

## NOTICE OF PUBLIC HEARING

Franklin Township will hold a public hearing on April 2, 2020 at 6:45 p.m. at the Township Building, 55 Scott School Road, Orrtanna, PA 17353, to receive comment upon proposed amendments to the Franklin Township Zoning Ordinance. In addition thereto, at their April 2, 2020 regular Supervisors' meeting, they intend to adopt the proposed amendment that provides for the addition of Conditional Use defined, appropriate approval requirements and applications procedures to Section 175-31.

A complete copy of the proposed Zoning amendment may be viewed at the Township Building at the above address during normal business hours, Monday through Friday. The Board of Supervisors will consider changes to the zoning ordinance at its meeting held on the same date and place, beginning at 7:00 p.m.

Susan J. Plank,  
Secretary

Bernard A. Yannetti, Jr.,  
Solicitor



## ORDINANCE NO. 2020 - 03

AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, ADAMS COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN (FRANKLIN TOWNSHIP ZONING ORDINANCE) BY ADDING TO THE TEXT OF SECTION 175-31.

The Township of Franklin hereby ordains as follows:

### § 175--31.

Any use not provided for in this zoning ordinance shall be deemed a use permitted as a conditional use.

#### A. Conditional Use Approval Required

When conditional uses are provided for in this ordinance, the Board of Supervisors shall hear and decide requests for such conditional uses in accordance with stated standards and criteria. Conditional uses shall only be granted when the minimum conditions set forth for the granting of a conditional use have been met. In granting a conditional use, the Board may attach such reasonable conditions and safeguards as necessary to implement the purpose and goals of this Ordinance and the Comprehensive Plan. Prior to granting approval or denying a conditional use application, the proposal shall first be reviewed by the Franklin Township Planning Commission and may be reviewed by the Adams County Office of Planning and Development. Furthermore, a minimum of one public hearing shall be held regarding the proposal by the Board of Supervisors pursuant to public notice. The grant of approval of a conditional use shall not relieve the applicant from filing a land development, subdivision, or site plan as required by other Township regulations and obtain approval therefore from the Township.

#### B. Application Procedure

1. An application for a conditional use shall be submitted by the landowner to the Township Secretary with the appropriate filing fee.
2. The information required in the application should contain, as a minimum, the following:
  - a. the location, size and topography of the site and the nature of the land owner's interest in the land proposed to be developed;
  - b. the density of land use to be allocated to parts of the site to be developed;
  - c. the use and the approximate height, bulk and location of buildings and other structures;



- d. the feasibility of proposals for water supply; the disposition of sanitary waste; and storm water management;
  - e. the substance of covenants, grants of easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures including proposed easements or grants for public utilities;
  - f. the provisions for parking of vehicles and the location and width of proposed streets and public ways;
  - g. the required modifications in any land use regulations otherwise applicable to the subject property;
  - h. a schedule showing the proposed times within which applications for preliminary and final approval of all plans are intended to be filed. This schedule must be updated annually, on the anniversary of its approval, until the development is completed and accepted.
- 3. The applicant shall inform the Board whether any structures on the property are listed upon the National Register of Historic Places, the Pennsylvania Register of Historic Sites and Landmarks or any other registry of historic structures.
  - 4. The Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of and ensure compliance with the Municipalities Planning Code and this Ordinance, which conditions may include plantings and buffers, harmonious designs of buildings and the elimination of noxious, offensive or hazardous elements.
  - 5. Any conceptual site plan presented in support of the conditional use application shall become an official part of the record. Approval of the conditional use shall bind the use in accordance with the submitted conceptual site plan. The plan shall not be modified, revoked or otherwise impaired by action of the Board pending applications for preliminary/final approval, without the consent of the landowner, provided applications are filed within the periods of time specified in the official written communication granting conditional use approval.
  - 6. All preliminary and final plan applications are subject to the requirements of the conditional use approval, this ordinance, and the subdivision and land development ordinance, as appropriate.
  - 7. The Zoning Officer should provide a review to the Board regarding the compliance of the application with this Ordinance. The Township Staff shall submit a conditional use application to the Planning Commission for any review that the Commission may wish to provide. However, the Board of Supervisors shall meet the time limits for a decision, regardless of whether the Planning Commission has provided comments.



8. The only uses that shall be approved as conditional uses shall be those listed as conditional uses in the zoning ordinance.
9. The Board of Supervisors shall determine whether the proposed conditional use would meet the applicable requirements of this Ordinance. The same standards shall apply to a conditional use as are listed for special exceptions use.
10. Conditions. In approving conditional use applications, the Board of Supervisors may attach conditions they consider necessary to protect the public welfare and meet the standards of this Ordinance. These conditions shall be enforceable by Zoning Officer and failure to comply with such conditions shall constitute a violation of this Ordinance and be subject to the penalties described in this Ordinance.

ORDAINED AND ENACTED into an Ordinance at a regular meeting of the Board of Supervisors of Franklin Township, Adams County, Pennsylvania, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

TOWNSHIP OF FRANKLIN

\_\_\_\_\_  
Matthew Williams, Chairman

ATTEST:

\_\_\_\_\_(SEAL)  
Susan Plank, Township Secretary

