

**WOODCOCK TOWNSHIP
CRAWFORD COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2011 - 3

WHEREAS, Woodcock 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 Woodcock Township; and

WHEREAS, the Woodcock Township Supervisors find that the best interests of Woodcock Township and its residents will be served by adopting a new zoning ordinance as prepared and recommended by the Planning Commission to update and replace the existing zoning regulations.

WHEREAS, the proposed ordinance has been reviewed by the Board of Supervisors of Woodcock Township, and public hearings have been held for public comment as required.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Woodcock 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 Woodcock 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, and 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 had 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All ordinances and parts of ordinances inconsistent with the Ordinance hereby adopted shall be and are hereby repealed. Specifically, the existing Woodcock Township Zoning Ordinance, Ordinance No. 1976-10, as amended, is repealed in its entirety.
4. *Effective Date.* This Ordinance and the Woodcock Township Zoning Ordinance hereby adopted shall be in effect five (5) days after enactment.

ORDAINED AND ENACTED by the Board of Supervisors of Woodcock Township, this 8th
day of March, 2011.

WOODCOCK TOWNSHIP BOARD OF SUPERVISORS

By: William R. Winters
Chairman

ATTEST:

Renee D. Hayes
Secretary

I do certify that the foregoing is a true and correct copy of Ordinance No. 2011- 3,
as advertised, and was duly enacted and approved as set forth at the Woodcock Township Board
of Supervisors meeting on March 8, 2011.

Renee D. Hayes
Renee Hayes, Secretary

EFFECTIVE DATE

EFFECTIVE DATE

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

ZONING MAP

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

ENACTED AND ORDAINED THIS 8th day of March, 2011 by the Board of Supervisors of the Township of Woodcock.

ATTEST: WOODCOCK TOWNSHIP BOARD OF SUPERVISORS



Chairman, Board of Supervisors



Supervisor



Supervisor



Secretary

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Article 1: General Provisions

- 100 Title:** This Ordinance shall be known and may be cited and referred to as the *Woodcock Township Zoning Ordinance*.
- 101 Provisions of Ordinance Declared to Be Minimum Requirements:** In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and the general welfare. Whenever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive, or that imposing the higher standards shall govern.
- 102 Effective Date:** This Ordinance shall take effect on March 14, 2011.
- 103 Community Development Objectives:** The community development objectives which are the basis for the provisions of this Ordinance are set forth in the Woodcock Township Comprehensive Plan as adopted by the Board of Supervisors of Woodcock Township Heretofore and any amendments made thereto. Community Development Objectives are defined in Article 2.
- 104 Zoning Map:** An official zoning map entitled “Zoning Districts Map, Woodcock Township” is hereby adopted as a part of this Ordinance. The Zoning Map shall be kept on file for examination in the office of the Township Secretary.

Article 2: Community Objectives

- To protect and promote the public health, safety, morals and the general welfare of the residents of the Township.
- To provide for future development, both private and public, including residential, commercial, industrial, agricultural, recreational and institutional so that the uses of land, including the location and bulk of buildings, are arranged orderly, conveniently, aesthetically, economically, in harmony with natural and man-made surroundings, and reasonably free from evoking or causing nuisances to surrounding uses.
- To guide development into a pattern where areas of employment including industrial, commercial and public uses are located and arranged convenient to living areas and are readily accessible to transportation facilities.
- To preserve to the fullest extent possible the natural amenities of Woodcock Township and to promote carefully planned and designed new development which shall be located so as to enhance each particular site and eliminate or minimize pollution or any other damage to land, water, and air in the Township.
- To promote additional housing units for all income levels in a variety of housing types.
- To eliminate, or rehabilitate where possible, dilapidated housing in the Township; however, where structures of historic or cultural importance are identified to work for their conservation so that the Township's heritage is preserved.
- To encourage and direct the major portion of future residential development (differing from farm related residences) so that it occurs in clusters and there is a depth to development rather than the indiscriminate "strip" building along existing public roads we experience currently. Residential development when it is concentrated or clustered can be served far more efficiently by public sewer and water, should they become available in the future, and community identity can be fostered. To the extent it is possible, to guide future higher density residential development into locations that can be provided central sewer and water facilities.
- Where soils are only marginally adequate for the installation of on-lot sewage systems, large lot development should be required for residential construction. In areas where sanitary sewers may be available, if at all, in 20 to 30 years the development of large lots should be planned so that "in-fill" higher density development is possible in the future.
- To preserve good (Class I and II) agricultural land for farming use and discourage non-agricultural development from occurring on such lands.
- To insure that aquifer recharge areas, marsh and wetland areas are left in their natural state and that development does not encroach on them. To identify areas subject to periodic flooding and to protect such areas from future permanent building development.
- To promote a logical road pattern for safe and efficient vehicular transportation throughout the Township and to insure that all future development provides adequate off-street parking and loading facilities. To protect the existing main transportation systems of the Township including "through" Township and State roads so that they can continue to move traffic safely and efficiently; it is recognized that indiscriminate and frequent lotting and development along these roads without provisions for considerable road improvement impairs the transportation function.
- To provide adequate space for public facilities in advance of population growth.
- To promote the construction of sanitary sewers in conjunction with major developments for housing, commercial, and industrial uses, preferably locating such developments in areas where a central water system is available. Extensive developments of any type should utilize a central sewer system.

- To provide, in areas where industrial and commercial uses are adjacent to residential districts, suitable site development standards, such as setback, screening and landscaping measures, in order to insure that the convenience of a location does not compromise development quality.
- To allow all citizens maximum opportunities to develop their land consistent with the other objectives of this Plan, with the abilities of the public to provide necessary facilities and services, and consistent with the prevention and elimination of nuisance uses.
- To preserve, in the surrounding area, the natural amenities characteristic of the Woodcock Creek Lake Project including that part of this development administered by Crawford County, insuring that new development occurring in the vicinity of this facility is compatible and free of environmental pollution.
- To relate and coordinate the development of the Township with surrounding municipalities.
- To promote the community identity of Woodcock Township as a place to live, work, shop and recreate by shaping future growth in patterns that focus on a Woodcock identity.
- To protect water wellheads from encroaching development.

Article 3: Definitions

300 Interpretation of Words

For the purpose of this Ordinance certain terms or words used herein shall be interpreted as follows:

1. The word "shall" is always mandatory.
2. The word "may" is permissive.
3. The word "should" is a preferred requirement.
4. Words used in the present tense shall include the future.
5. Words used in the singular shall include the plural.
6. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

301 Meaning of Words

It is not intended that this Article include only words used or referred to in this Ordinance. The words are included in order to facilitate the interpretation of the ordinance for administrative purposes and to aid in the carrying out of duties by municipal officials. Unless specifically defined below, words and phrases used in this Ordinance shall be interpreted so as to give them the same meaning as they have in common usage.

Accessory Use or Structure: A use or structure customarily incidental and subordinate to the principal use or structure and located on the same lot with such use or structure.

Alley: A public street which affords only a secondary means of access to abutting property and is not intended for general traffic conditions.

Alterations: As applied to a building or structure means a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Applicant: One who seeks permission or authorization under the provisions of this Ordinance to engage in an activity governed in whole or in part by this Ordinance. The applicant may be the property owner or his agent or any other person making a responsible request.

Basement: A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

Board of Township Supervisors: The governing body of Woodcock Township, sometimes referred to as "Board" or "Township Supervisors" or "Supervisors".

Boarding House or Rooming House: A building or part thereof, other than a hotel, motel, or restaurant where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in individual rooms.

Building: Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, goods or property.

Building, Accessory: A subordinate building detached from, but located on the same lot as a principal building, the use of which is incidental and accessory to that of the main building.

Building, Height: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs.

Building Line: See Setback Line.

Building, Principal: A building in which is conducted the main or principal use of the lot on which said building is situated.

Clinic: A place used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons and those in need of medical and surgical attention but who are not provided with room or board or kept overnight on the premises.

Club or Lodge: A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of members and their guests.

Communications Antenna: Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service, or any other wireless communications signals, including without limitation omni directional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence mounted satellite dishes or television antennas or amateur radio equipment without limitation ham or citizen band radio antennas.

Communications Equipment Building: An unmanned building or cabinet containing communications equipment required for the operation of communications antennas and covering an area on the ground not greater than 375 square feet.

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

Comprehensive Plan: A plan or any portion thereof, adopted by a planning commission and/or the legislative authority of a municipality showing the general location and extent of present and proposed land uses and physical facilities including housing, industrial and commercial uses, major streets, parks, schools, and other community facilities. The plan establishes the goals, objectives, and policies of a community.

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

Conversion Unit: The remodeling of a single family dwelling into one or more additional dwelling units.

Day Care Services for Children (Day Care): provides out-of-home care for part of a twenty-four (24) hour day to children less than 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.
- 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 childcare 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 children, at any time, where the child care areas are not used as a family residence.

Child care for less than four (4) children will not be considered as Day Care Services. Family and Group Day Care homes shall be considered as home occupations. Day care for adults shall be considered substantially the same use, and shall be classified based upon the number of persons for whom care is provided.

Density: A unit of measurement; the number of dwelling units per acre of land.

- a. Gross Density - the number of dwelling units per acre of the total land to be developed.

- b. Net Density - the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses and common or publicly available park and recreation area and does not include all area devoted to public or private streets.

Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets, and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations and the subdivision of land.

Dwelling: A building, or portion thereof, used for residential occupancy, including single family and multifamily dwellings, but not including hotels, apartment hotels, rooming and boarding houses, mobile homes, modular homes, or travel trailers.

Dwelling Unit: One or more rooms in a dwelling which are used as living quarters for occupancy by one family, and which unit contains permanently installed bathroom and kitchen facilities reserved for the occupants of such rooms.

Dwelling, Attached: A dwelling which is joined to another dwelling at one or more sides by a party wall or walls. This includes townhouses.

Dwelling, Detached: A dwelling which is surrounded on all sides by yards on the same lot.

Dwelling, Semi-Detached: A dwelling which is joined to another dwelling at only one side by a party wall and which is otherwise surrounded by yards on the same lot.

Dwelling, Single Family: A dwelling or building containing one dwelling unit.

Dwelling, Two Family: A dwelling or building containing two dwelling units which may be either attached side by side or located one above the other, and each unit having a separate or combined entrance or entrances.

Dwelling, Multi Family: A dwelling or building containing three or more dwelling units, including condominiums, and cooperatives, with varying arrangements of entrances and party walls.

Dwelling, Seasonal (Cottage): A single family detached dwelling intended for resort purposes and occupied on a seasonal or short-term basis.

Family: An individual; two or more persons related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit, mobile home or modular home; or a group of not more than 4 persons, who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit, mobile home or modular home; plus, in all cases, usual domestic servants.

Family Business: a form of light manufacturing, service or repair, mini-storage or retail 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.

Floor Area of a Residential Building: The sum of the gross horizontal area of the several floors of a residential building, excluding basement floor areas not devoted to residential use, but including the areas of roofed porches, and roof terraces. All dimensions shall be measured between exterior faces of walls.

Floor Area of a Non-Residential Building: The floor area excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows and similar areas.

Garages, Private: A detached accessory building or portion of a principal building for the parking or storage of automobiles, travel trailers, boats, other vehicles and/or other miscellaneous material of the occupants of the premises and wherein: (1) not more than one space is rented for parking to persons not resident on the premises, and (2) no more than one commercial vehicle per dwelling unit is parked or

stored.

Group Home: The coming together of more than 4 persons not related by blood, marriage or adoption in a single housekeeping unit which provides for physical and social needs beyond customary residential needs, and whose management is under the direction of a public or semi-public institution operating in the pursuit of its objectives, but not including handicapped persons in a permanent family like setting, living with one or more caregivers.

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, natural gas distillation and bulk storage, 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.

Home Occupation: Any customary use, occupation, or profession managed and conducted on the within a dwelling by a member or members of the immediate family residing in the dwelling on said premises; such use, occupation, or profession shall be secondary to the use of the premises for dwelling purposes and shall not substantially change the character thereof and shall be consistent with the surrounding residential district. Examples include, but are not limited to offices, personal services, and day care

Intensive Commercial Recreation: a facility which offers various outdoor recreational or spectator opportunities for its patrons including auto raceways, motor sports participation or spectator opportunities, outdoor concert performances, outdoor commercial shooting ranges, commercial hunting operations and similar pursuits. This category does not include annual or seasonal festivals held by non-profit community organizations, or lawful businesses, which may include occasional accessory or incidental outdoor performances. This definition also does not include shooting ranges owned or operated by any non-profit conservation organization or sportsman’s organization, any noncommercial target shooting conducted upon private or public land, or any traditional hunting activities carried out in conformance with Pennsylvania Game Commission regulations.

Junk: Any discarded material or article including but not limited to scrap metal, abandoned vehicles, machinery, paper or glass. Junk material shall not include garbage kept in containers for periodic disposal which is regulated by the Pennsylvania Department of Environmental Resources.

Junk Buildings: Junk Yards. Junk Shops. Any land, property, structure, building, or combination of the same, on which junk is stored or processed and which is operated as a business for buying, selling or dealing in junk.

Kenel: Any premises on which 4 or more domesticated animals more than 6 months of age are housed, groomed, bred, boarded, trained or sold and which offers provisions for minor medical treatment.

Light Manufacturing: manufacturing in which there are no significant impacts from noise, dust or odor, and impacts are limited to secondary effects related to vehicular traffic, incidental noise, and movement of materials. Light industries include, but are not limited to: food processing; wood products manufacturing (without chemical treatment); production of machine tools and similar metalworking; manufacturing of plastic products; laboratories, testing and research facilities; printing; pharmaceuticals production; and similar facilities for assembling and fabricating.

Limited Retail and Service Business: small-scale retail enterprises intended to benefit neighborhood residents or tourists. Limited retail businesses are distinguished from other retail businesses by smaller size [less than five thousand (5,000) square feet gross floor area], limited scale and hours of operation, and confining all but incidental commercial activities indoors. Examples may include coffee shops, retail bakeries and specialty foods, antiques, or florists, but do not include such business as auto and equipment sales, building material and supply yards, or commercial recreation as defined by this Ordinance.

Loading Space, Off-Street: Space logically and conveniently located for bulk pickups and deliveries, scaled in size to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. All off-street loading spaces shall be located totally outside of any street, or alley right-of-way.

Lot: Land occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, together with yard spaces as are required under the provisions of this Ordinance, having not less than the minimum area and width required by this Ordinance and having its principal frontage on a street or on such means of access as may be determined adequate in accordance with the provisions of this Ordinance.

Lot, Corner: A lot located at the intersection of two or more streets.

Lot, Frontage: The front of a lot is the portion of the lot nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides adjacent to streets shall be considered frontage and yards shall be provided as indicated under Yards in this Article.

Lot, Interior: A lot other than a corner lot.

Lot, Through: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lot.

Lot, Reverse Frontage: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Minor Repair: The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repair include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

Manufactured Home: A factory constructed house which is placed on a steel chassis and transported to the building site. The wheels can be removed but the chassis stays in place.

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.

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 or more mobile home stands (or lots).

Modular home: A factory fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into one (1) structure, normally requiring prefabricated panels, trusses, plumbing trees, and other prefabricated sub-elements to be incorporated into the structure at the site.

Municipalities Planning Code (MPC): The law of Pennsylvania that governs, among other things, local municipal zoning regulations, enacted by Act 247 of 1968 and thereafter reenacted and amended by Act 170 of 1988 as thereafter amended, found at 53 P.S. § 10101, *et seq.*

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. The business or commercial activity must satisfy the following requirements:

- 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 and no stockpiling or inventory of a substantial nature.
- 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.

Nonconforming Use: A use, whether of land or of structure which does not comply with the applicable use provisions in this Zoning Ordinance where such use was lawfully in existence prior to the enactment of this Ordinance.

Nonconforming Structure: A structure or part of a structure not designed to comply with the applicable provisions in this Zoning Ordinance, where such structure lawfully existed prior to the enactment of this Ordinance. Such nonconforming structures include, but are not limited to, nonconforming signs.

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.

Planned Residential Development: An area of land, controlled by one landowner or development group, to be developed as a single entity for a number of dwelling units, the development plan for which does not correspond in lot size, bulk, or type of dwelling, density, and required open space to the regulations established in any one residential district created, from time to time, under the provisions of a municipal zoning ordinance.

Planning Commission: The Woodcock Township Planning Commission sometimes referred to as the Commission.

Playground: Recreational facility which typically contains swing sets, slides and other activities for children which is open to the public.

Public Notice: A 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 or

less than 14 days from the date of the hearing.

Right-of-Way: A strip of land taken or dedicated for use as a public way. In addition to the roadway it normally incorporates curbs, lawn strips, sidewalks, lighting and drainage facilities.

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.

Setback Line: A line established by this Ordinance generally parallel with and measured from the lot line defining the limits of a yard in which no structure may be located above ground except as may be provided under the provisions of this Ordinance. This line is also referred to as a building line.

