

ORDINANCE NO. 488

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MILFORD, PIKE COUNTY, BY AMENDING CHAPTER 312, ENTITLED "THE MILFORD BOROUGH ZONING ORDINANCE", TO AMEND THE SCHEDULE OF USES TO ALLOW SHORT TERM RENTALS AND TO AMEND THE DEVELOPMENT STANDARDS FOR SINGLE FAMILY DWELLINGS WITH GARAGE APARTMENTS AND TWO-FAMILY DWELLINGS

Said Ordinance is hereby Amended as follows:

1. The Zoning Schedule of Uses (Attachment 1) shall be amended as follows:
 - a. to allow Short-Term Rentals as a Conditional Use in the Limited Commercial (LC) and Commercial (C) zones;
 - b. to allow a Single-Family Dwelling with garage apartment as a Conditional Use in the Residential (R) zone;
 - c. to allow a Single-Family Dwelling with garage apartment as a Principal Permitted Use in the Limited Commercial (LC) and Commercial (C) zones;
 - e. to allow a Multi-Family dwelling as a Conditional Use in the Limited Commercial (LC) zone; and
 - f. to allow a Multi-Family dwelling as a Class I Conditional Use in the Commercial (C) zone.

2. The Zoning Schedule of Development Standards (Attachment 2) shall be amended as follows:
 - a. to change the minimum lot size for Single-Family Dwellings with garage apartments in the Residential zone from 10,400 square feet to 19,200 square feet;
 - b. to change the minimum lot size for Two-Family Dwellings in the Residential zone from 10,400 square feet to 19,200 square feet;
 - c. to change the minimum lot width for Single-Family Dwellings with garage apartments in the Residential (R) zone from sixty (60) feet to one hundred (100) feet;
 - d. to change the minimum lot width for Two-Family Dwellings in the Residential (R) zone from sixty (60) feet to one hundred (100) feet;
 - e. to change the minimum lot size for Two-Family Dwellings in the Limited Commercial (LC) and Commercial (c) zones from 10,400 square feet to 14,400 square feet;
 - f. to change the minimum lot size for Single-Family Dwellings with garage apartments in the Limited Commercial (LC) and Commercial (C) zones from 10,400 square feet to 14,400 square feet; and

- g. to eliminate the minimum land area per dwelling unit requirement for Multi-Family Dwellings, and to change the minimum lot size for that use from 9,600 square feet to 14,400 square feet;
3. Section 312-11 of the Zoning Ordinance, entitled "Definitions", shall be amended as follows:
- a. to replace the definition of "Garage" as follows:

"A building or part thereof used for the storage or parking of one or more vehicles. The garage shall maintain a minimum of 240 square feet for vehicle parking or household storage."
 - b. to replace the definition of "Garage Apartment" as follows:

"A dwelling unit built within the walls of, or on top of, the garage of a house a detached garage. The garage may be attached or a separate building from the main house, but will have a separate entrance and may or may not have a communicating door to the main house. The detached garage shall maintain a minimum of 240 square feet for vehicle parking or household storage."
 - c. to replace the definition of "Multiple or Multifamily Dwelling" as follows:

"A building arranged, intended or designed to be occupied by three, but not more than four, or more families living independently of each other as separate housekeeping units."
 - d. to delete the term "Multifamily Project" and its definition.
 - e. to replace the definition of "Two-Family Dwelling" as follows:

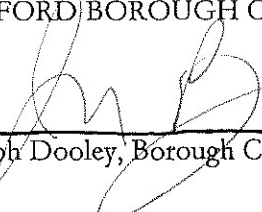
"A building containing not more than two individual family or dwelling units. Single family buildings with attached garage apartments are two-family dwellings."
4. Section 312-22 of the Zoning Ordinance, entitled "Accessory Structures and Uses", shall be amended as follows:
- "K. Accessory Structures are not permitted to be occupied, except for permitted garage apartments.

