

**FRANCONIA TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 416-22

**AN ORDINANCE OF THE TOWNSHIP OF FRANCONIA,
MONTGOMERY COUNTY, PENNSYLVANIA AMENDING THE
ZONING ORDINANCE TO MODIFY THE
IN-INSTITUTIONAL DISTRICT**

WHEREAS, the Board of Supervisors has met the procedural requirements of 53 P.S. § 10101, *et seq.*, the Pennsylvania Municipalities Planning Code, for the adoption of the proposed ordinance, including holding a public hearing; and,

WHEREAS, the Board of Supervisors, after due consideration of the proposed Ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents of Franconia Township will be served by these amendments to the Franconia Township Zoning Ordinance;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Franconia Township, Montgomery County, Pennsylvania, and it is hereby enacted and ordained by authority of same as follows:

SECTION 1. AMENDMENT TO ZONING MAP. The official Zoning Map of the Township of Franconia is hereby amended to rezone the following properties from their current classification of R-130 Residential District to a new classification of IN-Institutional District:

Tax Parcel No. 34-00-04171-00-7, Block 3, Unit 017
Tax Parcel No. 34-00-04174-00-4, Block 3, Unit 045
Tax Parcel No. 34-00-04176-00-2, Block 3, Unit 016
Tax Parcel No. 34-00-04177-00-1, Block 3, Unit 115
Tax Parcel No. 34-00-04177-50-5, Block 3, Unit 114

The Township Engineer is directed to revised the Zoning Map to reflect these changes in zoning classification.

SECTION 2. Section 145-97(E) of the Franconia Township Zoning Ordinance (the “Zoning Ordinance”) is hereby amended to read as follows:

“(E) “Personal care home (assisted living facility) or nursing home”

SECTION 3. Section 145 of the Zoning Ordinance is hereby amended to add a new Section 145-97.1 which shall read as follows:

“145-97.1 Conditional Use Regulations.

A building may be erected, altered and/or used, and a lot may be used and/or occupied, for any of the following purposes and no other when authorized by conditional use:

A. Continuing care retirement community consisting of an integrated use of independent living dwellings, assisted living facilities, memory care facilities, skilled nursing facilities and administrative offices.

B. Accessory uses customarily incidental to the above use, such use being limited to a maximum of ten percent (10%) of the gross space devoted to the principal use.”

SECTION 4. Section 145 of the Zoning Ordinance is hereby amended to add a new Section 145-98.1 which shall read as follows:

“145-98.1. Dimensional Regulations for Conditional Uses.

A. Lot area. A lot area of not less than five acres shall be provided for every use or building erected thereon.

B. Lot width. A lot width of not less than 200 feet shall be provided at the building setback line for every use or building erected thereon.

C. Front yard. There shall be a front yard on every lot which shall not be less than 50 feet in depth.

D. Side yards. There shall be two side yards on every lot, each of which shall not be less than 50 feet in width.

E. Rear yard. There shall be a rear yard on each lot which shall not be less than 50 feet in depth.

F. Corner lots. There shall be a front yard on every street frontage, and all remaining yards shall be treated as rear yards.

G. Accessory structures. Accessory structures shall be subject to the dimensional restrictions cited herein.

H. Building coverage. The maximum building coverage on a lot shall be 25%.

I. Impervious Coverage. The maximum impervious coverage on a lot shall be 50%.

J. Height restrictions. The maximum height for buildings or structures erected or enlarged in the IN-Institutional District shall be 55 feet, not exceeding four stories.

K. Parking. Parking areas shall be set back from all property lines adjacent to or across from a Residential District a minimum of 25 feet and shall be planted with an opaque screen buffer of 80% adjacent to all Residential Districts. Parking areas across from municipal uses shall be set back a minimum of 4 feet from the legal right of way.”

SECTION 5. REPEAL AND RATIFICATION. All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. This Ordinance shall in no other way alter or modify Chapter 145 of the Franconia Township Code. Any other terms and provisions of Chapter 145 that are unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 6. SEVERABILITY. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision herein shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not effect or impair the remaining sections, sentences, clauses, parts or provisions of the Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 7. DISCLAIMER. Nothing in this Ordinance shall be construed to effect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any permit issued, or any cause or causes of action existing under the ordinances of the Township of Franconia prior to enactment of this Ordinance.

SECTION 8. EFFECTIVE DATE. This amendment shall become effective five (5) days after date of adoption.

ORDAINED AND ENACTED by the Board of Supervisors of Franconia Township, Montgomery County, Pennsylvania this 22nd day of February, 2022.

Attest:



Jon Hammer, Township Secretary

FRANCONIA TOWNSHIP
BOARD OF SUPERVISORS

By: 

Grey Godshall, Chairman

