

**BOARD OF SUPERVISORS  
WORCESTER TOWNSHIP**

**MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2012-238**

**"Minor Subdivision and Land Development Plan Requirements"**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WORCESTER, CHAPTER 130 (SUBDIVISION AND LAND DEVELOPMENT), ARTICLE VI (PLAN REQUIREMENTS) TO ADD A NEW SECTION 130-135.1 ENTITLED "MINOR PLAN SUBMISSION" SETTING FORTH MINOR PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURE FOR LOT LINE ADJUSTMENT, SIMPLE CONVEYANCE, MINOR SUBDIVISION AND MINOR LAND DEVELOPMENT PLANS; AND FURTHER AMENDING ARTICLE VI (PLAN REQUIREMENTS) TO ADD A NEW SECTION 130-135.2 ENTITLED "PLAN REVISIONS" SETTING FORTH CERTAIN REQUIREMENTS FOR THE SUBMISSION OF REVISIONS TO SUBDIVISION AND LAND DEVELOPMENT PLANS.**

---

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

**SECTION I. – Amendment to Code**

The Code of the Township of Worcester, Chapter 130 (Subdivision and Land Development), Article VI (Plan Requirements) is hereby amended to add the following new Section 130-135.1 entitled "Minor Plan Submission":

**§130-135.1 Minor Plan Submission.**

- A. Minor Plan Requirements. Plans for Lot Line Adjustment Simple Conveyance, Minor Subdivision and Minor Land Development shall comply with the following submission requirements:

- (1) Drafting Standards.
  - (a) The plan shall be drawn to standard engineering scale not exceeding 100 feet to the inch.
  - (b) Sheet size shall be 15" x 18", 18" x 30", or 24" x 36", appropriately related to the scale of the drawing; only one sheet shall be permitted.
  - (c) Property lines shall be drawn and labeled in conformance with accepted surveying and civil engineering practices, including dimensions shown in feet and decimals, and bearing shown in degrees, minutes, and seconds.
- (2) Basic Information to be Shown on the Plan.
  - (a) Name, address, and phone number of the applicant.
  - (b) Name, address and phone number of the any other property owner involved in the proposal.
  - (c) Name, address, and phone number and professional seal of the individual that prepared the plan.
  - (d) Date of preparation of the plan and a descriptive list of revisions to the plan, and the revision dates.
  - (e) North point and graphic and written scale.
  - (f) Location plan showing the relationship of the subject tract to the surrounding road network and major physical features.
  - (g) The entire boundary lines of all lots involved in the proposal, with bearings and distances and lot areas.
  - (h) A list of the basic dimensional requirements of the applicable zoning district.
  - (i) Legend sufficient to indicate clearly between existing and proposed conditions.
  - (j) Notes sufficient to describe what is being proposed and which land area are to be transferred as a result of the proposal.
- (3) Existing and Proposed Features to be Shown on the Plan.
  - (a) For Lot Line Adjustments:
    - [1] The lot line proposed to be adjusted, as it currently exists, shown as a dashed line, labeled "Lot Line to be Removed".

[2] The lot line as it is proposed to be after adjustment, drawn using the standard lot line delineation at a heavier line weight than the other lot lines, and labeled "Proposed New Lot Line."

[3] Any existing physical features of the site which are involved in the decision to adjust the line.

[4] Any existing and/or proposed features which will be directly affected by the lot line adjustment.

(b) For Simple Conveyances:

[1] The land area to be conveyed, drawn in a manner which makes it readily identifiable.

[a] The lot lines defining this area shall be drawn using the standard lot line delineation at a heavier line weight than the other lot lines.

[b] This area shall be labeled "This area to be conveyed to (name) and is not a separate building lot."

[2] The area of the parcel being conveyed.

[3] The areas of the previously existing lots and their areas following conveyance.

[4] Any existing and/or proposed site features which will be directly affected by the conveyance.