Sexually Oriented Business means an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, escort agency, nude model studio or sexual encounter center, which are businesses that include performances or material for sale depicting exposed human genitals, pubic regions, anus, buttocks, female breast(s) below a point immediately above the top of the areola or the fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts; or Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, masturbation or sodomy or any other business defined and regulated by the Woodcock Township Sexually Oriented Business licensing ordinance.

Sign: Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, insignia of any government or government agency, or of any civic, charitable, religious, patriotic, fraternal or similar organization.

Special Exception: An approval granted by the Zoning Hearing Board in situations as are provided for in this Ordinance.

Story: That part of a building between the surface of a floor and the ceiling immediately above.

Structure: Anything constructed or erected, the use of which requires a fixed location on the ground or an attachment to something having a fixed location on the ground including, but not limited to, buildings, billboards, signs, carports, porches, swimming pools, fences, walls and other building features but not including sidewalks, drives, and patios.

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, 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 residential dwellings shall be exempted.

Terrace or Patio, Open: An area covered with concrete or paving materials, normally set within six inches of existing grade, with no walls or roof, and located adjacent to a structure for the purposes of pedestrian access and passive outdoor recreation.

Thoroughfare, Street or Road: The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

Arterial Road: A general term denoting a highway primarily for through traffic. These roads are always continuous and are part of either the Federal Aid Primary or Secondary Systems.

Collector Road: Roads that are continuous and that serve primarily as connections between the arterial roads and local streets. Most of the roads in this category, but not all of them, are Township roads with a "T" designation.

Cul-De-Sac: A local street usually of short length with one end open to traffic and the other end

terminating in a vehicular turnaround.

Dead-End Street: A street temporarily having only one outlet for traffic and intended to be extended or continued in the future.

Local Street: A street primarily for providing access to abutting property.

Marginal Access Street: A local or collector street parallel and adjacent to an arterial or collector road providing access to abutting properties and protection from through traffic on arterial and collector roads.

Travel Trailer: A vehicular portable structure, mounted on a chassis, and designed as a temporary dwelling for travel, recreational, and vacation uses and which is: (1) identified by the manufacturer as a travel trailer, (2) not more than 8 feet in width, and (3) is of any weight provided the body length does not exceed 32 feet.

Travel Trailer Park: A parcel of land under single ownership which has been planned and improved for the placement of travel trailers for transient use consisting of two or more travel trailer stands, pads (or lots).

Variance: Legal permission by the Zoning Hearing Board to use a property for a permitted use in a particular zoning district, but to do so with some modification in the regulations applicable to that district. A variance applies only to that particular piece of property for which it is granted, and only to certain modifications of the regulations. It does not, in most circumstances, apply to the modification of the permitted uses within the zoning districts.

Warehousing: a use engaged in storage, wholesale and distribution of mobile product, supplies and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions. For the purpose of this Ordinance, storage of explosive, inflammable, hazardous or community-recognized offensive conditions shall be considered heavy industry.

Wind Energy Conversion Systems: Include any device or mechanisms such as a wind charger, wind turbine or windmill and all appurtenances thereto that is designed to convert kinetic wind energy into another form of energy such as electricity or heat, but excluding windmills solely used for pumping water.

Yard: The open space on a lot which is unoccupied and unobstructed from the lowest level to the sky except for the permitted obstructions listed in this Ordinance.

Yard, Front: A yard extending along the full length of a front lot line and back to a line drawn parallel with such front lot line at a distance therefrom equal to the required front yard.

Yard, Interior Side: A side yard which adjoins another lot or an alley separating such side yard from another lot.

Yard, Rear: A yard extending along the full length of a rear lot line and back to a line drawn parallel with such rear lot line at a distance therefrom equal to the required rear yard.

Yard, Side: A yard extending along the side lot line drawn parallel with such side lot line at a distance therefrom equal to the required side yard.

Yard, Street Corner Side: A side yard which adjoins a street.

Zoning Hearing Board: A board appointed by the Board of Township Supervisors of Woodcock Township in order to provide for the administrative requirements as set forth in this Ordinance; also referred to as the Board.

Zoning permit: A permit issued by the Woodcock Township Supervisors permitting a parcel of land to be used for a specific purpose.

302 Incorporation of Other Definitions

Words defined in Section 107 of the Municipalities Planning Code shall have the meanings ascribed therein unless expressly defined otherwise in this Ordinance.

Words defined in other Township ordinances including but not limited to the Subdivision and Land Development Ordinance, the Floodplain Management Ordinance and the Storm Water Management Ordinance shall have the meanings ascribed therein unless expressly defined otherwise in this Ordinance.

Article 4: Administration and Enforcement

400 Prohibited Acts

- 400.1** No structure shall be located, erected, constructed, reconstructed, moved, altered, 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 certifications required by this Ordinance.
- 400.2** No land shall be used, developed or occupied, and no building or structure shall be constructed, erected, altered, used or occupied, except in conformity with the regulations established for the district in which such land, building or structure is located, in conformity with permits issued under this Ordinance and in conformity with the requirements of this Ordinance.

401 Zoning Permits Required

No building or structure, as defined in Article 3 of this Ordinance, shall be constructed, erected, moved, added to, or altered; nor shall any building, structure, or land be used or changed in use, except that a zoning permit is lawfully obtained in full compliance with the provisions of this Ordinance; except that zoning permits shall not be required for: (1) accessory buildings, fences, and walls incidental to agricultural operations (2) structures such as sidewalks, steps, driveways, terraces, patios, flagpoles, doghouses, and lawn furniture such as benches, birdbaths and sundials and (3) alterations to building interiors not affecting the external form and size of a building.

402 Contents of Application for Zoning Permit

The application for the zoning permit shall be signed by the owner, or applicant or his authorized agent attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that 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:

- a. Name, address and phone number of applicant
- b. Legal description of property
- c. Existing use of property
- d. Proposed use or change of use of property
- e. Description of work contemplated
- f. Zoning district
- g. 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 an existing building on the lot, if any; the location and dimensions of the proposed building(s) or alterations; and the location of drives and drive entrances.
- h. Building heights
- i. Number and location of off-street parking spaces, and loading spaces where applicable
- j. Number of dwelling units where applicable
- k. Estimated time for completion

- I. Estimated cost
- m. Such other matters as may be necessary to determine conformance with and provide for the enforcement of this Ordinance.

403 Approval of Zoning Permit

Within 15 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 shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this Ordinance.

404 Expiration of Zoning Permit

If the work described in the zoning permit application has not begun within one year from date of issuance, the permit shall expire.

405 Construction and Use to Be As Provided In Applications, Plans, Permits, and Certificates

Zoning permits or certificates of zoning compliance issued on the basis of plans and applications approved by the Building Code Official authorize only the use and arrangement set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance.

406 Complaints Regarding Violations

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint with the Zoning Officer stating fully the cause and basis for the complaint. The Zoning Officer shall investigate the matter and take action as appropriate.

407 Enforcement Notice

When it appears to the Township 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 and owner of record and any person against whom the Township needs 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 this 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 within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

408 Enforcement

If the violation has not been corrected and if no appeal is taken from the enforcement notice within 30 days, then the Township Board of Supervisors or Zoning Officer may seek any remedy provided by the Pennsylvania Municipalities Planning Code or amendment thereto, or otherwise permitted by law including a civil enforcement proceeding before the District Justice to obtain a civil penalty as provided in Section 409 below.

409 Civil Penalty

Any person, partnership or corporation who or which has violated or permitted the violation of this Zoning Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500.00 plus all court costs, including reasonable attorneys' 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 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 5th day following the date of the determination of a violation continues shall constitute a separate violation. All judgments, costs, and reasonable attorneys' fees collected for the violation of the 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.

410 Enforcement Remedies

In case any building, structure or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance, the Township Supervisors in addition to other remedies, may institute in the name of the Township any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.

411 Fees

The Township may establish by Resolution a schedule of fees for zoning permits, certificates, appeals, amendments and other matters pertaining to the administration of this Ordinance. Until all applicable fees, charges and expenses have been paid no action shall be taken on any application or appeal.

412 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 of use and shall create no liability upon, or a course or action against Woodcock Township, such public official or employee for any damage that may result pursuant thereto.

Article 5: Nonconformities

500 Intent

Within the districts established by this Ordinance or amendments that may be later adopted there exist lots, structures, uses of land, uses of structures, and characteristics of use which were lawful before this Ordinance was adopted or amended, but which are or would be prohibited, regulated, or restricted under the terms of this Ordinance or future amendments. These uses of structure and/or land may exist; and may be sold, leased, or otherwise legally transferred and the new owner may continue such lawful nonconforming uses. It is the intent of this Ordinance to permit these nonconformities to continue until they may be removed and under certain conditions as set forth in this Article, to permit these structures and land uses to expand to a limited degree.

501 Avoidance of Hardship Where Construction or Use Has Begun

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any structure on which actual construction was lawfully begun prior to the effective date of the adoption or amendment of this Ordinance and upon which actual building construction has been carried on diligently.

502 Single, Separate, Nonconforming Lots of Record

In any district any lot or parcel of record existing at the effective date of this Ordinance which lot or parcel is held in ownership different from the ownership of adjacent lots or parcels, may be used for the erection of a structure conforming to the use regulations of the district in which it is to be located, even though area and lot width requirements, or both, are less than the minimum required in this Ordinance. Variance of other yard requirements shall be obtained only through action of the Zoning Hearing Board.

503 Multiple and Contiguous Nonconforming Lots of Record

If two or more lots or parcels or a combination of lots and portions of lots or parcels are contiguous, and in single ownership and of record on the effective date of this Ordinance, or amendments thereto, and if all or part of the lots or parcels with no buildings thereon do not meet the requirements established for lot width and area, the lands involved shall be considered to be a single undivided parcel for the purposes of this Ordinance and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Ordinance, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements stated in this Ordinance.

504 Nonconforming Uses of Land

Where, at the time of adoption of this Ordinance, lawful uses of land exist which would not be permitted by the regulations imposed by this Ordinance the uses may be continued and shall be subject to the following additional provisions:

504.1 A nonconforming use of land may be enlarged or extended to occupy an area which is up to 25% greater than the area occupied at the effective date of adoption of this Ordinance or an amendment thereto, providing such enlargement or extension is permitted as a special exception by the Zoning Hearing Board.

504.2 A nonconforming use of land may be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption of this Ordinance or amendment thereto providing that such use shall not be enlarged or extended, except as permitted in Section 504.1 of this Ordinance, and providing such move is permitted as a special exception by the Zoning Hearing Board.

504.3 In the event a nonconforming use of land ceases or is abandoned, for whatever reason, for a period of more than 2 years, any subsequent use of the land shall conform to the regulations specified by this Ordinance for the district in which such land is located.

505 Nonconforming Uses of Structures or of Structures and Premises in Combination

Where at the time of adoption of this Ordinance a lawful use of structure or of structures and premises in combination exists which would not be permitted by the regulations imposed by this Ordinance the use may be continued and shall be subject to the following additional provisions:

- 505.1** A nonconforming use of part of a building may be extended throughout the building if no exterior structural changes are made and no additional floor area is added to the building.
- 505.2** A nonconforming use of a whole building may be enlarged or extended to occupy additional building area which is up to 25% greater than the area occupied at the effective date of adoption of this Ordinance or an amendment thereto, providing such enlargement or extension is permitted as a special exception by the Zoning Hearing Board.
- 505.3** A nonconforming use may be changed to another nonconforming use providing this change is permitted as a special exception by the Zoning Hearing Board. In considering such an action the Zoning Hearing Board shall determine that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use.
- 505.4** Where a nonconforming use is superseded by a permitted use, the permitted use shall thereafter conform to the district regulations and the nonconforming use may not thereafter be resumed.
- 505.5** A nonconforming use which has been damaged or destroyed by fire, windstorm, explosion or similar cause, which was no fault of the owner, may be rebuilt on the same foundation providing, however, the rebuilding is initiated no later than one year after the event of the destruction.
- 505.6** In the event a nonconforming use of building or building and premises in combination ceases or is abandoned, for whatever reason, for a period of more than 2 years such nonconforming use, building or building and premises in combination, shall not be reconstituted and any future use shall be in conformity to the district regulations.

506 Repairs and Maintenance

On any nonconforming structures and premises work may be done on ordinary repairs, maintenance of all walls and support elements, replacement of heating systems, wiring, or plumbing, providing that the cubic content of the nonconformity shall not be increased except as provided herein. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any public official charged with protecting the public health and safety.

Article 6: Administration

600 Zoning Officer

A Zoning Officer shall be appointed by the Board of Township Supervisors. The Zoning Officer shall administer this Ordinance; he may not hold any elective office in the Township.

601 Duties of the Zoning Officer

The Zoning Officer shall have the following duties:

- a. Receive applications for zoning permits including sign permits and issue same; he shall administer the zoning 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;
- b. Issue certificates of zoning compliance;
- d. Maintain a permanent file of all applications for zoning permits, certificates of zoning compliance and all other actions as he is required to perform under this Ordinance;
- e. Inspect premises as may be necessary;
- f. Order the action necessary to correct any violation of this Ordinance where violations are found to exist;
- g. Order discontinuance of illegal uses of land, buildings or structures; removal of illegal structures; discontinuance of any illegal work; and
- h. Utilize proceedings before district justices to enforce the provisions of this Ordinance.

602 Duties of the Planning Commission

The Woodcock Township Planning Commission shall have the following duties (among others provided by law or ordinance):

- a. Review all proposed amendments to this Ordinance and make recommendations to the Board of Township Supervisors thereon;
- b. From time to time as needs arise, propose to the Board of Township Supervisors amendments to this Ordinance.
- c. Conduct other reviews and make recommendations as required by the provisions of this Ordinance.

603 Zoning Hearing Board

Creation and Appointment - A Zoning Hearing Board shall be created by the Board of Township Supervisors. The Board shall consist of three members appointed by the Township Supervisors. Each member shall be a resident of the Township. The term of office of the members shall be three years and shall be so fixed that the terms of office of one 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. Members of the Board shall hold no other elected or appointed office in the municipality nor shall any member be an employee of the municipality.

604 Organization of Zoning Hearing Board

The Board shall elect from its own membership a Chairman and a Secretary who shall serve annual terms as such and may succeed themselves. The Board may make and alter rules and forms for its procedures, consistent with laws of the Township and the Commonwealth. The Board shall keep full public records of its business and shall submit a report of its activities to the Township Supervisors once a year. For the conduct of any hearing and the taking of action, a quorum shall be not less than a majority of all members of the Board, but where two members are disqualified to act in a particular matter, the remaining member may act for the Board. Within the limits of funds appropriated by the Township Supervisors, the Board may employ or contract for a secretary, a clerk, and legal counsel.

605 Functions of Zoning Hearing Board

605.1 The Board shall hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Officer in the administration of this Ordinance, and as otherwise provided under the Pennsylvania Municipalities Planning Code.

605.2 The Board shall hear requests for variances where it is alleged that the provisions of the zoning ordinance, strictly applied, inflict unnecessary hardship upon the applicant; public notice shall be given for such hearings. The Board may vary the application of any requirements of this Ordinance whereby strict enforcement would result in practical difficulty or unnecessary hardship which would deprive the applicant of the reasonable use of his land or building. A variance may be granted provided the following findings are made by the Board:

- a. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size and shape, or exceptional topographic or other physical conditions peculiar to the property and that the unnecessary hardship is due to these conditions and not due to circumstances or conditions generally created by the provisions of the zoning ordinance;
- b. That because of such physical circumstances there is no possibility that the property can be developed in strict conformity with the provisions of this Ordinance;
- 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 in which the property is located, nor substantially or permanently impair the appropriate use of adjacent property nor be detrimental to the public welfare.
- 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.

Nonconforming uses of neighboring lands or certain types of structures in the same district and permitted or nonconforming uses of land or structures in other districts shall not be considered grounds for the issuance of variances.

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. Violation of such conditions and safeguards, when made a part of the terms under which

the variance is granted, shall be considered a violation of this Ordinance and subject the violator to penalties under Section 409 of this Ordinance.

605.3 The Board shall issue special exception permits for any of the uses requiring such permits under the terms of this Ordinance. The Board shall hear and decide requests in accordance with the established standards and criteria.

In granting special exception permits the Board shall prescribe the basis upon which the permit was issued and the conditions deemed necessary or desirable for the protection of public interests. No special exception permits shall be granted by the Board unless it finds that the use for which such permit is sought will not be injurious to the neighborhood, not be inconsistent with the character of the surrounding neighborhood or otherwise detrimental to the public health and welfare, and that the use will not substantially impair an adequate supply of light and air to adjacent properties or overcrowd the land, or create undue concentration of population or substantially increase congestion in the streets, or create hazardous traffic conditions or increase the danger of fire, and that the use will be in harmony with the general purposes of this Ordinance.

Applications for special exceptions may be subject to additional more specific standards and criteria as established in other sections of this Ordinance.

605.4 The Board shall hear all such other matters as required under the Pennsylvania Municipalities Planning Code.

606 Procedures

The hearing procedures of the Zoning Hearing Board shall be governed by Section 908 and other applicable provisions of the Pennsylvania Municipalities Planning Code and such rules, not inconsistent therewith, as the Board may adopt. The Board shall conduct the hearings and make decisions in accordance with the following requirements:

606.1 An application for a variance, special exception, conditional use, and an appeal from an order, decision or interpretation of the Zoning Officer shall be commenced by filing a notice of appeal with the Zoning Officer who shall transmit immediately said notice of appeal to the Zoning Hearing Board. The Zoning Officer shall transmit to the Board all of the documentary material constituting the record upon which the action for appeal was taken.

