

**TOWNSHIP OF UPPER SAUCON
LEHIGH COUNTY, PENNSYLVANIA**

ORDINANCE NO. 141 – AA

AN ORDINANCE AMENDING THE UPPER SAUCON TOWNSHIP ZONING ORDINANCE OF 2009 TO ADD NEW DEFINITIONS RELATING TO TYPES OF MEDICAL TREATMENT FACILITIES; ADDING A SPECIALTY / MICRO-HOSPITAL USE IN THE COMMERCIAL (C) ZONE AND REGULATIONS APPLICABLE THERETO; ADDING OR MODIFYING ADDITIONAL REGULATIONS RELATING TO “MEDICAL OFFICE,” “MEDICAL FACILITY,” “URGENT CARE FACILITY,” AND “MEDICAL / DENTAL / OPTICAL LAB;” MAKING REVISIONS TO THE LIST OF PERMITTED USES IN THE COMMERCIAL (C), INDUSTRIAL (I), AND ENTERPRISE (E) ZONING DISTRICTS AND ARTICLE 4, SPECIFIC CRITERIA CONSISTENT WITH THE DEFINITIONAL CHANGES AND SPECIALTY / MICRO HOSPITAL USE; AND REVISING PARKING REQUIREMENTS FOR NEW AND REVISED MEDICAL-RELATED USES AS SET FORTH IN SECTION 314.V.

SECTION 1: STATEMENT OF LEGISLATIVE FINDINGS

WHEREAS, on June 9, 2009, the Board of Supervisors (the “Supervisors”) of Upper Saucon Township (the “Township”) enacted Ordinance No. 141 representing a comprehensive amendment to the Township zoning ordinance, which Ordinance is known and cited as the “Upper Saucon Township Zoning Ordinance of 2009” (the “Zoning Ordinance”); and

WHEREAS, the Zoning Ordinance has been amended from time-to-time; and

WHEREAS, Articles 1, 2 and 4, respectively, provide for definitions, zone provisions, and specific criteria for certain, specified uses; and

WHEREAS, the Zoning Ordinance provides definitions and criteria for various types of medical - related uses in various zoning districts including, without limitation, medical residential campuses, clinics and offices (for medical, dental, optical, and counseling practices), hospitals, and transitional care facilities; and

WHEREAS, references in this amendment to the “Ordinance” shall mean to the Upper Saucon Township Zoning Ordinance of 2009, as amended; and

WHEREAS, the Supervisors find that the delivery of health care services has undergone significant change since the Zoning Ordinance and certain amendments thereto were enacted, which change includes, but is not limited to, the use of such services as commercial activities; and

WHEREAS, the Supervisors desire to update the Zoning Ordinance to address the changes in the delivery of health care services, and in so doing to add new uses with specific criteria and modify certain existing uses and criteria; and

WHEREAS, the Supervisors desire to amend the Zoning Ordinance consistent with the aforementioned findings and goals.

NOW, THEREFORE, the Board of Supervisors of Upper Saucon Township does hereby enact and ordain the following amendment to the Upper Saucon Township Zoning Ordinance of 2009, as amended.

SECTION 2: ZONING ORDINANCE TEXT AMENDMENTS

1. Article 1, Section 113, titled “SPECIFIC WORDS AND PHRASES,” is amended to add the following definitions:

“**MEDICAL / DENTAL / OPTICAL LAB** Facilities and offices providing diagnostic analyses of medical tests including, but not limited to, urinalysis, CT scans, X-rays, and other diagnostic, medical tests; collecting or withdrawing human blood, organs, skin, or other human tissue; or producing items such as dentures, caps, bridges, and optical prescriptions.”

“**MEDICAL FACILITY** A facility that offers specialized treatment and services including, but not limited to, ambulatory surgical facilities, dialysis centers, birthing facilities, and 24-hour urgent care facilities. Patients are served solely on an out-patient basis. Services provided do not include overnight treatment, stays or accommodations.”

“**MEDICAL OFFICE** A building occupied by medical and/or other licensed practitioners of the healing arts and related services for the purpose of providing, health, wellness, dietary, social, behavioral, therapeutic, occupational, and psychological services to outpatients. A medical office shall not include any services specific to a “Medical Facility.”

