

# Milford Township Zoning Ordinance

## ARTICLE II - DEFINITIONS

For the purposes of this Ordinance, the following words, terms and phrases shall have the meaning indicated herein:

**Accessory Building or Use:** A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

**Adult Stores:** A use of a building or land for a business which has obscene materials as a significant portion of its stock-in-trade. Obscene materials include any literature, book, magazine, pamphlet, newspaper, paper, comic book, drawing, photograph, figure, image, motion picture, sound recording, article, instrument or any other written or recorded matter which depicts or describes, sexual conduct and which, taken as a whole, does not have serious literary, artistic, political or scientific value.

**Agriculture:** The use of any parcel of land for economic gain in the raising of agricultural products, livestock, poultry and/or dairy products. It includes necessary structures within the limits of the parcel and the storage of equipment necessary for production. It excludes intensive livestock operations, riding academies, livery or boarding stables and dog kennels; and excluding the disposal or use of sludge, septage or similar waste products.

**Agricultural Products Processing:** An industry that involves the processing of raw agricultural products; and transforming those products into a more refined, prepared or marketable state. Includes, but is not limited to, such uses as sawmills, dairies and food canning and freezing operations.

**Agricultural Service Establishment:** Establishments primarily engaged in supplying soil preparation services, crop services, landscaping, horticultural services, veterinary and other animal services and farm labor and management services, and farm machinery dealers.

**Alterations:** As applied to a building or structure, means a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

**Amusement Park:** A commercially operated park or facility with various devices for entertainment including but not limited to rides, games, electronic games and similar devices, food stands and other associated facilities.

**Animal Hospital:** A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

**Applicant:** See "Person"

**Assisted Living:** Housing units intended for occupancy by elderly individuals requiring some assistance with the activities of daily living, but not skilled nursing, where meals are generally provided on a congregate basis.

**Bed and Breakfast:** An owner-occupied principal structure in which more than three persons either individually or as families are housed or lodged for hire with at least one (1) meal normally included as a part of the services rendered.

**Boarding or Tourist Home:** Any dwelling in which more than three persons either individually or as families are housed or lodged for hire with meals normally but not necessarily included as a part of the services rendered.

**Buffer:** A part of a required setback area (yard) which is used to provide separation between incompatible uses to effect a visual barrier, block physical passage between uses, and reduce noise, dust and litter. The separation may be effected by fencing, dense vegetative planting, the provision of additional setback distances, berms or a combination thereof; and, in general, widths of buffers are increased as the density or opaqueness of the barrier decreases.

**Building:** Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, services, goods or materials of any kind or nature.

**Building Height:** The vertical distance measured from the average elevation of the finished grade within ten (10) feet of the structure to the highest point of the structure.

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**Building, Principal:** A building in which is conducted the main or principal use of the lot on which said building is situated.

**Bulk Fuel Storage Facility:** Any facility where fuel, including but not limited to kerosene, home heating oil, gasoline, and propane, is stored in tanks for distribution to wholesale establishments or individual users..

**Bus Terminal:** An area and/or building where buses are stored or parked on a regular basis with or without bus maintenance and repair facilities.

**Campground or Recreational Vehicle (RV) Park:** A plot of ground upon which two or more campsites are located, established or maintained for temporary occupancy by persons using tents or recreational vehicles.

**Car Wash:** Any building or premises or portions thereof used for washing automobiles for commercial purposes.

**Child Care Center:** Any establishment enrolling four or more children five (5) years of age or younger and where tuition, fees, or other forms of compensation for the care of the children is charged.

**Church:** A building used for public worship.

**Clear Cutting:** A type of timber harvest which removes all or most trees of any commercial value from a stand of trees.

**Clear Sight Triangle:** An area of unobstructed vision at a street intersection(s), defined by lines of sight between points at a given distance from the intersecting street right-of-way lines.

**Club/Lodge, Private:** An establishment operated for social, athletic, recreational or educational purposes but open only to members and not generally open to the general public.