EFFECTIVE DATE

This Ordinance shall be effective five (5) days after adoption by the Milford Borough Mayor

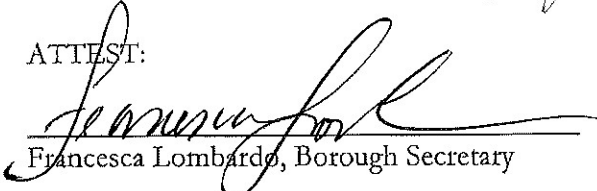
ENACTED AND ORDAINED this 22 day of January, 2024.

MILFORD BOROUGH COUNCIL



Joseph Dooley, Borough Council President

ATTEST:



Francesca Lombardo, Borough Secretary

Approved this 22 day of January, 2024.



Sean Strub, Mayor

ATTACHMENT 1

ZONING SCHEDULE OF USES

ZONING

312 Attachment 1

Borough of Milford

Schedule of Uses

R - Residential District

(See § 312-15A)

INTENT: To provide for the continued development of low density, single-family residential neighborhoods and providing for two-family dwellings, with high quality living conditions, and without the hazards of high traffic volume or conflicts with non-residential uses.

<p style="text-align: center;">PRINCIPAL PERMITTED USES (Zoning Officer)</p> <p>Borough facilities and uses Forestry enterprises Group homes Single-family dwelling</p> <p style="text-align: center;">CONDITIONAL USES (Planning Commission/Borough Council)</p> <p>Conversion from nonresidential to residential use Day care, adult and child, as an accessory use Home occupations Places of worship Religious quarters Two-family dwellings <i>Single family dwelling w/ garage apartment</i></p>	<p style="text-align: center;">ACCESSORY USES (Zoning Officer)</p> <p>Accessory uses customary to approved uses Fences Home gardens and home nurseries Home greenhouses No impact home-based businesses Private garages, carports, sheds Private swimming pools Required parking areas Signs accessory to approved uses Yard sales</p> <p style="text-align: center;">SPECIAL EXCEPTIONS (Planning Commission/ Zoning Hearing Board)</p> <p>None</p>
--	--

NOTE: Uses not specifically listed by this R District Schedule shall not be permitted in the R District except as approved in accord with § 312-15B.

MILFORD CODE

Schedule of Uses
LC - Limited Commercial District
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

INTENT: To provide for less intense nonresidential uses to supplement the areas available for such uses in the C District, and a mix of housing types. Where designated, the LC District serves as a transition zone between the R District and the C District.

PRINCIPAL PERMITTED USES (Zoning Officer)	CONDITIONAL USES (Planning Commission/Borough Council)
Bed-and-breakfast establishments Borough facilities and uses Forestry enterprises Group homes Offices, professional - less than 1,000 square feet gross floor area Offices, general - less than 1,000 square feet gross floor area Print shops Public and semipublic buildings and uses Religious quarters Restaurants, traditional and taverns - less than 1,000 square feet gross floor area Retail businesses - less than 1,000 square feet gross floor area Schools, public or private Service establishments excluding tattoo, body piercing or branding establishments Single-family dwellings Studios/galleries Two-family dwellings <i>Single family dwelling w/ garage apartment</i>	Banks Boarding and lodging houses Clubs/lodges, private Communication towers Dog grooming Funeral parlors Home occupations Hotels Motels Multi-family dwellings and projects Multiple use sites for uses allowed in LC District Night clubs Offices, professional - 1,000 square feet or more gross floor area Offices, general - 1,000 square feet or more gross floor area Outdoor entertainment Parking lots, commercial Places of worship Research and development firms Restaurants, traditional and taverns - 1,000 square feet or more gross floor area Retail businesses - 1,000 square feet or more gross floor area Theaters <i>Multi-family dwelling</i>
ACCESSORY USES (Zoning Officer)	SPECIAL EXCEPTIONS (Planning Commission/ Zoning Hearing Board)
Accessory uses customary to approved uses Communication antennas mounted on existing buildings Day care, adult and child, as an accessory use Essential services Fences Home greenhouses No impact home-based businesses Private garages, carports, sheds Private swimming pools Required parking areas Signs accessory to approved uses Yard sales	None

NOTE: Uses not specifically listed by this LC District Schedule shall not be permitted in the LC District except as approved in accord with § 312-15B.

