

(3) Seven-unit buildings shall comprise no more than 50% of the total number of townhouse buildings in the project.

2. Proposed multi-family structures shall comply with the following.

a. All multi-family structures shall be located and oriented to present the front/dominant façade to the street while affording direct, safe, and convenient pedestrian access to an interconnected sidewalk system. At least one (1) public entrance must be located on the front façade.

b. Scale, height, and massing shall be compatible with adjacent dwelling units and shall transition appropriately throughout the site.

c. Building elevations shall incorporate ornamentation such as recessed windows, moldings, and decorative trim including features such as varied roof lines and roof pitch that is consistent with other architecture in the area.

d. Side and rear building elevations shall include the same design features as the front elevation.



3. Projects that include multi-family dwellings shall provide an on-site management office in a central, visible location. Any community-wide amenities (meeting rooms, fitness facilities, etc.) shall be similarly located.

#### 233.G SCREENING

1. Depending on the type and location of existing and proposed land uses associated with development of the subject property, landscaping, fences, or berms shall be constructed to provide a buffer or screen along the boundary of the subject property as follows.
  - a. No buffer or screen shall be required when development within the subject property provides for open space or single family detached or semi-detached dwelling units adjacent to existing single-family residential uses however, mature trees located on the subject property shall be preserved whenever feasible.
  - b. No buffer or screen shall be required when development within the subject property is separated by a public street from existing or proposed commercial, industrial, or residential uses, or where the new development fronts on an existing or new street right-of-way.
  - c. Where the subject property adjoins non-residential uses or, where uses proposed on the subject property are of a higher density or intensity than existing residential uses which in whole or in part adjoin the subject property; screening shall be provided in accordance with Section 321.D, E.

#### 233.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, Upper Saucon Township Municipal Authority, or provider as applicable.
4. Service areas and dumpsters shall be located to the rear of structures and screened appropriately.

#### 233.I DELINIATION OF COMMON OPEN SPACE

1. All Conservation Design Buffer Developments must integrate the required preservation of common open space as defined herein.
  - a. A minimum of 40% of the subject parcel shall be set aside as Required Common Open Space.

- b. No more than thirty percent (30%) of the required common open space shall be comprised of land which, due to environmental constraints (e.g. floodplain, wetlands, steep slopes, etc.), could not be built upon.
2. Unless otherwise deemed acceptable to the Township, acreage designated as required common open space shall be integrated throughout the subject property and not consolidated entirely in a single location.
  - a. All common open space shall be connected to the residential uses in accordance with the pedestrian/trail requirements as specified below (233.J.1.d and 233.N.1.d).
3. With Township approval, land area containing storm water management facilities designed and constructed as wet ponds, shallow basins, or other suitable BMPs, which incorporate natural features, landscaping, recreational uses or other, similar qualities may be attributable to a portion of the required common open space requirement of this Section. The percentage of the required common open space containing such storm water management facilities shall not be more than fifty percent (50%) unless otherwise deemed acceptable to the Township.
4. Subject to the approval of the Board of Supervisors, some or all of the required common open space may be located on land adjoining the subject property, on land adjoining the subject property but located, in whole or in part, in an adjacent municipality, or completely off-site but within Upper Saucon Township. Where the required common open space is not located entirely within the subject property, the acreage of the required common open space shall be subtracted from the acreage of the subject property in computing the proposed density of development.

#### 233.J CONTENT OF REQUIRED COMMON OPEN SPACE

1. Required common open space shall be designed and arranged to achieve one or more of the following objectives, and the applicant shall demonstrate those specific measures employed to achieve these objectives:
  - a. Protection of important natural resources (e.g. streams, ponds, wetlands, steep slopes, woodlands, unique geologic features, wildlife habitats, aquifer recharge areas, etc.);
  - b. Protection of important historical and/or archaeological sites;
  - c. Provision of usable play and recreation areas that are conveniently accessible to residents within the development and the Township subject to the criteria below;
  - d. Integration of greenbelts throughout the development that link residences with on-site or adjoining parks, schools, or other similar features in accordance with Section 233.I.2.a; and
  - e. Provision of public space to accommodate special events, free play, or pedestrian seating including plazas or hardscaped areas.

