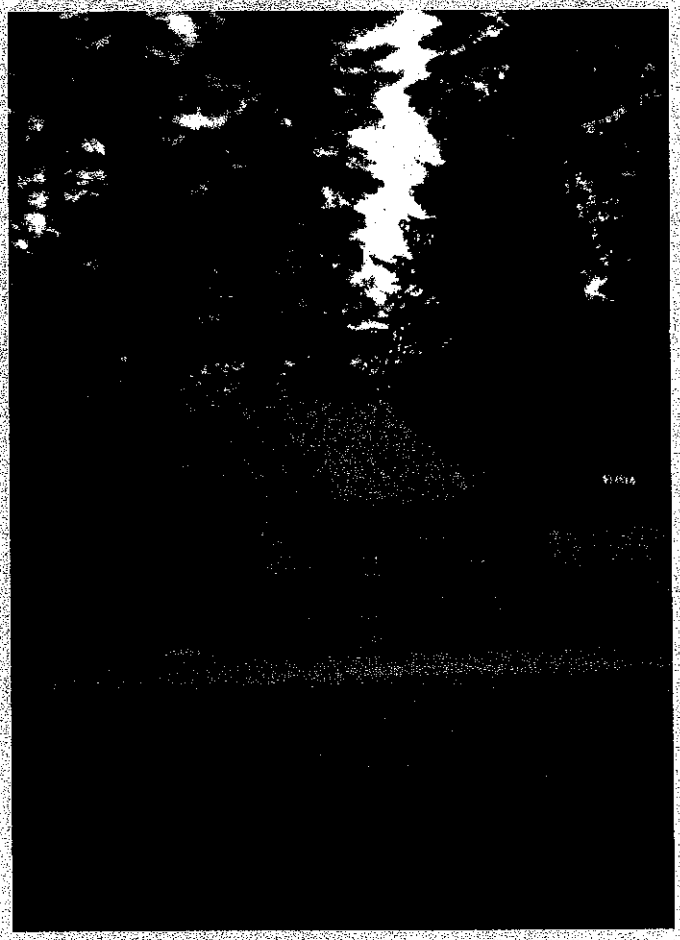
# The Oil Creek Region Amended Comprehensive Plan

**March 2006**



Prepared by the
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Assisted by
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## Table of Contents


| | Page No. |
|---|---|
| **Introduction** | 1 |
| **Statement of Purpose** | 2 |
| **Population and Economic Base Plan** | 3 |
| Economic Base | 5 |
| **Community Facilities and Services Plan** | 6 |
| Library | 6 |
| Public Safety | 7 |
| Police | 7 |
| Fire | 7 |
| Ambulance | 7 |
| Hospital | 7 |
| Recreation | 8 |
| Schools | 9 |
| Water | 10 |
| Sanitary Sewer | 10 |
| **Transportation Plan** | 11 |
| Air | 11 |
| Rail | 12 |
| Highways | 12 |
| **Housing Plan** | 13 |
| **Land Use Plan** | 15 |
| Land-Use Sharing | 17 |
| **Plan Elements Not Changed** | 20 |


## Tables


| | |
|---|---|
| Table PE-1, Population - 1980-2000 | 3 |
| Table PE-2, Average Household Size | 4 |
| Table PE-3, Median Household Income - 1990-2000 | 5 |
| Table PE-4, Median Family Income - 1990-2000 | 5 |
| Table H-1, Housing Counts - 1980, 1990, and 2000 | 14 |
| Table H-2, Housing Cost Factors - Hydetown, Oil Creek, Titusville | 14 |
| Table LU-1, Hydetown-Oil Creek-Titusville Shared Land Use Concepts | 19 |

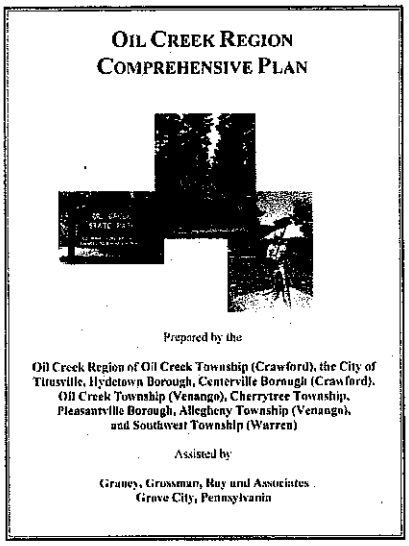
## Map

Oil Creek Region Land Use Follows Page 20

Appendix
Intergovernmental Cooperative Agreement

# The Oil Creek Region
# Amended Comprehensive Plan

## Introduction




In 2000, nine municipalities in Crawford, Warren, and Venango Counties joined together to prepare, and adopt a multi-municipal plan. That plan consisted of both a Background Analysis, approximately ninety pages, as well as the Comprehensive Plan of fifty-four pages. It is not the intent of this Plan Amendment to completely revise that document. Rather, it is to create an amended plan that three specific municipalities can use as a basis for a land-use sharing agreement. These municipalities are Hydetown Borough, Oil Creek Township, and the City of Titusville–all in Crawford County.

Though the Land Use Plan is of primary interest to this amendment, the original plan was composed of eight primary elements as well as a demographic section. To properly update the Oil Creek Region Plan, each of these required elements must be considered. Those that have changed must be identified, especially as they relate to current or future land-use policies for this group of three. Some can remain as originally written. It is not the intent of this Amendment to change any of the recommendations or policies of that Plan, except to recognize that certain actions have been completed and, to the extent needed or necessary, to realize the goal of land-use sharing among the three participants. In fact, beyond those items, Hydetown, Oil Creek Township, and Titusville still view the original document as their Comprehensive Plan.

It must be further noted that as the original plan was adopted, the Pennsylvania Municipalities Planning Code was just being changed, and one of those changes introduced the concept of land-use sharing. At the time the work program for this amendment was written, the Code required that communities which participate in land-use sharing must have the following characteristics:

- They have all adopted the same multi-municipal comprehensive plan
- That they all have zoning ordinances

- That they be contiguous*

- That they enter into a multi-municipal land-use sharing agreement

**That requirement was changed in late 2004. Now zoned municipalities in the same school district, even when they are not contiguous, can participate in a multi-municipal land use-sharing scheme .*

Hydetown, Oil Creek, and Titusville all had zoning ordinances, and they all recognized that a land use sharing concept would be beneficial. At the same time, they realized their individual land-use ordinance needed to be updated.