(c) For Minor Subdivisions:

[1] Existing Features:

[a] Streets bordering or crossing the tract, showing names, right-of-way and cartway widths and surface conditions.

[b] Locations of sanitary and/or storm sewer lines, and water supply lines.

[c] Location of all watercourses and limits of any flood prone areas, based on FEMA studies or engineering determination.

[d] Contours obtained from U.S.G.S. 7.5 min. quad maps, or more accurate methods.

[e] Location and description of existing building and other structures, labeled "To Remain or To be Removed" as applicable,

and location and description of existing building and other structures less than 50 feet beyond the tract boundaries.

[f] Outer limits of tree masses.

[g] Locations of any natural or man-made features which may affect the developability of the land, such as quarries, wetlands, etc., within the property and up to 100 feet beyond the tract boundaries.

[h] Location, type, and ownership of major utilities, such as pipelines and electric transmission lines, both above and below ground, with notes describing: (1) easement of right-of-way dimensions; (2) additional setback or development restrictions imposed by the utility company; and (3) specific type of product using pipelines.

[i] Areas subject to deed restrictions or easements.

(d) Proposed Features:

[1] Layout and dimensions of both lots, including new lots areas and ultimate rights-of-way.

[2] All building setback lines.

[3] Locations of on-site water supply and sewage disposal, if applicable.

[4] Driveway locations and grades.

(4) For Minor Land Developments:

(a) The existing and proposed features for Minor Subdivisions above should be used for Minor Land Developments. In addition to these requirements, the following shall be shown.

[1] Parking lot locations.

[2] New buildings or additions to existing structures.

B. Minor Plan Submission Requirements and Review Procedure. Minor Plans may be submitted and processed only for Lot Line Adjustments, Simple Conveyances, Minor Subdivisions, or Minor Land Developments as characterized herein, in accordance with the standards and requirements in this section.

(1) Standards for Qualifications as a Minor Plan Subdivision.

(a) Lot Line Adjustment.

[1] A proposal between two or more abutting, existing, legally approved and recorded lots, including a reverse subdivision.

[2] A common lot line is proposed to be adjusted in terms of its location or configuration

[3] The land area of each lot may be different after adjustment, but the total lot area of the lots will be unchanged.

[4] No alteration will occur to the perimeter boundary line of the lots.

[5] No lot shall violate the applicable dimensional requirements of the zoning ordinance as a result of the lot line adjustment.

[6] Possible reason for line adjustments include, but are not necessarily limited to:

[a] Correcting errors regarding locations of existing improvements (e.g. if the driveway for Lot #1 is located on Lot #2.)

[b] Relating the line to definitive physical characteristics (e.g. to adjust the line to run along an existing hedgerow);

[c] Preferences of the landowners involved.

(b) Simple Conveyance.

[1] A proposal between two abutting, existing, legally approved and recorded lots.

[2] A portion of one lot is being divided off to be conveyed to the owner of the abutting lot.

[3] The land area of each lot will be different after conveyance, but the total lot area of the two lots will be unchanged.

[4] The lot from which the land is being conveyed must be suitable in terms of the applicable dimensional requirements of the zoning ordinance, so that after conveyance, it will remain in compliance with those requirements.

[5] The land area being conveyed need not satisfy any of the dimensional requirements applicable to lotting in the district in which it is located, nor the street frontage requirements of the zoning ordinance, provided that it shall be deed restricted to the extent that it may not be transferred independently, but must be transferred together with the lot to which it is being functionally added by the process of simple conveyance.

(c) Minor Subdivision.

[1] A subdivision proposal which would divide one existing lot into two lots, both of which will comply with the applicable dimensional requirements of the zoning district in which the existing lot is located.

[2] The existing lot has sufficient frontage on an existing, improved public street to satisfy the applicable township requirements for lot frontage and access to a public street for both proposed lots.

[3] The existing lot has not been part of an approved subdivision proposal during the five (5) years previous to the current application.

[4] The subdivision will not require construction of new roads.

