

608.4 Standards and Criteria

The standards and criteria applied to conditional uses are intended to ensure that the proposed use will be in harmony with the purposes, goals, objectives and standards of this Ordinance and other ordinances of Milford Township. In addition to all the applicable standards provided in this Ordinance for specific conditional uses, the following standards and criteria shall be applied in the review of applications for conditional uses.

A. There shall be a community need for the proposed use at the proposed location. Need shall be assessed in light of existing and proposed use of a similar nature in the area and an objective to provide or maintain a proper mix of uses within the Township and, more specifically, that portion of the Township in the immediate area of the proposed use. The proposed use in the proposed location shall not result in either a detrimental over concentration of a particular use within the Township or within the immediate area. The location chosen shall not be one demonstratively better suited or likely to be needed for uses which are permitted as a matter of right in the District. The proposal shall also be evaluated as to the degree to which the proposed location may be particularly suitable or unsuitable for the proposed use in light of other potential sites in the immediate area including those which might exist in adjacent communities.

B. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, adjacent property values, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of this Ordinance, or any other plan, program, map or ordinance of the Township or other government agency having jurisdiction to guide growth and development.

C. The proposed use shall not impose an undue burden on any of the improvements, facilities, utilities, and services of the Township, whether such services are provided by the Township or some other entity. The applicant shall be wholly responsible for providing such improvements, facilities, utilities, or services as may be required to adequately serve the proposed use when the same are not available or are inadequate to serve the proposed use in the proposed location. As part of the application and as a condition of approval of the proposed use the applicant shall be responsible for establishing ability, willingness and binding commitment to provide such improvements, facilities, utilities and services in sufficient time and in a manner consistent with this and other ordinances of the Township. The permit approval shall be so conditioned.

D. In reviewing an application, the following additional factors shall be considered:

1. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.
2. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.

3. Location, arrangement, appearance and sufficiency of off-street parking and loading.

4. Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.

5. Adequacy of stormwater and drainage facilities. Stormwater leaving any site shall not exceed predevelopment levels and shall otherwise comply with Sections 407.13 and 414.2 of this Ordinance and Sections 605 and 606 of the Milford Township Subdivision and Land Development Ordinance.

6. Adequacy of water supply and sewage disposal facilities.

7. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation.

8. Adequacy of fire lanes and other emergency zones and the provision of fire hydrants.

9. Special attention to the adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

F. No application shall be approved unless it is found that, in addition to complying with each of the standards enumerated above, any of the applicable standards contained in this Ordinance shall be met. In instances where the supplemental standards contained herein do not adequately protect the general health, safety and welfare of parties affected, all conditions necessary to protect the general health, safety and welfare shall be imposed as conditions of approval. Conditions which might be imposed shall include (but not be limited to) provisions for additional parking, traffic control, submission of landscaping plans for screening, setbacks, special measures addressing sales period activities, hours of operation, environmental controls and other measures which mitigate any potential adverse impact the use may have on adjoining uses. The applicant shall supply evidence regarding compliance with the express standards and criteria contained herein; and data or evidence may be accepted from protestants. Such evidence shall be evaluated relative to the injurious impact on the health, safety and welfare of the Township; and the proposed use shall be approved with appropriate conditions or denied based on said evaluation.