#### LOWER SAUCON TOWNSHIP NORTHAMPTON COUNTY, PENNSYLVANIA

#### **ORDINANCE NO. 2023-01**

#### AMENDMENTS TO THE CODE OF THE TOWNSHIP OF LOWER SAUCON

AN ORDINANCE OF THE TOWNSHIP OF LOWER SAUCON, NORTHAMPTON COUNTY. PENNSYLVANIA, **AMENDING** REVISING THE CODE OF THE TOWNSHIP OF LOWER SAUCON BY AMENDING CHAPTER 180 (ZONING) TO: (1) REVISE THE ZONING MAP BY CHANGING APPROXIMATELY 19.6 ACRES OF LAND FROM GB1 AND GB2 ZONING DESIGNATIONS TO A GB ZONING DESIGNATION IN THE STATE ROUTE 412 AREA OF THE TOWNSHIP, THIS AREA GENERALLY CONSISTS OF PARCELS LOCATED ALONG THE WEST SIDE OF ROUTE 412, SOUTH OF THE HELLERTOWN BOROUGH BOUNDARY CONSISTS OF APPROXIMATELY NINE (9) PARCELS CURRENTLY ZONED GB1 AND GB2; (2) REVISE THE ZONING MAP BY CHANGING APPROXIMATELY 75.37 ACRES OF LAND FROM GB1 AND GB2 ZONING DESIGNATIONS TO A GB ZONING DESIGNATION ALONG STATE ROUTE 378, THIS AREA GENERALLY CONSISTS OF PARCELS CURRENTLY ZONED GB1 AND GB2 ON THE EAST AND WEST SIDE OF ROUTE 378 EXTENDING FROM THE VICINITY OF MOUNTAIN DRIVE SOUTH TO THE UPPER SAUCON TOWNSHIP LINE CONSISTING OF APPROXIMATELY FIFTY-NINE (59) PROPERTIES; (3) REVISE THE ZONING MAP BY CHANGING APPROXIMATELY 86.20 ACRES OF LAND FROM AN R40 ZONING DESIGNATION TO AN LM ZONING DESIGNATION IN THE EASTON ROAD AREA. THIS AREA GENERALLY CONSISTS OF APPROXIMATELY FORTY-NINE (49) PARCELS CURRENTLY ZONED R40 LOCATED TO THE NORTH AND WEST OF ROUTE 78 EXTENDING FROM THE GENERAL AREA OF WILHELM ROAD NORTH AND EASTWARD TO THE AREA OF RINGHOFFER ROAD; (4) REVISE SECTION 180-14 TO ELIMINATE THE GB1 AND GB2 ZONING DISTRICTS AND REPLACING THEM WITH A GB ZONING DISTRICT; (5) REVISE ARTICLE XII TO REMOVE THE GB1 ZONING DISTRICT REGULATIONS AND TO REPLACE THEM WITH GB ZONING DISTRICT REGULATIONS; (6) REMOVE ARTICLE XIII GB2 ZONING DISTRICT REGULATIONS AND TO REPLACE THEM WITH GB ZONING DISTRICT REGULATIONS: (7) REVISE THE ARTICLE XIVA LIGHT MANUFACTURING ZONING DISTRICT REGULATIONS; (8) REVISE THE TABLE OF USES IN APPENDIX "A" TO PROVIDE FOR ADDITIONAL PERMITTED, CONDITIONAL USE, AND SPECIAL EXCEPTION USES IN THE GB AND LM ZONING DISTRICTS; AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS CONTAINED HEREIN. THIS ORDINANCE CONTAINS SIGNIFICANT, SUBSTANTIVE CHANGES TO THE LOWER SAUCON TOWNSHIP ZONING MAP AND ZONING REGULATIONS, AND SHOULD BE IN ITS ENTIRETY FOR REVIEWED A COMPREHENSIVE UNDERSTANDING OF ITS PROVISIONS.