[5] The proposal will not involve significant stormwater and/or erosion control issues, as determined by the Township Engineer.

[6] Disqualification. The Board of Supervisors may require a standard Preliminary Plan submission in place of a Minor Plan when conditions warrant it, at the advice of the Planning Commission or Township Engineer.

(d) Minor Land Developments.

[1] A land development proposal where it is found that the intended development or modification of a site, or use of occupancy of an existing structure will create a minimal impact upon traffic, drainage, visual image, landscaping, buffering, lighting or other elements described within the purposed of the Ordinance.

[2] Parking lot expansions.

[3] Additions to existing non-residential buildings provided that the addition is less than 1,500 gross square feet and involves no more than a 25% increase in the size of the existing building.

(2) Minor Plan Submission and Review Procedure.

(a) All Minor Plans shall be considered to be Preliminary Plans for the purposes of submission for review and approval, and shall comply with the requirements of Section 130-33, Preliminary Plan.

(b) When a Minor Plan qualifies for approval, or for approval subject to conditions, in accordance with Section 130-135.1.B(1) herein, the Minor Plan may be granted concurrent Preliminary and Final Plan Approvals, provided that the plan included the Final Plan Certifications required by Section 130-34.J(3) herein and complies with Section 130-34.J(2).

- (3) A Minor Plan is not required to include an Improvements Construction Plan or a Record Plan as required by Section 130-34.
- (4) A Minor Plan which shall require access to a State Highway shall provide the “highway access” statement on the plan to the satisfaction of the Township Engineer.

**SECTION II. – Amendment to Code**

The Code of the Township of Worcester, Chapter 130 (Subdivision and Land Development), Article VI (Plan Requirements) is hereby amended to add the following new Section 130-135.2 entitled “Plan Revisions”:

**§130-35.2. Plan Revisions.**

- A. All plan revisions submitted for review shall be submitted to the Township Secretary during regular business hours at least 14 days prior to the Planning Commission or Board of Supervisors meeting, whichever is applicable, at which the plan is to be received.
- B. All plan revisions shall be accompanied by a report specifying the changes made to each plan element, including specific references to review comments made by the Township Engineer.

**SECTION III. – Severability**

The provisions of this Ordinance are intended to be 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 IV. – 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 V. – Effective Date**

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

**SECTION VI. – Repealer**

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

**ORDAINED AND ENACTED** by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 19<sup>th</sup> day of December, 2012.

**WORCESTER TOWNSHIP**

By: Arthur C. Bustard  
**Arthur C. Bustard**, Chairman,  
Board of Supervisors

Attest: F. Lee Mangan  
**F. Lee Mangan**, Secretary

## NOTICE

**NOTICE** is hereby given that the Board of Supervisors of Worcester, at its public meeting on December 19, 2012, 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 "Minor Subdivision and Land Development Plan Requirements" amending the Code of the Township of Worcester, Chapter 130 (Subdivision and Land Development), Article VI (Plan Requirements) to add a new Section 130-135.1 entitled "Minor Plan Submission" setting forth minor plan submission requirements and review procedure for lot line adjustment, simple conveyance, minor subdivision and minor land development plans; and further amending Article VI (Plan Requirements) to add a new Section 130-135.2 entitled "Plan Revisions" setting forth certain requirements for the submission of revisions to subdivision and land development plans.

Copies of the proposed Ordinance are available for examination during normal business hours at the offices of *Times Herald*, 410 Markley Street, Norristown, Pennsylvania 19404, the Montgomery County Law Library, Court House, Norristown, Pennsylvania 19401, and the Worcester Township Building, 1721 Valley Forge Road, Worcester, Pennsylvania 19490 where a copy of the proposed Ordinance may be obtained for a charge not greater than the cost thereof.

**JAMES J. GARRITY, ESQUIRE  
ANDREW R. FREIMUTH, ESQUIRE  
WISLER PEARLSTINE, LLP**

Solicitors for Worcester Township