

Township of Franklin, NJ
Wednesday, September 22, 2021

Chapter 253. Land Development

Article XXXIII. F Flood Districts

[1] *Editor's Note: See also Ch. 226, Flood Damage Prevention.*

§ 253-173. Purpose.

The provisions of this article are intended to prevent any use of a structure unduly obstructing the natural passage of floodwater since such obstructions increase flood heights and flood damage; and to prevent substantial damage to property or persons from floodwaters.

§ 253-174. Permitted uses.

In F Flood Districts, land may be used and buildings or structures may be erected, altered or used for any of the following uses and no other:

- A. Tilling of the soil and the keeping and raising of poultry and livestock, provided that not more than 100 fowl of any kind or more than two head of farm livestock may be kept in a building or enclosure, any part of which is closer to a property line than 100 feet.
- B. Open-type public and private recreation areas and parks, such as boat docks, natural swimming areas, hiking and bicycle trails, golf courses and driving ranges.
- C. Storage yards on lands adjacent to business and industrial districts, provided that the equipment or material stored can easily and quickly be moved in the event of flood possibilities.
- D. Any other uses or structures customarily accessory or incidental to the above uses, provided that any proposed structure or uses shall be permitted only if:
 - (1) No fill is used.
 - (2) The applicant can prove that such structures or uses will not obstruct the natural passage of floodwater or change the channel course in such a way that flood hazards would consequently increase either in upstream or downstream areas.
 - (3) Such structure is constructed and maintained in such a way that likely floods (fifty-year expectancy) will not result in substantial damage to property or person.
 - (4) All structures shall be constructed and placed on the lot so as to offer the minimum obstruction to the flow of water and shall be firmly anchored to prevent the structure from floating downstream.

§ 253-175. Conditional uses.

Permanent structures or any use other than those specified in § 253-174A through D above, but not conforming with uses permitted in an adjoining district, may be permitted subject to authorization as a

conditional use by the Planning Board, provided that the applicant submits the necessary topographic data, engineering and other studies to demonstrate that the area in question is not subject to flood conditions. These data and studies shall be prepared by a licensed professional engineer.