

**WORCESTER TOWNSHIP  
BOARD OF SUPERVISORS**

**MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO: 2002-185**

**"AGE QUALIFIED RESIDENTIAL COMMUNITY DISTRICT  
(AQRD DISTRICT) ORDINANCE"**

**AN ORDINANCE AMENDING THE ZONING CODE OF WORCESTER TOWNSHIP BY (1) CREATING A NEW WORCESTER TOWNSHIP ZONING DISTRICT CALLED THE AGE QUALIFIED RESIDENTIAL COMMUNITY DISTRICT (AQRD DISTRICT) AND PROVIDING DEVELOPMENT REGULATIONS AND UNIT OCCUPANCY REQUIREMENTS FOR THAT NEW DISTRICT INCLUDING DEFINITIONS; PERMITTED USES; DENSITY AND DIMENSIONAL STANDARDS; GENERAL REQUIREMENTS; BUFFER/SCREENING AND STREET BOUNDARY REQUIREMENTS; AND AGE RESTRICTIONS; AND (2) AMENDING THE OFFICIAL ZONING MAP OF WORCESTER TOWNSHIP TO REZONE TWO PROPERTIES LOCATED NEAR THE INTERSECTION OF NORTH WALES ROAD AND TOWNSHIP LINE ROAD KNOWN GENERALLY AS THE SCHLOSSER PROPERTY AND THE VANGROSSI PROPERTY (TOGETHER CONSISTING OF APPROXIMATELY 100 ACRES) AND BEING FURTHER IDENTIFIED AS MONTGOMERY COUNTY TAX MAP PARCELS 67-00-03634-00-7 AND 67-00-02614-00-1 FROM THEIR CURRENT CLASSIFICATION OF AGR RESIDENTIAL TO A NEW CLASSIFICATION OF AQRD AGE QUALIFIED RESIDENTIAL COMMUNITY DISTRICT.**

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**WHEREAS**, the Board of Supervisors of Worcester Township has enacted the Worcester Township Zoning Ordinance and the Worcester Township Zoning Map; and

**WHEREAS**, the Board of Supervisors of Worcester Township desires to address the housing needs of older persons who do not require the intensive needs of a nursing or personal care home but desire the security, safety, and special design of a residential environment which

can provide residential units particularly conducive to older persons in the form of independent living; and

**WHEREAS**, the Board of Supervisors of Worcester Township desires to create a new zoning district entitled "AQRC-Age Qualified Residential Community" in order to provide housing for the increasing population of older persons living in Worcester Township; and

**WHEREAS**, the Board of Supervisors of Worcester Township desires to amend the Worcester Township Zoning map to rezone Tax Map Parcel Nos. 67-00-03634-00-7 and 67-00-02614-00-1 consisting of approximately 100 acres from AGR to AQRC-Age Qualified Residential Community;

**NOW, THEREFORE**, be it and it is hereby **ORDAINED** by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

**SECTION I.** The Worcester Township Zoning Ordinance is amended as follows:

**Section 1. Article 11, Establishment of Districts, Section 150-5, Classes of Districts,** is amended by adding the following new zoning district:

"AQRC-Age Qualified Residential Community"

**Section 2. Article III, Terminology, Section 150-9, Definitions,** is amended by adding the following new definition, in alphabetical order, as follows:

"AGE QUALIFIED RESIDENTIAL COMMUNITY" - A residential community consisting of single family detached and/or townhouse dwellings which shall be permanently occupied by no more than four (4) persons at least one (1) of whom shall be fifty-five (55) years of age or older, and further, providing that no persons under the age of nineteen (19) shall occupy a dwelling except during summer months or during holidays."

**Section 3.** The Worcester Township Zoning Ordinance shall be amended by adding a new **Article XX-B, AQRC–Age Qualified Residential Community** as follows:

**Article XX-B**  
**AQRC–Age Qualified Residential Community**

Section 150-146.1. Legislative Intent.

The AQRC–Age Qualified Residential Community District is intended to address the housing needs of older persons who do not require the intensive needs of a nursing home but desire the security, safety and special design of a residential environment which can provide residential units particularly conducive to older persons in the form of independent living.

Section 150-146.2. Use Regulations: Permitted Uses.

The following uses are permitted by right:

- A. Age Qualified Residential Community.
- B. Agriculture uses as limited by the provisions of Article IV,
- C. Municipal use.
- D. Accessory uses to the Age Qualified Residential Community shall be

specifically restricted to serve only residents of the Age Qualified Residential Community and their invited guests and shall be Limited to the following:

(1) Clubhouse consisting of activity rooms, craft rooms, lockers and shower room, library, physical therapy and fitness center, lounges, and similar facilities for members of the age qualified residential community and invited guests.