WHEREAS, Lower Saucon Township is a Township of the Second Class, Optional Plan of Government, located in Northampton County, Commonwealth of Pennsylvania; and

WHEREAS, the Township of Lower Saucon adopted Ordinance # 98-17 on May 20, 1998, enacting the Code of the Township of Lower Saucon (hereinafter referred to as the "Code"); and

WHEREAS, the Council of Lower Saucon Township desires to amend the Code of the Township of Lower Saucon to revise, update, and clarify certain provisions relating to the regulation of uses in the General Business (GB) and Light Manufacturing (LM) Zoning Districts; and

WHEREAS, the Council of Lower Saucon Township desires to amend the Code of the Township of Lower Saucon to revise the Township Zoning Map in the areas of State Route 412, State Route 378, and Easton Road; and to combine the GB1 and GB2 zoning districts into one GB zoning district, to create regulations for the new GB zoning district, and to revise the Table of Uses in Appendix A to allow for additional uses within the GB and LM zoning districts; and to make editorial revisions related to the elimination of the GB1 and GB2 zoning districts; and

WHEREAS, the Council of Lower Saucon Township has determined that the adoption of this Ordinance containing the described amendments to the Zoning Map and text of the Zoning Chapter of the Code is in the best interest of the public health, safety, and welfare of the citizens of Lower Saucon Township.

NOW, THERFORE, BE IT ENACTED AND ORDAINED by the Council of the Township of Lower Saucon, Northampton County, Commonwealth of Pennsylvania, that the provisions of the Code of the Township of Lower Saucon are hereby amended and revised as follows:

#### Amendment to Chapter 180 (Zoning), Section 14(A) (Classes of Section 1. Districts).

Chapter 180, Section 14(A) of the Code is hereby deleted in its entirety and replaced as follows:

For the purposes of this chapter, the Township is divided into 12 primary zoning districts, as follows:

| District Number | District Title                      |
|-----------------|-------------------------------------|
| RA              | Rural Agriculture District          |
| R80             | Open Space Residential District     |
| R40             | Rural Suburban Residential District |
| R20             | Suburban Residential District       |
| R12             | Semi-Urban Residential District     |
| МН              | Mobile Home District                |

UR Urban Residential District VC Village Center District GBGeneral Business Commercial District LI Light Industrial District O&L Office and Laboratory District Light Manufacturing LM Amendment to Chapter 180 (Zoning), Section 180-15 (Zoning Map), Section 2. subsection A. The Zoning Map of the Township of Lower Saucon is amended in accordance with the revisions noted on the Maps attached hereto and incorporated herein by reference as Exhibits 1-6. Specifically, the lands located in and around the State Route 412 area of the Township, consisting of approximately 19.6 acres of land, currently zoned GB1 and GB2 are changed to GB; and the lands located along State Route 378, consisting of approximately 75.37 acres of land, currently zoned GB1 and GB2 are changed to GB; and the lands located in and around the Easton Road area of the

Chapter 180, Section 180-15(A) of the Code is amended in its entirety as follows:

A map entitled "Zoning Map for the Township of Lower Saucon, Northampton County, PA, adopted: \_\_\_\_\_\_\_, 2023 by Ordinance No. 2023-\_\_\_\_\_ as amended, is attached hereto and incorporated herein by reference as Exhibit 4 accompanies this chapter and is declared a part of this chapter.

Township, consisting of approximately 86.20 acres of land, currently zoned R40 are changed to LM. The Township Manager is hereby directed to prepare a revised Zoning Map dated , 2023 in accordance with the provisions of this Section.

### Section 3. Amendment to Chapter 180 (Zoning), Article XII (General Business District GB1).

Chapter 180, Article XII of the Code is hereby deleted in its entirety and replaced as follows:

#### ARTICLE XII

#### General Business Commercial District (GB)

#### § 180-66. Purpose.

The areas designated "General Business Commercial" are found along Township major arterial roads. Attention shall be focused on general design, traffic circulation planning and coordination of individual projects. The district is intended to provide locations for highway-oriented uses subject to the design concerns previously enumerated in this section.

