

**FRANKLIN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2019-01

**AN ORDINANCE ENACTED PURSUANT TO THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE AMENDING THE FRANKLIN TOWNSHIP ZONING ORDINANCE, BY DELETING SECTION 27-1712 RESIDENTIAL CONVERSION AND REFERENCES TO THE TERM GRANNY FLAT AND ADDING THE TERM ADDITIONAL DWELLING UNIT AND A NEW SECTION 27-1721 GOVERNING ADDITIONAL DWELLING UNITS.**

**BE IT HEREBY ENACTED AND ORDAINED** by the Board of Supervisors of Franklin Township, Chester County, Commonwealth of Pennsylvania as follows:

Section 1. Section 27-202 of the Franklin Township Zoning Ordinance is amended by deleting the following defined terms: granny flat; mother-in-law suite; residential conversion, accessory dwelling accommodations.

Section 2. Section 27-202 of the Franklin Township Zoning Ordinance is amended by adding the following defined term:

Additional Dwelling Unit [ADU] – an area within a single-family residential dwelling that contains an additional kitchen, sleeping quarters, and a bathroom, or similar area in a separate detached accessory structure.

Section 3. Section 27-402.4.B of the Franklin Township Zoning Ordinance permitting Residential conversion by special exception is hereby deleted.

Section 4. Section 27-502.3.A of the Franklin Township Zoning Ordinance permitting Residential conversion by conditional use is hereby deleted.

Section 5. Section 27-602.4.A of the Franklin Township Zoning Ordinance permitting Residential conversion by special exception is hereby deleted.

Section 6. Section 27-702.4.A of the Franklin Township Zoning Ordinance permitting Residential conversion by special exception is hereby deleted.

Section 7. Section 27-802.3.I of the Franklin Township Zoning Ordinance permitting Residential conversion by conditional use is hereby deleted.

Section 8. Section 27-904.3.A of the Franklin Township Zoning Ordinance permitting a Granny Flat; Mother-in-Law Suite, as an Accessory Dwelling Unit in the TND District is hereby deleted.

Section 9. Section 27-904 of the Franklin Township Zoning Ordinance permitting a Granny flat; mother-in-law suite, as an accessory dwelling unit in the TND District is hereby deleted.

Section 10. Section 27-1712 of the Franklin Township Zoning Ordinance governing Residential Conversion is hereby deleted in its entirety and replaced with an new Section 1721 governing Additional Dwelling Units as follows:

**Section 27-1721 Additional Dwelling Unit**

1. An Additional Dwelling Unit as defined herein shall be permitted within a single-family dwelling or a detached accessory structure on the same property.
2. An Additional Dwelling Unit shall be permitted only on a residential property where the owner of the property resides.
3. An Additional Dwelling Unit, in a detached accessory structure, shall require a Land Development Plan as defined in Section 22-202.
4. For properties 3.5 acres or less in size, one Additional Dwelling Unit shall be permitted within a principal structure.
5. For Properties greater than 3.5 acres in size-but less than 10 acres, one Additional Dwelling Unit shall be permitted as follows:
  - i. A maximum of one Additional Dwelling Unit may be within a principal structure, or
  - ii. A maximum of one Additional Dwelling Unit may be within a detached accessory structure.
6. For properties 10 acres or more in size a maximum of 2 Additional Dwelling Units shall be permitted as follows:
  - i. A maximum of one Additional Dwelling Unit shall be contained within the principle structure.
  - ii. A maximum of one Additional Dwelling Unit shall be located within a detached accessory structure.
7. An Additional Dwelling Unit may only be used for long-term occupation and may not be used for a short-term rental use.
8. A separate street address shall be obtained and utilized for an Additional Dwelling Unit that is located within a detached accessory structure.
9. An Additional Dwelling Unit shall utilize the existing driveway to the subject property whenever possible. If necessary, a second driveway may be permitted

subject to a driveway permit being obtained. The number of driveways shall comply with Section 21-125.

10. One additional off-street parking space shall be provided for each Additional Dwelling Unit, as required in Section 27-1610. In addition, adequate maneuvering space for all parking spaces shall be provided, as determined by the Zoning Officer.
11. Any and all proposed impervious cover that results from the creation of an Additional Dwelling Unit, such as an addition, a structure, a driveway, a driveway extension, etc., shall be subject to the requirements of Chapter 19, the Stormwater Management Ordinance.
12. Chester County Health Department Sewage Approval for each proposed Additional Dwelling Unit shall be provided.
13. If a new well is proposed to service an Additional Dwelling Unit, a well permit from Chester County Health Department shall be provided.
14. Any proposed detached accessory structure in which an Additional Dwelling Unit may be located shall comply with the setback requirements for a principal dwelling within the underlying zoning district in which it is to be located, and is exempt from Section 27-1503 Yard Calculations.
15. An Additional Dwelling Unit shall not be located within an existing detached accessory structure that does not comply with the setback requirements for a principal dwelling.
16. A zoning permit shall be required for an Additional Dwelling Unit.
17. A building permit shall be required for the construction of any Additional Dwelling Unit and shall comply with the current UCC as adopted by the Commonwealth of Pennsylvania.

Section 11. All inconsistent provisions of the Code are hereby repealed to the extent of the inconsistency. All other provisions of the Code not affected by this Ordinance shall remain in full force and effect.

Section 12. The provisions of this Ordinance are severable. If any provision of this Ordinance is declared to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall have no effect on the remaining provisions of this Ordinance or on the provisions of the Code.

Section 13. Effective date. This ordinance shall be effective five (5) days from the date of enactment.

ORDAINED AND ENACTED by the Board of Supervisors of Franklin Township this  
16th day of January, 2019

FRANKLIN TOWNSHIP BOARD OF SUPERVISORS

  
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John Auerbach, Chairman

  
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Donna Dea, Vice-Chairman

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Nancy Morris, Member

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David Snyder, Member

  
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Steffen J. Torres, Member

ATTEST:   
Secretary