

**FRANKLIN TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2 of 2007

AN ORDINANCE AMENDING THE FRANKLIN TOWNSHIP ZONING ORDINANCE (ORDINANCE NO. 2006-1) TO INSERT DEFINITIONS FOR THE TERMS RECREATIONAL VEHICLE CAMP AND RECREATIONAL VEHICLE COURT; TO MODIFY PROVISIONS RELATING TO JOINT DRIVEWAYS, STORMWATER MANAGEMENT FACILITIES AND PARKING LOTS IN THE MU MIXED USE ZONE; TO MODIFY SPECIFIC CRITERIA RELATING TO YARD SALES, FLAG LOTS AND PRIVATE CLUBS; AND, TO AMEND PROVISIONS RELATING TO NONCONFORMING LOTS.

BE IT ENACTED AND ORDAINED by the Board of Supervisors in and for the Township of Franklin, York County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1: Section 111 [Definitions] of Article 1 [Background Provisions] of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) is hereby amended by the insertion, in proper alphabetical sequence, of definitions for the terms Recreational Vehicle Camp and Recreation Vehicle Court to state in their entirety as follows:

RECREATIONAL VEHICLE CAMP - Any lot, parcel, or tract of land upon which two or more tents, camping trailers, travel trailers, pick-up coaches, motor homes or any combination thereof are located or parked for occupancy. Such camp shall not rent or sell tents or trailers or permit the parking or storage of occupied or unoccupied mobile homes, nor shall it include any eating facilities other than an enclosed snack or lunch counter. This definition does not include camps of the types that are commonly known as "Summer Camps", or State and Federally operated facilities.

RECREATIONAL VEHICLE COURT - Any lot, parcel, or tract of land upon which two or more camping trailers, travel trailers, pick-up coaches, motor homes or any combination thereof are located or parked. Such courts shall not provide water or a means to dispose of waste water. They shall not rent or sell trailers or permit the parking or storage of occupied or unoccupied mobile homes, nor shall it include any eating facilities.

Throughout the Franklin Township Zoning Ordinance (Ordinance No. 2006-1), anywhere that the term "Trailer Camp" is used that term will now be deemed to be "Recreational Vehicle Camp", and anywhere that the term "Trailer Court" is used that term will now be deemed to be "Recreational Vehicle Court".

SECTION 2: The definition of the term Lot in Section 111 [Definitions] of Article 1 [Background Provisions] of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) is hereby amended to state in its entirety as follows:

LOT – A parcel of land that is a lot of record at the time of enactment of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) and is separately described by a metes and bounds description which is recorded in the Office of the Recorder of Deeds of York County by deed description or is described by an approved subdivision plan recorded in the Office of the Recorder of Deeds of York County. The doctrine of merger shall not apply.

1. Corner Lot: A lot at the point of intersection of and abutting two or more intersecting streets, and which has an interior angle of less than 135 degrees at the intersection of the two street lines. Corner lots shall have two front yards, one side and one rear yard.
2. Interior Lot: A lot other than a corner lot, the sides of which do not abut a street.
3. Through Lot: An interior lot having frontage on two parallel or approximately parallel streets.

SECTION 3: The definition of the term Nonconforming Lot in Section 111 [Definitions] of Article 1 [Background Provisions] of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) is hereby amended to state in its entirety as follows:

NONCONFORMING LOT – A lot the area or extent of which was lawful prior to the adoption of the Franklin Township Zoning Ordinance (Ordinance 2006-1) or any subsequent amendment, but which fails to conform to the requirements of the Zone in which it is located by reason of such adoption or amendment. The doctrine of merger shall not apply.

SECTION 4: Paragraph I of Section 201 [Mixed Use Zone (MU)] of Article 2 [Zoning Regulations] of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) is hereby amended to state in its entirety as follows:

- I. Driveways; stormwater management plans; and parking lots:

The joint use of access drives, stormwater management facilities and parking lots are encouraged and appropriate maintenance agreements shall be established at the time of land development. The Board of Supervisors may require owners/developers to design these facilities so that they may be used jointly by adjacent land uses.