#### § 180-67. Permitted uses.

The following uses and their accessory uses are permitted by right by the Zoning Officer, provided that the use type, dimensional and all other applicable requirements of this chapter are satisfied:

A. All the following permitted uses require site plan approval in accordance with § 180-102:

#### (1) Commercial uses:

- (a) Nursery or commercial greenhouse (see § 180-103.2).
- (b) Gas station (see § 180-104).
- (c) Bank or financial office with drive in (see § 180-126).
- (d) Laundromat; public water and sewer required.
- (e) Gas station/grocery (see § 180-104).
- (f) Craft shop or similar uses by artisans, provided noise levels do not exceed ordinance limits.
- (g) Beverage distributor.
- (h) Car wash. (see § 180-126).
- (i) Studio for art, dance, music or photography, provided noise levels do not exceed ordinance limits.

#### (2) Cultural uses:

- (a) Library (see § 180-125).
- (b) Community center (see § 180-125).
- (c) Cultural facility (see § 180-125).

#### (3) Lodging:

- (a) Hotel and motel; public water and sewer required (see § 180-110).
- (b) Bed-and-breakfast home (see § 180-110).

#### (4) Office, business or research:

- (a) Business offices.
- (b) Research offices.
- (c) Planned office and laboratory park (see § 180-106).

#### (5) Public service uses:

- (a) Fire and emergency station (see § 180-125).
- (b) Government facility, Township (see § 180-125).
- (c) Hospital and extended-care facility; public water and sewer required (see § 180-121).

#### (6) Recreational uses:

- (a) Commercial (outdoor) (see § 180-112).
- (b) Commercial (indoor); public water and sewer required (see § 180-112).
- (c) Theater (indoor) (see § 180-112).
- (d) Club, lodge or social building, private (see § 180-111).

#### (7) Restaurant uses:

- (a) Tavern; public water and sewer required.
- (b) Sit-down; public water and sewer required.
- (c) Fast-food with or without drive-in facilities; public water and sewer required (see § 180-126).

#### (8) Retail uses:

- (a) Store.
- (b) Convenience shopping center (see § 180-120).
- (c) Vehicle and boat sales.
- (d) Truck and equipment sales.
- (e) Lawn, gardening and farm equipment supplies sales.
- (f) Building supplies sales, hardware.

#### (9) Service uses:

- (a) Funeral home.
- (b) Office, medical and professional.
- (c) Barber, beauty shop and other similar personal services; public water and sewer required.
- (d) Public utility facility (see § 180-123).
- (e) Nursery school or day care (see § 180-127).
- (f) Martial arts school.
- (g) Nursing home or extended-care facility.

#### (10) Residential uses:

- (a) Rooming house (see § 180-117).
- (b) Conversion (see § 180-115).
- B. The following permitted uses do not require site plan approval unless required by an overlay zone:
  - (1) General agriculture, except animal husbandry and greenhouses.
  - (2) Service uses:
    - (a) Non-tower commercial communication facilities (see § 180-127.1).
  - (3) Forestry (see § 180-127.2).

#### § 180-68. Conditional uses.

The following uses and their accessory uses may be permitted when authorized as a conditional use by the Township Council, subject to the provisions of this chapter:

#### A. Commercial uses:

- (1) Motor vehicle repair shop; site plan required (see § 180-104).
- (2) Outdoor advertising signs (See Article XVIA).

#### B. Service uses:

(1) Tower-based commercial communication facilities (see § 180-127.1).

#### § 180-69. Accessory uses.

Accessory uses are permitted by right and/or conditional use if accessory to a conditional use. The following accessory uses are permitted in this district, subject to all yard regulations and the applicable provisions of other zoning regulations:

- A. Satellite dishes (see § 180-129).
- B. Fences and walls (see § 180-97).
- C. Noncommercial pools and tennis courts (see §§ 180-130 and 180-135).
- D. Parking spaces (see § 180-98).
- E. Recreational vehicle and travel trailer storage (see § 180-133).
- F. Residential accessory buildings (see § 180-131).
- G. Signs (See Article XVIA).
- H. Solar energy collection equipment (see § 180-129).
- I. Temporary stands or offices (see § 180-132).
- J. Windmills and other power-generating equipment (see § 180-129).
- K. Underground storage tanks (see § 180-96).52

#### § 180-70. Lot requirements.

The following dimensional requirements apply to each lot in the GB District by right and by conditional use, subject to applicable provisions of this chapter. More than one principal use is permitted on one lot in this district.