“**MONUMENT SIGN**” A type of freestanding (ground level) sign placed near the entrance drive of a parking lot that is created from durable materials such as brick or stone, and which is intended to be read at or about eye level. A monument sign shall comply with all requirements of this Ordinance..”

“**SPECIALTY / MICRO-HOSPITAL** A licensed, acute care facility that offers emergency services and a restricted range of other services to patients that require short-term, in patient care.”

“**URGENT CARE FACILITY** A non-twenty-four (24) hour, walk-in facility open to the general public on an extended hour access basis which provides immediate, but not emergent care; serves patients solely on an outpatient basis; and provides no overnight treatment, stays, or accommodations.”

2. Article 1, Section 113, titled “SPECIFIC WORDS AND PHRASES,” is amended to modify the definition of **HOSPITAL AND RELATED USES** by adding the following sentence at

the end of the definition: “A specialty / micro-hospital shall not be considered an accessory or related use to a hospital.”

3. Article 1, Section 113, titled “SPECIFIC WORDS AND PHRASES,” is amended to delete the phrase “CLINIC, MEDICAL, DENTAL, VISION, OR COUNSELING” and the definition thereof.

4. Article 4, titled “Specific Criteria,” is amended to add a new Section 495 as follows:

“Section 495 Specialty / Micro-Hospital

495.A Within the Commercial (C) Zone, a specialty / micro-hospital shall be a permitted use, subject to the following specific criteria and all other applicable requirements of this Ordinance.

495.A.1 Shall provide inpatient and outpatient services on a twenty-four (24) hour basis.

495.A.2 Shall provide no more than ten (10) in-patient beds.

495.A.3 Shall provide no more than ten (10) emergency department treatment bays.

495.A.4 Additionally, one airborne infection isolation room may be provided.

495.A.5 Shall have direct access on to an arterial or collector street.

495.A.6 Shall have a building size of no more than twenty-four thousand (24,000) square feet and be no more than two (2) stories in height. Permitted accessory uses may be incorporated into the structure if located on the second floor. Floor area dedicated specifically to an accessory use shall not count toward the 24,000 square feet maximum building size for the specialty / micro-hospital.

495.A.7 Shall have a minimum lot size of three (3) acres.

495.A.8 Shall have a total site impervious cover, inclusive of accessory uses, of not more than sixty percent (60%).

495.A.9 Shall provide one (1) parking space for every four hundred (400) square feet of building gross floor area (including accessory buildings, if any).

495.A.10. Shall provide a ten foot (10’) landscape buffer and screen all in accordance with the requirements of this Ordinance along the perimeter of the site, except that a twenty foot (20’) buffer and screen shall be provided along any

perimeter which in whole or in part faces a residential Zoning District or use, subject to the following, as applicable;

- a. In those portions of the site perimeter that contain existing vegetation which will not be disturbed as part of the proposed development, the applicant may, with Township approval, substitute and/or supplement such existing vegetation to meet the buffer and screening requirements; and
- b. For portions of the development site which will remain undisturbed, existing vegetation, once cleared of any invasive species, may be used to fulfill the buffer and screening requirements with Township approval.

For the purposes of subsections a. and b., above, demolition and associated grading shall not constitute disturbance.

495.A.11.

- a. Subject to the exceptions set forth in subsections b, c, and d, below, all signage shall be in accordance with the applicable requirements of this Ordinance.
- b. Only directional signs for entrance and exit points and signs mandated by law or regulation shall be permitted on any portion of the site which faces a residential Zoning District or use.
- c. One monument sign shall be permitted, however its location on the site shall be limited to a point of ingress and egress which aligns with an existing point of ingress and egress serving a non-residential use.
- d. Building signage, other than directional signs and signs mandated by law or regulation, shall not be permitted on walls that face, in whole or in part, a residential lot.

495.A.12. Submission of a traffic study for review and approval by the Township.

495.A.13. Submission of written documentation evidencing provisions for the collection, disposal, and recycling of medical and hazardous wastes and compliance therewith.

