

AN AMENDMENT TO THE MILFORD TOWNSHIP ZONING ORDINANCE  
TO ALLOW ADDITIONAL USES IN THE DD DEVELOPMENT DISTRICT,  
REVISE AND ADD DEFINITIONS, ADD STANDARDS FOR  
DRIVE-THROUGH FACILITIES, ADD ADDITIONAL LANDSCAPING  
REQUIREMENTS, REVISE CERTAIN DIMENSIONAL  
PROVISIONS, REVISE DENSITY REQUIREMENTS FOR CONDOMINIUM  
DWELLINGS, REVISE CERTAIN SIGN REQUIREMENTS, AND  
REVISE CERTAIN PARKING REQUIREMENTS

Under the authority and procedures of the Pennsylvania Municipalities Planning Code, as amended, the following revisions are enacted by the Board of Supervisors of Milford Township, Pike County, Pennsylvania to the Milford Township Zoning Ordinance:

Part 1. Revisions to Definitions.

The following new definitions are added:

“Condominium Dwellings - A building containing two or more dwelling units that are each owned by an individual person(s) in fee simple, with such owners assigned a proportionate interest in the remainder of the real estate which is designated for common ownership, and which is created under the Pennsylvania Uniform Condominium Act of 1980 or Uniform Planned Community Act of 1996, as amended. A condominium dwelling building shall not be managed as a rental apartment complex.”

“Development Tract - A planned development involving one or more adjacent lots that are under common control at the time of the initial subdivision or land development application, and which are required to be developed with coordinated vehicle access. Such lots may be separated by a road(s) or a waterway.”

The following definition replaces the current definition:

“Convenience Store - A use that includes up to 7,000 square feet of indoor floor area that sells food, beverages and various household items for every day needs, and which may also sell vehicle fuel and pre-filled propane containers, but which does not provide vehicle repairs or vehicle service.”

Under the existing definition of Sewage Disposal, Central”, the following new definitions are added:

“A. Community Sewage Disposal - A type of Central Sewage Disposal that involves a system of piping, tanks and treatment facilities that collects wastewater from two or more lots, and that involves the disposal of the treated effluent through drip irrigation, spray irrigation, or other methods of disposal approved by the Pennsylvania Department of Environmental Protection. This term shall not include a system designed to serve multiple different subdivisions.”

Part 2. Revisions to the Allowed Uses in the DD District.

In Article III, in the “Schedule of District Regulations,” the following revisions are made for the DD Development District:

In the column listing allowed conditional uses, add the following: “State-licensed Brewery Pub, State-licensed Limited Distillery, Convenience Store, and Condominium Dwellings.”

In the column listing allowed accessory uses, add the following: “Drive-through Facilities, Wastewater Facilities, and Water Supply Facilities.”

In the column for “Development Standards,” add the following: “For Condominium Dwellings, see Section 431.”

### Part 3. Revisions to Dimensional Requirements.

The following shall be added to Section 307: “A. The requirement for additional lot area under this Section 307 shall only apply to uses that are not served by Central or Community Sewage Disposal.”

Add the following to Section 409.5: “However, a field used for drip irrigation of treated effluent may be setback a minimum of 10 feet from a lot line where the adjacent lots are both within the DD district.”

The following new Section 431 is added:

“431. Condominium Dwellings. Condominium Dwellings shall meet all of the same requirements that apply to Multi-family Dwellings in Section 409, except for the following provisions:

- A. If the dwellings are served by a central water supply system and a central or community sewage disposal system and are located on a Development Tract of 20 acres or greater, then the following standards shall apply:
  - 1. The maximum density shall be 10 dwelling units per acre based upon gross total acreage, and a maximum of 24 dwelling units shall be allowed within a building. Immediately adjacent preserved common open space may be used in calculating the allowable density.
  - 2. Commercial uses that are allowed in the district may occur within the same subdivision or land development as Condominium Dwellings. The minimum setback between a residential building and a commercial building within the same Development Tract shall be 50 feet.”

