

Oil Creek Township Crawford County



**ZONING ORDINANCE
2017**

**PREPARED BY THE OIL CREEK TOWNSHIP
PLANNING COMMISSION**

Oil Creek Township (Crawford County) Zoning Ordinance

Prepared by the Oil Creek Township Planning Commission

2017

Project Planner
Richard Grossman, Community Planning Consultant
PO Box 11
Grove City PA 16127

Oil Creek Township
Crawford County, Pennsylvania
Ordinance No. 1 of 2017

WHEREAS, Oil Creek Township has authority under Article V of the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, as reenacted and amended by Act 170 of December 21, 1988, P.L. 1329, and as thereafter amended 53 P.S. 10501 et al., to enact an ordinance to regulate zoning within Oil Creek Township, Crawford County; and

WHEREAS, the Oil Creek Township Supervisors find that the best interests of Oil Creek Township and its residents will be served by adopting a updated zoning ordinance as prepared and recommended by the Planning Commission to comprehensively amend the existing zoning regulations.

WHEREAS, the proposed amended ordinance has been reviewed by the Board of Supervisors of Oil Creek Township, Crawford County, Pennsylvania, and it is hereby enacted and ordained by and with the authority of the same as follows:

1. **Adoption of New Ordinance.** The Zoning Ordinance attached hereto, which is incorporated herein by reference, is hereby adopted and enacted as the Oil Creek Township Zoning Ordinance.
2. **Severability.** Should any section, part or provision of this Ordinance be declared by appropriate authority to be unlawful or unconstitutional, all other terms, conditions, provisions and parts hereof, any of any code of which this Ordinance may be considered to be a part, shall continue in full force and effect as if the provision declared to be unlawful or unconstitutional has been omitted as of the date of final enactment thereof.
3. **Repealer.** All ordinances and parts of ordinances inconsistent with the Ordinance hereby adopted shall be and are hereby repealed. Specifically, the existing Oil Creek Township Zoning Ordinance, Ordinance No. 27 of 1984, as amended, is repealed in its entirety.
4. **Effective Date.** This Ordinance and the Oil Creek Township Zoning Ordinance hereby adopted shall be in effect five (5) days after enactment.

ORDAINED AND ENACTED by the Board of Supervisors of Oil Creek Township, this 10th day of August 2017.

Oil Creek Township Board of Supervisors

By: _____

Chairman

ATTEST:

Secretary

I do certify that the foregoing is a true and correct copy of **Ordinance 1 of 2017** as advertised, and was duly enacted and approved as set forth at the Oil Creek Township Board of Supervisors meeting on August 10, 2017.

April Averill, Secretary



EFFECTIVE DATE

EFFECTIVE DATE

This Ordinance shall take effect and be in full force, as amended, with is five (5) days after the final passage.

ZONING MAP

The Zoning Map of the Township of Oil Creek is incorporated herein and shall be amended with each change.

ENACTED AND ORDAINED this 10TH day of August 2017 by the Board of Supervisors of Oil Creek Township, Crawford County.

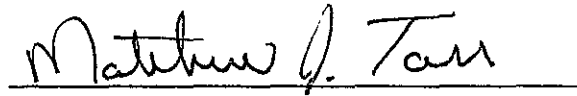
ATTEST: OIL CREEK TOWNSHIP BOARD OF SUPERVISORS



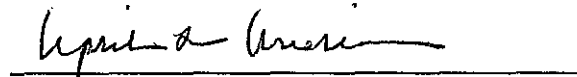
Michael J. Colbert, Chairman



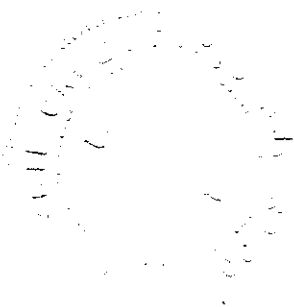
Richard A. Motter, Vice Chairman

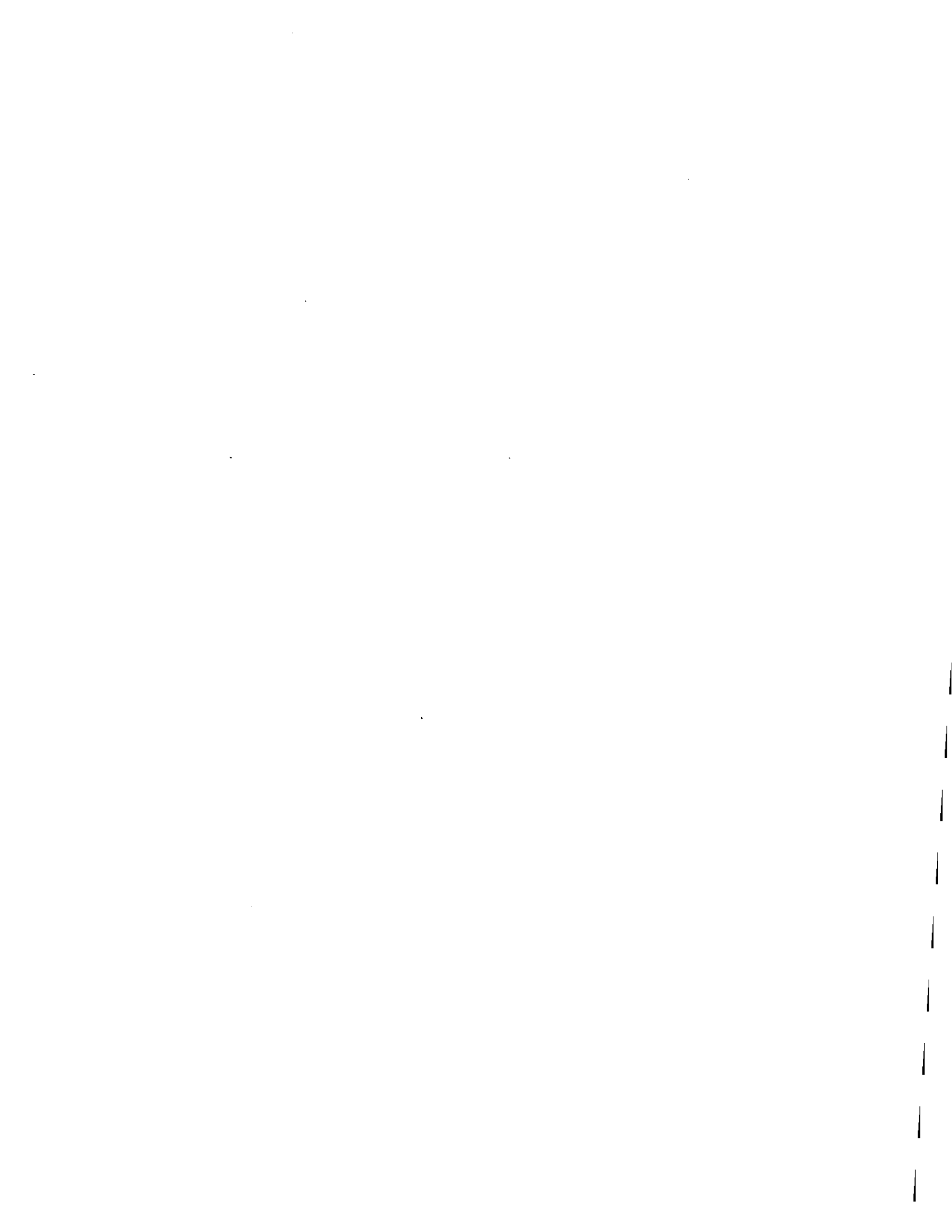


Matthew J. Tarr, Road Master



Secretary





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ZONING ORDINANCE

TOWNSHIP OF OIL CREEK, CRAWFORD COUNTY, PENNSYLVANIA

ARTICLE 1

GENERAL PROVISIONS

Section 101 Title:

The official title of this Ordinance is: "Zoning Ordinance, Township of Oil Creek, Crawford County, Pennsylvania."

Section 102 Effective Date:

This Ordinance shall become effective Seven (7) days after final passage by the Board of Supervisors.

Section 103 Compliance:

No structure shall be placed, located, erected, constructed, reconstructed, moved, converted, or enlarged; nor shall any structure or land be used or be designed to be used, except in full compliance with all the provisions of this Ordinance and after the lawful issuance of all permits and certificates required by this Ordinance. The districts described under Article 2 of this Ordinance, as well as all applicable standards for use, density, yards, and the approval and consideration of development are hereby established. Rules for the interpretation of all defined words within this Ordinance are detailed in Article 6. Undefined terms shall be given their plain and customary meaning.

Section 104 Severability:

The provisions of this Ordinance shall be severable, and, if any of its provisions shall be unconstitutional, the decision so holding shall not be construed to affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as the legislative intent that this Ordinance would have been adopted had such unconstitutional provisions not been included therein.

Section 105 Repeal:

All ordinances or part thereof conflicting herewith be and the same are hereby repealed. Specifically repealed is Ordinance #27 of May 9, 1984 and all amendments thereto, except that the Amendment adopted as Ordinance #1 of 2002 remains in force and is not repealed or superseded.

Section 106 Authority:

This Ordinance is adopted pursuant to the powers granted to the Township by Article VI and Section 601 of the Pennsylvania Municipalities Planning Code.

Section 107 Purpose and Provisions:

The purposes and provisions of this Ordinance are those as set forth by Sections 603, 603.1, and 604 of the Pennsylvania Municipalities Planning Code.

Section 108 Statement of Community Development Objectives:

This Ordinance is intended to implement the Oil Creek Regional Multi-Municipal Comprehensive Plan, adopted on November 8, 2001, as amended in 2007. All Community Development Goals and Objectives from that document are adopted herein by reference. In addition, this Ordinance is intended to:

- A. Preserve the essential rural character of Oil Creek Township, Crawford County.
- B. Protect the historic pattern of residential development of single-family dwellings.
- C. Allow other dwellings at various densities in those areas of the Township where infrastructure is available to support it.
- D. Protect the existing commercial uses, fostering the orderly and selective growth in businesses at appropriate locations.
- E. Protect the existing industrial uses and accommodate for the development of new industrial sites.
- F. Guide development into locations and patterns, which will serve to protect quiet use and enjoyment of property and preserve residential neighborhood character where such character has been established, preventing incompatible uses of building and sites, which would have the effect of undermining such values and neighborhood character.
- G. Allow citizens maximum opportunities to develop their property consistent with the other objectives of this Ordinance.

Section 109 Schedule of Fees

- A. The Township Board of Supervisors shall, from time to time, establish, by resolution, a schedule of fees, charges and expenses and a collection procedure for zoning permits and certificates, appeals and other matters pertaining to this Ordinance. The schedule of fees may be posted in the Township office, and may be amended only by official action by the Township Board of Supervisors.
- B. No permit, certificate, application or variance shall be issued, nor shall any action be taken on proceedings before the Zoning Hearing Board unless, or until, such costs, charges, fees or expenses have been paid in full.
- C. A zoning permit or certificate shall be required for all new construction, additions or alterations affecting exterior dimensions of existing structures; and, for any structural or interior changes required for a change of the structure's use, or for any change in use.
- D. Any application for amendment, variance, special exception, conditional use, permit or any other application or certificate within the scope of this Ordinance, shall be accompanied by a fee, such fee to be established by resolution of the Township Board of Supervisors, who may, from time to time revise such fees in order to bear a reasonable relationship to the costs involved.

Section 110 Municipally Owned Property

This Ordinance shall not apply to Oil Creek Township, Crawford County, in the exercise of its normal municipal functions of emplacing signs and essential services within public rights of way. The Township will adhere to all use and dimensional requirements for any municipal building.

Section 111 Interpretation of Regulations

Whenever the provisions of this Ordinance are at variance with provisions in other parts of this Ordinance, or any other lawfully adopted rules, regulations or ordinances, the more restrictive requirements shall govern.

Section 112 Relationship to Multimunicipal Comprehensive Plan and Intergovernmental Agreement

Pursuant to Article XI of the Pennsylvania Municipalities Planning Code, This Ordinance will be interpreted in light of any adopted intergovernmental agreement and section 1103 (4) of the aforementioned code. If any defined use or class of uses is not provided for within this Ordinance said use or class of uses shall be considered by the Township as being provided for within the region covered by the multimunicipal plan. Any adopted multimunicipal agreement shall take precedent over this Ordinance in providing for uses within the Township. In the absence of such an agreement, said use or class of uses shall be treated as a Conditional Use in the (I)-Industrial District, pursuant to Section 211.

Section 113 Other Government Property

- 113.1 Property owned, leased or operated by the Commonwealth of Pennsylvania, or the United States, or any other public or governmental body or agency, shall be subject to the requirements of this Ordinance as follows:
 - A. Where such public or governmental uses are specifically listed, they shall be governed as indicated.
 - B. Where such public or governmental uses are not specifically listed, they shall be permitted only in districts permitting private uses of a similar or substantially similar nature.
 - C. Governmental entities and agencies shall be exempt from the provisions of this Ordinance only to the extent that it has been determined that the Township has no power to apply its zoning regulations to the particular use of land.
- 113.2 Utilities subject to Pennsylvania Public Utility Commission regulation shall be exempt from requirements of this Ordinance with regards to safety signs, essential service structures no greater than one hundred (100) Square Feet gross area by ground coverage and four (4) Feet in height, poles for electric, telephone, and fiber optic line, subsurface wire and conduit, and underground piping. Other public utility structures and buildings, including but not limited to telecommunications towers, sewage treatment plants and structures, must comply with all use and setback requirements for the applicable zoning district.

ARTICLE 2 DISTRICT DESCRIPTIONS

Section 201 Zoning Map

A map entitled "Zoning Map, Township of Oil Creek, Crawford County, Pennsylvania" is hereby adopted as part of this Ordinance. The Zoning Map shall be kept on file, available for examination at the Township Office. Copies of the Zoning Map, together with the Zoning Ordinance, shall be made available to the general public by the Township at a reasonable fee to be determined by resolution of the Board of Supervisors.

Section 202 Zoning Districts:

The Township is divided into the districts stated in this Ordinance as shown by the district boundaries on the Zoning Map within this Article.

- 202.1 **The (A) Agricultural District** is intended for rural areas where agriculture is historically present, intense development is not anticipated and sewer and water facilities are not planned.
- 202.2 **The (RDL) Rural Development Limited District** is intended for areas of steep slope or similar physical limitations. Lot size is larger to enable sound development in such areas. Sewer and water facilities are not planned.
- 202.3 **The (SR) Suburban Residential District** is established to provide a residential growth area consistent with the Oil Region Multimunicipal Comprehensive Plan and to protect areas of single family residential development from land use conflict which could be caused by nonresidential development. Other uses will be permitted only to the extent they do not jeopardize the security of single family dwellings and residential neighborhoods.
- 202.4 **The (TRB) Transitional Residential Business District** is established to provide for residential dwellings of various types and densities and limited commercial activities which are deemed compatible with nearby residential areas.
- 202.5 **The (C) Commercial District** is established to provide a full range of commercial opportunities in areas of the Township where highway access and infrastructure are present to support business development.
- 202.6 **The (I) Industrial District** is established to provide appropriate areas for forms of manufacturing and similar high-intensity uses that can have a higher impact upon surrounding properties.
- 202.7 **The (RED) Rural Economic Development and (RIO) Restricted Industrial Office Districts** were created by Amendment #1 of 2002, attached to this Ordinance and purposes are contained therein.

Section 203 District Boundaries

District boundaries that are shown within the lines of streets, streams, and transportation right of ways shall be deemed to follow the center lines. The vacation of streets shall not affect the location of such district boundaries. When the Zoning Officer cannot definitely determine the location of a district boundary by such center lines, by the scale or dimensions stated on the Zoning Map, or by the fact that it clearly coincides with a property line, he shall refuse action, and the Zoning Hearing Board, upon appeal, shall interpret the location of the district boundary with reference to the scale of the Zoning Map and the purpose set forth in all relevant provisions of this Ordinance. Any territory hereafter annexed by the Township or gained through discovery, survey, or mapping error will be automatically zoned (A) Agricultural District until otherwise classified by the Township.

Section 204 Permitted Principal Uses, Special Exceptions, and Conditional Uses

The **Permitted Principal Uses, Special Exceptions, and Conditional Uses** for each district are shown in the following sections and are considered Principal Uses unless clearly noted. Special Exceptions may be granted or denied by the Zoning Hearing Board in accordance with the express standards and criteria of this Ordinance. Conditional Uses may be granted or denied by the Board of Supervisors after the recommendation of the Planning Commission and in accordance with the provisions of this Ordinance. In granting a Conditional Use or Special Exception, the Township Supervisors or the Zoning Hearing Board, as the case may be, may attach reasonable conditions and safeguards as it may deem necessary to implement the purpose of this Ordinance and protect the neighborhood. Permitted Uses will be approved or denied by the Zoning Officer according to the provisions of this Ordinance, including any and all conditions. Uses in each category shall be according to the common meaning of the term or according to definitions set forth in Article 6.

In the **A Agricultural , RDL Rural Development Limited, TRB Transitional Residential Business, C Commercial, and I Industrial Districts**, more than one principal use or principal structure may be located upon a single lot, provided that all minimum lot sizes and setbacks can be complied with individually for each use, by devoting sufficient sizes to each use. In the **SR Suburban Residential District**, only one principal use or principal structure is permitted per each lot, except that no impact home based businesses, home occupations, in home day care services, and similar endeavors within a dwelling shall be considered accessory to the use of the dwelling.

Section 205 - The (A) Agricultural District

TABLE 205A A AGRICULTURAL DISTRICT, List of Uses	
PERMITTED PRINCIPAL USES	SPECIAL EXCEPTIONS
Accessory Dwellings (See Section 302)	Airports, Heliports and Ultralight Airports (See Section 317)
Agricultural Operation	Campgrounds/Recreational Vehicle Parks (See Section 318)
Agricultural Sales and Services (See Section 303)	Exotic Animal Raising and Care (See Section 320)
Bed and Breakfast Inns	
Cemeteries (See Section 305)	CONDITIONAL USES
Commercial Stables, Veterinary Clinics and Dog Kennels (See Section 306)	Private Clubs and Lodges (See Section 321)
Communications Antennas	Open Air Entertainment Facility (See Section 322)
Eating and Drinking Places, shall be a permitted use when located upon a state road; and shall be a conditional use when located upon a Township road.	
Family Day Care Homes (See Section 307)	Public and Private Elementary and Secondary Schools Recognized by the Pa Department of Education (See Section 323)
Forestry (See Section 308)	Mineral Excavation (See Section 324)
Golf Courses and Driving Ranges (See Section 309)	Intensive Outdoor Commercial Recreation (See Section 325)
Home Lot Occupation (See Section 310)	Sanitary Landfills (See Section 332)
Home Occupation (See Section 311.1)	Communication Towers (See Section 319)
No Impact Home-Based Businesses (See Section 311.2)	
Nursery and Landscaping and Farm Markets (See Section 312)	
Outdoor Commercial Recreation (See Section 313)	
Assisted Living, Personal Care Homes and Nursing Homes (See Section 314)	
Places of Worship and Assembly	
Public Parks and Playgrounds	
Public Utility Buildings or Structures and Essential Services (See Section 315)	
Sawmills (See Section 316)	
Single-Family Dwellings	
For Oil and Gas Operations in this district , please see Article 5	

See Section 404.4 for accessory uses

**TABLE 205B
(A) DISTRICT
LOT, YARD, AND HEIGHT STANDARDS***

	Single-Family Dwellings Family Day Care Homes No Impact Home Based Business Bed and Breakfast Inn	Place of Worship Public Park Agricultural Operations All other Uses
Minimum Lot Area	1.5 Acres	3 Acres
Minimum Lot Width (Feet)	200	200
Minimum Front Yard (Feet)	30	30
Minimum Side Yard (Feet)	20	20
Minimum Rear Yard (Feet)	20	10
Maximum Height (Feet)	40	40
Maximum Coverage (%)	10%	15%

*See also Article 4 for Alternative Standards for Accessory Structures, Nonconforming Uses and Structures, and Lots of Record

Section 206 - The (RDL) Rural Development Limited District

TABLE 206A RDL RURAL DEVELOPMENT LIMITED DISTRICT, List of Uses	
PERMITTED PRINCIPAL USES	SPECIAL EXCEPTIONS
Accessory Dwellings (See Section 302)	Home Lot Occupation (See Section 310)
Agricultural Operation	
Bed and Breakfast Inns	
Commercial Stables, Veterinary Clinics and Dog Kennels (See Section 306)	
Communications Antennas	
Family Day Care Homes (See Section 307)	
Forestry (See Section 308)	
Golf Courses and Driving Ranges (See Section 309)	
Home Occupation (See Section 311.1)	
No Impact Home-Based Businesses (See Section 311.2)	
Places of Worship and Assembly	CONDITIONAL USES
Public Parks and Playgrounds	Communication Towers (See Section 319)
Public Utility Buildings or Structures and Essential Services (See Section 315)	
Single-Family Dwellings	
For Oil and Gas Operations in this district, please see Article 5	

See Section 404.4 for accessory uses

**TABLE 206B
(RDL) DISTRICT
LOT, YARD, AND HEIGHT STANDARDS***

	All Uses
Minimum Lot Area	3 Acres
Minimum Lot Width (Feet)	200
Minimum Front Yard (Feet)	30
Minimum Side Yard (Feet)	20
Minimum Rear Yard (Feet)	10
Maximum Height (Feet)	40
Maximum Coverage (%)	15%

*See also Article 4 for Alternative Standards for Accessory Structures, Nonconforming Uses and Structures, and Lots of Record

Section 207 - The (SR) SUBURBAN RESIDENTIAL DISTRICT

Table 207A SR SUBURBAN RESIDENTIAL DISTRICT, List of Uses	
PERMITTED PRINCIPAL USES	SPECIAL EXCEPTIONS
Agricultural Operation (See Section 326)	Home Occupations (See Section 311.1)
Essential Services (See Section 315)	Cemeteries (See Section 305)
Forestry (See Section 308)	Golf Courses and Driving Ranges (See Section 309)
No Impact Home-Based Businesses (See Section 311.2)	Public Utility Buildings or Structures (See Section 315)
Place of Worship and Assembly	Bed and Breakfast Inns (See Section 304)
Public Parks and Playgrounds	Family and Group Day Care (See Section 307)
Single-Family Dwellings	CONDITIONAL USES
Two Family Dwellings (See Section 327)	Public and private elementary and secondary schools recognized by the Commonwealth (See Section 323)
For Oil and Gas Operations in this district, please see Article 5	

See Section 404.4 for accessory uses

**Table 207B
(SR) Suburban Residential District*
Lot and Dimensional Standards**

Area is Given in Acres or Square Feet	Single Family Dwellings On Lot Water or Sewer	Single Family Dwellings With Pubic Sewer	Single Family Dwellings With Public Sewer and Water	Place of Worship and Assembly, Agriculture, Public Parks, All other Uses
Minimum Lot Area (Square Feet)	40,000	20,000	15,000	3 Acres
Minimum Width of Lot (Feet)	125	100	100	200
Minimum Depth of Front Yard (Feet)	30	30	30	30
Minimum Width of each Side Yard (Feet)	20	15	15	20
Minimum Depth of Rear Yard (Feet)	20	20	20	10
Maximum Height (Feet)	40	40	40	40
Maximum Lot Coverage by Percent	15%	20%	25%	25%

*See also Article 4 for Alternative Standards for Accessory Structures, Nonconforming Uses and Structures, and Lots of Record

Section 208 - The (TRB) TRANSITIONAL RESIDENTIAL BUSINESS DISTRICT

Table 208A TRB TRANSITIONAL RESIDENTIAL BUSINESS District, List of Uses	
PERMITTED PRINCIPAL USES	SPECIAL EXEPTIONS
Artisan and Craftwork (See Section 341)	Conversion of Single Family Dwellings into Two Family or Multiple Family Dwellings (See Section 333)
Bed and Breakfast Inns (See Section 304)	Mobile home Parks (See Section 338)
Business Services	Multiple Family Dwellings (See Section 337)
Eating and Drinking Places	
Essential Services	Assisted Living Personal Care and Nursing Homes (See Section 314)
Family and Group Day Care (See Section 307)	Tattoo and Body Piercing Parlors (See Section 336)
Forestry (See Section 308)	Transitional Housing Facility But not if Classified as Halfway Houses or Correctional Facilities (See Section 335)
Home Occupations (See Section 311.1)	Rooming and Boarding Houses (See Section 334)
Limited Retail Businesses (See Section 328)	
No Impact Home Based Business (See Section 311.2)	
Personal Services	
Places of Worship and Assembly	
Professional Offices	
Public Parks and Playgrounds	
Single Family Dwellings	
Two Family Dwellings (See Section 327)	

See Section 404.4 for accessory uses

**TABLE 208B
(TRB) DISTRICT
LOT, YARD, AND HEIGHT STANDARDS***

	With Public Sewer <u>and</u> Water	With Public Sewer <u>or</u> Water	With Approved On lot Sewer System
Minimum Lot Area (Square Feet)	7,200	15,000	20,000
Minimum Lot Width (Feet)	60	80	100
Minimum Front Yard (Feet)	25	25	25
Minimum Side Yard (Feet)	At least 5 Feet on one side and/or a total of 10 Feet on both sides. No less than 3 Feet in any circumstances	10	10
Minimum Rear Yard (Feet)	25	30	30
Maximum Height (Feet)	40	40	40
Maximum Coverage (percent of total lot area)	40%	40%	35%

*See also Article 4 for Alternative Standards for Accessory Structures, Nonconforming Uses and Structures, and Lots of Record

SECTION 209 - The RED AND RIO DISTRICTS

THE (RED) RURAL ECONOMIC DEVELOPMENT AND (RIO) RESTRICTED INDUSTRIAL OFFICE DISTRICTS

These districts were created by Amendment #1 of 2002 and are adopted herein by reference. Copies may be obtained at the Township office upon request.