ZONING

Schedule of Uses
C - Commercial District

[Amended 5-5-2008 by Ord. No. 389; 11-3-2008 by Ord. No. 395; 12-7-2009 by Ord. No. 403; 4-5-2010 by Ord. No. 408; 4-5-2010 by Ord. No. 409; 4-4-2016 by Ord. No. 443; 7-10-2017 by Ord. No. 449; 8-6-2018 by Ord. No. 456; 9-15-2020 by Ord. No. 468]

INTENT: To provide for a broad range of nonresidential uses and a mix of housing types.

<p>PRINCIPAL PERMITTED USES (Zoning Officer)</p>	<p>CLASS I CONDITIONAL USES Standard Minimum Lot Size (Planning Commission/Borough Council)</p>
<p>Bed-and-breakfast establishments Borough facilities and uses Forestry enterprises Group homes Offices, professional - less than 1,000 square feet gross floor area Offices, general - less than 1,000 square feet gross floor area Print shops Public and semipublic buildings and uses Religious quarters Restaurants, traditional and taverns - less than 1,000 square feet gross floor area Retail businesses - less than 1,000 square feet gross floor area Schools, public or private Service establishments Single-family dwellings Studios/galleries Tattoo parlors Two-family dwellings <i>Single family dwelling w/ garage apartment</i></p>	<p>Abused person shelters Amusement arcades Bakeries and confectionaries Banks Boarding and lodging houses Brew pubs Bus stations Car and truck washes Cemeteries Clubs/ lodges, private Communication towers Convenience stores with fuel pumps Dog grooming Farmers' market Funeral parlors Group quarters Health facilities Home occupations Hotels Laundromats Libraries, public Microbreweries Multifamily dwellings and projects Multiple-use sites for principal permitted and Class I conditional uses allowed in C District Multi-unit offices Night clubs Offices, professional - 1,000 square feet or more gross floor area Offices, general - 1,000 square feet or more gross floor area Outdoor entertainment Parking, commercial and municipal Places of worship Recreational facilities, commercial Research and development firms Restaurants, traditional and taverns - 1,000 square feet or more gross floor area Retail businesses - 1,000 square feet or more gross floor area Self-storage facilities Shopping centers/malls Smoke shops and tobacco stores Theaters Trade schools Veterinary clinics Warehouses Wholesale businesses <i>Multi-family dwelling</i></p>
<p>ACCESSORY USES (Zoning Officer)</p> <p>Accessory uses customary to approved uses Communication antennas mounted on existing buildings Day care, adult and child, as an accessory use Essential services Fences Home greenhouses No impact home-based businesses Private garages, carports, sheds Private swimming pools Required parking areas Signs accessory to approved uses Yard sales</p>	

NOTE: Uses not specifically listed by this C District Schedule shall not be permitted in the C District except as approved in accord with § 312-15B.

MILFORD CODE

Schedule of Uses
C - Commercial District
 [Amended 9-15-2020 by Ord. No. 468]

INTENT: To provide for a broad range of nonresidential uses and a mix of housing types.

CLASS II CONDITIONAL USES One-Acre Minimum Lot Size (Planning Commission/Borough Council)	CLASS III CONDITIONAL USES Five-Acre Minimum Lot Size (Planning Commission/Borough Council)
Adult businesses Amusement parks Animal hospitals Commercial communication device sites Contractor's yards Crematoria Detention facilities Distribution centers Flea markets, outdoor Gambling or betting uses Greenhouses, commercial Indoor shooting ranges Kennels Light manufacturing Motels Multiple use sites involving any Class II conditional use allowed in C District Nurseries, commercial Parking lots and garages, commercial Shooting ranges, indoor commercial Stables Treatment centers/clinics Vehicle or equipment rental, repair or sales	Breweries Bulk fuel storage facilities Bus terminals Campgrounds or recreational vehicle parks Drive-in sales or service establishments Heliports, public and private Junkyards Livestock operations and the keeping of any livestock Menageries, zoos and keeping of wild or exotic animals Mobile home parks Multiple use sites involving any Class III conditional use allowed in C District Race tracks Sawmills Shooting ranges, outdoor commercial Solid waste facilities, commercial and public Solid waste staging areas, commercial and public Truck terminals <p style="text-align: center;">SPECIAL EXCEPTIONS (Planning Commission/Zoning Hearing Board)</p> None

NOTE: Uses not specifically listed by this C District Schedule shall not be permitted in the LC District except as approved in accord with § 312-15B.

