

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

ORDINANCE NO. 141- Y

AN ORDINANCE AMENDING THE UPPER SAUCON TOWNSHIP ZONING ORDINANCE OF 2009 TO REVISE SECTION 321.E. RELATING TO SELECTION OF PLANT MATERIALS, SUB-SECTION 3, ADDRESSING APPROVED TYPES OF VEGETATION TO ADD A NEW SERIES OF TABLES FOR TREES, SHRUBS, AND GROUNDCOVERS

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 3 of the Zoning Ordinance, titled "General Provisions" sets forth general requirements relating to all uses; and

WHEREAS, Section 321 addresses the selection of plant materials, and at sub-section 3 provides a series of tables which identify the approved types of vegetation, including trees, shrubs, and groundcovers (hereinafter, "Tables"); and

WHEREAS, the Supervisors find that the existing Tables contain species that are either invasive or fail to perform / thrive as intended or desired; and

WHEREAS, the Supervisors desire to amend the Zoning Ordinance to update the Tables; and

WHEREAS, the Supervisors find that the proposed updates are consistent with the public health, safety and general welfare.

NOW, THEREFORE, the Board of Supervisors of Upper Saucon Township does hereby enact and ordain the following amendment to the Upper Saucon Township Zoning Ordinance of 2009, as amended.

SECTION 2: ZONING ORDINANCE TEXT AMENDMENT

1. Article 3, titled "General Provisions," is hereby amended to delete sub-section 3 of Section 321.E and substitute the following therefore:

"3. The following lists set forth the types of vegetation approved for use within the Township as and when required by this Ordinance:

APPROVED SHADE TREES

Botanical Name	Common Name (N=Native)	Mature Height (ft.)
<i>Acer rubrum</i>	Red Maple (N)	75
<i>Acer saccharum</i>	Sugar Maple (N)	100
<i>Betula nigra</i>	River Birch(N)	70
<i>Carpinus betulus</i>	European Hornbeam	60
<i>Celtis occidentalis</i>	Common Hackberry (N)	120
<i>Cercidiphyllum japonicum</i>	Katsura Tree	75
<i>Ginkgo biloba (males only)</i>	Ginkgo, Maidenhair Tree	120
<i>Gleditsia tricanthos</i>	Common Honeylocust	120
<i>Gymoclaus dioicus</i>	Kentucky Coffee-Tree (N)	90
<i>Liquidambar styraciflua</i> 'rotundiloba'	Seedless Sweet Gum	
<i>Liriodendron tulipifera</i>	Tulip Tree (N)	150
<i>Nyssa sylvatica</i>	Black Gum (N)	50
<i>Plantanus xacerifolia</i>	London Planetree	50
<i>Quercus palustris</i>	Pin Oak	70
<i>Quercus rubra</i>	Red Oak (N)	75
<i>Quercus prinus</i>	Chestnut Oak (N)	70
<i>Tilia tomentosa</i>	Silver Linden	70
<i>Tilia cordata</i>	Littleleaf Linden	90
<i>Ulmus americana</i>	American Elm (N)	120
<i>Zelkova serrata</i>	Japanese Zelkova	80

APPROVED SMALL DECIDUOUS TREES

Botanical Name	Common Name (N=Native)	Mature Height (ft)
<i>Acer buergeranum (tree form)</i>	Trident Maple	30
<i>Acer campestre</i>	Hedge Maple	45
<i>Acer griseum</i>	Paper Bark Maple	40
<i>Acer palmatum var. atropurpureum 'Bloodgood'</i>	Bloodgood Japanese Maple	20
<i>Amelanchier canadensis (tree form)</i>	Serviceberry (N)	30
<i>Betula populifolia</i>	Gray Birch (N)	30
<i>Carpinus caroliniana</i>	Ironwood, American Hornbeam (N)	35
<i>Cercis canadensis</i>	Eastern Red Bud (N)	36
<i>Cercis canadensis 'Alba'</i>	Eastern White Bud	40
<i>Cercis canadensis 'Forest Pansy'</i>	Forest Pansy Redbud	30
<i>Chionanthus virginicus</i>	Fringetree (N)	30