SECTION 210 - The (C) COMMERCIAL DISTRICT

Table 210A C Commercial District, List of Uses

PERMITTED PRINCIPAL USES	SPECIAL EXCEPTIONS
Artisan and Craftwork (See Section 341)	Flea Markets (See Section 343)
Auto and Equipment Sales and Services (See Section 340)	Outdoor Commercial Recreation (See Section 313)
Bed and Breakfast Inns (See Section 304)	Assisted Living, Personal Care and Nursing Homes (See Section 314)
Building Material and Supply Yards (See Section 339)	Public Utility Buildings or Structures (See Section 315)
Business Services	Self Service Storage Facility (See Section 344)
Car Wash	Retail Liquor Store (See Section 329)
Convenience Store/ Service Station (See Section 342)	
Day Care Services of all Types (See Section 307)	
Eating and Drinking Places	
Essential Services	
Forestry (See Section 308)	
Funeral Homes and Mortuaries	CONDITIONAL USES
Home Occupations (See Section 311.1)	Retail Business and Shopping Centers greater than 80,000 Square Feet Gross Floor Area (See Section 345)
Home Lot Occupations (See Section 310)	
Hospitals	
Indoor Commercial Recreation	
Nursery, Landscaping, and Farm Markets (See Section 312)	
Motels and Hotels	
Personal Services	
Places of Worship and Assembly	
Professional Offices	
Retail Business and Shopping Centers: Of less than 80,000 Square Feet Gross Floor Area	
Theaters	

See Section 404.4 for accessory uses

**TABLE 210B
(C) COMMERCIAL DISTRICT
LOT, YARD, AND HEIGHT STANDARDS***

All Uses	
Minimum Lot Area (Square Feet)	20,000
Minimum Lot Width (Feet)	100
Minimum Front Yard (Feet)	55
Minimum Side Yard (Feet)	15
Minimum Rear Yard (Feet)	20
Maximum Height (Feet)	40
Maximum Coverage(Percent of Total Lot Area)	40%

See Section 211 C for Buffer Yard and Screening Requirements

***See also Article 4 for Alternative Standards for Accessory Structures, Nonconforming Uses and Structures, and Lots of Record**

SECTION 211 - The (I) INDUSTRIAL DISTRICT

Table 211A I Industrial District, Table of Uses	
PERMITTED PRINCIPAL USES	SPECIAL EXCEPTIONS
Artisan and Craftwork (See Section 341)	Day Care Centers (See Section 307)
Auto and Equipment Sales and Services (See Section 340)	Any Permitted Use in the (C) Commercial District (See Section 346)
Building Material and Supply Yard	CONDITIONAL USES
Business Services	Heavy Industry and Research Labs (See Section 347)
Car Wash	Junk Yards, Salvage and Recycling Centers (See Section 348)
Communications Antennas	Mineral Excavation (See Section 324)
Forestry (See Section 308)	Bulk Fuel Storage (See Section 349)
Light Industry	Sanitary Landfills (See Section 332)
Place of Worship and Assembly	Communication Towers (See Section 319)
Professional Offices	
Public Utility Buildings or Structures and Essential Services (See Section 315)	
Self Service Storage Facility	
Truck Terminals and Warehousing	

See Section 404.4 for accessory uses

**TABLE 211B
(I) DISTRICT
LOT, YARD, AND HEIGHT STANDARDS**

All Uses	
Minimum Lot Area (Square Feet)	20,000
Minimum Lot Width (Feet)	100
Minimum Front Yard (Feet)	50
Minimum Side Yard (Feet)	15
Minimum Rear Yard (Feet)	20
Maximum Height (Feet)	55
Maximum Coverage (%)	50 %

See Section 211 C for Buffer Yard and Screening Requirements

***See also Article 4 for Alternative Standards for Accessory Structures, Nonconforming Uses and Structures, and Lots of Record**

211C Where any of the uses listed in Tables 210A and 211A, or any of their accompanying accessory uses abut any land zoned SR Suburban Residential, or TRB Transitional Residential Business, the following buffer and screening shall be required. These requirements shall apply in instances where such use is being newly developed on vacant land, expanded in floor area by 50% or greater, or removed and a new use developed.

- (1) A buffer strip at least ten (10) Feet wide shall be provided and maintained along the entire length of a side or rear yard. This buffer is in addition to otherwise required yards. Buffer strips shall not be used for parking, storage of vehicles, equipment, or materials, nor for any other use incompatible with their purpose as a visual, noise, dust, and pollution barrier.
- (2) Buffer yards shall follow the standards under Section 406.
- (3) Installation and maintenance of the buffer and screening shall be the responsibility of the owner of the property on which the use is located. Installation must be completed prior to issuance of a Zoning Certificate or Certificate of Occupancy. Fences or walls must be maintained in safe and structurally sound condition. Dead or diseased plants shall be removed and replaced within 6 months of death. Grass shall be kept neatly mowed.
- (4) Where Conditional Use, Special Exception, or Permitted Use standards for fencing, screening, and buffering for specific uses are stricter, such specific standards shall apply.

**ARTICLE 3
SPECIFIC USE STANDARDS**

Section 301 Permitted Uses with Conditions, Conditional Uses and Special Exceptions

The criteria for Permitted Uses with conditions, Conditional Uses and Special Exceptions are listed below. In addition to these criteria, the Zoning Hearing Board, in granting Special Exceptions, and the Board of Supervisors, as advised by the Planning Commission in considering Conditional Uses, are charged with considering the effect that such proposed uses will have upon the immediate neighborhood. The preservation and integrity of existing development must be carefully weighed and given priority in each decision. In granting a Special Exception or Conditional Use, the Zoning Hearing Board or Board of Supervisors (as appropriate) may attach reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purposes of the Pennsylvania Municipalities Planning Code and this Ordinance. Such Conditions may include but are not limited to:

- A. Establishment of screening and buffering or an increase in screening and buffering normally required.
- B. Limitations upon hours of operation.
- C. Establishment of fencing for purposes of security, limiting vehicular access, or control of windblown trash.
- D. Limits upon future subdivision of property to prevent the creation of a lot too small for the approved use.
- E. Changes in the proposed location or design of access drives or parking areas to prevent traffic hazards, congestion, or the impacts of increased traffic upon local access and residential streets.
- F. Any compressors shall be so enclosed as to baffle their sound from surrounding uses.
- G. All dumpsters and or garbage/trash storage areas shall be enclosed and placed in a rear or side yard, or similar requirement to prevent noise and malodorous nuisance.

The developer will be notified in writing of any such reasonable additional conditions and safeguards imposed by the applicable Board as part of an approval.

Permitted Uses that have conditions attached will be granted or denied by the Zoning Officer based solely upon the criteria set forth in this section as well as other appropriate sections of this Ordinance. The Zoning Officer does not have the authority to attach any conditions to such approvals.

Section 302 Accessory Dwellings

The purpose of this section is to provide for temporary living quarters as an accessory to a permanent single-family dwelling to facilitate the family care of persons who are qualifying occupants. This shall only be permitted where consistent with Pennsylvania DEP hardship provisions for temporary mobile homes under Act 537 and implementing regulations. Upon approval, the Zoning Officer shall issue a temporary use permit for an accessory dwelling. The use shall be valid for as long as the occupant meets the standards of a qualifying occupant and shall be renewed annually. Qualifying occupants include persons who are either sixty (60) years of age or over, convalescent, or have a physical or mental impairment that substantially limits one or more major life activities; and has a record of such impairment; or is regarded as having such impairment, or person related by blood, marriage, or adoption to the occupant of the single family dwelling.

- A. The accessory dwelling unit shall have access to potable water and a sewage disposal system approved by the sewage enforcement officer. The unit must be installed in conformity to all requirements of the

Pennsylvania Uniform Construction Code and related Commonwealth regulations. However, the unit may not be installed or attached to any kind of permanent masonry foundation.

- B. The accessory dwelling unit shall not be located in any required yard or setback area.
- C. The accessory dwelling must be located at least twenty (20) Feet from the permanent dwelling unit.
- D. A temporary permit shall expire if the accessory dwelling unit is removed from the property or no longer occupied by a qualifying occupant for a ninety (90) day period.

Section 303 Agricultural Sales and Services

- A. No equipment for sale shall be placed within any front yard setback in a manner that would block a line of sight.
- B. Silos and grain drying facilities shall be set back from all side and rear lot lines by the height of the structure, if there is a single family dwelling within one hundred (100) feet of the property line.

Section 304 Bed and Breakfast Inns

- A. No bed and breakfast shall have more than three (3) guest rooms.
- B. There must be an owner resident.
- C. No sign may exceed sixteen (16) Square Feet in area, and must be lit by indirect means.

Section 305 Cemeteries

The purpose of cemeteries, under this Ordinance, is to provide a place for the sale of lots for a proper burial ground for persons or domestic pets. All other uses and activities must be clearly and customarily incidental to this use. Prior to the establishment of a new facility or expansion of an existing cemetery, the owner shall:

- A. File a site plan to demonstrate the design and layout of the proposed cemetery or cemetery expansion and specifically illustrating: the proposed drainage plan, the internal circulation plan, and the location of accessory building(s).
- B. Connections to existing Township streets will be no closer than fifty (50) Feet to a street intersection, fifteen (15) Feet to a fire hydrant, thirty (30) Feet to a driveway on the same side of the street, and shall avoid streets or driveways opposite proposed means of ingress and egress.
- C. Shall demonstrate compliance with applicable Commonwealth laws.
- D. All accessory uses must be clearly incidental and subordinate to the function of the cemetery.
- E. All new facilities shall have a size of at least five (5) acres.

Section 306 Commercial Stables, Veterinary Clinics and Dog Kennels

- A. The applicant shall show compliance with all Commonwealth dog law standards, as it would apply to their operation.
- B. All parking and recreation/play areas that abut residential uses shall provide screen planting, and fencing, as necessary, to contain animals.
- C. All overnight boarding of animals shall be conducted indoors. Kennels shall show means of adequate sound proofing.

Section 307 Day Care Services

- A. Family Day Care Homes
 1. Such operations must obtain any permits/certificates required by the Pennsylvania Department of Public Welfare.

- B. Group Day Care Homes
 1. Such operations must obtain any permits/certificates as required by the Pennsylvania Department of Public Welfare.
 2. Outdoor play areas shall be effectively screened from nearby residential uses through fencing or screening to a height of four (4) feet.
 3. At least one (1) additional parking place shall be required.
 4. The operator shall demonstrate how children shall be dropped off and picked up considering their safety and the safety of other pedestrian and vehicular traffic in the area.

- C. Child Day Care Centers
 1. Any outdoor play area shall be effectively screened from abutting properties through fencing or screening to a height of four (4) feet.
 2. For all new construction, and where feasible for existing structures, circular driveways shall be provided to deliver and pick up children off public streets. These facilities are intended for the safety of the children and the protection of the neighborhood. In any event, the developer shall demonstrate how pick-up and delivery shall occur in a safe manner.
 3. One (1) parking space for each employee shall be required.
 4. Such facilities must be licensed or registered (as appropriate) by the Pennsylvania Department of Public Welfare.

Section 308 Forestry

The practice of forestry, including timber harvesting, is declared as a Permitted Use in all districts. It is subject to the following conditions:

- A. Any harvesting shall present an approved erosion and sediment control plan, if required, prior to the issuance of a zoning permit.
- B. In SR Suburban Residential, and TRB Transitional Residential Business Districts, to avoid traffic congestion and sound disturbance, all activities must start after 7:00 a.m. and end by 6:00 p.m.
- C. All applicable road bonding requirements of the Township must be met.

Section 309 Golf Courses and Driving Ranges

- A. Golf courses shall have a minimum site of ten (10) acres; all other facilities shall have a minimum site of two (2) acres.
- B. Clubhouses shall be located at least one hundred (100) Feet from any property line adjoining a residential use or zoning classification and at least fifty (50) Feet from all other property lines.

- C. Clubhouses that are located within three hundred (300) Feet of a residential dwelling shall be screened by a buffer area, which is at least ten (10) Feet in depth measured from the property line.
- D. Where eating and/or drinking facilities are provided, parking requirements for restaurants shall apply, in addition to the parking requirements for the primary use.
- E. No part of the facility shall operate between the hours of 2:00 a.m. and 6:00 a.m. Driving Ranges shall not operate between the hours of sunset and sunrise in the SR Suburban Residential District.
- F. No outdoor amplified sound systems shall be permitted.

Section 310 Home Lot Occupation

- A. No more than fifty percent (50%) of the area devoted to a family business shall be covered by buildings, parking lots, or any other impervious surface.
- B. The owner or occupant of the home must be engaged in the family business.
- C. No more than two (2) full-time and two (2) part-time persons, other than individuals who reside on the property, may be employed in the family business.
- D. Any outdoor storage of supplies, materials, or products shall be located behind the building in which the family business is conducted.
- E. Waste shall be properly disposed in conformity with applicable Commonwealth law.

Section 311.1 Home Occupation

- A. The home occupation must be carried on entirely within the dwelling unit.
- B. No more than twenty percent (20%) of the gross floor area of the dwelling may be used for the home occupation.
- C. Articles sold or offered for sale on site shall be limited to mail-order articles or articles for sale elsewhere.
- D. No offensive noise, vibration, smoke (or other particulate matter), heat, humidity, glare, or other objectionable effects shall be produced.
- E. No equipment or processes shall be used which create interference in radio or television receivers off the premises or which cause fluctuation in utility line transmissions. Applicant will also show that electric or electronic equipment will not create an electrical fire hazard.
- F. Not more than two (2) persons other than the occupants of the dwelling unit shall be employed.

Section 311.2 No Impact Home-Based Businesses

- A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- B. The business shall employ no employees other than family members residing in the dwelling.
- C. There shall be no display or sale of retail goods except as incidental or accessory to a service or profession.
- D. There shall be no outside appearance of a business use, including, but not limited to, parking signs or lights.
- E. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical interference, including interference with radio or television reception, which is detectable in the neighborhood.
- F. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

- G. The business activity shall be conducted only within the dwelling and may not occupy more than twenty-five percent (25%) of the habitable floor area.
- H. The business may not involve any illegal activity.

If the business meets all such requirements, it shall be considered a lawful accessory use to a dwelling.

Section 312 Nursery and Landscaping and Farm Markets

- A. If retail sales are provided on-site, there shall be at least four (4) customer parking spaces.
- B. No outdoor storage of mulch, stone, or similar loose materials is permitted within one hundred (100) Feet of a neighboring residential dwelling without screening of at least six (6) foot in height. Loose materials may not be piled above the height of proposed screening.

Section 313 Outdoor Commercial Recreation

- A. Shall have a lot of not less than six (6) acres in size.
- B. Present a plan for the use, time, and duration of any outdoor speakers. Outdoor speakers may not be employed for musical performances. Outdoor speakers may not be employed for non-emergency use between the hours of 9:00 p.m. and 7:00 a.m.

Section 314 Assisted Living, Personal Care, and Nursing Homes

- A. There shall be no sign or exterior display beyond the name of the home or its use.
- B. At least one (1) additional on lot parking space shall be provided for each two (2) guests, One (1) for each staff and any resident who owns a motor vehicle.
- C. No home may admit more than 25 residents, unless located at least one hundred (100) Feet from any lot containing a single family dwelling.

Section 315 Public Utility Buildings or Structures and Essential Services

- A. Lots containing structures or buildings for public utilities shall be landscaped to present a minimum intrusion upon the neighborhood.
- B. The structure shall be enclosed by a security fence of a minimum height of eight (8) Feet.
- C. No outdoor storage shall be permitted.
- D. Lighting shall be designed to prevent glare to neighboring properties.

Section 316 Sawmills

- A. Sawmills shall be set at least fifty (50) Feet from the setback line and at least seventy-five (75) Feet from the side or rear setback lines.
- B. There shall be no storage of logs or lumber within twenty-five (25) Feet of any setback line, or one hundred (100) feet or any residential structure on an abutting lot.

Section 317 Airports, Heliports and Ultralight Airports

- A. The proposed facility shall identify runway types and approach zones, with a statement relative to any obligations of the Township under the Pennsylvania Aviation Code.
- B. No airport shall be located within five thousand (5,000) Feet of an existing or proposed sanitary landfill.
- C. No proposed aircraft approach, transitional horizontal or conical surface zone (as defined and understood by the Pennsylvania Bureau of Aviation) shall be proposed within any area containing a communications tower or other obstruction without ensuring compliance with Department of Transportation Aviation Regulations, Chapter 471, Title 67, PA Consolidated Statutes for Airport Obstructions.

Section 318 Campgrounds/Recreational Vehicle Parks

- A. The request for approval as herein required, shall be accompanied by a site plan showing the scale to which it is drawn, showing the location of the proposed campground in relation to all roads and lot lines within two hundred (200) feet of the campground boundaries, the location size and arrangement of all roads and lots, screening, the location of all proposed central sanitary facilities and wells or other sources of water supply and the location of special buildings and other pertinent features. This plan shall meet all other applicable specifications of the Township Subdivision and Land Development Ordinance.
- B. Campgrounds in existence on the effective date of this Ordinance may continue to operate under present regulations. However, any new addition onto existing parks shall conform to the requirements set forth in this Ordinance.
- C. Design Requirements:
 - 1. The campground shall be located on a well-drained site of a minimum of ten (10) acres in area, and properly graded to insure rapid drainage and freedom from stagnant pools of water.
 - 2. Tent or recreational vehicle spaces shall be dimensioned, improved and arranged so that when any space is occupied, no portion of any unit (including awning or other accessory attachments) shall be within fifteen (15) Feet of any other unit or building within the camp, or one hundred (100) Feet from any property line bounding the camp. The 100 foot buffer area adjacent to the camp boundaries shall be suitably planted and screened as may be required by the Township.

Section 319 Communication Towers

319.1 Development Standards

- A. The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a Communications Tower, if applicable, and Communication Antennas.
- B. The applicant shall demonstrate that the proposed Communications Tower and Communications Antennas proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
- C. Communications Towers shall comply with all applicable Federal Aviation Administration (FAA), Commonwealth Bureau of Aviation (BOA) and any applicable Airport Zoning Regulations.
- D. Any applicant proposing construction of a new Communications Tower shall demonstrate that a good faith effort has been made to obtain permission to mount the Communications Antennas on an existing Building,

Structure or Communications Tower. A good faith effort shall require that all owners of potentially suitable Structure within a one-quarter (1/4) mile radius of the proposed Communications Tower site be contacted and that one (1) or more of the following reasons for not selecting such structure apply:

1. The proposed antennae and related equipment would exceed the structural capacity of the existing Structure and its reinforcement cannot be accomplished at a reasonable cost.
 2. The proposed antennas and related equipment would cause radio frequency interference with other existing equipment for that existing Structure and the interference cannot be prevented at a reasonable cost.
 3. Such existing structures do not have adequate location, space, access or height to accommodate the proposed equipment or to allow it to perform its intended function.
 4. Addition of the proposed antennae and related equipment would result in electromagnetic radiation from such Structure exceeding applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
 5. A commercially reasonable agreement could not be reached with the owners of such Structures.
- E. Access shall be provided to the Communications Tower and Communications Equipment Building by means of a public street or easement to a public street. The easement shall be a minimum of twenty (20) Feet in width and shall be improved to a width of at least ten (10) Feet with a dust-free, all weather surfaces for its entire length.
- F. A Communications Tower may be located on a lot occupied by other principal Structures and may occupy a leased parcel so long as the leased parcel meets the minimum lot size requirements for the Zoning District. The lot area for each Communications Tower shall be a minimum of 1.5 acres. Recording of a plat of subdivision or land development shall not be required for a lease parcel on which a Communications Tower is proposed to be constructed, provided the Communications Equipment Building is unmanned.
- G. The applicant shall demonstrate that the proposed height of the Communications Tower is the minimum height necessary to perform its function.
- H. In all Zoning Districts, the maximum height of any Communications Tower shall be one hundred and fifty (150) Feet; provided however, that such height may be increased to no more than two hundred (200) Feet, provided the required setbacks from all property lines (not lease lines) are increased by one (1) foot for each one (1) foot of height in excess of one hundred and fifty (150) Feet.
- I. The foundation and base of any Communications Tower shall be set back from all nearby or adjacent buildings or structures by not less than the total height of the Communications Tower. In the case of adjacent Agricultural or Residential uses, this setback shall be not less than two hundred and fifty (250) Feet, regardless of the height of the Communications Tower.
- J. The foundation and base of any Communications Tower shall be set back from a property line (not lease line) located in any Agricultural or Residential District at least one hundred (100) Feet and shall be set back from any other property line (not lease line) at least fifty (50) Feet.
- K. The base of a Communication Tower shall be screened so the foundation and base and Communications Equipment Building from abutting properties.

- L. The Communications Equipment Building, if applicable, shall comply with the required yard and height requirements of the applicable Zoning District for an accessory structure.
- M. All guy wires associated with guyed Communications Towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure. All guy wires and guy wire anchors shall be at least twenty-five (25) Feet from the nearest property line.
- N. The site of a Communications Tower, which shall include tower and all supporting structures, shall be secured by a fence which shall otherwise comply with the Oil Creek Township Zoning Ordinance, with a maximum height of eight (8) Feet to limit accessibility by the general public.
- O. Communication Towers shall be protected and maintained in accordance with the requirements of applicable Building Codes.
- P. One (1)-off street parking space shall be provided within the fenced area.
- Q. The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed Communications Tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association and applicable requirements of the Township's Building Code.
- R. The applicant shall submit a copy of its current Federal Communications Commission license; the name, address and emergency telephone number for the operator of the Communications Tower; and a Certificate of Insurance evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the Communications Tower and Communications Antennas.
- S. If a Communications Tower remains unused for a period of twelve (12) consecutive months, the owner or operator shall dismantle and remove the Communications Tower within six (6) months of the expiration of such twelve (12) month period.

319.2 Impact Mitigation Standards

- A. Towers shall either maintain a galvanized steel finish, subject to any applicable governmental or engineering standards, or be painted a neutral color, so as to reduce visual obtrusiveness.
- B. At a tower site, the design of the tower buildings and related structures shall, to the maximum extent possible, use materials, colors, textures, screening and landscaping that will blend the tower facilities with the natural setting and environment.
- C. Towers shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from adjacent residential property. The standard buffer shall consist of a landscaped strip at least ten (10) Feet wide outside the perimeter of the compound. Natural vegetation is preferred. In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived entirely.
- D. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large wooded lots, natural growth around the property may be deemed a sufficient buffer.