## Statement of Purpose

The purpose of this Plan amendment has been clearly set forth in the Introduction. It is to:

- Enable Hydetown Borough, Oil Creek Township, and Titusville City to participate in a land-use sharing agreement

- Amend the 2000 Comprehensive Plan, as needed, to accomplish land use goals

- Acknowledge key changes

## Population and Economic Base Plan

These were separate topics in the 2000 Plan, but are combined for the purpose of this Plan update. Population is more germaine to this update/amendment and, consequently, will be reviewed first.

In 2000, there were two tables relating to total population published. Table P-1 traced population from 1960 to 1990. *(Note: Census 2000 data was not yet then available.)* Hydetown gained two persons over that 30-year period (+0.3%), Oil Creek +314 persons (+17.9%), and Titusville lost -1,922 (-23%). Table P-2 showed short-term results from 1980 to 1990. It showed a gain for Oil Creek (+34), while losses for Hydetown (-79), and Titusville (-450).

The time horizons for this Plan Amendment are more constricted and use information from three separate census reports (1980, 1990, and 2000), which effectively cover a twenty-year period. Table PE-1, below, shows the last twenty years' census results for the three communities.

**Table PE-1**
**Population – 1980-2000**

| Area | 1980 | 1990 | Change | Percent | 2000 | Change | Percent |
|---|---|---|---|---|---|---|---|
| Hydetown | 760 | 681 | -79 | (-11.6) | 605 | -76 | (-11.2) |
| Oil Creek | 2,035 | 2,069 | +34 | (+1.6) | 1,880 | -189 | (-9.1%) |
| Titusville | 6,884 | 6,434 | -450 | (-7.0) | 6,146 | -288 | (-4.5%) |
| **Total** | **9,679** | **9,184** | **-495** | **(-5.1)** | **8,631** | **-553** | **(-6.0%)** |

Source: Census Reports 1980, 1990, 2000

According to Table PE-1, all three municipalities lost population between 1990 and 2000. Other data supports the trend of population loss:

- The median age in all the three municipalities is greater than the national figure (USA 35.3 years, Hydetown 41.7 years, Oil Creek 40.8 years, Titusville 38.3 years)

- The percentage of persons 65 or over is relatively high in all municipalities:

  Hydetown - 18.3%
  Oil Creek - 16.1%
  Titusville - 20.1%

These figures show a comparatively older population. Older populations have fewer births. That appears to be the case for these three areas. According to vital statistics, as published by the Pennsylvania Department of Health, from 1991 to 2000 inclusive:

Hydetown had 5 more deaths than births (55 deaths, 50 births)
Oil Creek had 35 more births than deaths (165 deaths, 200 births)
Titusville had 18 more deaths than births (800 deaths, 782 births)

Thus, over a 10-year span, the excess of births over deaths in these municipalities averaged just over one per year. At best, a no natural increase or decrease–a neutral situation. Consequently, the historic pattern of out-migration, estimated at -5.4 percent, likely caused the population drop. As reported on the prior page, the 2000 Plan did not have access to Census 2000 (municipal level data not released until 2001). However, its out-migration estimate appeared to have held relatively steady over the 1990 to 2000 period.

As the population dropped, so did households size, as Table PE-2 shows.

**Table PE-2**
**Average Household Size**

| Area | 1990 | 2000 | Change | Percent |
|---|---|---|---|---|
| Hydetown Borough | 2.65 | 2.51 | -.14 | -5.3 |
| Oil Creek Township | 2.76 | 2.41 | -.35 | -12.7 |
| City of Titusville | 2.41 | 2.29 | -.12 | -5.0 |
| Source: 1990 Census, Census 2000 | | | | |

These figures show that even though the area's overall population declined about 6 percent, it was matched–sometimes even exceeded by the drop in household size. This creates a common contemporary phenomenon of a shrinking population base actually needing more housing units. Oil Creek Township is a good example. In 1990, a population of 1,000 (excluding group quarters) in the Township required 363 dwelling units; by 2000, that same population needed 415 units–52 more! Obviously, Oil Creek is the most extreme example of the three municipalities, but it does illustrate the impact of the shrinking household size on the housing market.

If such patterns continue, it will create a steady, though modest, demand for housing in the study area–a demand likely to focus more on "condos" and apartments than seen in prior years. This is due to the changing demographic patterns seen locally, essentially an aging population.

## Economic Base

The 2000 Plan contained some twelve pages of detailed economic analysis. In this update, only primary economic data will be examined.

Measurement of relative prosperity is tied to median income figures. The two most commonly used yardsticks are median household and median family incomes. Of these two, the median household income is a near universal economic yardstick used by most government programs and private-sector analysts. Median-family incomes tend to be higher than median household incomes. This is due to the fact that, in current times, families often have two incomes, while a household can consist of one person–often a retiree.

Two tables show the shift of incomes from 1990 to 2000 for the three municipalities and Crawford County.

**Table PE-3**
**Median Household Income – 1990-2000**

| Area | 1990 | 2000 | Change | Percent |
|---|---|---|---|---|
| Hydetown Borough | $25,703 | $34,563 | +$8,860 | +34 |
| Oil Creek Township | $22,750 | $33,882 | +$11,132 | +49 |
| City of Titusville | $19,059 | $25,945 | +6,886 | +27 |
| Crawford County | $23,083 | $33,560 | +$10,137 | +34 |
| Source: Census 2000, 1990 | | | | |

**Table PE-4**
**Median Family Income – 1990-2000**

| Area | 1990 | 2000 | Change | Percent |
|---|---|---|---|---|
| Hydetown Borough | $28,750 | $42,188 | +$13,340 | +46 |
| Oil Creek Township | $28,807 | $38,500 | +$9,693 | +34 |
| City of Titusville | $23,582 | $36,679 | +13,097 | +56 |
| Crawford County | $27,828 | $40,755 | +$12,927 | +46 |
| Source: Census 2000, 1990 | | | | |

These tables show a few basic facts. First, the study area is typical of western Pennsylvania. Namely, the rural areas are somewhat more prosperous than the urban places. However, there are some interesting anomalies. Under household income, Hydetown, Oil Creek, and

Titusville kept pace, or exceeded, the Crawford County percentage gains. Family income changes showed Titusville with a truly dramatic 56 percent increase–far ahead of any other area. It also must be noted that the cost of living (as measured by the Consumer Price Index) increased approximately 32 percent between 1990 and 2000. Therefore, all incomes for the Region showed small, but real, increases in actual purchasing power during the decade of the 1990s.

