

**NORTH FRANKLIN TOWNSHIP  
WASHINGTON COUNTY, PENNSYLVANIA  
ORDINANCE: 6 OF 2019**

**AN ORDINANCE OF THE TOWNSHIP OF NORTH FRANKLIN, WASHINGTON COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP ZONING ORDINANCE TO CREATE A DEFINITION FOR NO-IMPACT HOME BASED BUSINESS, TO ALLOW SAID ACTIVITY AS A PERMITTED ACCESSORY USE IN ALL OF THE TOWNSHIP'S ZONING DISTRICTS AND TO ESTABLISH REQUIREMENTS AND REGULATIONS FOR SAID ACTIVITY WITHIN THE TOWNSHIP.**

**WHEREAS**, the Municipalities Planning Code, 53 P.S. §10101 et seq. (the "MPC"), authorizes the Township (the "Township") to create ordinances for the regulation, administration and enforcement of Township zoning ordinances, codes, etc.; and,

**WHEREAS**, pursuant to its authority under the MPC, the Board of Supervisors of the Township (the "Township Supervisors") have adopted a Township Zoning Ordinance regulating various uses; and,

**WHEREAS**, the Township believes there is a need to amend the Zoning Ordinance, to create a definition for a No-Impact Home-Based Business distinct from a Home Occupation; and

**WHEREAS**, the Township believes a No-Impact Home-Based Business shall be permitted as an accessory use in all of the Zoning Districts subject to specific requirements related to said use.

**NOW THEREFORE**, the Board of Supervisors hereby ordains and enacts as follows, incorporating the above recitals by reference:

**SECTION 1. TITLE.**

This Ordinance shall be referred to as the "North Franklin Township No-Impact Home-Based Business Ordinance of 2019".

**SECTION 2. AMENDMENT TO ARTICLE II – DEFINITIONS OF THE TOWNSHIP ZONING ORDINANCE.**

Article II, specifically §202 of the North Franklin Township Zoning Ordinance is amended by adding the following definition:

**NO-IMPACT HOME-BASED BUSINESS**

A business or commercial activity administered or conducted as an accessory use that is clearly secondary to the use of a dwelling for residential purposes and that involves no customer, client or patient traffic, whether vehicular or pedestrian, and no pickup, delivery or removal functions to or from the premises in excess of those normally associated with residential use.

**SECTION 3. AMENDMENT TO ARTICLE III – RESIDENTIAL AGRICULTURAL DISTRICT OF THE TOWNSHIP ZONING ORDINANCE.**

Article III of the North Franklin Township Zoning Ordinance is amended by adding No-Impact Home-Based Business as a permitted accessory use.

**SECTION 4. AMENDMENT TO ARTICLE IV - R-2 LOW DENSITY RESIDENTIAL DISTRICT OF THE TOWNSHIP ZONING ORDINANCE.**

Article IV of the North Franklin Township Zoning Ordinance is amended by adding No-Impact Home-Based Business as a permitted accessory use.

**SECTION 5. AMENDMENT TO SECTION V - R-3 MEDIUM DENSITY RESIDENTIAL OF THE TOWNSHIP ZONING ORDINANCE.DISTRICT.**

Article VI of the North Franklin Township Zoning Ordinance is amended by adding No-Impact Home-Based Business as a permitted accessory use.

**SECTION 6. AMENDEMNT TO ARTICLE IX – PROVISIONS GOVERNING COMMERCIAL & INDUSTRIAL DISTRICTS OF THE TOWNSHIP ZONING ORDINANCE.**

Article IX of the North Franklin Township Zoning Ordinance is amended by adding No-Impact Home-Based Business as a permitted accessory use in each of the following Zoning Districts:

- § 901 C-1 NEIGHBORHOOD COMMERCIAL DISTRICT**
- § 902 C-2 REGIONAL COMMERCIAL DISTRICT**
- § 903 C-3 HIGHWAY COMMERCIAL DISTRICT**
- § 904 C-4 MIXED USE COMMERCIAL**
- § 905 PED PLANNED ECONOMIC DEVELOPMENT DISTRICT**
- § 906 I-1 INDUSTRIAL DISTRICT**

**SECTION 7. AMENDMENT TO ARTICLE XVII SPECIFIC PERMITTED USES OF THE TOWNSHIP ZONING ORDINANCE.**

Article XVII of the Township Zoning Ordinance is amended by adding following language:

**1706 NO-IMPACT HOME BUSINESS**

All no-impact home-based businesses, as defined herein, shall comply with the following:

- A. The business activity must meet the regulations and standards of the zoning district it is located within.
- B. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- C. The business shall employ no employees other than family members residing in the dwelling.
- D. There shall be no display or sale of retail goods and no stockpiling of inventory of a substantial nature.
- E. There shall be no outside appearance of a business use, including but not limited to parking, signs or lights.
- F. No on-site parking of commercially identified vehicles shall be permitted.
- G. The business activity shall not use any equipment or process that creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, that is detectable in the neighborhood.
- H. The business activity shall not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- I. The business activity shall be conducted only within the dwelling and shall not occupy more than 25% of the habitable floor area of the dwelling.
- J. The business shall not involve any illegal activity.
- K. The business shall initially apply for a zoning permit at least thirty (30) days prior to the proposed use. Thereafter, the business owner shall apply for a renewal permit on or before December 15<sup>th</sup> of the year its current permit is set to expire. The Zoning Officer or his or her designated representative will review the application to determine continuing compliance with these regulations. The renewal application fee shall be set by Resolution by the Township.

#### **SECTION 8. REPEALER.**

Any Township Ordinances or provisions of the Township Code, which are inconsistent herewith are hereby repealed to the extent of any such inconsistency.

#### **SECTION 9. SEVERABILITY.**

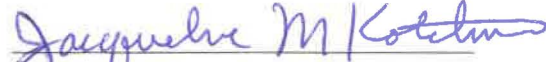
If any sentence, clause, section or other part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not

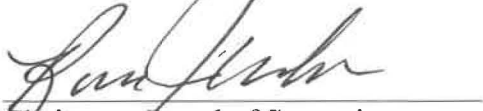
affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**ENACTED AND ORDAINED** this 12<sup>th</sup> day of November, 2019.

**ATTEST:**

**BOARD OF SUPERVISORS  
NORTH FRANKLIN TOWNSHIP**

  
Secretary

  
Chairman, Board of Supervisors