**Cluster Development, Residential:** A form of development for single-family residential and/or commercial subdivisions that permits a reduction in lot area and certain development standards provided unit densities permitted under a conventional subdivision are maintained and the resultant land area is devoted to common open space.

**Commercial Vehicle:** Any motor vehicle which is required by law to bear any license plate other than that issued for private passenger car use and any motor vehicle, including passenger cars, which by reason of a characteristic coloring or marking exceeding one square foot in area, is identified or commonly associated with any business, industry or public agency, shall be considered a commercial vehicle within the terms of the Zoning Ordinance.

**Commission:** The Planning Commission of Milford Township

**Community Well:** A public or private utility system designed to supply and transmit drinking water from a common source to two or more dwelling units or uses in compliance with Pennsylvania Department of Environmental Resources regulations.

**Comprehensive Plan:** The Milford Township Comprehensive Plan including all maps, charts and textual matter.

**Conditional Use:** A use which is not appropriate to a particular zone district as a whole, but which may be suitable in certain localities within the district only when specific conditions and factors prescribed for such cases within this Ordinance are present. Conditional uses are allowed or denied by the Township Board of Supervisors after recommendations by the Planning Commission.

**Contracting Businesses and Trades:** Any commercial activity which is associated with the construction or erection of buildings or structures at a project site, including but not limited to, excavators, builders, plumbers, electricians, painters, well drillers, masons, and similar trades. This definition shall not prevent smaller contracting businesses and trades from operating as home-based businesses provided they comply with §401 hereof.

**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.

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**Corral:** An enclosure for confining livestock and which is typically attached to or situated in close proximity to a stable or barn; as contrasted to a pasture.

**Country Club:** A recreational property owned and managed by membership organization and including recreational facilities, restaurant and meeting rooms.

**Deck:** An elevated (more than 6 inches) accessory structure constructed of wood with no walls or roof.

**Detention Basin:** A facility constructed or modified to restrict the flow of stormwater to a prescribed maximum rate, and to concurrently detain the excess waters that accumulate behind the outlet. Detention basins reduce peak discharges by detaining stormwater runoffs for relatively short periods of time.

**Detention Storage:** The temporary detaining or storage of stormwater in storage basins, on rooftops, in streets, parking lots, school yards, parks, open space, or other areas under predetermined and controlled conditions, with the rate of drainage therefrom regulated by appropriately installed devices.

**Developer:** Any landowner, agent of such owner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

**Dwelling:** A structure or portion thereof which is used exclusively for human habitation.

**Dwelling Unit:** One (1) or more rooms in a dwelling structure, including a kitchen, sleeping facilities, bath and toilet, designed as a household unit for extended periods of occupancy for living and sleeping purposes by not more than one (1) family at a time.

**Dwelling Structure, Multi-family:** A building or buildings designed for occupancy by three (3) or more families living independently of each other in separate dwelling units. The term "multi-family dwelling" shall include condominium as well as non-condominium housing units including the following construction types:

- A. **Residential Conversion to Apartments:** Conversion of an existing single-family detached dwelling into three (3) to five (5) dwelling units and not exceeding two and one-half (2 1/2) stories in height.
- B. **Garden Apartment.** Multi-family dwellings originally designed as such; containing three or more dwelling units and not exceeding two and one-half (2 1/2) stories in height, not including townhouses.
- C. **Townhouse.** Multi-family dwelling of three (3) or more dwelling units of no more than two and one-half (2 1/2) stories in height in which each unit has its own front and rear accesses to the outside, no unit is located over another unit and each unit is separated from any other unit by one or more common fire resistant walls.
- D. **Apartment Building.** Multi-family dwellings of more than two and one half (2-1/2) stories but not exceeding the height limitations (in feet) of this Ordinance.

**Dwelling, Single-Family:** A dwelling unit detached from any other dwelling unit accommodating a single family and having two (2) side yards.

