

# Milford Township Zoning Ordinance

## ARTICLE III - ESTABLISHMENTS OF DISTRICTS

### 301 General Districts

For the purposes of this Ordinance, Milford Township is hereby divided into three (3) Zoning Districts, as follows:

- RD - Residential District
- DD - Development District
- LG - Low Growth District

An additional classification is hereby made for the purpose of regulating floodplains as designated by the Federal Emergency Management Agency and the U.S.D.A. Soil Conservation Service.

### 302 Official Zoning Map

The location and boundaries of said districts are hereby established as shown on the Official Zoning Map of Milford Township; which is hereby adopted by reference and declared to be a part of this Ordinance together with all amendments thereto.

### 303 District Boundaries

District boundary lines are intended to follow or be parallel to the center line of streets, streams and railroads, and lot or property lines as they exist on a recorded deed or plan of record in the Pike County Recorder of Deed's Office and on the Pike County Tax Maps at the time of the enactment of this Ordinance, unless such district boundary lines are fixed by dimensions as shown on the Official Zoning Map. In any case of uncertainty the Milford Township Board of Supervisors in consultation with the Planning Commission shall interpret the intent of the map as to location of District boundaries.

### 304 District Regulations

The restrictions and controls intended to regulate development in each district are set forth in the following Schedule of District Regulations which is then supplemented by other sections of this Ordinance and other ordinances of Milford Township. Any use identified as a Principal Permitted Use shall be permitted as a matter of right upon application to the Code Enforcement Officer, provided the proposed use is in compliance with these regulations. Conditional Uses are subject to Planning Commission review and Board of Supervisors approval as prerequisites to the Code Enforcement Officer issuing a permit for their establishment. Accessory Uses are permitted to accompany those Principal Permitted and Conditional Uses granted and are issued directly by the Code Enforcement Officer.

### 305 Zoning Permits

Whenever any owner or occupant of any property in Milford Township shall establish a new use, change an existing use, erect a new building or move, alter, add to or enlarge any land use or building for any purpose or in any manner or clear or improve a property for these purposes, such owner or occupant shall first comply with the requirements of this Ordinance and obtain a zoning permit, unless specifically exempted herefrom. A zoning permit shall also be required whenever a change in land use occurs, regardless whether any new construction is involved or not.

### 306 Uses Not Provided For

If a proposed use is not specifically listed in any category of uses or within any zoning district on the Schedule of District Regulations, the Planning Commission shall render a formal determination as to whether or not the use is permitted in a given district and if the use is permitted, it shall then process the application as a Conditional Use. The Planning Commission shall make its determination on the basis of similarities of the use to other specifically listed uses within various districts, taking into consideration the impacts of the use on the community and the neighborhood in which it is proposed. This shall not permit the Planning Commission to reclassify uses which are already listed nor shall the Planning Commission allow any use which is not listed in a particular district if that use is already permitted in another district.

### 307 Minimum Development Standards

The development standards contained herein, including for yards, are minimums and shall apply to each dwelling unit

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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.

### Commercial Use Units Equal to One Dwelling Unit

Beauty shop	0.5 per shop
Hotels/motels	1 per 4 rooms
Offices	1 per 40 employees
Retail/service enterprises	1 per toilet
Restaurant	1 per 40 employees/patrons
Warehouses	1 per 10 employees

### 308 Minor Impact Uses

308.1 Within the LG and DD Districts, Minor Impact Uses shall be processed as Principal Permitted Uses, notwithstanding their classification on the Schedule of District Regulations and provided the uses are allowed in the district as Conditional Uses. The following factors shall be applied to determine if a use will qualify as a Minor Impact Use. The determination shall be made by the Code Enforcement Officer in consultation with the Township Planning Commission should he choose.

