

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 2021-285

**AN ORDINANCE TO AMEND PROVISIONS OF THE
MR MULTI-RESIDENTIAL DISTRICT IN THE CODE OF THE TOWNSHIP
WORCESTER, AND TO REZONE ADDITIONAL PROPERTY.**

WHEREAS, on January 20, 2021 the Board of Supervisors adopted Resolution 2021-09, so to declare a municipal cure period in accordance with Pennsylvania Municipalities Planning Code §609.2; and,

WHEREAS, on February 17, 2021 the Board of Supervisors adopted Resolution 2021-10, so to make specific findings regarding the declaration, in accordance with Pennsylvania Municipalities Planning Code §609.2(1); and,

WHEREAS, the Township prepared this Ordinance to amend the Code of the Township of Worcester, and to rezone additional property, in order to address certain invalidities as noted in Resolution 2021-10;

NOW, THEREFORE, the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania hereby ordains and enacts as follows:

SECTION I

1. Chapter 150, Zoning, Article XIII, Section §150-83.B shall be deleted in its entirety and replaced as follows:

Multifamily dwelling in accordance with the regulations in this article.

2. Chapter 150, Zoning, Article XIII, Section §150-86.B shall be deleted in its entirety and replaced as follows:

Impervious coverage. In the case of any lot proposed to be developed for a single-family detached dwelling, 40% shall be the maximum total impervious coverage on such a lot. In the case of a property proposed to be developed with buildings containing two or more multifamily dwelling units, 50% shall be the maximum total impervious coverage on the land within the lot lines of the property exclusive of land within the ultimate right-of-way of public roads.

3. Chapter 150, Zoning, Article XIII, Section §150-87 shall be deleted in its entirety and replaced as follows:

A. Building height.

(1) Thirty feet, not exceeding two stories, shall be the maximum height for any building or other structure erected or enlarged in this district other than a multiple dwelling.

(2) Forty-five feet, not exceeding four stories, shall be the maximum height for any multiple dwelling erected or enlarged in this district.

(3) Fifteen feet, not exceeding 1.5 stories, shall be the maximum height for any structure accessory to a dwelling.

B. Building size. The maximum length of any multiple dwelling building shall be 200 feet.

4. Chapter 150, Zoning, Article XIII, Section §150-88.A shall be deleted in its entirety and replaced as follows:

Residential. For each dwelling unit in this district, two all-weather off-street parking spaces shall be provided in accordance with the applicable provisions of Article XXII. Upon determination by the Township Engineer, and approval by the Board of Supervisors, and compliance with Section §150-159, parking may be held in reserve.

5. Chapter 150, Zoning, Article XIII, Section §150-89.E and §150-89.F shall be deleted in their entirety and replaced as follows:

E. Special regulations for multifamily dwellings.

(1) Density. The base density for multifamily dwellings shall be twelve units per acre of developable area. The density can be increased as provided in this section up to a maximum density of fifteen units per acre of developable area.

(2) All buildings shall be in accordance with an overall plan and shall be designed as a single architectural scheme. The distance at the closest point between any two buildings utilized for multifamily dwelling units shall be not less than 30 feet except that such minimum distance shall be increased to not less than 75 feet where the Board of Supervisors determines that the front or rear of any such building is substantially parallel to the front or rear of a similarly used building.

(3) The development plan shall preserve and incorporate natural features such as woods, streams and open space areas, which add to the overall cohesive development of the Multi-Residential District and to overall Township development.

(4) All spaces between buildings, parking, loading, access and service areas shall be adequately illuminated at night. All lighting, including sign lighting, shall be arranged to protect the highway and adjoining property from direct glare or hazardous interference. All utility lines servicing the area shall be placed underground.

(5) Raw materials, supplies, trash, rubbish and other refuse shall be stored in covered containers within an adequate enclosure and handled and disposed of in such a manner not to give rise to smoke, odor or litter.

(6) Buffer areas.