495.A.14. Emergency entrances to the specialty / micro-hospital and each accessory building or use shall be separated by at least one hundred fifty feet (150') from properties within the (R-1, R-2, R-3 and AQC) Zones.

a. If, due to specific limitations of the site for this use the 150' separation provided for in this subsection 495.A.14 cannot be met, additional screening shall be provided between the emergency entrance and these zones (subject to applicable sight triangles). Such screening shall be in strict accordance with the provisions of Section 321.D.1, 2, and 2.A.

495.A.15. Demonstration that provisions have been made for access to the site which safely accommodate predictable vehicular and pedestrian traffic generated by the use and any accessory uses as well as existing vehicular and pedestrian traffic in the general area of the location of the site.

495.A.16. Demonstration that site vehicular access and circulation systems and exterior signage are designed to provide safe access to the designated emergency entrances that ensures minimal conflicts with existing or anticipated vehicular and pedestrian traffic on the site and in the general area of the location of the site.

495.B Accessory Uses

495.B.1 Provided that they are designed, located, and operated in a manner that supports the specialty / micro-hospital and are incidental and subordinate to the specialty / micro-hospital use; permitted accessory uses shall be limited to a medical office, medical / dental / optical lab, administrative offices, associated with the operation of specialty / micro-hospital.

495.B.2 Unless otherwise specifically authorized in subsection 495.B.1, above, uses that shall not be considered accessory uses or uses otherwise related to a specialty / micro-hospital include a helipad (or similar facility) and uses identified in subsection 451.I of the Ordinance, relating to permitted uses supporting a hospital use or campus.

495.B.3 Special requirements for accessory uses specified in 495.B.1, above include the following:

a. Total maximum gross floor area for all accessory uses shall not exceed fifty percent (50%) of the gross floor area of the specialty / micro-hospital;

b. For each accessory use, no matter when proposed, the applicant shall integrate the accessory use and its site function and design with all existing uses so as to create a campus-like environment;

c. Where an accessory use is located above the specialty / micro-hospital, a separate building entrance may be established;

d. The total maximum amount of permitted signage on the specialty / micro-hospital site shall not be increased by the addition of an accessory use or structure; and

e. Except as otherwise set forth in this subsection 495.B.3, every accessory use shall comply with the requirements of Section 495.A, subsections 8 through 15 in addition to all other applicable, Zoning Ordinance requirements.

5. Article 2, Section 220, relating to **COMMERCIAL ZONE (C)**, Section 220.B titled, **USES PERMITTED BY RIGHT**, is amended as follows:

a. Subsection 220.B.13 is amended by deleting the phrase “Medical, dental, optical, and counseling clinics and offices” and substituting therefore the phrase “Medical office” and further by adding at the end of the regulation the following: “Permitted accessory uses may include urgent care facilities and medical / dental / optical lab. A Medical office shall not provide services specific to a Medical facility.”

b. Subsection 220.B.14 is amended by deleting the phrase “Offices” and substituting therefore the phrase “Medical and Non-medical Office Buildings.”

c. Subsection 220.B, is amended by adding the following:

“23. Urgent care facility, provided that hours of operation shall be limited to the time period from 7 AM to 7 PM.

24. Medical Facility.

25. Specialty / Micro-Hospital, subject to the requirements of Section 495.”

d. Subsection 220.B.23, relating to “Accessory uses” is amended by deleting in their entirety subsections b, d, f, g, h, and i and further by changing the subsection number from “23” to “26,” making the same “220.B.26” (see item c, above adding uses 23 through 25).