- E. No lights shall be mounted on the tower except as may be required by the Federal Communications Commission, Federal Aviation Administration, or other governmental authority with jurisdiction. If lighting is required, it shall be designed, installed, and maintained to cause the least disturbance to surrounding viewpoints, consistent with applicable governmental regulations.
- F. No signs of any kind shall be mounted on the tower except as may be required by applicable governmental regulations.

319.3 Post-Development Submissions

- A. The Township shall be notified of any change in ownership of a Communications Tower.
- B. On or before June 30 of each year, the owner of a Communications Tower shall provide the Township with the following:
 - 1. A statement of the number and kinds of communications equipment located on the tower and reasonable proof or certification that such communications equipment is being operated and maintained in accordance with applicable FCC license and regulatory requirements.
 - 2. The name, address and telephone number for the operator of the communications tower.
- C. The Communications Tower must be inspected at the time of its construction and not less frequently than every two (2) years thereafter by an expert who is regularly involved in the maintenance, inspection and/or erection of such structures. At a minimum, this inspection shall be conducted in accordance with the Tower Inspection Class checklist provided in the Electronics Industries Association (EIA) Standard 222 "Structural Standards for Steel Antenna Towers and Antenna Support Structures." Copies of all such inspection reports shall be filed with the Zoning Officer by the applicant/permittee not later than thirty (30) days after receipt thereof by the owner or operator, and all deficiencies noted in such inspection reports shall be remedied promptly by the owner or operator.

319.4 Submissions Required in Addition to Items Listed in Section 319.1, 319.2 and 319.3

- A. A full Conditional Use application, zoning permit application, and plan for subdivision by lease as applicable.
- B. Scaled site plan showing the location, type and height of the tower and other related structures, fenced area and access road, surrounding land uses within five hundred (500) Feet, and boundaries of surrounding properties.
- C. Information concerning topography, adjacent land uses, intended use of proposed tower, type of security, and tower lighting.
- D. Information concerning the ownership of the land and agreements, if any, pertaining to its use for communication tower purposes.
- E. Information about adjacent roadways, proposed means of access and traffic.
- F. Elevation drawings of the proposed tower and any other structures and information about impact on surrounding topography.
- G. Information about the setback distance between the proposed tower and the nearby residential and commercial, public roads and property lines.

- H. Plans for fencing and finished color, landscaping, and other means of reducing the visual impacts of the tower.
- I. Information about the location of and separation distance from other communications towers within a three (3) mile radius with reference to a site map, together with information about the type of construction of the existing tower(s), as well as the owner/operator of the existing tower(s).
- J. Information about whether construction of the tower will accommodate collocation of additional antennas for future users, and if not, why it will not.
- K. Written proof that the proposed use/facility complies with the FCC Regulations on radio frequency (RF) exposure guidelines.
- L. Information about what environmental evaluations are required under the National Environmental Policy Act (NEPA), as referenced in applicable FCC rules, and the results of any undertaken to date of the application. If an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) is required under the FCC rules and NEPA, information about when those studies will be done.
- M. Engineering information detailing the size and coverage required for the facility location.

Section 320 Exotic Animal Raising and Care

- A. No Exotic Animal Raising and Care may be conducted on a lot of less than ten (10) acres. The developer shall agree to not subdivide any parcel below these stated minimums, while the said use remains active.
- B. No cages, pens or runs shall be closer than three hundred (300) Feet from neighboring lot lines.
- C. Provide evidence that waste products or manure will not create a malodorous nuisance.
- D. Provide evidence of meeting all applicable Commonwealth codes and licenses.
- E. Shall not directly abut an SR Suburban Residential district.

Section 321 Private Clubs and Lodges

- A. No private club shall function as a bottle club, as defined by the Pennsylvania Code.
- B. Live entertainment shall not be of a sexually oriented nature, or any other entertainment qualifying the performance as a sexually oriented business.
- C. All music, entertainment or sound systems shall be confined to the hours of 10:00 a.m. to 9:00 p.m., if such music is either outdoors or audible from outside the building.

Section 322 Open Air Entertainment Facility

- A. Shall have a lot of no less than twenty (20) acres.
- B. Any outdoor lighting shall be shielded to prevent glare to neighboring properties.
- C. Shall not directly abut an SR Suburban Residential district.
- D. Shall submit a plan for screening and buffering to minimize the impact of noise upon any abutting residential properties.

Section 323 Public and Private Elementary and Secondary Schools Recognized by the Pa Department of Education

- A. Shall provide all parking and loading/unloading requirements as required by this Ordinance.
- B. Shall be located on a public street with a minimum paved cart way of twenty-four (24) Feet.
- C. All parking and recreation/play areas, which abut residential uses, shall be screened.
- D. Any outdoor lighting shall use fully or partially shielded fixtures.
- E. All necessary licenses or permits issued by County, Commonwealth or Federal agencies shall be presented to the Board and required licenses, certificates or permits shall be a condition for approval.

Section 324 Mineral Excavation

Mining may include the excavation of earth, sand, gravel, stone, coal or other minerals by surface or deep mining methods and removal of the excavated materials from the site when such activity is the Principal Use and not incidental to land development. An application for Conditional Use must be approved prior to issuance of any land development plan, stormwater management plan, or other approval.

As part of the application for Conditional Use approval, the excavator shall submit a drawing showing:

- A. The property on which the excavation will occur, including abutting roads, property lines and boundary on the property within which the excavating will occur, including proposed phasing of the work over the life of the project;
- B. Contours at five (5) foot intervals, indicating existing contours and proposed contours at conclusion of excavation;
- C. Solution to drainage from the site, showing means of carrying stormwater to a natural drainage way or to an approved stormwater system;
- D. The registration seal of the engineer preparing the drawing when over five (5) acres in area;
- E. The excavator shall comply with all applicable regulations of the Township, including but not limited to site grading and drainage, landscaping and buffering, and environmental standards;
- F. No landfilling or dumping for garbage or other refuse or commercial or industrial by-products shall be permitted;
- G. The excavation project shall be operated as follows:
 - 1. Primary access to the site shall be controlled at one location;
 - 2. The excavator shall post the property, noting that a dangerous condition exists and warning trespassers away;
 - 3. The excavator shall take care that trucks leaving the property are not overloaded. If materials from trucks are spilled upon a public road right of way, all such materials shall be removed from the road within four (4) hours. Material spilled onto cart ways shall be removed immediately;
 - 4. Wash stations shall be installed for trucks leaving the site to enter a public road in order to ensure that no dust leaves the property;
 - 5. To prevent the migration of dust from surface mining to other properties, the Township may require the installation of screening, landscaping or buffer areas;

- H. The Board of Supervisors may require a bond in favor of the Township to be posted by the excavator to cover damages that may occur to Township roads as a result of hauling materials excavated from the permitted site. The amount of the bond less any sums needed to correct damages shall be refunded to the excavator within one (1) year after the conclusion of the operation;
- I. No mining operation shall be conducted within any setback limits set forth by the Commonwealth of Pennsylvania or the United States Government. The developer shall provide the Township with evidence that all setbacks required by other agencies have been met;
- J. Mining may not occur in any side or rear setback area established in any district. Overburden may not be placed higher than any setback area, unless set back by at least one foot for each additional foot in height above grade.

Section 325 Intensive Outdoor Recreation

- A. Shall have a lot size of no less than fifty (50 acres).
- B. Outdoor commercial shooting ranges and commercial hunting operations shall not undertake activities between the hours of sunset and sunrise. The Board of Supervisors may limit hours of operation for other intensive uses as a reasonable additional condition of approval.
- C. Commercial shooting ranges shall illustrate that the design and direction of all firing lanes shall not present a danger to public health and safety. The developer shall show adherence to best design practices, such as the National Rifle Association's NRA Range Source Book to ensure safety. Other intensive uses shall present a plan to minimize any noise created by activities through buffering, acoustic engineering, or topography.

Section 326 Agriculture

The Township supports the continuation of agriculture in areas where it has been historically present.

- A. No animal agriculture shall occur on a lot of less than four (4) acres. Lots of less than four acres may still conduct limited animal keeping as an accessory use to a dwelling, subject to Section 404.9.
- B. No building containing livestock shall be within one hundred (100) Feet of a neighboring SR lot line.

Section 327 Two Family Dwellings

- A. No two family dwelling shall abut another two family dwelling on any side lot line.
- B. Shall increase minimum lot size by thirty (30%) percent for the District.

Section 328 Limited Retail Businesses

- A. Must be located upon a public road or street.
- B. Freestanding signs shall be limited to one (1) sign of no more than sixteen (16) Square Feet or less for each yard fronting a public street.
- C. No drive-through facilities shall be permitted.
- D. The Township may limit the hours of operation as a reasonable additional condition and safeguard.
- E. The developer shall show that parking requirements can be met on lot.

Section 329 Retail Liquor Store

- A. No Retail Liquor Store shall be located within five hundred (500) Feet of another Retail Liquor Store, a halfway house, correctional facility, bottle club or sexually oriented business.
- B. The Township may limit the hours of operation of the Retail Liquor Store as a reasonable additional condition and safeguard.

Section 330 Reserved

Section 331 Reserved

Section 332 Sanitary Landfills

Sanitary landfills shall be permitted only as a Conditional Use. Plans for sanitary landfills shall be approved and controlled by the Pennsylvania Department of Environmental Protection (PennDEP), the laws and regulations of the Commonwealth and appropriate laws and regulations of the United States of America. Operators of sanitary landfills shall file with the Board of Supervisors written proof that they have met all permit requirements of the Commonwealth and/or Federal government as they may apply to a specific development.

- A. Local requirements which must be met prior to permit approval by the Board of Supervisors include:
 - 1. A buffer yard of two hundred and fifty (250) Feet from all public rights-of-way and four hundred (400) Feet from all dwellings, schools, churches, hospitals and similar residential uses.
 - 2. A barrier of natural forestry at a width of one hundred (100) Feet or an eight (8) foot high cyclone type fence with panel weaving or similar solid fencing shall parallel all public rights-of-way and adjacent properties for purposes of preventing the passing of wind-blown litter and preventing direct visibility of the working area from public rights-of-way and adjoining properties.
 - 3. The barrier shall be at a minimum distance of seventy-five (75) Feet from all operations, and the area between the work area and barrier shall consist of a natural cover of vegetation or forestry. This strip shall not be of barren soil.
 - 4. The landfill shall have no more than two (2) access routes, unless the landfill property borders three (3) or more public rights-of-way. In such an event, approval by the Township Supervisors will be necessary to secure an additional access route.
 - 5. A bond to protect Township roads utilized by land fill traffic shall be negotiated prior to approval.
 - 6. The operator shall submit to the Board of Supervisors for approval a plan for the restoration of the landfill area which shall include anticipated future use of the restored land.
 - 7. All such proposed uses shall be on a lot of no less than fifteen (15) acres. No landfill activities may exceed a height of forty (40) Feet above existing grade.

Section 333 Conversion of Single Family Dwellings into Two Family or Multiple Family Dwellings

To be allowed to convert from a single family into a multiple family unit, the following criteria must be met:

- A. All units must have separate kitchen and bathroom facilities as well as living/sleeping spaces.
- B. Each unit shall have a minimum size of six hundred (600) Square Feet exclusive of common spaces.
- C. All required parking shall be accommodated on lot. No parking in the front yard area shall be permitted.
- D. Conversion shall be limited to two (2) dwelling units or less, unless the existing structure is 3,000 square feet or greater gross floor area, in which case, three (3) dwelling units may be created.

- E. All area and yard requirements for multiple-family dwellings within the district must be met.

Section 334 Rooming and Boarding Houses

- A. May not house more than eight (8) roomers/boarders.
- B. Shall not adversely affect the character of the surrounding neighborhood.
- C. Shall provide off-street parking per Article 4.

Section 335 Transitional Dwellings not classified as Halfway Houses or Correctional Facilities

- A. The facility operator shall present to the Township applicable information about any and all limits upon residency to determine the facility will not operate as a halfway house.
- B. If the facility is located in a former single family dwelling, no more than ten (10) residents are permitted at any one time. Maximum residency of other building types is limited to sixteen (16) persons.
- C. No transitional housing facility shall be located within three hundred (300) Feet of another transitional housing facility or one hundred (100) Feet of a pre-existing single family dwelling.

Section 336 Tattoo and Body Piercing Parlors

- A. Hours of operation shall be limited from 8:00 a.m. to 10:00 p.m.
- B. No tattoo or piercing operation shall be visible from the outside of the building.
- C. No advertising materials are permitted upon the structure except lawful signs for the zoning district.

Section 337 Multiple Family Dwellings

- A. All units must have separate kitchen and bathroom facilities as well as living/sleeping spaces. All units must have separately metered utilities.
- B. Each dwelling unit shall have a minimum size of six hundred (600) Square Feet exclusive of common spaces.
- C. All required parking shall be accommodated on lot or in leased or otherwise dedicated tenant spaces within one hundred (100) Feet of the proposed development.
- D. All area and yard requirements for multiple-family dwellings within the district must be met as follows in Table 337A:

Table 337A	
Minimum Lot Area	40,000 Square Feet
Maximum Number of Dwelling Units per Acre*	Maximum of four (4) dwelling units per acre
Minimum Lot Width (Feet)	100

Minimum Front Yard (Feet)	50
Minimum Side Yard (Feet)	25
Minimum Rear Yard (Feet)	25
Maximum Height (Feet)	40
Maximum Coverage (%)	50%

Section 338 Mobile home Parks

- A. Existing Parks: Mobile Home Parks presently existing within the Township which do not conform with this chapter can exist as a nonconforming use, which shall further allow replacement of existing mobile homes within the existing Mobile Home Park, provided that the replacement unit shall not be of a size greater than one hundred thirty percent (130%) of the unit presently installed at the time that this chapter is adopted. All Mobile Home Parks and individual mobile homes in existing parks shall be nonconforming uses under the provisions of this section and shall comply with all the applicable provisions of this Article except for the environmental requirements set forth in this Article.
- B. Additions to Parks: Additions to Mobile Home Parks must conform to all the provisions of this Article.
- C. Density Requirements: The minimum gross area required for a Mobile Home Park shall be fifteen (15) contiguous acres. The minimum lot area required for each mobile home shall be twenty thousand (20,000) Square Feet. Otherwise, all density and development standards shall conform to Article XII of the Township Subdivision and Land Development Ordinance.
- D. Inspection of the Mobile Home Park: The Township Supervisors may designate an inspector, who is authorized to inspect Mobile Home Parks constructed, altered, or extended after the effective date of this chapter, in connection with the issuance of the original permit or in connection with any expansion permit to be issued. Additional inspections may be made as required to determine compliance with these regulations.
- E. Removal of Mobile Home: No mobile home shall be removed from the Township without first obtaining a permit from the Township Tax Collector, as required by Act No. 54, 1969, of the Pennsylvania General Assembly. Such permit shall be issued upon payment of the required fee and real estate and personal taxes assessed and unpaid at the time the permit is requested.

Section 339 Building Material and Supply Yards

- A. Shall submit a plan that details the proposed storage of any hazardous substances, such as propane and bulk fuel and any safety or mitigation standards, parking arrangements, the use of buildings on the site, surrounding properties and their usage and any other pertinent information.
- B. A security fence of at least six (6) Feet in height and landscaping outside the fence shall surround any outdoor storage area.

- C. All outdoor storage shall be within all rear or side yard setbacks and behind the principle structure, screened from view of any public road.
- D. All parking, loading and unloading facilities shall be clearly designed so motor vehicles will not be required to back onto streets or roads when parking or leaving the premises.

Section 340 Auto and Equipment Sales and Services

- A. No vehicles will be parked or stored in a manner which would encroach upon a free sight triangle or safe line of sight for any nearby street or driveway.
- B. There shall be no outdoor storage of new or used parts, scrap parts, unlicensed vehicles, and parts of vehicles, tires or vehicles which lack current Pennsylvania inspection stickers. The overnight parking of customer vehicles and the screened storage of approved trash containers shall be permitted.
- C. All lighting shall be indirect or designed to prevent glare to neighboring properties.
- D. All compressors shall be enclosed to minimize noise to neighboring properties.
- E. All underground storage tanks shall be in compliance with all Federal or Commonwealth regulations.

Section 341 Artisan and Craftwork

- A. If a retail showroom is available, one parking space for each four hundred (400) Square Feet of retail space shall be provided on-site.
- B. Shall have a sign of no greater than sixteen (16) Square Feet.

Section 342 Convenience Store/ Service Station

- A. Meet all relevant standards of Section 340.
- B. Any fuel pumps shall be at least thirty (30) Feet from any road right of way and at least thirty (30) Feet from a side lot line.
- C. Canopies for fuel pumps shall be set back by their height from a right of way.

Section 343 Flea Markets

All flea markets shall meet the following standards:

- A. The operator of the flea market shall either be the property owner or provide evidence of written permission (such as a lease agreement) to utilize the property.

- B. The operator shall submit a plan that details public parking areas and the number and location of proposed seller stalls.
- C. The operator shall have a contract with an approved waste hauler and a minimum of one (1) fifty (50) gallon capacity solid waste receptacle (or equivalent dumpster capacity) for every four (4) proposed sellers.
- D. The Flea market shall either provide permanent restroom facilities or portable toilets sufficient to meet the number of proposed users. If only portable toilets are used, at least two portable toilets will be provided for all flea markets. Calculations shall be provided as to adequacy from a portable toilet rental company.

Section 344 Self-Storage Facility

- A. There shall be no outdoor storage of any type, at any time, with the exception of motor vehicles, trailers, or boats licensed to travel the highways or waters of the Commonwealth. Such vehicles and trailers shall be stored in a manner that they are visually screened from any abutting residential use or abutting road right of way.
- B. In addition to the required side and rear yards, an additional ten (10) foot buffer yard shall be required.
- C. The entire complex shall be surrounded by a security fence at least six (6) Feet but not greater than eight (8) Feet in height. Said fence shall be no closer to any lot line than ten (10) Feet.
- D. There shall be no rental of space for active uses, such as gatherings or music practice, or retail sales or businesses conducted from the rental units.
- E. There shall be no bulk storage of chemical and petroleum products and no housing of live animals.

Section 345 Retail Business and Shopping Centers greater than 80,000 Square Feet Gross Floor Area

This may include a mix of retail, eating and drinking places, professional offices, and business services and personal service shops.

- A. The center shall be planned around a central green or quadrangle area, with consideration given to the relationship of various buildings and uses to each other. A minimum of ten percent (10%) of the total developed area shall be devoted to such greens or common passive recreational areas. This shall be in addition to any normal required yard and setback areas or limitations upon coverage.
- B. The developer shall submit a sketch plan that generally identifies proposed areas for various permitted and Conditional Uses within the center. This sketch plan need not include final dimensions and final designs of any public or private improvements, but shall focus upon the relationship of proposed uses to each other and the surrounding neighborhood. If areas are specifically identified for Conditional Uses, and meet all performance standards, their subsequent development may proceed by right at a later date without additional Conditional Use approval. However, no area proposed for a Conditional Use may be

changed to another Conditional Use without submission of another application for approval. Areas proposed for Conditional Uses may be changed to Permitted Uses within the center.

Nothing in this section alters the right of the Township to review and approve changes to any subdivision and land development plan.

- C. The plan shall illustrate an internal pedestrian and vehicular access system that facilitates travel between buildings within the center.
- D. The developer shall submit plans for any architectural guidelines or covenants proposed to ensure a harmonious development of the center as an integral whole.
- E. The developer shall submit a sketch landscaping plan that illustrates how landscaping will be used to buffer the proposed center from any abutting residential areas. The Township Supervisors may increase standards for buffering and landscaping as a reasonable additional condition and safeguard.

Section 346 Any Permitted Use in the (C) - Commercial District

Screening or fencing may be required, along with other reasonable additional conditions and safeguards, in order to prevent negative impacts upon neighboring industrial uses.

Section 347 Heavy Industry and Research Labs

The applicant shall provide a detailed description of the proposed use, addressing each of the following impacts:

- A. The nature of the on-site processing operations, the materials used in the process, the products produced, and the generation and methods for disposal of any by-products. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with Commonwealth and Federal regulations.
- B. The general scale of the operation in terms of its market area, specific floor space requirements for each step of the industrial process, the total number of employees on each shift, and an overall needed site size.
- C. Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, waste water, stormwater, solid waste, etc.), and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by applicable laws and ordinances, including but not limited to performance standards under this Ordinance.
- D. A traffic study prepared by a professional traffic engineer and meeting any standards for such studies established by Oil Creek Township, Crawford County may be required.
- E. The Township may employ a number of site specific reasonable additional conditions and safeguards, including, but not limited to screening, limits upon hours of operations, and maximizing distance of industrial activities from other zoning districts.

Section 348 Junk Yards, Salvage and Recycling Centers

Shall comply with the following requirements:

- A. All lots shall be at least ten (10) acres in size.
- B. There shall be no storage of scrap, machinery or equipment of any kind in the setback areas.
- C. All yard and setback spaces shall be increased ten (10) Feet.
- E. The processing or storage of hazardous materials, as defined by the Department of Environmental Protection, shall not be permitted.

Section 349 Bulk Fuel Storage

- A. Liquid storage tanks shall be completely surrounded by a dike capable of containing the maximum contents of all the tanks within the dike. Any openings in the dike shall be leak-proof when closed and shall close automatically in the event of tank rupture. As needed, tanks shall be registered with DEP, comply with their regulations, and show evidence of same.
- B. No tank shall be located closer than one hundred (100) Feet to any property or street line or five hundred (500) Feet to any residence.
- C. The area within the dike shall be drained by an underground system capable of closing automatically in the event of a tank rupture.
- D. An emergency management plan shall be prepared and approved by the Township with consultation with the local fire department and the consent of DEP shall be secured by the developer as conditions of issuing a zoning permit or certificate.

ARTICLE 4
SUPPLEMENTAL RESTRICTIONS

Section 401 Nonconforming Uses and Nonconforming Structures:

The following provisions shall apply to all nonconforming uses and nonconforming structures, including signs:

401.1 Nonconforming Uses of Land

The lawful use of land existing at the time of the enactment of this Ordinance, or of an amendment thereto, not involving any principal and/or accessory structure, although such use does not conform to the provisions of this Ordinance, may be continued, and the nonconforming use(s) of land may be expanded, extended, or moved in whole or in part to any other portion of the lot of record, provided all other provisions of this Ordinance are complied with. If such nonconforming use of land or any portion thereof is discontinued or changed (except as provided for herein), any future use of such land shall be in conformity with the provisions of this Ordinance. Any nonconforming use may be changed to another use only if the change is towards greater conformity and creates no greater intensity of impacts. The conversion of a nonconforming use to another nonconforming use shall be regarded as a Special Exception. When determining the eligibility for conversion the zoning hearing board may utilize the zoning district table of uses as guidelines for intensity of impacts; and may deny the conversion if it would result in greater nonconformity with District purposes. In considering this Special Exception, the Zoning Hearing Board may also add reasonable additional conditions and safeguards.

401.2 Nonconforming Uses of Structures

The lawful use of a structure existing at the time of the enactment of this Ordinance, or of an amendment thereto, although such use does not conform to the provisions of this Ordinance, may be continued and such use may be extended throughout the building provided that such extension of use does not displace a use conforming to the district designated by this Ordinance. In any district, a legal, nonconforming use may be changed to a use of the same or a more restrictive zoning district. Any request for the expansion of a nonconforming use shall follow 401.5.

401.3 Reversions and Abandonments

Whenever a nonconforming use of land or of a structure, or a portion thereof, has been abandoned for a period of eighteen (18) months, such nonconforming use shall not be resumed and any further use shall be in conformity of the district within which it is located. If the use of any structure or land reverts to a permitted use, it shall not be used again except in conformity with the regulations of the district within which it is located.

401.4 Nonconforming Structures

A structure (including a sign) existing at the time of the enactment of this Ordinance or of an amendment thereto, although such structure does not conform to the lot and yard requirements of this Ordinance, may be continued in use, provided no structural alterations are made to the nonconforming portion of the structure other than those ordered by an authorized public officer to assure the safety of the structure or permitted by this Ordinance. Where an addition is proposed to an existing structure, which has a setback less than that required in the district, the setback of the existing structure shall (in order to provide a setback regulation for a pre-existing nonconforming structure) be used. This provision is not intended to prevent maintenance or repair to a structure as long as it does not expand its existing configuration. If such nonconforming structure should be destroyed by any means, a permit for its reconstruction shall be issued provided application for permit for such reconstruction is made within eighteen (18) months from date of such destruction.