- A. Area: minimum 40,000 square feet.
- B. Width: minimum 150 feet.
- C. Impervious surface coverage: maximum 75%.
- D. Building coverage: maximum 60%.
- E. Height: maximum 40 feet.

#### § 180-71. Yard requirements.

The following yard requirements apply to each principal use permitted in this district by right and by conditional use, subject to further applicable provisions of this chapter:

- A. Front yard: minimum 25 feet.
- B. Side yard: minimum 15 feet.
- C. Rear yard: minimum 30 feet.

# Section 4. <u>Amendment to Chapter 180 (Zoning)</u>, <u>Article XIII (Limited General Business District GB2)</u>.

Chapter 180, Article XIII of the Code is hereby deleted in its entirety.

# Section 5. <u>Amendment to Chapter 180 (Zoning)</u>, <u>Article XIVA (Light Manufacturing District LM)</u>.

Chapter 180, Article XIVA of the Code is hereby deleted in its entirety and replaced as follows:

#### ARTICLE XIVA

#### Light Manufacturing District (LM)

#### § 180-83.1. Purpose.

The Light Manufacturing Districts are located (1) along Applebutter Road and abutting an industrial zoning district in the City of Bethlehem and a Light Industrial Zoning District in the Township and (2) along Easton Road and abutting an industrial zoning district in the City of Bethlehem. Rural residential and agricultural uses were established in this area early in the Township's history. Public water and public sewer are or may be available. State road access is available to these areas. Proximity to (1) an existing solid waste landfill to the east and industrial development south of Applebutter Road and (2) industrial development north of Easton Road has put pressure on these areas to become nonresidential in character.

#### § 180-83.2. Permitted uses.

A. All of the following uses require site plan approval in accordance with § 180-102:

#### (1) Commercial uses:

- (a) Car wash; public water and sewer required (see § 180-126).
- (b) Repair shop, motor vehicle (see § 180-104).
- (c) Outdoor advertising signs (See Article XVIA).
- (d) Nursery or commercial greenhouse (see § 180-103.2).
- (e) Gas station (see § 180-104).
- (f) Bank or financial office with or without drive in (see § 180-126).
- (g) Gas station/grocery (see § 180-104).
- (h) Wholesale, warehousing or mini storage facilities (see § 180-109).
- (i) Recreational vehicle and travel trailer storage (see § 180-133).

| (j) | Offices, business or research:  |
|-----|---|
|     | [1] Business office   |
|     | [2] Research office   |
|     | [3] Planned office and laboratory park (see § 180-106).   |
| (k) | Laundromat; public water and sewer required.  |
| (1) | Craft shop or similar uses by artisans, provided noise levels do not exceed ordinance limits.       |
| (m) | Beverage distributor.   |
| (n) | Studio for art, dance, music or photography, provided noise levels do not exceed ordinance limits.  |
| (o) | Restaurant uses:  |
|     | [1] Tavern; public water and sewer required.  |
|     | [2] Sit-down; public water and sewer required.  |
|     | [3] Fast-food with or without drive-in facilities; public water and sewer required (see § 180-126). |
| (p) | Retail uses:  |
|     | [1] Store. Convenience shopping center (see § 180-120).   |
|     | [2] Vehicle and boat sales.   |
|     | [3] Truck and equipment sales.  |
|     | [4] Lawn, gardening and farm equipment supplies sales.  |
|     | [5] Building supply sales, hardware.  |
|     |   |