In the 2000 Plan, the Economic Plan provided for four sets of activities as follows:

- Preserve and expand the employment of current enterprises.
- Reuse existing brownfield sites, in particular, the Cytemp complex, to provide space for local firms to expand or for new businesses to use.
- Acquire greenfield sites, to also provide space for existing or new employers.
- Make an array of economic programs available to local employers.

The Titusville Redevelopment Authority (TRA) was named as the lead economic agency for the area. Essentially, the TRA has been able to implement all activities except the third one, "Acquire Greenfield Sites." The 2000 document suggested a site along Route 8, Route 27, Route 36, or even Route 408. As it is unlikely water and sewer will be available on Route 408, the other three road corridors are more likely candidates. This Plan continues to prioritize the need of a greenfield industrial park to complement the work the TRA is doing at the Cytemp site and its other activities.

## Community Facilities and Services Plan

Community facilities and services include items as varied as libraries and public safety services. This Plan will follow–in outline form–the principal topics of the original plan and comment (as appropriate) on any significant differences.

### Library

The Benson Memorial Library remains the region's prime library resource. Located on Franklin Street just north of Titusville's downtown, the library has hours six days a week. From Monday through Thursday, the hours are 10:00 a.m. to 8:00 p.m. On Friday and Saturday, the hours are 10:00 a.m. to 5:00 p.m. It is closed on Sunday. The Benson Library is part of the Crawford County Federated Library System.

# Public Safety

## Police

Titusville has the only local police force. All other areas are served by the Pennsylvania State Police. Titusville has a 14-person staff with 24-hour service. The Corry substation of the State Police covers this area of Crawford County.

## Fire

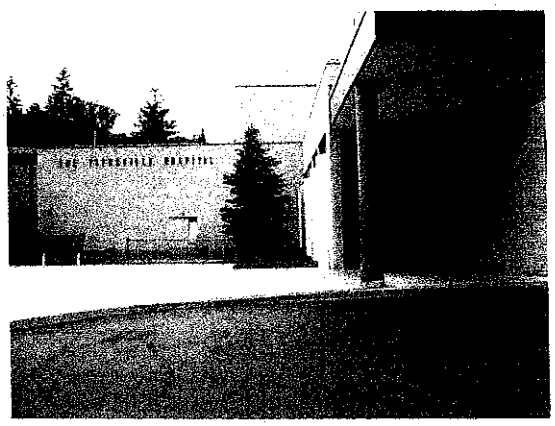
For the three communities covered by this Plan, fire protection remains a service of the Hydetown Volunteer Fire Department, the Titusville Fire Department, and the Pleasantville Volunteer Fire Department. Titusville remains as a paid service; the other two are volunteer operations. There is no volunteer fire department in Oil Creek Township; coverage is provided by the Hydetown and Pleasantville Volunteer Departments. In addition to these departments, there are mutual aid agreements with other nearby volunteer organizations, such as the Cherrytree Department. These fire companies provide each other such additional assistance as needed.

## Ambulance

In 2000, the ambulance service was operated by the Titusville Area Hospital. EmergyCare, Inc. now provides this service for study area residents.

## Hospital

The Titusville Area Hospital remains a locally owned, acute-care, facility. The hospital is considering expansion of its parking facilities. Long-term concepts also include the consideration of a helicopter landing pad.

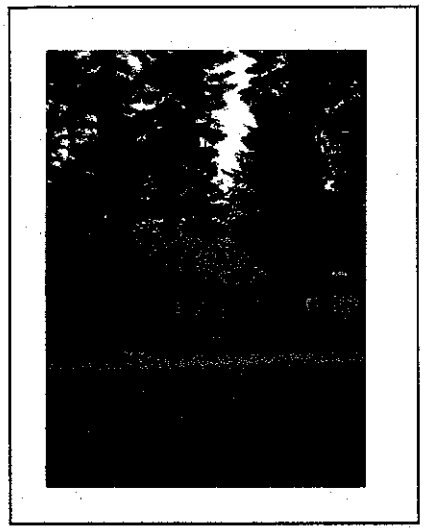


**Titusville Area Hospital**

## Recreation

In the 2000 Plan, six pages were devoted to an inventory and analysis of area recreation resources. For the purposes of this Plan amendment, those facilities of greatest interest are:

- Oil Creek State Park
- Drake Well Museum
- OC&T Railroad (tourist operation)
- Municipal Parks in Titusville and Hydetown



**Drake Well**

Since 2000, two parks in Titusville have seen significant improvement, Robert's Grove and the Myers Recreation complex. The Ed Myers facility has seen the greatest change since 2000. At that time, the improvements were just underway. They are now completed and include:

- Ballfields
- Track and field facilities
- Soccer fields
- Volleyball courts
- Concession stand with locker rooms and restrooms
- Parking
- Tennis courts

Similarly, the Robert's Grove improvements mentioned in 2000 have been completed. They include:

- Resurfacing the basketball and tennis area
- Relocating the children's play area
- New playground equipment
- A shelter

Also in Hydetown, the former railroad right-of-way is a potential recreational resources. Acquired by the Clear Lake Authority, there are two "rails-to-trails" projects proposed. One is from Centerville to Sparatansburg; the second from Hydetown to Centerville. Funding for

the first project is on the "TIP" (see the Transportation section). Some right-of-way issues remain on the second project before it can be finalized.

For some years, Longeway Park in Titusville has been used as a neighborhood park. Adjacent land was owned by the Western Pennsylvania Conservancy, and in September of 2005, that property was formally deeded to the City.

Other changes have occurred. One reflects the change in recreational preferences. Tennis was a popular sport in the 1970s and 1980s, declining in popularity in the 1990s. Between 2000 and 2005, one of the tennis court complexes at Burgess Park was converted to skating use. Part of this facility (next to the City's pool) is now used for deck hockey and part for jumping ramp facilities. This conversion cost was approximately $60,000.

