

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

ORDINANCE NO. 253-11-24

AN ORDINANCE

AMENDING THE LOWER NAZARETH TOWNSHIP ZONING ORDINANCE, AS AMENDED, TO ADDRESS LAND USES, TECHNICAL ORDINANCE CRITERIA, AND ASSOCIATED CONSISTENCIES IN THE ARTICLE III, BASE ZONING DISTRICT REGULATIONS, ARTICLE IV, ZONING OVERLAY REGULATIONS, ARTICLE V, ADDITIONAL REQUIREMENTS FOR USES PERMITTED BY RIGHT, ARTICLE VII, CONDITIONAL USES AND SPECIAL EXCEPTIONS, ARTICLE VIII, ENVIRONMENTAL PROTECTION, ARTICLE X, OFF-STREET PARKING AND LOADING, ARTICLE XI, SIGNS, ARTICLE XII, DEFINITIONS, AND EXHIBIT 2 OF 2 – ZONING OVERLAYS.

WHEREAS, the Lower Nazareth Township Board of Supervisors adopted the Nazareth Area Multi-Municipal Comprehensive Plan as of August 10, 2022; and

WHEREAS, the Lower Nazareth Township Board of Supervisors adopted the Nazareth Area Multi-Municipal Comprehensive Plan Implementation Agreement on August 9, 2023; and

WHEREAS, the Lower Nazareth Township Board of Supervisors adopted the Zoning Ordinance of Lower Nazareth Township on December 13, 2023 and subsequent amendments; and

WHEREAS, the Lower Nazareth Township Board of Supervisors has determined it to be in the best interests of the public health, safety, and general welfare of the residents of Lower Nazareth Township to amend the Lower Nazareth Township Zoning Ordinance to correct for clerical errors, list additional definitions and sign height limitations, make minor changes to the use and dimensional regulations, and provide more clarity on provisions related to the Designated Growth Overlay and Rural Resource Overlay.

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 authority of the same, pursuant to the provisions of Act 247 of 1968 (P.L. 805), Article VI, Section 601, et seq., as amended (53 P.S. 10601, et seq.), as follows:

SECTION 1.

ARTICLE III, BASE ZONING DISTRICT REGULATIONS, is hereby amended to CHANGE the permitted use classification for Dwelling, Multi-Family (Apartments) in §

303, Zoning District Quick Views, TD-6 VILLAGE MIXED-USE, from “P” (Permitted by Right) to “C” (Conditional Use).

SECTION 2.

ARTICLE IV, ZONING OVERLAY REGULATIONS, is hereby amended as follows to:

1. ADD the following requirements to § 401, Designated Growth Overlay:
 4. Connection to public infrastructure shall be required in the Designated Growth Overlay.
 5. See also SALDO requirements for Sanitary Sewer Disposal.
2. AMEND § 401.1, Purpose, to include an additional provision, numbered as a new subsection “A”, and to move the existing provision to a new subsection “B”, as follows:
 - A. To align densities of permissible land uses with areas of existing and planned public infrastructure service.
 - B. To facilitate Cluster Development as an optional form of infill development within areas in the Township served by public sewer and public water.
3. ADD § 402 6.C, Rural Resource Overlay, to include a reference to Resources for Class 1 and Class 2 Soils include:
 - A. U.S. Department of Agriculture, Agricultural Research Service Publications, as amended.
 - B. U.S. Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey, as amended
 - C. Penn State University. Dataset summary: 11. PASDA, as amended.
 - D. Pennsylvania Code and Bulletin. Title 25: Environmental Protection, as amended.

SECTION 3.

ARTICLE V, ADDITIONAL REQUIREMENTS FOR USES PERMITTED BY RIGHT, is hereby amended to ADD the following requirement to § 503.3.B, for accessory buildings on a lot with a lot area of 2 acres or less in a TD1 through TD5:

- (1) A one and one-half (1- ½)foot setback is required along the shared lot line of attached buildings and except where a larger setback is required.

SECTION 4.

ARTICLE VII, CONDITIONAL USES AND SPECIAL EXCEPTIONS, is hereby amended to ADD the following requirement to § 702, Specific Criteria for Conditional Uses and Special Exceptions:

30. Apartments.

A. Connection to public infrastructure shall be required.

SECTION 5.

