

**OXFORD TOWNSHIP
ORDINANCE NO. 2020 - 122**

**AN ORDINANCE OF THE TOWNSHIP OF OXFORD, ADAMS COUNTY,
PENNSYLVANIA, AMENDING CHAPTER 27 OF THE OXFORD TOWNSHIP
CODIFIED ORDINANCES ("ZONING") AS FOLLOWS:
§27-203, "SPECIFIC WORDS AND PHRASES"; §27-302, "PERMITTED USES" AND
ADDING NEW SECTION 549A (SOLAR ELECTRIC FACILITY)**

WHEREAS, the Board of Supervisors of Oxford Township ("Board") deems it appropriate to allow, as a Conditional use, Solar Electric Facilities in certain Zoning Districts within the Township.

WHEREAS, the Board desires to establish a definition for a Solar Electric Facilities and Solar Electric Systems;

NOW THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of Oxford, as follows:

Section 1. Section 27-203, "Specific Words and Phrases", is hereby amended to add the following:

SOLAR ELECTRIC FACILITY - An electric generating facility whose main purpose is to generate and supply electricity and which consists of one or more solar electric systems and other accessory structures and buildings, including substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

SOLAR ELECTRIC SYSTEMS - The components and subsystems that, in combination, convert solar energy into electrical energy suitable for use. The term includes, but is not limited to, photovoltaic and concentrated solar power systems.

Section 2. Section 27-203, "Specific Words and Phrases", is hereby amended to now read as follows:

SOLAR ENERGY EQUIPMENT - (Accessory) - Any device, structure or electronics that converts solar energy into electrical energy, heats water or produces hot air or similar function through the use of solar panels. The primary function of solar energy equipment is to reduce on-site consumption of energy produced by a public/private utility company. To be considered Accessory, the majority of the energy produced must be consumed by the Principal Use on the lot where the Solar Energy Equipment is located.

WIND ENERGY EQUIPMENT - (Accessory) - Any device, structure or electronics that converts wind energy into electrical energy through the use of wind turbine. The primary function of wind energy equipment is to reduce on-site consumption of energy produced by a public/private

utility company. To be considered Accessory, the majority of the energy produced must be consumed by the Principal Use on the lot where the Wind Energy Equipment is located.

Section 3. Section 27-302, "Permitted Uses", is hereby amended to add the following:

Use	Reference Section	Zoning District					
		A	RL	RM	RH	C	I
Solar Electric Facility	§ 27-549A	CU	CU	CU	--	CU	CU

Section 4. Part 5 (Specific Regulations), Section 27-549A is hereby added in its entirety to read as following:

§ 27-549A. Solar Electric Facility.

Where permitted, this use is subject to the following:

- (1) The design of the solar electric system shall conform to applicable industry standards, including those of the American National Standards Institute. The applicant for a building permit and land use permit shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories (UL), IEEE, Solar Rating and Certification Corporation (SRCC), ETL, or other similar certifying organizations.
- (2) The solar electric facility and the solar electric system shall be constructed to and comply with the Pennsylvania Uniform Construction Code, Act 45 of 1999, as amended, and any regulations adopted by the Pennsylvania Department of Labor and Industry as they relate to the Uniform Construction Code except where an applicable standard has been approved by the Department of Labor and Industry under its regulatory authority.
- (3) The solar electric facilities shall not be artificially lighted except to the extent required by safety or by any applicable federal, state or local authority.
- (4) Solar electric facilities shall not display advertising except for reasonable identification of the panel, inverter, or other equipment manufacturer, and the facility owner.
- (5) On-site power collection lines shall, to the maximum extent practical, be placed underground.
- (6) The solar electric facility shall be enclosed by a fence, barrier, or other appropriate means with a minimum height of six (6) feet to prevent or restrict unauthorized

persons or vehicles from entering the property. The fence shall not be placed within the required buffer yard.

- (7) Clearly visible warning signs shall be placed on the fence, barrier, or facility perimeter to inform individuals of potential voltage hazards.
- (8) A solar electricity facility shall be sited in such a way that it presents minimal impact to traffic and no impact to public health and safety.
- (9) The solar electric facility or individual solar electric system shall be completely decommissioned by the facility owner within 12 months after the end of the useful life of such facility or system. Decommissioning shall include removal of all solar electric systems, buildings, cabling, electrical components, roads, foundations, pilings, and any other associated facilities, so that any agricultural ground upon which the facility and/or system was located is again tillable and suitable for agricultural uses. Disturbed earth shall be graded and reseeded unless the landowner requests in writing that the access roads or other land surface areas not be restored. The owner of the facility shall secure the costs of decommissioning by appropriate bond, letter of credit, or escrow agreement satisfactory to Oxford Township. Such estimate of costs shall be submitted by the owner and subject to approval by Oxford Township prior to issuance of any permits required.
- (10) Other provisions of this chapter and the Oxford Township Subdivision and Land Development Ordinance notwithstanding, for a solar electric facility permitted under this chapter, the following regulations shall apply:
 - (a) Minimum setback requirements shall be:
 - [1] Front: 50 feet.
 - [2] Side: 30 feet.
 - [3] Rear: 30 feet.
 - (b) All components of the Solar Electrical System shall be considered Principal Structures for setback requirements.
 - (c) There shall be no requirement for a minimum amount of open space.
 - (d) In calculating the maximum impervious surface coverage, no surface of undisturbed turf to which stormwater runoff has access shall be considered impervious, if the following Pennsylvania Department of Environmental Protection conditions are met:
 - i. Natural vegetative cover is preserved and/or restored utilizing low impact construction techniques from the Pennsylvania Department of Environmental Protection Stormwater Best Management Practices Manual, including, but not limited to the following: minimizing the total disturbed area, minimizing soil