All appeals from determinations adverse to landowners shall be filed by the landowner within 30 days after notice of the determination is issued.

606.2 The appellant shall, at the time of filing his appeal, pay the Zoning Officer a fee as determined by Resolution of the Township Supervisors.

606.3 Public notice of such appeal shall be given as required by the Pennsylvania Municipalities Planning Code. The Board also shall give notice to the applicant, the Zoning Officer and such other persons that have requested notification. The Board may adjourn any hearing for the purpose of giving further notice.

606.4 The first hearing shall be commenced within 60 days from the date of receipt of the applicant's application, unless the applicant has agreed in writing to an extension of time. Each subsequent hearing shall be held within 45 days of the prior hearing, unless otherwise agreed to by the applicant in writing or on the record. An applicant shall complete the presentation of his case-in-chief within 100 days of the first hearing. Upon the request of the applicant, the board or hearing officer shall assure that the applicant receives at least seven hours of hearings within the 100 days, including the first hearing. Persons opposed to the application shall complete the presentation of their opposition to the application within 100 days of the first hearing held after the completion of the applicant's case-in-chief or as otherwise permitted by law.

- 606.5** The Chairman of the Board shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers.
- 606.6** 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. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
- 606.7** The Board shall keep a stenographic record of the proceedings and the appearance fee for the stenographer shall be shared equally by the applicant and the Township..
- 606.8** The Board shall render a written decision or, when no decision is called for; make written findings on the application within forty-five days after the last hearing before the Board. Each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore.
- 606.9** 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 not later than one day following the date of the decision. 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 brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.
- 606.10** Appeals shall be permitted in the manner provided by law.

607 Relationships: Zoning Officer, Zoning Hearing Board, and Board of Township Supervisors

It is the intent of this Ordinance that all questions of interpretation and enforcement shall be first presented to the Zoning Officer and that such questions shall be presented to the Zoning Hearing Board only on appeal from the decision of the Zoning Officer, and that recourse from the decisions of the Zoning Hearing Board shall be in the courts as provided by law. It is further the intent of this Ordinance that the duties of the Township Supervisors shall not include hearing and deciding questions of interpretation and enforcement that may arise.

Article 7: Conditional Uses and Amendments

700 Conditional Uses

There are times when decisions as to what particular uses shall or shall not be allowed to locate in a district should be based upon facts and characteristics peculiar to the specific application. A simple listing of permitted or prohibited uses may be too inflexible to accommodate basically sound development proposals. Where uses are generally consistent with a particular zoning district they should be permitted of right; where uses are generally inconsistent with a particular zoning district they should be prohibited; but a number of decisions on uses fall between these two "extreme" situations. The conditional use is designed to provide some flexibility in locating uses in particular districts; it provides a middle ground between the extremities of "permitted" and "prohibited" uses. The conditional use is much like the special exception use explained in Section 504.2 of this Ordinance except that it is permitted or denied by the Board of Township Supervisors after recommendations by the Planning Commission. Conditional use proposals may be permitted based upon a review of the particular characteristics they are represented to possess including their size, physical design, method of operation, vehicular circulation requirements, and general impact on community facilities.

701 Application for Conditional Use

An application for a conditional use permit shall be filed with the Zoning Officer. At a minimum the application shall contain the following information:

- a. Name, address and phone number of applicant
- b. Legal description of property
- c. Description of existing use
- d. Present zoning district
- e. Description of proposed use
- f. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and circulation, open spaces, landscape treatment on all surfaces, refuse and service areas, utility services, signs, yard areas and such other information as the Supervisors may require to determine if the proposed use meets the requirements of this Ordinance.
- g. A narrative statement: (a) evaluating the effect of such elements as noise, glare, odor, fumes, and vibrations on adjoining property; (b) discussing the general compatibility with other properties in the district; and (c) explaining the relationship of the proposed use to the Township's Comprehensive Plan.
- h. Any such other materials as may explain how the proposed use will comply with the requirements established in Section 703 of this Ordinance.

702 Procedure for Approval of Conditional Uses

Three copies of the complete application shall be filed with the Zoning Officer. An application fee shall be paid in the amount set by Resolution of the Board of Township Supervisors. The Zoning Officer shall refer immediately one application to the Planning Commission and one application to the Board of Township Supervisors. The Planning Commission shall review the proposal and forward its recommendations to the Board of Township Supervisors. The Planning Commission may request the Zoning Officer and the applicant to be present at its meeting in order to obtain more complete information concerning the proposal. The Planning Commission shall forward its recommendation within 45 days of the date the application was accepted by the Zoning Officer as complete; failure to act within this allotted time shall be considered a favorable recommendation.

The Board of Supervisors shall hold a hearing on the application within 60 days from the date the application was received by the Zoning Officer, pursuant to public notice as required by the Pennsylvania Municipalities Planning Code. Hearings shall be conducted in accordance with Sections 603(c)(2), 908 and 913.2 of the Pennsylvania Municipalities Planning Code. The Board shall make a written decision as required by Section 908(9) within 45 days after the last hearing.

Upon approval by the Board of Township Supervisors all development and construction, and use shall be in accordance with the application and accompanying plan and conditions imposed by the Board, unless a revised plan is submitted and approved. Any development contrary to the approved plan shall constitute a violation of this Ordinance.

703 Standards Applicable To All Conditional Uses

In addition to specific requirements for conditional uses as specified elsewhere in this Ordinance the Township shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards and shall permit said use if there is substantial evidence that that such use at the proposed location:

- a. Will be in accordance with the Community Development Objectives set forth in Article 2 of this Ordinance; and any other specific requirements applicable to the use as set forth in this Ordinance;
- b. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance and function with the existing or intended character of the general area in which the use is located;
- c. Will not be hazardous or disturbing to existing or future neighboring uses;
- d. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage systems, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide additional or supplementary public facilities and services should their need be demonstrated in relation to the proposed use;
- e. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
- f. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, vibrations, smoke, dust, fumes, glare or odors;
- g. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance and significance.

704 Supplementary Requirements for Conditional Uses

Supplementary standards may be established for specific conditional uses as found in the appropriate sections of this Ordinance. In granting a conditional use the Board of Township Supervisors may prescribe additional requirements and safeguards providing they are in harmony with the Community Development Objectives set forth in Section 103 of this Ordinance. Violations of such additional requirements, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this Ordinance and punishable under Section 409 of this Ordinance.

705 Expiration of Conditional Uses Permit

A conditional use permit shall be considered to authorize only one particular use as approved by the Board of Township Supervisors and said permit shall automatically expire if, for any reason, the conditional use

shall cease for two (2) years or longer. To reinstate a conditional use a new application would have to be filed and approved under the terms of this Ordinance.

706 Zoning Ordinance Amendments

Whenever the public necessity and convenience, or the general welfare, or good zoning practices require it the Board of Township Supervisors may, subject to the procedures and requirements set forth in the Pennsylvania Municipalities Planning Code, amend, supplement, change, or repeal the regulations, restrictions, and boundaries or classifications of property established in this Ordinance.

707 Initiation of Zoning Amendments

Amendments to this Ordinance may be initiated through proper application in the following ways:

- a. By the Board of Township Supervisors;
- b. By the Township Planning Commission; and
- c. By petition of a landowner who desires to amend for legitimate land use reasons as submitted, or to challenge on substantive grounds the validity of this Ordinance claiming that the provisions of this Ordinance prohibit or restrict the use or development of land in which he has an interest. An amendment based on a challenge shall be known as a curative amendment and shall be heard and decided as provided for in the Pennsylvania Municipalities Planning Code.

708 Contents of Zoning Amendment Application / Petition

The application for an amendment shall contain at a minimum the following:

- a. Name, address and phone number of applicant
- b. Specific language of proposed amendment to the text and/or a legal description of any district or boundary change
- c. The present use and zoning district
- d. The proposed use and zoning district
- e. An accurate map at a reasonable scale showing property "lines, streets, existing and proposed zoning and other items that may clarify the application and/or may be required by the Zoning Officer.
- f. A listing of all property owners within, contiguous to, and directly across the street from the parcel proposed to be rezoned. Also all other property owners that may have substantial interest in the proposed amendment shall be listed.
- g. A statement on how the proposed amendment relates to the Township's comprehensive plan.
- h. A fee as may be established by the Board of Township Supervisors.

709 Procedure for Zoning Amendments

An application for a zoning amendment and amendments proposed by the Planning Commission or Board of Supervisors shall be considered and processed in the manner provided by law.

Article 8: The Official Zoning Map

- 800 Official Zoning Map:** The districts established in Article 9 of this Ordinance are shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted as part of this Ordinance. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Township Supervisors, and attested by the Township Secretary.
- 801 Interpretation of District Boundaries:** Where uncertainty exists with respect to the boundaries of the zoning districts as shown on the Official Zoning Map, the following rules apply:
- a. District boundaries indicated as approximately following the center lines of streets, highways, alleys, or streams shall be construed to follow such center lines.
 - b. District boundaries indicated as approximately following platted lot or property parcel lines shall be construed as following such lot and parcel lines.
 - c. District boundaries indicated as approximately following municipal limits shall be construed as following such municipal limits.
 - d. District boundaries indicated approximately parallel to the center lines of streets, highways, alleys or streams shall be construed as being parallel thereto and at such distance therefrom as indicated on the Official Zoning Map. If no distance is given, such distances shall be determined by the use of the map scale as shown on the Official Zoning Map.
 - e. District boundaries indicated as approximately following the center line of a railroad line shall be construed as following the center line of the main tracks of the railroad line.
 - f. Where the Zoning Officer cannot definitely determine the location of a district boundary by the rules a to e listed immediately above, he shall refer the matter to the Zoning Hearing Board which shall be responsible for interpreting the district boundary.

Article 9: Establishments, Purpose and District Regulations

900 Establishment of Zoning Districts: In order to carry out the purposes and provisions of this Ordinance, Woodcock Township is hereby divided into the following zoning districts:

- A-1** Agricultural District – Section 903
- R-1** Rural Residential District – Section 904
- R-2** General Residential District – Section 905
- B-1** General Business District – Section 906
- I-1** General Industrial District – Section 907
- P-1** Public Institutional District – Section 908
- C-1** Open Space and Conservation District – Section 909

901 Compliance with District Regulations: The regulations for each district set forth by this Ordinance shall be minimum regulations and shall apply as hereinafter provided. No structure or land shall be used or occupied and no structure or part thereof shall be constructed, reconstructed, moved, or structurally altered except in conformity with the regulations specified for the district in which it is located, and except as provided in Article 5 Nonconformities.

901.1 No yard or lot existing at the time of the adoption of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the adoption of this Ordinance shall meet at least the minimum requirements set forth herein.

902 General Regulations: The regulations set forth in this Section shall be applicable to all zoning districts, or where so stated, to a specific group of zoning districts.

902.1 Public Utility and Government Services. The following uses are allowed in any zoning district: overhead electric distribution and telephone lines and underground utility lines and distributing equipment, conduits, vaults, pipeline laterals, mains, traffic signals, telephone booths, and similar installations and equipment of this scale and nature used by a public utility or a governmental agency and considered essential services.

902.2 Major Public Utility Structures. Public utility structures including but not limited to buildings; storage tanks; treatment plants, pumping, transformer, transmission, repeater, and regulator stations, and substations; principal overhead transmission lines (but, not including distribution and collection systems as listed in Section 902.1 above) shall be considered as conditional uses in all zoning districts except the General Industrial District wherein they shall be permitted uses.

902.3 Lots Of Record. Any lot or parcel of record existing at the effected date of this Ordinance and then held in separate ownership different from the ownership of adjoining lots may be used for the erection and construction of a structure conforming to the use regulations of the district in which it is located even though its area and width are less than the minimum requirements of this Ordinance.

902.4 On-Lot Sewage Treatment Requirement. Where on-lot sewage treatment is utilized the minimum lot size shall not be less than required by the regulations promulgated and enforced by the Pennsylvania Department of Environmental Resources.

902.5 Computation Of Permitted Dwelling Units. Where applicable the maximum number of permitted dwelling units on a lot is determined by dividing the total lot area by the lot area requirement in the applicable district.

902.6 Permitted Projections And Obstructions Into Required Yards. Except for the specified projections and obstructions listed below, every part of the required yard shall be open and unobstructed to the sky. In the following listing the yards into which projections are permitted are indicated by F for the yard adjacent to the main abutting street; S for the side yards including a street corner side yard; R for rear yard.

Arbor or trellises	F, S, R
Air conditioning units must be at least 3 feet away from any lot line	F, S, R
Awning or canopies for a window, porch, or door May not encroach more than 4 feet into a yard	F, S, R
Balconies, open – may not encroach more than 4 feet	F, S, R
Chimneys – May not encroach more than 3 feet into a yard	F, S, R
Cornices, eaves, belt courses, sills, one-story windows, and other similar architectural features – May not encroach more than 3 feet into a yard	F, S, R
Fences and walls – not more than 6 feet in height may encroach to the property line or Right of Way Line provided they do not block a line of site for a street or neighboring driveway.	F, S, R
Fire escapes open or enclosed – May not encroach more than 4 feet into a yard	F, S, R
Flag poles, and religious symbols	F, S, R
Lawn furniture such as benches, sundials, birdbaths	F, S, R
Open off-street parking and loading spaces; providing, however, that off-street parking and loading may not be permitted in a front yard for industrial and institutional uses unless approved under the conditional use procedure, or, where conditional use procedures are not used for these uses, unless approved as a special exception	F, S, R
Ornamental light standards - not over 6 feet in height	F, S, R
Private Play equipment, playhouses, outdoor fireplaces, and laundry-drying equipment	R, S
Porches, open, with or without roof, and not more than one-story in height - May not encroach more than 8 feet into a side or rear yard setback	F, S, R
Signs and nameplates as regulated in this Ordinance	See Article Twelve
Steps, open	F, S, R

Terraces and patios, open	F, S, R
Small garden sheds, storage sheds, and similar structures may be permitted in yard areas, provided such structure does not exceed one hundred forty-four (144) square feet and lies no closer than five (5) feet to an abutting lot line.	S,R

- 902.7** Height Regulations. No structure shall exceed 3 stories in height providing however that this requirement shall be waived for the following: belfries, chimneys, cupolas, domes, flagpoles, flues, stacks, monuments, spires, steeples, water towers and tanks, cooling towers, elevator enclosures, skylights, stage towers, air conditioning units, all buildings accessory to agricultural operations, grain elevators, utility poles, wind energy conversion systems, and parapet walls provided such walls shall not exceed such height as necessary to screen mechanical equipment (Refer to Section 1015 Communication Towers). If a residential building is constructed as to permit a direct entrance at, or nearly at, grade level either into the front or rear of such building that level shall be considered a story for the purpose of interpreting this Ordinance.
- 902.8** No single family dwelling shall have a floor area of less than 720 square feet.
- 902.9** Mobile Home Requirements. Mobile homes, including double and triple wide and expandable units, where they are permitted (See Article 14 for requirements in mobile home parks) shall be:
- a. Located on a permanent, frost-free foundation in accord with Uniform Construction Code requirements.
 - b. Be securely fastened or tied down to the foundation to secure against uplift, sliding or overturning. Tie downs where used may be strap, cable or chain type. There shall be a minimum of four (4) such tie downs; they shall be anchored in concrete "dead men"; eyelets imbedded in concrete foundations or screw augers, arrowhead anchors, or similar devices properly planted in the ground.
 - c. Enclosed or skirted at the base of the unit with a material of compatible design which shall be installed on all sides in a manner so as to provide continuous facades from ground level upwards. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration.
 - d. Sited parallel or generally parallel to the main road abutting the property in order that the dwelling shall be located on the property in a manner similar to single family detached dwellings.
- 902.10** 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 when they prepare to leave a site may conveniently turn around on the site without re-entering the public right-of-way and be able to approach the public road and gain access to it from a forward position. This requirement is applicable to all access drives from all public roads except those classified as local roads and includes all State roads and Township roads carrying "T" numbers and which have continuity and are classified as collector roads in the Township's Comprehensive Plan. Entrance to, and exit from, off-street parking areas to a public road shall occur only by means of access drives or clearly defined access points.
- 902.11** Property owned and used by Woodcock Township in the exercise of its governmental functions shall be exempt from the requirements of this Ordinance except for setbacks.

902.12 Except as preempted under existing law, all other governmental entities and agencies including the United States, the Commonwealth of Pennsylvania, Crawford County and their instrumentalities and agencies shall be subject to the requirements of this Ordinance.

a. Where such governmental uses are specifically listed, they shall be governed accordingly.

b. Where such governmental uses are not specifically listed, they shall be permitted only in zoning districts in which substantially similar uses by private entities are permitted.

