

## LEGAL NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of Lehigh Township will hold a public hearing on the 27<sup>th</sup> day of October, 2020, at 7:00PM, at the Lehigh Township Municipal Building located at 1069 Municipal Drive, Walnutport, PA 18088 for the purpose of enacting the following Ordinance which is summarized below. Copies of the complete text of the Ordinance are available at the Lehigh Township Municipal Building and The Home News and may be examined during regular business hours.

**AN ORDINANCE OF THE LEHIGH TOWNSHIP BOARD OF SUPERVISORS AMENDING THE LEHIGH TOWNSHIP ZONING ORDINANCE, ORDINANCE NO. 2002-1, AS AMENDED FROM TIME TO TIME, BY AMENDING THE LANGUAGE IN SECTIONS 180-15 "WORD USAGE AND DEFINITIONS" AND 180-18.1 "PLANNED RESORT RESIDENTIAL COMMUNITY ZONE (PRRC)."**

- Section 1. Word usage and definitions**
- Section 2. Planned Resort Residential Community Zone (PRRC)**
- Section 3. Severability**
- Section 4. Repealer**
- Section 5. Effective Date.**

All Ordinances and parts of Ordinances inconsistent with the act shall be repealed.

David M. Backenstoe, Esquire  
Solicitor, Lehigh Township  
148 Main Street  
Hellertown, PA 18055

**LEHIGH TOWNSHIP  
NORTHAMPTON COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE LEHIGH TOWNSHIP BOARD OF SUPERVISORS AMENDING THE LEHIGH TOWNSHIP ZONING ORDINANCE, ORDINANCE NO. 2002- 1, AS AMENDED FROM TIME TO TIME, BY AMENDING THE LANGUAGE IN SECTIONS 180-15 "WORD USAGE AND DEFINITIONS" AND 180-18.1 "PLANNED RESORT RESIDENTIAL COMMUNITY ZONE (PRRC)."**

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors of Lehigh Township, Northampton County, Commonwealth of Pennsylvania as follows:

**SECTION 1.** Section 180-15 of the Lehigh Township Zoning Ordinance entitled "Word usage and definitions." shall be amended by deleting the stricken language and adding the underscored language as follows:

B. Specific words and phrases. The following words and phrases shall have the particular meaning assigned by this section in the appropriate sections of this chapter:

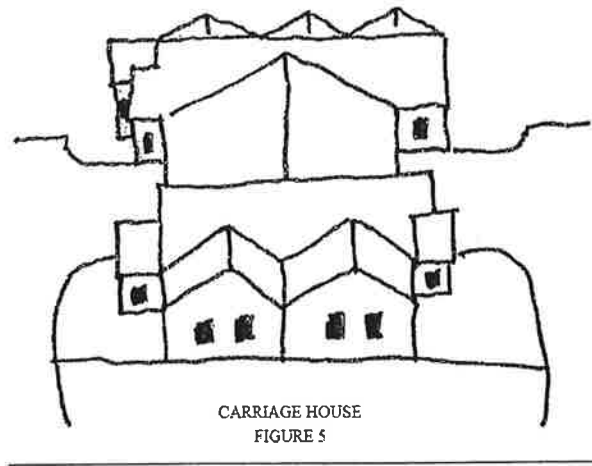
**ALLEY**

A public or private thoroughfare, with a cartway or right-of-way of 20 feet or less which affords only a secondary means of access to abutting property and is not intended for general traffic circulation. An alley is not a street. In the PRRC zone, an alley is defined as a private thoroughfare providing for either one-way or two-way traffic which may afford a primary or secondary means of access to abutting property and is intended for traffic circulation only to and from abutting properties.

**DWELLING**

(6) **CARRIAGE HOUSE**

A building within the PRRC zone containing four dwelling units arranged in a back-to-back configuration with two or more common party walls. (Figure 5).



**(7) COTTAGE**

A freestanding building in the PRRC zone containing one single family detached dwelling unit for one family and up to three other single family detached dwelling units which share a single driveway.

**SECTION 2.** Section 180-18.1 of the Lehigh Township Zoning Ordinance entitled “Planned Resort Residential Community Zone (PRRC).” shall be amended by deleting the stricken language and adding the underscored language as follows:

B. Permitted uses:

(2) Residential uses.

