

**SALFORD TOWNSHIP**  
Montgomery County, Pennsylvania

Ordinance #184

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AN ORDINANCE AMENDING ARTICLE VIII GENERAL PROVISIONS TO AMEND DELETE EXISTING SECTIONS 809, 814, 815, 816, AND 817 AND TO ADOPT NEW SECTIONS 814, 815, AND 816, AND TO REVISE ARTICLE II, DEFINITIONS, TO ADD A NEW DEFINITION FOR ACCESSORY DWELLING (ADU) AND DWELLING UNIT, PRINCIPAL

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ENACTED: 4/21/2021

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**WHEREAS** the Board of Supervisors of the Township of Salford has deemed it to be in the interest of the health, safety, and welfare interests of its citizens to revise and clarify the regulations applicable to accessory dwelling units within the residential zoning districts of Salford Township;

**NOW, THEREFORE**, it is hereby **ENACTED** and **ORDAINED** by the Salford Township Board of Supervisors that the Township Code of Salford Township is hereby amended as follows:

**SECTION 1.** Section 808.B.3. is amended and revised to delete the current language and replace it with the following:

3. Accessory Dwelling Units, as provided in this Article VIII.

**SECTION 2.** Existing §809. Conversions, §814. Elder apartment (in existing dwelling), §815. Conversion of existing accessory building, §816. Elder Cottages (mobile or modular), and §817. Definitions, are deleted in their entirety.

**SECTION 3.** A new Section 814 is added to provide as follows:

§814. Accessory Dwelling Units. In districts specified in each individual Sections §815 and §816, a maximum of one Accessory Dwelling Unit shall be permitted based on the criteria contained herein.

A. Intent. The Intent of these provisions is to:

1. Provide more affordable housing and increased companionship for the elderly.

2. Balance the needs of extended families to create a discrete residence for family members while protecting the rural character of the surrounding area.

3. Ensure Accessory Dwelling Units fit unobtrusively into the Township's residential areas.

4. Prohibit the creation of rental units within Accessory Dwelling Units.

B. Accessory Dwelling Units within an Existing Detached Dwelling or in a Mobile or Modular Units are subject to the conditions outlined below:

1. Deed Restriction. A property owner who wishes to establish an Accessory Dwelling Unit shall prepare and record, with the Montgomery County Recorder of Deeds, a deed restriction in a form acceptable to the Township Solicitor, containing the conditions set forth in this §814, Subsections B. 1 through B. 12, which shall reflect that the property is encumbered with those specific conditions. The deed restriction must run with the land.

2. Address. An Accessory Dwelling Unit shall have neither a separate address nor a separate mailbox from that of the principal dwelling.

3. Ownership. Either the principal dwelling unit or the Accessory Dwelling Unit shall be occupied by the owner of the property and shall be the primary residence of the owner of the property.

4. Limited Occupancy:

i. Occupant(s) of an Accessory Dwelling Unit shall be limited to the following: family members of the occupants of the principal dwelling or the owner of the principal dwelling, only including family members related by blood, marriage, or adoption or partner of one of the above.

ii. Health caregivers (professional, qualified, or certified) are permitted to live in the principal dwelling or attached Accessory Dwelling Unit where an Accessory Dwelling Unit is present only when caring for the owner of the principal dwelling unit or family member(s).

iii. A farmhand on a farm subject to a permanent preservation easement

iv. No more than two people shall occupy an Accessory Dwelling Unit.

5. Renting Prohibited. The owner of the property shall not lease or rent an Accessory Dwelling Unit or the principal dwelling unit as an apartment or separate dwelling unit.

6. Driveways. No additional driveway entries to the street shall be created.

7. Permit. An "Accessory Dwelling Unit License to Occupy" as an Accessory Dwelling Unit shall be required. Such a permit runs with the owner of the property (and is non-transferable).

i. The application must also include the names and family relationship of each occupant of the Accessory Dwelling Unit, as well as other information required by the Township. A new application is required when occupants of the Accessory Dwelling Unit change.

ii. The property owner shall pay all Township permit fees and County Recorder of Deeds recording fees at the time of issuance of the permit. Fees to the Township must be paid as adopted by Township resolution.

iii. The property owner shall notify Salford Township within 30 days of the date when the person(s) who were occupying the Accessory Dwelling Unit discontinues full-time use of the space. The property owner shall surrender the License to Occupy issued by Salford Township at the time of the owner's notification to the Township that the premises are no longer occupied by the person(s) for whom the Accessory Dwelling Unit License to Occupy was issued.

iv. Upon expiration of the License to Occupy, the premises shall no longer be permitted to contain an occupied Accessory Dwelling Unit, within six months after the living quarters is no longer occupied by the person(s) for whom the Accessory Dwelling Unit was initially approved. In the case of a mobile or modular unit, the unit shall be removed from site within the same time period.

8. Dimensional Requirements. Accessory Dwelling Units shall meet the setback requirements and ordinances applicable to the principal dwelling unit.

9. Parking. An Accessory Dwelling Unit requires one (1) new, additional off street parking space per bedroom within the accessory dwelling unit. However, creation of a new, off-street parking space is not required if the off-street parking available to the principal dwelling unit exceeds the number

of spaces required for the principal dwelling unit by at least one (1) space per bedroom within the accessory dwelling unit.

10. Utilities. All utilities for the Accessory Dwelling Unit must be routed through the existing service on the property.

11. Well. The new Accessory Dwelling Unit must be served by the same well as the existing dwelling if a well is the primary water source on the property.