Current plans for recreational improvements for Titusville include:

- Improve/redo the playground at Burgess Park*
- Rehabilitate the Burgess House (repair roof, add activity rooms, bring restrooms to ADA standards)*
- Rehabilitate the outdoor pool, 2006, estimated cost $300,000
- Upgrade Longeway Park, 2007, estimated cost $60,000

*Application for assistance filed–project cost $340,000

Another need of the Titusville recreation program is to prepare a comprehensive maintenance program.

In Hydetown, Hasbrouck Park remains their sole public park. Though improvements to existing facilities have been completed, no increase in the overall recreational inventory was made.

The YMCA and YWCA continue their operations in Titusville, similar to the 2000 Plan.

## Schools

All of this study area is covered by the Titusville Area School District. Most of their physical facilities, except for the Pleasantville Elementary, are in Hydetown or Titusville. Enrollment in the district has declined about 7 percent since 2000, and the State Department of Education

expects that decline to extend over the next 10 years. Around the year 2000, improvements were made to the Hydetown and Main Street (Titusville) Elementary Schools, and a new middle school was constructed. Consequently, no new facilities are now expected. If enrollment decreases occur as predicted, school closures may be anticipated. In fact, the elementary school in Cherrytree Township was closed by the school district. The local communities must take the initiative to work with the district to insure any school closure and property reuse does not adversely affect the area.

The Titusville branch of the University of Pittsburgh remains a vital resource in the area. It offers over sixty courses in a wide variety of subjects. The local campus is continually improving its local physical plant.

## Water

Within the three municipalities that comprise this Plan amendment, only one public water system exists, the Titusville system. The system uses groundwater for its source via a cluster of ten inter-connected wells located at the Titusville/Oil Creek border at McKinney Street, near Oil Creek. The system has approximately 2,600 users, with most customers in the City. However, bulk water is pumped to Pleasantville, and there are some individual users in Cherrytree Township as well as Oil Creek Townships. The prior plan noted that the system had been plagued with leak problems, but repairs were made and it is currently in sound condition. There have been no dramatic changes since the 2000 Plan.

There is no current or planned water service to Hydetown.

## Sanitary Sewer

The City of Titusville operates a sanitary sewer collection and treatment system. In 2000, the City undertook an extensive series of line replacement and repairs as well as the separation of major storm drains from the old combined sewer system (see the 2000 Plan for details). These activities were the result of actions by the Commonwealth. This and other improvement actions have resolved problems with the Pennsylvania Department of Environmental Protection. In addition to the City, Titusville accepts limited wastewater from Oil Creek Township. One contributing area is along Route 27 west of Titusville; the other is Route 8 west of the City.

There is no current or planned sewer service to Hydetown.

# Transportation Plan

The three primary elements of the study area's transportation are air, rail, and highway. As explained in the 2000 Plan, transportation funding is primarily funded via the TEA-21 legislation (Federal) and State funds. A necessary planning element of the TEA-21 approach for rural areas is a Rural Planning Organization (RPO). For Crawford County, the RPO is the Northwest Pennsylvania Regional Planning and Development Commission (NWPRP&DC). Every two years a Transportation Improvement Program (TIP) is prepared listing projects for Federal and State funding. These include elements for highway, air, and rail facilities.

TEA-21
Moving Americans into the 21st Century

## Air

The closest air facility for the study area is the Titusville Airport. This is a city-owned facility and is physically located on the Cherrytree Township (Venango County) Oil Creek Township border. Just a small portion of the airport property and a portion of its landing approaches are in Oil Creek Township. Rated as a public-use, general facility, most of its services are for business or recreational flyers using small planes.

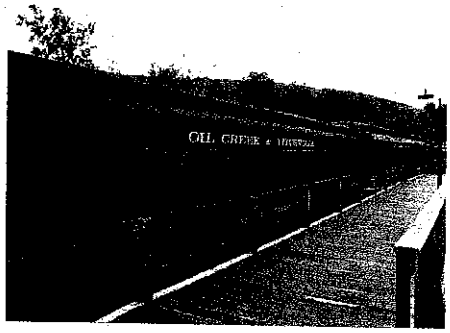
Currently, the airport has a planned improvement program in excess of $600,000. Projects and activities include:

- New terminal apron (2006)
- Runway – crack sealing and coating (2007)
- Master Plan update (2007)
- Unicom base station
- Runway connection

All of these improvements are contained in the NWPRP&DC "TIP" program. Consequently, funding is available, and these improvements should be realized.

## Rail

The OC&T (Oil Creek and Titusville) provides rail service to Titusville. This is a short line and functions not only as a tourist attraction, but also carries freight. Though the line is operated by a private railroad, the rails are in a quasi-public ownership. The Commonwealth of Pennsylvania does offer some finance assistance to railroads. There is $126,000 in the PennDOT 12-Year Plan to upgrade the OC&T mainline track.



The Oil Creek and Titusville Railroad

## Highways

In the 2000 Plan, the primary emphasis was placed on a series of road projects along Route 8 between Oil City and Titusville. In all, nine projects totaling some $21.5 million in improvements were scheduled. Of the nine projects listed on page T-9 of the 2000 Plan, one has been dropped as unneeded (the Route 8 and Route 227 intersection in Rouseville), four have been completed, and two are scheduled for further action. One such project is the addition of a truck lane plus surface overlay from the Cherry Tree-Route 417 intersection north to the top of the hill. That is scheduled for letting in 2008, with an estimated cost of $5 million. The "Sportsman's Tavern" project is due for design in 2010 and ROW acquisition also in 2010. Total project cost is $2.3 million.

Those projects not scheduled are:

- Realignment of Route 8 north of Kane Road
- The addition of a truck lane, south of Titusville – the Smock Boulevard project

Generally, they have been dropped due to unfavorable cost benefit analysis.

Other recent projects include the reconstruction of the Route 8 and Route 27 intersection in Titusville. This was a safety project, with cost estimated at $250,000. Also, it must be noted that plans for improvements to Route 89 north (in Oil Creek Township) are scheduled to alleviate a series of "S" curves. Engineering is estimated at $100,000; construction is not yet scheduled.

In 2004, a "Congested Corridor Study" was completed for the Route 8/27 area in Titusville, from West Spring and West Central to Main and Caldwell Street. Its primary

recommendations involved the improvement of signals in the study area as well as the removal of some parking to facilitate truck flow. The coordination of traffic signals will be in the immediate downtown area only. City officials indicate this project will be completed over the next three years.