903 Agricultural District, A-1

The Board of Supervisors have determined that areas of Woodcock Township that are classified as Agricultural and included in the Agricultural Zoning District are prime agricultural lands. The Agricultural District, A-1, is provided to protect lands suitable for agricultural and related uses including forestry. The intent of this Ordinance is to preserve for agricultural use Class I and II soils as defined by the U. S. Department of Agriculture's Soil Conservation Service. Areas designated in this District are areas where Class I and II soils exist in some concentration, where established agricultural operations exist and are productive, and where agricultural usage contributes to a reasonable and beneficial ordering of the development of the Township.

903.1 Table of Uses:

Permitted Uses	Conditional Uses
Agricultural and related activities	Veterinary Clinic (see Section 703)
Agricultural Services	Sand and gravel quarry (See Section 1013)
Horse stables and riding academy	Soil borrow pit (see Section 703)
Churches and religious institutions	Sawmill (see Section 703)
Single family and two family detached dwellings, mobile homes, and modular homes	Light Manufacturing (See Section 1017)
	Cluster Subdivision (See Section 903.5)
	Communication Tower (See Section 1015)
	Oil and Gas Drilling (See Section 1019)
Permitted Accessory Uses	Special Exceptions
Retail sale of agricultural products	Home occupations (See Section 1003)
No-impact home based business	Family Business (See Section 1018)
Private residential swimming pools, tool and/or storage sheds and greenhouses.	Limited Retail and Service Business (See Section 1020)
Residential garages for private vehicle storage and non commercial use	Bed & Breakfast
Agricultural accessory buildings	
Other accessory uses, provided They shall be customarily incidental and subordinate to a permitted use and they shall be located on the same lot as the principal use	

903.2

Area and Bulk Regulations

Use Type/Dimension	Single Family Farm Dwellings And Non-Farm Dwellings	Non-Residential Uses Unless precluded by more specific standards
Minimum Lot Area	1.5 acres SEE ALSO SECTION 903.3 FOR SPECIAL REQUIREMENTS FOR NEW LOTS	2 acres
Minimum Lot Width	200 feet	200 feet
Minimum Front Yard Depth	100 feet from road centerline	100 feet from road centerline
Minimum Side Yard Width	Principal structures and accessory structures with more than 144 square feet of floor area--30 feet each side.	100 feet from a residential building; 50 feet from another non-residential use. Agricultural accessory structures with more than 144 square feet of floor area--30 feet each side.
Minimum Rear Yard Depth	Principal structures and accessory structures with more than 144 square feet of floor area--35 feet.	100 feet from a residential use; 50 feet from another non-residential use. Agricultural accessory structures with more than 144 square feet of floor area--30 feet each side.
Maximum Height of Structure	35 Feet	45 Feet
Maximum Coverage	25 Percent	25 Percent

903.3

Restrictions on Divisions of Land

In order to protect prime agricultural lands, the division of lands within the Agricultural Zoning District shall be restricted in the following manner:

- a. The Woodcock Township Agricultural Zoning District Tract Maps attached to this Ordinance show the separately identified parcels of land as they exist on the effective date of this Ordinance according to Crawford County records. These parcels are the "Original Tracts" as that term is used in this Ordinance.
- b. No lots or parcels shall be divided from the Original Tracts except as permitted in Table 903.3A and the provisions that follow.
- c. The number of divisions and subdivisions of Original Tracts, whether occurring at one time or over a period of time, shall be based on the size of the Original Tract as it exists on the effective date of this Ordinance.
- d. Once a new lot or parcel is created, it may not thereafter be divided or subdivided, regardless of change of ownership.
- e. All new lots and residual portions of Original Tracts must meet applicable minimum lot standards.

In the event a tract of land not originally classified as part of the A-Agricultural District on the effective date of this Ordinance is hereafter classified as part of the A-Agricultural District, the size and ownership of such tract of land and its classification as an original tract, shall be determined as of the effective date of the change in the zoning classification to A-Agricultural.

Exclusion for Subdivision for Agriculture Use: The right to subdivide for the express purpose of the advancement of agriculture and/or agricultural activities shall remain unabated in the A-1 District. All lands in the A-1 District may be subdivided (in part) whether as a large lot or as a stand alone parcel (or parcels) in conjunction with the provisions in the Expanding Land Subdivision as outlined in the Woodcock Township Subdivision and Land Development Ordinance, without the restriction articulated above, so long as the recorded subdivision plan restricts the use to agricultural use.

903.3A Table

Size of Original Tract	Maximum Number of Lots That May be Divided from Original Tract	<u>Total Number of Lots*</u>
Less than four (4) acres	One (1) lot	<u>Two (2) Lots</u>
Four (4) acres or over but less than ten (10) acres	Two (2) lots	<u>Three (3) Lots</u>
Ten (10) acres or over but less than fifty (50) acres	Three (3) lots	<u>Four (4) Lots</u>
Fifty (50) acres or over, but less than one hundred (100) acres	Four (4) lots OR One Cluster Subdivision**	<u>Five (5) Lots</u>
One hundred Acres or over	Five (5) lots OR One Cluster Subdivision**	<u>Six (6) Lots</u>

*Total Number of Lots, includes the residual portion of the Original Tract.

**A Cluster Subdivision shall only be permitted if no other lots have been divided from the Original Tract. Once a Cluster Subdivision has been approved, no additional lots or parcels may be divided or subdivided from the Original Tract.

903.4 Performance Standards for Newly Created Lots Under Table 903.3A

- a. Newly Created Lots shall meet the minimum lot size for the district, but may not exceed three (3) acres in size unless classified as a farmstead lot. A farmstead lot shall have a minimum of 50 acres for each residential structure.
- b. The subdivided parcel shall be of adequate soil composition to accommodate an on-lot sewage system.
- c. The location of the proposed lot and residential structure will not substantially impair the use of adjoining land for productive agricultural activity.

If the maximum number of lots allowed have not been created from an Original Tract, a subdivider may allocate the right to subdivide an additional lot to a newly created lot on the condition that the allocation of the remaining allowable lots is set forth on the recorded subdivision plan.

Each subdivision plan to be recorded shall include a statement that the lot(s) is/are within an active agricultural area and may be subjected to the odors, dust, noise and other impacts that are a part of normal farming practices.

903.5 Cluster Subdivision Conditional Use Standards

A Cluster Subdivision is a conditional use that allows a property owner to create a greater number of lots than normally permitted under Section 903.3. Under a cluster subdivision, developers may create numerous lots as small as 1.5 acres. However, because of greater numbers of new lots, a higher level of site planning is necessary to preserve active farmland, prime farmland soils, rural resources and natural infrastructure. The minimum size parcel eligible for a cluster subdivision option is fifty (50) acres. (An illustration of a cluster subdivision process is attached for informational purposes but is not a part of this Ordinance). Approval for a cluster subdivision shall require Conditional Use approval, approval under the Subdivision and Land Development

Ordinance, and approval under the applicable Stormwater Management and Floodplain Management Ordinances. A Cluster Subdivision shall also meet the requirements for Lot Standards and Open Space Standards set forth in 903.6 and 903.7 below.

A conditional use application shall be accompanied by an existing condition map and sketch plan. These need not follow standards for a preliminary subdivision plan, but should generally detail existing vegetative cover (noting stands of forest), slope or topography per USGS mapping, any significant natural, agricultural, or historical features as noted in the Township comprehensive plan, and a sketch plan of proposed lots. The developer shall use the existing conditions map as a base upon which to prepare a sketch plan that generally depicts the proposed development, and meets the following standards. This sketch need not contain bearings or distances for proposed lots. It must generally depict the location, size and configuration of lots, dwelling units and open space. The developer shall include a narrative that explains how the proposal maximizes protection of agricultural resources. As a condition of approval, the developer shall agree to utilize any approved sketch plan as the basis for the preliminary and final subdivision plans.

903.6 Cluster Subdivision Lot Standards

- a. The developer shall endeavor to avoid a “checkerboard” pattern of lots. Lot lines should follow existing tree lines, and natural divides.
- b. The maximum number of permitted new lots shall be determined by dividing the total area of land in separate ownership (less any existing rights of way) by 3 acres. Tract acreage less existing rights of way divided by three acres equals the total number of lots permitted. Minimum Lot size shall be 1.5 acres.
- c. The land proposed for residential use shall be found less suitable for agricultural production and such related uses including the growing of timber than other lands within the Agricultural District. This determination shall be based on an evaluation of various physical and economic factors including, but not limited to:
 - i. The quality of the soils and their productivity for agricultural use
 - ii. The degree of slope on the land
 - iii. The existence of physical features such as streams and rock outcroppings which make agricultural activity uneconomic
 - iv. The existence of forest cover which is prohibitive to clear for agricultural use
 - v. Property ownership patterns existing at the adoption of the Zoning Ordinance which make it impractical to aggregate sufficient land for productive agriculture.

In particular, historically productive lands of Class I and II soils shall not be impaired for their future usefulness in the agricultural industry or in their ability to be joined through lease or ownership into future economic agricultural operations.

- d. The proposed development shall be carefully located so that it will not impair the agricultural industry in the surrounding and affected areas of the Township. Careful use of wooded areas, streams, valleys, steep slope areas, and other similar features should be employed in separating non-farm related housing from active farming areas. Subdivided lot lines shall reflect natural features and not fragment good agricultural land wherever possible.

903.7 Cluster Subdivision Open Space Standards

- a. The developer shall preserve at least seventy percent (70%) of the active agricultural lands and fifty percent of the total site as open space. No tract of open space shall be less than 20 contiguous acres. The Plan to be recorded shall contain a statement prohibiting construction other than a farm building or farm accessory structure within any tract of Open Space. Open space uses may be any combination or single use listed below:
 - i. Off-lot septic easements or wells, provided that homeowner access is permitted through easement
 - ii. Timber management and forestry
 - iii. Agriculture
 - iv. Equestrian activities by community residents
 - v. Scenic areas and vistas
 - vi. Fishing, hunting, wildlife observation, and similar outdoor recreational pursuits
 - vii. Developed parklands

- b. Unless devoted to agriculture or forestry uses, these areas must be owned by a land trust, government, homeowners' association, or similar responsible body to ensure maintenance or proper management in perpetuity. If devoted to agriculture or private forestry, means for appropriate permanent dedication or deed covenants to prevent its development shall be required prior to approval. No non-farm residential building lot may encroach on to open space

903.8 Stream Side Buffer Areas

To naturally control stormwater runoff, setbacks and yard areas shall be maintained between any perennial stream or natural watercourse based upon the slope between any building or parking area and the non-flood waterline. Slope shall be calculated from the difference in elevation between the edge of the non-flood water line and the proposed building site facing the stream by subtracting the lower elevation from the higher elevation and dividing this by the lineal distance. In this buffer area no new structures shall be constructed, nor shall any clearing of trees or under-story growth be permitted (except as may be necessary for street or trail construction or forest management). Where this buffer is un-wooded, the Board may require vegetative screening to be planted, or that it be managed to encourage natural forest succession through "no-mow" policies and the periodic removal of invasive alien plant and tree species.

Stream side Buffer Area Setbacks shall be as follows:

Slope	Setback
0-8 percent	25'
10-15 percent	50'
16+ percent	75'

903.9 Setback of Residential Lots from Farmland

Whenever any proposed cluster subdivision abuts an Agricultural Security Area or active agriculture is proposed as a part of open space, the distance between active agricultural areas and proposed dwellings shall be maximized. Under no circumstances shall a dwelling unit (unless a farmstead lot) be within one hundred (100) feet of an Agricultural Security Area.

Each subdivision plan to be recorded shall include a statement that “the lot(s) are within an active agricultural area and may be subjected to the odors, dust, noise and other impacts that are a part of normal farming practices.

904 Rural Residential District, R-1

Purpose: A Rural Residential District, R-1, is provided to permit a reasonable amount of residential development in areas of the township which, in general, have soil conditions unsuitable for the installation of on-lot sewage systems and where central sewage systems do not exist and are not expected to exist in the foreseeable future. The intent in this District is to promote low density residential development and prevent overcrowding on the land so as to "reduce chances for land and stream pollution. The lack of existing and programmed sewerage utilities in this District indicates public service facilities should not be encouraged to locate in these areas.

904.1 Table of Uses:

Permitted Uses	Conditional Uses
Agricultural and related activities	Oil and Gas Drilling (See Section 1019)
Churches and religious institutions	Sand and gravel quarry (See Section 1013)
Single family and two family detached dwellings, mobile homes, and modular homes	Soil borrow pit (see Section 703)
Public and private parks and recreation areas and developments including swimming pools, resort facilities, golf courses and country clubs, But not Intensive Commercial Recreation	Campgrounds and travel trailer parks (see Article 14)
Cemeteries	The manufacture, compounding, assembling or treatment of articles or products from previously prepared metals (See Section 1014)
Planned residential developments subject to the requirements established in Article 13	
Permitted Accessory Uses	Special Exceptions
Retail sale of agricultural products	Home occupations (See Section 1003)
No-impact home based business	
Private residential swimming pools, tool and/or storage sheds and greenhouses.	
Residential garages for private vehicle storage and non commercial use	
Agricultural accessory buildings	
Other accessory uses, provided They shall be customarily incidental and subordinate to a permitted use and they shall be located on the same lot as the principal use	

904.2 Additional Regulations for Agriculture in the R-1 District

- a. Buildings and pens for livestock and poultry, exclusive of grazing areas, shall be a minimum of 150 feet from the nearest neighboring residence or business and 150 feet from the boundaries of a residential subdivision or a business zoning district,
- b. Pig pens and sheds shall be a minimum of 300 feet from the nearest neighboring residence, business, residential subdivision and/or business zone boundary.

904.5 R-1 Area and Bulk Regulations

Use Type/Dimension	Single Family Farm Dwellings And Non-Farm Dwellings	Non-Residential Uses Unless precluded by more specific standards
Minimum Lot Area	1.5 acres	2 acres
Minimum Lot Width	200 feet	200 feet
Minimum Front Yard Depth	75 feet from road centerline	100 feet from road centerline
Minimum Side Yard Width	15 feet each side.	50 feet from a residential use; 20 feet from another non-residential use.
Minimum Rear Yard Depth	50 feet.	50 feet from a residential use; 50 feet from another non-residential use.
Maximum Height of Structure	35 Feet	45 Feet
Maximum Coverage	25 Percent	25 Percent

905 General Residential District, R-2

Purpose: A General Residential District, R-2, is designed as an area which can accommodate a considerable portion of the future housing needs in the Township in areas that can be conveniently served with community facilities. It is considered possible, over the next 20 years, to extend sanitary sewers into most of the area covered in this District. The regulatory nature of this District is intended to promote stable and desirable residential areas together with the community services customarily associated therewith and to maximize property values through maintaining substantially similar modes of housing construction.

905.1 Table of Uses:

Permitted Uses	Conditional Uses
Agricultural and related activities	Mobile home Parks (see Article 14)
Churches and religious institutions	Multifamily detached dwellings of 3 or more units per building (see Section 703)
Single family and two family detached dwellings, mobile homes, and modular homes	Rooming and boarding houses for 3 or more roomers (see Section 703)
Public and private parks and recreation areas and developments including swimming pools, resort ' facilities, golf courses and country clubs, But not Intensive Commercial Recreation	The manufacture, compounding, assembling or treatment of articles or products from previously prepared metals (See Section 1014)
Cemeteries	
Planned residential developments subject to the requirements established in Article 13	
Permitted Accessory Uses	Special Exceptions
Retail sale of agricultural products	Home occupations (See Section 1003)

No-impact home based business	Nonprofit clubs and lodges where no alcoholic beverages are served (see Section 703)
Private residential swimming pools, tool and/or storage sheds and greenhouses.	
Residential garages for private vehicle storage and non commercial use	
Agricultural accessory buildings	
Other accessory uses, provided They shall be customarily incidental and subordinate to a permitted use and they shall be located on the same lot as the principal use	
Permitted Accessory Uses	
Horse stables and riding academy	
Nursing and Personal Care Homes as defined by Commonwealth Law	
Day Care Centers	
Public Buildings, Civic, Cultural and Philanthropic Buildings	
Medical Clinics	
Churches and Religions Institutions	

Use Type/Dimension	Single Family Farm Dwellings And Non-Farm Dwellings	Non-Residential Uses Unless precluded by more specific standards	Use Type/Dimension
Minimum Lot Area	20,000 square feet without public sewer 7,500 square feet with public sewer	20,000 square feet without public sewer 12,000 square feet with public sewer	With Central Sewer: 12,000 square feet for the first dwelling unit plus and 6,000 square feet for each additional dwelling unit With on lot Sewer: 20,000 square feet for the first dwelling unit plus and 10,000 square feet for each additional dwelling unit
Minimum Lot Width	100 feet		
Minimum Front Yard Depth	75 feet from township road centerline, 55 feet from new roads within a subdivision		
Minimum Side Yard Width	15 feet each side, 25 feet for corner lots	20 feet	35 feet
Minimum Rear Yard Depth	50 feet.		
Maximum Coverage	25 Percent	25 Percent	

906 General Business District, B-1

Purpose: The General Business District, B-1, is designed for the shopping convenience of persons residing in nearby areas of the Township as well as persons from more distant places. Since this commercial area is virtually the only such district in the Township it is designed to permit a wide range of commercial uses. In addition it is the intent of these District regulations to encourage the location of uses therein which will tend to focus community activities and higher density residential uses in this area where residents will be in close proximity to shopping and community services.