(a) When any building for multifamily housing use is to be erected upon a tract of land, an unbuilt-upon buffer strip shall be provided between such buildings and adjoining properties. This buffer area shall be a minimum of 75 feet in width. It shall be landscaped and maintained by the developer and/or owner, as specified in the following subsection. Buffer areas may not be used for parking areas nor for recreational purposes, except for a walking trail. If a walking trail is provided, it shall be a minimum of 40 feet from a property line, except where it may connect to other trails and sidewalks. The walking trail shall be adequately buffered from view from surrounding properties.

(b) Shrubbery and trees. A screen planting strip of not less than 20 feet in width shall be provided in the buffer area. All screen planting strips shall include a dense screen planting of trees, shrubs or other plant materials or both, to the full length of the lot line to serve as a barrier to visibility, airborne particles, glare and noise. Such planting shall be located within the exterior 50 feet of the buffer area, and shall be in accordance with the following requirements:

[1] Plant materials used in screen planting shall be at least five feet in height when planted and be of a species as will produce, within two years a complete year-round evergreen visual screen at a height of five feet. Required types of evergreen plant materials are hemlock, pine, spruce, fir, holly and yew species, other species only when approved, in writing, by the Board of Supervisors.

[2] The screen planting shall be maintained permanently and any plant material which does not live shall be replaced within six months.

[3] The screen planting shall be so placed that at maturity it will not be closer than five feet from any ultimate right-of-way or property line.

[4] A clear-sight triangle shall be maintained at all street interactions and at all points where private vehicular accessways intersect public streets.

[5] The screen planting shall be broken only at points of vehicular and pedestrian access.

[6] Plans for buffer yards shall be submitted for review by the Township and approval by the Board of Supervisors.

[7] Deciduous trees shall be planted in the buffer area left over from the buffer strip and shall be planted at least 20 feet away from the strip and so placed that when matured, the branches of the adjoining trees will about meet. Such trees shall be not less than two inches to 2 1/2 inches diameter at the base of the tree at time of planting. Such trees shall be maintained in a healthy condition or replaced by new trees within six months.

(7) Amenities. Each development within the MR Multi-Residential District shall provide recreational facilities including but not limited to tot-lots, plazas public squares, outdoor meeting areas, grilling stations and outdoor fitness courts or other sport courts. At the discretion of the Board of Supervisors a developer

may provide a fee in lieu as an alternate to providing the required outdoor recreational activities.

(8) Application of Transfer Development Rights (TDRs).

(a) The MR Multi-Residential District shall constitute a receiving district for the transfer of development rights as provided by Article XXIX.

(b) TDRs may be utilized on a parcel in the MR Multi-Residential District receiving district as follows:

[1] Each TDR shall allow the developer to add up to three dwelling units per acre of developable area of the parcel in conformance with the requirements of this section, up to the maximum permitted density as permitted in this section.

[2] An application for the transfer of TDRs to a receiving parcel under this article shall comply with all of the requirements set forth in Article XXIX.

(9) All multifamily developments shall be connected to the public or centralized sewer and water systems.

SECTION II

1. The Worcester Township Zoning Map is hereby amended to rezone the below property to MR Multi-Residential District:

TMP no.: 67-00-01540-00-4
address: 1035 North Trooper Road, Norristown, PA 19403

2. As the MR Multi-Residential District is an overlay zoning district, the present and underlying zoning districts at the above property will remain.
3. The Township Engineer is directed to revise the Zoning Map.

SECTION III

1. In the event that any section, subsection or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance. The invalidity of section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts. It is hereby declared to be the intention of the Township that this Ordinance would have been adopted had such invalid section, clause, sentence, or provision not been included therein.
2. To the extent this Ordinance is inconsistent with the Code of Worcester Township, the provisions of this Ordinance shall take precedence. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.
3. 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.

4. This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 16th day of June, 2021.

FOR WORCESTER TOWNSHIP

By: _____
Richard DeLello, Chair
Board of Supervisors

Attest: _____
Tommy Ryan, Secretary