(2) Recreation facilities such as swimming pool and tennis court.

(3) Guard station and/or mechanical entrance gate.

E. Bed and Breakfast. Limited to not more than nine (9) bedrooms when occupying an existing structure which shall be preserved in its original exterior style and materials. The Bed and Breakfast facility shall not be an independent use and it shall not be open

for use by the general public. Its use shall be strictly limited to the temporary use of the family, friends and guests of the residents of the Age Qualified Residential Community.

Section 150-146.3. Development Regulations.

A. Development Regulations.

- (1) Maximum Density: Two (2) units per acre of gross site area.
- (2) Minimum Tract Area: Seventy-five (75) acres.
- (3) Required Frontage: The tract shall have not less than five hundred (500) feet of continuous frontage along each of two (2) perimeter streets which shall satisfy the classification of secondary or primary streets in the Worcester Township Subdivision and Land Development Ordinance.

(4) Open Space:

(a) Not less than seventy percent (70%) of the area of the tract shall be retained as permanent open space for use by the residents for recreation, leisure activities, resource protection, amenities, etc.

(b) Open space having a dimension less than fifty (50) feet in width or containing an individual area less than twenty thousand (20,000) square feet shall not be counted toward the minimum seventy percent (70%) requirement.

(5) Setbacks:

(a) No principal or accessory building (or any parking lot area accessory thereto) shall be less than two hundred (200) feet from any tract boundary or less than 400 feet from the ultimate right-of-way of existing perimeter streets.

(b) A gate house/guard house may be permitted within the required setback from an existing perimeter street provided it is set back at least 100 feet from the ultimate right of way of the perimeter street.

(6) Neighborhood Development Regulations:

(a) The minimum building setback from any interior street line or common parking lot shall be twenty (20) feet.

(b) The horizontal distance between the closest point of two adjacent buildings shall not be less than twenty (20) feet. In addition, front and rear facades of buildings greater than fifty (50) feet in length shall be separated from other front and rear facades by a distance not less than thirty-five (35) feet; and front and rear facades of buildings greater than one hundred (100) feet in length shall be separated from other front and rear facades by a distance not less than fifty (50) feet.

(c) Townhouse dwelling units shall be permitted as a group of two (2) or more, but not more than six (6), attached dwelling units and only one unit shall fully occupy the space from ground to roof.

(d) The total building coverage of all dwelling units shall not exceed fifteen percent (15%) of the total tract area. The total impervious coverage shall not exceed thirty percent (30%) of the total tract area.

(e) No accessory buildings, structures or uses may be located between the front of any dwelling unit and interior street lines.

(7) **Building Height:** The maximum building height shall be thirty five (35) feet.

(8) **Off-Street Parking Per Dwelling Unit:** There shall be a minimum of two (2) spaces which may include one (1) garage space. Garages may not be converted into living area. In addition, where on-street parking is not authorized by Worcester Township, .25 parking spaces per dwelling unit shall be provided in common facilities for overflow and visitors.

B. **General Requirements.**

(1) **Utilities.** All dwellings and other buildings within an Age Qualified Residential Community shall be served by central sewerage and central water systems.

(2) **Common Areas and Facilities:** Provisions (including the establishment of escrow accounts or sinking funds for future repair and replacement) shall be made for the perpetual maintenance, care and ownership of all common areas including private streets built to Township Specifications, driveways, parking areas, walkways, landscaped planting areas, open space, recreation, and stormwater management systems by a private homeowner association approved by the Board of Supervisors and none of these facilities shall be offered for dedication to the Township, unless specifically requested by the Board of Supervisors.

C. **Buffer/Screening and Street Boundary Requirements:**

(1) **Buffer.** Along all exterior property boundary lines there shall be a permanent landscape buffer at least thirty (30) feet in depth.

(a) The landscaping of required buffers shall comply with Section 130-28(G)(5) of the Worcester Township Subdivision and Land Development Ordinance or subsections (2) through (4) below, as may be applicable.

(2) Existing Buffers. In cases where the edge(s) of a development occurs along natural features which adequately function (in the opinion of the Board of Supervisors) as landscape buffers, including, but not limited to, mature vegetation, significant grade changes or stream valleys, which are proposed to be permanently preserved, buffering as required in Section 150-146.3.C.(1) may be reduced or waived by the Board.