ATTACHMENT 2

ZONING SCHEDULE OF DEVELOPMENT STANDARDS

ZONING

312 Attachment 2

Borough of Milford

Schedule of Development Standards
[Amended 6-3-2019 by Ord. No. 462]

Residential District
(See § 312-15C)

(Note: Larger lot sizes, increased setbacks and other more restrictive standards may be required by other chapter sections.)

	Minimum Lot		Minimum Yards (setbacks)			Maximum	
	Area (square feet)	Width (feet)	Front* (feet)	Rear (feet)	Each Side (feet)	Building Height (stories/feet)	% Lot Coverage
Any Lot Served by Public Water and/or Public Sewage							
Single-family dwellings	9,600	55	20	20	5	2.5/35	35
Single-family dwelling with garage apartment	10,400 19,200	60 100	20	20	5	2.5/35	40
Two-family dwellings	10,400 19,200	60 100	20	20	5	2.5/35	40
Other allowed uses	20,800	100	40	30	10	3/40	65
Any Other Lot							
Single-family dwellings	20,000	90	20	20	5	2.5/35	35
Two-family dwellings	25,000	120	20	20	5	2.5/35	40
Other allowed uses	40,000	120	40	30	10	3/40	65

* Front yards shall be measured from the adjoining road street right-of-way.

MILFORD CODE

**Limited Commercial District All Uses and
Commercial District Principal Permitted Uses - Class I
Conditional Uses - Special Exceptions**

	Minimum Lot		Minimum Yards (setbacks)			Maximum	
	Area (square feet)	Width (feet)	Front* (feet)	Rear (feet)	Each Side (feet)	Building Height (stories/feet)	% Lot Coverage
Any Lot Served by Central Water and/or Central Sewage							
Nonresidential uses	9,600	60	15**	15	5	3/35	75
Single-family dwellings	9,600	55	20	20	5	2.5/35	35
Single-family dwelling with garage apartment	10,400 14,400	60	20	20	5	2.5/35	40
Two-family dwellings	10,400 14,400	60	20	20	5	2.5/35	40
All Other Lots							
Nonresidential uses	19,200	60	15**	25	5	3/35	75
Single-family dwellings	20,000	90	20	25	5	2.5/35	35
Two-family dwellings	25,000	120	20	25	5	2.5/35	40
Multifamily dwellings	See the following Multifamily Schedule						

* Front yards shall be measured from the adjoining road street right-of-way.

** The minimum front yard (setback) for nonresidential uses fronting on Broad Street or Harford Street in C and LC Districts shall be zero feet. However, no building shall be less than five feet from any adjoining alley.

ZONING

Commercial District
Class II and Class III Conditional Uses

	Minimum Lot		Minimum Yards (setbacks)			Maximum	
	Area (acres)	Width (feet)	Front* (feet)	Rear (feet)	Each Side (feet)	Building Height (stories/feet)	% Lot Coverage
All Lots							
Class II Conditional Uses	1	130	30	45	10	3/35	75
Class III Conditional Uses	5	300	50	50	50	3/35	75

* Front yards shall be measured from the adjoining road street right-of-way.

Multifamily Dwellings

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D)]

Minimum Land Area Per Dwelling Unit*** (after deducting area for sewage disposal and required access and parking)	Minimum Lot		Minimum Yards (setbacks)			Maximum	
	Area (square feet)	Width (feet)	Front* (feet)	Rear (feet)	Each Side (feet)	Building Height (stories/feet)	% Lot Coverage
2,400 square feet	9,600 14,400	60	15**	25	5	3/35	75

* Front yards shall be measured from the adjoining road street right-of-way.

** The minimum front yard (setback) for multifamily dwellings fronting on Broad Street or Harford Street in C and LC Districts shall be zero feet. However, no multifamily dwelling shall be less than five feet from any adjoining alley.

*** A garage apartment is considered a dwelling unit under this requirement.