

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2006-212

**"AMENDMENTS TO RURAL PRESERVATION DISTRICT, ACCESSORY USES
AND STRUCTURES AND DOUBLE ACCESS DRIVEWAYS PROVISIONS"**

AN ORDINANCE, AMENDING THE CODIFIED ORDINANCES OF WORCESTER TOWNSHIP, CHAPTER 150 (ZONING), ARTICLE XVI A (RPD RURAL PRESERVATION DISTRICT) SECTION 150-110.5 (DENSITY AND DIMENSIONAL STANDARDS) BY INCREASING MAXIMUM BUILDING COVERAGE FROM 12% TO 16% OF LOT AREA AND INCREASING MAXIMUM IMPERVIOUS COVERAGE FROM 18% TO 25% OF LOT AREA; AMENDING ARTICLE XXIV (GENERAL REGULATIONS), SECTION 150-177 (ACCESSORY USE; ACCESSORY STRUCTURES), BY DELETING THE EXISTING SECTIONS 150-177.B(2) AND 150-177.B(3) IN THEIR ENTIRETY AND REPLACING THEM WITH NEW SECTIONS GOVERNING LOCATION OF ACCESSORY STRUCTURES AND PRIVATE SWIMMING POOLS; AMENDING CHAPTER 130 (SUBDIVISION AND LAND DEVELOPMENT), ARTICLE V (DESIGN STANDARDS), SECTION 130-17 (ALLEYS, DRIVEWAYS AND PARKING AREAS) BY DELETING SECTION 130-17.B(6) WHICH PROHIBIT SINGLE-FAMILY HOMES TO HAVE MORE THAN ONE POINT OF DRIVEWAY ACCESS TO A PUBLIC OR PRIVATE ROAD UNLESS WAIVED BY THE WORCESTER TOWNSHIP BOARD OF SUPERVISORS AND AMENDING CHAPTER 150 (ZONING) ARTICLE XXII (OFF-STREET PARKING AND LOADING) BY ADDING A NEW SECTION 150-155.D (INGRESS AND EGRESS) TO PERMIT DOUBLE ACCESS DRIVEWAYS ONLY AS SPECIAL EXCEPTIONS.

The Board of Supervisors of Worcester Township does hereby ENACT and ORDAIN:

SECTION I. Amendment to the Code.

The Codified Ordinances of Worcester Township, Chapter 150 (Zoning), Article XVI A (RPD-Rural Preservation District) is hereby amended by deleting Sections 150-110.5.B(3)(g) and (h) in their entirety and replacing them with new Sections as follows:

Section 150-110.5.B(3)(g): Maximum Building Coverage is 16% of lot area.

Section 150-110.5.B(3)(h): Maximum Impervious Coverage is 25% of lot area.

SECTION II. Amendment to the Code.

The Codified Ordinances of Worcester Township, Chapter 150 (Zoning), Article XXIV (General Regulations), Section 150-177 (Accessory Use; Accessory Structures) is hereby amended by deleting Sections 150-177.B(2) and (3) in their entirety and replacing them with new Sections as follows:

Section 150-177.B(2): All other accessory structures shall be located in the rear yard at least 10 feet behind the closest part of the main building and at least 40 feet from any side or rear property line, with the exception that said distance shall be reduced to 10 feet in R-50, R-75, R-100 and R-150 Residential Districts only.

Section 150-177.B(3): Private swimming pools shall be constructed in accordance with the applicable Township ordinances and shall be located entirely within the building envelope of the lot on which the pool is located, at least 10 feet behind the closest part of the main building. However, in no case shall the distance from the pool to the side or rear property line be less than 25 feet. All filters, heaters or any facilities incidental thereto shall also meet the same setback criteria.

SECTION III. Amendment to the Code.

The Codified Ordinances of Worcester Township, Chapter 130 (Subdivision and Land Development), Article V (Design Standards), Section 130-17 (Alleys, Driveways and Parking Areas), Section 130-17.B(6) is hereby amended by deleting the existing section in its entirety and a new Section shall be added to Chapter 150 (Zoning), Article XXII (Off-Street Parking and Loading), Section 150-155 (Ingress and Egress) as follows:

- D. A double access driveway serving a single-family home shall be permitted only as a special exception when the following dimensional criteria are met:

- (1) double access driveways shall be limited to ingress and egress to rural, residential or secondary street classifications which have an ultimate right-of-way of 60 feet or less.
- (2) all double access driveway lots must have a minimum street frontage of 250 feet.
- (3) double access driveway lots shall have a minimum lot size of 80,000 square feet.
- (4) for new building lots, the double access driveways shall be constructed a minimum of 25 feet from the side property lines.
- (5) for an existing lot improved with a house, the new access driveway shall be a minimum of 25 feet from the side property line.

SECTION IV. Repealer.

All other ordinances and resolutions or parts thereof as they are inconsistent with this Ordinance are hereby 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.

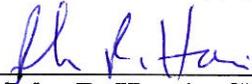
The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

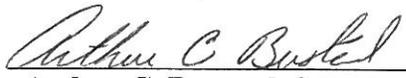
SECTION VII. Effective Date.

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 December, 2006.

WORCESTER TOWNSHIP

By: 
John R. Harris, Chairman
Board of Supervisors

Attest: 
Arthur C. Bustard, Secretary

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on December 20, 2006, at 7:30 p.m. at the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Worcester, Pennsylvania, will hold a public hearing on and could vote to adopt an Ordinance entitled "Amendments to Rural Preservation District, Accessory Uses and Structures and Double Access Driveways Provisions" amending the Codified Ordinances of Worcester Township, Chapter 150 (Zoning), Article XVI a (RPD Rural Preservation District) Section 150-110.5 (Density and Dimensional Standards) by increasing maximum building coverage from 12% to 16% of lot area and increasing maximum impervious coverage from 18% to 25% of lot area; amending Article XXIV (General Regulations), Section 150-177 (Accessory Use; Accessory Structures), by deleting the existing Sections 150-177.B(2) and 150-177.B(3) in their entirety and replacing them with new sections governing location of accessory structures and private swimming pools; amending Chapter 130 (Subdivision and Land Development), Article V (Design Standards), Section 130-17 (Alleys, Driveways and Parking Areas) by deleting Section 130-17.B(6) which prohibit single-family homes to have more than one point of driveway access to a public or private road unless waived by the Worcester Township Board of Supervisors and amending Chapter 150 (Zoning) Article XXII (Off-Street Parking and Loading) by adding a new Section 150-155.D (Ingress and Egress) to permit double access driveways only as special exceptions.

Copies of the full text of the proposed ordinance are available for examination during normal business hours without charge at the offices of *The Times Herald*, 410 Markley Street, Norristown, Pennsylvania, 19404, the Montgomery County Law Library, Court House, Norristown, Pennsylvania and the Worcester Township Building, 1421 Valley Forge Road, Worcester, Pennsylvania, 19490 where a copy of the proposed ordinance may also be obtained for a charge not greater than the cost thereof.

**JAMES J. GARRITY, ESQUIRE
MARK A. HOSTERMAN, ESQUIRE
WISLER, PEARLSTINE, TALONE,
CRAIG, GARRITY & POTASH, LLP
Solicitors for Worcester Township**