2. The required common open space shall be sized and configured to accommodate its intended use(s) per Section 233.J.1, above, and the following shall apply:
  - a. Sufficient lot width/depth dimension shall be provided to accommodate, where applicable, ball fields, courts, or open play areas;
  - b. 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;
  - c. 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;
  - d. No more than twenty-five percent (25%) of any portion of the site designated as an open play area shall be comprised of floodplains, storm water management facilities and/or slopes exceeding three percent (3%);
  - e. No part of any overhead utility easement, nor any above ground protrusion of an underground utility shall be permitted in any proposed active play areas of the site; and
  - f. Should a development be proposed at a location contiguous to an existing park or designated open space, any common open space shall be provided, where practicable, as an expansion of the existing facility.
3. The required common open space shall be located and designed to conveniently access needed proximate public utilities (e.g. sewer, water, power, etc.).
4. No part of the required common open space shall be included in the designation of any required setback, yard and/or open space for adjoining lots or uses as regulated by the Zoning Ordinance. Further, when more than one residential unit is located on a common lot, all area within ten feet (10') of the front and side walls of any structure and within twenty-five feet (25') of the rear wall of any structure shall be specifically excluded from the calculation of required common open space.
5. 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.

#### 233.K PERMANENT PROTECTION OF REQUIRED 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 future buildings, structures, or other impervious surfaces shall be permitted to be built in the required common open space. This limitation shall not prohibit the inclusion of

hardscaped plazas or other public spaces the design of which is approved as part of the required subdivision or land development plan.

2. The applicant shall be required to include a note on the record plan for any approved 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) or 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 of permitted activities. (For example, the clearing of woodland habitat shall generally be prohibited, except as necessary to create trails and/or active recreation 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 233.L of this Ordinance and shall be detailed in the agreement.

#### 233.L OWNERSHIP AND MAINTENANCE OF REQUIRED COMMON OPEN SPACE

1. The developer shall provide for and establish an organization for the ownership and maintenance of the required common open space which shall be generally consistent with the Condominium Act, 68 Pa. C.S. 3101 et seq, or the Pennsylvania Planned Community Development Act. If such an organization is created, the agreements of sale and deeds for all lots shall contain the following requirements in language acceptable to the Township Solicitor:
  - a. Such organization shall not dispose of the common open space by sale or otherwise, except to the Township unless the Township has given prior written approval. Such transfer shall be made only to another organization which shall maintain the common open space in accordance with this Ordinance;
  - b. The organization and all lot owners shall enter into a maintenance agreement with the Township and shall agree to be bound by the provisions of Article VII of the Pennsylvania Municipalities Planning Code relating to the maintenance of deteriorating common open space by municipalities; and
  - c. The Township may require the establishment of a reserve fund to provide for maintenance of or capital improvements to the common open space.

#### 233.M REQUIRED STREETScape DESIGN STANDARDS

1. The applicant shall comply with the Table of Required Streetscape Design Standards as follows.

Feature	Minimum Width
Public or Private Street	12 feet per lane
Rear access Private Lane	12 feet total width
Parallel on-street parking lane (at least one side required)	10 feet per side

Curbside shade tree planting strip (both sides required)	5 feet per side
Sidewalk (both sides required)	5 feet per side

2. All interior streets shall be designed and constructed to Township standards for public residential streets. Street right-of-way widths shall be per applicable Ordinances and regulations.
3. Access to the development shall be designed to ensure adequate dispersion of vehicles to the existing street network.
4. In addition to vehicular access, wherever possible, the applicant shall include pedestrian linkages that connect the subject property to existing or future planned locations of nearby off-site uses, transit stops, trails, and parkland.
5. Unless there is an existing transit stop within ¼ mile of the site, an improved stop, located to be conveniently accessible to the site shall be provided when the subject property adjoins an arterial or collector street. Each stop shall include a shelter, seating, a waste receptacle, and at least one (1) shade tree.