The following revisions are made to Section 414.4:

New subsections are added as follows:

- “A. The provisions of this Section 414.4 may also be used on a Development Tract that is primarily comprised of non-residential uses, but which also includes Condominium Dwellings.
- B. Where this Section requires a minimum yard of 75 feet or greater, such increased yard shall only apply from a new building to a lot line of a lot that is not within the DD district.
- C. The maximum lot coverage may apply to the total of all lots within a Development Tract, if a variation among lots is enforced through conditions stated on a subdivision or land development plan. For example, one lot of 2 acres may be approved to have a 70 percent lot coverage provided that another lot of 2 acres is restricted to a 60 percent lot coverage, so that a 65 percent lot coverage is met for all of the lots in the

development.”

Part 4. Additional Landscaping Requirement.

A new Section 410.9 is added as follows:

“If a Development Tract includes 10 or more acres of lot area and 3 or more commercial buildings, then a minimum average of one deciduous shade tree shall be planted for every 10 new off-street parking spaces. Such trees may be planted anywhere on the tract that is consistent with the Township-approved plans.”

Part 5. Revisions to Sign Regulations.

In Section 411 in the “Schedule of Sign Regulations,” in the row for the DD district, in the column for “Signs Allowed With Standard Permits,” add the following:

“If a Development Tract includes 10 or more acres of lot area and 3 or more commercial buildings, then: a) one commercial directory sign serving the Tract may include a maximum sign area of 100 square feet on each of two sides, and b) the presence of the directory sign shall not require a reduction in the wall sign area to 20 square feet per business. Where a Development Tract is separated by a State highway, one such commercial directory sign shall be allowed on each side of the highway.”

Part 6. Revisions to Parking Requirements.

Add the following to Section 408.1.A.: “An applicant may also provide minimum numbers of parking spaces according to the peak period average parking demand statistics for each use that are published by the Institute of Transportation Engineering in the latest version of the Parking Generation Manual.”

In Section 408.1.F., in the table of parking requirements:

In the row for Convenience stores, the following note is added: “Parking spaces located next to fuel pumps may count towards the parking requirement.”

Part 7. Drive-Through Facilities. A new 426 is added as follows:

“426. Drive-Through Facilities.

426.1. The drive-through shall be designed with sufficient room for waiting vehicles to avoid conflicts with traffic entering or existing a street.

426.2. On-lot traffic circulation patterns shall be clearly marked.

426.3. The drive-through shall be designed to minimize conflicts with pedestrian traffic, including warning signs as needed and provision of sufficient sight distance at pedestrian crossings.

426.4. A drive-through restaurant may include two menu board signs of up to 60 square feet each, provided the information is not intended to be readable from a street.”

Part 8. Repealer. All ordinances or parts thereof inconsistent with the provisions of this Ordinance Amendment are hereby repealed to the extent of the inconsistency.

Part 9. Severability. The provisions of this Ordinance Amendment are declared to be severable. If any provision of this Ordinance Amendment is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance Amendment or other sections of the Zoning Ordinance.

Effective Date. This Ordinance shall be effective in 5 calendar days following its legal enactment.

This Ordinance is hereby ENACTED and ORDAINED this  
\_\_\_\_\_ date of \_\_\_\_\_, 2020.

ATTEST:

BOARD OF SUPERVISORS OF  
MILFORD TOWNSHIP

\_\_\_\_\_  
Township Secretary

\_\_\_\_\_  
Chairperson

## Strike-Out Version of Draft Zoning Text Amendment

The following unofficial version is provided at the request of the Township Planning Commission members. It shows the proposed zoning text changes in a strike-out format within the current zoning text. Existing text that would remain is in regular font. Existing text that is proposed to be replaced is shown with a line through it. The only existing text proposed to be replaced is the existing Convenience Store definition. New proposed text is shown in boldface.