401.5 Nonconforming Structure Procedures

All changes to nonconforming structures shall be referred to the Zoning Hearing Board. The Board shall base its decision upon the impact the proposed use or expansion shall have on the immediate neighborhood. The Board shall take into consideration:

- A. The amount of any traffic increase, truck or automobile;
- B. Proposed hours of operation. Note: Late night (after 11:00 p.m.) and early morning (prior to 7:00 a.m.) or all-night operations will be considered as injurious and not permitted in residential neighborhoods;
- C. Any proposed Increases in employment levels, density, or number of dwelling units.

The following shall be provided/considered:

- A. The amount of traffic, truck and automobile, which the proposed use can be expected to generate based upon objective information relative to similar uses.
- B. Late-night (after 11:00 p.m.) or early (prior to 7:00 a.m.) and all-night operations shall be regarded as injurious.
- C. The intensity of use as measured by the number of employees, potential noise and possible equipment vibration.

401.6 Certificate of Nonconformance

The owner of a nonconforming use or structure may request a certificate of nonconformity from the Zoning Officer. If the Zoning Officer is unable to determine the validity of the nonconformity, then the request will be referred to the Zoning Hearing Board.

401.7 Where a structure exists on an adjacent lot and is within one hundred fifty (150) feet of the proposed structure, and the existing structure has a front yard less than the minimum depth required, the minimum front yard shall be the average depth of the front yard of the existing structure on the adjacent lot and the minimum depth required for the district; where structures exist on both adjacent lots, the minimum depth of the front yard shall be the average depth of the front yards of the existing adjacent structures.

401.8 Where two or more principal buildings exist on one property, and a land subdivision is proposed to create separate taxable properties for these principal buildings, the Township shall exercise the authority to grant modifications to the subdivision for zoning standards relative to lot area; lot width; and front, side and rear yard requirements; providing, however, a road access shall be provided to each lot which at the minimum meets the requirements established under Section 504 (access lanes). The Township, in reviewing these subdivisions shall approve a plan which in allows the least number of lot area, lot width and yard modifications and which also is the most consistent with the development objectives of this ordinance. For the purpose of this section, "principal buildings" shall be defined as two (2) or more buildings which by their predominant use characteristics are not accessory buildings or accessory uses.

Section 402 Existing Lots of Record

Any lot of record existing at the effective date of this Ordinance, and held in separate ownership different from the ownership of adjoining lots, may be used for the erection of a structure conforming to the use regulations of the district in which it is located even though its lot area and width are less than the minimum required by this Ordinance, however, such lot must comply with the yard, height and coverage standards of the zoning district wherein it is located. Where two (2) or more adjacent lots of record with less than the required area and width are held by one (1) owner, on or before the date of enactment of this Ordinance, the request for a permit shall be

referred to the Zoning Hearing Board for Special Exception. The Zoning Hearing Board may require replatting to fewer lots, which would comply with the minimum requirements of this Ordinance.

Section 403 Storage and Occupancy of Recreation Vehicles

- 403.1 Intent - The intent of this Section is to provide for the storage of recreational vehicles, boats, boat trailers, converted vans and buses so that such storage does not create safety and/or sanitary hazards.
- 403.2 Definition of Recreational Vehicle - A vehicle designed primarily as temporary living quarters for recreational, camping or travel use and would include travel trailers, camping trailers, truck campers, motor homes, converted vans or buses, boats or boat trailers.
- 403.3 Use as a Permanent Dwelling Prohibited - A recreational vehicle, as defined by this Ordinance, shall not be used as a temporary or permanent dwelling and shall not be used for living or housekeeping purposes when parked in any district of Oil Creek Township, Crawford County.
- 403.4 Parking - A recreational vehicle, as defined by this Ordinance, may be parked temporarily on drive-ways or lots for a period not to exceed 120 days for purposes of loading and unloading, guest parking, non-commercial camping and maintenance. However, any recreational vehicle so occupied for a period of greater than 30 days must obtain a Zoning Certificate, and meet all applicable sewage disposal regulations.

Section 404 Accessory Uses and Structures:

- 404.1 Use of Accessory Buildings. Where this Ordinance provides that a lot may be used or a building or structure may be erected, altered, or used for the purpose, that purpose shall include any accessory building or structure or accessory use, which may include any structures to receive and/or store energy directly from the sun, but shall not include:
- A. Any occupation for gain or profit conducted within a dwelling unit except as may be permitted in this Ordinance;
 - B. Any building used for human habitation except as may be permitted in this Ordinance.
- 404.2 Height (Accessory Structures) - Height shall be consistent with the regulations in the applicable zoning district.
- 404.3 Location (Accessory Structure) - Except as otherwise provided, any accessory building or structure which is not an integral component of the main building shall be erected to the rear of the required front yard and shall comply with the yard and setback provisions of the district in which such building or structure is situated. Accessory structures such as satellite dishes greater than four (4) Feet in diameter and/or central air conditioning units shall be located to the rear of the main building and shall comply with the accessory structure setback requirements of the appropriate district.
- 404.4 Permitted Accessory Uses

Accessory uses shall be allowed as consistent with Table 404.4. Accessory uses that require a UCC permit or are considered an improvement for the purposes of Crawford County property taxes shall apply for and receive a building permit or certificate. Other accessory uses shall be permitted provided they can be shown to be customarily incidental and subordinate to a Permitted Use and they shall be located on the same lot as the Principal Use. All accessory uses are also subject to lot and use standards specified in Article 4.

Table 404.4 Use Class	Typical incidental and accessory uses
All Uses	Parking and driveways, lawful signs, solid waste storage areas, gardening and landscaping, small storage sheds for property maintenance, small recreational and play structures, religious symbols, walls, fences*, lamp posts, necessary stormwater management structures
Agriculture	Buildings and structures for storage of machinery, equipment, and livestock, fences, grain or forage storage and treatment structures, manure management structures, water storage and irrigation, structures and uses for on farm sales of items produced upon the premises, exterior fuel and fertilizer tanks
Single Family Dwellings	Residential garages (noncommercial for storage and repair of vehicles) , swimming pools, gazebos, storage sheds, home gardening and noncommercial greenhouses, dog kennels, home play or exercise equipment, home communication reception devices
Multiple Family Dwellings	All single family accessory uses plus laundry facilities, community recreation buildings for residents of a development
Retail and Service Business	Drive in and drive through facilities, business communication reception devices
Industry	Buildings for grounds maintenance, small storage sheds, exterior fuel tanks for fueling vehicles, loading docks and bays, outdoor scales, storage silos for noncombustible and non-explosive materials. Antennae mounted upon existing towers

*Note: Solid Walls and Fences may not block any vehicular line of site. If erected at a lot or property line, a solid opaque wall or fence is limited to six (6) Feet in height.

404.5 Accessory Structures

The location and encroachment for permitted accessory structures and uses shall be dependent upon whether it is defined as temporary or permanent. The permitted encroachment for the following accessory structures/uses is outlined below. All permanent, permitted accessory structures/uses shall be located within the minimum yard setback permitted within the specific Zoning Districts, outlined in Article 2 – District Descriptions.

Permitted Projections in Required Rear Yard or Required Interior Side Yards, Front Side (interior and exterior) and Rear Yard requirements are given for each Zoning District in the Township. Except for specified projections and obstructions listed below, every part of the required yard shall be open and unobstructed to the sky. The following table (Table 1) outlines the permitted accessory structure/use yard projections into the front, rear and interior side and exterior side yards.

Checkmarks indicate that applicable item may encroach to the property line or right of way line, unless otherwise indicated.	Front Yard	Interior Side Yard	Exterior Side Yard	Rear Yard
Apparatus or Architectural Structures when required for the efficient operation of solar energy systems, including but not limited to overhangs, insulating walls and roofs, solar collectors or reflectors	may encroach no more than three (3) feet within a setback line			
Arbor or Trellis	✓	✓	✓	✓
Air Conditioning Unit		✓	✓	✓
Awnings or Canopies – for windows, porches, or doors	may encroach no more than three (3) feet within a setback line			
Balconies – open	may encroach no more than five (5) feet within a setback line			
Chimneys	may encroach no more than three (3) feet within a setback line			
Cornices, Eaves, Belt Courses, Sills, One-story Bay Windows, etc.	may encroach no more than three (3) feet within a setback line			
Fences, Walls, and Hedge Plantings – less than 4 Feet in height, but may not block any vehicular line of sight.	✓	✓	✓	✓
Fences, Walls, and Hedge Plantings –greater than 4 Feet in height.		✓	✓	✓
Fire Escapes – open or enclosed	may encroach no more than five (5) feet within a setback line			
Flag Poles	✓	✓	✓	✓
Lawn Furniture – benches, sundials, birdbaths, etc.	✓	✓	✓	✓
Off-Street Loading Spaces – open				✓
Ornamental Light Standards	✓	✓	✓	✓
Playground and Laundry Drying Equipment		✓		✓
Porches – 1 and 1 ½ story, open with or without roof	may encroach no more than five (5) feet within a setback line			
Signs and Nameplates – as regulated by ordinance	✓	✓	✓	✓
Steps and Landings – wooden and concrete attached to principle structure, no roof or support posts	may encroach no more than five (5) feet within a setback line			
Recreational surfaces and apparatus such as, but not limited to Basketball, Tennis, & Volleyball				✓
Terraces and Patios – open	✓	✓	✓	✓
Tool sheds and Other Similar Storage Structures – for storage of materials accessory to principle Permitted Use (Less than One Hundred (100) Square Feet)		✓		✓
Garages and Carports greater than one hundred square feet may encroach to within three (3) feet of any interior side or rear lot line.				

404.6 Private/Public Swimming Pool

A swimming pool shall be permitted as an accessory use in all districts providing the swimming pool is:

- A. Located, including any paved areas, a minimum of ten (10) Feet from any side or rear property line of the property on which it is located; and
- B. Walled or fenced to prevent uncontrolled access by persons, particularly children, from adjacent areas; said fence or wall shall not be less than four (4) Feet in height, and maintained in good condition with

a gate and lock; this requirement shall be considered as complied with where the pool deck is constructed in such a manner as to be a minimum of four (4) Feet above ground level.

- C. Any accessory structures which are part of the swimming pool development shall be located within the minimum yard setback permitted within the specific Zoning District.
- D. All public pools must also meet any applicable Commonwealth and Federal regulations.

404.7 Temporary Structures and Residences

- A. Construction trailers are permitted in all districts for use as offices during the period construction work is covered under a valid Zoning Certificate; but they may not be used as living quarters.
- B. Mobile homes may be permitted as living quarters on construction sites for the period of time the construction process is carried on providing this arrangement is approved as a Special Exception. The mobile home installation will be required to comply with all provision of the Uniform Construction Code.
- C. Maximum time this living arrangement shall be permitted is a total of 3 years. A temporary residence will require an annual permit with a total of 2 renewals in order to maintain the focus of the "temporary" residence.
- D. An extension of time beyond the three (3) year maximum may be requested by the applicant to the Zoning Hearing Board.

404.8 Tent, Truck and Temporary Retail Sales:

- A. Tents erected for community or family events, auctions or residential yard and garage sales are exempt from this section provided that temporary structures are removed within five (5) days of erection, and yard and garage sales do not last more than ten contiguous days or more than 60 days per year. However, no such exempt tent or truck shall block any vehicular line of site on a public street. Where the proposed tent, truck used for retail sales, or other temporary sales event will remain in place for more than five days, a Zoning Certificate for a temporary use must be obtained. Food trailers and food trucks operating as eating or drinking places may remain in place indefinitely, provided they meet all use and setback standards for the zoning district and the vehicle or trailer remains licensed for travel upon public roads. In such cases, a temporary use Zoning Certificate shall be obtained and renewed every six (6) months.
 - 1. The Applicant shall show the location of all temporary signs emplaced in conjunction with the sale and pay a deposit in an amount established by the Township fee resolution to ensure all signs are removed upon conclusion of the sale.
 - 2. If the property owner is not the sponsor of the sales event, the applicant shall have written permission of the property owner.
 - 3. No part of any operation shall be located within any required yard or setback.
 - 4. The event shall not impede or adversely affect vehicular or pedestrian traffic sight distance, flow or parking maneuver. The driveway shall be clearly delineated, and if necessary, show any PennDot approval and/or adequate site distance.
 - 5. Unless clearly accessory to another retail operation, the maximum duration of any tent or other temporary retail sale shall be fourteen (14) calendar days. No tent sale shall be held upon the same property for thirty (30) days after said event, unless Conditional Use approval as a flea market is obtained.

6. The applicant shall have sufficient secure trash receptacles on site for all waste generated by the retailer or anticipated customer use.
7. All signs, merchandise, equipment used in such sales, and all debris and waste resulting from a temporary sale shall be removed from the premises within three days of the termination date of the permit.

404.9 Gardening and horticulture is permitted by right as accessory to any use or as a principle use in all zoning districts. The keeping of horses or other livestock for personal recreation, consumption, or sales of products such as eggs, is permitted as an accessory use to a dwelling in the TRB Transitional Residential Business and SR Suburban Residential Districts only in conformity to the following standards:

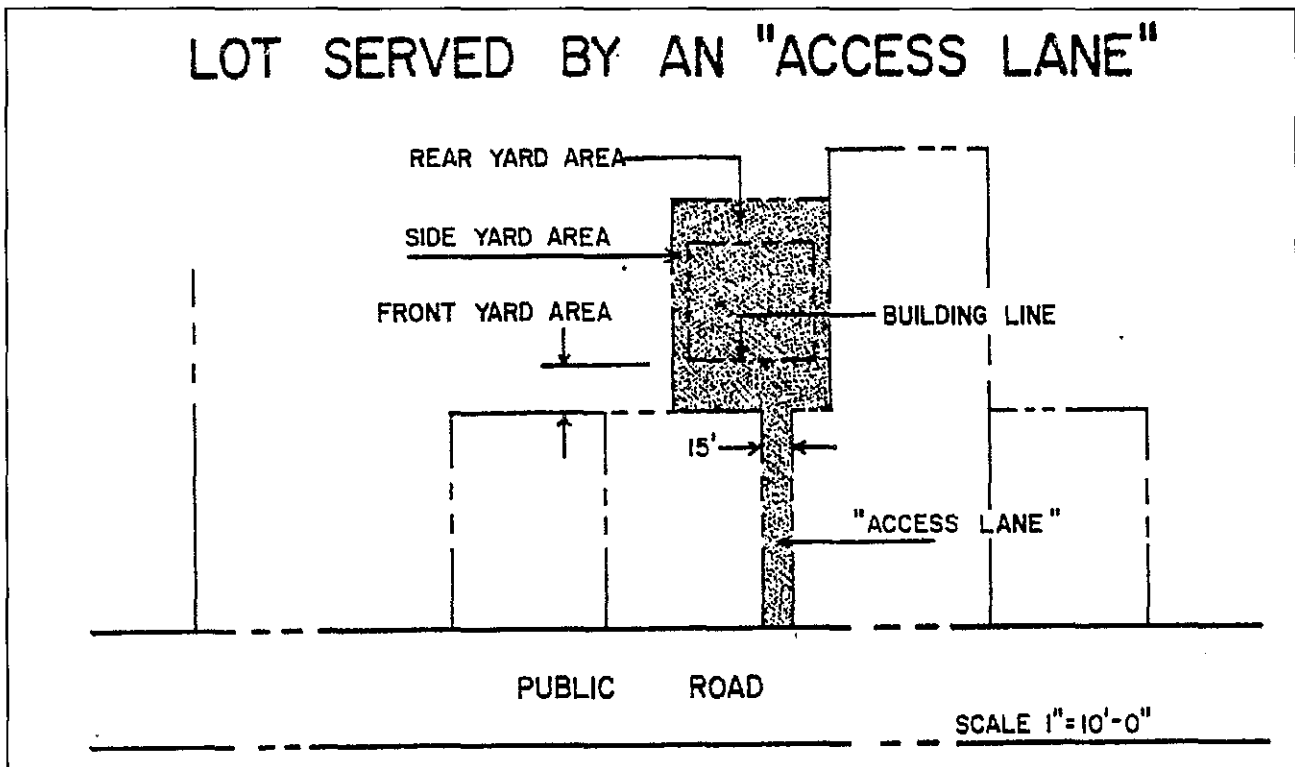
- A. A lot of any size in the SR Suburban Residential District or TRB Transitional Residential Business Districts may keep up to six (6) hens (*gallus domesticus*) provided that:
 1. No Male chickens (roosters) shall be kept.
 2. Poultry shall be kept within a pen or fence sufficient to confine all birds.
 3. No coop, pen or enclosure for the keeping of poultry shall be permitted within seventy-five (75) Feet of a dwelling on an adjoining lot.
 4. Manure from coops shall be managed through composting, deep litter bedding or other means to prevent malodorous nuisance.
- B. Other livestock, including horses, cattle, or goats may be kept in the SR District if the following performance standards are met:
 1. No member of a swine species may be kept in the SR Residential District, except for a single miniature pig (commonly known as pot-bellied pigs) kept within a dwelling as a household pet.
 2. No Male un-castrated goat may be kept in the SR Residential District.
 3. No coop, pen or enclosure for the keeping of livestock shall be permitted within one hundred and fifty (150) Feet of a dwelling on an adjoining lot.
 4. All fenced areas or enclosures shall be at least four (4) Feet in height and of sufficient design to contain livestock.
 5. No area for the storage of manure shall be permitted within one hundred and fifty (150) Feet of a dwelling on an adjoining lot. Manure shall be managed through composting to prevent a malodorous nuisance.
 6. The lot shall have a minimum of ten thousand (10,000) Square Feet of pasture or fenced yard for each goat or sheep and forty thousand (40,000) Square Feet of pasture or fenced yard for each horse or cow.

Domestic Rabbits are exempt from this subsection except that manure from rabbits shall be managed to prevent malodorous nuisance.

Section 405 Access Drives and Off-Street Parking Areas:

Access drives and off-street parking areas shall be planned and constructed in a manner so that vehicles preparing to leave the site may conveniently turnaround on the said site. Vehicles shall re-enter the public right of way from a forward position. This requirement is applicable to access drives from all public roads classified as minor arterial, major collector and minor collector roads in the Oil Region Multimunicipal Comprehensive Plan.

405.1 Access to Lots: No building development shall hereafter be erected on a property unless there is direct access to the building through an open space, which is part of the same property, to a public street or highway or to a private street constructed and maintained that vehicles of all kinds may readily pass on it or about on the street. Minimum lot widths are established for the various zoning districts which are part of this Ordinance and lot widths are measured at the street right of way line. However, this Ordinance does permit the use of an "access lane" to the public street as shown on Drawing 1 where the minimum width of such "access lane" shall be fifteen (15) Feet. In instances where the "access lane" is used the lot width, lot area and yard requirement shall be established for the property beginning at the location where the "access lane" terminates and the bulk of the property begins as shown on Drawing 1.

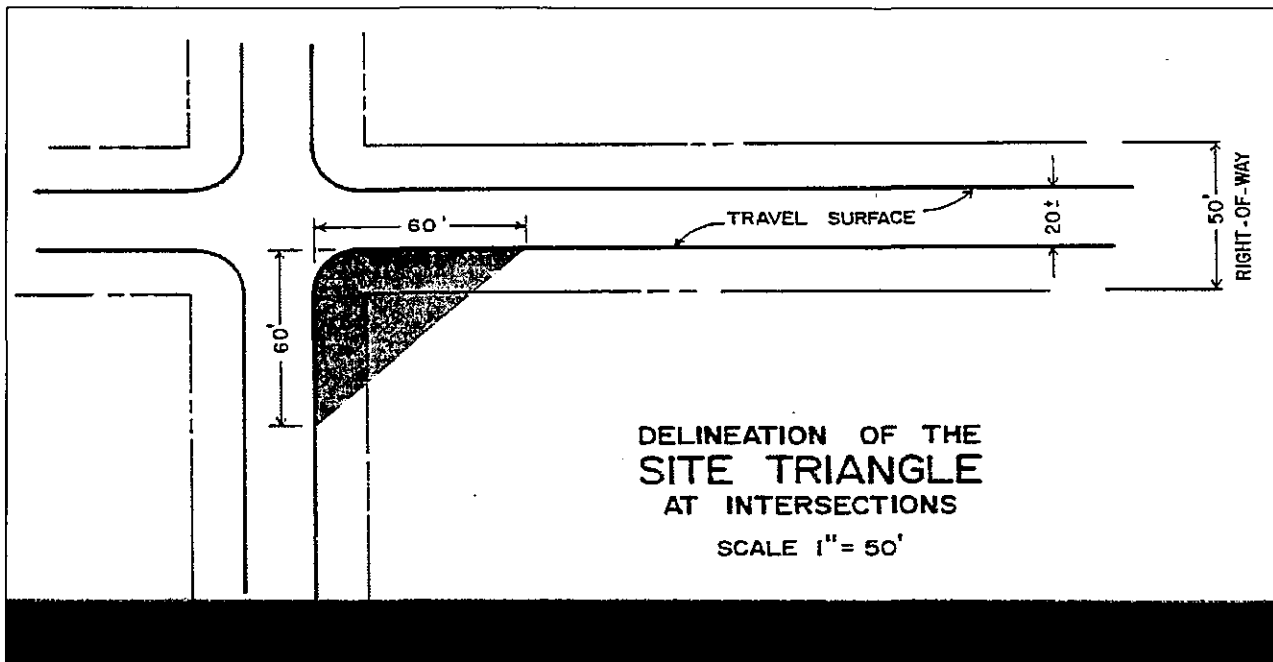


Drawing 1

405.2 Clear Site Distance at Corner Lots: At all street intersections, no obstructions to vision shall be placed or erected in the area of the "site triangle" as hereinafter defined. Obstructions shall be considered any objects which have (or will have) sufficient bulk to block vision such as buildings, landscape plantings, sign boards, etc. Objects whose surface bulk lies below three (3) Feet and above ten (10) Feet, as measured from the centerline elevation of adjacent streets, shall not be considered obstructions under the terms of this Ordinance, unless the Zoning Officer interprets them as obstruction due to a unique set of circumstances peculiar to a particular site or development application.

405.3 Site Triangle in All Districts - The site triangle in all districts shall be formed by the edges of the travel surfaces of the intersecting roads abutting a property and a line drawn between the two points along the edges of the travel surfaces each forty (40) Feet distance from the point of intersection of the edges of the travel surfaces. See Drawing 2.

Drawing 2



Off-street loading and parking space shall be provided in accordance with the specifications in this section in all districts, whenever any new use is established or an existing one is enlarged.

405.4 Off-Street Loading

Every use listed in the following table shall provide off-street loading berths in accordance with its size.

Use	Berth or Loading Areas Required
Institutional Uses	
Schools	50,000
Hospitals, Nursing Homes, Personal Care Homes, Auditoriums and Arenas	100,000
Commercial Uses	
Convenience Store/ Service Station	40,000
Eating and Drinking Place	50,000
Retail Sales/Shopping Centers	50,000
Hotel	100,000
Industrial Uses	
Light Manufacturing	50,000
Heavy Manufacturing, Wholesale, Warehouses, Truck Terminals	10,000

Note: All figures are given in gross Feet of floor area for each listed use.

Size and Access: Each off-street loading space shall be not less than ten (10) Feet in uniform width and sixty-five (65) Feet in length. Spaces need not be striped for exclusive loading use if it can be shown that peak hours and deliveries will differ. However, all loading areas shall be so designed so the vehicles using loading spaces are not required to back onto a public street or alley. Such spaces shall abut a public street or alley or have an easement of access thereto.

405.5 Off-Street Parking:

- A. Size and Access: Off-street parking spaces shall have an area determined by their use. In the case of multi-family dwellings, Mobile Home Parks, industrial and manufacturing establishments, warehouses, wholesale, and truck terminals, each space shall be not less than one hundred forty-four (144) Square Feet, being at least eight (8) Feet wide and eighteen (18) Feet long. For all other uses, each space shall have a uniform area of one hundred eighty (180) Square Feet, being at least ten (10) Feet wide and eighteen (18) Feet long. These uniform sizes shall be exclusive of access drives or aisles, and shall be in usable shape and condition. Except in the case of single-family dwellings, no parking area shall contain less than three (3) spaces. Parking areas shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto public streets. Where an existing lot does not abut on a public or private street, alley or easement of access, there shall be provided an access drive leading to the parking or storage areas or loading spaces.