906.1 Permitted Uses:

Permitted Uses	Conditional Uses
Retail stores and service shops	Wholesale business (see Section 703)
Restaurants, taverns	Artisans' and craft work (see Section 703)
Theaters, bowling alleys, billiard parlors, and similar indoor commercial recreation establishments	Travel trailer park (See Article 14)
Offices and banks	The manufacture, compounding, assembling or treatment of articles or products from previously prepared metals(See Section 1014)
Automobile, equipment and bicycle sales and repair and leasing	Self Service Storage Facilities (See Section 1023)
Gasoline stations	
Motels and bed & breakfasts	
Public buildings, parks, churches	
Medical and dental laboratories and clinics	
Funeral homes	
Printing establishments	
Personal Services	
Clubs and lodges	
Philanthropic and charitable institutions	
Planned unit developments subject to the requirements established in Article 13	
Agricultural uses	
Churches and religious institutions	
Normal accessory uses and structures	
Signs as set forth in Article 12.	
Single family detached, two family detached, single family semi-detached, single family attached (townhouse), multifamily dwellings and boarding houses all either developed as housing units separately or developed as part of business uses in the same building	

906.2 Additional Requirements for Dwellings in the B-1 District

Single family detached, two family detached, single family semi-detached, single family attached (townhouse), multifamily dwellings and boarding houses all either developed as housing units separately or developed as part of business uses in the same building. In proposing such housing units the applicant shall show how the development of housing will not compromise the limited amount of land available for business use and how the siting of the housing will be compatible with business use.

906.3 B-1 Bulk Regulations

Use Type/Dimension	All Business Uses	Residential Uses
Minimum Lot Area	7,500 square feet	As Required by the R-2 District
Minimum Lot Width	100 feet	
Minimum Front Yard Depth	75 feet from township road centerline	

Minimum Side Yard Width	15 feet each side, 25 feet for corner lots	
Minimum Rear Yard Depth	50 feet.	
Maximum Coverage	25 Percent	

906.4 Where business uses have common property lines with residential districts or with the Open Space and Conservation District in no case shall a building used for non-residential purposes be closer than fifty (50) feet from the common property line and there shall be a minimum of twenty (20) feet between the edge of any off-street parking, loading or vehicular access drive and the common property line.

907 General Industrial District, I-1

Purpose: The General Industrial District, I-1, is designed to reserve land for development of manufacturing and wholesale business establishments, research and testing operations, and the extractive industries. Such industries are encouraged to develop in the Township consistent with the fact that their operations are compatible with adjacent uses and do not create nuisances beyond the limitations established in this Ordinance.

907.1 Table of Uses:

Permitted Uses	Conditional Uses
Research, engineering and testing laboratories	Metal and metal products treatment and processing such as enameling, lacquering, galvanizing, electroplating, finishing, grinding, sharpening, polishing, cleaving, rust proofing, painting and heat treatment (See Section 1021)
The manufacture, compounding, assembling or treatment of articles, products or merchandise from previously prepared materials such as metal, stone, wood, bone, cloth, cork, fiber, fur, leather, paper, plastics, tobacco, wax, yarns, rubber and ceramics	Iron and steel foundry or other heavy industry (See Section 1021)
Light Manufacturing	Incineration or reduction of solid waste and garbage(See Section 1021)
Warehousing and truck terminals	Junk, salvage or automobile wrecking yard (see Section 703)
Agricultural uses.	Sanitary landfill, sewage treatment facilities (see Section 703)
Single family detached dwellings	Contractor and construction shops and supply yards (See Section 1021)
Accessory buildings customarily incidental to the above listed uses including restaurants, taverns, gasoline stations, and offices	Lumber yards and normal ancillary uses (See Section 1021)
Churches and religious institutions	Sand and gravel quarry(See Section 1013)
Signs as set forth in Article 12	Sexually Oriented Businesses (See Section 1022)
Clubs and lodges	Intensive Commercial Recreation (See Section 1016)
	Soil borrow pit (see Section 703)
	Communication Antennas (See Section 1015)
	Processing of minerals including sand and gravel (See Section 1021)
	Self Service Storage Facilities (See Section 1023)

907.2 Additional Performance Standards: For uses permitted by Conditional Use the following performance standards shall be met:

- a. There shall be no improper or undue pollution of the air by dust, dirt, fly ash, fumes, vapors, gases, odor, or smoke which will cause damage to human health or to animals, vegetation or other property beyond the lot line of the use in question.
- b. There shall be no direct or reflected glare or heat perceptible beyond the boundaries of the lot.
- c. There shall be no discernable vibration perceptible without instruments beyond the boundaries of the lot.
- d. There shall be no activity emitting dangerous radioactivity at any point, or electrical disturbances adversely affecting the operation of any equipment (radio or television, etc.) at any point other than that of the creator of the disturbance.
- e. There shall be no objectionable noise, because of its volume, frequency or beat. Such noise generated shall be muffled or controlled.
- f. There shall be no water pollution based on criteria established by the State or Federal government.
- g. Manufacturing, general servicing of plant and operations, processing and storage uses located within 200 feet of, and visible from, ground level of a residential district, except for off-street parking and loading, shall be located within enclosed structures or shall be effectively screened by a wall, fence, or other substantially equivalent structure, not less than 6 feet in height, or by a terrain or landscape feature functioning as an effective screen.
- h. It shall be demonstrated that the use will meet all applicable standards and regulations of the Pennsylvania Department of Environmental Protection and other governmental agencies.

907.3 I-1 Bulk Regulations

Use Type/Dimension	All Business Uses
Minimum Lot Area	7,500 square feet
Minimum Lot Width	100 feet
Minimum Front Yard Depth	75 feet from township road centerline
Minimum Side Yard Width	15 feet each side, 25 feet for corner lots
Minimum Rear Yard Depth	50 feet.
Maximum Coverage	25 Percent

907.4 Where industrial and/or accessory commercial uses have common property lines with residential districts in no case shall a building used for non-residential purposes be closer than fifty (50) feet from the common property line and there shall be a minimum of twenty (20) feet between the edge of any off-street parking, loading or vehicular access drive and the common property line.

908 Public Institutional District, P-1

Purpose: The Public Institutional District, P-1, is designed to provide land for the siting and construction of institutional uses serving the public.

908.1 Table of Uses:

Permitted Uses	Conditional Uses
Public buildings including schools, offices, libraries, and museums	Philanthropic and charitable institutions, when including a residential component (see Section 703)
Public park and recreational areas	
Normal accessory uses and structures	
Churches and religious institutions	
Signs as set forth in Article 12	

908.2 P-1 Bulk Regulations

Use Type/Dimension	All Uses
Minimum Lot Area	7,500 square feet
Minimum Lot Width	100 feet
Minimum Front Yard Depth	75 feet from township road centerline
Minimum Side Yard Width	15 feet each side, 25 feet for corner lots
Minimum Rear Yard Depth	50 feet.
Maximum Coverage	25 Percent

909 Open Space and Conservation District, C-1

Purpose: The Open Space and Conservation District, C-1, is designed to provide for the preservation and protection of natural, open space areas. All uses permitted in this District should be absolutely supportive to, and in harmony with, the conservation of the natural environment.

909.1 Table of Uses:

Permitted Uses	Conditional Uses
Public and private park and recreation activities and areas including camp grounds, resort facilities, golf courses, and historical/cultural interpretive activities, but not outdoor intensive commercial recreation	Public uses and uses providing essential public services (see Section 703)
Agricultural and related uses	
Stables and kennels	
Churches and religious institutions	
Normal accessory uses and structures	
Signs as set forth in Article 12.	

909.2 C-1 Bulk Regulations

Use Type/Dimension	All Uses
Minimum Lot Area	1.5 acres
Minimum Lot Width	200 feet
Minimum Front Yard Depth	75 feet from road centerline
Minimum Side Yard Width	15 feet each side.
Minimum Rear Yard Depth	50 feet.
Maximum Height of Structure	35 Feet
Maximum Coverage	25 Percent

Article 10: Supplementary Regulations

1000 General

The purpose of supplementary district regulations is to set specific conditions for various uses, classifications of uses, or areas where problems are frequently encountered. These regulations qualify and supplement the district regulations established in this Ordinance.

1001 Conversion of Dwellings to More Units

A residence shall not be converted to accommodate an increased number of dwelling units unless two family or multiple family dwellings are permitted in the zone district where the conversion is proposed. In addition:

- a. The yard dimensions meet the yard dimensions required by the zoning regulations for new structures in that district,
- b. The lot area per dwelling unit equals the lot area requirements in that district.
- c. The floor area per dwelling unit is not reduced to less than the minimum required in this Ordinance.
- d. The requirements enforced by the Pennsylvania Department of Environmental Resources for on-lot sewage treatment, where utilized, are complied with,
- e. The conversion is in compliance with all other relevant provisions of this Ordinance and other Township codes and ordinances.

1002 Private Swimming Pools

A private swimming pool shall be permitted as an accessory use in all districts except the P-1, and C-1 districts providing the swimming pool is:

- a. Intended to be used primarily for the enjoyment of the occupants of the principal use of the property on which it is located;
- b. Located, including any paved areas or accessory structures which are part of the swimming pool development, a minimum of ten (10) feet from any property line of the property on which it is located; and
- c. 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 consistent with Pennsylvania Uniform Construction Code Requirements, 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.

1003 Home Occupation

In addition to the general criteria established in Section 605.3 of this Ordinance, home occupations may be permitted as special exceptions in the A-1, R-1 and R-2 districts providing they comply with the following requirements:

- a. There is no sign on the property larger than 3 square feet in area advertising the home occupation activity and no display that will indicate from the exterior that the building and/or accessory buildings are being utilized, in part, for any purpose other than that of a dwelling: (See Article 12 of this Ordinance)

- b. The sale of any commodities not produced or fabricated on the premises shall not constitute, either by volume or by amount of dollars, more than 1/3 of total sales;
- c. There are not more than a total of four (4) persons engaged in such use, occupation, or profession;
- d. There is no type of mechanical or electrical equipment used except as might normally be used for domestic and vocational purposes;
- e. There is no electrical disturbance that would affect radio, television or other equipment normal to residential use;
- f. There are no more than six (6) vehicular trips generated by the use to and from the premises at the busiest hour of the normal operating day;
- g. There are sufficient off-street parking spaces to accommodate one space for each person engaged in such use, occupation, or profession plus two (2) additional spaces;
- h. Outdoor work, service, and storage areas, if any, shall be screened from the view of public roads and from adjacent residences;
- i. There shall be no noise, odor, dust, fumes, glare or flashing light, which normally is considered objectionable, perceptible without instruments more than twenty-five (25) feet from the boundaries of the lot;

Where a new building or structure is proposed for construction on a premises for purposes of use in a home occupation activity, the new building or structure, (1) shall comply with the requirements listed above, (2) shall be subordinate to the dwelling on the premises, (3) shall be compatible with the residential character of the premises, and (4) shall be utilized for a home occupational activity in no more than 50% of its total floor area, unless the Board finds that use of more than 50% of the floor area will not change the residential character of the premises and of the neighborhood.

1004 Temporary Structures

- 1004.1 Temporary structures including construction trailers, and trailers as temporary sales offices for land developments may be permitted in any district during the period construction work is in progress providing the construction work is covered under a valid zoning permit issued by the Zoning Officer. Such temporary structures may be used as offices and construction headquarters but may not be used for living quarters. Temporary structures shall be removed upon completion of the construction work.
- 1004.2 Parked or stored camping and recreational equipment including travel trailers and recreational vehicles shall not be occupied or used for living, sleeping, or housekeeping purposes except in a permitted Travel Trailer Park or Campground, or except on a temporary basis not exceeding two weeks.
- 1004.3 Temporary living quarters as an accessory to a permanent single-family dwelling to facilitate the family care of persons who are qualifying occupants are permitted in the R-1 and Agricultural District. The Township Supervisors shall review the initial application as a minor land development. Upon approval, the Zoning Officer shall issue a temporary use permit for a companion dwelling. The use shall be valid for as long as the occupant meets the standards of a qualifying occupant and shall be renewed annually. The companion 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 state regulations and the following requirements:
 - a. The unit may not be installed or attached to any kind of permanent masonry foundation.

- b. The companion dwelling unit shall not be located in any required yard or setback area.
- c. The companion dwelling must be located at least twenty (20) feet from the permanent dwelling unit.
- d. A temporary permit shall expire if the companion dwelling unit is removed from the property or no longer occupied by a qualifying occupant for a ninety (90) day period.
- e. Upon expiration of the permit, or upon non-compliance with the requirements of this Ordinance, the companion dwelling unit shall be removed from the property within ninety (90) days. This condition shall be noted on the recorded minor land development plan in the Crawford County Courthouse.

1005 Additional Residence on a Lot of Record

One additional single, freestanding unit, mobile home, or modular home may be sited on a lot or parcel of record upon which already exists a single or two family dwelling providing the application for such is reviewed by the Zoning Hearing Board and approved as a special exception. In addition to the standards and criteria established in Section 605.3 of this Ordinance compliance with the following standards shall be required.

- a. The lot shall be in an R-1 or B-1 District and it shall have a minimum area of 40,000 square feet; or the lot shall be in a R-2 District and it shall have a minimum area of 30,000 square feet.
- b. The additional residential unit shall meet all yard requirements and all other applicable governmental requirements.
- c. The dwelling unit, mobile home or modular home shall not be sited on a separate lot of record but shall exist as an additional residential structure on the original lot and be assessed for tax purposes as part of the original lot; providing however, at some later time, if the applicable zoning and subdivision regulations are complied with, a separate lot of record may be created.
- d. The residential structure shall be occupied by a person(s) related by blood, marriage or adoption to the family owning the lot and shall be required by reason of a family related hardship.
- e. When the family conditions which created the hardship are at an end the purpose for the additional residential structure no longer exists, this structure shall be removed; providing however, that removal would not be required if a separate lot of record is created which would be in compliance with this Ordinance and all other applicable regulations.

1006 Storage of Vehicles

1006.1 Vehicles including trailers and travel trailers of any kind or type without current license plates and inspection stickers and which are clearly abandoned, deteriorated and which are established as constituting a threat to public health and safety shall not be parked or stored in the open air on a property such that they are visible and/or accessible by the public; providing, however, that such vehicles are permitted in junk, salvage or automotive wrecking yards as allowed under the provision of this Ordinance and other applicable Township ordinances. Outdoor storage of such abandoned vehicles where it is established that such storage is a threat to the public health and safety shall be considered a public nuisance.

1006.2 In the R-1 and R-2 districts no more than one currently licensed travel trailer and one currently licensed boat and/or trailer may be stored on the property without being completely enclosed by a building; providing however, that more may be permitted if

approved by the Zoning Hearing Board as a special exception. The outdoor storage of travel trailers and boats and/or trailers in residential districts shall occur in the side or rear yard areas.

1007 Visibility at Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede vision between a height of three (3) feet above the centerline grade of the intersecting streets in the area bounded by the near edges of the street pavements bounding the corner lot and a line joining points along the near edges of the streets fifty (50) feet from the point of intersection of the two street pavement edges.

1008 Roadside Stands

Roadside stands for the sale of home grown fruits, vegetables, and other farm or garden produce are permitted as of right in the Agricultural District as established in Section 903.1. Roadside stands may be permitted in the remaining zoning districts providing they are approved as special exceptions by the Zoning Hearing Board and providing in addition the following requirements are met:

- a. The stand and/or display areas are located a minimum of twenty (20) feet back from the road right-of-way;
- b. A minimum of three (3) off-street parking spaces is provided off the road pavement and shoulder;
- c. A sign advertising the roadside stand is no larger than six (6) square feet in area.

1009 Accommodation of Roomers

The accommodation of not more than two (2) non-transient roomers in a single family house may be permitted in all districts permitting residential uses providing the proposal is approved by the Zoning Hearing Board as a special exception. In addition to the normal standards governing special exception reviews the following requirements shall be applicable:

- a. No sign is displayed on the premises indicating this use or activity
- b. One off-street parking space is provided for each roomer lodged.

1010 General Storage

No lot, parcel or premises shall be used as an open exposed storage area for garbage, old appliances, rubbish or miscellaneous refuse where it is established that said uses constitute a threat to public health and safety.

1011 Building Setback Modification

Where two or more existing structures are located on adjacent lots and on the same side of the road within 150 feet in either direction of a proposed structure, the setback of the proposed structure may conform with the average of the setbacks of these applicable existing structures.

1012 Access to Lots

No dwelling shall hereafter be erected or altered unless there is direct access to it through an open space on the same lot. Such open space shall be at least fifty (50) feet wide and shall extend from the dwelling to a public street or highway or to a private street constructed and maintained that vehicles of all kinds may readily pass over it in all seasons of the year.