### Part 1. Revisions to Definitions.

The following new definitions are added:

**“Condominium Dwellings - A building containing two or more dwelling units that are each owned by an individual person(s) in fee simple, with such owners assigned a proportionate interest in the remainder of the real estate which is designated for common ownership, and which is created under the Pennsylvania Uniform Condominium Act of 1980 or Uniform Planned Community Act of 1996, as amended. A condominium dwelling building shall not be managed as a rental apartment complex.”**

**“Development Tract - A planned development involving one or more adjacent lots that are under common control at the time of the initial subdivision or land development application, and which are required to be developed with coordinated vehicle access. Such lots may be separated by a road(s) or a waterway.”**

The following definition replaces the current definition:

~~Convenience Store: A one-story, retail store containing less than 2,000 square feet of gross floor area that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket"), it may also include the sale of gasoline but shall not include the repair or service of vehicles.~~

**“Convenience Store - A use that includes up to 7,000 square feet of indoor floor area that sells food, beverages and various household items for every day needs, and which may also sell vehicle fuel and pre-filled propane containers, but which does not provide vehicle repairs or vehicle service.”**

Under the existing definition of Sewage Disposal, Central”, the following new definitions are added:

Sewage Disposal, Central: A sanitary sewage collection and treatment system in which sewage is carried from individual lots or dwelling units by a system of pipes to a central treatment and disposal facility or system which may be publicly or privately owned and operated. A system designed to serve a two-family dwelling or two dwelling units located on the same property or adjacent properties shall not be considered as off-site sewerage and in such a case all development standards will apply the same for each dwelling or unit as any single family unit.

**“A. Community Sewage Disposal - A type of Central Sewage Disposal that involves a system of piping, tanks and treatment facilities that collects wastewater from two or more lots, and that involves the disposal of the treated effluent through drip irrigation, spray**

**irrigation, or other methods of disposal approved by the Pennsylvania Department of Environmental Protection. This term shall not include a system designed to serve multiple different subdivisions.”**

Part 2. Revisions to the Allowed Uses in the DD District.

In Article III, in the “Schedule of District Regulations,” the following revisions are made for the DD Development District:

In the column listing allowed conditional uses, add the following: **“State-licensed Brewery Pub, State-licensed Limited Distillery, Convenience Store, and Condominium Dwellings.”**

In the column listing allowed accessory uses, add the following: **“Drive-through Facilities, Wastewater Facilities, and Water Supply Facilities.”**

In the column for “Development Standards,” add the following: **“For Condominium Dwellings, see Section 431.”**

Part 3. Revisions to Dimensional Requirements.

307 Minimum Development Standards. The development standards contained herein, including for yards, are minimums and shall apply to each dwelling unit unless otherwise specifically provided. A new two-family dwelling shall, for example, require the equivalent of two minimum sized lots insofar as lot area, and yards, as will any two dwelling units on the same property. An exception may be granted as a Conditional Use, however, when the second unit is restricted to the occupancy of a parent, child or other family member requiring assistance with the activities of daily living. Minimum lot areas applicable to non-residential uses shall be based on equivalent dwelling units using anticipated sewage flows as a basis for conversion of these activities to dwelling units. Conversions into equivalent dwelling units shall be made by reference to the table below and Chapter 73 of the Regulations of the Pennsylvania Department of Environmental Protection where the table provides insufficient information.

The following shall be added to Section 307: **“A. The requirement for additional lot area under this Section 307 shall only apply to uses that are not served by Central or Community Sewage Disposal.”**

409.5 Water and Sewage. All multi-family developments shall be served with off-site sewage facilities and water supplies (as defined in the Township Subdivision Ordinance). Developers proposing the use of either community sub-surface sewage disposal or treatment involving a stream discharge shall have first investigated and determined that land application of effluent is not feasible. Effluent disposal areas shall be subject to the setback requirements applicable to other multi-family buildings and structures. Developments using sub-surface or land application sewage disposal shall identify on the development plan reserve areas suitable for similar sewage disposal to be used in the case of the malfunction of the primary system.