- A. The proposed activity shall use less than 2,500 square feet of building floor area.
- B. The proposed use shall not involve the outside storage of materials or supplies except for minor incidentals and a maximum of three (3) vehicles used in everyday service on behalf of the business.
- C. Regardless of its classification, the proposed use shall comply with landscaping, parking, sign and other performance standards.
- D. The activity shall not cause a nuisance to surrounding property owners; adversely impact the peace, health, or safety of neighborhood residents; or cause a deviation from the character of the neighborhood. Factors for evaluating this standard shall be:
  1. Traffic - whether or not the business is generating traffic that is excessive and/or detrimental to the neighborhood. A Minor Impact Use will be allowed to generate no greater than one-hundred (100) vehicle trips per day, based on estimates provided by the Institute of Transportation Engineers. However, based on the characteristics of a specific neighborhood, these amounts may be lowered or raised, at the discretion of the Planning Commission. The factors which shall be used for such a determination include, but are not limited to, pertinent characteristics of the neighborhood such as width of properties, width of the streets, hills, curves, the number of children present and the ability to secure a highway occupancy permit.
  2. Parking - whether or not parking problems could result from the use. Factors shall include, but not be limited to: 1) except for special gatherings, parking required for the business shall be provided on-site or be limited to the area along the frontage of the property on the street; 2) parking on the property shall be on a surface equal in quality to the paving surface of any existing driveway unless there is no surface other than the ground, in which case a gravel surface shall be provided; and 3) no Minor Impact Use shall be permitted which requires parking of tractor-trailer combinations along the street on a continuing basis.
  3. Nuisance - whether or not the use is causing a nuisance to surrounding property owners or is deviating from the character or appearance of the neighborhood.

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**308.2** No Minor Impact Use, having once been permitted or established, shall be added to, expanded, enlarged or otherwise increased or changed substantially in character without complying with this Ordinance. Any addition or expansion which takes a use above the upper limits established for a Minor Impact Use shall be processed as a Conditional Use.

**309** Exceptions to Dimensional Requirements.

**309.1** Projections into Yards

Bay windows, fireplaces, fire escapes, uncovered stairs and landings, balconies and cornices, canopies, eaves, and other architectural features not required for structural support may project into the required side, front, or rear yard not more than a total of three feet (3).

**309.2** Height Limitations

Height limitations specified by district shall not apply to church spires, belfries, cupolas, domes, monuments, water towers, chimneys, smokestacks, silos, flag poles, radio and TV towers, masts and aerials, public utility poles and towers, and parapet walks that extend not more than four feet (4') above the limiting height of the building.

