

**ORDINANCE NO. 132**

**AN ORDINANCE OF THE TOWNSHIP OF MILFORD, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE MILFORD TOWNSHIP PORTION OF THE QUAKERTOWN AREA ZONING ORDINANCE OF 1995, AS AMENDED, TO MAKE MAP CHANGES; AMEND THE TABLE OF USE REGULATIONS TO CHANGE THE DESIGNATION OF USES WITHIN THE PC (PLANNED COMMERCIAL) DISTRICT; AND ALLOW A REAR EXTENSION OF NONCONFORMING STRUCTURE WHERE REAR EXTENSION IS LOCATED WITHIN THE FRONT YARD SETBACK AREA**

**WHEREAS**, the Board of Supervisors of Milford Township, Bucks County, Pennsylvania has enacted the Milford Township Portion of the Quakertown Area Municipal Zoning Ordinance of 1995, as amended (“Zoning Ordinance”); and

**WHEREAS**, the Board of Supervisors of Milford Township believes it is in the interest of the Township to amend the Zoning Ordinance to change portions of the RD (Rural Development) District to be designated as part of the PC (Planned Commercial) District; and

**WHEREAS**, the Board of Supervisors of Milford Township believes it is in the interest of the Township to amend the Zoning Ordinance to require conditional use approval for all uses within the PC (Planned Commercial) District, excepting all Agricultural and Residential Uses; and

**WHEREAS**, the Board of Supervisors of Milford Township desires to amend the Zoning Ordinance to add Section 804 c. to eliminate the requirement of zoning hearing board approval for an addition to the rear of a nonconforming structure where the proposed addition is located within the front yard setback area, but would otherwise comply with side and rear yard regulations; and

**NOW, THEREFORE**, be it, and it is hereby **ORDAINED** by the Board of Supervisors of Milford Township, Bucks County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

**Section 1 - Zoning Map Changes**

Amend Zoning map as follows:

Change that portion of TMP No. 23-10-73 and that portion of TMP No. 23-10-74, as particularly described in Exhibit “A” attached hereto and incorporated herein by reference and which are currently zoned RD, from RD to PC. The other portions of said parcels shall remain RD.

## **Section 2 – Amendment to Section 403 of the Zoning Ordinance**

Amend Section 403, Table of Use Regulations of the Zoning Ordinance to change the designation of all uses, (except Agricultural and Residential Uses) within the PC (Planned Commercial) District, that are currently designated P (Use Permitted by Right) or S (Use Permitted by Special Exception) to C (Use Permitted by Conditional Use), thereby requiring conditional use approval for all uses in the PC District; provided, however that Agricultural Uses and Residential uses shall be unaffected by this amendment.

## **Section 3 - Amendment to Section 804 of the Zoning Ordinance**

Amend Section 804 of the Zoning Ordinance by adding subparagraph c. to read:

No variance or special exception is required to construct an addition to the rear of a nonconforming structure where the proposed addition is located within the front yard set back area of the property provided that such addition does not violate the side or rear set back requirements of the zoning district. Any such addition shall not extend beyond the sides of the existing nonconforming structure. In addition, no variance or special exception is required to construct a freestanding structure to the rear of an existing structure where the proposed structure is within the front yard set back area, but does not violate the side or rear yard requirements and the proposed location does not extend beyond the sides of the existing nonconforming structure.

## **Section 4 - Repealer**

Repealer. All provisions of the Milford Township Portion of the Quakertown Area Municipal Zoning Ordinance of 1995, as amended, unaffected by this Ordinance are declared to be in full force and effect. The provisions of the Milford Township Portion of the Quakertown Area Municipal Zoning Ordinance of 1995, as amended, inconsistent with the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

## **Section 5 - Severability**

Severability. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is determined by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the provisions of the Milford Township Portion of the Quakertown Area Municipal Zoning Ordinance of 1995, as amended.