#### 233.N PEDESTRIAN CIRCUCLATION SYSTEM

1. A pedestrian circulation system shall be provided as an integral part of any Conservation Design Buffer Overlay development in accordance with the following:
  - a. Sidewalks, a minimum of five feet (5') in width shall be provided on both sides of all public or private streets. All pedestrian sidewalks shall be concrete.
  - b. Sidewalks shall also be provided along any off-street parking areas where pedestrian usage is anticipated. Provisions shall be made to prevent vehicles from overhanging such sidewalks.
  - c. Sidewalks shall be set back a minimum of five feet (5') 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 the building façade, the distance between the curb and sidewalk may be reduced to three feet (3').
  - d. Trails, a minimum of eight feet (8') in width shall be provided through the proposed development to interconnect sidewalks with the required common open space, recreation space, amenities, and facilities. Additionally, trails shall provide links to adjacent developments and uses and to any existing trail locations which are part of, or may become part of, a larger community trail system identified within the Township's Comprehensive Recreation and Open Space Plan, the Comprehensive Plan, the Official Map, or, as determined to be suitable by the Board of Supervisors.
    - (1) Trails shall be designed in accordance with Section 507.B of the Township's Subdivision and Land Development Ordinance.

(2) Sidewalks and trails shall be ADA compliant.

(3) Where appropriate, the Board of Supervisors may permit a trail to be installed in lieu of a concrete sidewalk.

#### 233.O TRAFFIC

1. When the subject property is located within the traffic improvement district, the proposed development shall comply with the Township's traffic impact fee ordinance. If the subject property 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.
2. 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.
3. All improvements recommended by the approved traffic impact report shall be constructed in conjunction with the land development and/or subdivision as required by law or ordinance.
4. All on-site (as that phrase is defined and applied by the Subdivision and Land Development Ordinance) improvements shall be the responsibility of the developer.