**Dwelling, Two-Family:** Dwelling accommodating two families either with units which are attached side by side through the use of a party wall, and having one side yard adjacent to each dwelling unit; or upstairs/downstairs units.

**Earth Disturbance Activity:** Any construction or other activity which disturbs the surface of the land including but not limited to excavations, embankments, land development, subdivision development, mineral extraction and the moving, depositing or storing of soil, rock or earth.

**Electronic Message Sign:** A sign capable, regardless of power source, of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means including, but not limited to, light emitting diode signs and all types of digital signs, such as plasma display panels, liquid crystal displays, computer monitors, and televisions.

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**Essential Services:** Public utility, facilities that do not require enclosure in a building, including the construction or maintenance, of gas, electrical, steam, telephone, sewage treatment plants and collection systems, or water distribution systems; including equipment such as poles, towers, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment.

**Family:** A group of persons living together as a single, permanent and stable nonprofit housekeeping unit, using all rooms in the dwelling and housekeeping facilities in common and having such meals as they may eat at home generally prepared and eaten together with sharing of food, rent, utilities or other household expenses.

**Farm Residence:** A single family dwelling associated and on the same parcel with an agricultural use, the occupants of which are members of the immediate family (mother/father, sister/brother, daughter/son) owning the agricultural use or are fully employed by the agricultural use; and such dwelling is not rented or otherwise used for non-agricultural, income producing purposes.

**Fast Food/Drive Through Restaurant:** An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building or off-premises and which may include facilities that enable customers to obtain food while remaining in their vehicles.

**First Flush:** That initial period of a storm event where the concentration of pollutants which are carried by the sediments in the stormwater is the highest with said concentrations decreasing as the length of the storm increases. Concentration peaks and pollutant decay will vary from site to site depending on land use, the pollutant of interest and site characteristics.

**Forestry Enterprises:** Establishments primarily engaged in the operation of timber tracts, tree farms, forest nurseries, the gathering of forest products, or in performing forest services including the operation of a sawmill but excluding other wood manufacturing businesses.

**Garage, Private Parking:** A building or portion thereof used only for the storage of automobiles by the families resident upon the premises or by individuals residing in the immediate vicinity of such storage facilities.

**Garage, Public Parking:** A structure or portion thereof, other than a private garage, used for the storage, sale, hire, care, repair or refinishing of vehicles.

**Garden Center, Retail:** A retail establishment engaged in the sale of ornamental trees, shrubs and plants and supplies for gardening and landscaping.

**Gasoline Service Station:** A structure, building, or area of land or any portion thereof that is used for the sale of gasoline and oil or any other motor vehicle fuel and/or other lubricating substance, which may or may not include facilities for lubricating, washing, sale of accessories, and otherwise servicing motor vehicles, but not including the painting and/or body work thereof. Any business or industry dispensing gasoline and servicing vehicles only for its own use will not be deemed to be a gasoline service station.

**Golf Course:** A tract of land for playing golf, improved with trees, greens, fairways, hazards, and which may include clubhouses; but does not include miniature golf courses or golf ball driving ranges.

**Group Care Facility:** A facility or dwelling unit housing persons unrelated by blood or marriage and operating as a group family household. Any facility housing six or more individuals, including staff, shall be considered a health facility.

**Group Family Household:** A group of not more than six individuals including staff, not related by blood, marriage, adoption or guardianship living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability.

**Health Facilities:** Establishments primarily engaged in providing services for human health maintenance including hospital facilities, nursing and adult homes, assisted living and personal care facilities and medical and dental clinics and offices whether publicly or privately operated.

**Home-based Business:** Any activity carried out for gain by a resident and conducted as an accessory use to the residential occupancy of a lot.

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**Horse:** Any animal of, or resembling a horse or the horse family including horses, ponies, donkeys and mules.

**Hotel:** A facility offering temporary (generally for periods of two weeks or less) lodging accommodations to the general public, typically on the basis of daily or weekly rentals, and providing additional services such as restaurants, meeting rooms and limited recreational facilities.