compaction in disturbed areas, and re-vegetating and re-foresting disturbed areas using native species.

- ii. The vegetative cover has a minimum uniform 90% perennial vegetative cover with a density capable of resisting accelerated erosion and sedimentation with the following restrictions:
 - a. For panels located on slopes of 0 to 5% a minimum 4" height of vegetative cover shall be maintained.
 - b. For panels located on slopes over 5% and up to 10% a meadow condition shall be maintained.
 - c. Panels located on slopes over 10% and up to 15% are not permitted.
 - d. Solar panels located on slopes over 15% only in accordance with Section 402.A.51.B.2.a.v
 - e. Vegetated areas shall not be subject to chemical fertilization or herbicide/pesticides application, except for those applications necessary to establish the vegetative cover or to prevent invasive species and in accordance with an approved Erosion and Sedimentation Plan.
 - f. Agrivoltaics, the co-development of the same area of land for both solar photovoltaic power and conventional agriculture, may be used provided that:
 - i. only shade tolerant crops may be used,
 - ii. crops must be no tilled in,
 - iii. a written erosion and sediment control plan must be developed for agricultural plowing or tilling activities or a portion of the overall farm conservation plan must identify BMPs used,
 - iv. any cutting or mowing of the agricultural crop is limited to a height of no less than 4 inches,
 - v. application of chemical fertilization or herbicides/pesticides is limited to the agronomic needs of the crop(s).
- iii. The Solar Panels within a Solar Array are arranged in a fashion that:
 - a. Allows the passage of runoff between each Solar Panel, thereby minimizing the creation of concentrated runoff.

- b. Allows for the growth of vegetation beneath the panel and between Solar Arrays.
 - iv. Less than 5% of the horizontal area of the solar panels themselves are disturbed and/or covered by the ground mounted support structures or foundation.
 - v. The lowest vertical clearance along the drip edge or drip line of all Solar Panels within a Solar Array is 10 feet or less from the surface of the ground but an adequate height to promote vegetative growth below the Solar Array.
 - vi. The drip edge or drip line of the solar panels are mounted level to promote sheet flow discharge unless no more than 500 square feet of contributing surface will discharge to any one point, in which case a spreading device is required for the concentrated discharges.
- (e) Any identification sign of a maximum of six square feet per sign side shall be permitted.
 - (f) The structures comprising the solar electric facility shall be constructed and located in a manner so as to minimize the necessity to remove existing trees upon the lot, and in no event shall wooded acreage comprising more than 2% of the deeded acreage of the lot or portion of the lot devoted to the solar electric facility use be removed without demonstrating that such removal is necessary for the reasonable construction and efficient performance of the use.
- (11) (a) All solar electric facilities shall provide a 50 feet buffer yard along all existing public and private streets and all residential zones and uses.
 - (b) Screening in the buffer yard(s), required in (a) above, shall be of a type and density as required by the Township Supervisors as part of the Conditional Use approval.
 - (c) Required screening shall be located on the exterior half of the buffer yard and must be installed prior to any grading or installation of any Solar Electrical System Components
 - (d) Access Drives are not allowed in the required Buffer Yards, but may cross the Buffer Yard in a perpendicular fashion at a maximum of two places.

Section 5. The Caption of Section 27-558 is amended as follows:

Wind Energy and Solar Energy Equipment (Accessory)

Section 6. Section 27-558(3) (Solar Energy Equipment (Accessory) is modified as follows:

B. Solar energy equipment shall comply with all Principal Use minimum side and rear setback and height requirements of the applicable zoning district.

Section 7. This Ordinance shall become effective five (5) days after adoption.

BE IT DULY ENACTED AND ORDAINED, this 21st of July, 2020,
by the Oxford Township Board of Supervisors.

ATTEST:

BOARD OF SUPERVISORS OF THE
TOWNSHIP OF OXFORD:

Brenda A. Skrine
Secretary

By: [Signature]
Chairman