The "12-Year Plan" also lists a bridge replacement on South Perry Street over the Oil Creek in Titusville as local project. The preliminary design for this bridge was due to be let in 2005, with final design in 2006, and construction in 2008. Design costs are $250,000; final construction costs are not known yet. The City of Titusville will provide 5 percent of project cost.

The long-term transportation plans of the area now must focus on Route 8 north of Titusville and improvements to provide improved access to Meadville. Of special interest to the three communities concerned with this Plan is the impact of the new Wal-Mart store on Route 8 traffic volumes. Accurate new traffic counts are needed to determine what corridor enhancements are required for that road.

In the 2000 Plan, it was noted that only "Demand Response" transit service was available to the Oil Creek area. Users would call a day prior to their trip to schedule their travel. And, that service is still available. Fares for senior citizens vary from $2.45 to $0.25 per ride, depending upon the destination. Generally, this service is available Monday through Friday, 8:30 a.m. to 4:00 p.m. On Sunday, the hours are 9:00 a.m. to 1:00 p.m. There is no Saturday service. Special trips include Meadville (on Thursday) and the Cranberry Mall (two times a month).

In 2005, a new fixed route bus service was started. There are two routes in the Titusville area–the Blue and Green Routes. Both begin in downtown Titusville at the Drake Mall, with a one-hour head time. The Green Route starts at 5:00 a.m. Service loops through the western residential area of Titusville (including the hospital) and turns around at Wal-Mart, returning to the mall via Spring Street. The Blue service also starts at the Drake Mall, turns on Rockwood, and returns to the mall via the senior center and Central Towers. Service concludes about 5:30 p.m. This service just started in 2005. Fees are $1.00 for adults, $0.50 for youth, and those over 65 can ride free with a transit ID card. Both routes offer limited Saturday service.

## Housing Plan

As noted in the 2000 Plan, housing is a key element of any comprehensive plan, and that was certainly true in the Oil Creek Region.

Table H-1 shows the housing unit count in 1980, 1990, and 2000.

**Table H-1**
**Housing Counts – 1980, 1990, and 2000**

| Municipality | 1980 | 1990 | 2000 | 1980-2000 Gain/Loss | Percent |
|---|---|---|---|---|---|
| Hydetown Borough | 264 | 289 | 264 | 0 | 0 |
| Oil Creek Township | 820 | 852 | 844 | +24 | +3 |
| City of Titusville | 2,691 | 2,746 | 2,742 | +51 | +2 |
| **Total** | **3,775** | **3,887** | **3,850** | **+75** | **+2** |

Source: U.S. Census Report – 1980, 1990, and 2000

Table H-1 confirms a prior observation. Although the population with this three-community study has dropped over the past two decades, the number of housing units has changed very little–just 1 percent per decade.

Vacancy rates are generally modest. According to Census 2000, the rate for Titusville was 9 percent, while Hydetown's was 4.9 percent, and Oil Creek was set at 9 percent. However, in both Hydetown and Oil Creek, the majority of vacant units were seasonal, or were sold or rented, but not yet occupied. When those factors were considered, Hydetown's vacancy rate dropped to 1 percent, while Oil Creek fell to 1.5 percent. That was not the case in Titusville. Units for rent or sale, excluding other vacancies, still amounted to 7.7 percent of the housing stock.

The relative cost of housing was of interest in the prior plan, and remains so today. Contract rent and the estimated value of owner-occupied homes is shown in Table H-2.

**Table H-2**
**Housing Cost Factors**
**Hydetown, Oil Creek, Titusville**

| | Estimated Value* | | | | Median Contract Rent | | | |
|---|---|---|---|---|---|---|---|---|
| Municipality | 1990 | 2000 | Change | Percent | 1990 | 2000 | Change | Percent |
| Hydetown | $42,300 | $62,200 | $19,900 | +47 | $217 | $270 | +53 | +24 |
| Oil Creek | $38,000 | $59,300 | $21,300 | +56 | $243 | $291 | +48 | +20 |
| Titusville | $37,900 | $50,100 | $12,200 | +32 | $211 | $286 | +75 | +36 |

*Value of owner-occupied housing as estimated by owner

Source: Census 2000, 1990 Census

Table H-2 shows significant increases in housing costs for the area, both in owner-occupied homes and rental units. Such relative changes are hardly unique, as the cost of housing increased dramatically in the 1990s. Rental increases were less than, or mirrored, changes in the cost of living (+32%) in the decade. Conversely, the value of owner-occupied housing showed dramatic increases in Hydetown and Oil Creek. Yet, all municipalities were below the Countywide increase of 68 percent.

No changes in the 2000 Plan policies for housing are recommended.

## Land Use Plan

This Plan Amendment was prepared essentially for the Land Use Plan, and there were two primary purposes. The first purpose was to implement the Plan 2000 recommendations. In the year 2000 Plan, under the heading of Municipal Profiles, specific recommendations were made. A summary of those recommendations, which apply to the three communities concerned with this Plan Amendment, follow:

> Hydetown: Update its zoning ordinance, and stressed the need for a subdivision ordinance. Although the Plan recommended a countywide ordinance that has not occurred, and the Borough opted to prepare their own.
>
> Oil Creek: Update the SALDO and revise the zoning ordinance. The 2000 Plan noted the potential for large-scale commercial or industrial development, along the Route 8 or Route 27 corridors. That observation was confirmed by the recent construction of the new Wal-Mart on Route 8 just south of the Skyline Industrial Park.
>
> Titusville: The main recommendations for Titusville was allow the three municipalities to prepare a complete update for both of its land use ordinances, zoning and subdivision regulations.

The second primary purpose of the Land Use Plan was to participate in a land-use sharing agreement. That option was not available when the original Regional Plan was prepared. And, even after the passage of Act 67 and Act 68, there were limits to land-use sharing. When the work program for this Plan was prepared, a land-use sharing agreement needed to have the following elements:

- A multi-municipal comprehensive plan adopted by all parties

- Adopted and administered zoning ordinances by all municipalities that are generally consistent with the multi-municipal plan

- The municipalities are to be contiguous *(Note: In 2004, this requirement was amended to allow non-contiguous municipalities in the same school district to adopt a multi-municipal plan.)*

The City of Titusville, Borough of Hydetown, and the Township of Oil Creek were interested in pursuing a possible multi-municipal land-use sharing agreement; but, in the context of the original Plan, it could not used for this purpose as the criteria "all municipalities participating . . . have adopted and are administering zoning ordinances generally consistent with the provisions of the multi-municipal comprehensive plan" [see PaMPC Section 1006.A.(b.1)] could not be met. However, Hydetown, Oil Creek, and Titusville all did have zoning and believed that land-use sharing would be beneficial.