#### (2) Industrial uses:

- (a) Research/laboratory (see § 180-109).
- (b) Storage yards and buildings (see § 180-109).
- (c) Public service.
- (d) Government facility, other.
- (e) Fire and emergency station.
- (f) Light manufacturing (with no outside storage or outside production) of finished or semi-finished products from processed materials, such as apparel, furniture, paper products, shoes, metal fabrication, electric appliances and electrical and/or electronic equipment (see § 180-109). Light manufacturing (with no outside storage or outside production) involving processing, cleaning, assembling, packaging, conversion, production, repair, manufacturing, distribution or testing of materials, goods and/or products (see § 180-109). These uses shall include, but shall not be limited to the following:
  - [1] Finished or semi-finished products from processed materials such as metal fabrication, electrical appliances, electrical and/or electronic equipment, computers, products which incorporate computers, chips and similar items, durable medical equipment, medical devices, and other medical related products.
  - [2] Testing and repair of manufactured products.
  - [3] Manufacturing of products requiring light metal processing, including finishing, grinding, polishing, heat treating and stamping.
  - [4] Packaging and bottling operations with no retail activity on the lot.
  - [5] Manufacturing and assembly of products from previously prepared materials, such as plastic, leather, glass or textiles.

- [6] Manufacturing of jewelry, precision instruments, optical goods and similar products.
- [7] Manufacturing and assembly of small electrical and electronic appliances supplies and equipment
- (g) Printing; publishing (see § 180-109).
- (h) Communication/media production (see § 180-109).
- (i) Vertical/indoor farming (see § 180-109).

#### (3) Recreational uses:

- (a) Commercial (outdoor) (see § 180-112).
- (b) Commercial (indoor); public water and sewer required (see § 180-112).
- (c) Theater (indoor) (see § 180-112).
- (d) Club, lodge or social building, private (see § 180-111).
- (e) Community recreational facilities (see § 180-125).

#### (4) Service uses:

- (a) Public utility facility (see § 180-123).
- (b) Bus or taxi terminal.
- (c) Parking facility (see § 180-98).
- (d) Funeral home.
- (e) Office, medical and professional.
- (f) Barber, beauty shop and other similar personal services; public water and sewer required.

- (g) Nursery school or day care (see § 180-127).
- (h) Martial arts school.
- (i) Nursing home or extended-care facility.

#### (5) Lodging:

- (a) Hotel and motel; public water and sewer required (see § 180-110).
- (b) Bed-and-breakfast home (see § 180-110).

#### (6) Cultural uses:

- (a) Library (see § 180-125).
- (b) Community center (see § 180-125).
- (c) Cultural facility (see § 180-125).

#### (7) Public service uses:

- (a) Fire and emergency station (see § 180-125).
- (b) Government facility, Township (see § 180-125).
- (c) Government facility, other (see § 180-125).
- (d) Hospital and extended-care facility; public water and sewer required (see § 180-121).

#### (8) Residential uses:

- (a) Rooming house (see § 180-117).
- (b) Conversion (see § 180-115).

B. The following uses do not require site plan approval unless required by an overlay zone.

#### (1) Service uses:

- (a) Non-tower commercial communication facilities (see § 180-127.1).
- (2) Forestry (see § 180-127.2).
- (3) General agriculture, except animal husbandry and greenhouses.

#### § 180-83.2.1. Conditional uses.

The following uses and their accessory uses may be permitted when authorized as a conditional use by the Township Council, subject to the provisions of this chapter:

- A. Tower-based commercial communication facilities (see § 180-127.1).
- B. Motor vehicle repair shop; site plan required (see § 180-104).
- C. Outdoor advertising signs (See Article XVIA).

#### § 180-83.3. Special exception uses.

The following uses and their accessory uses may be permitted when authorized as a special exception by the Zoning Hearing Board, subject to the provisions of this chapter. All the following uses require site plan approval in accordance with § 180-102:

#### A. Commercial uses:

- (1) Salvage yard (see § 180-105).
- (2) Railroad and motor freight transportation and warehousing (see § 180-109).

#### B. Industrial uses:

(1) Mineral extraction (see § 180-109).

#### C. Retail uses:

(1) Adult-oriented establishment (see § 180-124).

#### D. Agricultural uses:

(1) Intensive agricultural uses (see § 180-103.2).