(3) Street Boundaries. Rather than the landscape buffer described in subsection C. (1) and (2) above, the use of an informal massing of deciduous trees having a minimum size of two (2) inches caliper when planted and an expected twenty (20) feet in height at maturity, with an overlapping spacing, may be provided along all property boundaries which abut an existing public street where approved by the Board of Supervisors.

(4) Extensive Setbacks. Where principal and accessory buildings are set back at least three hundred (300) feet from a property boundary line or existing perimeter street ultimate right-of-way, the landscaping requirements for a landscape buffer as required in Section 150-146-3.C.(1) may be waived by the Board of Supervisors.

(5) Maintenance. All buffer vegetation required by this Ordinance shall be maintained permanently and in the event of death or other destruction



shall be replaced within six (6) months by the persons responsible for maintenance when death or destruction occurred.

Section 150-146.4. Unit Occupancy.

A. No more than four (4) persons shall occupy a dwelling on a permanent basis, at least one (1) of whom shall be fifty-five (55) years of age or older. No persons under the age of nineteen (19) shall occupy a dwelling except the child of a resident during summer months or during holidays.

B. Occupants unrelated by blood or marriage shall be fifty-five (55) years of age or older.

C. An under-age resident who shall survive the death of an age qualified spouse shall be permitted to continue to occupy the dwelling, provided that the continued occupancy does not violate the Federal Fair Housing Act.

Section 150-146-5. Declaration of Age Restriction.

At the time of subdivision and land development, as a prerequisite to the recording of any final plan approved, the developer shall record a Declaration against the entire tract, in a form acceptable to the Township, binding all properties and owners to the restriction which shall require the permanent residents of an individual dwelling unit within the AQRC District to be age fifty-five (55) or older, and which shall require that any residents of an individual dwelling unit within the AQRC District under the age of nineteen (19) years old shall not reside in that dwelling unit except during summer months or during holidays,"

**SECTION II. Zoning Map Amendment.** The official Zoning Map of Worcester Township is hereby amended to rezone Montgomery County Tax Map Parcel Nos. 67-00-03634-00-7 and 67-00-02614-00-1 consisting of approximately 100 acres from AGR to AQRC-Age Qualified Residential Community Zoning District.

**SECTION III. Partial Invalidity.** In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

**SECTION IV. Inconsistent Ordinances.** All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the terms hereof, are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

**SECTION V. Severability.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

**SECTION VI. Failure to Enforce Not a Waiver**

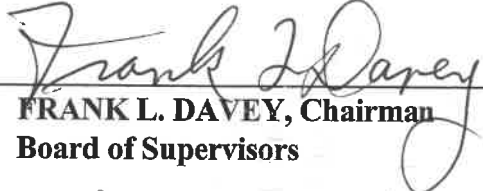
The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**SECTION VII. Effective Date**

This Ordinance shall take effect and be in force from and after its approval as required by the law.

**ORDAINED AND ENACTED** by the Board of Supervisors of Worcester Township,  
Montgomery County, Pennsylvania, this 20th day of February, 2002.

**WORCESTER TOWNSHIP**

By:   
**FRANK L. DAVEY, Chairman**  
**Board of Supervisors**

By:   
**CHASE E. KNEELAND, Secretary**

## NOTICE

**NOTICE** is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on February 20, 2002, at 7:30 p.m. at the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Pennsylvania, will hold a public hearing on and could vote to adopt the ordinance entitled "Age Qualified Residential Community District (AQRC DISTRICT) Ordinance" which amends the Zoning Code of Worcester Township by (1) creating a new Worcester Township Zoning District (AQRC DISTRICT) and providing development regulations and unit occupancy requirements for that new district including definitions; permitted uses; density and dimensional standards; general requirements; buffer/screening and street boundary requirements; and age restrictions; and (2) amending the official Zoning Map of Worcester Township to rezone two properties located near the intersection of North Wales Road and Township Line Road known generally as the Schlosser Property and the Vangrossi Property (together consisting of approximately 100 acres) and being further identified as Montgomery County Tax Map Parcels 67-00-03634-00-7 and 67-00-02614-00-1 from their current classification of AGR Residential to a new classification of AQRC—Age Qualified Residential Community District

Copies of the full text of the proposed ordinance are available for public inspection and copying at the Worcester Township Building, 1721 Valley Forge Road, Worcester, the offices of the Times Herald, 401 Markley Street, Norristown, Pennsylvania, 19404, and the Montgomery County Law Library, Court House, Norristown, Pennsylvania during normal business hours.

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