

**LOWER SAUCON TOWNSHIP  
NORTHAMPTON COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2011-02**

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

**AN ORDINANCE OF THE TOWNSHIP OF LOWER SAUCON, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING AND REVISING THE CODE OF THE TOWNSHIP OF LOWER SAUCON BY AMENDING CHAPTER 180 (ZONING) TO: REVISE THE IMPERVIOUS SURFACE RATIO DEFINITION, AND PROVIDE REVISIONS AND REDUCTIONS TO THE PERCENTAGE OF IMPERVIOUS COVER ALLOWED FOR LOTS AND PARCELS OF PROPERTY LOCATED IN THE VARIOUS ZONING DISTRICTS ESTABLISHED BY LOWER SAUCON TOWNSHIP, AND CREATING AN EXCEPTION FOR EXISTING LOTS WITH A PRINCIPAL STRUCTURE LOCATED THEREON; AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS CONTAINED HEREIN**

**WHEREAS**, Lower Saucon Township is a Township of the Second Class, Optional Plan, 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 and re-establish the percentage of impervious coverage allowed to be installed or constructed on lots and parcels of property located in the various Zoning Districts established and regulated by Lower Saucon Township.

**NOW, THEREFORE, 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 as follows:

**Section 1. Amendment to Chapter 180 (Zoning), Section 180-5 (Definitions; word usage)**

Chapter 180, Section 180-5 of the Code is amended to delete the definition of “IMPERVIOUS SURFACE RATIO” in its entirety and replace it as follows:

“IMPERVIOUS SURFACE RATIO – A measurement of the intensity of use of a parcel of land, calculated by dividing the total area of all impervious surfaces within the site by the net buildable site area, as determined pursuant to Section 180-95(C)(2)(c) of this Code.”

**Section 2. Amendment to Chapter 180 (Zoning), Section 180-22(C) (Lot requirements) - Coverage**

Chapter 180, Section 180-22(C) of the Code is amended to replace the line “Coverage: maximum 20%” with the line “Maximum Impervious Surface: See charts provided in Section 180-127.3 for Single Family Detached Dwelling uses. 20% maximum for all other uses.”

**Section 3. Amendment to Chapter 180 (Zoning), Section 180-28(C) (Lot requirements) – Coverage**

Chapter 180, Section 180-28(C) of the Code is amended to replace the line “Coverage: maximum 20%” with the line “Maximum Impervious Surface: See charts provided in Section 180-127.3 for Single Family Detached Dwelling uses. 20% maximum for all other uses.”

**Section 4. Amendment to Chapter 180 (Zoning), Section 180-34(C) (Lot requirements) - Coverage**

Chapter 180, Section 180-34(C) of the Code is amended to replace the line “Coverage: maximum 25%” with the line “Maximum Impervious Surface: See charts provided in Section 180-127.3 for Single Family Detached Dwelling uses. 25% maximum for all other uses”.

**Section 5. Amendment to Chapter 180 (Zoning), Section 180-40(C) (Lot requirements) - Coverage**

Chapter 180, Section 180-40(C) of the Code is amended to replace the line “Coverage: maximum 25%” with the line “Maximum Impervious Surface: See charts provided in Section 180-127.3 for Single Family Detached Dwelling uses. 25% maximum for all other uses.”

**Section 6. Amendment to Chapter 180 (Zoning), Section 180-46(C) (Lot requirements) - Coverage**

Chapter 180, Section 180-46(C) of the Code is amended to replace the line “Coverage: maximum 30%” with the line “Maximum Impervious Surface: See charts provided in Section 180-127.3 for Single Family Detached Dwelling uses. 30% maximum for all other uses. ”

**Section 7. Amendment to Chapter 180 (Zoning), Section 180-52(C) (Lot requirements) - Coverage**

Chapter 180, Section 180-52(C) of the Code is amended to replace the line “Coverage: maximum 30%” with the line “Maximum Impervious Surface: See charts provided in Section 180-127.3 for Single Family Detached Dwelling uses. 30% maximum for all other uses. ”

**Section 8. Amendment to Chapter 180 (Zoning), Section 180-58(C) (Lot requirements) - Coverage**

Chapter 180, Section 180-22(C) of the Code is amended to replace the line “Coverage: maximum 35%” with the line “Maximum Impervious Surface: See charts provided in Section 180-127.3 for Single Family Detached Dwelling uses. 35% maximum for all other uses. ”

**Section 9. Amendment to Chapter 180 (Zoning), Section 180-64(C) & (D) (Lot requirements) – Coverage & Building coverage**

Chapter 180, Section 180-64(C) of the Code is amended to replace the line “Coverage: maximum 40%” with the line “Maximum Impervious Surface: See charts provided in Section 180-127.3 for Single Family Detached Dwelling uses. 40% maximum for all other uses.” and to replace the line “Building coverage: maximum 30%” with the line “Building coverage: See charts provided in Section 180-127.3 for Single Family Detached Dwelling uses. 30% maximum for all other uses”.