As a result of these two purposes, a work program to update or prepare the needed land use ordinances and create an amended multi-municipal plan for the purpose of land-use sharing was developed. To arrive at a regional concept acceptable for all participants, a committee was formed and worked diligently with focus on two primary items. One is the Land Use Plan, as shown by the plate on the next page. A second was a schedule of "preferred" and "not preferred" land uses to serve as a basis for a formal land-use sharing agreement (see Table LU-1).

To further that end, land-use designations were limited to classifications. These classifications were intended to combine zoning districts all allowing as much local flexibility as possible. To accomplish this goal, the following classifications were adopted:

- Low-Density Rural: This classification is intended to include rural resource areas where water and sewer services are not planned and uses will focus on scattered homes, agriculture, and open space areas.

- Suburban Residential: Very low to low-density residential where water and sewer services may or may not yet be available.

- Urban Residential: High-density, single-family, two-family, and occasional multi-family (one- and two-story) dwellings. All utilities available.

- High-Density Residential: Various forms of multi-family dwellings. All utilities available.

- Mixed-Use Areas: These are often found along busy traffic corridors and combine residential with some commercial uses. In some areas, there will be retail-type uses, but, generally, this designation is intended for office and limited service commercial uses which create little traffic, and need only limited parking. One of the primary functions of mixed use is to provide greater use flexibility for areas that are essentially residential but are being impacted by heavy traffic use.

- Commercial: Commercial areas of all kinds, highway, downtown, and office.

- Restricted Development: Areas where physical conditions will limit development options. Generally intended for very low-density residential and open space uses. There are two such designations for this plan, the first, Restricted Development is primarily used for the City of Titusville, the second designated as Rural Development Limited is used in Oil Creek Township

- Parks and Open Space: Areas permanently set aside as public open space, such as parks and cemeteries.

- Industrial: Light, very light, and heavy industrial uses.

- Institutional: Larger public/semi-public uses, such as schools, colleges, and hospitals.

- Future Growth Areas: Originally this category was to be used along the Route 8 area at the Oil Creek and Hydetown Border area. However, specific uses were then identified for that area, and this designation is now reserved for future use.

## Land-Use Sharing

Historically, zoning in Pennsylvania has been exercised by single municipalities. Though joint municipal zoning ordinances were allowed under Pennsylvania's Planning Code since 1968, they have found very few participants. This is usually due to a perceived loss of sovereignty by participants.

Because most zoning ordinances cover only one municipality, and because individual property rights are important in Pennsylvania, it has been a general principal that all uses must be accommodated by each ordinance. That does not mean an ordinance with every possible use listed. Rather, municipalities have written their zoning to cover the three basic land-use categories: residential, commercial, and industrial. Often, this practice seems unreasonable. For example, a small residential borough might be next to a large city. Even

though the city may have an over-abundance of industrial land, the borough also must still provide for that use. Other typical issues of this type deal with high-density residential developments and big-box retailers.

To address this issue, Acts 67 and 68 in 2000 introduced the concept of land-use sharing. Simply stated, it allows zoned communities, which have the same comprehensive plan, to "share" uses between them. Often, this sharing is little more than common sense. For example, Hydetown has neither public water or sewer; consequently, most commercial, industrial, and high-density residential uses are inappropriate. In a similar vein, high-rise apartments and heavy industry can be accommodated in Titusville.

Based upon local preferences, the three municipalities that initiated this Plan met and negotiated a Shared Land Use Strategy intended as the basis for a multi-municipal agreement. (See the Table LU-1.) At the same time that Table LU-1 was being prepared, new land use ordinances were drafted for each municipality. Though different land use impacts, they all follow the same basic format. This is to emphasize the multi-municipal nature of land use.

However, even with all ordinances being similar and a strategy for land use sharing concepts in place, it was jointly recognized that not all future contingencies can be addressed. And, often, some uses are associated with concurrent issues beyond the scope of traditional zoning ordinances. As such, the participants of this Plan have decided to deal with such events individually on a case-by-case basis.