<i>Cladrastis lutea</i>	American Yellow-wood (N)	50
<i>Cornus florida</i>	Flowering Dogwood (N)	40
<i>Cornus kousa</i>	Kousa Dogwood	40
<i>Cornus mas</i>	Cornelian Cherry	24
<i>Halesia Carolina</i>	Carolina Silverbell (N)	40
<i>Magnolia stellata</i>	Star Magnolia	20
<i>Magnolia x soulangeana</i>	Saucer Magnolia	33
<i>Magnolia virginiana</i>	Sweet Bay Magnolia (N)	20
<i>Malus floribunda</i> *	Japanese Flowering Crab *	30
<i>Malus 'Red Baron'</i>	Red Barron Flowering Crabapple	20
<i>Ostrya virginiana</i>	Hop-hornbeam (N)	40
<i>Oxodendrum arobretum</i>	Sourwood (N)	30
<i>Parrotia persica</i>	Persian Parrotia	40
<i>Prunus 'Okame'</i>	Okame Cherry	30
<i>Prunus 'Pendula'</i>	Weeping Cherry	25
<i>Prunus sargentii</i>	Sargent Cherry	50
<i>Prunus serrulate</i>	'Kwanzan' Kwanzan Cherry	25
<i>Prunus 'Snow Fountains'</i>	Snow Fountain Cherry	15
<i>Prunus 'Snow Goose'</i>	Snowgoose Cherry	25
<i>Prunus x subhirtella</i> 'Autumnalis Rosea'	Fall Flowering Cherry	30
<i>Stewartia pseudocamellia</i>	Japanese Stewartia	40
<i>Syringa amurensis japonica</i>	Japanese Tree Lilac	30
<i>Ulmus parvifolia</i>	Chinese Elm	40

* Applicant must submit expert written evidence that the proposed plants are of a disease resistant variety

APPROVED EVERGREEN TREES FOR SCREENING

Botanical Name	Common Name (N=Native)	Mature Height (ft)
<i>Chamaecyparis nootkatensis</i> 'pendula'	Weeping Nootka False-Cypress	35
<i>Chamaecyparis thyoides</i>	Atlantic White Cedar (N)	50
<i>Ilex x aquipernyi</i>	Dragon Lady Holly	20
<i>Ilex x attenuate 'Fosteri'</i>	Foster's Holly	20
<i>Ilex x 'Dr. Kassab'</i>	Dr. Kassab Holly	20
<i>Ilex x 'Nellie R. Stevens'</i>	Nellie R. Stevens Holly	30
<i>Ilex opaca</i>	American Holly (N)	45
<i>Juniperus virginiana</i>	Eastern Red Cedar (N)	90
<i>Picea abies</i>	Norway Spruce	120
<i>Picea abies 'Cupressina'</i>	Columnar Norway Spruce	30
<i>Picea omorika</i>	Siberian Spruce	90
<i>Picea orientalis</i>	Oriental Spruce	60
<i>Pinus strobus</i>	Limber Pine	50
<i>Pinus strobus 'Fastigiata'</i>	Pyramidal White Pine	40
<i>A Thuja occidentalis</i> 'pyramidalis'	Pyramidal Arborvitae (N)	15

<i>Thuja occidentalis</i>	'Emerald' Emerald Arborvitae (N)	15
<i>Thuja standishii x plicata</i> 'Green Giant'	Green Giant Arborvitae	60
<i>Tsuga canadensis</i>	Canadian Hemlock (N)	90

APPROVED DECIDUOUS SHRUBS

Botanical Name	Common Name (N=Native)	Mature Height (ft)
<i>Aesculus paviflora</i>	Bottlebrush Buckeye (N)	12
<i>Aronia arbutifolia</i>	Red Chokeberry (N)	8
<i>Aronia melanocarpa</i>	Black Chokeberry (N)	8
<i>Calycanthus floridus</i>	Common Sweetshrub	9
<i>Cephalanthus occidentalis</i>	Buttonbush (N)	10
<i>Chaenomeles speciosa</i>	Common Flowering Quince	10
<i>Clethra alnifolia and cultivars</i>	Summersweet Clethra	8
<i>Cornus alba and cultivars</i>	Tatarian Dogwood	10
<i>Cornus amomum</i>	Silky Dogwood (N)	10
<i>Cornus racemose</i>	Gray Dogwood (N)	15
<i>Cornus sericea</i>	Red Oosier Dogwood (N)	9
<i>Cotinus coggygria</i>	Smokebush	15
<i>Eunonymus alatus</i>	Burning bush	15
<i>Fothergilla major</i>	Large Fothergilla (N)	10
<i>Hamamelis virginiana</i>	Common Witchhazel (N)	20
<i>Hydrangea quercifolia</i>	Oakleaf Hydrangea (N)	6
<i>Hydrangea paniculata</i>	Little Lime hydrangea	5
<i>Hydrangea paniculate USPP</i>	Limelight Hydrangea	8
<i>Ilex verticillata</i>	Common Winterberry (N)	10
<i>Itea virginica</i>	Virginia Sweetspire (N)	6
<i>Lindera benzoin</i>	Spicebush (N)	10
<i>Myrica pennsylvanica</i>	Northern Bayberry (N)	12
<i>Philadelphus virginialis</i>	Sweet Mockorange	12
<i>Physocarpus opulifolius</i>	Common Ninebark (N)	9
<i>Rosa Radrazz</i>	Knockout Rose	12
<i>Sambucus canadensis</i>	American Elder (N)	10
<i>Spirea x vanhouttei</i>	Van Houtte Spiraea	10
<i>Symphoricarpos albus</i>	Common Snowberry (N)	6
<i>Syringia Pubescens Subsp. Patula</i>	Korean Lilac	15
<i>Syringia vulgris and hybrids</i>	Common Lilac	15
<i>Vaccinium corymbosum</i>	Highbush Blueberry (N)	12
<i>Viburnum acerifolium</i>	Mapleleaf Viburnum (N)	6
<i>Viburnum carlesii</i>	Korean Spice Viburnum	5
<i>Viburnum dentatum</i>	Arrow Wood Viburnum (N)	12
<i>Viburnum lentago</i>	Nannyberry Viburnum (N)	18
<i>Viburnum prunifolium</i>	Black Haw Viburnum (N)	15