**Housekeeping Cottages:** Small detached dwelling units rented out for occasional use on a daily, weekly or monthly basis.

**Impervious Surface:** Any material which reduces and/or prevents absorption of storm water into previously undeveloped land.

**Independent Living:** Kitchen-equipped housing units intended for occupancy by persons requiring minimal assistance with the activities of daily living.

**Infiltration:** The passage or movement of water into the soil.

**Infiltration Structure:** A structure designed to direct the flow of rainwater run-off into the soil, such as French drains, seepage pits or seepage trenches.

**Intensive Livestock Operation:** The fattening or raising of beef cattle, hogs, poultry or other animals for the purposes of obtaining meat, eggs or wool for marketing. Any livestock operation which involves the keeping of more than 10 cows or beef cattle, or 10 hogs, or 10 sheep, or 10 goats, or any combined total of 10 said animals, or 50 fur bearing animals or 100 poultry shall be considered intensive; and which shall not be conducted on parcels of less than five (5) acres in size.

**Job Box:** A toolbox, typically made of steel which is used on job sites for some portion or the entire duration of a job and may be locked. Said job box stores tools and materials related to the work to be performed on a job site and is accessible by multiple employees. The job box shall not be larger than eight (8) feet by twenty-five (25) feet

**Junk:** Any scrap, waste, reclaimable material or debris, vehicles or parts thereof, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal or other use or disposition.

**Junk Yard:** An area of land, with or without buildings, used for the storage, outside a completely enclosed building, of used and discarded materials, including but not limited to, waste paper, rags, metal, building materials, house furnishings, machines, vehicles, or parts thereof, with or without the dismantling, processing, salvage, sale or other use or disposition of the same. The outside storage or deposit on a lot of two or more inoperable vehicles which do not have current licenses shall be considered a junk yard. Agricultural vehicles such as tractors, mowers, etc. which are utilized as part of an active on-going farming operation and contractors construction equipment shall be exempt from this provision. Automobile sales lots managed by licensed automobile dealers and storage areas for antique autos shall be also exempt from this provision.

**Kennel:** The keeping of four (4) or more dogs that are more than six (6) months of age.

**Land Development:** Any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
  - 1. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
  - 2. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land.
- C. Development in accord with Section 503 (1.1) of the Pennsylvania Municipalities Planning Code.

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**Landscaping Strip:** A buffer area consisting of a combination of trees, shrubs and other vegetation.

**Lodging Facility:** Any building used to house transients such as tourists, travelers or vacationers typically on a daily or weekly basis for temporary periods and including bed and breakfasts, boarding and tourist homes, hotels, housekeeping cottages and motels; but not including any permanent residences.

**Lot:** Land occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provisions of this Ordinance, having not less than the minimum area and width required by this Ordinance, and having its principal frontage on a street or on such other means of access as may be determined in accordance with the provisions of law to be adequate as a condition of the issuance of a zoning permit for a building on such land.

**Lot Area:** The total number of square feet in the lot less any area included in any rights-of-way affecting the lot.

**Lot, Corner:** A lot situated at and abutting the intersection of two (2) streets having an interior angle of intersection not greater than one hundred thirty-five (135) degrees.

**Lot Coverage:** That percentage of the lot area which is covered by buildings; all roads, driveways, parking areas and walkways; and impervious surfaces. All areas reserved for parking pursuant to Section 410.5 of this Ordinance shall also be included in the lot coverage area.

**Lot Depth:** The average horizontal distance between the front lot line and the rear lot line.

**Lot Line, Front:** The line separating the lot from a street.

**Lot Line, Rear:** The lot line opposite and most distant from the front lot line.

**Lot Line, Side:** Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line.

**Lot Width:** The average of the width of a lot at the building setback line as required by this Ordinance (or as may be established by restrictive covenant to meet the lot width requirement) and the rear lot line.