SECTION 5: Subclause 4 of Clause a of Subparagraph 1 of Paragraph G [Unit Layout and Lot Dimension Requirements] of Section 203 [Residential Zone (R)] of Article 2 [Zoning Regulations] of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) is hereby amended to state in its entirety as follows:

- 4) A neighborhood development plan shall be provided to the Township including the unit layout, height, building materials, size and plan for neighborhood pedestrian circulation. Unit diversity should be described and shown in the neighborhood development plan.

SECTION 6: Clauses 3 and 4 of Paragraph F [Garage/Yard Sales] of Section 301 [Accessory Uses and Structures] of Article 3 [General] of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) are hereby amended to state in their entirety as follows:

3. (Reserved).
4. (Reserved).

SECTION 7: Paragraph B of Section 424 [Flag-Lot Residences] of Article 4 [Specific Criteria] of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) is hereby amended to state in its entirety as follows:

- B. For the purpose of this section a flag-lot shall be described as containing two (2) parts; (1) the "flag" shall include that portion of the lot that is the

location of the principal and accessory buildings; and, (2) the "pole" shall be considered that portion of the lot that is used for vehicular access between the flag and its adjoining road.

SECTION 8: Paragraph A of Section 444 [Private Clubs] of Article 4 [Specific Criteria] of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) is hereby amended to state in its entirety as follows:

- A. The floor area for patron use in any club shall be limited to seven thousand (7,000) square feet.

SECTION 9: Subparagraph 3 of Paragraph D of Section 500 [Nonconforming Structures] of Article 5 [Nonconformities] of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) is hereby deleted in its entirety.

SECTION 10: Paragraph A of Section 501 [Nonconforming Lots] of Article 5 [Nonconformities] of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) is hereby amended to state in its entirety as follows:

- A. Continuation. Any nonconforming lot in existence as of the date of adoption of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) may be continued although such lot does not conform to the lot requirements for the district in which it is located. The doctrine of merger shall not apply.

SECTION 11: Subparagraph 1 of Paragraph A of Section 602 [Zoning Hearing Board] of Article 6 [Administration and Enforcement] of the Franklin Township Zoning Ordinance (Ordinance No. 2006-1) is hereby amended to state in its entirety as follows:

1. The membership of the board shall consist of three (3) residents of the Township appointed by resolution by the Board of Supervisors. The terms of office shall be for three (3) years and shall be so fixed that the term of office of one member shall expire each year. The board shall promptly notify the Board of Supervisors of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the board shall hold no other elected or appointed office in the municipality, nor shall any member be an employee of the municipality.

SECTION 12: If any sentence, clause, phrase or section of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections or parts of this Ordinance.

It is hereby declared as the intention of the Board of Supervisors of this Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, phrase, section or part thereof not been included therein.

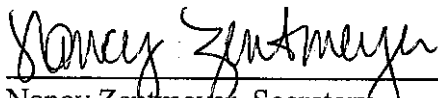
SECTION 13: Any other Ordinance or parts thereof inconsistent with this Ordinance be and area hereby expressly repealed.

SECTION 14: This Ordinance shall become effective as provided by law.

ENACTED AND ORDAINED this 15 day of March, 2007.

ATTEST:

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS**

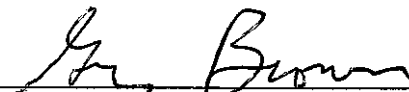


Nancy Zentmeyer, Secretary

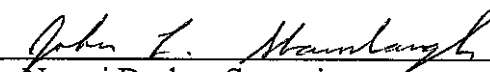
By: 

Larry Lambert, Chairman

By: _____
Donald Lerew, Vice-Chairman

By: 

Gary Brown, Supervisor

By: 

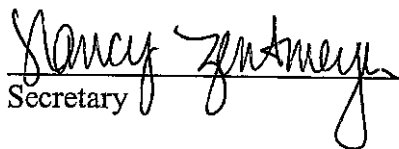
Naomi Decker, Supervisor

By: _____
John Shambaugh, Supervisor

CERTIFICATE

I, the undersigned, Secretary of the Township of Franklin, York County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the "Board"), which was duly enacted by affirmative vote of a majority of the members of the Board at a meeting held on , 20___; said Ordinance has been duly recorded in the Ordinance Book of the Township; said Ordinance has been duly published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 15th day of March, 2007.


Secretary

(SEAL)