

**BOARD OF SUPERVISORS
WORCESTER TOWNSHIP**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2013-245

"Industrial Research District Ordinance"

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WORCESTER, CHAPTER 150 (ZONING) TO ADD A NEW ARTICLE XIXA ENTITLED "INDUSTRIAL RESEARCH DISTRICT" SETTING FORTH: LEGISLATIVE INTENT; USE REGULATIONS; LOT AREA AND WIDTH REGULATIONS; YARD REGULATIONS; COVERAGE REGULATIONS; HEIGHT REGULATIONS; PARKING REGULATIONS AND SPECIAL REQUIREMENTS; AMENDING ARTICLE II, SECTION 150-5 (CLASSES OF DISTRICTS) TO IDENTIFY THE "IR" INDUSTRIAL RESEARCH DISTRICT; AMENDING ARTICLE III (TERMINOLOGY), SECTION 150-9 (DEFINITIONS) TO ADD A DEFINITION FOR THE TERM "FLOOR AREA RATIO"; AMENDING ARTICLE XXI (SIGNS) TO SET FORTH SIGNS PERMITTED IN THE "LI" LIMITED INDUSTRIAL DISTRICT AND THE NEWLY CREATED "IR" INDUSTRIAL RESEARCH DISTRICT; AND AMENDING THE OFFICIAL ZONING MAP OF WORCESTER TOWNSHIP TO ADD THE "IR" INDUSTRIAL RESEARCH DISTRICT AND REZONE A CERTAIN TRACT OF LAND IN THE TOWNSHIP CONSISTING OF APPROXIMATELY 86.9 ACRES WITH FRONTAGE ON MORRIS ROAD, MORE PARTICULARLY IDENTIFIED AS MONTGOMERY COUNTY TAX PARCEL NO. 67-00-02512-00-4, AND DESCRIBED IN THE LEGAL DESCRIPTION ATTACHED TO THE ORDINANCE AS EXHIBIT "A", FROM ITS EXISTING ZONING CLASSIFICATION OF LIMITED INDUSTRIAL DISTRICT TO THE NEW CLASSIFICATION OF INDUSTRIAL RESEARCH DISTRICT.

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) is hereby amended to add the following new Article XIXA entitled "Industrial Research District":

ARTICLE XIXA INDUSTRIAL RESEARCH DISTRICT

§150-127A. Legislative intent.

In expansion of the legislative intent and community development objectives contained in Article I, §§ 150-2 and 150-3, of this chapter and in support of the goals and recommendations of the Worcester Township Comprehensive Plan, it is the intent of this article to:

- A. Permit a range of research, manufacturing, warehousing, and other industrial uses.
- B. Provide local job opportunities for Township residents.
- C. Limit the potential adverse effect of industrial development on abutting properties, the Township's character and the Township's roads by controlling the location and nature of the industrial development.

§150-128A. Use regulations.

A building or combination of buildings may be erected or used and a lot may be used or occupied for any of the following purposes and no other:

- A. Manufacturing, industrial and research facilities.
- B. Storage or warehousing.
- C. Administrative offices accessory to a permitted use.
- D. Any other legitimate use not otherwise permitted expressly or by implication elsewhere in this Zoning Code when authorized as a conditional use by the Board of Supervisors and after the imposition of conditions designed to eliminate (to the extent reasonably possible) adverse effects upon neighboring properties and the general public health, safety and welfare.
- E. The following uses shall not be permitted:
 - (1) Abattoir.
 - (2) Acetylene gas manufacture and/or storage.
 - (3) Acid manufacture (hydrochloric, nitric, picric, sulphuric, sulphurous, carboric).
 - (4) Airport.
 - (5) Ammonia, bleaching powder or chlorine manufacture.
 - (6) Ammunition manufacture and/or storage.

- (7) Arsenal.
- (8) Asphalt manufacturing or refining.
- (9) Blast furnace.
- (10) Bone distillation.
- (11) Celluloid manufacture.
- (12) Cement, lime, gypsum or plaster of paris manufacture.
- (13) Coal distillation.
- (14) Coke ovens.
- (15) Creosote treatment or manufacture.
- (16) Dead animal and offal reduction.
- (17) Distillation of bones, coal, petroleum, refuse grain or wood (except in the manufacture of gas).
- (18) Distillation of tar.
- (19) Explosives, fireworks and gun powder manufacture or storage.
- (20) Fat rendering.
- (21) Fertilizer manufacture.
- (22) Forge plant.
- (23) Heliport
- (24) Hog farm.
- (25) Incineration, reduction, storage or dumping of slaughterhouse refuse, rancid fats, garbage, dead animal or offal.
- (26) Oilcloth or linoleum manufacture.
- (27) Ore reduction.
- (28) Petroleum or kerosene refining, distillation or derivation of by-products and/or storage.
- (29) Potash works.