- B. Number of Parking Spaces Required: The number of off-street parking spaces required is set forth in Table 405.5B. Where the use of the premises is not specifically mentioned, requirements for similar uses shall apply. If no similar uses are mentioned, the parking requirements shall be one (1) space for each two (2) proposed patrons and/or occupants of that structure. Where more than one (1) use exists on a lot, parking regulations for each use must be met, unless it can be shown that peak times will differ.

Table 405.5B Parking by Use Group	Parking Spaces Required
Residential	
Single-Family Dwelling	2 per dwelling unit
Family and Group Day Care	2 spaces for the dwelling and at least 1 additional space
Multi-Family Dwelling	2.5 per dwelling unit, unless limited to persons over the age of 55, or 1 bedroom units, then 1.5 spaces per dwelling unit
Mobile Home Parks	2 per dwelling unit
Institutional Uses	
Places of Worship and Assembly, Auditoriums, Indoor Assembly Places	1 per each 3 seats or 1 per each 4 persons permitted in maximum occupancy
Stadiums, Sports Arenas and Places of Outdoor Assembly	1 per each 6 seats or 1 per each 4 persons permitted in maximum occupancy
Schools	1 per each teacher and staff 1 for each 4 classrooms plus 1 for each 2 students age 16 and over
Nursing Homes and Personal Care Homes	1 per each staff on the largest shift plus 1 per each 4 beds
Hospitals	1 per each staff on the largest shift plus 1 per each bed
Commercial Uses	
Auto Sales and Service, Trailer Sales, and Similar Outdoor Sales	1 per 5,000 Square Feet developed lot area for vehicle display <i>and</i> 1 per 300 Square Feet customer service area; to a required maximum of 30 designated customer parking spaces
Day Care Centers	One space for every eight (8) children under care and one space for each employee on shift
Convenience Store/Service Stations	1 per 200 Square Feet gross floor area
Hotels/Motels	1 per guest room plus 1 per each employee on the largest shift
Funeral Home and Mortuaries	25 for the first parlor or viewing room, plus 10 per each additional viewing room
Indoor Commercial Recreation	One per each 3 persons in maximum occupancy
Outdoor Commercial Recreation	1 per each 2,500 Square Feet of lot area developed and used for the recreational activity
Medical and Dental Office	8 spaces per doctor
Professional Office and Business Services	1 per each 250 Square Feet of gross floor area
Furniture Stores, Building Material and Supply Yards	1 per each 800 Square Feet of gross floor area
Eating and Drinking Places	1 per each 2.5 patron seats
Retail Stores/Shopping Centers	1 per each 400 Square Feet of gross floor area
Fast Food, Drive Through Eating and Drinking	1 per each 2 patron seats
Recreation Campgrounds	2 per campsite
Industrial Uses	
Business Parks, Light Manufacturing, Heavy Manufacturing, Truck Terminals and Warehouses	1 per each employee on largest shift plus 1 visitor space per each 10,000 Square Feet gross floor area

Section 406 Buffer Areas and Screening:

Buffer areas are utilized to ameliorate possible nuisances among adjacent land use activities which are markedly different in character; properly used buffer areas can promote compatible relationships among different land uses where negative characteristics are presented, e.g. a great amount of vehicular circulation and/or off-street parking; the presence of outdoor work and storage areas which are unattractive and/or noisy, very dissimilar and/or unattractive in building styles, etc. The following requirements are applicable where designated in this Ordinance. These requirements may be utilized in Special Exception and Conditional Use Applications, and shall be used as requirements for Section 211C.

406.1 Buffer Area Techniques - Buffer area techniques shall include:

- A. **Buffer Yard Requirements.** Where any major, minor nonresidential development borders a residential zoning district or use, or a public or private school or a church, buffer yard option A OR B shall be required along the entire length of all abutting property lines. The buffer yard shall not be required within the right-of-way of any street or in any location where it would interfere with the greenway and/or vehicle sight distance or safety.

(1) **Buffer Yard Options**

Buffer Yard Option A - A 30 foot wide strip containing the following minimum planting specifications per each 100 feet of buffer yard length:

Three canopy trees + three ornamental trees + 10 evergreen trees (= 16 trees total) per 100 feet of buffer yard length.

Buffer Yard Option B - A 15 foot wide strip containing a masonry wall or fence of a minimum height of 6 feet or a solid evergreen hedge with a minimum height at time of planting of 6 feet located along the property line, plus the following plantings within the remainder of the 15 foot wide strip:

Two canopy trees + three ornamental trees + two evergreen trees (= 7 trees total) per 100 feet of buffer yard length.

- B. **Screening Requirements**

- (1) **Loading Docks and Trash Collection Enclosures** - Loading docks, trash collection area enclosures and similar facilities shall be incorporated into the overall design of buildings and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. These facilities shall be screened by a solid masonry, vinyl or wood wall at least 6 feet in height and of adequate strength of construction to retain the original structural integrity. Such enclosures shall be maintained as necessary to remain in a state of proper repair and positive appearance. Failure to properly maintain or repair enclosures as needed shall constitute a violation of this section of the zoning ordinance. These facilities must meet all requirements of screening.

- (2) **Building Mechanical Systems** - All building mechanical systems such as air condition units, exhaust systems, satellite dishes, fire escapes, elevator housing and other similar elements shall be incorporated into the overall design and character of the building and screened from view. Wherever feasible, the use of exterior mechanical systems should be minimized. Landscaping and

other screening devices including decorative fencing shall be used to soften the view of these features from adjoining properties or public streets.

- (3) **Outdoor Storage Facilities** - Storage facilities for goods or materials that are kept on premises for retail sale, wholesale, storage or use shall be permitted as an accessory use. Such goods or materials may be stored within an accessory building constructed within district setbacks, or within a storage yard, which shall be screened if directly abutting a public street, private street, or abutting single family dwelling.

Section 407 Height Limitations:

When the following conditions are met, height limits may be increased:

- 407.1 Structure height, in excess of the height permitted above the average ground level allowed in any district may be increased, provided all minimum front, side and rear yard depths are increased by one (1) foot for each additional foot of height; however, such increase shall be limited to no more than ten (10) additional Feet.
- 407.2 The following structures are exempt from height regulations provided they do not constitute a hazard: church spires, chimneys, elevator bulk heads, smoke stacks, conveyors, flag poles, agricultural barns, silos and similar farm structures, standpipes, elevated water tanks, derricks and similar structures.

However, for the above structures, all yard and set-back requirements must be met; in addition, any structure with a height in excess of fifty (50) Feet will be first referred to the Fire Department for a review and comments relative to public safety considerations. Such comments shall be considered by the Board of Supervisors as part of a land development application pursuant to the Township Subdivision and Land Development Ordinance. Height increases are subject to airport zoning overlay standards in Section 410.

Section 408 Performance Standards

No use of land or structure in any district shall involve, or cause, any condition or material that may be dangerous, injurious, or noxious to any other property or person in the Township. Furthermore, every industrial or commercial use of land or structure in any district must observe the following performance requirements:

408.1 Fire Protection: Fire protection and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive material is carried on.

408.2 Electric Disturbance: No activity shall cause electrical disturbances adversely affecting radio, television or other communication equipment in the neighboring area.

408.3 Noise: Noise which is determined to be objectionable because of volume or frequency shall be muffled or otherwise controlled, except for fire sirens and related apparatus used solely for public safety purposes.

408.4 Odors: In any district, no malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.

408.5 Air Pollution: No pollution of air by fly-ash, dust, vapors or other substances shall be permitted which is harmful to health, or to animals, vegetation or other property.

408.6 Glare: Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.

408.7 Erosion: No erosion by wind or water shall be permitted which carry objectionable substances onto neighboring properties.

408.8 Water Pollution: No permit shall be issued until all applicable wastewater, stormwater or erosion/sedimentation control permits have been obtained.

Section 409 Signs

409.1 The following sign regulations shall be observed in all districts: It is not the purpose of this section to abridge commercial or non-commercial free speech. The purpose of these regulations is to ensure that the time, place, and manner of sign emplacement within the Township is conducted with regard to the safety of motorists and pedestrians (especially in avoiding distractions or confusion in high traffic areas), access to light and air by neighboring properties, and avoidance of negative impact upon neighboring properties, including unnecessary glare.

- A. The following signs shall be permitted in all districts, and no permit shall be required to erect such signs:
1. Temporary signs announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization, provided such sign shall not exceed thirty-two (32) Square Feet in area and shall be removed within thirty (30) days of the completion of the campaign, drive or event.
 2. Signs offering the sale or rental of the premises upon which the sign is erected, provided that the area of any such sign shall not exceed thirty-two (32) Square Feet and not more than one (1) such sign shall be placed on the property unless such property fronts on more than one (1) street, in which case one (1) sign may be erected on each street frontage.
 3. Temporary signs of contractors, developers, architects, engineers, builders and artisans, erected and maintained on the premises where the work is being performed, provided that the area of such sign shall not exceed thirty-two (32) Square Feet, and provided that such sign shall be removed upon completion of the work.
 4. No trespassing signs, signs indicating the private nature of a road, driveway or premises, signs controlling fishing or hunting on the premises, provided that the area of such sign shall not exceed four (4) Square Feet.
 5. Signs advertising the sale of agricultural products. Such signs shall not exceed thirty-two (32) Square Feet in area, and shall be removed within thirty (30) days following the cessation of sales for the applicable products.
 6. Political signs announcing candidates seeking public office, a referendum, support of an institution or issue, or similar political or religious speech.
 7. Religious or holiday displays, flag of any state or nation.
 8. Any signs not visible from outside a lot or building.
- B. No signs shall be permitted within street lines, except traffic signs and similar regulatory notices placed by a duly constituted governmental body.

- C. Signs directing patrons to events or businesses located elsewhere and not exceeding two (2) Square Feet in area shall be permitted in all districts. Such signs must be placed within eight thousand (8,000) Feet of the property line upon which the event or business is located and must be placed with the permission of the property owner.
 - D. Construction and Maintenance: All signs shall be constructed in a workmanlike fashion using durable materials. Signs shall be designed and constructed to withstand wind forces and in accordance with appropriate mechanical or electrical standards. The owners of signs shall keep them in safe and good repair. Signs which become deteriorated or otherwise present a public safety hazard shall be removed or repaired by the sign's owner. If the owner of a sign cannot be found or identified, the owner of the property whereon the sign is located shall be responsible for its repair or removal.
 - E. No sign structure erected directly upon the ground within fifteen (15) Feet of the front lot line shall have less than three (3) Feet six (6) inches of clear space between such sign and the ground; however, necessary supports may extend through such open space.
 - F. Nonconforming signs, once removed, shall be replaced only with conforming signs. Nonconforming signs may be repainted or repaired, providing such repainting or repairing does not exceed the dimensions of the existing sign.
 - G. Motor vehicles used as signs must be registered and inspected for travel on the highways of the Commonwealth, and are only permitted in designated parking areas. They may not be parked where they would block any vehicular line of sight.
 - H. Temporary Business Signs, such as vinyl banner signs, are also permitted as accessory to all business uses. However, such signs remain subject to all setback requirements for business signs, and may not exceed thirty-two (32) Square Feet in size. No temporary sign shall remain in place for more than 30 continuous days or 120 total days per calendar year.
- 409.2 Each use may have a combination of permanent freestanding, roof or wall signs meeting the standards of the following table. For the A Agricultural, SR Suburban Residential, TRB Transitional Residential Business and RDL Rural Development Limited Districts, aggregates shall be calculated based upon per-lot basis. For the (C), and (I) Districts, aggregates shall be based upon separate tenancy.

Zoning District	A – RDL - TRB	SR	(C) – (I) RIO & RED
Signage Area Permitted	Aggregate of 64 Square Feet 3 Signs per Property	Aggregate of 32 Square Feet 2 Signs per Property	Aggregate of 400 Square Feet
Maximum Area per Sign	32 Square Feet	16 Square Feet	144 Square Feet
Maximum Height per Sign (measured from existing grade)	12 Feet	7 Feet	25 Feet
Setback	15 Feet from R-O-W 20 Feet from Property Lines Or Height of Sign, whichever is less	15 Feet from R-O-W 20 Feet from Property Lines Or Height of Sign, whichever is less	15 Feet from R-O-W 20 Feet from Property Lines Or Height of Sign, whichever is less
Illumination	Internal or External	External Only, Single 75 Watt maximum fixture	Internal or External

409.3 Billboards

Billboards shall be permitted as a Conditional Use in the (A) and (I) Districts provided the following standards are met.

- A. No more than one billboard may be emplaced upon any single parcel. A billboard may be placed upon a property containing another business use, but the number of any other signs upon the property will not be used in calculating the total size of the billboard permitted.
- B. No Billboard, as defined by this Ordinance, may be placed within five hundred (500) Feet of another Billboard, measured from the nearest part of the sign structure.
- C. Billboards shall not be placed within two hundred and fifty (250) Feet of any structure containing residence, church, and public or accredited private school.
- D. Billboards shall not be placed within two hundred and fifty (250) Feet of any road intersection, or at a curve or at any place where vehicular line-of-sight could be partially or completely obstructed.
- E. No billboard may be placed within twenty-five (25) Feet of any public road or street right of way.
- F. The applicant shall show evidence of compliance with all applicable regulations of the Pennsylvania Department of Transportation. A PennDot Highway occupancy permit and or outdoor advertising device permit shall be a condition of approval where applicable. Evidence of this approval shall be provided to the zoning officer prior to issuance of a zoning certificate.

- G. Each billboard may have up to two distinct areas for placement of advertising, but the total area of sign messages upon any billboard shall not exceed six hundred and seventy-two (672) Square Feet. The area of sign shall not include structural elements below the sign, unless they are obviously designed to be part of the sign message. The maximum silhouette of any billboard shall also not exceed six hundred and seventy-two (672) Square Feet.
- H. A billboard may be placed upon a property containing another business use. The number of any other signs upon the property will not be used in calculating the total size of the billboard permitted.
- I. The application must be accompanied by a certificate of liability insurance in such sum as, in the judgment of the Township, is necessary under all the circumstances of the case, conditioned for the indemnification of the Township of Oil Creek, Crawford County from any and all damages, liabilities, claims, demands, costs and expenses that the Township may have to pay to any person arising and growing out of the negligent erection, construction or maintenance of any such sign.
- J. All billboards shall be attached to the ground by a metal or concrete posts, pillars, poles, or columns.
- K. The Application shall be accompanied by a certification by an engineer that the proposed billboard will not be a wind hazard or cause slope instability on the proposed location.
- L. The rear side of a single-faced billboard shall be of one color and screened by existing or natural landscaping materials or by a planting of evergreen trees at least six (6) Feet tall.
- M. Additional standards for Electronic Billboards:
 - 1. Electronic Billboard message display shall remain static for a minimum of five (5) seconds. There shall be no strobe, flashing effect or other animation during the display. Any transitions or change of the display between messages shall not be more than one (1) second. Transitions that involve fading, scrolling, or other animations shall not be permitted.
 - 2. Illumination: The owner of the Billboard or his agent shall measure sign luminance with a luminance meter set to measure foot-candles accurate to at least two decimals. Luminance shall be measured with the sign off, and again with the sign displaying a white image for a full color-capable sign, or a solid message for a single-color sign. All measurements shall be taken perpendicular to the face of the sign at the distance determined by the total square footage of the sign. Signs shall be measured at a distance of thirty (30) Feet from the illuminated face. The difference between the off and solid-message measurements using the criteria shall not exceed 0.3 foot-candles at night. A letter certifying compliance shall be provided to the zoning officer.
 - 3. Dimming Capabilities: electronic billboards shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurement.
 - 4. Electronic billboards which malfunction shall be turned off except for testing during any correction or repair.
 - 5. Audio or pyrotechnics: Audio speakers or any form of pyrotechnics are prohibited in association with any billboard.

409.4 Electronic Signs: Signs with video, LED or similar electronic changeable copy messages

These types of signs are permitted as a Conditional Use in the (C) and (I) Districts provided the developer of the sign shall clearly describe the type of electronic sign proposed as it meets the appropriate definition of electronic signs in this Ordinance. No Electronic sign may function as a billboard except in strict conformity to Section 409.3.

Signs shall meet all area and setback limitations for the district in which it is proposed.

- A. Additional setback from residential districts. All portions of the sign structure must be a minimum distance of one hundred (100) Feet from an abutting SR Suburban Residential District boundary.
- B. Setback from other electronic changeable copy, electronic graphic display or video display signs. Electronic signs must be separated from other electronic signs by at least thirty-five (35) Feet. No more than one electronic sign is permitted on a lot, regardless of how many tenants occupy that lot.
- C. Orientation. When located within one hundred and fifty (150) Feet of a residentially-used lot in a residential zone, all parts of the electronic changeable copy sign must be oriented so that no portion of the sign face is visible from an existing or permitted principal structure on that lot.
- D. Audio or Pyrotechnics. Audio speakers or any form of pyrotechnics are prohibited in association with an electronic sign.
- E. Electronic sign content: Electronic signs may contain permanent content about any business located on the premises upon which the sign is placed. They may also contain temporary messages with content about such businesses, or temporary messages announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization, provided that such message is changed upon the cessation of such a campaign, drive or event. Electronic signs may also contain messages permitted for temporary signs as authorized under 409.1 of this chapter. Electronic Signs may function as directional signs to guide drivers to other businesses within two thousand (2,000) Feet of the sign's location. Electronic signs shall not function as billboard unless approved as billboards and subject to PennDot Outdoor Advertising approvals as applicable.
- F. Message display shall remain static for a minimum of five (5) seconds. There shall be no strobe, flashing effect or other animation during the display. Any transitions or change of the display between messages shall not be more than one (1) second. Transitions that involve fading, scrolling or other animations shall not be permitted.
- G. Illumination: The owner of the sign or his agent shall measure sign luminance with a luminance meter set to measure foot-candles accurate to at least two decimals. Luminance shall be measured with the sign off, and again with the sign displaying a white image for a full color-capable sign, or a solid message for a single-color sign. All measurements shall be taken perpendicular to the face of the sign at the distance determined by the total square footage of the sign. Electronic signs of ten (10) Square Feet or less shall be measured at a distance of thirty-two (32) Feet. Electronic Signs of greater than ten (10) Square Feet shall be measured at a distance of thirty-nine (39) Feet the difference between the off and solid-message measurements using the criteria shall not exceed 0.3 foot-candles at night. A letter certifying compliance shall be provided to the zoning officer.
- H. Dimming Capabilities: All permitted electronic signs shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions or that can be adjusted to comply with the 0.3 foot-candle measurement.

- I. Electronic signs which malfunction shall be turned off except for testing during any correction or repair.

409.5 Definitions Relative to Signs

Sign - any structure, building, wall (or other outdoor surface) or any device or part thereof, which displays or includes any letter, word, model, banner, flag, pennant, insignia, device, or other representations used for announcement, direction, advertisement or identification. The actual area of any sign shall be measured in square feet and determined by the sum of the geometrically computed area(s) encompassing separate individual letters, words, or graphic elements on the background.

Billboard - A freestanding sign of greater sign than normally permitted within a zoning district and that normally identifies or communicates a message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

Sign, Banner - A sign constructed of lightweight plastic, vinyl, cloth or similar material, which is designed to be tied or attached to structural supports.

Sign, Business - a sign that directs attention to a business, profession or industry conducted on the premises or to products sold, manufactured or assembled upon the same premises upon which it is displayed.

Sign, Changeable Copy - a sign or portion thereof which has a readerboard for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects, not consisting of an illumination device and may be changed or re-arranged manually with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.

Sign, Electronic - Electronic signs are identified by their subtype: electronic changeable copy signs, electronic graphic display signs, multi-vision signs, or video display signs.

Sign, Electronic Changeable Copy - a sign or portion thereof that displays single color electronic information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of single color light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. Electronic changeable copy signs do not include official or time and temperature signs. Electronic changeable copy signs include projected images or messages with these characteristics onto buildings or other objects.

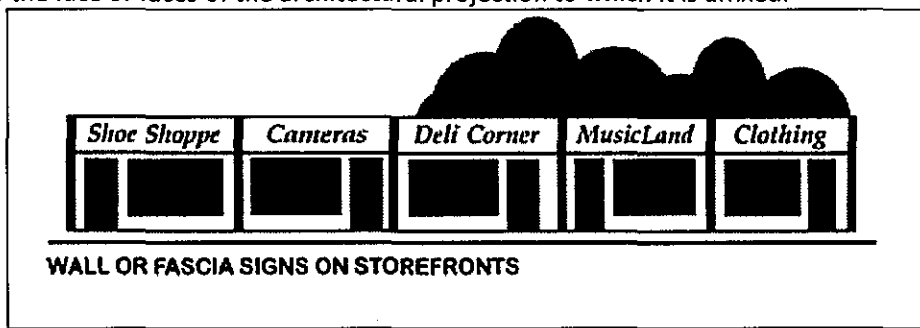
Sign, Electronic graphic display - a sign or portion thereof that displays multiple color electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

Sign, Multi-vision - any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

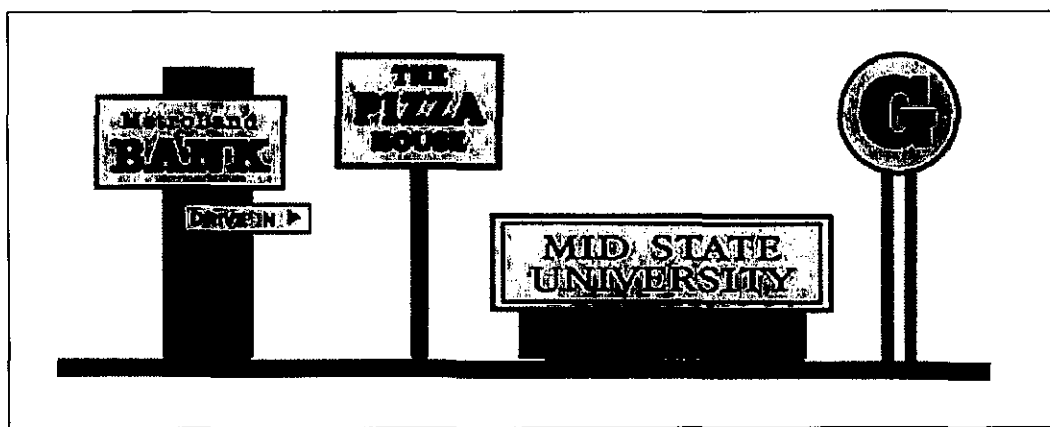
Sign, Video display - a sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

Type of Signs

Sign, Façade, fascia, or wall - A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than eighteen (18) inches from the building or structure wall. Also includes signs affixed to architectural projections that project from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed.



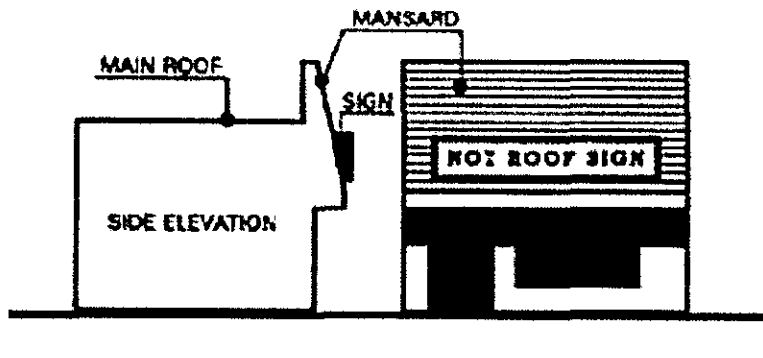
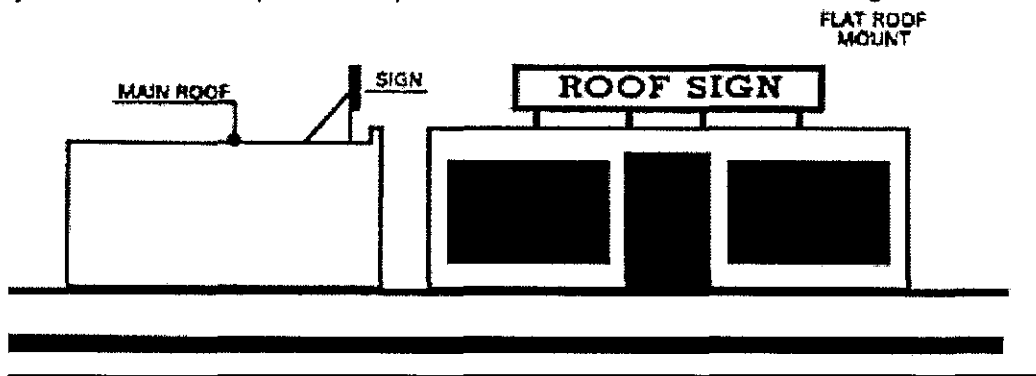
Sign, Freestanding - A sign principally supported by one or more columns, poles, or braces placed in or upon the ground.