ARTICLE VIII, ENVIRONMENTAL PROTECTION, is hereby amended to REPLACE § 804 in its entirety, so that it reads as follows:

Setbacks From Major Surface Waters. No building, off-street parking or commercial or industrial storage or display area shall be located within 100 feet of the top edge of each closest bank of a major surface water. See the Township floodplain map in case a wider area is regulated under the Floodplain Ordinance. The exact location of the top edge of the bank shall be determined by the Township Engineer. Major surface waters are defined as the Monocacy Creek and the East and West Branches of the Monocacy Creek.

SECTION 6.

ARTICLE X, OFF-STREET PARKING AND LOADING, is hereby amended as follows:

1. CORRECT “1 per 2,000 yard area” to “1 per 2,000 sq. ft. yard area” in Table D: Parking, under NUMBER OF OFF-STREET PARKING SPACES REQUIRED for Contractor Office/Yard.

SECTION 7.

ARTICLE XI, SIGNS, is hereby amended to add the following height limitations in the SIGNS APPENDIX (Appendix A) for signs in TD6 through TD11:

TD 6-9:

Maximum Height, Freestanding Signs: 10’

Location, Building Signs: Shall not be placed above any building roofline nor shall any portion of the sign be located above any building roofline.

TD 10-11:

Maximum Height, Freestanding Signs: 8’

Location, Building Signs: Shall not be placed above any building roofline nor shall any portion of the sign be located above any building roofline.

SECTION 8.

ARTICLE XII, DEFINITIONS, is hereby amended to ADD the following definitions:

DESIGNATED GROWTH AREA – A region in which residential and mixed-use development is permitted or planned for at densities of one unit to the acre or more; commercial, industrial and institutional uses are permitted or planned for; and public infrastructure services are provided or planned.

PUBLIC INFRASTRUCTURE SERVICES – Services that are provided to areas with densities of one or more units to the acre, which should include sanitary sewers and facilities for the collection and treatment of sewage, water lines and facilities for the pumping and treating of water, parks and open space, streets and sidewalks, public transportation and other services that may be appropriate within a growth area, but shall exclude fire protection and emergency medical services and any other service required to protect the health and safety of residents.

PUBLIC INFRASTRUCTURE AREA – A designated growth area and all or any portion of a future growth area where public infrastructure services will be provided and outside of which such public infrastructure services will not be required to be publicly financed.

SECTION 9.

The ZONING ORDINANCE is AMENDED to ADD the following statement under Zoning Overlay Regulations in section § 402 Rural Resource Overlay 1.C:

The Rural Resource Overlay is applicable to any lot not otherwise assigned to the Designated Growth Area.

SECTION 10.

EXHIBIT 2 OF 2 – ZONING OVERLAYS is AMENDED to:

- A. DESIGNATE the following parcels to be within the Designated Growth Area: K8-9-8-0418, K8-9-10-0418, K8-9-10A-0418, and K8-9-10B-0418
- B. ADD the following notation, as consistent with above Section 9, to the Exhibit: “The Rural Resource Overlay is applicable to any lot not otherwise assigned to the Designated Growth Area.”

SECTION 11. SEVERABILITY

It is hereby declared to be the intention of the Board of Supervisors of the Township of Lower Nazareth that the parts, sections, paragraphs, sentences, clauses, and phrases of this Ordinance, and parts, sections, zones, or overlays of the Maps, are severable. If any part,

section, paragraph, sentence, clause, phrase, zone, or overlay of this Ordinance or the Maps is declared unconstitutional, illegal, or otherwise invalid by the judgment or decree of a Court of competent jurisdiction, that invalidity shall not affect any of the remaining parts, sections, paragraphs, sentences, clauses, phrases, zones, or overlays of the Ordinance or Maps.

SECTION 12. REPEALER

All ordinances and maps and parts of ordinances or maps inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 13. EFFECTIVE DATE

This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of Lower Nazareth Township.

ENACTED AND ORDAINED this 13 day of NOVEMBER, 2024, at a regular public meeting.

LOWER NAZARETH TOWNSHIP

ATTEST:

BY: 
JAMES PENNINGTON, Chairman


TAMMI DRAVEGZ, Secretary

- Legend**
- Township Boundary
 - Parcel
 - Stream/Lake/Pond
- Proposed Overlay Zones**
- Designated Growth Area
 - Route 191 Traffic Management Overlay
 - Mid-land Traffic Management Overlay
 - Route 248 Traffic Management Overlay
 - Health Care Overlay
- Note: The Rural Resource Overlay is applicable to any lot not otherwise assigned to the Designated Growth Area.

