

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 12-2016-608

AN ORDINANCE

OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 03-2015-595 (SALISBURY TOWNSHIP ZONING ORDINANCE) WITH RESPECT TO THE FOLLOWING SECTIONS: TO ADD §27-306.3.Y BEEKEEPING PERMITTED ACCESSORY USE IN ALL DISTRICTS; TO AMEND §27-307.2.C TABLE OF REQUIREMENTS FOR THE C-1 ZONING DISTRICT; TO AMEND §27-403.4.M(2) RESIDENTIAL ACCESSORY BUILDING ON A LOT OF ONE ACRE OR LESS IN A RESIDENTIAL DISTRICT; TO AMEND §27-704.3 SPECIAL SALE DISPLAYS AND THE REQUIRED PERMIT FEE; AND TO AMEND §27-704.4.C SIGNS ON MOBILE STANDS AND THE REQUIRED PERMIT FEE.

WHEREAS, the principal purpose of the New Zoning Ordinance is to address obsolete sections of the prior Ordinance, bring the Ordinance up-to-date with changing State and Federal requirements and to reflect the changes made in the new Salisbury Township Comprehensive Plan adopted in 2012; and

WHEREAS, the Board of Commissioners, in 2014 adopted a new Zoning Ordinance as prepared and submitted by the Planning Commission with the assistance of the firm Urban Research and Development Corp., the professional consultant.

WHEREAS, the Board of Commissioners desire to further amend the Zoning Ordinance to include other uses and revise others Articles thereof.

Now, THEREFORE, be it ORDAINED and ENACTED by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania, that the Township hereby amends Ordinance No. 03-2015-595 (Salisbury Township Zoning Ordinance) with respect to the following sections: adding §27-306.3.Y Beekeeping permitted accessory use in all districts; amending §27-307.2.C Table of Requirements for the C-1 Zoning District; amending §27-403.4.M(2) Residential Accessory Building on a lot of one acre or less in a residential district; amending §27-704.3 Special Sale Displays and the required permit fee; and amending §27-704.4.C signs on mobile stands and the required permit fee as follows:

ARTICLE I.

Section 306.3.Y shall be added, to read as follows:

§ 306. Table of Permitted Uses by District.

3. PERMITTED ACCESSORY USES IN ALL DISTRICTS. The following accessory uses are permitted by right as accessory uses to a permitted by right, special exception or conditional principal use in all Districts, within the requirements of § 403 and all other requirements of this chapter:
 - A. Air conditioning equipment, other than central equipment for a commercial or industrial use.
 - B. Amateur radio antennae - See § 403.4.B.
 - C. Basketball backboard, which may be within a required setback area, provided it is a minimum of two feet from any lot line of an abutting residence.
 - D. Crop storage as an accessory use to crop farming.
 - E. Family day care center as an accessory use - See § 403.4.D.
 - F. Fence or wall - See § 403.4.E.
 - G. Flag pole.
 - H. Garage, household.
 - I. Garage sale - See § 403.4.F.
 - J. Home gardening.
 - K. Home pet care - See § 403.4.I.
 - L. Indoor storage that is accessory to a permitted use.
 - M. Keeping of Pets and accessory animals as allowed by § 403.4.K.
 - N. Loading, off-street, only to serve a use that is permitted in that District.
 - O. Parking, off-street, only to serve a use that is permitted in that District.
 - P. Recreational facilities limited to use by employees of a lot or a development and their occasional guests.
 - Q. Recreational facilities limited to use by residents of a development and their occasional invited guests.
 - R. Recreational vehicle, storage of one or two - See § 403.4.L.
 - S. Residential ACCESSORY STRUCTURE (see definition in Part 2) - See § 403.4.M.

- T. Satellite antennae - See § 403.4.O.
- U. Signs, as permitted by Part 7.
- V. Swimming pool, household - See § 403.4.R.
- W. Tennis/racquetball court or Volleyball court.
- X. Such other accessory use or structure that the applicant proves to the satisfaction of the Zoning Officer is clearly customary and incidental to a permitted by right, special exception or conditional principal use.
- Y. Beekeeping is permitted as an accessory use provided it is on a noncommercial basis. Hives shall be located in the rear yard at least ten (10) feet from any lot line and not closer than fifty (50) feet to the nearest dwelling other than that of the property owner. Any bee keeper shall provide documentation of registration with the Department of Agriculture and compliance with the Pennsylvania Bee Law, 3 PA. C.S.A. §2101-2117.**

ARTICLE II.

Section 307.2.C shall be amended, to read as follows:

§ 307. Table of Lot and Setback Requirements by District.