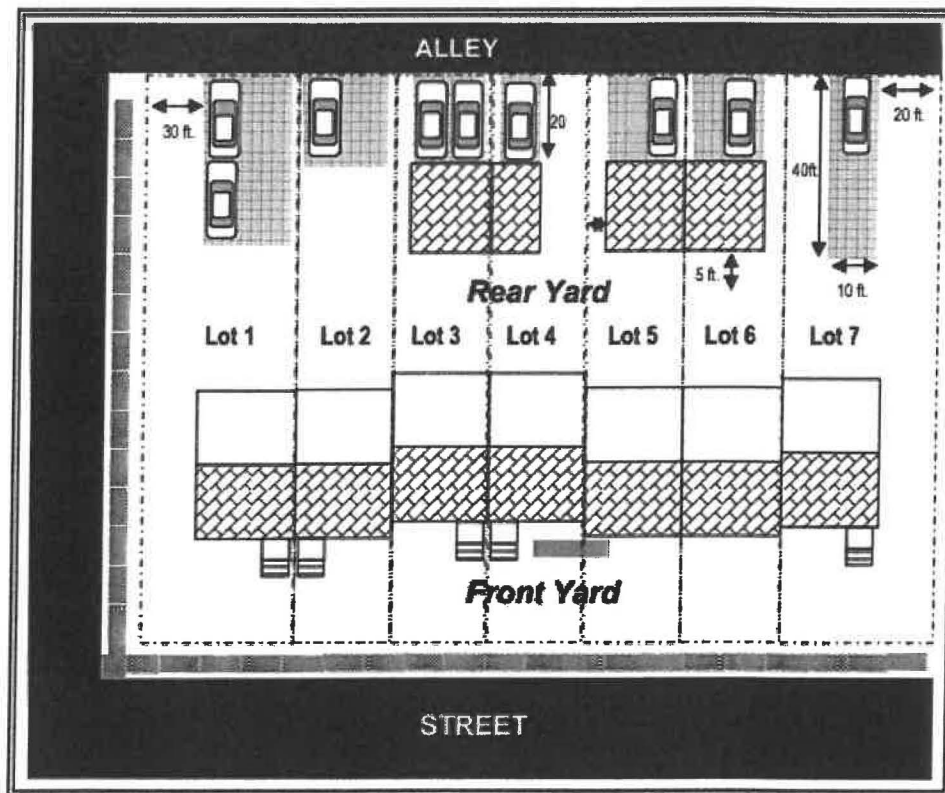
#### 233.P OFF-STREET PARKING - AMOUNT

1. A minimum of two (2) off-street parking spaces shall be provided for each single-family dwelling unit.
  - a. 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.
  - b. At least one (1) of the required off-street parking spaces must be an exterior space (outside the garage).
2. For townhouse units, one (1) of the two (2) required parking spaces may consist of an on-street parking space only when rear driveway access to the building is proposed.
  - a. On-street parking may not be used to meet this requirement where driveways to residential units intersect (either side of) the street.
3. For multi-family dwellings, minimum parking shall be as follows:

a. Units with one (1) bedroom or less	1 space/unit
b. Units with two (2) bedrooms	1.5 spaces/unit
c. Units with three (3) or more bedrooms	2 spaces/unit plus 1 space for each additional bedroom
4. When proposed, surface parking facilities shall consider incorporation of guest parking, bicycle parking, charging stations, and short-term delivery spaces.

### 233.Q OFF-STREET PARKING - LOCATION/DESIGN

1. Dwelling units that front on a collector or arterial street must minimize vehicular access points.
  - a. Lots with single family detached units shall share access or locate individual driveways along common boundaries with a three-foot (3') separation.
  - b. Townhouses that front on a collector or arterial street must provide rear vehicular access and, where applicable, rear garage entry.
    - (1) Each townhouse unit shall be provided with separate vehicular access and driveway size and location shall comply with the graphic below:



2. Surface parking lots for all multi-family dwellings and townhouse units must be located to the side or rear of the structure(s) it serves such that parking areas are screened from streets and sidewalks. In no case shall an off-street parking lot be located in front of a building.
  - a. All off-street surface parking areas with fifty (50) or more spaces shall be designed to include pedestrian sidewalks from the building to the interior of the parking lot. Sidewalks shall extend from the sidewalk adjoining the building frontage to the furthest location within the parking area. Crosswalks shall be provided as appropriate for safety.



b. For surface parking lots that are located wholly or partially in side yards, the entire perimeter of the parking lot that is adjacent to the street or a separate lot shall be screened with a combination of a low (4' minimum) architectural wall or fencing and a continuous shrub and tree row that adequately screens the parking and defines the street/property edge.

(1) The setback of an off-street surface parking lot shall be consistent with the adjacent buildings. In no instance shall the off-street parking area be located in front of the façade of adjacent structures.

(2) The access, off-street parking, off-street loading, and dumpster areas for multi-family dwellings is expected to be designed in a manner that allows these facilities to be shared. Wherever this involves multiple surface lots, these shall be connected such that vehicles may travel from one to another without returning to a public street.

3. Multi-family and townhouse dwelling units may include parking in the building base in lieu of surface parking when they have frontage on a local road.

4. Multi-family and townhouse dwelling units may provide structured parking in lieu of surface parking.

a. The height of any structured parking shall be commensurate with residential structures on the subject property and shall not exceed sixty feet (60')

5. Except as provided herein, any off-street parking facilities shall comply with Section 314 of this Ordinance."

### **SECTION 3: PROTANTO REPEAL**

Unless otherwise specifically stated in this Ordinance 141-U, all Ordinances in conflict herewith 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.

[Signatures Follow]



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**DULY ENACTED AND ORDAINED** this 20 day of December 2021, 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**

Brian Farrell  
**CHAIRMAN**

Phil Appert  
**VICE CHAIRMAN**

Steve Wojcik  
**SUPERVISOR**

DM  
**SUPERVISOR**

**ATTEST:**

Th. F. Deil  
**SECRETARY**

[Signature]  
**SUPERVISOR**