

ORDINANCE NO. 2017- 168

AN ORDINANCE OF THE TOWNSHIP OF MILFORD,  
BUCKS COUNTY, PENNSYLVANIA,  
AMENDING THE MILFORD TOWNSHIP PORTION OF THE QUAKERTOWN  
AREA ZONING ORDINANCE

WHEREAS, Milford Township, Bucks County, Pennsylvania, by Ordinance Number 99, as amended, duly established zoning rules and regulations within Milford Township; and

WHEREAS, the Board of Supervisors of Milford Township ("Board") believes it to be in the best interest of the Township and its residents to allow, by special exception, for an increase in the height of a building in the PI Planned Industrial District provided that certain criteria are met and to require future land developments to provide Avigation Easements;

WHEREAS, adoption of this amendment will promote the following community development objectives: the orderly and consistent development of property within the PI Planned Industrial District and the removal of any obstructions in an Approach, Transitional, Horizontal and/or Conical Zone of the Airport Zone.

NOW, THEREFORE, it is hereby ENACTED and ORDAINED by the Board of Supervisors of Milford Township, Bucks County, Pennsylvania that Ordinance No. 99, as amended is further amended to provide as follows:

**Section 1.** Zoning Ordinance No. 99, as amended, shall be amended by deleting and replacing Section 529 as follows:

529 Exceptions to Building Height

The height of buildings is regulated to prevent loss of life or excessive property damage through the inability of fire equipment to reach upper stories or roofs. Therefore no building shall exceed the maximum building heights specified in Articles IV and V except:

(a) Church spires, belfries, silos, water towers, solar energy systems, antennas, television towers, masts, aerials, flagpoles or other structures necessary for providing water, electricity, heat, cooling, radio or similar facilities provided they are not used for human occupancy and are set back one and one-half (1.5) times their height (from ground level to the top of the structure) from any property lines.

(b) In the PI Planned Industrial District, the maximum building height may be increased to fifty (50) feet provided that a special exception is granted by the Zoning Hearing Board. In order to qualify for this special exception, an applicant must demonstrate compliance with the following criteria:

1. All fire department equipment must be capable of accessing the building from all sides.
2. The building must be equipped with a sprinkler system that utilizes sprinkler heads acceptable to the Board of Supervisors.
3. Fire Department Connections and standpipes must be installed in locations acceptable to the Board of Supervisors.
4. Applicant must grant to the Bucks County Airport Authority, its successors and assigns, an Avigation Easement that provides the Bucks County Airport Authority, its successors and assigns, with the right, but not the obligation, to remove obstructions on any portion of the property in an Approach, Transitional, Horizontal and/or Conical Zone of the Airport Zone (See Sections 643 and 644 below) where the potential exists for an obstruction to penetrate those zones creating a hazard to air navigation.

**Section 2.** Zoning Ordinance No. 99, as amended, shall be amended by deleting and replacing Section 647(a) as follows:

647 Permits

a. Future Uses – All land developments, as a condition of approval, shall grant Avigation Easements to the Bucks County Airport Authority, its successors and assigns, providing the Bucks County Airport Authority, its successors and assigns, with the right, but not the obligation, to remove obstructions on any portion of a property in an Approach, Transitional, Horizontal and/or Conical Zone of the Airport Zone (See Sections 643 and 644) where the potential exists for an obstruction to penetrate those zones creating a hazard to air navigation. Except as specifically provided in a, b, and c hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established and no tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this ordinance shall be granted unless a variance has been approved in accordance with Section 647.d.

**Section 3. Repealer.** This Ordinance hereby repeals any provision inconsistent with the Milford Township Portion of the Quakertown Area Municipal Zoning Ordinance now in effect or of other Ordinances, to the extent of such inconsistency. All other provisions of the Milford Township Portion of the Quakertown Area Municipal Zoning Ordinance, not inconsistent herewith, shall remain in full force and effect.

**Section 4. 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


**Section 5.** Effective Date. This Ordinance shall become effective five (5) days after its adoption.

ENACTED AND ORDAINED on this 5 day of September, 2017.

**BOARD OF SUPERVISORS OF MILFORD TOWNSHIP**

ATTEST:

  
\_\_\_\_\_  
Jeffrey Vey  
Township Manager

  
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Robert B. Mansfield, Chair

  
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Charles Strunk, Vice Chair

  
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Thomas Courduff, Member