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Milford Township Zoning Ordinance - Schedule of District Regulations				
District Intent	Principal Permitted Uses	Conditional Uses (Activities qualifying as Minor Impact Uses will be allowed as Principal Permitted Uses - see § 308)	Accessory Uses	Development Standards
<b>RD Residential District:</b> This district is intended to promote and maintain a sound living environment and to provide the opportunity for housing for all social and income groups.	Agricultural activities, excluding intensive livestock operations Conservation subdivisions Forestry enterprises, except sawmills Single-family detached dwellings Two-family dwellings (provided the lot area is twice the minimum required for a single-family detached dwelling)	Bed and breakfast establishments Cemeteries Child care facilities Churches Commercial nurseries Craft shops of 200 sq. ft. or less in gross floor area Farm stands Golf courses, excluding miniature golf and driving ranges Group care facilities Housekeeping cottages Private schools Professional offices of 1,500 sq. ft. or less in gross floor area Public and semi-public uses	Carports Customary accessory uses and structures Essential services Home gardening, nurseries & greenhouses Home-based businesses Private parking areas and garages Private stables Private swimming pools Signs as provided hereunder TV satellite dishes	Minimum lot area: Lots with central water & sewage: 30,000 sq. ft. 1 acre Minimum average lot depth/width: Lots with central water & sewage: 100 feet 150 feet Minimum yards: With on-site water or sewage: 35 feet 20 feet 20 feet Front Side Rear Maximum lot depth to lot width ratio: 3:1 Maximum building height: 45 feet Maximum lot coverage: 25%
<b>LG Low Growth District:</b> This district is intended to preserve open space while allowing for lower density housing and other compatible uses, employing conditional use review in the case of certain uses allowed to ensure environmental and community protection.	Agricultural activities, excluding intensive livestock operations Conservation subdivisions Farm stands Minor Impact Uses Single-family detached dwellings Two-family dwellings (provided the lot area is twice the minimum required for a single-family detached dwelling)	Airports Assisted living and senior housing Bed and breakfast establishments Campgrounds & recreational vehicle parks Child care facilities Commercial nurseries and greenhouses Commercial stables Communications towers Contracting businesses & trades Country clubs Garden centers Group care facilities Housekeeping cottages Intensive livestock operations Kennels Manufacturers with less than 5,000 sq. ft. in gross floor area Mini-warehouses Mobile home parks Multi-family dwellings Natural resource uses Private recreation facilities Professional offices Public and semi-public uses Restaurants, not including fast-food or drive-through facilities Tourist recreation & lodging facilities Warehouses & wholesale businesses with <250 trip-ends/day	Carports Customary accessory uses and structures Essential services Home gardening, nurseries & greenhouses Home-based businesses Private parking areas and garages Private stables Private swimming pools Signs as provided hereunder TV satellite dishes	Minimum lot area: Minimum average lot depth/width: Minimum yards: Front 2 acres 200 feet Side 50 feet 40 feet Rear 50 feet Maximum lot depth to lot width ratio: 3:1 Maximum building height: 45 feet Maximum lot coverage: 25% <b>Note:</b> The minimum lot area for commercial uses shall be one (1) acre per equivalent dwelling unit based on sewage flows, provided a minimum of one (1) acre in total land area is provided. The minimum average lot depth/width applicable to commercial uses shall be 150 feet and where such uses adjoin other commercial uses the minimum front yard shall be 35 feet and the minimum rear and side yards shall be 25 feet.

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Milford Township Zoning Ordinance - Schedule of District Regulations				
District Intent	Principal Permitted Uses	Conditional Uses (Activities qualifying as Minor Impact Uses will be allowed as Principal Permitted Uses - see § 308)	Accessory Uses	Development Standards
<b>DD Development District:</b> This district is intended to provide for the normal growth of business and services to meet the needs of area residents and to provide for the development of light manufacturing.	Conservation subdivisions Farm stands Forestry enterprises, except sawmills Minor Impact Uses Personal service shops Professional offices Single-family detached dwellings Specialty shops Studios Two-family dwellings (see § 409.7) Undertaking establishments	Adult stores Agricultural activities Animal hospitals Assisted living and senior housing Bed and breakfast establishments Bulk fuel storage facilities Bus terminals Car and truck washes Child care centers Club houses, lodges and country clubs Commercial nurseries & greenhouses Commercial stables Communications towers Contracting businesses & trades Garden centers Gasoline service stations Group care facilities Health facilities Hotels, motels & other tourist lodging Junkyards Kennels Manufacturing Mini-warehouses Mobile home parks Multi-family dwellings Natural resource processing Private recreational facilities Private schools Public and semi-public uses Research and development facilities Restaurants Retail and service establishments Sawmills Solid wastes disposal/staging facilities Tourist recreational facilities Truck stops and terminals Vehicle sales, supply & service facilities Warehouses & wholesale businesses	Carports Customary accessory uses and structures Essential services Home gardening, nurseries & greenhouses Home-based businesses Private parking areas and garages Private stables Private swimming pools Signs as provided hereunder TV satellite dishes	Minimum lot area: Lots with central water & sewage: 30,000 sq. ft. With on-site water or sewage: 1 acre Minimum average lot depth/width: Lots with central water & sewage: 100 feet With on-site water or sewage: 150 feet Minimum yards: Front 35 feet Side 25 feet Rear 20 feet 25 feet Maximum lot depth 3:1 to lot width ratio: Maximum building height: 45 feet Maximum lot coverage: 25% (See Section 414 for lot coverage criteria applicable to non-residential uses - up to 65% permitted)
	Nothing in the Milford Township Zoning Ordinance shall be construed to supersede Pennsylvania law regarding rights to farm.			