**Manufactured Building:** A transportable, building intended for residential or commercial occupancy, office or place of assembly, contained in one or more sections, which arrives at a site complete and ready for installation except for minor and incidental unpacking and assembly operations, and constructed so that it may be used with or without a permanent foundation; including, but not limited to mobile homes and modular homes.

**Manufacturing, Research and Development:** Establishments engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, fabrication of products, textile and clothing manufacturing, warehousing, distribution centers, wood products industries and the like; and research, engineering or testing laboratories.

**Mini-Warehouse Facility:** A building or buildings containing separated spaces to be leased or rented to individuals and/or business for the storage of personal belongings, goods or supplies.

**Mobile Home:** A transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

**Mobile Home Lot:** Land occupied or to be occupied by a mobile home in a mobile home park, improved with the necessary utility connections and other appurtenances; and, said lot being specifically designated by survey from other lots in the mobile home park.

**Mobile Home Park:** A parcel or contiguous parcels of land under single ownership which has been planned and improved for the placement of two (2) or more mobile homes placed on rented mobile home pads or lots.



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**Model Home:** A residential structure associated with a principal permitted commercial use and not intended for permanent occupancy; and used solely for demonstration purposes to inform potential purchasers of the types of homes available from the seller.

**Motel:** A facility offering temporary (generally for periods of two weeks or less) lodging accommodations to the general public, typically on the basis of daily or weekly rentals, with at least 25% of the rooms having direct access to the outside.

**Multi-Family Project:** Any development of a single parcel of property that includes one or more buildings containing two (2) or more dwelling units; and that includes common open space and facilities. One, two-family dwelling on a single parcel shall not be considered a multi-family project.

**Multiple Occupant Commercial Building:** A building containing two (2) or more independent, non-residential uses; such uses also being permitted in the District where the multiple occupant building is proposed.

**Natural Resource Use:** The mining, removal or recovery by any means whatsoever (including, but not limited to open excavations and quarries, and subsurface mining) of soil, rock, minerals, mineral substances or organic substances other than vegetation, from water, land, on or beneath the surface thereof; said substances including but not limited to coal, limestone, shale, dolomite, sandstone, sand, clay, gravel, rock, stone, earth, ore, peat, soil, or other mineral.

**Natural Resources Processing:** The refinement of minerals to specifications for sale including, but not limited to, the crushing, screening, washing or grading of minerals; and the use of minerals in any manufacturing process such as, but not limited to, concrete or cement batching plants, asphalt plants and manufacture of concrete and clay products.

**Non-conforming Lot:** Any lot which does not conform with the minimum width, depth and area dimensions specified for the district where such a lot is situated, such lot having been created prior to the enactment of this Ordinance or any amendments thereto.

**Non-conforming Structure:** A structure or part of a structure which does not comply with the applicable use or extent of the use provisions in this Ordinance, as amended, where such structure lawfully existed prior to the enactment of this Ordinance or amendments hereto; and including, but not limited to non-conforming signs.

**Non-Conforming Use:** A use, whether of land or of a structure, which does not comply with the applicable use provisions in this Ordinance or amendments hereto, where such use was lawfully in existence prior to the enactment of this Ordinance. Such non-conforming uses include, but are not limited to, non-conforming signs and other structures.

**Nursery, Commercial:** A parcel of property including buildings on which trees, shrubs and other plants are raised for wholesale to retail distributors; but not including a garden center.

**Nursing Home:** Any premises containing sleeping rooms used by persons who are lodged and furnished with meals and nursing care.

**Office Building:** A building used primarily for conducting the affairs of a business, profession, service, industry or government, or like activity.

**Open Space:** An area of land or water, essentially unimproved except for recreational facilities, that is set aside, dedicated, designated or reserved for public or common private use or enjoyment by owners and occupants of land adjoining or neighboring such land or water areas.

**Open Space:** All areas of a multi-family development or cluster development not conveyed to individual owners and not occupied by buildings and required or proposed improvements shall be dedicated as permanent open space for the benefit and enjoyment of the residents of the particular units being proposed. Such open space shall be part of the same parcel and contiguous.