1013 Sand and Gravel Quarries

Sand and gravel quarries may be allowed as conditional uses in the A-1, R-1, and I-1 Districts providing they meet the general criteria established in Section 703 of this Ordinance and the following more specific requirements; and providing they comply with all applicable governmental regulations including those existing under the Surface Mining Conservation and Reclamation Act of May 31, 1945 as amended:

- a. All sand and gravel operations shall be conducted between the hours of 7:00 a.m. and 6:00 p.m. except in the case of public or private emergency or to make necessary repairs to equipment. This restriction shall not apply to the operation of administrative offices or repair facilities located on the property. These limitations shall not apply to any sand and gravel operations in the I-1 District unless such operations are closer than 200 feet to another Zone other than the I-1 District.
- b. Quarrying operations shall not be closer than 300 feet from existing residences nor closer than 200 feet from the boundary of any Zone where such operations are not permitted, nor shall quarrying operations be conducted closer than 100 feet from the boundary of an adjoining property line or to the right-of-way line of an existing or platted street.
- c. Existing trees, shrubs and ground cover along public road frontage shall be preserved, maintained and supplemented for the depth of the roadside setback as established in item (b) above. Weeds and any other unsightly or noxious vegetation shall be cut or trimmed as may be necessary to preserve a reasonably neat appearance to the sand and gravel operations from adjacent public roads and nearby residential, commercial, and industrial uses. Buffer or screening plantings may be required to insure an appropriate appearance of the quarry site in the community.
- d. All access roads from sand and gravel operations to public highways or adjoining property shall be paved or otherwise treated to minimize dust conditions on such roads within 200 feet of public roads or adjoining residential, commercial, industrial or institutional uses.
- e. In the absence of recorded proof of a legal right of access no tract of land shall be used for the purpose of sand and gravel extraction unless it shall have a minimum frontage of twenty-five (25) feet on State, Federal, or major collector roads as identified on Map 2, Existing and Programmed Road Network, of the Township Comprehensive Plan dated February 1975.
- f. During quarrying operations when excavations will have a depth of twenty (20) feet or more and will create slopes of more than fifty (50) percent and where, for a period of operation thirty (30) days or longer, the quarrying is located within 300 feet of occupied residential structures or a public road, a fence shall be erected at least twenty (20) feet outside the edge of the excavation, which fence shall be at least three (3) feet high and shall effectively control access to the area in which such excavation is located.
- g. Upon completion of operations the land shall be left in a safe condition. All cut slopes shall be at a gradient no greater than fifty (50) percent and shall be graded in substantial conformity to the surrounding natural topography. Sufficient drainage shall be provided so as to prevent water pockets or undue erosion. The final grading shall be such that all storm water drainage leaves the property at the original, natural drainage point and that the area drainage to any one natural drainage point is not materially increased. All excavated areas shall be back-filled with topsoil to a minimum depth of six (6) inches; upon replacement of topsoil trees, shrubs, legumes, grasses or other ground cover shall be planted to avoid erosion as far as is practical.
- h. Except for traffic, directional, and safety related signs only one sign no larger than five (5) square feet in area may be installed on the property indicating the activity.

- i. In addition to the information required on the plan to be submitted with the conditional use application as set forth in Section 701 of this Ordinance the following items shall be shown:
 - i. Existing topography including the location of drainage systems;
 - ii. An outline of the area to be excavated;
 - iii. The sequence of operations and the schedule of finishing or rehabilitation measures to be performed including plans and proposals for reuse, if any.

1014 Fabrication of Metal Products

The fabrication, manufacture, assembly or treatment of articles or products from previously prepared metals may be permitted as a conditional use in certain zoning districts as established in this Ordinance providing the proposed use meets the general criteria set forth in Section 703 of this Ordinance, and providing that in addition to meeting all the bulk regulations for the district in which the use is proposed the use shall meet the following standards and requirements:

- a. There is no sign on the property larger than eight (8) square feet in area advertising the activities;
- b. There are no more than a total of twelve (12) persons, including owners and managers, employed in the activity, and the working hours are the normal daytime hours and may extend to 10:00 p.m. in the evening;
- c. A minimum of 1.25 off-street parking spaces shall be provided for each person employed on the premises including management personnel, and the required off-street parking area shall be paved with a permanent hard surface material;
- d. The property shall front on, and vehicular access to the site shall be from, State and Federal routes or major collector roads as identified on Map 2, Existing and Programmed Road Network of the Township's Comprehensive Plan dated February 1975. Access drives shall make safe connections to the public road.
- e. General servicing of the operations, processing or storage uses, off-street parking and loading shall be located within enclosed structures or shall be effectively screened by a wall, fence, or other substantially equivalent structure or landscape planting not less than 5 1/2 feet in height, or by a terrain or landscape feature functioning as an effective screen.
- f. The following performance standards shall be met.
 - i. There shall be no improper pollution of the air by dust, dirt, fly ash, gases, odor, or smoke which cause damage to human health or to animals, vegetation or other property or which will soil property and be perceptible beyond the lot line of the use in question.
 - ii. There shall be no direct or reflected glare or heat perceptible beyond the boundaries of the lot.
 - iii. There shall be no discernable vibration perceptible without instruments beyond the boundaries of the lot.
 - iv. There shall be no electrical disturbances adversely affecting the operation of any equipment at any point other than that of the creator of the disturbance.
 - v. There shall be no objectionable noise because of its volume, frequency or beat.

- g. No use shall be approved until the applicant demonstrates that he has complied with all applicable regulations of the Pennsylvania Department of Environmental Protection.

1015 Standards for Communication Towers as a Conditional Use

- 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 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:
 - i. The proposed Antennas and related equipment would exceed the structural capacity of the existing Structure and its reinforcement cannot be accomplished at a reasonable cost.
 - ii. 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.
 - iii. 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.
 - iv. Addition of the proposed Antennas 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.
 - v. 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 three (3) 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 a property line (not lease line) located in any 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.
- j. The base of a Communication Tower shall be landscaped so as to screen the foundation and base and Communications Equipment Building from abutting properties.
- k. The Communications Equipment Building shall comply with the required yard and height requirements of the applicable Zoning District for an accessory structure.
- l. 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.
- m. 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 Woodcock Township Zoning Ordinance, with a maximum height of eight (8) feet to limit accessibility by the general public.
- n. Communication Towers shall be protected and maintained in accordance with the requirements of applicable Building Codes.
- o. One (1)-off street parking space shall be provided within the fenced area.
- p. 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.
- q. 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.
- r. 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.

1015.1 Tower 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.

1015.2 Administrative Standards

- 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:
 - i. 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.
 - ii. The name, address and telephone number for the operator of the communications tower.
 - iii. Reports of inspections of the communications tower and tower maintenance program.

1015.3 Existing Towers. Existing nonconforming towers or antennas that are damaged or destroyed may not be rebuilt without having to first obtain approval or a conditional use permit and without having to meet the requirements specified in this Ordinance. Building permits to rebuild the facility shall comply with the then-applicable codes and shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained or if said permit expires, the tower or antenna shall be deemed abandoned.

1015.4 Application for approval. An application for a conditional use permit for a communications tower shall be submitted and include the following:

- a. Information required by Section 402 of this Zoning Ordinance.
- 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 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.

1016 Intensive Commercial Recreation Uses

- a. Requires a lot of at least fifty (50) acres.
- b. No enclosure for commercial hunting shall be erected within four hundred fifty (450) feet of a neighboring residence, any neighboring agricultural building used to house livestock, a school, day care facility, or playground associated with a school. Other intensive commercial uses shall add two hundred (200) feet to all required setback areas to create a buffer zone where no intensive activities may occur.
- c. No intensive use shall directly abut a residential district.
- d. The Board of Supervisors may limit hours of operation as a reasonable additional condition of approval.
- e. 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.

- f. Any outdoor lighting shall be shielded to prevent glare to neighboring properties.

1017 Light Manufacturing in A-1 Agricultural District

- a. The site shall be found less suitable for agriculture because of the character of the soil, or the existence of forest cover, or the extent of the property ownership available for the farming enterprise;
- b. The manufacturing use shall not cause any impairment to adjoining or nearby agricultural operations;
- c. The minimum lot size shall be 1.5 acres and the width of the site measured at the building line shall be a minimum of 200 feet;
- d. There is no sign on the property larger than eight (8) square feet in area advertising the activities;
- e. A minimum of 1.25 off-street parking spaces shall be provided for each person employed on the premises including management personnel
- f. No building constructed for a new light manufacturing operation shall exceed 85,000 square feet of gross floor area
- g. No outdoor storage is permitted without sufficient screening

1018 Family Businesses

The intent of this conditional use is to allow for rural businesses that are operated in conjunction with a home or farm, but are of greater impact than a home occupation.

- a. The lot must have a minimum of ten (10) acres to conduct a family business.
- b. No new roadway access for the family business shall be allowed.
- c. The owner or occupant of the home must be engaged in the family business.
- d. 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.
- e. The use must be conducted within a completely enclosed building.
- f. Any out building used for the family business shall be located behind the principal residence on the site, or shall be located at least two hundred (200) feet from the closest street right-of-way.
- g. Any outdoor storage of supplies, materials, or products shall be located behind the building in which the family business is conducted.
- h. Waste shall be properly disposed in conformity with performance standards

1019 Gas and Oil Drilling

- a. Show compliance with all applicable state and/or federal regulations. Specifically, all needed permits from the Pennsylvania Department of Environmental Protection and copies of approved Erosion and Sedimentation Control Plans shall be presented to the Township.

- b. Drilling operations shall be conducted within all applicable regulations set forth by the Commonwealth of Pennsylvania and the United States Government. The developer shall provide the Township with evidence that all setbacks required by other agencies have been met.
- c. An arrangement for road bonding requirements, as applicable, shall be presented to the Township.
- d. The developer shall share information with the Township in the event of well water deterioration or loss of supply.
- e. The developer shall clear mud and debris from roads at least once each day.
- g. The applicant shall agree to comply with all other Township ordinances, including, but not limited to, grading, stormwater management, and driveway ordinances.

1020 Limited Retail Business

The purpose of this conditional use is to allow very small retail businesses that would serve the neighborhood or potential tourists. Such uses shall:

- a. Provide all parking as required by this Ordinance on lot.
- b. All compressors shall be so enclosed as to baffle their sound from surrounding uses.
- c. All dumpsters and or garbage/trash storage areas shall be enclosed.
- d. No sign for a neighborhood business may exceed sixteen (16) square feet. All signage shall be lit by indirect means.
- e. No building shall exceed five thousand (5,000) square feet gross floor area (GFA).

1021 Heavy Industry, Warehousing and Similar Uses

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 state 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 performance standards under Article Four of this Ordinance; and,
- d. A traffic study prepared by a professional traffic engineer and meeting any standards for such studies within Woodcock Township may be required.

1022 Sexually Oriented Business

1022.1 These businesses have negative secondary impacts upon the community, including:

- a. Frequent use for unlawful sexual activities, including prostitution.
- b. Increased incidence of sexually transmitted diseases.
- c. A deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, due to increased crime and decreased property values.
- d. Serious objectionable operational characteristics, particularly when they are located in close proximity to each other, thereby contributing to neighboring blight and downgrading the quality of life in the adjacent area.

It is not the intent of this Ordinance to suppress any speech activities protected by the First Amendment, but to enact a content neutral ordinance, which addresses the secondary effects of sexually oriented businesses. Nor is it the intent of the Township to condone or legitimize the distribution of obscene material.

1022.2 Sexually Oriented Businesses, as defined, herein shall be permitted in the I-1 zone as a conditional use, provided:

- a. The proposed business does not lie within one thousand five hundred (1,500) feet of:
 - i. A church;
 - ii. A public or private pre-elementary, elementary, or secondary school;
 - iii. A public library;
 - iv. A child-care facility or nursery school;
 - v. A public park adjacent to any residential district;
 - vi. A child-oriented business.
- b. The proposed business does not lie within five hundred (500) feet of another adult entertainment business.
- c. Compliance with all other applicable local codes and licenses is presented to the Township Supervisors, including the Woodcock Township Sexually Oriented Business Licensing Ordinance.

1023 Self Service Storage Facilities

These structures consist of one or more buildings that are typically divided into small separate units. These units, often the size of a single garage, are then rented for storage, normally for personal goods. Such uses must adhere to the following regulations:

- 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.
- b. In addition to the required side and rear yards, an additional ten (10) foot buffer yard shall be required. This buffer yard is to be planted in evergreen trees to provide a visual buffer to surrounding properties.

- 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 conducted from the rental units.

1024 Wind Energy Conversion Systems

1024.1 Wind Energy Conversion Systems are a permitted accessory use in any zoning district provided a single-family dwelling, farm building, or business use also occupies the property subject to the following standards:

- a. No part of a wind energy conversion system shall be located within or over drainage, utility or other established easements.
- b. A wind energy conversion system shall be located entirely to the rear of the principle structure.
- c. A wind energy conversion system shall be set back from any abutting property line by at least the height of the tower plus ten (10) feet
- d. Tower Height shall be limited to eighty (80) feet.
- e. The applicant shall furnish the zoning officer with information supplied by the manufacturer that the wind energy conversion system does not exceed sixty (60) decibels in noise generation, as measured at the property line where the installation is proposed.

1024.2 Wind Energy Generation by more than three (3) turbines on the same parcel or contiguous parcels shall be a Commercial Wind Energy System. Commercial Wind Energy Systems shall be permitted as conditional uses in the Industrial Zoning District subject to the requirements of sections 1024.3 and 1024.4.

1024.3 Application: Commercial Wind Energy Conversion Systems shall submit all pertinent information as would be required for communication towers under section 1015.4 of this Ordinance.

1024.4 Administrative Requirements Commercial Wind Energy Conversion Systems

- a. The Township shall be notified of any change in ownership of Commercial Wind Energy Systems and of the utilities to which the systems are connected.
- b. Safety. In the event the Wind Energy System is determined to pose a safety hazard, notice shall be given to the Township and corrective action must be taken to eliminate the hazard.
- c. Abandonment. If a Wind Energy System is not maintained in operational condition for a continuous period of one (1) year, the system shall be considered abandoned and the owner shall remove the structure within 180 days thereafter.
- d. Emergency Contacts. The facility owner and operator shall provide information to the Township and emergency services personnel concerning persons who can be readily contacted in the event of an incident or complaint and acceptable means of contacting those persons.

1024.5 Commercial Wind Energy Systems shall be constructed and maintained in accordance with the following standards:

- a. Design Safety. The design of the Wind Energy System shall conform to applicable industry standard, including those of the American National Standards Institute. The applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, or other similar certifying organizations.
- b. Controls and Brakes. All Wind Energy Systems shall be equipped with a redundant braking system. This includes both aerodynamic overspeed control (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.
- c. Electrical Components. All electrical components of the Wind Energy System shall conform to relevant and applicable local, state , and national codes, and relevant and applicable international standards.
- d. Visual Appearance. Wind Energy Systems shall be a non-reflective, nonobtrusive neutral color.
- e. Lighting. Wind Energy Systems shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that requires air safety.
- f. Signage. Wind Energy Systems shall not display advertising, except for reasonable identification of the turbine manufacturer, facility owner, and operator.
- g. Power Lines. On-site transmission and power lines between the Wind Energy System towers shall, to the maximum extent practicable, be placed underground.
- h. Warnings. A clearly-visible warning sign concerning the voltage must be placed at the base of all pad-mounted transformers and substations. Also, all guy wires shall be marked with visible, reflective, colored objects, such as flags, reflectors or tape, from the anchor point of the guy wire up to a height of ten (10) feet from the ground.
- i. Climb Prevention/Locks. Wind Energy System towers shall not be climbable up to fifteen (15) feet above the ground surface. All access doors to Wind Energy System towers and electrical equipment shall be locked or fenced as appropriate to prevent entry by non-authorized persons.
- j. Utility Connections. If the Wind Energy System is to be connected to a public utility system or grid, the connection must be approved by the utility and notice of such approval must be given to the Township, and the system must be connected and maintained in accordance with the utility's standards and requirements.

Article 11: Off-Street Parking and Loading Regulations

1100 General Requirements

- 1100.1** No structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this Ordinance.
- 1100.2** The provisions of this Article, except where there is a change of use, shall not apply to any existing structure. Where a change of use occurs after the effective date of this Ordinance and involves no building additions or enlargement, off-street parking shall be provided based upon the requirements of this Ordinance.
- 1100.3** Whenever a structure constructed after the effective date of this Ordinance is changed or enlarged to create a need for an increase in the number of existing parking and loading spaces, additional parking and loading spaces shall be provided on the basis of the area of the enlargement or change. If a structure was erected prior to the effective date of this Ordinance new or additional off-street parking and loading spaces shall be provided based only on the additional building area added.

1101 Size and Number of Parking and Loading Spaces

An off-street parking space shall be a minimum of nine (9) feet in width and twenty (20) feet in length. A loading space shall be a minimum of twelve (12) feet in width and be adequate in length to accommodate the largest vehicle expected to service the establishment which may be a length up to fifty (50) feet. These dimensions are exclusive of required driveway and aisle space. The number of required off-street parking spaces is established in Section 1106 of this Ordinance. The number of off-street loading spaces shall be related to the size of the establishment and the number of loading or service portals in the structure; normally one loading space should be provided for each 10,000 square feet of floor area.