Sign, Projecting - A sign other than a Wall Sign that is attached to or projects more than eighteen (18) inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign.



Sign, Roof - A sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on mansard facades, pent eaves, and architectural projections such as canopies or marquees shall not be considered to be roof signs.



Sign, Window - A sign affixed to the surface of a window with its message

Section 410 AIRPORT HAZARD OVERLAY DISTRICT

In the development of this Ordinance, the Township Planning Commission, Board of Supervisors and residents have determined that additional regulations are necessary in certain areas to provide for the health, safety and general welfare of those living within the Township, as well as those who may be passing through the Township. Specifically, an overlay district is hereby created: the **Airport Hazard Overlay District (AHOD)**. Where overlay districts are created, the underlying

zone will determine the permitted uses; the applicable overlay district regulations will establish additional standards and all development must conform to the requirements of both districts or the more restrictive of the two.

410.1 Airport Hazard Overlay District (AHOD)

- A. Purpose – It has been determined that obstructions and certain high-risk land uses have the potential for endangering the lives and property of users of the Titusville Airport and the property or occupants of land in its vicinity; obstructions may affect existing and future instrument approach minimums of the Titusville Airport; and obstructions may reduce the size of areas available for the landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of the Titusville Airport. Therefore, it is declared:
1. That the creation or establishment of obstructions has the potential for being public nuisances and injuring the region served by the Titusville Airport;
 2. That the development of concentrated areas of housing in the immediate vicinity of the Titusville Airport poses potential threats to the safety of inhabitants;
 3. That it is necessary, in the interest of the public health, safety and general welfare, that the creation of obstructions and/or population concentrations that are a hazard to air navigation or human life, be prevented; and
 4. That the prevention of these obstructions be accomplished, to the extent legally possible, by the exercise of the police power, without compensation.

410.2 Special Definitions

The following definitions shall apply in interpretation and application of airport safety control provisions:

- A. **AIRCRAFT** – Any contrivance, except an unpowered hang glider or parachute, used for manned ascent into, or flight through, the air.
- B. **AIRPORT** – Titusville Airport.
- C. **AIRPORT ELEVATION** – One thousand five hundred ninety nine (1,599.9) Feet above mean sea level.
- D. **AIRPORT HAZARD** – Any structure or object, natural or manmade, or use of land, determined to adversely impact the airspace required for flight, or aircraft in landing or taking off at an airport.
- E. **APPROACH SURFACE** – A surface longitudinally-centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach surface zone, height limitation slope, as set forth in 410.3. In plan, the perimeter of the approach surface coincides with the perimeter of the approach surface zone.
- F. **APPROACH, TRANSITIONAL, HORIZONTAL AND CONICAL SURFACE ZONES** – These zones are set forth in 410.3.
- G. **CONICAL SURFACE** – A surface extending outward and upward from the periphery of the horizontal surface, at a slope of 20 to 1, for a horizontal distance of four thousand (4,000) Feet.
- H. **FAA** – The Federal Aviation Administration of the United States Department of Transportation.
- I. **HEIGHT** – For the purposes of determining the height limits in all zones set forth in this Section, and shown on the maps incorporated herein, the datum shall be mean sea level elevation unless otherwise specified.
- J. **HORIZONTAL SURFACE** – A horizontal plane one hundred and fifty (150) Feet above the established airport elevation, the perimeter of which, in plan, coincides with the perimeter of the horizontal surface zone.

- K. **LARGER THAN UTILITY RUNWAY** – A runway that is constructed for and intended to be used by propeller driven aircraft of greater than twelve thousand five hundred (12,500) pounds maximum gross weight and jet powered aircraft.
- L. **NONPRECISION INSTRUMENT RUNWAY** – A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area-type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.
- M. **OBSTRUCTION** – Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in 410.3.
- N. **PRECISION INSTRUMENT RUNWAY** – A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.
- O. **PRIMARY SURFACE** – A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred (200) Feet beyond each end of that runway. For military runways, or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in 410. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- P. **RUNWAY** – A defined area on an airport prepared for landing and takeoff of aircraft along its length.
- Q. **TRANSITIONAL SURFACES** – These surfaces extend outward at 90° (ninety degree) angles to the runway centerline and the runway centerline extended, at a slope of 7 to 1 feet horizontally to each foot vertically) from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of five thousand (5,000) Feet, measured horizontally from the edge of the approach surface and at 90° (ninety degree) angles to the extended runway centerline.
- R. **UTILITY RUNWAY** – A runway that is constructed for, and intended to be used by, propeller driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight or less.
- S. **VISUAL RUNWAY** – A runway intended solely for the operation of aircraft using visual approach procedures.

410.3 Airport Surface Zones

In order to carry out the provisions of this Ordinance, there are hereby created and established certain sub-zones within the Airport Hazard Overlay District that include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces, as they apply to the Titusville Airport. These airport zones are considered as an overlay on the Official Zoning Map, both of which are kept on file in the Oil Creek Township municipal offices, which is made a part hereof. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. Except as otherwise provided for in this section, no structure shall be erected, altered, or maintained, or change of surface grade created in excess of the allowable height limitations established for each zone. The various zones are hereby established and defined:

- A. Approach Surface Zone:
 - 1. Utility Runway Visual Approach Surface Zone: Established beneath the visual approach surface. The inner edge of this zone coincides with the width of the primary surface and is two hundred

and fifty (250) Feet wide. The zone expands outward uniformly to a width of one thousand two hundred and fifty (1,250) Feet at a horizontal distance of five thousand (5,000) Feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

The approach surface slopes twenty (20) Feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of five thousand (5,000) Feet along the extended runway centerline.

2. Utility Runway Non-precision Instrument Approach Surface Zone: Established beneath the non-precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is five hundred (500) Feet wide. The zone expands outward uniformly to a width of two thousand (2,000) Feet at a horizontal distance five thousand (5,000) Feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

The approach surface slopes twenty (20) Feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of five thousand (5,000) Feet along the extended runway centerline.

3. Runway Larger Than Utility Visual Approach Surface Zone: Established beneath the visual approach surface. The inner edge of this zone coincides with the width of the primary surface and is five hundred (500) Feet wide. The zone expands outward uniformly to a width of one thousand five hundred (1,500) Feet at a horizontal distance of five thousand (5,000) Feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

The approach surface slopes twenty (20) Feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of five thousand (5,000) Feet along the extended runway centerline.

4. Runway Larger than Utility with a Visibility Minimum Greater Than Three-Fourth (¾) Mile Non-Precision Instrument Approach Surface Zone: Established beneath the non-precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is five hundred (500) Feet wide. The zone expands outward uniformly to a width of three thousand five hundred (3,500) Feet at a horizontal distance of ten thousand (10,000) Feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

The approach surface slopes thirty (30) Feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of ten thousand (10,000) Feet along the extended runway centerline.

5. Runway Larger than Utility with a Visibility Minimum as Low as Three-Fourth (¾) Mile Non-Precision Instrument Approach Surface Zone: Established beneath the non-precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is one thousand (1,000) Feet wide. The zone expands outward uniformly to a width of four thousand (4,000) Feet at a horizontal distance of ten thousand (10,000) Feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

The approach surface slopes thirty (30) Feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of ten thousand (10,000) Feet along the extended runway centerline.

6. Precision Instrument Runway Approach Surface Zone: Established beneath the precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is one thousand (1,000) Feet wide. The zone expands outward uniformly to a width of

sixteen thousand (16,000) Feet at a horizontal distance of fifty thousand (50,000) Feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

The approach surface slopes fifty (50) Feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of ten thousand (10,000) Feet along the extended runway centerline; thence slopes upward forty (40) Feet horizontally for each foot vertically to an additional horizontal distance of forty thousand (40,000) Feet along the extended runway centerline.

- B. Transitional Surface Zone: Slopes seven (7) Feet outward for each foot upward, beginning at the sides of, and at the same elevation as, the primary surface and the approach surface, and extending to a height of one hundred and fifty (150) Feet above the airport elevation, which is one thousand five hundred ninety nine (1,599.9) Feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven (7) Feet outward for each foot upward beginning at the sides of, and at the same elevation as, the approach surface, and extending to where they intersect with the conical surface.
- C. Horizontal Surface Zone: Established at one hundred and fifty (150) Feet above the established airport elevation, or at a height of one thousand seven hundred and forty nine (1,749) Feet above mean sea level.
- D. Conical Surface Zone: Slopes twenty (20) Feet outward for each foot upward beginning at the periphery of the horizontal surface and at one hundred and fifty (150) Feet above the established airport elevation, and extending to a height of three hundred and fifty (350) Feet above the established airport elevation, or at a height of one thousand nine hundred forty nine (1,949) Feet above mean sea level.
- E. Excepted Height Limitations: Nothing in this Section or Ordinance shall be construed as prohibiting the construction or maintenance of any structure to a height of up to sixty (60) Feet above the surface of the land.

410.4 Airport Hazard Overlay District Restrictions

All regulations and restrictions adopted under this Section shall be reasonable; none shall impose any requirement or restriction unless it is reasonably necessary to effectuate the purpose of this Section.

- A. Permit Required: No material change shall be made in the use of land and no structure shall be erected or otherwise established in the Airport Hazard Overlay Zone unless a permit therefore shall have been issued by the Township. In determining conformity to height restrictions the Township Zoning Officer may rely upon the technical assistance of the Titusville Airport. However, no permit shall be required for any structure which is otherwise lawful under this Ordinance and is sixty (60) Feet in height or less from existing grade.
- B. Use Restrictions: Notwithstanding any other provisions of this Ordinance or other Oil Creek Township Ordinances, no development shall be permitted that results in any of the following within the Airport Hazard Overlay District which would:
 - Create electrical interference with navigation signals or radio communications between the airport and aircraft;
 - Make it difficult for pilots to distinguish between airport lights and others;
 - Produce glare in the eyes of pilots using the airport;
 - Impair visibility in the vicinity of the airport;
 - Create bird-strike hazards, or otherwise endanger in any way, or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.

Pursuant to this subsection, sanitary landfills are prohibited in all approach zones under Section 410.3.

410.5 Nonconformance

The regulations prescribed by this Section shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Ordinance, or otherwise interfere with the continuance of such nonconforming use. Nothing contained herein shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Ordinance, and is diligently carried out.

- A. Marking and Lighting – Notwithstanding the provision of this Section, the owner of any existing nonconforming structure or tree may be required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary by State or Federal officials to indicate to the operators of aircraft in the vicinity of the airport, the presence of such airport and obstruction. Such markers and lights shall be installed, operated and maintained at the expense of the official body responsible for their placement.
- B. Existing Uses – No permit shall be granted that would allow the establishment or creation of an obstruction, or permit a nonconforming use or structure to become a greater hazard to air navigation than it was on the effective date of this Ordinance or any amendments thereto, or than it is when the application for a permit is made.

410.6 Variances

Any request for a variance in accordance with Article 7 of this Ordinance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Additionally, no application for a variance to the requirements of this Ordinance may be considered by the Zoning Hearing Board unless a copy of the application has been furnished to the appropriate Titusville Airport officials for review and comment. If the appropriate airport official does not respond within fifteen (15) days after receipt, the Zoning Hearing Board may decide the case on its own.

**ARTICLE 5
OIL AND GAS DEVELOPMENT**

Section 501 General

Oil and gas well sites, natural gas compressor stations, and natural gas processing plants that were permitted or constructed prior to the adoption of this Ordinance shall not be required to meet the requirements of this Ordinance; provided that any modification to an existing or permitted oil or gas well site that occurs after the effective date of this Ordinance and materially alters the size, type, location, number of wells and other accessory equipment or structures, or any physical modifications to an existing natural gas compressor station or natural gas processing plant shall require compliance with and a permit under this Ordinance. Federal or Commonwealth law or regulation preempts ordinance requirements that conflict with Federal or Commonwealth statute or regulation. Oil Creek Township, Crawford County acknowledges that it is pre-empted from regulating the operational methods of the oil and gas industry and may only regulate land uses and the act of land development. Oil and Gas Drilling is a Permitted Use pursuant to this section within any zoning district with the exception of (C) Commercial and (TRB) Transitional Residential Business, where it is prohibited.

Section 502 Compliance

In addition to meeting all requirements under applicable district regulations and supplemental regulations, oil and gas drilling operation shall also comply with the following:

- A. Accepted professional standards pertaining to minimum traffic sight distances for all street or road access points shall be adhered to.
- B. Drilling Rigs are exempted from height requirements of the zoning district, provided that the period of drilling does not exceed six (6) months. It is the responsibility of the developer to inform the Township when drilling rigs are emplaced upon the site to determine the period of exemption. Drilling rigs shall be located a minimum setback distance of 1.5 times their height from any property line, public or private street, or building not related to the drilling operations on either the same lot or an adjacent lot.
- C. The drilling pad for the oil or gas well site shall comply with all setback and buffer requirements of the zoning district in which the oil or gas well site is located. No Oil or Gas Well shall be located within the SR Residential District on a lot of less than twenty-five (25 Acres).
- D. When drilling is being conducted within five hundred (500) Feet of a dwelling in separate ownership from the property upon which the drilling is proposed, the developer shall mitigate light through the following standard: Lighting at the oil or gas well site, or other facilities associated with oil and gas drilling development, either temporary or permanent, shall be directed downward and inward toward the activity, to the extent practicable, so as to minimize the glare on public roads and nearby buildings within one hundred (100) Feet of the oil or gas well development.

Section 503 Noise

The applicant shall take the following steps to minimize, to the extent possible, noise resulting from the oil or gas well development.

Prior to drilling of an oil or gas well the applicant shall establish by generally accepted testing procedures, the continuous seventy-two hour ambient noise level at the nearest property line of a residence or public building, school, medical, emergency or other public facility, or one hundred (100) Feet from the nearest residence or public building,

school, medical, emergency or other public facilities, whichever point is closer to the affected residence or public building, school, medical, emergency or other public facility. In lieu of the establishment of the ambient noise level established by the continuous seventy-two hour test the applicant may assume and use, for the purpose of compliance with this Ordinance, a default ambient noise level of 55 dBA. The sound level meter used in conducting any evaluation shall meet the American National Standard Institute's standard for sound meters or an instrument and the associated recording and analyzing equipment, which will provide equivalent data.

- A. The applicant shall provide the Township documentation of the established ambient noise level prior to starting oil or gas drilling and/or production operations.
- B. The noise generated during the oil and gas operations or the natural gas compressor station or the natural gas processing plant shall not exceed the average ambient noise level established in this section by more than 5 decibels during drilling activities or 10 decibels during hydraulic fracturing operations.
- C. Effective sound mitigation devices shall be installed to permanent facilities to address sound levels that would otherwise exceed the noise level standards when located near a residence, public building, and school, medical, emergency or other public facilities.
- D. Exemption from the standards established in this subsection may be granted by the Township Board of Supervisors during the drilling stage or at the oil or gas well site, or the gas compressor station, or at the natural gas processing plant for good cause shown and upon written agreement between the applicant and the Township.
- E. Complaints received by the Township shall be addressed by the applicant, within 24 hours following receipt of notification by continuously monitoring for a period of forty-eight hours at the nearest property line to the complainant's residential or public building or one hundred (100) Feet from the complainant's residential or public building, school medical, emergency or other public facilities, whichever is closer. The applicant shall report the findings to the Township and shall mitigate the problem to the allowable level if the noise level exceeds the allowable rate.

Section 504 Screening, Fencing and Temporary Housing

- A. Security fencing shall not be required at oil or gas well sites during the initial drilling, or predrilling operations, as long as manned 24-hour onsite supervision and security are provided.
- B. Based upon the proposed location of the well pad and all appurtenant structures, the Township may require screening and/or fencing as a reasonable additional condition of approval. When required, fencing shall meet the following minimum standards:
 - 1. A permanent chain link fence shall be promptly installed at the oil or gas well site to secure well heads, storage tanks, separation facilities, water or liquid impoundment areas, and other mechanical and production equipment and structures on the oil or gas well site.
 - 2. Fencing shall be at least six (6) Feet in height equipped with lockable gates at every access point and having openings no less than twelve (12) Feet wide.
 - 3. Emergency Responders shall be given means to access oil or gas well site in case of an emergency.
 - 4. Warning signs shall be placed on the fencing surrounding the oil or gas well site, providing notice of the potential dangers and the contact information in case of an emergency.

5. Additional Regulations for Temporary Housing:

- (a) If mobile homes are proposed as temporary worker housing during oil and gas drilling, the following standards shall be met:
 - (i) The number of mobile homes proposed shall be clearly identified and their location approved by the Township.
 - (ii) Water Supply and waste disposal shall meet all applicable standards.
 - (iii) Mobile homes for temporary housing shall be emplaced on a site for a period of no greater than six (6) months.
 - (iv) All mobile homes shall be removed within thirty days of completion of drilling.
 - (v) No temporary mobile home shall be placed within one hundred (100) Feet of a property line.

Section 505 Additional Regulations for Compressor Stations and Processing Plants

Additional regulations for natural gas compressor stations, and natural gas processing plants, which shall fall under the Conditional Use for Oil and Gas Drilling:

Natural Gas Processing Plants and Compressor Stations shall be a Conditional Use in the A, RDL, and (I) Districts, and are prohibited elsewhere.

- A. No Natural Gas Processing Plant or Natural Gas compressor station shall be located within two thousand (2,000) Feet of the boundary of an SR Suburban Residential zoning district, or one thousand (1,000) Feet of a principle structure on an adjoining parcel in separate ownership from the one proposed for development of the station or plant.
- B. Lighting at a natural gas compressor station or a natural gas processing plant shall, when practicable, be limited to security lighting.
- C. Noise regulations under Section 503 shall be met as a performance standard.

Section 506 Definitions Specific to Article 5

“Oil or Gas Well” - A form of mineral extraction involving a pierced or bored hole drilled or being drilled in the ground for the purpose of, or to be used for, producing, extracting or injecting gas, oil, petroleum or another liquid related to oil or gas production or storage, including brine disposal.

“Oil or Gas Well Site” - The location where facilities, structures, materials and equipment whether temporary or permanent, necessary for or incidental to the preparation, construction, drilling, production or operation of an oil or gas well. This definition also includes exploratory wells.

“Natural Gas Compressor Station” - A facility designed and constructed to compress natural gas that originates from a gas well or collection of such wells operating as a midstream facility for delivery of gas to a transmission pipeline, distribution

pipeline, natural gas processing plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

“Natural Gas Processing Plant” - A facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets but not including facilities or equipment that is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from the natural gas.

PA

ARTICLE 6 DEFINITIONS

Section 601 Interpretation

Interpretation for the purpose of this Ordinance, words used in the present tense shall include the future. The singular number shall include the plural and the plural shall include the singular. The masculine shall include the feminine and the neuter. The word "shall" is always mandatory. The word "building" includes "structure" and shall be construed as if followed by the words "or any part thereof." The phrase "used for" includes "arranged for," "person" includes an individual, corporation, partnership, incorporated association, or any other legal entity. The word "includes" or "including" shall not limit the term to the specified example, but is intended to extend its meaning to all other instances of like kind and character. Except as defined within this Ordinance, all words and phrases shall have their normal meanings and usage. Definitions taken directly from the Pa. Municipalities Planning Code are followed by the note "MPC."

Section 602 Specific Terms

The following words and phrases shall have the meaning given in this section.

Abutting - Having property or district lines in common. E.G Lots are abutting if they have property lines in common.

Access Drive - A thoroughfare used by the public that affords a means of access to nonresidential uses located between the traveled portion of an arterial, collector or local street or a parking lot for access to and from the parking lot but does not include the parking aisle.

Accessory Building or Use - A building or use which: (1) is subordinate to and serves a principal building or principal use; (2) is subordinate in area, extent, or purpose to the principal building or principal use; (3) contributes to comfort, convenience, or necessity of occupants of the principal building or principal use; and (4) is located on the same zoning lot as the principal building or principal use.

Accessory Structure - An attached, semi-detached or detached structure whose use is customarily incidental and subordinate to the principal structure or use, and is located on the same lot as the principal structure or use.

Accessory Dwelling - A temporary mobile home subordinate to and detached from the principal residence of the same ownership, providing independent living quarters including sleeping, eating, cooking, and sanitation facilities for one or more persons who are qualifying occupants. Qualifying occupants include persons who are either sixty (60) years of age or over, convalescent, or have a physical or mental impairment that substantially limits one or more major life activities, and has a record of such impairment, or is regarded as having such impairment.

Addition - Any construction which increases the size of a building footprint such as a porch, attached garage or carport, or a new room or wing.

Agent or Owner - Any person who can show written proof that he has authority to act for the property owner.

Agricultural Operation - An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry. (MPC)

Agricultural Sales and Services - Businesses selling goods or services to a substantially agricultural clientele, including: feed mills, seed sales, feed grinding services and agricultural implement dealers, or businesses that process and sell agricultural products produced upon the same premises, or within the local community.

Aisle - Vehicular travel lane.

Aisle Main - The most frequently traveled vehicular land located internally within the parking lot.

Alley - A minor way used primarily for vehicular service access to the rear or side of properties fronting on another street.

Alteration - As applied to a building or structure is a change or rearrangement in the structural parts of or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or moving from one location or position to another.

Applicant – An agent or owner, as hereinto defined, who has filed an application for development including his heirs, successors and assigns.

Artisan and Craftwork - A business involved in both producing and selling unique or distinctive items made from ceramic, textile, metal, or wood, with an emphasis on handwork and non-mechanized production. Artisan and craftwork differ from other manufacturing in that no machinery requires greater than consumer 220 volt electrical service.

Assisted Living - Any premises in which food, shelter, assisted living services, assistance or supervision and supplemental health care services are provided for a period exceeding 24-hours for four or more adults who are not relatives of the operator, who require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation from the residence in the event of an emergency or medication prescribed for self-administration.

Auto and Equipment Sales and Service – Businesses involved in the sale, rental, or servicing of motor vehicles or machinery not necessarily intended for registration, licensing, and travel on highways, including those used for agriculture, forestry, recreation and construction.

Basement - A story or portion of a story entirely below an upper story, and wholly or partly below the average grade of the surrounding ground with at least one-half (1/2) of its height (measured from floor to ceiling) below the average grade level of the surrounding ground.

Bed and Breakfast Inn - A residence offering, for pay, overnight or short-term lodging and breakfast for transient guests.

Bottle Club – An establishment operated for profit or pecuniary gain, which has a capacity for the assemblage of twenty (20) or more persons and in which alcoholic liquors, alcohol or malt or brewed beverages are not legally sold but where alcoholic liquors, alcohol or malt or brewed beverages are either provided by the operator or agents or employees of the operator for consumption on the premises or are brought into or kept at the establishment by the patrons or persons assembling there for use and consumption. The term shall not include a licensee under the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, or any organization as set forth in Section 6 of the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act.

Buffer Yard - A buffer or screen created with the use of landscape and/or fencing materials in order to minimize negative impacts of light, noise or land use conflict.

Building - A roofed structure, whether or not enclosed by walls, to be used for the shelter, enclosure or protection of persons, goods, materials or animals.

Building or Set-Back Line – The line to which a building or structure may encroach towards a yard or setback.

Building Material/Supply Yards – The storage of material in outdoor yards for retail sale, including, lumber, pipe, culverts and block.