- (a) Single-family detached;
- (b) ~~Duplex~~ Single-family semi-detached (including Duplexes and Twins);
- (c) Multiple-family, including 55 and over age-targeted apartments;
- (d) Age restricted housing; and
- (e) Townhouse;;
- (f) Carriage house; and
- (g) Cottages.

E. Overall district requirements. Within the PRRC Zone, all land shall be divided into lots and streets, with the tract divided into residential areas, nonresidential areas, open space areas, and existing and proposed streets. All improvements within the PRRC Zone shall meet the following minimum and maximum requirements.

(3) Residential area.

(a) The remaining areas in the PRRC Zone (i.e., the area that is not devoted to common open space and nonresidential uses) may be developed for residential use. Residential uses may be mixed and shall have a maximum total number of 509 units, regardless of whether they are in residential area or nonresidential area as defined in §180-18.1E(2) above, which shall be allocated as follows based on a combination of all plans approved for residential lots or units in the PRRC zone:

~~— [1] Age-qualified single-family detached dwellings: 110 (minimum).~~

~~— [2] Age-qualified apartments: 120 (maximum).~~

~~— [3] Twins and/or townhouses: 107 (maximum).~~

~~— [4] Apartments (over nonresidential uses): 50 (maximum).~~

(b) ~~The balance of the maximum total number of 509 units shall be developed as single-family detached dwellings.~~

[1] Single-family Detached Dwellings, configured as “Large single-family detached” lots as shown in the table of Design Standards at § 180-18.1.F.: Minimum 10% of total dwelling units or lots approved.

[2] Single-family Detached Dwellings, configured as “Medium single-family detached” lots as shown in the table of Design Standards at § 180-18.1.F: Minimum 10% of total dwelling units or lots approved.

[3] Duplexes, twins, townhouses, and/or carriage houses: Maximum of 35% of total maximum dwelling units (178 units).

[4] Cottages: Maximum of 35% of total maximum dwelling units (178 units).

[5] Apartments: Maximum of 32% of total maximum dwelling units (163 units). The first 109 apartments constructed shall have no occupancy age restrictions. Apartment units in excess of 109 shall be age-qualified apartments.

F. Design standards.<sup>1</sup>

Use	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Maximum Lot Coverage (percentage)	Maximum Building Height (feet)	Minimum Front Yard Setbacks	Minimum Side Yard Setbacks <sup>4</sup>	Minimum Rear Yard Setbacks
Single-Family <del>Large single-family detached</del>	7,000	65	50	35	25	10 (20 Total)	25
<del>Medium single-family detached</del>	<u>5,000</u>	<u>45</u>	<u>60</u>	<u>35</u>	<u>20</u>	<u>7.5</u> (15 Total)	<u>15</u>
<u>Cottages</u>	<u>4,000</u>	<u>60</u>	<u>60</u>	<u>35</u>	<u>20</u>	<u>7.5</u> (15 total)	<u>15</u>
Single-family semi-detached (duplex/twins) <sup>2</sup>	4,000/unit	35/unit	50	35	<del>25</del> 20	10 (20 total)	<del>25</del> 15
Townhouses <sup>2</sup>	2,500/unit	25/unit	60	40	<del>25</del> 20	10 (end units) (20 Total)	<del>25</del> 20
<u>Carriage houses</u>	<u>2,500/unit</u>	<u>25/unit</u>	<u>60</u>	<u>40</u>	<u>20</u>	<u>10 (end units)</u>	<u>25</u>
Multiple-family dwellings <sup>2</sup>	43,560	100	60	50	50	<del>30</del> 15 (30 total)	60
Nonresidential <sup>3</sup>	43,560	100	70	50	35	20 (40 total)	25

NOTES:

<sup>1</sup> In situations where there are no lot lines separating lots or no public road right-of-way, front yard setbacks will be measured from the edge of the cartway. Side In such situations, side and rear yard setbacks will be measured based on the building separation distance.

The setbacks set forth in the foregoing design standards chart shall not apply to the portion of any lot that directly abuts Cherryville Road. The setback distance along Cherryville Road shall be 100 feet for residential structures and 150 feet for nonresidential structures.

