

ORDINANCE # 47

WORCESTER TOWNSHIP

AN ORDINANCE PROVIDING FOR THE REENACTMENT OF  
ORDINANCE #39, ADOPTED THE 13th DAY OF MAY,  
1963, AND AS REENACTED IN 1964, 1965 and 1966,  
LEVYING A ONE PER CENT. TAX ON TRANSFERS OF  
REAL ESTATE IN THE TOWNSHIP OF WORCESTER

The Board of Supervisors of the Township of Worcester, Mont-  
gomery County, Pennsylvania, under and by virtue of the Act of  
the General Assembly of the Commonwealth of Pennsylvania, approved  
the 25th day of June, A.D. 1947, P.L. 1145, being act #481, as amended,  
do hereby enact and ordain:

That Ordinance #39 ordained and enacted by the Board of  
Supervisors of Worcester Township, Montgomery County, Pennsylvania,  
on the 13th day of May, 1963, and as reenacted in 1964, 1965 and 1966,  
levying a one per cent. tax on transfers of real estate and interests  
therein within said Township, be and hereby is reenacted and readopted  
in its entirety, to remain in full force and effect for the period of  
one year from the 27th day of June, 1967.

Ordained and enacted this *thirteenth* day of May, A.D. 1967.

*David E. Hammett*  
*Claude D. Beyer*  
*Russell W. Place*

Supervisors of Worcester Township

ORDINANCE NO 48

THE BOARD OF SUPERVISORS OF WORCESTER TOWNSHIP DOES HEREBY ORDAIN AND ENACT AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 43, KNOWN AS THE WORCESTER TOWNSHIP ZONING ORDINANCE OF 1953, AS AMENDED, AS FOLLOWS:

SECTION 1. Article XI of the Zoning Ordinance is hereby changed to read as follows:

ARTICLE XI  
"C" COMMERCIAL DISTRICTS

Section 1100. Declaration of Legislative Intent. In expansion of the declaration of legislative intent contained in Article I, Section 101 of this Ordinance, it is hereby declared to be the intent of this Article, with respect to commercial zones, to establish reasonable standards for the height and size of buildings, the areas and dimensions of yards and open spaces, the provision of facilities to minimize traffic congestion, noise, glare, pollution, so to lessen the danger to the public safety and surrounding buildings values from traffic congestion, over-crowding of land, inadequate provision for water and sewage facilities and inadequate transportation, and to establish reasonable standards for a commercial zone suitable with the general character of the neighborhoods, which are of a predominantly colonial and historical type, and to allow a reasonable number and variety of uses for the convenience of the residents of the community suitable with the natural features of the land.

In a "C" Commercial District the following regulations shall apply:

Section 1101. Use Regulations. A building may be erected, altered, or used and occupied for any one of the following purposes, and no other, provided that any changes, new buildings or alterations be made to conform to a colonial appearance as far as practical, so that the old residential type neighborhood may be retained and perpetuated as far as possible through the use of stone and brick and roofs of considerable slope surfaced with heavy slate or wood shingles or materials that give such an appearance, and with illumination to be of a subdued nature, and further provided that the existing slope or grade of the lot be satisfactory for the proposed use, and that it will be neither necessary or desirable to substantially alter the contour of the lot, but that the existing grade of lot will be substantially retained:

A. Any use permitted in the least restricted Residential District abutting the particular "C" Commercial District in question, or if there is no such abutting Residential District, then any use permitted in the Residential District located nearest to any point within the particular "C" Commercial District in question, provided that where two or more Residential Districts would thus be included, the use regulations of the less restricted of such Residential Districts shall apply:

B. Club, fraternity house, lodge, rooming house, tourist home;

C. Business or professional office, studio, bank, savings and loan association, financial institution, municipal use excluding dump, telephone central office, telegraph or other public utility office, passenger station for public transportation;

D. Retail establishment for sale of dry goods, variety and general merchandise, hardware, hardware tools, clothing, food, drugs, furnishings or other household supplies, sale and repair of jewelry, watches, clocks, optical goods, musical, professional or scientific instruments;

E. Restaurant, tearoom, retail bakers, confectionery or ice cream shop, or other places serving food or non-alcoholic beverages, provided none of these employ more than five (5) persons;

F. Bakery, confectionery or custom shop for the production of articles to be sold at retail on the premises, and not employing more than five (5) persons;

G. Florist shop, greenhouse for the production of flowers and plants to be sold at retail on the premises, and not employing more than five (5) persons;

H. Personal service shop, including tailor, barber, beauty salon, shoe repair, dressmaking or similar shop;

I. Indoor theater, bowling alley, billiard room or other place of indoor amusement or recreation;

J. Newspaper publishing, job printing, when employing not more than five (5) persons;

K. New automobile sales and service agency when provided with indoor show room provided that:

(a) All parking and sales of used cars on the premises be limited to trade-ins on new cars sold on the premises;

(b) The area of floor space for auto servicing and repair shall not exceed twice the indoor show area;

(c) No used cars be stored outdoors except those in running condition and having a current state inspection sticker legally affixed thereto;

(d) A roster of all used cars stored on the premises be kept and made available to the Township showing the circumstances as to how each was acquired.