**Parking Area, Private:** An open area for the same uses as a private garage.

**Parking Area, Public:** An open area, other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free or as an accommodation for clients or customers.

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**Patio:** An open recreational area or structure, constructed no higher than six (6) inches from the ground level and resting directly on the ground. It may be attached to or detached from the principal building and may be constructed using wood, masonry, pavement, stone, or other material suitable for that purpose.

**Permanent Foundation:** A cement, concrete, treated wood or cinder block walled foundation erected on a poured concrete footer. A solid concrete slab will also be considered a permanent foundation.

**Person:** An individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization or other entity acting as a unit.

**Planting Strip:** A buffer area planted to grass or other vegetation.

**Porch:** An attached roofed patio or deck. With the exception of the wall adjoining the principal structure, all walls must be open or screened with a wall no higher than four (4) feet above the floor level. A porch is considered an attached accessory structure and must meet those setback requirements for principal structures.

**Principal Permitted Use:** A primary or predominant use of a lot that is permitted as a matter of right by application to the Zoning Officer.

**Private Recreational Facilities:** Outdoor or indoor areas or structures, operated by private non-profit or private commercial entities, open to the public, which contain entertainment and amusement devices or attractions including animal farms, zoological parks, tennis and racquetball courts, ski areas, golf courses and the like, but excluding theaters, public parks and playgrounds.

**Private School:** An institution, not owned by a public agency, which offers to its students formal education, including but not limited to classes in arts, athletics, crafts, exercise, health, religion and basic education, provided such facility enrolls ten (10) or more students.

**Professional Office:** The office of a member of a recognized profession maintained for the conduct of that profession.

**Public Notice:** Notice published once each week for two consecutive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

**Public or Semi-Public Use:** Any structure or use which is owned and operated by a municipality or body/group appointed by a municipal body; or which is owned and operated by a non-profit organization or which is owned and operated by a public utility; and such structure or use fulfills a community need or provides a public service; including but not limited to municipal buildings and facilities; public schools, public libraries, churches, synagogues and volunteer fire and ambulance facilities.

**Public Service or Congratulatory Message:** A message issued by or in cooperation with a public or semi-public entity to inform the general public of matters of community-wide interest as opposed to advertising or promoting a particular commercial product or service.

**Recreation Vehicle:** A vehicle with or without motor power which may be towed on the public highways by a passenger automobile or truck without a special hauling permit, or which may be driven under its own power. This definition includes, but is not limited to campers, travel trailers, buses, camping trailers, pick-up trucks with slide-in campers, recreational vehicle homes and motor homes.

**Recreational Vehicle Park:** See Campground

**Restaurant:** An establishment where food and drink is prepared, served and consumed primarily within the principal building.

**Retail Business:** An establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.



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**Retention Basin:** A basin in which the runoff from a given storm event is stored and is not discharged into the downstream drainage system during the storm event.

**Right-of-Way:** Land reserved for use as a street, drainage facility or other public or community use.

**Seepage Pit:** A broad area of excavated earth, filled with loose stone or other particles, to which surface water is directed for infiltration into geologic storage.

**Seepage Trench:** A linear excavation of the earth, filled with loose stone or similar materials, to which surface water is directed for infiltration to geologic storage.

**Semi-Public Building or Use:** Buildings or uses operated by non-profit, community-based organizations for the general use of Township residents, including churches, fire houses, ambulance buildings, libraries and the like, but excluding institutional uses such as nursing homes, hospitals, sanitariums and clinics.

**Senior Housing:** A form of multi-family development limited to independent or assisted living units of one and two bedrooms in size or efficiency units restricted to occupancy by individuals who are fifty-five (55) years of age or older and their spouses or disabled relatives dependent on their care.