#### § 180-83.4. Accessory uses.

- A. Accessory uses are permitted by right and/or by special exception for those uses that are accessory to a special exception use. The following accessory uses are permitted in this district, subject to all yard regulations and the applicable provisions of other zoning regulations:
  - (1) Satellite dishes (see § 180-129).
  - (2) Fences and walls (see § 180-97).
  - (3) Parking spaces (see § 180-98).
  - (4) Signs (See Article XVIA).
  - (5) Solar energy collection equipment (see § 180-129).
  - (6) Temporary stands or offices (see § 180-132).
  - (7) Windmills and other power-generating equipment (see § 180-129).
  - (8) Noncommercial pools and tennis courts (see §§ 180-130 and 180-135).
  - (9) Residential accessory buildings (see § 180-131).
- B. Special exception accessory uses. These uses are special exception uses even if accessory to a permitted use. The following special exception accessory uses may be permitted in this district, subject to all applicable provisions of this chapter and other zoning regulations:
  - (1) Underground storage tanks (see § 180-96).

#### § 180-83.5. Lot requirements.

The following dimensional requirements apply to each lot in the LM District by right and by special exception, subject to applicable provisions of this chapter. More than one principal use is permitted on a lot in this district.

- A. Area: minimum 40,000 square feet.
- B. Width: minimum 100 feet.
- C. Impervious surface coverage: maximum 75%.
- D. Building coverage: maximum 60%.
- E. Height: maximum 50 feet (maximum of three floors).

#### § 180-83.6. Yard requirements.

- A. The following yard requirements apply to each principal use permitted in this district by right and by special exception, subject to further applicable provisions of this chapter:
  - (1) Front yard: minimum 25 feet.
  - (2) Side yard: minimum 15 feet.
  - (3) Rear yard: minimum 25 feet.
- B. Exception. Special side or rear yards shall be required abutting any residentially zoned land. These yards shall be a minimum of 75 feet. This yard shall contain a planting screen, as specified in § 180-97A and B.

## Section 6. Amendment to Chapter 180 (Zoning), Section 100.9 (ARTICLE XVIA - Signs).

The heading and first paragraph of Chapter 180, Section 100.9 of the Code is hereby repealed and replaced with the following:

#### § 180-100.9. Signs in Commercial and Industrial Districts (GB, LI, LM, O&L).

The following types of signs and no others shall be permitted in the GB, LI, LM, and O&L Districts, contingent upon the securing of a sign permit, except where permits are specifically exempted by this article:

## Section 7. <u>Amendment to Chapter 180 (Zoning)</u>, <u>Section 100.9 (ARTICLE XVIA - Signs)</u>.

The headings of the tables located in Chapter 180; Section 100.9 of the Code are revised to delete any reference to the GB2 District.

# Section 8. Amendment to Chapter 180 (Zoning), Section 127.1(A)(2)(a)[1][c] (ARTICLE XVII Additional Regulations for Certain Permitted, Conditional and Special Exception Uses).

Chapter 180, Section 127.1(A)(2)(a)[1][c] of the Code is hereby repealed in its entirety and replaced as follows:

[c] Tower-based CCFs are permitted by conditional use, in accordance with the requirements of § 180-12.1C, Article XVII and this section, in the RA, GB, LI, and LM zoning districts.

## Section 9. <u>Amendment to Chapter 180 (Zoning)</u>, <u>Appendix "A" (Permitted, Conditional Use, and Special Exception Land Uses)</u>

Chapter 180, Appendix "A" of the Code is hereby deleted in its entirety and replaced as follows:

#### Section 10. Amendment to Chapter 180 (Zoning), References to GB1 and GB2

Chapter 180, all references to GB1 and GB2 contained in the Code are hereby revised to GB.

#### Section 11. <u>Violations and Penalties.</u>

The Violation and Penalty provisions of the Code, where not revised herein, shall remain unchanged.

#### Section 12. Severability.

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, illegal, or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Council of Lower Saucon Township hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional, illegal, or otherwise invalid.

| Repealer. |
|-----------|
|           |

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

| Section 14. <u>Effective Date.</u> The provisions of this Ordinance shall become effective ten (10) days after adoption. |                                    |  |  |  |
|--|------------------------------------|--|--|--|
| ENACTED and ORDAINED this day of 202   |                                    |  |  |  |
| ATTEST:  | LOWER SAUCON TOWNSHIP              |  |  |  |
| Mark Hudson Township Manager   | Jason Banonis<br>Council President |  |  |  |