<sup>2</sup> Design standards applicable to single-family semi-detached, townhouse, multiple-family dwellings, and mixed-use multifamily buildings:

- a. No townhouse grouping shall contain more than eight units or a maximum length of 224 feet, whichever is less.
- b. All single-family semi-detached, townhouse and multiple-family dwellings shall be set back a minimum of 10 feet from a parking lot or the edge of the cartway.
- c. For every attached grouping of townhouse buildings, a minimum of two changes in the front wall plane shall be provided. Such change shall involve a minimum variation or offset of

four feet.

d. In those instances where several multiple-family dwellings and/or townhouse groupings are located on the same lot, the following separation distances shall be provided between each building:

i. Front to front, rear to rear, front to rear, or rear to side buildings shall have at least 50 feet between faces of the buildings; and

ii. A minimum separation distance of ~~30~~20 feet is required between end walls of buildings.

e. The average minimum lot width for all buildings contained on a single block shall be no less than the minimum lot width required by the design standard. The lot width of individual buildings within a single block may be less than the design standard minimum lot width, so long as the average minimum lot width of that block complies with the design standard for minimum lot width.

3 Design standards applicable to nonresidential uses:

a. For multiple buildings on the same lot where there is no common or adjoining wall connecting the buildings, there shall be provided a minimum of 25 feet of separation distance between the closest points of such buildings;

b. Any lot containing a nonresidential use that adjoins land with a residential use shall maintain a thirty-foot separation distance between the property line and nonresidential buildings and structures, all off-street parking lots and loading areas, freestanding signs and outdoor storage and display areas. Such areas shall be used for a landscape strip and screen in accordance with the standards found in § 180-33 of this chapter. However, the aforementioned standards set forth in this footnote 3.b. shall not apply in a situation where one lot contains both nonresidential and residential uses. Any lot containing a nonresidential use that adjoins land with a residential use shall have the same setbacks as are required for multifamily dwellings.

c. Use of buildings which existed prior to July 1, 2015, shall be permitted by right to be occupied to their full height for uses permitted in the PRRC Zone.

d. Nonresidential uses shall comply with the parking and loading requirements for the specific nonresidential uses as provided in this chapter.

~~4 The side yard setback calculation is cumulative and/or aggregate. For example, if a ten-foot side yard setback is required, the aggregate side yard setback is 20 feet. This requirement can be met in any manner so long as the total side yard setback is 20 feet and each yard has at least a five-foot side yard setback. One side yard may have a five-foot setback if the other side yard setback is 15 feet. A five-foot yard setback is not required for the common walls in townhouses and single-family semidetached dwelling.~~

4 Each stated side yard setback is cumulative/aggregate for both side yards on the lot. This requirement can be met in any manner so long as the total side yard setback for both side yards cumulatively equals the stated setback distance. In the case of no lot lines, the side yard setback requirement shall be doubled to determine the building separation requirement within the side yard (i.e. a 10' side yard setback x2 equals 20' required building separation). A side yard setback is not required for the common walls in townhouses, single-family semi-detached dwellings (duplexes/twins), and carriage homes. For multiple family dwellings and non-residential buildings, each yard must have at least a 10-foot setback. For example, one side yard of a multiple family dwelling may have a 10-foot setback if the other side yard setback is 20 feet, thereby cumulatively satisfying the 30-foot side yard setback requirement. In cases of no lot lines, the required building separation distance requirement is cumulative/aggregate for both sides of the lot. This requirement can be met in any manner so long as the total building separation distance equals the stated separation distance.

5 In situations where there are no lot lines separating lots, the lots shall be laid out so that the minimum lot area, minimum lot width and lot coverage requirements would be physically able to be met as if the dwellings were on fee-simple lots.

However, in such case, the actual lot lines for such dimensions do not need to be legally established.