Bulk Fuel Storage - Businesses involved in the storage of propane, fuel oil, gasoline, or other similar substances for wholesale distribution or delivery. This definition does not include accessory sales of portable propane tanks or consumer fuel pumps as part of a retail store.

Business Services - Any business activity that renders service to other commercial enterprises such as office supplies, computer repair and network services, retail print scanning and copy services, or financial services to individuals including banks, check cashing, credit unions and other financial services.

Campgrounds and Recreational Vehicle Parks - An area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins (which may lack plumbing or toilet facilities) tents, and recreational vehicles. (See also definition of recreational vehicle)

Car Wash - An area of land and/or a structure with machine- or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.

Cemetery - Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery. This definition does not include accessory burial of family members on land belonging to an agricultural operation or single family dwelling.

Commercial Recreation, Indoor - A facility which offers various indoor recreational opportunities for its patrons including such games as: pool, billiards, bowling, video games, miniature golf and similar pursuits.

Commercial Recreation, Outdoor Intensive - A facility which offers various outdoor recreational or spectator opportunities for its patrons including go-cart raceways, paintball, auto raceways, motor sports, commercial shooting ranges, and similar pursuits.

Commercial Stable - An equine facility that leases space for care of equines not owned by the proprietor, and may include riding lessons, use of proprietor's animals, and care of animals. It may include events for equine enthusiasts.

Communications Antenna - A device used for radiating or receiving electromagnetic waves (especially microwaves and radio waves).

Communications Tower - A structure other than a building, such as a monopole, self-supporting or guyed tower, designed and used to support communications Antennas.

Conditional Use - A use to be allowed or denied by the Board of Supervisors pursuant to public notice and hearing and recommendations by the Oil Creek Township Crawford County Planning Commission and pursuant to the express standards and criteria set forth in this Ordinance. In allowing a Conditional Use, the Board of Supervisors may attach such reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purposes of the Planning Code and of this Ordinance.

Construction - The construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of mobile homes.

Correctional Facility or Halfway House - A facility that provides lodging, meals, counseling, treatment, and rehabilitation to adjudicated delinquents, parolees, and individuals, with security to confine said persons.

Convenience Store - A small store, selling a limited variety of food and nonfood products, including prepared food but with limited or no patron seating, typically with extended hours of operation. Convenience stores may also sell gasoline or other motor vehicle fuels.

Coverage - The percentage of a lot covered by buildings or structures, measured as gross floor area divided into lot area.

Conversion - Changing the original purpose of a building to a different use or increase in intensity of use.

Day Care Services - Provides out-of-home care for part of a 24-hour day to children under sixteen (16) years of age, excluding care provided by relatives and excluding day care furnished in places of worship during religious services. This Ordinance identifies three levels of Day Care Services for Children:

- (a) Family Day Care Homes - facilities in which child day care is provided at any one time to four (4), five (5), or six (6) children who are not relatives of the care giver. [Care of one (1) to twelve (12) children where the child care areas are not used as a family residence will be considered a Day Care Center.]

- (b) Group Day Care Homes - facilities in which care is provided for more than six (6) but less than twelve (12) children, at any one time, where the child care areas are being used as a family residence. [Care of one (1) to twelve (12) children where the child care areas are not used as a family residence will be considered a Day Care Center.]
- (c) Day Care Centers - facilities in which care is provided for seven (7) or more children, at any one time, where the child care areas are not used as a family residence.

Childcare for less than four (4) children will not be considered as Day Care Services. Day care for seniors or other persons in need will be considered the same use based upon number of such persons cared for.

Dog Kennel - A facility for care of canines when licensed as such by the Pennsylvania Department of Agriculture or a similar facility for boarding domestic felines whether licensed or not.

Dwelling - A building arranged, intended, designed or used as the living quarters for one (1) or more families living independently of each other upon the premises. The term "dwelling" shall not be deemed to include "hotel," or "motel."

- (a) Single-family dwelling - a building containing only one (1) dwelling unit.
- (b) Two-family dwelling - a building containing two (2) dwelling units, regardless of configuration.
- (c) Multi-family dwelling - a building containing three (3) or more dwelling units, including apartment houses, townhouses, flats, and garden apartments.

Dwelling Unit - A building or portion thereof containing one (1) or more rooms for living purposes together with separate and exclusive cooking and sanitary facilities, accessible from the outdoors either directly or through an entrance hall shared with other dwelling units, and used or intended to be used by one (1) family. No dwelling unit shall have a floor area of less than five hundred (500) square feet, exclusive of basements.

Eating and Drinking Places - A business establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state.

Essential Services - The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, steam or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduit, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the public health and safety or general welfare, but not including buildings.

Exotic Animal Raising and Care - The keeping of exotic wildlife as defined and regulated by the Pennsylvania Game Commission. The phrase "exotic wildlife" includes, but is not limited to, all bears, coyotes, lions, tigers, leopards, jaguars, cheetahs, cougars, wolves and any crossbreed of these animals which have similar characteristics in appearance or features. The definition is applicable whether or not the birds or animals were bred or reared in captivity or imported from another state or nation.

Family - An individual, or two (2) or more persons related by blood, marriage, adoption or foster child care, including domestic servants or gratuitous guests (residing with the family for less than thirty days), thereof, or a group of not more than three (3) unrelated persons living together without supervision in a dwelling unit; or, any number of persons protected by the provisions of the Fair Housing Act (42 U.S.C. 3601 et. seq., as now or hereafter amended) living together in a group living arrangement with supervision, provided those persons do not have a criminal record. Family shall not include persons living together in a Group Home, Assisted Living Facility, or Nursing Home, as defined herein, or any other supervised group living arrangement for persons other than those protected by the Fair Housing Act or persons who constitute a direct threat to others or their physical property.

Family Day Care Homes - (See Day Care Services).

Flea Market - A business which leases outdoor, tent or partially enclosed space to persons who wish to vend a variety of new and used goods for sale to the general public by displaying those goods on tables, in or on motor vehicles, or on the ground. This definition does not include farmers' markets, which sell produce, flowers, and similar agricultural products.

Forestry - The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes. Pursuant to Section 603f of the Pa Municipalities Planning Code, forestry shall be a Permitted Use by right in all zoning districts wherein harvesting of timber is not conducted pursuant to any land development.

Funeral Home - A building or part thereof used for human funeral services. Such building may contain space and facilities for embalming and the performance of other services used in the preparation of the dead for burial (including cremation on-site in compliance with Commonwealth law), the performance of autopsies and other surgical procedures, the storage of caskets, funeral urns and other related funeral supplies, and the storage of funeral vehicles.

Garage Sale - A temporary event to sell used household goods from a single family dwelling, an accessory building, or a yard area. Garage sales are a permitted temporary accessory to a single family dwelling, provided that no such sales shall exceed seven (7) days in duration, and no more than thirty (30) days of such sales occur within any calendar year from the premises.

Golf Course - Land for playing the sport of golf or practicing driving, consisting of a minimum of nine holes or a two hundred yard driving range, but excluding miniature golf, and similar golf-associated activities except as accessory uses on a golf course.

Gross Floor Area (GFA) - The sum of the floor areas of the spaces within the building, including basements, mezzanine and intermediate-floored tiers, and penthouses with headroom height of 7.5 ft. or greater. Excludes non-enclosed (or non-enclosable) roofed-over areas such as exterior covered walkways, porches, terraces or steps, roof overhangs, and similar features. Excludes air shafts, pipe trenches, and chimneys, and crawlspaces of less than five (5) Feet in height.

Group Day Care Homes - (See Day Care Services).

Heavy Industry – The manufacture, storage, processing, and treatment of materials which are potentially hazardous, or processes which produce significant amounts of smoke, noise, glare, or dust or odor as a primary or secondary effect of the Principal Use of the land or buildings. Heavy Industry characteristically employs some of such equipment such as smokestacks, tanks, distillation or reaction columns, chemical processing equipment, scrubbing towers, pickling equipment and waste-treatment lagoons. Heavy industry, although conceivably operable without polluting the environment, has the potential to pollute when equipment malfunctions or human error occurs. Examples of heavy industry are oil refineries, basic steel manufacturing plants (such as foundries, blast furnaces, and stamping mills), industries handling animal offal or hides, basic cellulose pulp-paper mills and similar fiberboard and plywood production, production of cement and asphalt, lime manufacturing, ore and metal smelting and refining, and chemical plants such as petrochemical complexes. An incinerator structure or facility which, including the incinerator, contains five thousand (5,000) Square Feet or more, whether public or private, is “heavy industry” for purpose of this Ordinance, as is any electric power production plant which is a Principal Use, whether said power is generated by coal, natural gas, cogeneration or more than three (3) wind turbines (unless such turbines are clearly accessory and incidental to a dwelling or other business).

Height of Building - The vertical distance measured from the average level of finished grade along all the exterior walls of the building to the highest point of the roof and to the highest point on any structure which rises wholly or partly above the roof.

Height of Wall (or Fence) - The vertical distance from the foundation wall or other immediate support of such wall to the top of the wall.

Home Occupation - Any use customarily carried on entirely within a dwelling, by the occupants thereof, which use is clearly incidental and subordinate to the use of the dwelling for dwelling purposes and does not change the residential character thereof. Examples include, but are not limited to: professional services, such as legal, financial, accounting or engineering, barber and beauty shops, studios of artists, writers and associations. (See Professional Office).

Home-Lot Occupation – A form of light manufacturing or service or repair business conducted as accessory to a home or farm by an owner resident. This may include woodworking enterprises, repair services such as welding or machinery repair, and incidental retail sales of items generally produced on the premises. This definition may also include small-scale

retail enterprises of no greater than three thousand (3,000) Square Feet in size and limited to hours of operation of no greater than 9:00 a.m. to 8:00 p.m.

Hospital - An institution providing health services primarily for in-patient medical or surgical care of the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities, and staff offices which are an integral part of the facility, but not providing for care or residential services of persons who are legally incarcerated or residents of a halfway house, except in an incidental manner.

Indoor Commercial Recreation - See "Commercial Recreation, Indoor".

Intensive Outdoor Recreation - See "Commercial Recreation, Outdoor Intensive".

Junk - Any discarded material or article, and shall include, but not be limited to, scrap metal, scrapped or abandoned motor vehicles, machinery, equipment, paper, glass, containers and structures. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal. For the purpose of this Ordinance, a proper container shall mean a solid plastic or metal container, with a sealable lid, specifically designed for the storage of waste matter.

Junk Yard - Any place where any junk is stored, disposed of, or accumulated. This definition shall include recycling centers, recycling yards, and salvage businesses and vehicles lacking current inspection or registration except for storage. However, it does not include municipal recycling centers where no materials are stored in an exterior environment.

Landowner - The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

Landscaped - Area organically planted, organic area.

Landscaping, Nursery and Farm Markets - A business involved in the outdoor sale of garden supplies, retail plants, or bulk materials such as mulch, topsoil and stone. These businesses may include greenhouses and agricultural activities, or storage of equipment for installing landscaping at other sites as well as retail sales or wholesale. This definition also includes farm markets that do not produce agricultural products upon the premises.

Light Industry - The assembly, fabrication, manufacture, production, processing, storage and/or wholesale distribution of goods or products where no process involved will produce: noise, light, vibration, air pollution, fire hazard, or emissions, noxious or dangerous to neighboring properties within four hundred (400) Feet, including but not limited to, production of the following goods: home appliances; electrical instruments; office machines; precision instruments; electronic devices; time pieces; jewelry; optical goods; musical instruments; novelties; wood products; printed material; lithographic plates; type composition; machine tools; dies and gauges; ceramics; apparel; light weight nonferrous metal castings; light sheet metal products; plastic goods; pharmaceutical goods; food products (but not including animal slaughtering, curing nor rendering of fats).

Limited Retail Business - Small commercial establishment providing light retail goods or services for the convenience of residents of the municipality, which is compatible with the essential character of the neighborhood or district; is not disruptive to neighboring residential uses; confines sales, services and storage activities to the interior of the building; and conforms with the other requirements of the district in which it is located. Limited commercial establishments shall further be defined as those which do not exceed three thousand (3,000) Square Feet of gross floor area.

Loading Space - An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary stopping of commercial vehicles while loading or unloading merchandise or materials, and which abuts upon a street, alley, or other appropriate means of access to a public right-of-way.

Lot - A tract or parcel of land, regardless of size, held in single or joint ownership, which is occupied or capable of being occupied by buildings, structures, and accessory buildings, including such open spaces as are arranged, designed or required. The term "lot" shall also mean "parcel," "plot," "site," or similar term. (MPC)

Lot, Corner - A lot at the point of intersection of and abutting on two (2) or more intersecting streets.

Lot, Flag - A lot which has a narrow strip connecting the lot to a public road in order to provide owned access to the main part of the lot. The access strip shall be a part of that lot but shall not be used in computing the minimum lot area. No structure may be placed within the access strip except for driveways, vehicle parking, fencing or a lawful sign.

Lot, Line - Any line dividing a lot from another lot or from an abutting street or other right of way.

Minerals - Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, lime stone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas. (MPC)

Mineral Excavation - Mineral extraction shall include all activity which removes from the surface or beneath the surface of the land some material mineral resource, natural resource or other element of economic value, by means of mechanical excavation necessary to separate the desired material from an undesirable one; or to remove the strata or material which overlies or is above the desired material in its natural condition and position. Open pit mining includes, but is not limited to, the excavation necessary to the extraction of: sand, gravel, topsoil, limestone, sandstone, coal, clay, shale and iron ore.

Mobile home - A transportable, single-family dwelling intended for permanent occupancy, contained in one (1) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. (MPC)

Mobile home Lot - A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home. (MPC)

Mobile home Park - A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two (2) or more mobile home lots. (MPC) However, a single family dwelling of mobile home type with an accessory mobile home also located upon the lot and meeting all other standards of this Ordinance, shall not be regarded as a mobile home park as defined by this Ordinance.

Motel or Hotel - A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for travelers. The definition includes hotels, motor lodges, cottages with full bath and toilet, and similar uses.

No Impact Home-Based Business – A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery, or removal functions to or from the premises, in excess of those normally associated with residential use.

Nonconforming Lot - A lot the area or dimension of which was lawful prior to the adoption or amendment of this Zoning Ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment. (MPC)

Nonconforming Structure - A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions of this Ordinance or an amendment hereafter enacted, where such structure lawfully existed prior to the enactment of this Ordinance or amendment or prior to the application of this Ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs. (MPC)

Nonconforming Use - A use, whether of land or structure, which does not comply with the applicable use provisions of this Ordinance or amendment hereafter enacted, where such use was lawfully in existence prior to the enactment of this Ordinance or amendment or prior to the application of this Ordinance or amendment to its location by reason of annexation. (MPC)

Nursery, Landscaping, and Farm Markets - A retail business which includes outdoor sales where stock in trade is limited to products from an agricultural operation, live plants, or bulk quantities of stone, mulch or similar natural materials.

Nursing Home - A facility to give long-term skilled care to geriatric or handicapped patients and licensed as such a facility by the Commonwealth of Pennsylvania. For the purposes of this Zoning Ordinance, a nursing home, as licensed by the Commonwealth of Pennsylvania may also include personal care or assisted living options.

Open Air Entertainment Facility - A facility that has amplified music performances in an outdoor setting. This category does not include annual or seasonal festivals held by nonprofit community organizations, or businesses, which may include occasional accessory or incidental outdoor performances.

Open Space - An area of land unoccupied by a building and/or other structure which is maintained to permit human use, occupancy, recreation, and enjoyment.

Outdoor Commercial Recreation - A facility which offers outdoor recreational or spectator opportunities for its patrons including such games as: miniature golf, driving ranges, tennis, team sports such as soccer or baseball, camps and clinics for sport instruction and similar pursuits. This category does not include recreation fields accessory to schools, churches or community based non-profit organizations.

Parking Space - An open space with a dustless all-weather surface, or space in a private garage or other structure with an effective length of at least eighteen (18) Feet and a uniform width of at least nine (9) Feet for the storage of one (1) automobile and accessible from a public way.

Permit - A license, issued by the Zoning Officer, which permits the applicant to proceed with the work specified in the permit application as approved by the Zoning Officer.

Person - An individual, association, co-partner or corporation.

Personal Care Home - A facility giving geriatric care in a home-like setting and licensed as such by the Commonwealth of Pennsylvania.

Personal Services - Any enterprise conducted for man which primarily offers services to the general public, such as: shoe repair, valet services, watch repairing, barber shops, beauty parlors and related activities.

Place of Worship and Assembly - A place of religious instruction or public gathering, which may include incidental instruction, office and charitable activities. Examples include Churches, Synagogues, Mosques and Temples, government assembly halls, indoor museums and libraries. This definition does not include a public school, university, college, trade or commercial school, day care services, or any form of group residence or halfway house.

Planning Code - The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as re-enacted and amended by Act No. 170 of 1988 and Acts 67 and 68 of 2000, and as further amended from time to time.

Private Clubs and Lodges - Buildings and related facilities owned and operated by an association or group of individuals established for fraternal, social, educational, conservation, recreational or civic benefit of members. Full access to facilities is typically restricted to members and their guests. Facilities may include a clubhouse, dining facilities, golf courses, swimming, tennis, non-commercial shooting ranges when operated in daylight hours, primitive camping, or cabins. For the purposes of this Ordinance, this definition does not include miniature golf, golf driving ranges, paintball, commercial hunting, commercial motor sports, or other uses defined by this Ordinance as various forms of commercial recreation. It also may not include any sexually oriented business or bottle club.

Professional Office - The office or studio of a physician, surgeon, dentist, lawyer, architect, artist, engineer, certified public accountant, real estate broker or salesman, insurance broker or agent, musician, teacher, or similar occupation.

Public Parks and Playgrounds - Parks and playgrounds that are owned and operated by the Township of Oil Creek, Crawford County or by an authority created for such purposes by the Township or any government agency.

Public Notice - Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

Public Utility Building or Structure - A part of an electrical generation, water or sewer or gas and electric transmission and distribution system. This definition also includes public safety buildings limited to fire and police protection, emergency services such as ambulance services, and government road maintenance buildings and structures.

Research Lab - A facility that conduct quasi industrial testing of materials and products, such as crash testing, toxicity, and explosive research. Facilities doing light research such as water testing or registered geologists shall be regarded as professional offices or business services.

Retail Business - A building which houses durable and non-durable goods for sale to the general public, but only includes incidental outdoor sales, and incidental sales of prepared food for consumption on site.

Retail Liquor Store – A private enterprise that sells distilled spirits. This definition does not include a state owned and operated liquor store, wholesaler, licensed bar or tavern, stores selling only malted beverages, or a licensed limited winery (or retail outlet thereof) or brewery.

Road - Any street, highway, or other public roadway which is dedicated to public use by governmental authority.

Rooming and Boarding House - A dwelling which leases at least two sleeping rooms occupied, or intended to be occupied, to more than two persons not related by blood, marriage, or adoption to the owner or a named tenant.

Sanitary Landfill - A disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day.

Sawmill - A business that cuts raw logs into lumber for construction or other uses, and may include planing, or lumber drying services.

Self Service Storage Facilities - A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors' supplies.

Service and Repair Business – A form of equipment service or repair which may include woodworking enterprises, repair services such as welding, vehicle or machinery repair, and incidental fabrication or retail sales of items.

Service Station - An area of land, together with any structure thereon, used for the retail sale and dispensing of motor fuel, and lubricants and incidental services, such as lubrication and washing of motor vehicles, and the sale, installation or minor repairs of tires, batteries or other automobile accessories.

Screen Planting - Screen planting for this Ordinance shall mean an evergreen hedge at least six (6) Feet high at time of planting, planted in such a way that it will block a line of sight. The screening may consist of either one (1) or multiple rows of bushes or trees and shall be at least four (4) Feet wide. It shall be the responsibility of the property owner to maintain a screen planting, replacing trees as needed. The zoning officer may require replacement of screening trees.

Screening - Screening shall mean an opaque fence, screen planting or wall at least six (6) Feet high, provided in such a way that it will block a line of sight.

Shopping Center - A building or group of buildings that may contain individual businesses devoted to retail, eating and drinking places, professional offices, and business services and personal service shops.

Single Family Dwelling - See "Dwelling".

Special Exception - A use permitted with special permission granted by the Zoning Hearing Board, to occupy or use land and/or a building for specific purposes in accordance with the criteria set forth in this Ordinance when such use is not permitted by right.

Story - That portion of a building located between the surface of any floor and the next floor above; if there is not more than one (1) floor the space between any floor and the ceiling next above it shall be considered a story.

Street - A public or private right of way, excluding driveways, intended for use as a means of vehicular and pedestrian circulation, which provides a means of access to abutting property. The word "street" includes thoroughfare, avenue, boulevard, court, drive, expressway, highway, lane, alley and road or similar terms.

Street Line - A line defining the right of way boundaries of a street.

Structure - Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

Structure, Principal - A structure housing the principal use.

Subdivision - The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Tattoo and Body Piercing - An establishment that provides placing ink or other inert pigment into or under the skin or mucosa by the aid of needles or any other instrument used to puncture the skin and which method results in permanent coloration of the skin or mucosa. This term includes any form of permanent cosmetics. This definition also includes puncturing or penetrating the skin for the purpose of insertion of any object, including, but not limited to, jewelry for cosmetic purposes. The term does not include ear piercing or nail piercing, or tattooing of domestic animals for legal identification.

Theater - A building that houses an auditorium for live or film performances, but is not a bottle club or hosts performances of sexually explicit entertainment.

Townhouse - A dwelling unit in a building containing three or more dwelling units sharing two vertical party walls, except that the end units have a single party wall. Each unit contains private entrance and a totally exposed front and rear wall to be used for access, light and ventilation.

Transient - A person who is located within in an area for a period of thirty (30) days or less, or does not maintain a mailing address within that area, or have evidence of possessory tenancy for a period of greater than thirty (30) days.

Truck Terminal - Land and buildings used as a relay station for the transfer of a load from one vehicle to another or one party to another, or a wholesale enterprise. The terminal cannot be used for permanent or long-term accessory storage for principal land uses at other locations. The terminal facility may include storage areas for trucks and buildings or areas for the repair of trucks associated with the terminal.

Transitional Housing Facility - A structure whose Principal Use is to provide shelter for more than a 12 hour period to two (2) or more persons who are homeless, subject to abuse, under a protection from abuse order, or whom otherwise need transitional housing, but are not persons in group housing due to being adjudicated a juvenile delinquent, having a criminal record, or have a status as a sex offender, or persons who currently use illegal drugs, or persons who have been convicted of the manufacture or sale of illegal drugs, or persons with or without disabilities who present a direct threat to the persons or property of others. (See also Halfway House).

Two Family Dwelling - See "Dwelling, Two Family".

Use, Principal - The main or primary purpose for which a building, structure, and or land is designed, arranged, or intended; or, for which it may be used, occupied, or maintained under the Zoning Ordinance. All other structures or uses on the same lot, and incidental or supplemental thereto and permitted under the Zoning Ordinance, shall be considered accessory uses.

Variances - Relief granted by the Zoning Hearing Board upon appeal in specific cases, from the terms of the Ordinance as regulated by the Pennsylvania Municipalities Planning Code.

Veterinary Clinic - A facility used for the treatment of domestic animals for pay with health treatment provided by a licensed veterinarian.

Warehousing and Distribution - A use engaged in storage, wholesale, and distribution of manufactured product, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive.

Yard - An open unoccupied space, other than a court, on the same lot with a building, unobstructed artificially from the ground to the sky, except as otherwise provided herein.

Yard, Front - A yard across the full width of the lot, extending from any point of a principal building or structure to the road centerline.

Yard, Rear - A yard across the full width of the lot, extending from any point of a wall of a principal building or structure to the road centerline.

Yard, Side - An open yard space between the side lot line and parallel thereto extending from the front lot line to the rear lot line. Where the lot is a corner lot, the side yard on the street side.

Yard Sale - See Garage Sale

Zoning Officer - The Zoning Officer of the Township of Oil Creek, Crawford County, or his/her authorized representative.