6. Article 2, Section 230, relating to the **INDUSTRIAL ZONE (I)**, Section 230.B titled, **USES PERMITTED BY RIGHT**, is amended as follows:

a. Subsection B.17, is amended by deleting the phrase “**Medical, dental, optical and counseling clinics and offices**” and substituting therefore the phrase “**Medical / dental / optical labs.**”

b. Subsection B.18, is amended by deleting the word “**Offices**” and substituting therefore the phrase “**Non-medical offices.**”

7. Article 2, Section 231, relating to the **ENTERPRIZE ZONE (E)**, Section 231.B titled, **USES PERMITTED BY RIGHT**, is amended as follows:

a. Subsection B.9, is amended by deleting the phrase “**Medical, dental, optical and counseling clinics and offices**” and substituting therefore the phrase “**Medical / dental / optical labs.**”

b. Subsection B.12, is amended by deleting the word “**Offices**” and substituting therefore the phrase “**Medical and Non-medical offices.**”

8. Table 1, titled **PERMANENT SIGN REQUIREMENTS**, as set forth in Section 322.D, relating to **SPECIFIC SIGN REQUIREMENTS**, is deleted in its entirety and a new Table 1 as set forth in **Exhibit A** (attached hereto and made a part hereof) is substituted therefore.

9. Article 4, Section 451, relating to **HOSPITALS with RELATED USES**, Section 451 is amended to add a new subsection 451.K as follows:

“451.K. A specialty / micro-hospital shall not be considered an accessory or related use to a hospital.”

10. Article 4, Section 459, relating to **Medical Residential Campuses**, Section 459.N is amended by deleting subsection N.2 in its entirety and substituting therefore the following:

“N.2 Medical facilities including medical offices, medical / dental/ optical labs, professional or paramedical training centers, and ambulatory care facilities;”

11. Article 4, Section 493, relating to **Corporate Campus**, Section 493.C titled, **USES PERMITTED BY RIGHT**, is amended as follows:

a. Subsection C.1 is amended by deleting the word “**Offices**” and substituting therefore the phrase “**Non-medical offices.**”

12. Article 3, Section 314.V, relating to **SCHEDULE OF REQUIRED PARKING SPACES, COMMERCIAL USES**, is amended as follows:

a. Delete as a Type of Use “Clinics and professional offices of veterinarians, physicians, dentists, opticians, counselors and etc.” and substitute therefore the following phrase “Medical Office.”

b. Delete as a type of use “Office buildings” and substitute therefore the phrase “Non-medical office buildings.”

c. Add as a type of use “Medical office buildings” and add under “Minimum of One Parking Space for Each” the following phrase “One parking space for every 400 square feet of building gross floor area, including accessory uses, if any.”

d. Add as a Type of Use “Specialty / Micro-Hospital” and add under “Minimum of One Parking Space for Each” the following phrase “One parking space for every 400 square feet of building gross floor area.”

e. Add as a Type of Use “Urgent Care Facility” and add under “Minimum of One Passenger Parking Space for Each” the following phrase “One parking space for each employee and one parking space for every two patients accommodated by the facility.”

f. Add as a Type of Use “Medical Facility” and add under “Minimum of One Passenger Parking Space for Each” the following phrase “One parking space for each employee and one parking space for every three patients accommodated by the facility.”

g. Add as a Type of Use “Medical / Dental / Optical Lab” and add under “Minimum of One Parking Space for Each” the following phrase “One parking space for each employee and one parking space for every two patients accommodated by the facility.”

Article 3, Section 314.V, relating to **SCHEDULE OF REQUIRED PARKING SPACES, SOCIAL AND INSTITUTIONAL USES**, is amended to delete as a Type of Use “Rehabilitation centers (without overnight accommodations).”

SECTION 3: PROTANTO REPEAL

Unless otherwise specifically stated in this Ordinance 141-AA, all Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: EFFECTIVE DATE

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

SECTION 5: SAVINGS CLAUSE

To the extent that any word, portion or provision of the text hereof is found by any court of competent jurisdiction to be invalid or void on constitutional or other grounds, such word, phrase, portion of provision shall, if possible, be deemed to be repealed and those remaining valid portions of the text shall remain in full force and effect if the same can be accomplished without the structure of the Ordinance having been destroyed by the elimination of that word, phrase, portion or provision found to be invalid or void.

DULY ENACTED AND ORDAINED this 22nd day of July 2024, by the Board of Supervisors of the Township of Upper Saucon, Lehigh County, Pennsylvania in lawful session duly assembled.

