

**BOARD OF SUPERVISORS  
WORCESTER TOWNSHIP**

**MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2012-241**

**"Amendments to Cedars Village Overlay District"**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WORCESTER, CHAPTER 150 (ZONING), ARTICLE XXD (CEDARS VILLAGE OVERLAY DISTRICT), SECTION 150-146.22 (USE REGULATIONS – CLASS 2), PARAGRAPH “A” (BY-RIGHT USES) TO PERMIT SINGLE FAMILY DETACHED DWELLING UNITS ACCORDING TO THE PROVISIONS OF THE UNDERLYING ZONING DISTRICT; AMENDING SECTION 150-146.22 (USE REGULATIONS – CLASS 2), PARAGRAPH “B” (CONDITIONAL USES), SUBPARAGRAPH (1) TO REQUIRE THE PROVISION OF COMMON OPEN SPACE FOR PASSIVE RECREATIONAL USE FOR TWO FAMILY OR MULTI-FAMILY RESIDENTIAL USES IN AN EXISTING RESIDENTIAL STRUCTURE; AMENDING SECTION 150-146.24 (ADDITIONAL DEVELOPMENT STANDARDS) TO ADD A NEW PARAGRAPH REQUIRING THE PROVISION OF COMMON OPEN SPACE FOR PARCELS GREATER THAN FIVE ACRES; AND AMENDING SECTION 150-146.27 (STREET ACCESS AND PARKING), PARAGRAPH “D” TO REQUIRE THAT PARKING BE SET BACK 50 FEET FROM THE ULTIMATE RIGHT-OF-WAY.**

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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 150 (Zoning), Article XXD (Cedars Village Overlay District), Section 150-146.22 (Use Regulations – Class 2), Paragraph “A” (By-right Uses) is hereby amended to delete existing Subparagraph (1) and replace it with the following new Subparagraph (1):

- (1) One single family detached dwelling unit, according to the provisions of the underlying zoning district.

**SECTION II. – Amendment to Code**

The Code of the Township of Worcester, Chapter 150 (Zoning), Article XXD (Cedars Village Overlay District), Section 150-146.22 (Use Regulations – Class 2), Paragraph “B” (Conditional Uses), Subparagraph (1) is hereby amended to add the following new Sub-subparagraph (a):

- (a) Appropriate provision shall be made for common open space for passive recreational use.

**SECTION III. – Amendment to Code**

The Code of the Township of Worcester, Chapter 150 (Zoning), Article XXD (Cedars Village Overlay District), Section 150-146.24 (Additional Development Standards) is hereby amended to add the following new Paragraph “D” and designate existing Paragraphs “D” through “F” as “E” through “G”:

- D. For parcels greater than five (5) acres in size, appropriate common open space shall be provided.

**SECTION IV. – Amendment to Code**

The Code of the Township of Worcester, Chapter 150 (Zoning), Article XXD (Cedars Village Overlay District), Section 150-146.27 (Street Access and Parking) is hereby amended to delete existing Paragraph “D” and replace it with the following new Paragraph “D”:

- D. Parking shall be set back 50 feet from the ultimate right-of-way. Parking setbacks from side and rear property lines shall be the same as building setbacks with the exception of the portion of shared parking facilities which cross property lines. Parking spaces shall be set back a minimum of five feet from all buildings.

**SECTION V. – 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 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.

**SECTION VIII. – 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 7:30p.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 Cedars Village Overlay District" amending the Code of the Township of Worcester, Chapter 150 (Zoning), Article XXD (Cedars Village Overlay District), Section 150-146.22 (Use Regulations – Class 2), Paragraph “A” (By-right Uses) to permit single family detached dwelling units according to the provisions of the underlying zoning district; amending Section 150-146.22 (Use Regulations – Class 2), Paragraph “B” (Conditional Uses), Subparagraph (1) to require the provision of common open space for passive recreational use for two family or multi-family residential uses in an existing residential structure; amending Section 150-146.24 (Additional Development Standards) to add a new paragraph requiring the provision of common open space for parcels greater than five acres; and amending Section 150-146.27 (Street Access and Parking), Paragraph “D” to require that parking be set back 50 feet from the ultimate right-of-way.

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**  
**WISLER PEARLSTINE, LLP**  
Solicitor for Worcester Township