

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 2018-277

**AN ORDINANCE AMENDING VARIOUS
PROVISIONS OF THE TOWNSHIP CODE**

WHEREAS, from time to time, corrections and other revisions are required to be made to Township Code of Worcester Township; and,

WHEREAS, the Commonwealth of Pennsylvania mandates that municipalities have published in a newspaper of general circulation all proposed ordinances that make such corrections and revisions, at a great expense to municipalities; and,

WHEREAS, Worcester Township consolidates such corrections and revisions into one proposed ordinance, in lieu of individual ordinances, so to minimize the expense incurred by the taxpayers in meeting this unfunded advertisement mandate;

NOW, THEREFORE, the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania hereby ordains and enacts as follows:

SECTION I

1. Chapter 113, Peddling and Solicitations, Section §113-A shall be revised to include new subsection (8), which shall read as follows:

The applicant shall provide a criminal history record report from the Pennsylvania State Police, or from another law enforcement agency approved by the Township, and such report shall be dated no later than seven (7) days from the date the application to obtain a license is submitted to the Township.

2. Chapter 130, Subdivision & Land Development, Attachment 5, shall be revised so to correct the spelling of "Germantown Pike".
3. Chapter 150, Zoning, Section §9, the definition of Residential Life-Care Facility shall be deleted in its entirety, and replaced as follows:

A residential development that is restricted to persons age 65 and greater, or in the case of a couple where at least one of the persons is age 65 and greater, and that provides a complete and uninterrupted continuum of accommodations and care, from independent living units to personal care units to nursing homes, and where every resident possesses the right to move from one housing type to another housing type in order to "age in place", and to receive the medical and other care needed to properly meet that resident's physical, psychological or other requirements. An "independent living unit" is a dwelling unit located within a residential life care facility. All units and facilities in the residential development shall give priority to those residents of the residential development as to levels of care. A residential life care facility includes a continuing care facility as defined and regulated by the Continuing Care Provider

Registration and Disclosure Act and regulations set forth in the Pennsylvania Code. A nursing home is defined and regulated by the Nursing Home Administrators License Act.

4. Chapter 150, Zoning, Section §150-11.D(7) shall be deleted in its entirety, and replaced as follows:

A residential life-care facility, provided that the use is located on a lot one hundred (100) acres or larger, building coverage does not exceed 15% of the net lot area and impervious coverage does not exceed 40% of the net lot area.

5. Chapter 150, Zoning, Section §150-13.A(2)(b) shall be deleted in its entirety.
6. Chapter 150, Zoning, Section §150-21.B(2) shall be deleted in its entirety.
7. Chapter 150, Zoning, Section §150-29.B(2) shall be deleted in its entirety.
8. Chapter 150, Zoning, Section §150-27.D shall be revised to require a minimum 100-acre lot size for a residential life-care facility.
9. Chapter 150, Zoning, Section §150-37.B(2) shall be deleted in its entirety.
10. Chapter 150, Zoning, Section §150-53.B(2) shall be deleted in its entirety.
11. Chapter 150, Zoning, Section §150-54.B(1) shall be deleted in its entirety, and replaced as follows:

Twenty-five percent shall be the maximum total impervious coverage on a lot.

12. Chapter 150, Zoning, Section §150-69.B(2) shall be deleted in its entirety.
13. Chapter 150, Zoning, Section §150-77.B(2) shall be deleted in its entirety.
14. Chapter 150, Zoning, Section §150-93.B(2) shall be deleted in its entirety.
15. Chapter 150, Zoning, Section §150-107.G shall be deleted in its entirety, and replaced as follows:

A residential life-care facility, provided that the use is located on a lot one hundred (100) acres or larger, building coverage does not exceed 15% of the net lot area and impervious coverage does not exceed 40% of the net lot area.

16. Chapter 150, Zoning, Section §150-112.I(11) shall be deleted in its entirety, and replaced as follows:

Nursing homes, personal care facilities and residential life-care facilities, provided that a residential life-care facility is located on a lot one hundred (100) acres or larger.

17. Chapter 150, Zoning, Section §150-113.A shall be deleted in its entirety, and replaced as follows:

Minimum lot area. Twenty-five thousand square feet shall be the minimum lot area that shall be provided for every building and use, except a residential life-care facility, which shall be located on a lot one hundred (100) acres or larger.

18. Chapter 150, Zoning, Section §150-135.C(5) shall be deleted in its entirety.
19. Chapter 150, Zoning, Section §150-177.A(1) shall be deleted in its entirety, and replaced as follows:

In the AGR, R-175, and R-AG-175 districts, structures accessory to single-family residential uses, except those regulated in Subsection A(2) through (9) below, shall be located in the rear yard or side yard only, and no closer than 15 feet to a property line. In all other districts, structures accessory to single-family residential uses, except those regulated in Subsection A(2) through (9) below, shall be located in the rear yard or side yard only and within the building envelope, except that where the required rear yard setback is greater than 10 feet, said accessory structures may be erected in the rear yard not closer than 10 feet to the rear property line. Unless otherwise permitted below accessory structures in any zoning district shall not be higher than 15 feet.

20. Chapter 150, Zoning, Section §150-181.C shall be deleted in its entirety, and replaced as follows:

Unroofed open terraces, decks and patios may project into a required side yard not more than ten (10) feet for single-family residential use only; and into a required rear yard not more than twenty (20) feet for single-family residential use only.

21. Chapter 150, Zoning, Section §150-182 shall be amended to include new subsection (K), which shall read as follows:

Driveway pillars. Each permitted driveway may possess two driveway pillars, one on each side of the driveway. Driveway pillars must be located outside the ultimate right-of-way, and shall provide a turning radius that allows access to emergency vehicles, as determined by the Township. Each driveway pillar shall not exceed five (5) feet in height and shall not exceed sixteen (16) square feet in area.

SECTION II

1. In the event that any section, subsection or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance. The invalidity of section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts. It is hereby declared to be the intention of the Township that this Ordinance would have been adopted had such invalid section, clause, sentence, or provision not been included therein.
2. To the extent this Ordinance is inconsistent with the Code of Worcester Township, the provisions of this Ordinance shall take precedence. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

3. 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.
4. This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 16th day of May, 2018.

FOR WORCESTER TOWNSHIP

By: _____
Richard DeLello, Chair
Board of Supervisors

Attest: _____
Tommy Ryan, Secretary

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