12. Sewage System. For properties served by an individual on-lot sewage disposal systems, in order to provide for proper sewage management of such facilities, a review for adequate capacity shall be required and completed prior to the issuance of any permit under Section 814.B.6. As part of the ADU application process, an applicant shall be required to follow the requirements and process as established by the Montgomery County Health Department for reuse of sewage facilities. Submission by an applicant of a reuse permit from the MCHD (or correspondence from the MCHD confirming the adequacy of existing facilities) shall be provided prior to the issuance of any permit under Section 814.B.6. If the existing principal dwelling unit is serviced by public water and/or public sewer the Accessory Dwelling Unit must be serviced by it through the principal dwelling unit.

**SECTION 4.** A new Section 815 is added to replace the deleted Section 815 and to provide as follows:

§815. Accessory Dwelling Unit in an Existing Dwelling. In all Zoning Districts, an existing detached dwelling may be altered to provide an Accessory Dwelling Unit subject to all of the conditions outlined in §814 B. 1 through B. 12 in addition to the conditions below:

A. Accessory Use. Accessory Dwelling Units shall be permitted by right attached to or contained within single-family detached homes only.

B. Unit Size. The Accessory Dwelling Unit shall be a maximum of 1,250 square feet and contain no more than two bedrooms.

C. Separate Entrance. Accessory Dwelling Units shall have a separate entrance than the principal dwelling's main entrance. The separate entrance for the Accessory Dwelling Unit shall not face the street. If the property is a corner lot, the separate entrance for the Accessory Dwelling Unit shall not face the same street that the principal dwelling's main entrance faces.

D. Kitchen. A second kitchen with cooking facilities is permitted in the Accessory Dwelling Unit portion of the principal dwelling when an Accessory Dwelling Unit is established.

E. Configuration. The principal and accessory dwellings must be attached and interconnected. The use of a connecting door is permitted, but shall remain accessible from both dwelling units at all times. The Accessory Dwelling Unit may be located in a separate freestanding building joined to the principal dwelling by a corridor or breezeway not to exceed fifteen (15') feet in length. Any exterior changes to the principal dwelling to incorporate an Accessory Dwelling Unit shall not detract from its appearance as a single-family detached dwelling as viewed from a street or another property.

F. Sewage System. If the existing principal dwelling unit is serviced by public water and/or sewer the Accessory Dwelling Unit must be serviced by it through the principal dwelling unit. Evidence that such a permit is granted shall be submitted with the application for a License to Occupy the Accessory Dwelling Unit.

**SECTION 5.** A new Section 816 is added to provide as follows:

§816. Modular or Mobile Accessory Dwelling Unit. In the RC, RR, and RA Zoning Districts, a Mobile or Modular Accessory Dwelling Unit may be placed on a property with an existing single-family detached dwelling as a Special Exception subject to all of the conditions outlined in §814 B. 1 through B. 12 in addition to the conditions below:

A. Accessory Use. A Mobile or Modular Accessory Dwelling Unit shall be permitted by Special Exception. The Accessory Dwelling Unit must be a manufactured or modular unit.

B. Unit Size. The Accessory Dwelling Unit shall be a maximum of 600 square feet and contain no more than two bedrooms.

C. Minimum Lot Size. A mobile or modular Accessory Dwelling Unit may be permitted by Special Exception on properties with a minimum lot size of 3 acres.

D. Foundation. The Mobile or Modular Accessory Dwelling Unit must be placed on a temporary foundation, and shall have enclosing skirts securely attached to enclose the foundation area.

E. Kitchen. A kitchen with cooking facilities is permitted in the mobile or modular Accessory Dwelling Unit when it is established on the property.

F. Sewage System. If the existing principal dwelling unit is serviced by public water and/or sewer the Accessory Dwelling Unit must be serviced by it through the principal dwelling unit. Evidence that such a permit is granted shall be submitted with the application for a Special Exception.

G. Unit Removal. The mobile or modular Accessory Dwelling Unit shall be removed within six months after the living quarters are no longer occupied by the person(s) for whom the Mobile or Modular Accessory Dwelling Unit was initially approved.

**SECTION 6.** Article II, Definitions is amended to add the following definitions:

**ACCESSORY DWELLING UNIT (ADU).** A self-contained dwelling unit that results from the conversion of an existing single-family detached dwelling into two units or the creation of a dwelling unit within a mobile or modular structure, and which is complete with food preparation and bathroom facilities, has direct access to the outdoors or to a hall from which there is direct access to the outdoors, and is accessory to the principal dwelling unit that exists on the property.

**DWELLING UNIT, PRINCIPAL.** The primary dwelling unit on a single-family detached residential lot.

**SECTION 7. 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. Any other terms and provisions of the ordinances of the Township that are unaffected by this Ordinance are hereby reaffirmed and ratified.

**SECTION 8. Severability.**

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

**SECTION 9. Effective Date.**


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

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[EXECUTION PAGE]

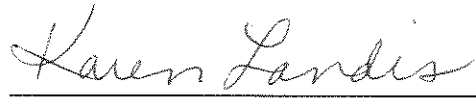
**ORDAINED AND ENACTED** this *21<sup>st</sup>* day of *April*, 2021, by the Salford Township Board of Supervisors.

**SALFORD TOWNSHIP  
BOARD OF SUPERVISORS**

  
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BARBARA LYNCH, Chair

[Township Seal]

Attest:

  
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KAREN LANDIS, Secretary