

ARTICLE 3
ZONING DISTRICTS AND USE REGULATIONS

301. **ESTABLISHMENT OF ZONING DISTRICTS AND PURPOSES.**

A. For the purpose of this Ordinance, zoning districts are hereby established as follows:

AC	Agricultural Conservation
R – A	Rural Agricultural
RS – R	Rural Suburban Residential
S – R	Suburban Residential
C	Commercial
I	Industrial
CON	Conservation
VC	Village Commercial
VR	Village Residential

B. For the purposes of this Ordinance, the zoning districts named in Section 301.A. shall be of the number, size, shape and location shown on the “Official Zoning Map”.

C. The following zoning districts are intended to serve the following purposes, in addition to the overall purposes and objectives of this Ordinance and the Comprehensive Plan:

1. CON Conservation District – To provide for very low-intensity development in areas with significant important natural features, such as wetlands, flood-prone lands and very steeply sloped areas. To recognize that many of these areas have limited road access. To protect the water quality and habitats along creeks and their headwaters and promote groundwater recharge. To provide incentives and a certain amount of flexibility in lot layout through open space development so that development can be clustered on the most suitable portions of a tract of land, while still avoiding overly intense development.
2. AC Agricultural Conservation District – To promote the continuation and preservation of agricultural activities in those areas most suitable for such activities. This zone also intends to protect and stabilize the Township’s viable agricultural economy by minimizing uses that are incompatible with farming, but permitting limited agricultural support businesses. Consequently, residential uses are limited and any future inhabitants in this zone must be willing to accept the impacts associated with normal farming practices.
3. R-A Rural Residential District – To provide for rural types of development at a low overall density. To avoid conflicts with agricultural uses and recognize sewage limitations. To protect the water quality and habitats along creeks, and promote groundwater recharge. To provide incentives and a certain amount of flexibility in lot layout through open space development so that development can be clustered on the most suitable portions of a tract of land, while avoiding overly intense development.
4. RS-R Rural Suburban Residential District – To provide for low density residential neighborhoods that are primarily composed of single family detached dwellings. To protect these areas from incompatible uses.

5. S-R Suburban Residential District – To provide for medium density residential neighborhoods with a mix of housing types at a medium density. To protect these areas from incompatible uses. To meet requirements of State law to provide opportunities for various housing types.
6. VR Village Residential District – To provide for residential uses that are similar in character to existing homes in the older villages of the Township.
7. VC Village Commercial District – To provide for a mix of housing and light business uses in a manner that avoids conflicts between homes and intensive commercial uses. To primarily provide for smaller-scale uses that will not be obtrusive in the landscape and that will not overload the road system.
8. C Commercial District – To provide for a wide range of commercial uses. To carefully locate commercial areas and commercial driveways to minimize traffic safety and congestion problems along roads.
9. I Industrial District – To provide for a range of industrial uses in a manner that minimizes conflicts with homes and avoids serious nuisances and hazards.

302. **APPLICATION OF DISTRICT REGULATIONS.**

- A. Unless otherwise provided by law or specifically in this Ordinance, no land or building or structure shall be used or occupied except for a use permitted in the zoning district within which the land or building or structure is located.
- B. The regulations set by this Ordinance shall apply uniformly to each class or kind of structure or land, except as provided for in this Ordinance.
- C. No building, structure, or land shall hereafter be erected, constructed, reconstructed, moved, or structurally altered and no building or structure or part thereof shall hereafter be used or occupied unless it is in conformity with the regulations herein specified for the use and district in which it is located.
- D. No part of yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.
- E. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.
- F. Any territory, which may hereafter be annexed to the Township, shall be classified as the zoning district of the Township most similar to the zoning of such territory before annexation (as determined by the Zoning Hearing Board) until otherwise classified.
- G. No more than one (1) principal use shall be permitted on a lot, unless specifically permitted by this Ordinance.

303. **ZONING MAP AND RULES FOR INTERPRETING DISTRICT BOUNDARIES.**

- A. A map entitled, “Zoning Map for the Township of Upper Milford” accompanies this Ordinance and is declared a part of this Ordinance.
- B. The Official Zoning Map shall be identified by the signature of the Chairperson of the Board of Supervisors attested by the Township Secretary, and shall bear the adoption date of this Ordinance and the seal of the Township under the following words: “This is to certify that this is the Official Zoning Map adopted _____ as part of the Upper Milford Township Zoning Ordinance of 2009.”
- C. Changes of any nature to the Official Zoning Map shall be made in conformity with the Amendment procedures set forth in this Ordinance. All changes shall be noted by date with a brief description of the nature of the change.
 - 1. The base information on the Zoning Map may be periodically revised to reflect approved subdivisions.
 - 2. The Zoning map shall reflect that the Mast Engineering Survey line shall act as the boundary line between both Upper Milford Township and Upper Saucon Township, and Upper Milford Township and Lower Milford Township, pursuant to the Order of Court dated October 22, 1990, indexed at Case No. 15-R-87 in the Court of Common Pleas of Lehigh County, Pennsylvania – Criminal Division. (By Ordinance June 3, 1992)
- D. Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map shall be located at the Township Office and shall be the final authority on boundaries and districts. The Zoning Officer shall have a certified copy of the Official Zoning Map for official use.
- E.
 - 1. If the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of changes and additions, the Board of Supervisors may, by resolution, adopt a new Official Zoning Map, which shall supercede the prior Official Zoning Map.
 - 2. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall include an amendment thereof.
 - 3. The new Official Zoning Map shall be identified by the signatures of the Board of Supervisors, attested to by the Township Secretary, and bearing the following words: “This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted ___ as part of the Upper Milford Township Zoning Ordinance of ____.”
 - 4. Unless the prior Official Zoning Map has been lost or has been totally destroyed, the prior map or any part or parts thereof remaining shall be preserved together with all available records pertaining to its adoption or amendment.
- F. Zoning boundaries drawn approximately following the centerlines of streams, drainage ways, streets, alleys, railroads or other right-of-way shall be construed to follow such centerlines. In the event of any change in the centerline, the zoning boundary shall be construed as moving with the actual centerline.

- G. Boundaries approximately following property lot lines shall be construed as following such property lot lines.
- H. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of such map.
- I. Where physical features existing on the ground vary with those shown on the Official Zoning Map, or in other circumstances not covered by subsections A through C above; the Zoning Hearing Board shall interpret the district boundaries.
- J. Where a lot is situated in more than one district, then the zoning requirements of the less dense district shall be applied.