Add the following to Section 409.5: **“However, a field used for drip irrigation of treated effluent may be setback a minimum of 10 feet from a lot line where the adjacent lots are both within the DD district.”**

The following new Section 431 is added:

**“431. Condominium Dwellings. Condominium Dwellings shall meet all of the same requirements that apply to Multi-family Dwellings in Section 409, except for the following provisions:**

**A. If the dwellings are served by a central water supply system and a central or community sewage disposal system and are located on a Development Tract of 20 acres or greater, then the following standards shall apply:**

- 1. The maximum density shall be 10 dwelling units per acre based upon gross total acreage, and a maximum of 24 dwelling units shall be allowed within a building. Immediately adjacent preserved common open space may be used in calculating the allowable density.**
- 2. Commercial uses that are allowed in the district may occur within the same subdivision or land development as Condominium Dwellings. The minimum setback between a residential building and a commercial building within the same Development Tract shall be 50 feet.”**

414.4 Permitted Lot Coverage. Lot coverage for non-residential projects in DD Districts that comply with this Section 414 may be increased as follows, provided the accompanying minimum yards are maintained along all property lines:

Lot Area	Permitted Lot Coverage	Minimum Yards
0-5 acres	65%	30 feet
5-10 acres	65%	40 feet
10-20 acres	65%	75 feet
20-50 acres	65%	100 feet
50+ acres	50%	150 feet

The Township Board of Supervisors may reduce the front yard to maintain continuity of building lines with existing structures, provided a minimum of thirty (30) feet is maintained. See, also, Section 417.13. The lot coverage set forth above may be increased to 75% upon good cause shown to the Board of Supervisors and the Supervisors’ approval after a public hearing.

The following revisions are made to Section 414.4:

New subsections are added as follows:

- “A. The provisions of this Section 414.4 may also be used on a Development Tract that is primarily comprised of non-residential uses, but which also includes Condominium Dwellings.**
- B. Where this Section requires a minimum yard of 75 feet or greater, such increased yard shall only apply from a new building to a lot line of a lot that is not within the DD district.**
- C. The maximum lot coverage may apply to the total of all lots within a Development Tract, if a variation among lots is enforced through conditions stated on a subdivision or land development plan. For example, one lot of 2 acres may be approved to have a 70 percent lot coverage provided that another lot of 2 acres is restricted to a 60 percent lot coverage, so that a 65 percent lot**

**coverage is met for all of the lots in the development.”**

Part 4. Additional Landscaping Requirement.

A new Section 410.9 is added as follows:

**“If a Development Tract includes 10 or more acres of lot area and 3 or more commercial buildings, then a minimum average of one deciduous shade tree shall be planted for every 10 new off-street parking spaces. Such trees may be planted anywhere on the tract that is consistent with the Township-approved plans.”**

Part 5. Revisions to Sign Regulations.

Table of Allowed Signs in the DD District: Wall Signs: 10% of the building facade area or 50 square feet, whichever is less, provided that multiple businesses on a single property with a commercial directory sign shall be limited to 20 square feet each.

In Section 411 in the “Schedule of Sign Regulations,” in the row for the DD district, in the column for “Signs Allowed With Standard Permits,” add the following:

**“If a Development Tract includes 10 or more acres of lot area and 3 or more commercial buildings, then: a) one commercial directory sign serving the Tract may include a maximum sign area of 100 square feet on each of two sides, and b) the presence of the directory sign shall not require a reduction in the wall sign area to 20 square feet per business. Where a Development Tract is separated by a State highway, one such commercial directory sign shall be allowed on each side of the highway.”**

Part 6. Revisions to Parking Requirements.

408.1. Industry studies of parking needs for the type of use proposed or actual case-study comparisons for projects of similar character. The Planning Commission or the Code Enforcement Officer, as the case may be, may require the developer or applicant to gather and submit such data in support of its proposed parking provisions. The National Parking Association and the Urban Land Institute are examples of such industry sources.

Add the following to Section 408.1.A.: **“An applicant may also provide minimum numbers of parking spaces according to the peak period average parking demand statistics for each use that are published by the Institute of Transportation Engineering in the latest version of the Parking Generation Manual.”**

In Section 408.1.F., in the table of parking requirements:

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