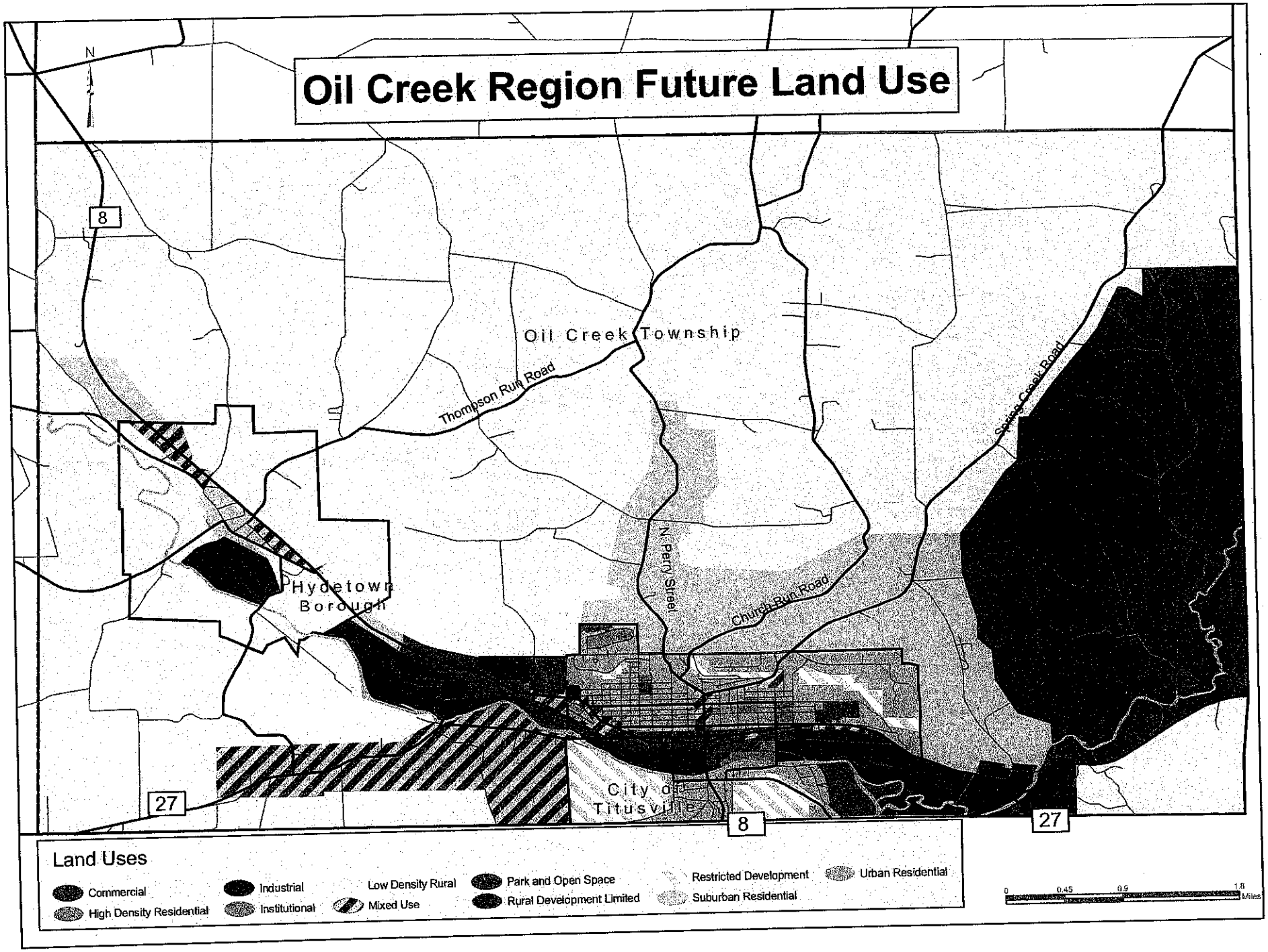
For the uses delineated on Table LU-1, and for the purpose formalizing their of coordination, Titusville, Hydetown, and Oil Creek intend to enter into a multi-municipal land use sharing agreement as provided for by Sections 1102, 1103, and 1104 of the Pennsylvania Municipalities Planning Code.

| Table LU-1<br>Hydetown-Oil Creek-Titusville Shared Land Use Strategy | | |
|---|---|---|
| **Land Use** | **Preferred** | **Not Preferred** |
| Standard Agriculture | HY, OC | TV |
| Confined Animal Feeding Agriculture | HY, OC | TV |
| Single-Family Dwellings | HY, TV, OC | |
| Medium-Density Multi-Family (duplexes to quads) | HY, TV, OC | |
| High-Density Residential (apartments, townhouses, etc.) | TV, OC | HY |
| Mobile Home Parks | HY, OC | TV |
| Elderly Housing (mixed type, personal care, nursing homes, apartments, etc.) | HY, TV, OC | |
| Small Retail Businesses less than 20,000 square feet (Sheetz, Dollar General) | HY, TV, OC | |
| Medium Retail Businesses (up to one acre under one roof) | TV, OC | HY |
| Large Retail Shops, Plazas, Malls | TV, OC | HY |
| Hotels/Motels | TV, OC | HY |
| Light Industry–Small Building (one acre or less under roof) | TV, OC | HY |
| Industrial Parks | TV, OC | HY |
| Light Industry - Large Buildings (one acre or more under one roof) | TV, OC | HY |
| Office Parks | HY, TV, OC | |
| Heavy Industry (smelting, forges, etc.) | TV, OC | HY |
| Transportation/Warehousing Truck Terminals | TV, OC | HY |
| Mineral Extraction (cannot be limited in every case) | OC | HY, TV |
| Gas and Oil Extraction (cannot be limited in every case) | HY, OC | TV |
| Recreational Campgrounds | OC | HY, TV |
| Outdoor Commercial Recreation (stadiums, racetracks, concert halls) | TV, OC | HY |
| Junkyards | OC | HY, TV |

## Plan Elements Not Changed

The following Plan elements have not been changed by this Amendment:

- Economic Plan (However, the concept of a greenfield industrial park was again endorsed.)
- Housing Plan
- Plan for the Protection Natural and Historic Resources


Oil Creek Region Future Land Use
N
8
Oil Creek Township
Thompson Run Road
Spring Creek Road
N. Perry Street
Church Run Road
Hydetown Borough
City of Titusville
27
8
27
Land Uses
Commercial
High Density Residential
Industrial
Institutional
Low Density Rural
Mixed Use
Park and Open Space
Rural Development Limited
Restricted Development
Suburban Residential
Urban Residential
0
0.45
0.9
1.8
Miles

# Appendix

## Intergovernmental Cooperative Agreement

**INTERGOVERNMENTAL COOPERATIVE AGREEMENT**
**IMPLEMENTING THE AMENDED OIL CREEK REGION MULTI-MUNICIPAL PLAN**

THIS INTERGOVERNMENTAL COOPERATIVE AGREEMENT IMPLEMENTING THE MULTI-MUNICIPAL PLAN is created by and among the municipalities listed below (collectively, the Participant):

The Borough of Hydetown*
The City of Titusville*
The Township of Oil Creek*

**All the municipalities are within the County of Crawford, Pennsylvania and the Titusville Area School District.*

THIS AGREEMENT IS ADOPTED pursuant to the authority set forth in the Intergovernmental Cooperation Act of December 19, 1966, 53 Pa. C.S.A."2301 *et seq.* and Article XI of the Municipalities Planning Code, as amended, 53 P.S. "11101 *et seq.*

THIS AGREEMENT SHALL BE EFFECTIVE upon the passage of an ordinance by the governing body of each of the Participants adopting this Agreement.

**BACKGROUND**

A. The Participants are parties to an Intergovernmental Cooperation Agreement for Multi-Municipal Planning, effective December 11, 2003 (the Planning Agreement). In the Planning Agreement, the Participants established the Oil Creek Region Steering Committee (the Committee). Pursuant to the requirements of the Planning Agreement, the Committee developed the Oil Creek Region Multi-Municipal Plan for the Participants (the Plan). Each of the Participants has adopted the Plan as their comprehensive plan pursuant to the requirements of Article III of the Municipalities Planning Code (the AMPC).