1102 Paving, Drainage and Maintenance

The required number of parking and loading spaces together with driveways and aisles shall be planned in a manner which insures safe and convenient vehicular movement into and throughout the parking and loading area and shall be improved with a durable, dust-free surface such as gravel, concrete, or bituminous concrete. Storm water drainage shall be handled so that water previously not concentrated in defined channels is not collected and directed in new channels to adjacent property ownerships. The parking and loading area shall be maintained in good condition without hazardous holes and free of dust, trash, and other debris.

1103 Location of Parking Spaces

Parking spaces for all detached and semi-detached residences shall be located on the same lot as the uses which they are intended to serve. Parking spaces for apartments, single family attached residences and similar residential uses shall be located not more than 300 feet from the principal use. Parking spaces for commercial, industrial or institutional uses preferably shall be located on the same lot as the uses which they are intended to serve; however they may be located a maximum of 500 feet from the principal use they serve.

1104 Required Trash Areas

All commercial, industrial, and multifamily residential uses that provide trash and/or garbage collection areas shall require such areas to be enclosed on at least three (3) sides by a solid wall or fence of at least four (4) feet in height if such area is not within an enclosed structure. Provisions shall be made for adequate vehicular access to and from such areas for collection of trash and/or garbage.

1105 Access

Access driveways and off-street parking areas shall comply with the provisions of Section 902.10 of this Ordinance.

1106 Parking Space Requirements

For purposes of this Ordinance the following parking requirements shall apply. Parking space requirements for other permitted or conditional uses not listed herein shall be determined by the Zoning Officer based on a comparative evaluation of the requirements listed below. Where fractional numbers result from off-street parking requirement calculations the number shall be increased to the next whole number.

Use	Parking Spaces Required
Agricultural	
Farm Stands	2
Agricultural Processing Businesses	1 per employee plus one per each 800 square feet of retail area
Commercial Stable or Riding Academy	1 per employee plus 1 per each 8 horse stalls
Residential	
Single-Family Dwelling and Duplex	2 per dwelling unit, need not be paved
Multi-Family Dwelling	2. per dwelling unit, unless limited to persons over the age of 55, or 1 bedroom units, then 1.5 spaces per dwelling unit. Multiple Family Dwellings occupied by university students shall provide one parking space for each occupant of each dwelling unit, plus one visitor space for each three dwelling units.
Mobile Home Parks	2.5 per dwelling unit
Home Occupations	2 per dwelling unit, plus one per non resident employee and one additional space
Dormitories	1 per intended occupant
Institutional Uses	
Churches, Auditoriums, Indoor Assembly Places	1 per each 3 seats or 1 per each 4 persons permitted in maximum occupancy
Stadiums, Race Tracks, Sports Arenas and Places of Outdoor assembly, including commercial uses	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
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, driving ranges and miniature Golf	1 per each 2,500 of lot area developed and used for the recreational activity or two spaces per each tee
Golf Courses	3 spaces per each tee
Medical and Dental Office	8 spaces per doctor
Professional Office and Banks	1 per each 250 square feet of gross floor area
Furniture Stores	1 per each 800 feet of gross floor area
Eating and Drinking Places	1 per each 2 patron seats
Retail Stores/Shopping Centers	1 per each 400 square feet of gross floor area
Recreation Campgrounds	2 per campsite
Industrial Uses	
Business Parks, Light Manufacturing, Heavy Manufacturing, Truck Terminals and Warehouses	1 per each employee as calculated from the maximum working shift or overlapping largest shift plus 1 visitor space per each 25 employees

Article 12: Sign Regulations

1200 Purpose

The purpose of this Article is to provide certain regulations for the display of signs. It is recognized that signs serve an important function. Yet reasonable regulations for their display are desirable. These regulations are intended to protect property values, create a more attractive business climate, and enhance and protect the physical appearance of the community. It is further intended to reduce sign distractions and obstructions that may contribute to traffic accidents.

1201 General Regulations

The regulations contained in this section shall apply to all signs in all use districts.

- 1201.1** Zoning permits shall be required for the erection of all signs including general advertising signs and billboards except those listed in Sections 1201.4, 1201.7, 1201.8 and 1202. Signs not listed as permitted in this Article shall be considered prohibited in the Township. Where conflicts over the interpretation and coverage of the regulations of this Article arise, the matter shall be taken to the Zoning Hearing Board and the Board shall render a decision based upon the purpose and implied intent of these regulations.
- 1201.2** No flashing, rotating, or oscillating sign shall be permitted. Any sign which, by reason of its intensity, color, location, or movement, may interfere with traffic lights, signals, or other traffic controls shall not be permitted, except for Electronic Signs permitted by Conditional Use.
- 1201.3** No sign shall be placed on the roof of any building.
- 1201.4** No signs, other than official street or road and traffic control signs shall be erected within the lines of any street or road right-of-way, unless authorized by the Township Supervisors. Permits are not required for street and traffic control signs.
- 1201.5** No sign shall be placed in such a position that it will cause danger to traffic on a street because of obscuring the view.
- 1201.6** All signs shall be constructed of durable material, maintained in good condition, and not allowed to become dilapidated.
- 1201.7** All signs erected and maintained pursuant to and in discharge of any governmental function are permitted.
- 1201.8** Temporary signs not exceeding fifty (50) square feet in area announcing special public or institutional events, the erection of a building, the architect, and/or the contractors may be erected for a period of sixty (60) days plus the construction period. Permits are not required for these signs.
- 1201.9** Painted signs on building surfaces shall be permitted in accordance with the other applicable regulations herein.
- 1201.10** The surface area of the sign shall be computed as the entire area comprising the display area; framing members not part of the display area shall not be included in the computation.
- 1201.11** Signs of schools, churches, nursing homes and philanthropic, charitable and similar institutions are permitted in all zoning districts; providing: (1) the size of the sign shall not be in excess of forty (40) square feet, (2) not more than two (2) such signs are erected on the property, and (3) a zoning permit is obtained.

- 1201.12** Signs advertising professional offices (such as those of a physician, engineer, etc.) and home occupations, where permitted by the Zoning Hearing Board are allowed in all zoning districts; providing: (1) they shall not be in excess of three (3) square feet, (2) they shall be non-illuminated, and (3) a zoning permit is obtained.
- 1202 Signs Permitted In All Districts Without Zoning Permits.** The following types of signs shall be permitted in all districts without a zoning permit:
- 1202.1** Signs advertising the sale or rental (or indicated "sold" or "rented") of the premises upon which they are erected; providing: (1) the size of any such sign is not in excess of six (6) square feet; and (2) there are not more than two (2) such signs placed upon the property.
- 1202.2** Signs of mechanics, painters, and other such artisans during the period such persons are performing work on the premises; provided: (1) the sign of each sign is not in excess of ten (10) square feet, and (2) each sign is removed promptly upon completion of the work.
- 1202.3** Trespassing signs or signs indicating the private nature of a driveway or property; providing the size of the sign shall not exceed three (3) square feet.
- 1202.4** Signs advertising the sale of farm products where permitted by this Ordinance; provided: (1) the size of any such sign is not in excess of six (6) square feet, (2) not more than two (2) such signs are displayed on a property, and (3) the signs shall be displayed only when such products are on sale.
- 1202.5** Signs denoting the name and address of the occupants of a premises not to exceed two (2) square feet in area.
- 1202.6** Signs directing and guiding traffic and parking on private property and bearing no advertising matter.
- 1202.7** Signs not exceeding ten (10) square feet in area installed on a temporary basis, not exceeding three (3) months, to sell an occasional item from the premises.
- 1203 Signs In The A-1 Agricultural, R-1 Rural Residential, And I-1 General Industrial Districts.** The following additional types of signs shall be permitted in the A-1, R-1, and I-1 Districts:
- 1203.1** General advertising signs and billboards shall be permitted; providing: (1) the area of the sign shall not exceed 900 square feet, (2) the sign shall not be located on a lot in any portion of any required yard, and (3) no such sign shall be located within 300 feet of a residence and/or an institutional use.
- 1203.2** Business identification and name plate signs bearing the name of the occupant or the business and/or products made, processed, sold or displayed on the premises. The total permitted area of such signs is equal to the length in feet of the building wall facing the street multiplied by the factor of two (2). Where the building wall fronts on two (2) streets the sign area for each street shall be computed separately. In no case shall signs permitted hereunder exceed a combined area of 500 square feet. Signs attached to building walls shall not project from the wall by more than approximately one (1) foot. There shall be no more than one (1) free standing sign for each street frontage. In no case shall one (1) free standing sign exceed an area of 140 square feet.

1204 Signs in the B-1 General Business District

1204.1 Business District Sign shall be subject to the following requirements

Signage Area Permitted per business	Aggregate of 300 Square Feet Only one freestanding sign per lot frontage on a public road
Maximum Area per Freestanding Sign	144 Square Feet
Maximum Height per Sign (measured from existing grade)	15 Feet
Setback	15 Feet from R-O-W 20 Feet from Property Lines

1204.2 General advertising signs referring or relating to products or materials not made, sold, or displayed on the premises shall not be permitted.

1205 Automobile Service Stations. The following signs shall be permitted:

- a. One free standing oil company sign not exceeding thirty-six (36) feet in height and having an area not exceeding eighty (80) square feet
- b. Other signs customarily incidental to service station use with a combined area not to exceed eighty (80) square feet for the premises.

1206 Electronic Signs. Signs with video, LED lighting or similar electronic changeable copy messages are permitted as a conditional use in the B-1 and I-1 Districts provided:

All portions of the sign structure must be a minimum distance of one hundred (100) feet from an abutting R-1 or R-2 residential district boundary.

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.

When located within one hundred 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.

Audio speakers or any form of pyrotechnics are prohibited in association with an electronic sign.

The Supervisors may limit the hours of illumination or operation, or amount of illumination of electronic signs pursuant to preventing light trespass, and unnecessary nighttime glare.

Because messages on these types of signs may be changed quickly, the developer shall present an operating plan that includes proposed message duration, transitions between messages, and any transitional or other special effect proposed. The developer shall show driver reaction times, speed, and sight distances for vehicles that will be in view of the sign, and show the sign will not present an undue distraction to motorists.

Article 13: [Reserved]

Article 14: Mobile Home Park, Travel Trailer Park and Campground Developments

1400 Conditional Use Permit Required

It shall be unlawful for an applicant to establish, construct, or extend a mobile home park, a travel trailer park or a campground unless such applicant obtains a valid permit issued by the Pennsylvania Department of Environmental Protection and in addition has had the proposed development approved as a conditional use under the provisions of this Ordinance. Where the regulations established herein are applicable only to the Mobile home park, travel trailer park or campground this fact is so stated, otherwise these regulations apply to each of these uses.

1401 Minimum Area Requirement

The minimum gross area of the site shall be five (5) contiguous acres of land which is not subject to hazards of insect or rodent infestation.

1402 Required Facilities

Each Mobile home stand (that part of the Mobile home lot which is reserved for placement of the mobile home) shall contain only a one family unit and shall be supplied with connections to sanitary, water and electrical systems. Each mobile home shall have a toilet, bathtub or shower, heating system, and kitchen in good working order. Each dependent travel trailer unit or campground "set-up" area shall be located no more than 200 feet from a common service building containing water, toilet and bath facilities. Parks and campgrounds shall make adequate provision for refuse handling and removal and for the storage and supply of fuel where applicable. The park owner shall be responsible for maintaining the park or campgrounds in a clean and sanitary condition.

1403 Site Requirements

1403.1 The locations of Mobile home and travel trailer stands or campground "set-up" areas shall be carefully related to the topography and to each other, preserving as much as possible of the natural site.

1403.2 Mobile home lots within the park shall have a minimum of 4,500 square feet; travel trailer lots and campground "set-up" areas shall have a minimum of 3,000 square feet. Lots and areas shall be directly accessible to the internal street system. There shall be provided on each mobile home lot a patio area of at least 100 square feet with a least dimension of 10 feet. There shall be provided on all lots and areas one off-street parking area which shall contain a minimum of 200 square feet with a least dimension of 10 feet. Driveways, parking spaces and patios shall be constructed with a permanent, paved, stable, dust free surface adequate for use during all seasons.

1403.3 There shall be a minimum of 1 1/2 parking spaces for each mobile home stand in a mobile home park, and a minimum of 1 1/4 parking spaces for each travel trailer stand and campground "set-up" area.

1403.4 Stands shall be constructed of an appropriate material, properly graded, placed, compacted and drained so as to be durable and provide an adequate foundation for the support of the anticipated loads. Mobile home shall be either permanently fastened to a foundation slab or footings or tied down to secure against uplift, sliding or overturning. Tie downs may be either strap, cable or chain type; there shall be a minimum of four (4) such tie downs of sufficient strength to anchor the unit, and they shall be anchored in concrete "dead men", or eyelets imbedded in concrete foundations, or screw augers, arrowhead anchors or other similar devices. A gradient on the stands shall occur in only one direction perpendicular to an edge, and shall be a maximum of 4% in gradient.

1403.5 There shall be a minimum distance of thirty (30) feet between each mobile home or travel trailer unit, including accessory structures attached thereto, or campground "set-up" unit

and any portion of any other structure in the park. There shall be a minimum distance of twenty (20) feet between each individual unit and the edge of the nearest abutting internal street or park area. There shall be a minimum distance of fifteen (15) feet between each unit and a pedestrian walkway. There shall be a minimum distance of fifty (50) feet between each unit and the mobile home park, the travel trailer park, or campground boundary lines.

1403.6 Walks shall be planned and constructed so as to provide safe and convenient access throughout the park or campgrounds connecting individual stands or "set-up" areas to common recreation areas, to all facilities, and to each other. Common walks shall be at least 3 feet wide and walks on individual lots shall be a minimum of 1 1/2 feet wide. Walks shall provide an all-weather walking surface, and be reasonably free from mud, dust, and standing water.

1403.7 A recreation area shall be provided to serve the residents of the park or campgrounds. A minimum of 12% of the gross acreage shall be established and developed as a common recreation and park space.

1403.8 Adequate storage facilities conveniently located to lots in the mobile home park shall be provided for storage of often used outdoor equipment, furniture and tools and such other material that is used only infrequently and which cannot be conveniently stored in the typical mobile home.

1404 Access and Internal Road System

1404.1 The minimum width of the portion of the site used for vehicular access shall be 60 feet.

1404.2 The internal street system shall be privately owned and maintained and shall be designed for safe and convenient access to all lots and common facilities. Streets shall provide a sound, all-weather, driving surface, be reasonably smooth and free from mud, dust and standing water. Street paved surfaces shall be a minimum width of fourteen (14) feet for one-way streets and eighteen (18) feet for two-way streets; where on-street parking is permitted eight (8) feet of road surface shall be added to each side of the street on which on-street parking is permitted.

1405 Skirting

On mobile home all mobile homes shall be covered or skirted around the entire base of the unit in such a manner that continuous facades exist from the ground upwards. The material forming this enclosure shall be compatible with the remainder of the unit and provide sufficient ventilation to inhibit decay and deterioration of the structure.

1406 Visual Relation to Surrounding Area

Either partial or full screening may be required at the boundaries of the Mobile home or travel trailer park or campground depending on the nature of the proposed development and the uses in the surrounding area. Such screening may consist of walls, fences, plantings or terrain features, or any combination of these devices. If open fencing such as chain link fence is used it should be installed within plantings so as not to be easily visible from inside or outside the park.

1407 Signs

In addition to the provisions of Article 12 of this Ordinance mobile home and travel trailer parks and campgrounds are permitted one identification sign not more than 40 square feet in area which may be placed no closer than 5 feet from the exterior property line of the park.