**Section 10. Amendment to Chapter 180 (Zoning), Section 180-116(c)(1)**

Chapter 180, Section 180-116(C)(1) is hereby amended to delete the column heading, in the chart contained in that Section, entitled “Maximum Impervious Surface\*\*”, the percentages listed thereunder, and the \*\* Note at the top of page 180:155; and to replace the column heading with the phrase “Impervious coverage”, and the deleted percentages with the phrase “See charts provided in Section 180-27.3 of this Code.”

**Section 11. Amendment to Chapter 180 (Zoning), Section 180-127.3 (Impervious and Building Coverage Charts)**

Chapter 180, Section 180-127.3 of the Code shall be amended by inserting the following Impervious and Building Coverage Charts:

**Single Family Detached Uses**

Zoning District	Minimum Required Lot Area	Maximum Site Impervious Coverage (Includes On-Lot Imp. Cvg.)	Maximum On-Lot Impervious Coverage (Maximum Allowed)	Maximum On-Lot Impervious Coverage (Initial Permit Application)	Maximum Building Coverage
RA/R80	Varies	20%	*	*	*
R40	40,000 SF	20%	15%	12%	8%
R20	20,000 SF	25%	20%	16%	12%
R12	12,000 SF	30%	25%	22%	14%
MH	12,000 SF	30%	25%	22%	12%
UR	8,000 SF	35%	30%	27%	18%
VC	8,000 SF	40%	30%	27%	20%

\* Individual coverage values are a function of the design/layout of the site, the overall “Maximum Site Impervious Coverage” shall not exceed the amount specified in the above chart.

**Single Family Detached Cluster Uses**

Zoning District	Minimum Required Lot Area	Maximum Site Impervious Coverage (Includes On-Lot Imp. Cvg.)	Maximum On-Lot Impervious Coverage (Maximum Allowed)	Maximum On-Lot Impervious Coverage (Initial Permit Application)	Maximum Building Coverage
RA	40,000 SF	15%	20%	17%	10%
R80	40,000 SF	15%	20%	17%	10%
R40	20,000 SF	15%	20%	17%	12%
R20	10,000 SF	20%	25%	22%	18%
R12	8,000 SF	30%	30%	27%	20%
UR	6,000 SF	30%	35%	32%	25%
VC	6,000 SF	30%	35%	32%	25%

**A. Exceptions for Existing Lots with a Principal Structure**

The Maximum On-Lot Impervious Surface Coverage restrictions contained in the charts provided in this Section 180-127.3 shall not apply to any lot which; (1) was lawful when created, (2) was an existing lot of record as evidenced by recorded plan or deed as of March 31, 2011, and (3) had a principal structure located thereon as of March 31, 2011. Any owner of a lot which meets all of the requirements of (1), (2), and (3) herein shall be entitled to utilize the Maximum Impervious Surface Coverage percentages in effect, for the Zoning District where the lot is located, on March 31, 2011. Any lot that is created by subdivision after March 31, 2011, or any lot in existence pursuant to subsection (2) above that does not have a principal structure located thereon as of March 31, 2011 shall be subject to the Maximum On-Lot Impervious Surface Coverage restrictions contained in the charts provided in this Section 180-127.3.

**Section 12. Violations and Penalties**

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

**Section 13. 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.

11/08/10 Draft  
01/19/11 Rev.  
02/02/11 Rev.  
02/22/11 Rev.  
03/02/11 Rev.  
04/06/11 Final

**Section 14. Repealer**

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

**Section 15. Effective Date**

The provisions of this Ordinance shall become effective five (5) days after adoption.

**ENACTED** and **ORDAINED** this 6<sup>th</sup> day of April, 2011.

ATTEST:

LOWER SAUCON TOWNSHIP

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Jack Cahalan  
Township Manager

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Glenn C. Kern  
Council President