(30) Power forge (riveting, hammering, punching, chipping, drawing, rolling or tumbling of iron, steel, brass or copper, except as a necessary incident of manufacture of which these processes form a minor part and which are carried on without objectionable noise outside the plant.

(31) Rolling mill.

(32) Steel furnace, blooming mill or rolling mill.

(33) Stock yards.

(34) Tar distillation or manufacture.

F. Municipal use as defined in Article III.

§150-129A. Lot area and width regulation.

A. Minimum lot area. Fifty acres shall be the minimum lot area that shall be provided.

B. Minimum lot width. A lot width of not less than 200 feet shall be provided.

§150-130A. Yard regulations.

A. Front yard. One hundred feet shall be the minimum front yard on each lot.

B. Side yards. There shall be two side yards on each lot, neither of which shall be less than 50 feet.

C. Rear yards. There shall be a rear yard on each lot which shall not be less than 50 feet.

D. District yard. In the case of any front, side or rear yard adjacent to any single-family residential district, such yard shall not be less than 200 feet.

§150-131A. Coverage regulations.

A. Building coverage.

(1) The total building coverage shall not exceed 20%.

(2) The floor area ratio of all buildings shall not exceed 30%.

B. Impervious coverage. The total impervious coverage shall not exceed 50%.

§150-132A. Height regulations.

Building height. The maximum height for buildings or other structures erected or enlarged in this district shall be 45 feet with the exception of parking garages,

which shall be limited to 24 feet. Chimneys, spires, towers, elevator penthouses, tanks, solar energy apparatus and similar projections shall not be included in the height provided that such projections shall be permitted to extend not more than 10 feet above the allowable building height. Notwithstanding the foregoing, such projections may extend more than 10 feet above the allowable building height when authorized by the Board of Supervisors by conditional use. Any such structure must be located at least 2 feet back from the edge of roof for every 1 foot or fraction thereof it projects above 45 feet.

§150-133A. Parking regulations.

A. Parking and loading. All-weather parking and loading facilities shall be provided in accordance with Article XXII.

B. Setbacks.

(1) No parking, loading or driveway area shall be closer than 25 feet to any side or rear property line, and no closer than 50 feet to any front property line, except as required for normal ingress and egress.

(2) In the case of any front, side or rear line being adjacent to a single-family residential district, no parking, loading or driveway area shall be located closer than 150 feet to that property line, except as required for normal ingress and egress.

C. All parking lot structures shall conform to the standards set forth in the Township Building Code. All parking lot structures shall be considered when calculating impervious coverage, but not building coverage.

§150-134A. Special requirements.

A. Signs. Signs shall be permitted in accordance with Article XXI.

B. Minimum district size. The minimum area of any IR District shall be 50 acres.

C. Landscaping.

(1) All development in the IR District shall be designed and maintained so as to provide a complete and effective, year-round landscape buffer between itself and any development of any other adjacent district.

(2) There shall be a suitable and effective landscape barrier to separate the property from any adjacent public street. Such buffer strip shall be at least 30 feet wide and shall channel motor vehicle ingress and egress from the property. There shall be a maximum of one access road per 200 feet of frontage and in no case more than two access roads per frontage.

(3) A Riparian Corridor, as defined in Article XXB, shall not be clear cut or mown as lawn.

(4) In any area that does not have naturally occurring screen, as determined by the Township engineer, a 75 foot wide screen as provided for in Section 130-28G(5)(f) of the Subdivision and Land Development Ordinance, must be installed in conjunction with any building exceeding 35 feet in height or parking lot structure if adjacent to any residential use.

D. Utilities. All development in the IR District shall be served by public sewer and public water. All utilities serving a permitted use in this district shall be underground.

E. Outdoor land use. The outdoor storage of goods and materials and trash within the building envelope shall be designed and maintained to be completely screened from view by a landscape buffer and such uses shall conform to all building setbacks.

F. Hazardous use. No building may be erected, altered or maintained or lot used for any purpose, trade or business that is noxious, offensive or potentially injurious to health by reason of odor, noise, dust, smoke, heat, gas radiation, vibration or hazardous substance.

G. Building spacing. The distance at the closest point between buildings shall not be less than 50 feet.

H. Site lighting. Exterior lighting provided in conjunction with any building or use shall be placed not higher than 12 feet above grade and shall be screened so as not to permit the source of illumination to be seen from off the premises. Only color corrected types of illumination shall be used. The hours of illumination of such lights (except security lighting) shall be limited to hours of business operation and shall otherwise be extinguished between 10:00 pm and 6:00 am, prevailing time.

