

FRANCONIA TOWNSHIP
Montgomery County, Pennsylvania

ORDINANCE # 414-21

AN ORDINANCE (1) AMENDING CHAPTER 145, ARTICLE X (OF THE FRANCONIA TOWNSHIP CODE TO CREATE A NEW PO-PROFESSIONAL OFFICE OVERLAY DISTRICT AND (2) AMENDING THE FRANCONIA TOWNSHIP ZONING MAP TO APPLY THE PO-PROFESSIONAL OFFICE OVERLAY TO CERTAIN LAND IDENTIFIED AS TAX PARCEL NO. 34-00-04918-00-7 (9 TOWNSHIP LINE ROAD); TAX PARCEL NO. 34-00-04921-00-4 (13 TOWNSHIP LINE ROAD); TAX PARCEL NO. 34-00-04924-00-1 (17 TOWNSHIP LINE ROAD); TAX PARCEL NO. 34-00-04927-00-7 (21 TOWNSHIP LINE ROAD); TAX PARCEL NO. 34-00-04930-00-4 (25 TOWNSHIP LINE ROAD); TAX PARCEL NO. 34-00-04933-00-1 (31 TOWNSHIP LINE ROAD); TAX PARCEL NO. 34-00-00862-00-4 (COUNTY LINE ROAD); TAX PARCEL NO. 34-00-00865-00-1 (32 COUNTY LINE ROAD); TAX PARCEL NO. 34-00-00866-00-9 (38 COUNTY LINE ROAD); TAX PARCEL NO. 34-00-00866-50-4 (42 COUNTY LINE ROAD); TAX PARCEL NO. 34-00-00870-00-5 (90 COUNTY LINE ROAD); TAX PARCEL NO. 34-00-00869-90-6 (COUNTY LINE ROAD); TAX PARCEL NO. 34-00-00871-00-4 (98 COUNTY LINE ROAD); TAX PARCEL NO. 34-00-00871-01-3 (100 COUNTY LINE ROAD); TAX PARCEL NO. 34-00-00661-00-7 (2 CHERRY LANE); TAX PARCEL NO. 34-00-00664-00-4 (8 CHERRY LANE); TAX PARCEL NO. 34-00-00667-00-1 (12 CHERRY LANE).

ENACTED: 8/16/2021

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NOW, THEREFORE, it is hereby **ENACTED** and **ORDAINED** by the Franconia Township Board of Supervisors that the Franconia Township Zoning Ordinance and Map shall be amended as follows:

SECTION 1. **Amendment to Zoning Ordinance**

Chapter 145, Article X of the Franconia Township Code is amended to create a new PO-Professional Office Overlay District. Article X shall now state as follows:

ARTICLE X
PO Professional Office Overlay District

Section 145.53. Legislative Intent.

This article is enacted for the purpose of promoting the health, safety, and welfare of the Township in accordance with the goals and objectives of the Joint Municipal Comprehensive Plan. It is designed to provide for appropriate land uses on tracts that have undergone changes to their characteristics as a result of increased development throughout the area. The intent is to insure the suitable design of

professional office uses in order to protect the environment, respect the adjacent land uses and to minimize any adverse effects of professional office use development on the surrounding area.

Section 145-54. Applicability.

In the PO-Professional Office Overlay District, the regulations contained in this Article shall apply.

A. It is the express intent of the Board of Supervisors that the PO-Professional Office Overlay District, the areal boundaries thereof being described by ordinance and delineated on the Township Zoning Map, is deemed an overlay on any other zoning district that may lie within the bounds of the PO-Professional Office Overlay District. Any lot, land, or tract of ground may be used for any purpose allowed in such other district subject to the standards and regulations governing such other district.

B. Should the PO-Professional Office Overlay District be declared inapplicable to any tract by reason of an action of the Township Supervisors in amending this chapter or the Zoning Hearing Board or any court of competent jurisdiction in interpreting the same, the zoning applicable to such lot shall be deemed to be the district in which it is located without consideration of this district.

C. Should the zoning of any parcel or any part thereof in which the Professional Office Overlay District is located be changed through any legislative or administrative actions or judicial discretion, such change shall have no effect on the Professional Office Overlay District unless such change was included as part of the original application.

Section 145.55. Conditional Use Regulations.

A building may be erected, altered, and/or used, and a lot may be used and/or occupied, for any one of the following purposes and no other when authorized as a conditional use, in accordance with the regulations hereunder:

- A. The offices of a physician, dentist, psychologist, or other State licensed health care professional, excluding in-patient services.
- B. The offices of an accountant, financial advisor, or bookkeeper.

- C. The offices of an architect, attorney, consulting engineer or outside sales person.
- D. The offices of a veterinarian excluding kennels, boarding and day care.
- E. The offices or studio of an artist, musician, writer, or designer.
- F. The office of a real estate broker, or an insurance agent.
- G. Specifically prohibited are carry out retail sales, schools, banks and personal service shops, clinics and facilities for all forms of substance abuse.

