

FRANCONIA TOWNSHIP

ORDINANCE # 405-19

AN ORDINANCE ELIMINATING SECTION 145-28.3 (DETENTION BASIN REGULATIONS) OF THE FRANCONIA TOWNSHIP ZONING ORDINANCE; AND ADDING THOSE SAME PRECISE REGULATIONS AS SECTION 122-35 (CURRENTLY "RESERVED") OF THE FRANCONIA TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

FRANCONIA TOWNSHIP

ORDINANCE # 405-19

AN ORDINANCE ELIMINATING SECTION 145-28.3 (DETENTION BASIN REGULATIONS) OF THE FRANCONIA TOWNSHIP ZONING ORDINANCE; AND ADDING THOSE SAME PRECISE REGULATIONS AS SECTION 122-35 (CURRENTLY “RESERVED”) OF THE FRANCONIA TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

NOW THEREFORE IT IS HEREBY ENACTED AND ORDAINED by the Franconia Township Board of Supervisors that the Franconia Township Zoning Ordinance, and the Franconia Township Subdivision and Land development Ordinance shall be amended as follows:

SECTION 1. Amendment to Zoning Ordinance Section 145-28.3

Section 145-28.3 (Detention basin regulations) of the Franconia Township Code is hereby eliminated in its entirety, to be depicted (from this point forward) as “Reserved”.

SECTION 2. Amendment to Subdivision and Land Development Section 122-35

Section 122-35 (previously “Reserved”) is hereby added to read, in its entirety, as follows:

§122-35 Detention basin regulations.

The siting and construction of detention basins shall be controlled by the following regulations.

- A. Single-family residential districts. In all single-family residential districts, where the lot is used for single-family residential purposes, no part of any detention basin shall occupy more than 25% of the required yard area, measured as to linear dimension or surface area. The detention basins shall be located on the

perimeter of the lot, shall be entirely within the lot lines, and shall be located as far from the dwelling as possible. If a property in a single-family residential district is used for other than a single-family residential dwelling, detention basins shall be located in accordance with Subsection C hereof. No detention basin shall be located within 75 feet of any building, whether on the same lot or any adjacent lot.

- B. Multifamily residential districts. In all multifamily residential districts where the lot is used for residential purposes, no part of any detention basin shall be located in the required yard area of any individual dwelling unit. No part of any detention basin shall occupy more than 35% of the required yard area, measured as to linear dimension or surface area, any district yard. No detention basin shall be located within 75 feet of any building, whether such building is on the same lot or any adjacent lot.
- C. Nonresidential districts. In all nonresidential districts, no part of any detention basin shall occupy more than 15% of the required yard area, measured as to linear dimension or surface area. No detention basin shall be located within 100 feet of any building, whether such building is on the same lot or any adjacent lot.

SECTION 2. 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. Any other terms and provisions of the ordinances of the Township that are unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 3. Severability.

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 4. Disclaimer.

Nothing in this Ordinance shall be construed to affect 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 5. Effective Date.

This Ordinance shall become effective five (5) days after enactment.

DULY ENACTED AND ORDAINED this 16th day of September, 2019, by the Board of Supervisors of Franconia Township, Montgomery County, Pennsylvania, in lawful session duly assembled.

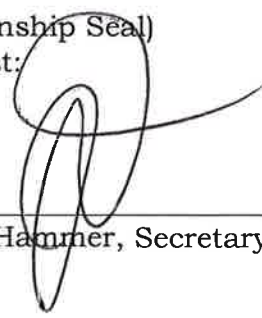
FRANCONIA TOWNSHIP
BOARD OF SUPERVISORS



Grey R. Godshall, Chairman

(Township Seal)

Attest:



Jon Hammer, Secretary