**Service Establishment:** Establishments engaged in providing services involving the care or needs of a person or his or her apparel such as cleaning and garment services, beauty and barber shops, shoe repair, dry cleaning and laundries, photographic studios, etc.

**Set Back:** An open unoccupied space, except for such accessory activities and uses as may be otherwise permitted, which shall extend the full depth or width of a lot and which shall not be occupied by any portion of any building. Front set backs shall be measured from the edge of the highway right-of-way and other set backs from property lines.

**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.

**Sewage Disposal, On-site:** A single system of piping, tanks or other facilities serving only a single lot and disposing of sewage in whole or in part into the soil.

**Shopping Center or Mall:** A group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements.

**Sign:** Any device, facade, fixture, material or structure that uses any particular form, graphic, picture, symbol, lighting or writing to specifically advertise, announce, declare or identify a purpose or entity or to communicate information of any kind to the public. This shall not include accent stripes or outline lighting not part of the message area, although such features shall be subject to review in the case of conditional uses.

**Signs:** See Section 411 hereof.

**Small Wind Turbine:** A stand-alone wind energy facility intended primarily to reduce consumption of utility power in connection with residential, farm, institutional or business uses on the same parcel and which has a rated capacity of not more than 100 kW, excluding appliances and equipment relying upon wind for power, which shall be permitted everywhere.

**Solid Waste or Waste:** Any garbage, refuse, industrial, lunchroom or office waste or other material including solid, liquid, semi-solid or contained gaseous material, resulting from the operation of residential, municipal, commercial or institutional establishments and from community activities. The term shall also include any garbage, refuse, other discarded material or other waste. Including solid, liquid, semi-solid or containing gaseous materials resulting from industrial, mining, agricultural operations, local facilities or any other by-product or effluent from an industrial, mining or agricultural water supply treatment facility, waste water treatment facility or air pollution control facility.

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**Solid Waste Facility, Commercial:** Any facility operated by a private individual or firm pursuant to the laws of the Commonwealth of Pennsylvania governing the management and disposal of solid waste including, but not limited to, liquid, solid, toxic, hazardous and medical waste.

**Solid Waste Facility, Public:** Any facility operated by a public entity pursuant to the laws of the Commonwealth of Pennsylvania governing the management and disposal of solid waste including, but not limited to, liquid, solid, toxic, hazardous and medical waste.

**Solid Waste Staging Area:** Any parcel of property used for the transfer of solid waste from one vehicle to another vehicle for transport to a solid waste facility; or which is used for the parking or storage of vehicles and/or containers used to transport solid waste.

**Special Exception:** A use allowed, with permission granted by the Zoning Hearing Board, to occupy and use land and/or a building for specific purposes in accord with this Ordinance.

**Specialty Shops:** Establishments primarily engaged in providing services involving the care of a person or his or her apparel or specializing in a specific type or class of foods such as a bakery, butcher shop, fish store or similar shops.

**Stable (Commercial):** A structure or area used for the shelter, care and/or riding of donkeys, horses, mules or other equine for hire, remuneration or sale.

**Stable (Private):** An accessory structure or use which involves the keeping of donkeys, horses, mules or other equine not for hire, remuneration or sale.

**Staging Area:** Any area where vehicles containing solid waste are parked or located prior to depositing said solid waste at a solid waste disposal facility.

**Street:** A public or private thoroughfare which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except an alley. "Public rights-of-way" shall be those open to the general use of the public, not necessarily publicly dedicated.

**Structure:** A combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

**Structure, Permanent:** Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

**Structure, Portable:** Anything constructed that is not permanently affixed to the ground but is designed to be moved from place to place.

**Structural Alteration:** Any change in the structural members of a building, such as walls, columns, beams or girders, or any addition to any structure.

**Supervisors:** The Board of Supervisors of Milford Township.

**Tourist Recreational Facility:** A recreational facility designed to provide overnight accommodations in permanently constructed buildings in combination with a variety of generally passive recreational opportunities such as golf, hiking, swimming, etc.. Also including restaurants and specialty shops which are primarily for guests of the facility but which may also serve the general public; but not including campgrounds or RV parks.