Section 145.56. Dimensional Regulations for conditional uses.

- A. Lot Area. A lot area of not less than two (2) acres shall be provided for every use conducted thereon.
- B. Lot Width. A lot width of not less than one hundred (100) feet shall be provided at the building line for every building or use erected thereon.
- C. Front Yard. There shall be a front yard on every lot which shall be not less than twenty-five (25) feet in depth.
- D. Side Yard. There shall be two (2) side yards on every lot, each of which shall not be less than thirty (30) feet in width.
- E. Rear Yard. There shall be a rear yard on every lot which shall not be less than seventy-five (75) feet in depth.
- F. Buffer Yard. Adjacent to residentially zoned or used land there shall be a thirty-five (35) foot deep buffer yard which shall be landscaped with an opaque screen buffer as approved by the Board of Supervisors as a part of the Conditional Use process.
- G. Parking Setbacks. No parking shall be permitted in the front yard and no parking shall be within ten (10) feet of any property line.
- H. Corner Lots. There shall be a front yard on every street frontage and there shall be one (1) rear yard. All remaining yards shall be side yards.
- I. Building Coverage. The maximum building coverage on a lot shall be twenty-five (25%) percent.

- J. Impervious Coverage. The maximum impervious coverage on a lot shall be sixty (60%) percent.
- K. Height Restriction. The maximum height for a building or structure erected on a lot in the PO Professional Office Overlay District shall be forty-five (45) feet, not exceeding three (3) stories.
- L. Accessory Buildings and/or Uses. Jurisdiction over accessory buildings and uses rests solely with the Board of Supervisors as to their permissibility. They are subject to all requirements of this Ordinance.

Section 145.57. Additional Regulations for conditional uses.

- A. Parking. Parking shall be provided in accordance with Article XIX. The Board of Supervisors may modify the parking requirement based upon an acceptable Traffic Study.
- B. Signs. Signs shall be permitted in accordance with Section 145.136, Permitted permanent signs in the IN Institutional District.
- C. General Provisions. Shall be in accordance with Article IV.
- D. Flood Plain Regulations. Shall be in accordance with Chapter 78 Floodplain Management.
- E. Natural Resource Protection Standards. Shall be in accordance with Article XXVI.
- F. All uses shall be served by public sewer and public water. All utilities shall be underground.
- G. Landscaping. Shall be in accordance with the Land Development and Subdivision Ordinance.

SECTION 2. Amendment to Zoning Map.

The zoning classification of the following properties property shall be modified to add the PO-Professional Office Overlay District to their present classifications:

- Tax parcel no. 34-00-04918-00-7 (9 Township Line Road)
- Tax parcel no. 34-00-04921-00-4 (13 Township Line Road)
- Tax parcel no. 34-00-04924-00-1 (17 Township Line Road)
- Tax parcel no. 34-00-04927-00-7 (21 Township Line Road)
- Tax parcel no. 34-00-04930-00-4 (25 Township Line Road)

- Tax parcel no. 34-00-04933-00-1 (31 Township Line Road)
- Tax parcel no. 34-00-00862-00-4 (County Line Road)
- Tax parcel no. 34-00-00865-00-1 (32 County Line Road)
- Tax parcel no. 34-00-00866-00-9 (38 County Line Road)
- Tax parcel no. 34-00-00866-50-4 (42 County Line Road)
- Tax parcel no. 34-00-00870-00-5 (90 County Line Road)
- Tax parcel no. 34-00-00869-90-6 (County Line Road)
- Tax parcel no. 34-00-00871-00-4 (98 County Line Road)
- Tax parcel no. 34-00-00871-01-3 (100 County Line Road)
- Tax parcel no. 34-00-00661-00-7 (2 Cherry Lane)
- Tax parcel no. 34-00-00664-00-4 (8 Cherry Lane)
- Tax parcel no. 34-00-00667-00-1 (12 Cherry Lane)

The Township Engineer is directed to revise the Zoning Map, as last revised, to reflect these changes in zoning classification

SECTION 3. 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 except as specifically stated herein. Any other terms and provisions of the Chapter 145 that are unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 4. 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 5. 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 6. Effective Date.

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

DULY ENACTED AND ORDAINED this 16th day of August, 2021,
by the Board of Supervisors of Franconia Township, Montgomery County,
Pennsylvania, in lawful session duly assembled.



(Township Seal)

FRANCONIA TOWNSHIP
BOARD OF SUPERVISORS

A handwritten signature in blue ink, reading "Grey R. Godshall", is written over a horizontal line.

GREY R. GODSHALL, *Chairman*

Attest:

A handwritten signature in black ink, reading "Jon Hammer", is written over a horizontal line.

JON HAMMER, *Secretary*