

**BOARD OF SUPERVISORS
WORCESTER TOWNSHIP**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2014-248

Public or Private School Amendment

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WORCESTER, CHAPTER 150 (ZONING), ARTICLE IV (AGR AGRICULTURAL DISTRICT), ARTICLE XXIV (GENERAL REGULATIONS), AND ARTICLE XXII (OFF-STREET PARKING AND LOADING) TO UPDATE AND CLARIFY THE ZONING ORDINANCE STANDARDS FOR THE DEVELOPMENT OF PUBLIC AND PRIVATE SCHOOL USES AND ACCESSORY SPORTS FACILITIES RELATED THERETO.

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

SECTION I. — Amendment to Code

A. The Code of the Township of Worcester, Chapter 150 (Zoning), Article IV (AGR Agricultural District), Section 150-11 (Use Regulations), Subsection D(2) is hereby deleted in its entirety and replaced with the following new subsection D(2):

(2) Public or private schools, provided that the use is located on a lot 25 acres or larger, building coverage does not exceed 15% of gross lot area and impervious coverage does not exceed 40% of gross lot area and provided that a safe and efficient off-street passenger drop-off/pick-up area is provided.

B. The Code of the Township of Worcester, Chapter 150 (Zoning), Article IV (AGR Agricultural District), Section 150-17 (Special Requirements) is hereby amended by adding a new Subsection H to read as follows:

H. Private or public schools. Normal and routine accessory structures to private or public schools are permitted subject to the applicable regulations under Article XXIV, General Regulations

C. The Code of the Township of Worcester, Chapter 150 (Zoning), Article XXIV (General Regulation), Section 150-177 (Accessory uses and structures) is hereby amended to include a new Subsection C to read as follows:

C. Private or public school uses. Accessory structures such as backstops, dugouts/team structures, retaining walls, scoreboards, bleachers (permanent or moveable), benches, goals (permanent or moveable), or similar accessory structures associated with outdoor sports and athletic facilities may be located or erected with 50 feet of a front lot line or 40 feet of any other property line subject to the following:

- (1) Backstops shall be permitted on any baseball or softball field but shall be limited to a maximum height of forty (40) feet;
- (2) Scoreboards shall be permitted and shall not be considered signs so long as the scoreboard complies with the following:
 - (a) scoreboards shall not contain any advertisement for any company, product, or service;
 - (b) scoreboards shall be limited to a maximum size of 36 feet by 10 feet;
 - (c) scoreboards shall be limited to one per field;
 - (d) scoreboards shall be limited to a maximum height when mounted of 20 feet from average surrounding grade within a stadium and 15 feet when mounted at all other fields on a single property; and
 - (e) scoreboards, if illuminated, shall
 - (i) be internally illuminated LED displaying only the score and necessary game information and shall be illuminated only during the time of play and for a maximum period of 30 minutes following the end of play; and
 - (ii) neither cast any illumination off of the subject property nor create a nuisance or intrusion to the privacy of adjacent residential property owners or the public.
- (3) Dugouts or team shelters shall be limited to two per field, one for the home team and one for the visiting team;

- (4) Dugouts or team shelters shall be a maximum size of 12 feet by 50 feet;
- (5) No structure shall be located or erected so as to interfere with the site triangle of any intersection; and
- (6) Fences and walls shall be regulated by Section 150-182.J.

D. The Code of the Township of Worcester, Chapter 150 (Zoning), Article XXIV (General Regulation), Section 150-182 (Fencing and Walls) is hereby amended to include the following new Subsection J to read as follows:

- J. Private or public school uses: The following shall apply to fences and walls located as part of an outdoor athletic facility of a public or private school:
- (1) Fences surrounding an athletic field may be eight feet in height when located at least 40 feet from a property line. If located within 40 feet of any property line, the maximum fence height shall be 6 feet;
 - (2) Backstops shall not be considered a fence or wall, but shall be an accessory structure regulated by Section 150-177.D;
 - (3) Retaining walls associated with any athletic facility may be located 40 feet from any side or rear property line; and
 - (4) Foul poles shall be permitted as part of the fencing surrounding a baseball or softball field and shall be permitted at a maximum height of 30 feet.

E. The Code of the Township of Worcester, Chapter 150 (Zoning), Article XXII (Off-Street Parking and Loading), Section 150-153 (Required off-street parking facilities) is hereby amended to read as follows:

Church, school, public auditorium, assembly or meeting room or similar place for public or semipublic assembly: One space for every three seats provided for assembly. In the case of a school with indoor and outdoor assembly, the outdoor and indoor spaces shall be counted separately and the greater of the two numbers shall be utilized to compute the school's parking requirement. In addition, the indoor and outdoor assembly areas shall not be used simultaneously in a manner which renders the available parking on the property inadequate.

SECTION II. — 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 III. — 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 IV. — Effective Date

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

SECTION V. — 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 15th day of January, 2014.

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 January 15, 2014, at 7:30 p.m. at the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Worcester, Pennsylvania, will hold a hearing on and could vote to adopt an ordinance entitled "Public or Private School Amendment" amending the Code of the Township of Worcester, Chapter 150 (Zoning), Article IV (AGR Agricultural District), Article XXIV (General Regulations) to update and clarify the Zoning Ordinance standards for the development of public and private school uses and accessory sports facilities related thereto.

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**

Solicitors for Worcester Township