**Township:** The Milford Township Board of Supervisors with the recommendation of the Milford Township Planning Commission.

**Transient Use:** Occupancy of a dwelling by three or more families at separate times over the course of a year; not including three or more unrelated individuals who may, during such period, be temporarily staying at the location as a guests of the principal occupant.

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**Trip Ends:** The total of the trips entering and leaving a specific land use or site over a designated period of time.

**Truck Stop:** Any building, premises or land in which or upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered including the dispensing of motor fuel or other petroleum products directly into motor vehicles, the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop also may include overnight accommodations and restaurant facilities solely for the use of truck crews.

**Truck Terminal:** A terminating point where goods are transferred from a truck to a storage area or to other trucks, or picked up by other forms of transportation.

**Truck Wash:** Any building or premises or portion thereof used for washing trucks with a gross vehicle weight exceeding five thousand (5,000) lbs.

**Use:** The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.

**Variance:** Relief granted pursuant to the provisions of 608.3 of this Ordinance and Articles VI and IX of the Pennsylvania Municipalities Planning Code.

**Vehicle and Equipment Sales Operation:** The use of any building, land area or other premise for the display and sale of new and used automobiles of operable condition; panel trucks or vans; mobile homes or trailers; recreation vehicles; equipment sales and rentals, including but not limited to construction equipment, ATV's, UTV's, trailers for hauling and power sports equipment; or farm equipment including any warranty repair work and other repair service as an accessory use. No business or facility which generates less than fifty (50) percent of its gross sales from the actual sale of new or used vehicles or equipment of the type herein described (excluding parts and repairs) shall be considered a vehicle and equipment sales operation.

**Vehicle or Equipment Repair Operation:** An establishment engaged in the service and/or repair of any vehicles or equipment listed under "Vehicle and Equipment Sales Operation."

**Walk Way:** A narrow passageway, no wider than six (6) feet, extending from the entrance or patio of the principle building at or no more than six (6) inches above ground level, out to and including encroachment of the front yard but not encroaching on any road right-of-way. Construction material may consist of wood, stone, masonry, pavement, or other similar material suitable for that purpose provided Pennsylvania state standards for accessibility are met where applicable. (Note: If constructed above six (6) inches from the ground - see deck.)

**Warehouse:** Terminal facilities operated for a specific commercial establishment or group of establishments in a particular industrial or economic field and used for the storage of goods and materials.

**Water Supply, Central:** A public or private utility system designed to supply and transmit drinking water from a common source to two or more dwelling units or uses in compliance with Pennsylvania Department of Environmental Resources regulations.

**Water Supply, On-site:** A system for supplying and transmitting drinking water to a single dwelling or other use from a source on the same lot.

**Wind Energy Facility:** An electric generation facility, whose main purpose is to supply electricity, consisting of one or more wind turbines and other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities. The term does not include small wind turbines as defined herein.

**Wind Turbine:** A wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator and includes the nacelle, rotor, tower and pad turbine, if any.

**Wholesale Business:** Establishments or places of business primarily engaged in selling merchandise to retailers; to

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industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

**Yard:** An open unoccupied space which shall extend the full depth or width of a lot and which shall not be occupied by any building. Front yards shall be measured from the edge of the road right-of-way and other yards from property lines. (See also "Setback".)

**Yard Sale:** An individual private family sale of used or excess goods from a yard, garage or similar non-commercial venue.

**Yard Sale, Multi-Family:** A sale of used or excess goods by multiple families from a single yard, garage or similar non-commercial venue.

**Zoning Officer:** The administrative officer charged with the duty of enforcing the provision of this Ordinance.

The above definitions are also supplemented by those contained in other Township Ordinances. Where there is any conflict between definitions or provisions contained in this Ordinance and other Ordinances, the definitions or provisions contained herein shall apply insofar as they affect this Zoning Ordinance.