L. Gasoline Service Stations when limited up to three bays and customary sales room and including sanitary toilet rooms, provided that any outdoor display of merchandise be kept within twenty-five (25) feet of the building, or on the pump islands; and provided that between the hours of 10:00 P.M., and 6:00 A.M. prevailing time, it will be closed with no illumination evident excepting a dim night light indoors.

M. An automobile repair shop employing not more than three (3) persons provided that:

(a) It is a small type neighborhood repair shop conducted in only one room, and with any body work limited to but a small part of the work done in the shop;

(b) Not more than three (3) vehicles be parked outdoors on the premises for any one night;

(c) No one vehicle, including wrecked, junked, or disabled vehicle, or automobile without the current state inspection sticker legally attached, shall be parked outdoors for more than one (1) week in any one year;

(d) The premises will not be used as a daytime nor nighttime parking lot for any vehicles except those of employees while actually on duty;

N. Animal hospital, kennel when on a lot containing at least two (2) acres, provided that the operation is so arranged and conducted that no noise nor odor is noticeable beyond lot lines;

O. The following uses when authorized as a special exception:

1. Any use of the same general character as any of the uses hereinbefore specifically permitted without requirement of a special exception;

2. Hotel, automobile court (motel), hospital or sanitarium, provided satisfactory sewage disposal facilities can be arranged;

3. Wholesaling, plumbing and other building materials and supplies;

4. Wholesale establishments in connection with permitted retail establishments, warehousing of merchandise for retail sale within the district;

5. Undertaking establishments;

6. Hand or automatic self-service laundry, provided there is special and adequate provisions for waste disposal;

7. Parking lot serving two or more commercial establishments within the district;

8. Multiple use office building.

P. Signs subject to the applicable provisions of Article XIII, herein.

Q. Accessory use on the same lot with and customarily incidental to any of the foregoing permitted uses, subject to such conditions and regulations as are imposed by the Zoning Ordinance as amended.

Section 1102. **Height Regulations.** The maximum height of any building erected or used for any dwelling use permitted by Section 1101 herein, shall be as prescribed for the Residential District designated in accordance with said Section 301 A and B, and the maximum height of any other building or other structure, or parts thereof erected or used in this District shall be thirty-five (35) feet. The height of any sign, or illumination fixture shall not exceed twenty-five (25) feet.

Section 1103. **Area, Width and Yard Regulations.**

A. **Minimum Lot Area and Width.** For any building erected or used for any dwelling use permitted by Section 1101 A herein, there shall be a lot area and a lot width, and with yards, as prescribed for the Residential District designated in accordance with said Section 1101 A. Minimum lot area for any other use shall be no less than that necessary to provide yard requirements in paragraphs B, C, D, and E below, and the parking requirements of Article XIV.

B. **Front Yard.** There shall be a front yard on each lot which shall be not less than thirty-five (35) feet in depth from the ultimate right-of-way.

C. **Side Yards.**

1. On each interior lot there shall be two (2) side yards, one yard to be at least fifteen (15) feet wide and the other to be at least twenty-five (25) feet wide.

2. On each corner lot there shall be abutting the street a side yard having a width of not less than thirty-five (35) feet from the ultimate right-of-way, and the side yard not abutting the street shall be at least fifteen (15) feet wide.

3. On a lot, the interior side line which abuts a Residential or Agricultural District, the side yard abutting such District shall have a width of not less than that required in the adjoining District.

4. On any lot in any side yard not abutting a street, a detached garage may be erected and maintained within the rear part of the lot, if not closer to the side lot line than six (6) feet and if not closer to the front lot line than one hundred (100) feet.

D. **Rear Yard.** There shall be a rear yard on each lot the depth of which shall not be less than thirty (30) feet.

E. **Building Coverage.** Not more than thirty (30) per cent of the area of any lot shall be occupied by buildings. Required yards shall be maintained in lawn, shrubs, plantings, and trees as far as practical.