APPROVED EVERGREEN SHRUBS FOR SCREENING

Botanical Name	Common Name (N=Native)	Mature Height (ft)
<i>Buxus sempervirens</i>	American Boxwood	20
<i>Buxus sempervirens</i> 'Dee Runk'	Dee Runk Boxwood	10
<i>Buxus sempervirens</i> 'Graham Blandy'	Graham Blandy Boxwood	15
<i>Buxus sinica</i> var. <i>insularis</i> 'Winter Gem'	Winter Gem Boxwood	3
<i>Buxus</i> x 'Green Mountain'	Green Mountain Boxwood	5
<i>Buxus</i> x 'Green Velvet'	Green Velvet Boxwood	4
<i>Chamaecyparis pisifera</i> 'Boulevard'	Boulevard False Cypress	12
<i>Ilex</i> x <i>meserveae</i> 'Blue Girl'	Blue Girl Holly	6'-8'
<i>Ilex</i> x <i>meserveae</i> 'Blue Boy'	Blue Boy Holly	12'
<i>Ilex</i> x <i>meserveae</i> 'Blue Princess'	Blue Princess Holly	10' – 15'
<i>Ilex</i> x <i>meserveae</i> 'Blue Prince'	Blue Prince Holly	6'-8'
<i>Ilex</i> x <i>meserveae</i> 'Blue Maid'	Blue Maid Holly	8'-10'
<i>Ilex</i> x <i>meserveae</i> 'Mesog'	China Girl Holly	8'-10'
<i>Ilex</i> x <i>meserveae</i> 'Mesdob'	China Boy Holly	7'-10'
<i>Kalima latifolia</i>	Mountain Laurel (N)	15
<i>Leucothoe jonesiana</i>	Drooping Leucothoe (N)	6
<i>Picea glauca</i> 'conica'	Dwarf Alberta Spruce	10
<i>Pieris floribunda</i>	Dwarf Alberta Spruce	6
<i>Pinus mugho</i>	Mugho Pine	6
<i>Prunus Laurocerasus</i>	English Laurel	12
<i>Prunus Laurocerasus</i>	Cherry Laurel	25
<i>Rhododendron catawbiense</i> & cultivars	Catawba Rhododendron (N)	10
<i>Rhododendron</i> 'P.J.M.' and cultivars	P.J.M. Rhododendrons	6
<i>Rhododendron</i> x 'Roseum Elegans'	Roseum Elegans Rhodoendron	8
<i>Taxus</i> x <i>media</i> and cultivars	Yew	12
<i>Thuja occidentalis</i> 'Techny'	Mission Arborvitae	8

APPROVED GROUNDCOVERS

Botanical Name	Common Name (N=Native)	Mature Height (In)
<i>Ajuga reptans</i>	Ajuga/Carpet Bugleweed	4-6
<i>Hedera helix</i>	English Ivy	6-8
<i>Liriope muscari</i>	Lilyturf	12-24
<i>Liriope spicata</i>	Lilyturf	12
Numerous genera, species, cultivars	Ornamental Grasses	12-60
<i>Ophiopogon japonicus</i>	Mondo Grass	4-6
<i>Pachysandra terminallis</i>	Japanese Spurge	12
<i>Vinca Minor</i>	Periwinkle/vinca	4-6

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SECTION 3: PROTANTO REPEAL

Unless otherwise specifically stated in this Ordinance 141-Y, 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.

DULY ENACTED AND ORDAINED this 24th day of October 2022, by the Board of Supervisors of the Township of Upper Saucon, Lehigh County, Pennsylvania in lawful session duly assembled.

[Signatures Follow]

**TOWNSHIP OF UPPER SAUCON
BOARD OF SUPERVISORS**

Brian Fullil

CHAIRMAN

VICE CHAIRMAN

Stephen Wagner

SUPERVISOR

DM

SUPERVISOR

[Signature]

SUPERVISOR

ATTEST:

[Signature]

SECRETARY