G. Driveways.

- (3) Within the PRRC zone, shared driveways are permitted for cottages and carriage houses when the following criteria are met:
  - (a) Shared driveways may not serve more than four (4) residential dwelling units;
  - (b) Overall cartway width of the driveway shall not be less than 14'. If the Township Engineer believes a cartway width of 14' is inadequate for any particular driveway, the engineer shall notify the developer in writing stating the reasons why a cartway width of 14' is believed to be inadequate. Following notification by the Township Engineer, the developer shall have the opportunity to justify the adequacy of the 14' driveway width. If the developer cannot demonstrate, to the reasonable satisfaction of the Township Engineer, that a width of 14' is adequate, the developer shall provide an overall driveway cartway width of 16' for such driveway;
  - (c) Shared driveways shall not exceed 150' in length as measured from the edge of the intersecting cartway;
  - (d) An easement for perpetual operation and maintenance is provided from the private road to the termination of the driveway. Such easement shall allow public access for purposes of emergency and other public vehicles for necessary services;
  - (e) Shared driveways must access onto a private road;
  - (f) Provisions shall be provided that the owners of any and all of the properties served by using the shared driveway shall refrain from prohibiting, restricting, limiting, or in any manner interfering with normal ingress, egress, public utilities, and use by any of the other owners served by the shared driveway. Normal ingress and egress shall include use by family, guests, invitees, vendors, tradesman, delivery persons, and others bound to or returning from any of the properties served by the shared driveway;
  - (g) Suitable areas are provided for snow storage/removal, deliveries, and trash removal;
  - (h) The cost of maintenance and improvements shall be the responsibility of the homeowners' association;
  - (i) All addresses served by the shared driveway shall be clearly marked at its point of intersection with the road, and any such addresses shall also be clearly marked at any location a driveway splits from the shared driveway;

and

(i) No shared driveway shall be posted with a street name.

I. Off-street parking and loading.

(2) For residential uses in the PRRC Zone, so long as the driveway length is at least 20 feet or more from the sidewalk (or curb if there is no sidewalk) to the building, one space in the driveway shall be counted toward the required number of off-street parking spaces for a single-car-width driveway, two spaces for a two-car-width driveway, and so forth. Spaces in a garage shall be counted towards off-street parking requirements ~~to the extent the garage exceeds space for a single automobile~~ (for example, a two-car garage would count for ~~one~~ two off-street parking space, and a three-car garage would count for ~~two~~ three off-street parking spaces).

(3) As to the approved Phase I land development, where a lot and/or building in the PRRC Zone contains more than one type of use, the number of off-street parking spaces shall be the sum of the parking requirements for each separate use with a reduction of ~~20%~~ 50% of that sum if the plan submitted by the applicant allocates vacant land which can accommodate the number of parking spaces eliminated by the ~~20%~~ 50% reduction for parking if needed in the future. The Township may direct the current landowner to convert the allocated vacant land to parking pursuant to this section by delivering written notice to the current landowner. The current landowner shall have six months from the date of the written notice to complete the paving; provided, however, that the six-month period shall be tolled during the PennDOT paving down time. This allocation would be memorialized as a note to the plan submitted by the applicant, and the applicant shall include the allocation of vacant land in any calculation of impervious coverage. The applicant may seek a special exception to:

(a) Obtain a parking reduction in excess of ~~20%~~ 50%; and/or

(4) The maximum widths of alleys shall not include curb returns. Parking Within the PRRC zone, perpendicular parking shall not be permitted on adjacent to the cartway of an alley.

(9) For residential uses within the PRRC Zone, parking for guests shall be provided within on-street and off-street parking lots spaces at a rate of up to 0.75 spaces per dwelling unit if it is deemed necessary by the Township.

J. Roadway access.

(2) The centerline of all proposed ~~access drives to a dwelling~~ driveways or alleys to dwelling(s) shall be set back a minimum of 50 feet from the center line of the intersection of two local roads. In the event of a "T" intersection, all proposed ~~access drives to a dwelling unit~~ driveways or alleys to dwelling(s) shall be directly opposite the intersecting local street.



**SECTION 3. Severability.** The provisions of the Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this ordinance would be amended as if such unconstitutional, illegal or invalid provision or provisions had not been included herein.

**SECTION 4. Repealer.** All other Township Ordinances or parts thereof, including but not limited to the Lehigh Township Subdivision and Land Development Ordinance of 1990, as amended, that were adopted prior to this ordinance and are in conflict with this ordinance are hereby repealed.

**SECTION 5. Effective Date.** This Ordinance shall become effective immediately following the date of adoption by the Board of Supervisors.

**ENACTED AND ORDAINED** into an Ordinance this \_\_\_\_ day of \_\_\_\_\_, 2020.

**ATTEST:**

**BOARD OF SUPERVISORS  
LEHIGH TOWNSHIP**

\_\_\_\_\_  
Alice Rehrig, Secretary

\_\_\_\_\_  
Cynthia Miller, Chair