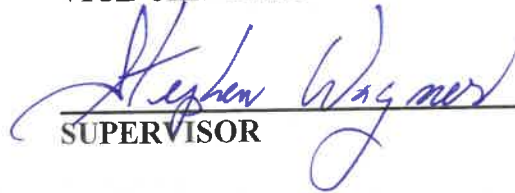
**TOWNSHIP OF UPPER SAUCON
BOARD OF SUPERVISORS**



CHAIRMAN



VICE CHAIRMAN



SUPERVISOR

SUPERVISOR

SUPERVISOR

ATTEST:



SECRETARY

Exhibit A

322.D PERMANENT SIGN REQUIREMENTS (TABLE 1)

SIGN TYPE	MAX NUMBER	MAX AREA	MAX HEIGHT FREE STANDING	MAX HEIGHT FLAT ROOF, AND WALL	MAX HEIGHT ROOF & WALL PROJECTING	MAX PROJECTION FROM WALL OR ROOF	ZONES	OTHER	PERMIT
Signs owned and associated with uses operated by the township: official traffic signs	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	All		No
Signs identifying public and semi-public uses (schools, churches, utilities, hospitals, libraries, parks, fire stations, post offices, and similar uses	2/principal building	64 sq ft for freestanding, 20% of the area of the wall/roof facade not to exceed 300 sq ft.	10 feet?	Height of wall to which sign is attached	Height of wall to which sign is attached	10 feet but, no closer than 10' to any lot line	All	See ¹	Yes
Residential nameplates identifying name of home, its occupant, or both, not including name listing on mailbox	1/dwelling unit	6 square feet	5 feet	10 feet	Not permitted	Not permitted	All		No
Property control signs (no trespassing, private property, no hunting or fishing, posted, private drive or similar type	1/25 lineal feet of property line	2 square feet/sign	5 feet	Not permitted	Not permitted	Not permitted	All	Min. 25' intervals	No
Institutional and residential development/neighborhood signs. Such signs shall only list the name of the development/neighborhood and shall not list any names of contractors, realtors, or both	1/street entrance, but no more than 2 total	1 sq ft/dwelling not to exceed 32 sq ft/sign	15 feet	Height of wall to which sign is attached	Height of wall to which sign is attached	10 feet but, no closer than 10' to any lot line	SMC, A, OSR, R-1, R-2, R-3, AQC	Applicant to submit description of maintenance responsibilities satisfactory to the township solicitor	Yes
Individual business signs identifying the name and type of business, any trademark of the business conducted on the premises, or any combination thereof. This does not include businesses contained within planned centers, as defined herein.	1/principal use	25 sq ft + 2 sq ft/5 lineal feet of lot frontage, not to exceed 64 sq ft/sign	15 feet?	Height of wall to which sign is attached	Height of wall to which sign is attached	20 ft but no closer than 10' to any lot line	All except E	No flat wall sign, nor projecting sign shall be larger than 15% of the wall area to which the sign is attached	Yes
On-site, directional, entrance, exist, restroom, and other informational signs	4/building	2 sq ft/sign; no more than 10%	5 feet	10 feet	Height of wall to which sign is attached	2 feet	All except E		No
BILLBOARDS									YES

¹In addition, two (2) off-premise signs shall be permitted per use. Such signs shall not exceed six (6) square feet per side. If more than one organization collectively erects one sign, each organization shall be permitted a maximum of six (6) square feet of sign area; however, no such sign shall exceed total sign area of twenty-four (24) square feet. Each use of a collective sign

shall constitute one (1) of the organization's two (2) permitted, off-premise signs. Off-premise signs may only be located upon private property with the written permission of the landowner, a copy of which must be submitted to the Zoning Officer upon application for a zoning permit. No off-premise signs shall be located within the street right-of-way. Off-premise signs must be designed and located so as not to interfere with the clear sight triangle of any driveway, access drive, or street. No more than two (2) off-premise signs shall be located within two hundred feet (200') of any street intersection.

Monument signs for a single use shall not exceed seven feet (7') which shall include two feet (2') for the base and up to five feet (5') for the sign display area. Monument signs that provide for multiple uses on a site shall not exceed eight feet (8') which shall include two feet (2') for the base and up to six feet (6') for the sign display area.