C. Table of Requirements for the C1, C2, C3 and I Districts, for uses other than manufactured/mobile home parks (which are regulated by § 402):

Type of Requirement (See definition of terms in Part 2)	C1	C2*	C3****	I
a) Minimum lot area with public water and sewer (sq. ft.)	10,000	7,000	20,000, with a min. of 10,000 per principal type of use	50,000
b) Minimum lot width at the minimum front yard building setback line (ft.)	100	75	100	100
c) Minimum lot width at the post-development street right-of-way line (ft.):				

- For a lot granted preliminary subdivision approval after the adoption of this chapter that will have direct vehicle access involving left-hand turns onto or off of an arterial street	200	200	200	N.A.
- For any other lot	50	35	50	50
d) Minimum building setback for principal and ACCESSORY STRUCTURE (ft.):				
- Front yard	30	40***	40***	40***
- Side yard	Min. of 5 for each, with a min. of 24 for both side yards added together	5	Min. of 15 for each, with a min. of 40 for both side yards added together	20
- Rear yard	<u>35</u>	15	30	20
- For any yard adjacent to a public street	<u>30</u>	40***	50***	40
e) Minimum building setback for principal structure or certain uses (ft.):				
- For a portion of a building used for manufacturing or an area routinely used for the parking, storage or loading/unloading of tractor-trailer trucks or refrigerated trucks to an abutting residential lot line (see definition in Part 2) other than a nature preserve	100	100	100	100
- For any newly constructed non-residential principal structure other than a portion of a building used for manufacturing to an abutting lot line of a residential lot line (see definition in Part 2)	50	25	50	50
f) Maximum height (ft.; see exceptions in § 802) for any building	36**	36	36	100
g) Maximum number of stories	3 **	2 1/2	3	3

h) Maximum building coverage	30%	45%	35%	50%
i) Maximum impervious coverage	65%*****	85%	85% except 80% if the lot includes more than 3 acres of lot area	80%

ARTICLE III.

Section 403.4.M(2) shall be amended, to read as follows:

§ 403. Additional Requirements for Accessory Uses.

M. Residential ACCESSORY STRUCTURE or USE. (See definition in Part 2).

- (1) ACCESSORY STRUCTURE and uses (other than fences) shall not be within the required accessory use setback as stated in Part 3, unless specifically exempted by this chapter. See exemptions in § 306.
- (2) ACCESSORY BUILDING on a lot with a lot area of one acre or less in a Residential district shall meet the following requirements:
 - a. ~~Maximum total floor area of all Accessory buildings not to exceed 1,000 square feet.~~
 - b. ~~Maximum of two Accessory buildings per lot.~~
 - a. Maximum of two ACCESSORY buildings per lot in a residential district with one acre or less.

ARTICLE IV.

Section 704.3 shall be amended, to read as follows:

§ 704. Freestanding, Wall and Window Signs.

- 3. SPECIAL SALE DISPLAYS. These displays shall include promotional banners, balloons, floodlights, lasers or flags (other than provided for in § 703) that are used by a business to attract special attention. Such displays may be placed on a commercially zoned lot, for a maximum total of 21 days for each permit. ~~The permit shall cost \$10 and shall require a deposit of \$100, which shall only be refunded if the displays are removed within the specified time period.~~ The permit fee will be equal to the current fee for commercial zoning permits. A minimum of 90 days shall elapse between uses of such displays. Such displays shall only be allowed on lots including a principal commercial use.

ARTICLE V.

Section 704.4.C shall be amended, to read as follows:

4. SIGNS ON MOBILE STANDS.

- C. A temporary sign on a mobile stand, including any such sign that may have been displayed prior to the adoption of this chapter and which does not have a lawful permit as a permanent sign, shall only be permitted if it meets all of the following requirements:
- (1) Shall be permitted only in the C-3 District.
 - (2) Shall have a maximum sign area of 40 square feet on each of a maximum of two sides.
 - (3) Shall only include one such sign per principal use or per lot, whichever is more restrictive.
 - (4) ~~Shall need a ten-dollar sign permit, which shall state the dates during which the sign may be displayed. The applicant shall submit to the Township a check for a deposit of \$100, which shall be returned only if the sign is removed within the stated time period. Otherwise, such funds shall be the property of the Township.~~ Shall need a commercial zoning permit and provide the required fee associated with commercial zoning permit which shall state the dates during which the sign may be displayed. The applicant shall submit to the Township the current fee for a commercial zoning permit for signage.
 - (5) Shall only be displayed on a lot for one period per year, which shall not exceed 30 days only a calendar year. Failure to remove the sign after the 30 days shall constitute a zoning violation.
 - (6) Shall not obstruct safe sight distance to vehicles within or off the lot. Shall not be placed within the existing street right-of-way.
 - (7) Shall not include flashing or blinking lights.

ARTICLE VI.

This Ordinance shall be effective immediately.

DULY ORDAINED and ENACTED by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania this 8th day of December, 2016, in lawful session duly assembled.

TOWNSHIP OF SALISBURY
(Lehigh County, Pennsylvania)

By: James A. Brown
James A. Brown
President, Board of Commissioners

Attested:

Cathy Bonaskiewich
~~Randy Soriano~~ Cathy Bonaskiewich
Asst. Township Secretary