Section 1104. **Additional Regulations.** The following additional regulation shall apply notwithstanding the fact that they seem to be accepted as accessory practices in some localities with some of the permitted uses mentioned in this Article:

A. No moving signs, not strings of pennants, not strings of lights shall be displayed outdoors, and all signs and illumination shall conform to the provisions of the zoning ordinance.

B. No merchandise, vehicles, signs, advertising banners, trash or rubbish of any kind shall be parked, placed, displayed, kept or stored within thirty-five (35) feet of the right-of-way of any highway, not within fifteen (15) feet of any side lot line, nor within thirty (30) feet of any rear property line, nor shall bon-fires be permitted within such areas.

C. No wastes, other than sanitary wastes, shall be deposited in the ground.

Section 1105. **Accessory Dwelling Units.** One single permanent dwelling unit per lot as an accessory use to the permitted retail operations on such lot may be allowed provided that an additional twenty thousand (20,000) square feet of lot area is added to the minimum requirements of Section 1103 of this Article, and provided that such dwelling unit shall be occupied only by owner or employees employed on the premises and the immediate families of such owner and employees.

Section 1106. **Application and Review by the Board of Supervisors, and approval or disapproval by the same.**

A. Plans for any "C" Commercial use shall be submitted to the Board of Supervisors prior to the issuance of any zoning permit as provided in Article XVII. Information to be shown on all commercial plans shall include:

1. A plot plan of the lot showing the location of all present and proposed buildings, sidewalks, and other areas to be devoted to pedestrian use, drives, parking areas, loading and unloading areas and other construction features on the lot, and all buildings, streets, alleys, highways, streams and any other natural and topographical features of the lot and within one hundred (100) feet of any lot line.

2. Architectural plans for any proposed buildings.

3. The location, dimensions, and arrangements of areas to be devoted to planting, lawns, trees, or any other purpose.

4. A description of the commercial use proposed, including approximate number of employees.

5. Engineering and architectural plans for the treatment and disposal of sewage.

6. Any other data or evidence that the Board of Supervisors may require.

B. The Planning Commission may review all plans for commercial uses submitted to them and may submit recommendations thereon to the Board of Supervisors.

C. Upon receipt of plans for any commercial use, the Board of Supervisors shall have the power of approval or disapproval of these plans. The secretary of the Board of Supervisors shall notify in writing the Zoning Officer of their decision and any special conditions agreed upon regarding any commercial use.

SECTION 2. A new section is added to Article as follows:

Section 1301c 1. **Outdoor signs in Connection with Gasoline Service Stations.** Outdoor signs in connection with gasoline service stations, including temporary signs (excluding signs on pump islands when less than ten (10) feet above paving around pump island) shall not exceed one hundred (100) square feet (one hundred fifty (150) square feet for a corner lot in which the sign area on any one road frontage shall not exceed one hundred (100) square feet) and the area of any one sign shall not exceed thirty-seven and one-half (37-1/2) square feet, and no sign shall extend more than twenty-five (25) feet above the mean pavement level.

SECTION 3. Section 2100 P, of Article XXI is amended so that it shall read as follows:

Section 2100 P, **Gasoline Service Station.** Any area of land, including structures thereon, or any building or part thereof, that is used for the sale of gasoline and accessories, and which may or may not include facilities for lubrication, or otherwise servicing motor vehicles, but which shall not include the keeping of vehicles for sale, rent, or storage, not for major repairs, and with the required yards being kept open and unoccupied from all vehicles and other objects, excepting automobiles stopping at the pump islands for service, said pump island being allowed in the required front yard, but not closer than twenty-eight (28) feet from the curb line.

SECTION 4. A new section is added to Article XVI, as follows:

Section 1615 1. **Minimum Lot Sizes with respect to Cul-de-sacs.** In those instances where a cul-de-sac, or proposed road or street, does not continue or extend to a boundary line of the tract being sub-divided, those lots being serviced, or having frontage on the cul-de-sac or street shall have a minimum area of one and three-quarters (1-3/4) acres each.

SECTION 5. A new Article is added as follows:

ARTICLE XII-A  
FLOOD PLAIN CONSERVATION DISTRICT

Section 1200-A. Declaration of Legislative Intent. In application of Section 101 the specific intent of this article is: to prevent excessive development in areas unfit therefor by reasons of flooding, unsanitary conditions and related hazards: to minimize danger to public health by protecting water supply and natural drainage; and to promote the health, safety and welfare of Township residents and property owners in and near streams and areas subject to flooding.

