

**TOWNSHIP OF LOWER NAZARETH  
NORTHAMPTON COUNTY, PENNSYLVANIA**

**ORDINANCE NO. ~~2014~~ 213-12-14**

**AN ORDINANCE**

**AMENDING THE LOWER NAZARETH TOWNSHIP ZONING ORDINANCE OF APRIL 12, 2006 RELATING TO MINIMUM REAR YARD SETBACKS AND STREET TREES IN THE MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT AND LOCATION OF FENCES IN ALL ZONING DISTRICTS AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Lower Nazareth Township, Northampton County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, pursuant to the provisions of Act 247 of 1968 (P.L. 805), Article IV, Section 601, et seq., as amended (53 P.S. 10601, et seq.), as follows:

**SECTION 1.**

Article VII, Section 705.M, Minimum Rear Yard Setback, is hereby amended to read as follows:

M. Minimum Rear Yard Setback -

1. One story single family detached dwelling (excluding mobile/ manufactured home) - 20 feet
2. All other uses - principal structure - 35 feet
3. Accessory structure or use - 10 feet

**SECTION 2.**

Article VII, Section 705.G.4 is hereby amended to read as follows:

G. Streetscape -

4. Street trees shall be installed and maintained at a 50 feet average interval on both sides of the streets. Street trees shall be installed at 2½ to 3 inch caliper minimum. Where lot widths, driveways and utilities restrict tree installation, the following standards shall apply: one tree along the frontage of each single family detached dwelling and each semi-detached dwelling, and one tree at each end of a townhouse unit block. Remaining trees required by this section shall be installed at the Township's discretion. At no time shall the total number of trees be reduced.

**SECTION 3.**

Article XV, Section 1503.F.5.c, Fences, is hereby amended to read as follows:

c. Fences -

- (4) A fence shall not be required to comply with accessory structure setbacks, except that no fence shall be built within 10 feet of the future right-of-way line of a street and a fence in a residential district shall be setback from the property line the following distances:
  - i. Single Family dwelling - 1.5 feet
  - ii. Townhouses, common side lot line - no setback  
Townhouses, other side yard - 1.5 feet
  - iii. Semi-detached dwellings, common side lot line - no setback  
Semi-detached dwellings, other side yard - 1.5 feet
- (7) No fence shall be located in an access, drainage or utility easement unless approved by the Board of Supervisors. The permittee must agree to be responsible for all legal costs

incurred by the creation and approval of an Easement Agreement with the Township and recorded in the Office for the Recording of Deeds in and for Northampton County, if approved.

- (8) No part of this Ordinance shall prohibit a developer from establishing Deed restrictions or homeowner association regulations that further restrict the height, location and material of fences in addition to those set forth herein.

**SECTION 4.**

All Ordinances or portions thereof which are inconsistent with this Ordinance are hereby specifically repealed.

**SECTION 5.**

If any section, subsection, paragraph, sentence, clause or portion of this Ordinance shall be declared to be invalid or unconstitutional by any Court of record or of competent jurisdiction, then, in that event, the remaining portions of this Ordinance shall remain unaffected and in full force and effect.


**SECTION 6.**


This Ordinance shall be effective immediately upon adoption.

ORDAINED AND ENACTED this 10 day of DECEMBER, 2014.

**TOWNSHIP OF LOWER NAZARETH**

**ATTEST:**

  
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**TIMM TENGES, Secretary**

**BY:**   
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**JAMES PENNINGTON, Chairman**