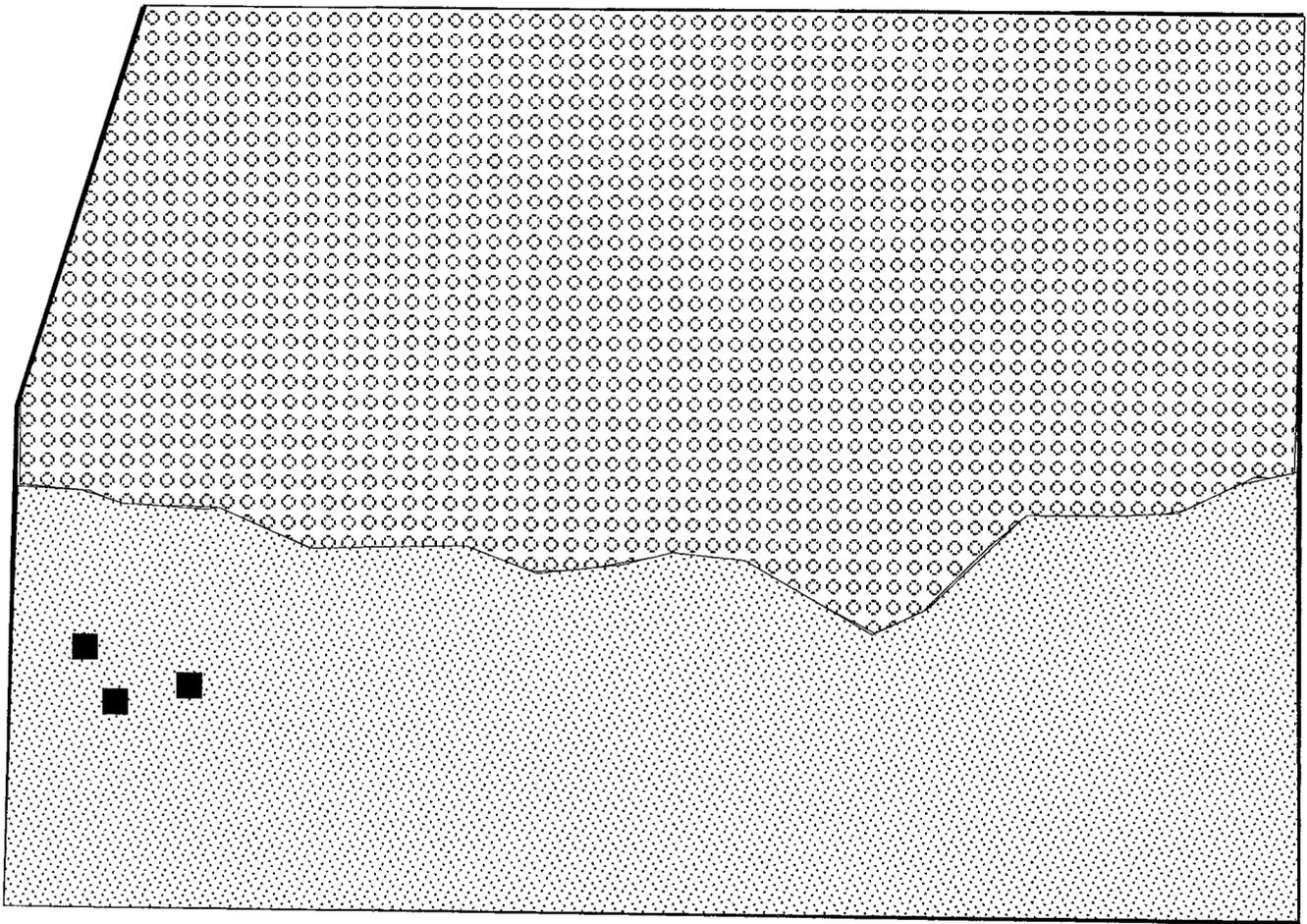
1408 Uses Other than Residential

No commercial uses considered as ancillary to the Mobile home or travel trailer park or campgrounds shall

be permitted. Service uses such as laundry and dry cleaning rooms and vending machines handling commonly needed supplies, however, shall be permitted, as well as management offices and recreation facilities.

APPENDIX A
CLUSTER SUBDIVISION

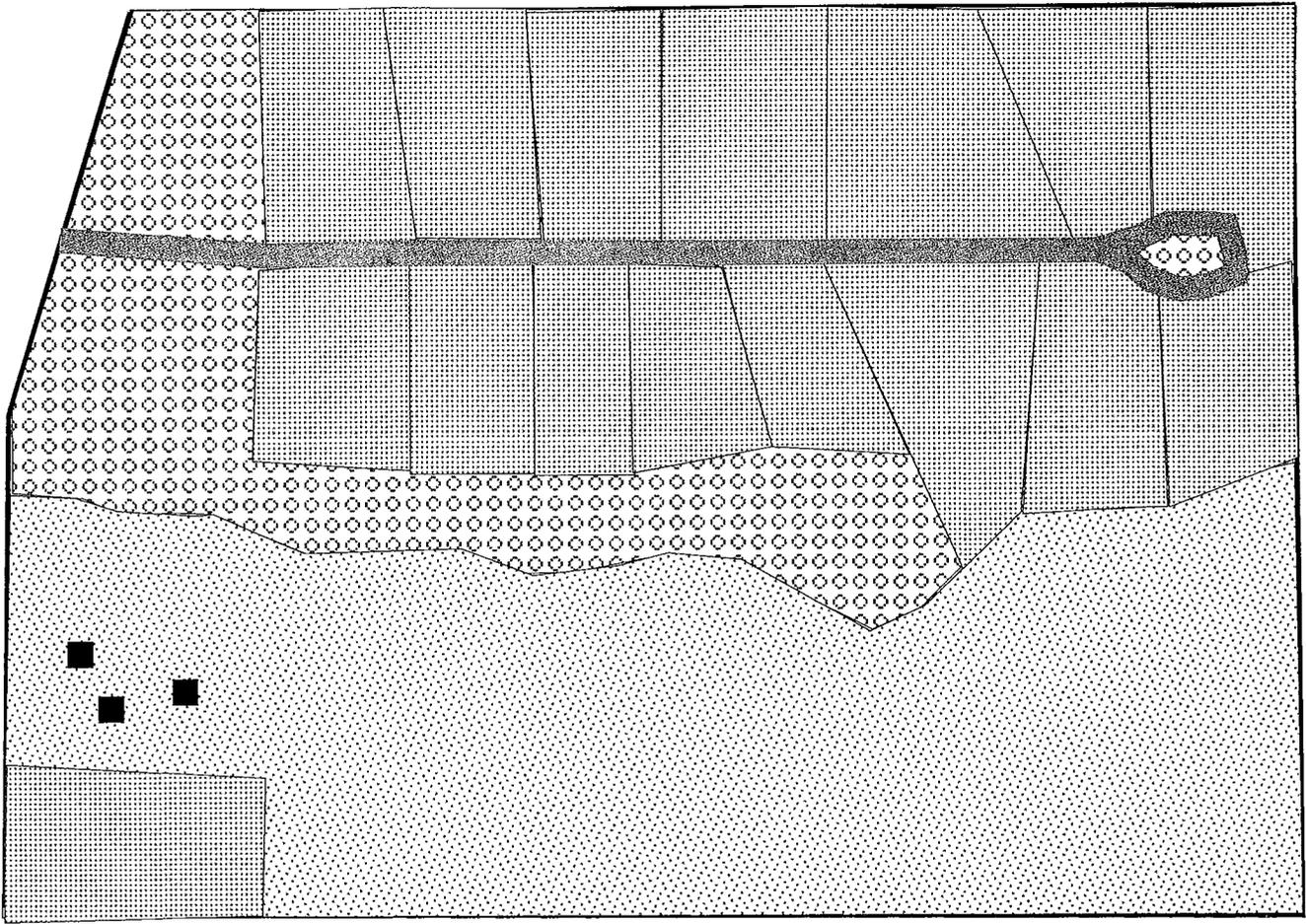
Woodcock Township Cluster Subdivision Provisions: Sketch 1



**Original Tract
50 acres**

- Farmhouse and buildings
- ◻ Farmland
- ◻ Woodland
- ◻ Original tract boundary

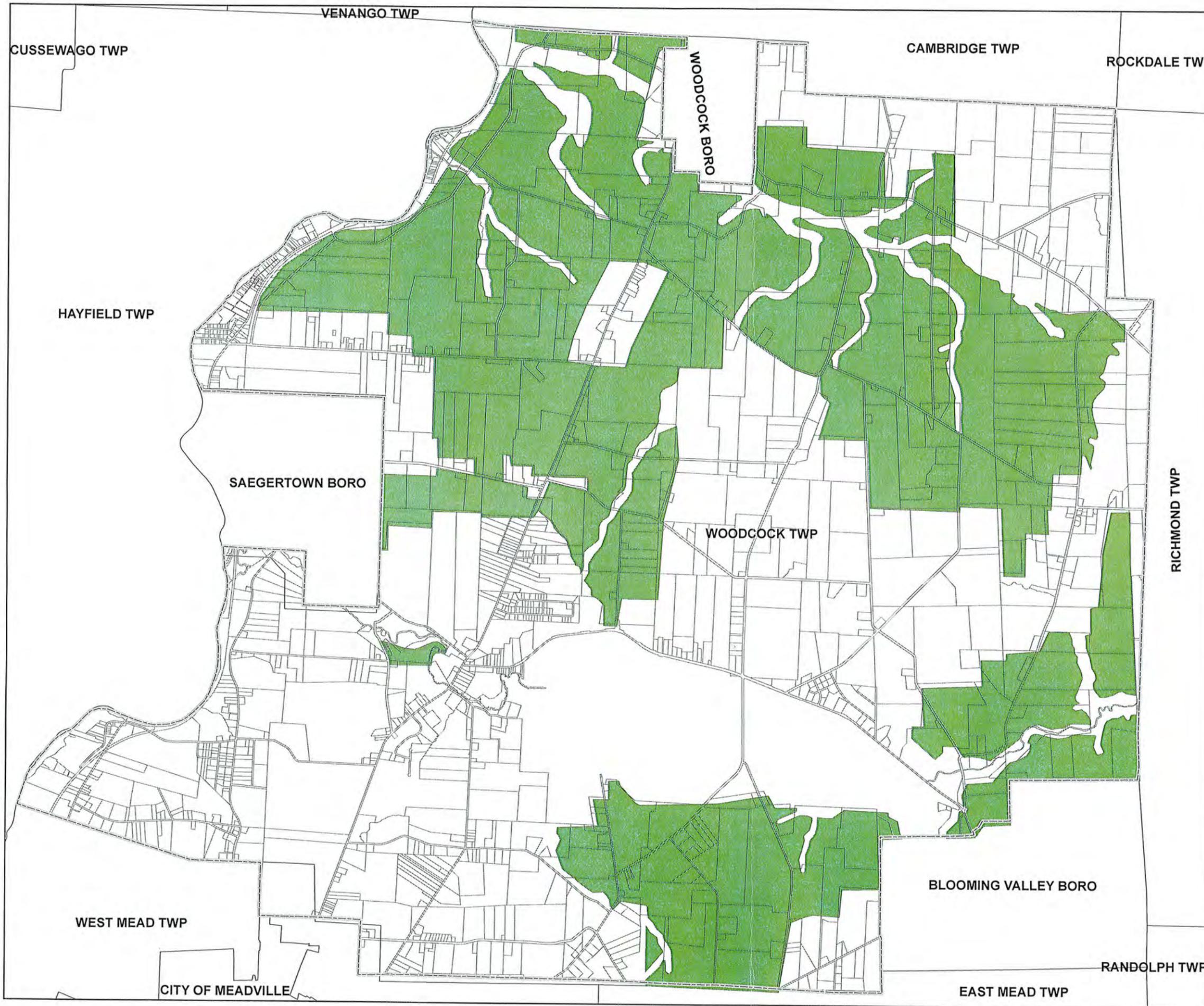
Woodcock Township Cluster Subdivision Provisions: Sketch 2



16 new lots permitted
Average lot size 1.5 acres
24 acres used for development, 26
acres protected farmland

- Farmhouse and buildings
- ◻ Farmland
- ◻ Woodland
- ◻ Original tract boundary
- ◻ New Lots
- ▬ New Street

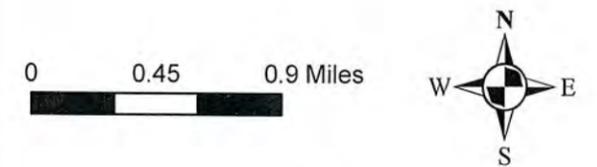
APPENDIX B
WOODCOCK TOWNSHIP AGRICULTURAL ZONING DISTRICT TRACT MAP



WOODCOCK AGRICULTURE CRAWFORD COUNTY

Legend

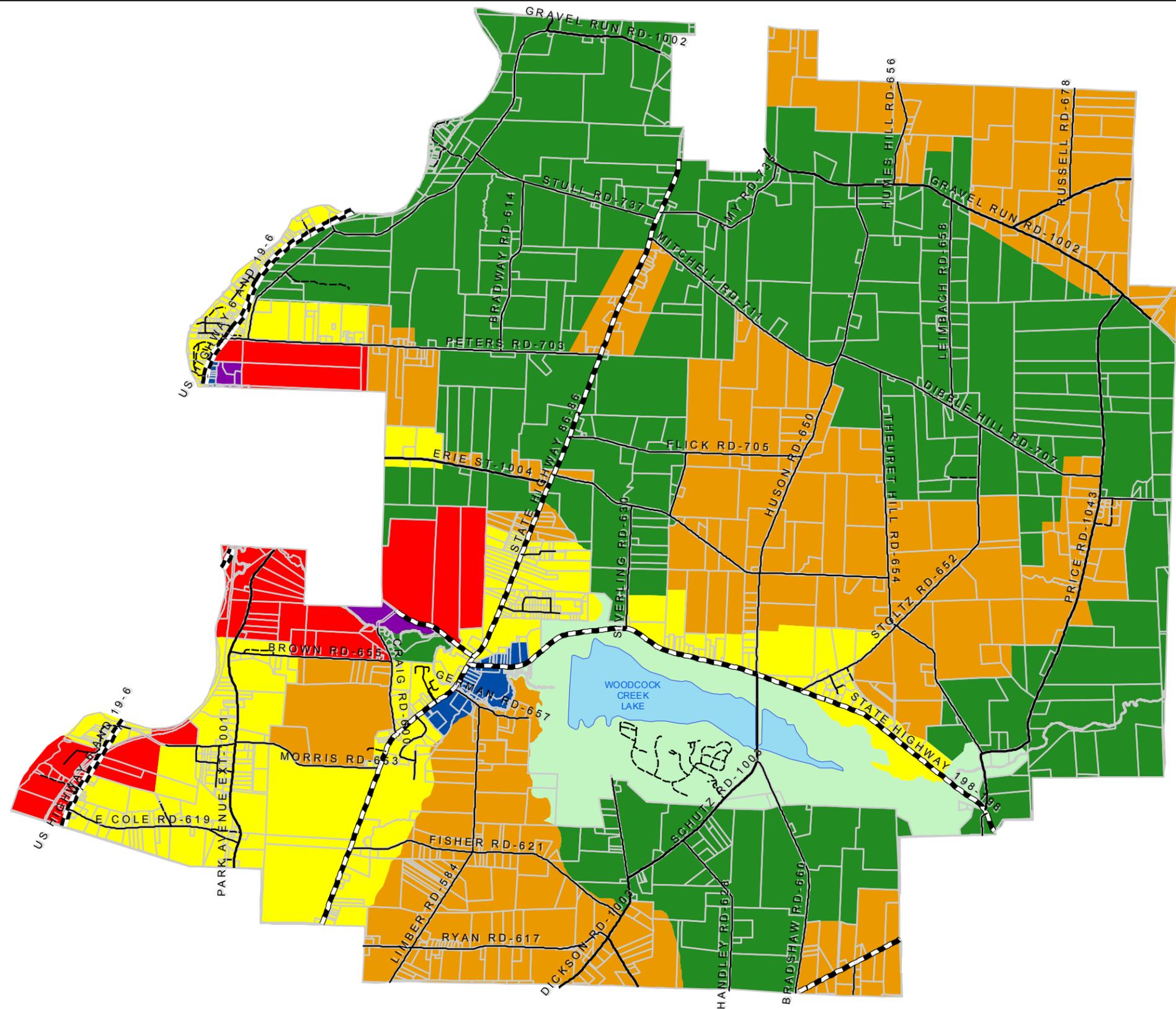
- Parcels
- Agricultural



February 2011

APPENDIX C
WOODCOCK TOWNSHIP OFFICIAL ZONING MAP

S:\Planning\2. Municipal\Folders\Woodcock_Township\Mapping\Zoning



Legend:

- A1-Agricultural
- B1-General Business
- I1- General Industrial
- R2 -General Residential
- C1- Open Space and Conservation
- P1- Public Institutional
- R1- Rural Residential
- Parcels, Property Lines, Roads & Physical Features were reproduced from information & drawings prepared by the Crawford County Planning Commission

BEING PART OF ORDINANCE NO. _____ AS ENACTED

BOARD OF SUPERVISORS

ATTEST

Renee Hayes, SECRETARY



This map was created by the Crawford County Planning Commission, with data from various sources. Maps are intended for representative purposes only and no guarantee is made on the accuracy of the data displayed here.

NOTES:
 1. ALL THE PROPERTY LINES, ROADS AND OTHER PHYSICAL FEATURES ARE RELATIONAL AND INTENDED TO DEPICT TOWNSHIP ZONING DISTRICT BY CLASSIFICATION AND PARCEL. AS SUCH, NOT EVERY PARCEL MAY BE REPRESENTED AND THE USER IS ENCOURAGED TO CONTACT THE CCPC FOR CLARIFICATION.
 2. GENERAL FLOOD PLAIN DISTRICT BASED ON THE FEMA MAPS CAN BE OBTAINED AT THE CRAWFORD COUNTY PLANNING COMMISSION. THE FEMA MAPS WERE CREATED BY THE FEDERAL GOVERNMENT AND COMPILED ON A 1000 FOOT SCALE MAP.
 3. CCPC PHONE 814-333-7341 AND EMAIL PLANNING@CO.CRAWFORD.PA.US

WOODCOCK TOWNSHIP ZONING MAP

CRAWFORD COUNTY, PENNSYLVANIA

Prepared for the Board of Supervisors and the Planning Commission of Woodcock Township by the Staff of the Crawford County Planning Commission as Planning Consultants. Courthouse, Meadville, Pennsylvania

March 2011