ARTICLE 7 ZONING HEARING BOARD

Section 701 Creation

There is hereby created a Zoning Hearing Board, herein referred to as the "Board," consisting of three (3) residents of the Township and one alternate, appointed by resolution of the Township Supervisors, pursuant to the Pennsylvania Municipalities Planning Code, as amended. Said Board shall perform all the duties, and exercise all powers prescribed by said Code and as herein further provided.

Section 702 Appointment

The terms of office of the Board shall be three (3) years and shall be so fixed that the term of office of one (1) member shall expire each year. The Board shall promptly notify the Township Supervisors of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the Township nor be a member of the Planning Commission. The Township Supervisors may also appoint one (1) alternate member to the Board, as they may deem necessary. The appointment, rights and duties of the alternate shall be in accordance with Article IX of the Pennsylvania Municipalities Planning Code.

Section 703 Removal of Members

Any Board member may be removed for misfeasance or nonfeasance in office, or for other just cause, by a majority vote of the Township Supervisors taken after the member has received fifteen (15) days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

Section 704 Organization of Board

The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing or the taking of any action, a quorum shall be not less than the majority of all the members of the Board, but where two (2) members are disqualified to act in a particular matter, the alternate member shall be seated. The Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf, and the parties may waive further action by the Board as provided in Section 908 of the Planning Code. The Board may make, alter and rescind rules and forms for its procedure, consistent with Township Ordinances and laws of the Commonwealth. The Board shall keep full public records of its business and shall submit a report of its activities to the Township Supervisors as requested by the Supervisors.

Section 705 Expenditures for Services

Within the limits of funds appropriated by the Township Supervisors, the Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services. Members of the Board may receive compensation for the performance of their duties, as may be fixed from time to time by the Township Supervisors, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Township Supervisors.

Section 706 Legal Counsel

Where legal counsel is desired, an attorney, other than the Township Solicitor, shall be used.

Section 707 Hearings

The Board shall conduct hearings and make decisions in accordance with the following requirements:

- A. Notice shall be given to the public by notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days nor less than seven (7) days from the date of the hearing. Written notice shall be given to the applicant, the Zoning Officer, and to any person who has made timely request for the same. Written notices shall be prescribed by rules of the Board. In addition to the notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one (1) week prior to the hearing.
- B. The Township Supervisors may prescribe reasonable fees with respect to hearings before the Zoning Hearing Board. Fees for said hearings may include compensation for the secretary and members of the Zoning Hearing Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs.
- C. The hearing shall be held within sixty (60) days from the date of the applicant's request, unless the applicant has agreed in writing to an extension of time.
- D. The hearings shall be conducted by the Board or the Board may appoint any member as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board, but the parties may waive the decision or findings by the Board and accept the decision or findings of the hearing officer as final.
- E. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.
- F. The chairman or acting chairman of the Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
- G. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
- H. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
- I. The Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or hearing officer or shall be paid by the person appealing from the decision of the Board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases the party requesting the original transcript shall bear the cost thereof.

- J. The Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, except that advice from the Board's Solicitor is exempt from this restriction; shall not take notice of any communication, reports, staff memoranda, or other materials unless the parties are afforded an opportunity to contest the material so noticed; and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.

- K. The Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Board or hearing officer. Where application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore. Conclusions based on any provisions of this Ordinance or the Planning Code, or any rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer, and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties within forty-five (45) days, and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than thirty (30) days after the report of the hearing officer. Where the Board fails to render the decision within the period required by this Ordinance or the Planning Code, or fails to hold the required hearing within sixty (60) days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as herein above provided, the Board shall give public notice of said decision within ten (10) days in the same manner as provided in Subsection 908(9) of the Pennsylvania Municipalities Planning Code. Nothing in this subsection shall prejudice the right of any party to appeal the decision to a court of competent jurisdiction. All variances granted by the Zoning Hearing Board and Conditional Uses granted by the Township Supervisors shall expire eighteen (18) months from the date of the Board's action unless construction has been initiated or a land development plan has been submitted for approval.

- L. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, a brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

Section 708 Board's Functions:

708.1 Jurisdiction:

The Board shall have exclusive jurisdiction for the following:

- A. Substantive challenges to the validity of any land use ordinance, except those brought before the governing body pursuant to Sections 609.1 and 916.1(a) (2) of the Planning Code.

- B. Appeals from the determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefore, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.

- C. Appeals from a determination by the Township engineer or the Zoning Officer with reference to the administration of any Floodplain or Flood Hazard Ordinance or such provisions within a land use ordinance.
- D. Applications for variances from the terms of the Zoning Ordinance and Flood Hazard Ordinance or such provisions within a land use ordinance, pursuant to Section 910.2 of the Planning Code.
- E. Applications for Special Exceptions under this Ordinance, or under a Flood Hazard Ordinance, is specified in such ordinance.
- F. Appeals from the Zoning Officer's determination under Section 916.2 of the Planning Code.
- G. Appeals from the determination of the Zoning Officer or Municipal Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and storm water management insofar as the same relate to development not involving Article V or VII applications of the Pa. Municipalities Planning Code.

708.2 Variances:

The Board shall hear requests for variances where it is alleged that the provisions of this Ordinance inflict unnecessary hardship upon the applicant. The Board may, by rule, prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance provided that all of the following findings are made where relevant in a given case:

- A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of this Ordinance in the neighborhood or district in which the property is located;
- B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
- C. That such unnecessary hardship has not been created by the applicant;
- D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and
- E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this Ordinance. All variances granted by the Zoning Hearing Board shall expire eighteen (18) months from the date of the Board's Action approving the variance, unless a land development plan has been submitted or a construction permit obtained.

Section 709 Parties Appellant Before Board

Appeals under Section 708 and proceedings to challenge the Ordinance may be filed with the Board in writing by the landowner affected, any officer or agency of the Township, or any person aggrieved. Requests for a variance under Section 708.2 may be filed with the Board by any landowner or any tenant with the permission of such landowner.

Section 710 Time Limitations; Persons Aggrieved

No person shall be allowed to file any proceeding with the Board later than thirty (30) days after an application for development, preliminary or final, has been approved by an appropriate Township officer, agency or body if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest. See also Section 914.1 of the Planning Code.

Section 711 Stay of Proceedings

Upon filing of any proceeding and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action thereunder shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body. See also Section 915.1 of the Planning Code.

**ARTICLE 8
ADMINISTRATION, ENFORCEMENT AND APPEALS**

Section 801 Zoning Officer

The Township of Oil Creek, Crawford County, shall appoint the Zoning Officer who shall administer and enforce the provisions of this Ordinance, and shall do so in accordance with the provisions of this Ordinance and of the Pennsylvania Municipalities Planning Code. The Zoning Officer shall also have the duties as set forth by Article 8 of this Ordinance. The Zoning Officer shall not hold any elective office in the Township.

Section 802 Duties of the Zoning Officer

The Zoning Officer shall administer this Ordinance in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use, which does not conform to this Ordinance. The Officer shall be considered as qualified to perform his/her duties by meeting the qualifications established by the Township. In addition, the Zoning Officer's duties, obligations and responsibilities include the following:

802.1 Application for Zoning Permits:

The Zoning Officer shall receive applications for Zoning Permits and/or Certificates. A Zoning Permit is an application filed prior to the start of construction/development by a developer to describe the proposed activity in sufficient detail to determine whether or not it meets the requirements of this and other applicable Township Ordinances. Applications conforming to such ordinances shall be approved, those not conforming to such ordinances shall be denied.

802.2 Inspections:

The Zoning Officer or a duly appointed assistant may examine, or cause to be examined, all structures and/or land for which an application for a Zoning Permit or a Zoning Certificate has been requested. Such inspections may be before, during and after any construction and shall be made upon the termination of construction and prior to the issuance of a Certificate of Occupancy.

802.3 Permits, Applications, Appeals and Certificates:

The Zoning Officer shall issue or deny such permits or certificates as required by this Ordinance where no other body is involved; shall receive all applications for Conditional Uses, Special Exceptions and Variances and forward same to the appropriate body. Where a decision is made by another body, the Zoning Officer shall issue or deny the permit as ordered by the applicable Board.

802.4 Enforcement:

The Zoning Officer is authorized to institute civil enforcement proceedings as a means of enforcing this Ordinance and to revoke or refuse permits as authorized.

Section 803 Permits and Certificates

803.1 Zoning Permits:

An application for a Zoning Permit will be to show compliance with this and other appropriate Township Ordinances. Applications shall contain information relative to the proposed construction and/or use in sufficient detail to inform the Zoning Officer of the scope and extent of the proposed development. The exact details required, including sketches, plat plans as well as the number of copies, time limits and fees for such applications shall be determined by the Township, and consistent with this article.

803.2 Zoning Certificate:

Certificate shall be issued upon request to confirm that the use of land or a building within the Township is in compliance with this Ordinance. Zoning Certificates shall also be required for a change of use of a structure or land to a different use and changes to a nonconforming use or structure. The exact form of the certificate and fees charged shall be determined by the Township.

803.3 Sign Permit:

A sign permit shall be required prior to the erection or alteration of any sign, except those signs specifically exempted from this requirement in Article 4 of this Ordinance.

- a. Application for a sign permit shall be made in writing to the Zoning Officer, and shall contain all information necessary for such Officer to determine whether the proposed sign, or the proposed alterations, conform to all the requirements of Article 4 of this Ordinance.
- b. No sign permit shall be issued except in conformity with the regulations of this Ordinance, except after written order from the Zoning Hearing Board or the courts.

803.4 Zoning Permit Application Requirements

The application for the zoning permit shall be signed by the owner, or with the owner's express written permission. Each application shall clearly state the permit shall expire and may be revoked if the work has not begun within one year of issuance. At a minimum the application shall contain the following information:

1. Name, address and phone number of applicant;
2. Legal description of property;
3. Existing use of property;
4. Proposed use of property;
5. Description of work contemplated;
6. Zoning District;
7. Plans in duplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact size and location of any existing buildings on the lot, if any; the location and dimensions of the proposed building(s) or alterations; and the location of drives and drive entrances.
8. Building heights;
9. Number and location of off-street parking spaces, loading spaces where applicable;
10. Number of dwelling units where applicable;
11. Estimated time for completion;
12. Estimated cost;
13. Such other matters as may be necessary to determine conformance with and provide for the enforcement of this ordinance.

The application shall be signed and certified that all information is true and correct. The zoning application shall be accompanied by a statement by the applicant relative to the necessity of any and all other permits required, including,

but not limited to Pennsylvania Uniform Construction Code, Pa Sewage Facilities Planning Module, or Highway Occupancy.

803.5 Approval of Zoning Permit

Within thirty (30) days after receipt of an application the Zoning Officer shall either approve or disapprove the application. One copy of the plans shall be returned to the applicant by the Zoning Officer after he shall have marked such copy either approved or disapproved and attested to same by his signature. One copy of the plans, similarly marked shall be retained by the Zoning Officer. The Zoning Officer may issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use, structure or alteration is in conformance with the provisions of this ordinance.

803.6 Expiration of Zoning Permit

If the work described in the zoning permit application has not begun within one year from the date of issuance, the permit shall expire. It shall be revoked by the Zoning Officer, and written notice thereof shall be given to the applicant. If the work described in any zoning permit has not been substantially completed within 2 1/2 years of date of issuance said permit shall expire and be revoked by the Zoning Officer, and written notice thereof shall be given to the applicant, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new zoning permit has been obtained or an extension of time granted.

803.7 Construction and Use To Be As Provided In Applications, Plans, Permits, And Certificates

Zoning permits or certificates of occupancy issued on the basis of plans and applications approved by the Zoning Officer authorize only the use and arrangement set forth in such approved plans and applications or amendments thereto, and permits no other use, arrangement, or construction, uses, arrangements, or construction at variance with that authorized. All such actions at variance shall be deemed a violation of this ordinance.

803.8 Complaints Regarding Violations

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the cause and basis thereof, shall be filed with the Zoning Officer who shall investigate the matter and take action thereon as provided by this ordinance.

Section 804 Enforcement and Municipal Disclaimer

804.1 Enforcement Notice:

When it appears to the Township Board of Supervisors and/or the Zoning Officer that a violation has occurred, the Zoning Officer shall send an enforcement notice. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding the parcel, and to any other person requested in writing by the owner of record. The enforcement notice shall state the following:

- A. The name of the owner of record and any other person against whom the Township intends to take action.
- B. The location of the property in violation.

- C. The specific violation with a description of the requirements, which have not been met, citing in each instance the applicable provisions of the Ordinance.
- D. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
- E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time in accordance with procedures set forth in this Ordinance.
- F. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

804.2 Causes of Action:

In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance, and any amendment thereto or prior enabling laws, the Township, the Zoning Officer of the Township, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Township at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the Township Supervisors. No such action may be maintained until such notice has been given.

804.3 Jurisdiction:

District justices shall have initial jurisdiction over proceedings brought under Section 804.4.

804.4 Enforcement Remedies:

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance and any amendment thereto; or any prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred (\$500) dollars plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good-faith basis for the person, partnership or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation continues shall constitute a separate violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of zoning ordinances shall be paid over to the Township. Nothing contained in this section shall be construed or interpreted to grant any person or entity other than the Township and its Zoning Officer the right to commence any action for enforcement pursuant to this section.

804.5 Municipal Liability

The granting of a Zoning Permit for the erection and/or use of a building or lot shall not constitute a representation, guarantee, or warranty of any kind or nature by the municipality, or an official or

employee thereof, of the safety of any structure or use and shall create no liability upon, or a course of action against, such public official or employee for any damage that may result pursuant thereto.

**ARTICLE 9
AMENDMENTS**

Section 901 General

Township Supervisors may introduce and/or consider amendments to this Ordinance and to the Zoning Map, as proposed by a member of the Township Supervisors, the Planning Commission, or by a petition of a person or persons residing or owning property within the Township.

Section 902 Petitions

Petitions for amendments shall be filed with the Zoning Officer; and the petitioners, upon such filing, shall pay an advertising deposit and a filing fee, in accordance with a fee schedule affixed by the Township.

Section 903 Referral

Any proposed amendment presented to Township Supervisors without written findings and recommendations from the Township Planning Commission and the Crawford County Planning Commission, shall be referred to these agencies for their review and recommendations prior to the public hearing by the Township Supervisors. The Board shall not hold a public hearing upon such amendments until required reviews and recommendations are received or the expiration of thirty (30) days from the date that such proposed amendments were submitted to the Township and County Planning Commissions.

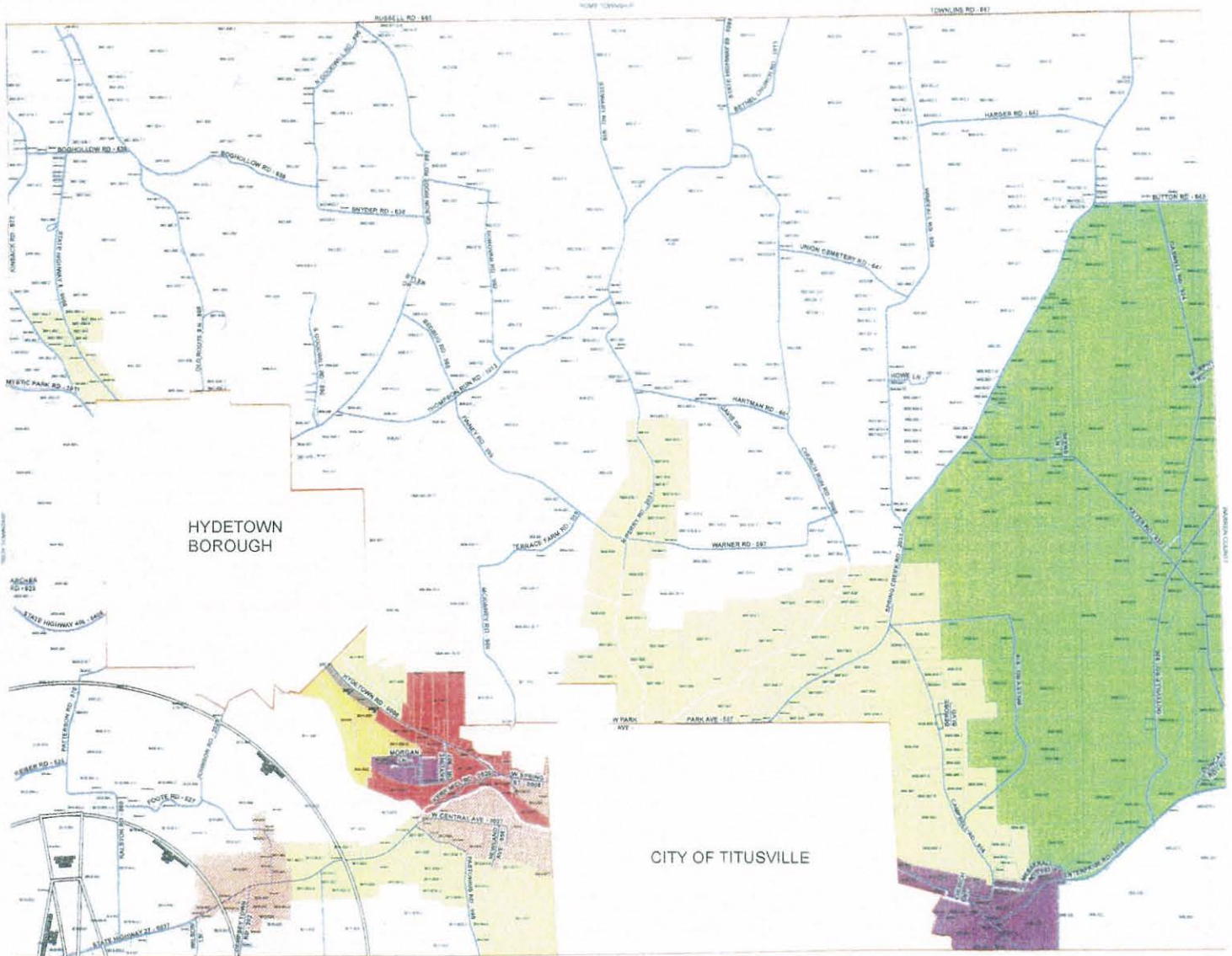
Section 904 Action

Before acting upon a proposed amendment, the Township Supervisors shall, as required by law, hold a public hearing thereon. Public notice of such hearing shall contain a brief summary or full text of the proposed amendment and reference to the place where copies of the same may be examined. The public notice shall be published in accordance with the provisions of the Pennsylvania Municipalities Planning Code. If the proposed amendment involves a change to the Zoning Map (and is not a part of a comprehensive rezoning), notice of the public hearing shall be posted at the affected tract in accordance with Section 609 of the Planning Code at least one (1) week prior to the date of the hearing.

Section 905 Curative Amendments

The Township may institute a Municipal Curative Amendment in accordance with Section 609.2 of the Planning Code.

Ordained and enacted this 10th day of August 2017



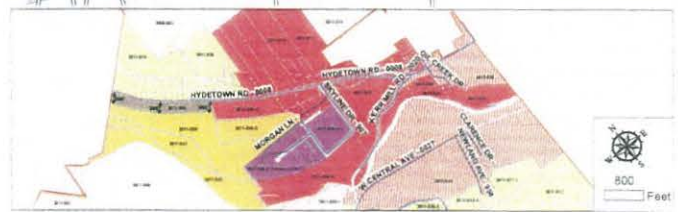
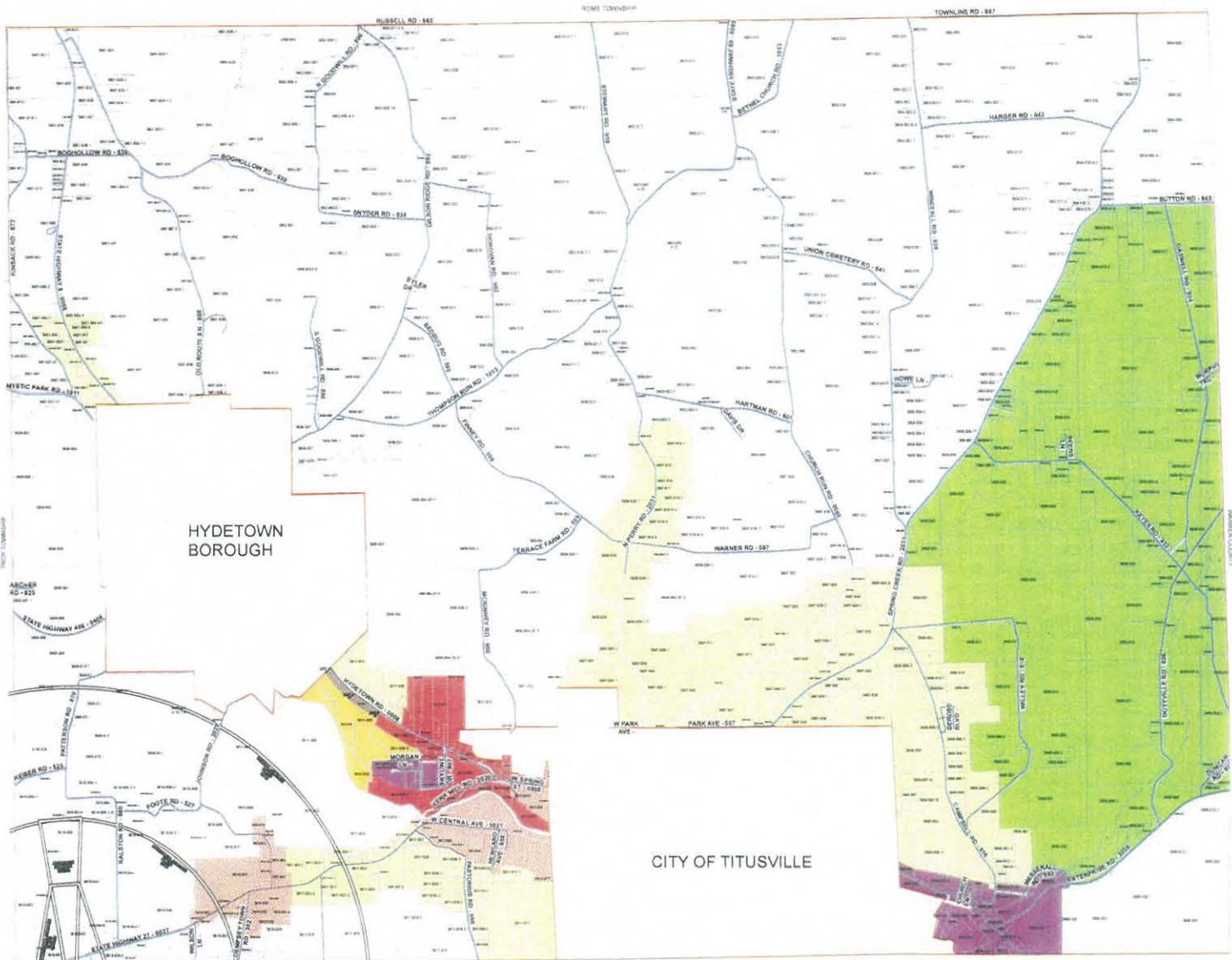
VENANGO COUNTY
 BEING A PART OF ORDINANCE NO. 111 AS AMENDED
 ATTEST: *[Signature]* 1 of 2017
[Signature] 8.10.17

- ZONING DISTRICTS
- Agriculture
 - Suburban Residential
 - Rural Development Limited
 - Transitional Residential Business
 - Commercial
 - Industrial
 - Restricted Industrial Office
 - Rural Economic Development
 - Airport Surface Zones

**Oil Creek Township
 Zoning Map
 Crawford County, PA**



This map, and any other physical maps or systems and devices to which it is attached, including zoning maps, certificates, and other laws and ordinances of Crawford County, are deemed to be a public use and as such are made available to the public in the public domain. Changes to this map shall be made only as shown on the map being reproduced. Users are encouraged to contact the Planning Department for information.



1 of 2017
 ATTEST: *[Signature]* 8.10.17
 TOWNSHIP CLERK

- ZONING DISTRICTS**
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**Oil Creek Township
 Zoning Map
 Crawford County, PA**



Property lines, roads and other physical features are not shown and intended to assist in the location of zoning. Zoning district boundaries, land parcel size data presented here is for informational purposes only and is not intended to be used in the absence of the zoning district boundaries. Graphic indications may not be exact and should not be relied upon for legal purposes. Users are encouraged to consult Township records for authoritative information.