Section 1201-A. (a) "Flood Plain Conservation District" is defined and established to be the low area adjoining and including any water or drainage course or body of water subject to periodic flooding or overflow and delineated as alluvial soils by the Soil Conservation Service, United States Department of Agriculture, in the Soil Survey of Montgomery County, 1960-1963. The Flood Plain Conservation District, as hereinabove defined, shall be shown on a map or maps designated as the Worcester Township Flood Plain Conservation District Map which is hereby made a part of this Ordinance and which shall be available to the public at the office of the Township Secretary. For purposes of defining the application of this Map to any specific areas, the maps, data and other sources of material for either of the above report or survey shall be available and shall be proof of the intended limits of the Flood Plain Conservation District. Any change in the Flood Plain Conservation District as may from time to time be determined to be proper under Subsection (c) hereof shall be forthwith reflected on the said Map.

(b) In case of any dispute concerning the boundaries of a Flood Plain Conservation District, an initial determination shall be made by the Zoning Officer.

(c) Any party aggrieved by a decision of the Zoning Officer as to the boundaries of the Flood Plain Conservation District as defined in Subsection (a), which may include the grounds that the said data referred to therein is or has become incorrect because of changes due to natural or other causes, may appeal to the Zoning Board of Adjustment as provided in Section 2007 (d) of the Second Class Township Code. The burden of proof in such an appeal shall be on the appellant.

(d) The Flood Plain Conservation District shall be deemed an overlay on any Zoning District now or hereafter applicable to any lot. Should the Flood Plain Conservation District be declared inapplicable to any tract by reason of action of (a) the Board of Supervisors in amending this Ordinance; and (b) the Zoning Officer, the Zoning Board of Adjustment, or any court of competent jurisdiction in determining the legal effect of the same; or (c) the Board of Adjustment or any court of competent jurisdiction in determining the legal effect of the same; the zoning applicable to such lot shall be deemed to be the District in which it is located without consideration of this Article.



Section 1202-A. Permitted Uses. The following uses and no others are permitted in the Flood Plain Conservation District:

(a) Cultivation and harvesting crops according to recognized soil conservation practices.

(b) Pasture; grazing land.

(c) Outdoor plant nursery, orchard.

(d) Recreation use, such as: park day camp, picnic grove, golf course, hunting, fishing and boating club, excluding structures.

(e) Forestry, lumbering, and reforestation, excluding storage as mill structures.

(f) Game farm; fish hatchery (excluding structures); hunting and fishing reserve.

(g) Wildlife sanctuary; woodland preserves, arboretum.

(h) Sealed public water supply wells.

(i) Utility transmission lines.

(j) Front, side or rear yards, and required lot area, for any District; provided, however that no land in the flood plain conservation district shall qualify in computing the minimum lot area where specified under the Township Zoning Ordinance.

(k) Pervious parking lots where required by the regulations for the District applicable to the lot without consideration of this Article.

(l) Sanitary sewers and sewage pumping stations.

Section 1203-A. Uses by Special Exception:

(a) Sewage treatment plants.

(b) Dams, culverts and bridges approved by the Commonwealth of Pennsylvania, Department of Forest and Waters, Power and Water Resources Board if the same has jurisdiction over the watershed in question.

(c) Grading or regrading of lands, including the deposit of top soils and the grading thereof, and the construction of retaining walls; provided that a detailed engineering study shall accompany any application for special exception on this ground; and provided further that an appeal for special exception on this ground may be combined with a simultaneous appeal for reclassification under Section 1201A (c).

(d) Paved roads and driveways.

(e) Impounded basins.

(f) Storm sewers.

(g) Other uses similar to the above, provided the effect is not to alter substantially the cross-sectional profile of the stream basin at the point of the proposed construction or use.

Section 1204-A. **Municipal Liability.** The grant of a zoning permit or approval of a subdivision plan in the Flood Plain Conservation District shall not constitute a representation, guarantee or warranty of any kind by the Township, or by any official or employee thereof of the practicability of safety of the proposed use, and shall create no liability upon the Township, its officials or employees.

**SECTION 6. Severability.** The provisions of this Ordinance are severable and if any section, clause, sentence, part or provision thereof shall be held illegal, invalid and unconstitutional, the decision of the Court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Township of Worcester that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, clause, sentence, part or provision has not been included herein.

ENACTED AND ORDAINED by the Board on the twenty-second day of December 1967 A.D.

BOARD OF SUPERVISORS OF WORCESTER TOWNSHIP

David E. Harriott  
Claude H. Beyer  
Russell H. Place