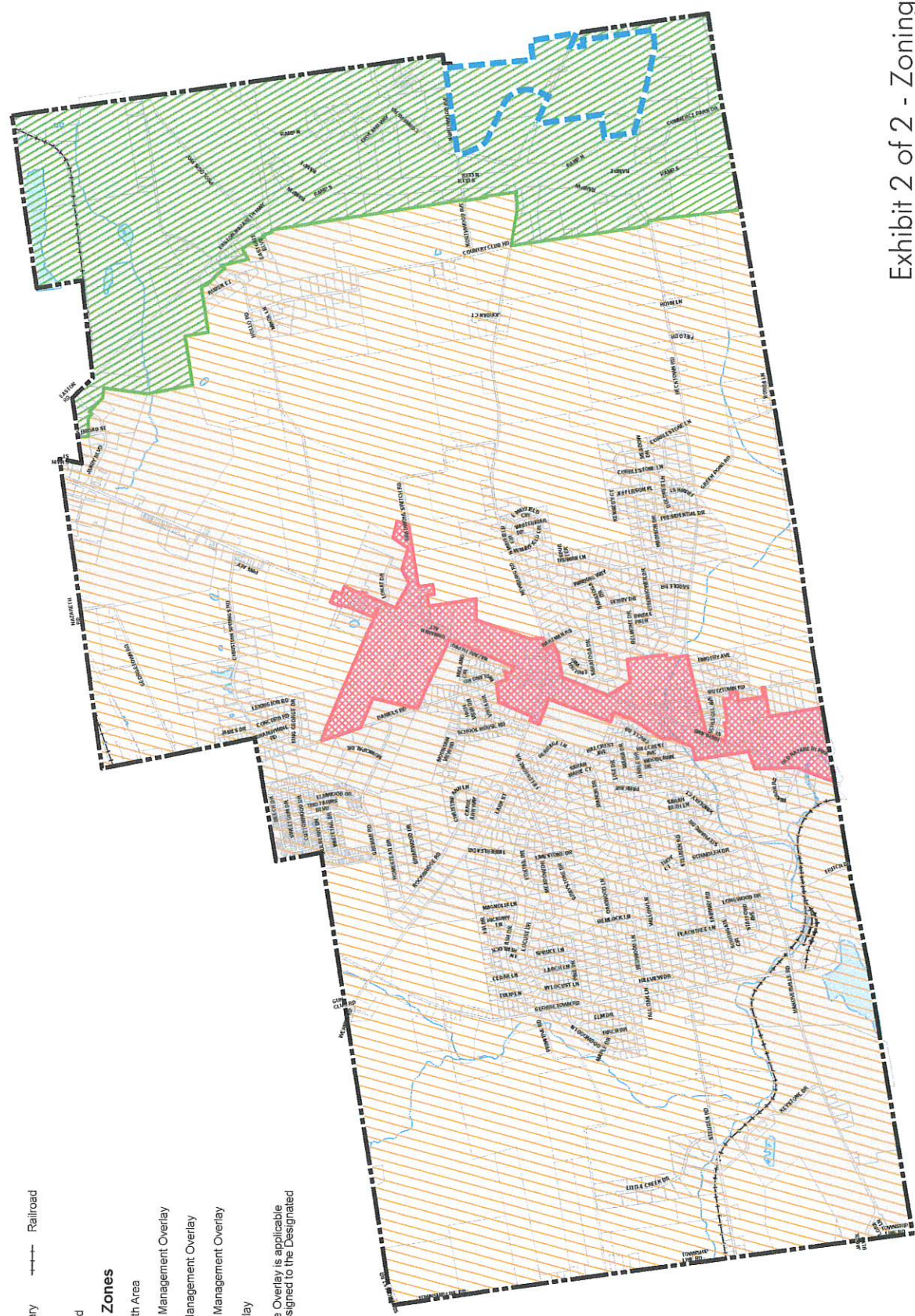


Exhibit 2 of 2 - Zoning Overlays OFFICIAL ZONING MAP

LOWER NAZARETH TOWNSHIP
Adopted December 13, 2023
Amended September 20, 2024