I. Application procedure. The procedure for making application under the IR District shall be in accordance with §150-202, Article XXIV, General Regulations, and §150-214 of Article XXV, Administration.

J. Detention basins in yard areas. Detention basins shall be allowed in yard areas only in accordance with the applicable regulations under Article XXIV, General Regulations.

SECTION II. – Amendment to Code

The Code of the Township of Worcester, Chapter 150 (Zoning), Article II (Establishment of Districts), Section 150-5 (Classes of Districts; Zoning Map) is hereby amended to add “IR” Industrial Research District immediately following “LPD” Land Preservation District.

SECTION III. – Amendment to Code

The Code of the Township of Worcester, Chapter 150 (Zoning), Article III (Terminology), Section 150-9 (Definitions) is hereby amended to add the following new definition:

FLOOR AREA RATIO. The numerical value obtained by dividing the floor area within a building or buildings on a lot by the Lot Area of such lot.

SECTION IV. – Amendment to Code

The Code of the Township of Worcester, Chapter 150 (Zoning), Article XXI (Signs) is hereby amended to add the following new section entitled “Signs Permitted in the IR District”:

Section 150-151A. Signs permitted in the IR District.

In the IR District, signs may be erected and maintained only in compliance with the following provisions:

- A. All signs, except as noted in Subsection C below, shall relate to the use located on the property on which the sign is located.
- B. Not more than one freestanding sign which shall not exceed 32 square feet nor have a height greater than 10 feet shall be permitted on each street frontage with access and shall relate to the particular industry, laboratory, engineering center or office building located within the district. In addition, there may be one additional sign which shall not exceed 32 square feet and shall be physically attached to a building.
- C. Billboards as regulated by Article XXIA of this chapter.
- D. Any sign permitted in § 150-148, provided that the use to which it refers is permitted in the district.

SECTION V. – Amendment to Code

The Code of the Township of Worcester, Chapter 150 (Zoning), Article XXI (Signs), Section 150-151 (Signs Permitted in LI District) is hereby amended to eliminate Subsection “C” and change Subsection “D” to Subsection “C”.

SECTION VI. – Amendment to the Official Zoning Map of Worcester Township

The Official Zoning Map of Worcester Township is hereby amended to add the Limited Industrial Research District, and rezone a certain tract of land consisting of approximately 86.9 acres with frontage on Morris Road, and more particularly identified as Montgomery County Tax Parcel No. 67-00-02512-00-4, and described in the legal description attached hereto as Exhibit “A”, from its existing zoning classification of Limited Industrial District to the new classification of Industrial Research District.

SECTION VII. – 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 VIII. – 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 IX. – Effective Date

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

SECTION X. – Repealer

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

SECTION XI. – Comprehensive Plan

To the extent the Township Comprehensive Plan is in any way inconsistent with the Zoning Map Amendment embodied in this Ordinance, the Land Use Plan in the most recent draft of the Township Comprehensive Plan is hereby modified to reflect a proposed land use consistent with the Zoning Map Amendment embodied in this Ordinance.

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 20th day of November 2013.

WORCESTER TOWNSHIP

By: 

Arthur C. Bustard, Chairman,
Board of Supervisors

Attest: 

F. Lee Mangan, Secretary

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester, at its public meeting on November 20, 2013 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 "Industrial Research District Ordinance" amending the Code of the Township of Worcester, Chapter 150 (Zoning) to add a new Article XIXA entitled "Industrial Research District" setting forth: legislative intent; use regulations; lot area and width regulations; yard regulations; coverage regulations; height regulations; parking regulations and special requirements; amending Article II, Section 150-5 (Classes of Districts) to identify the "IR" Industrial Research District; amending Article III (Terminology), Section 150-9 (Definitions) to add a definition for the term "Floor Area Ratio"; amending Article XXI (Signs) to set forth signs permitted in the "LI" Limited Industrial District and the newly created "IR" Industrial Research District; and amending the Official Zoning Map of Worcester Township to add the "IR" Industrial Research District and rezone a certain tract of land in the Township consisting of approximately 86.9 acres with frontage on Morris Road, more particularly identified as Montgomery County Tax Parcel No. 67-00-02512-00-4, and described in the legal description attached to the Ordinance as Exhibit "A", from its existing zoning classification of Limited Industrial District to the new classification of Industrial Research District.

Copies of the proposed Ordinance and Map Amendment 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 and Map Amendment may be obtained for a charge not greater than the cost thereof.

**JAMES J. GARRITY, ESQUIRE
WISLER PEARLSTINE, LLP**

Solicitor for Worcester Township

EXHIBIT “A”