B. The Participants applied for and received a grant from the Commonwealth of Pennsylvania under the Land Use Planning and Technical Assistance Program, as administered by the Department of Community and Economic Development. The purpose of this grant was to prepare zoning as well as subdivision and land development ordinances that would be consistent with the Oil Creek Region Multi-Municipal Plan, as specifically amended for the three Participants of this Agreement. The three Participants agreed to adopt said ordinances within two years from the date of this Agreement and after a written finding by the Oil Creek Regional Steering Committee that said ordinances are indeed consistent with the Oil Creek Region Multi-Municipal Plan.

C. Section 1104 of the MPC authorizes municipalities that have developed a multi-municipal comprehensive plan to enter into an intergovernmental cooperative agreement to implement that plan. Section 303(d) of the MPC further provides that municipal zoning, subdivision and land development regulations, and capital improvement programs* shall generally implement the multi-municipal plan. The Participants hereby adopt this Implementation Agreement to establish the process for achieving general consistency between the Plan and the land development ordinances of each Participant, to establish a dispute resolution

mechanism, to establish a process for the review and approval of developments of regional significance, and to establish the role and responsibilities of the participating municipalities with respect to implementation of specific provisions of the Plan, including provisions for infrastructure, rural resource areas, and to provide for the required reporting.

**At this time, there is no formal capital improvement program within the participating municipalities.*

NOW, THEREFORE, in order to implement the Amended Oil Creek Region Multi-Municipal Plan, and to comply with the requirements of the MPC, and to avail themselves of the powers conferred upon municipalities that develop and implement multi-municipal comprehensive plans under the MPC, as an exercise of their police power to protect the health, safety, and welfare of the citizenry, and in furtherance of their obligations as trustees of the natural, scenic, and historic resources of the Commonwealth, and intending to be legally bound, each Participant agrees as follows:

A. Adoption of Conforming Ordinances

Within two years after adoption of the Plan, each Participant will implement the Plan by adopting, amending, or otherwise conforming its zoning ordinance, its subdivision and land development ordinance, its capital improvement plan, when prepared, and other ordinances, plans, or regulations related to land development, such as the regulation of floodplains, wetlands, stormwater, steep slopes, and historic districts (land development ordinances), as necessary so that they are generally consistent with the Plan. Any amendment, revision, extension, supplement, or modification of any existing Sewage Facilities Plan, including approval of a private development-planning module, shall be generally consistent with the Plan.

B. Determining and Achieving General Consistency

1. The Committee Shall Determine Consistency

The Oil Creek Regional Steering Committee shall continue as provided in the Oil Creek Regional Area Planning Agreement, which provisions pertaining thereto are hereby incorporated by reference into this Implementation Agreement. The Committee is authorized to review the density and land use provisions of the land development ordinances of each Participant to determine whether they are generally consistent with the Plan. The Committee shall make the final determination on general consistency.

2. General Consistency Standards

When evaluating a Participant's ordinances for general consistency, the Committee shall examine what is allowed by existing land development ordinances. The Committee shall determine whether there is a reasonable, rational, similar connection, or relationship between the land development ordinances of each Participant and the provisions of the Plan. (MPC Section 107.) The Committee shall focus specifically on whether the goals, policies, and guidelines of the Plan are compatible with the location, types, densities, and intensities of uses permitted by existing zoning ordinances. The Committee shall determine whether infrastructure

plans, sewage facilities plans, and development parameters set forth in the land development ordinances of each Participant are generally consistent with the Plan. The Committee shall also determine whether the Participant utilized similar data and projections in the development of its ordinances, as were utilized by the Committee in developing the Plan.

3. Adoption of and Amendment of Land Use Ordinances

If a Participant feels an ordinance is generally consistent with the Plan that has been identified by the Committee as not generally consistent with the Plan, the Participant, the Committee, or any other Participant may engage the dispute resolution provisions of Section 8 to resolve the disagreement. If, as result of the dispute resolution process, it is determined that the Participant's ordinances are not generally consistent with the Plan, the Participant shall, after complying with all applicable procedural requirements of the MPC and any other statutes, amend its ordinances to make them generally consistent with the Plan.

4. Advance Notification of Ordinance Amendments

Whenever any Participant proposes to amend a land development ordinance, for any reason, it shall provide a copy of the proposed amendment to the Committee, and to each Participant, along with a statement as to the sponsoring Participant's view of the proposed amendment's general consistency with the Plan. The Participant's notification to the Committee shall occur at least thirty days prior to any public hearing the Participant is required to hold on the amendment of the ordinance. This notice shall occur prior to any action by the Participant to adopt the proposal.

5. Committee Review of Amendments Prior to Adoption

The Committee shall review each proposed amendment to a land development ordinance to determine whether the ordinance will be generally consistent with the Plan if the amendment is adopted as proposed. The Committee shall make this determination within forty-five days from the date it received advance notification by the Participant of the ordinance amendment, unless otherwise agreed to by all Participants. A failure of the Committee to make the determination on consistency within forty-five days (or within the time period agreed upon by the Participants) shall result in the requested amendment of the Participant's land development ordinance to be deemed "generally consistent" with the Plan and which the Participant may act upon. If it is determined that the land development ordinances of the Participant will become or remain generally consistent with the Plan if the amendment is enacted, the Committee shall so advise the Participant, which shall be free to act on the amendment. No ordinance may be adopted that is inconsistent with the comprehensive plan.

6. Procedure When Committee Determines Proposal is Not Generally Consistent

If the Committee determines that the proposal is not generally consistent with the Plan, the Committee shall so advise the Participant sponsoring the proposal. The notice shall be in writing and shall include a statement of the perceived inconsistency and an indication of what changes could be made to the proposal to eliminate the conflict, if possible. Upon receipt of notification that the proposal is unacceptable to the Committee, the Participant shall either modify the proposal to satisfy the objections of the Committee, seek an amendment to the Plan, or submit the matter to the dispute resolution process as outlined in Section 8 below. Where the Participant elects to modify the proposal, it shall resubmit the proposal as modified to the Committee for further review prior to enactment.

7. Maintaining Consistency

Any time a Participant is required to make a submission to the planning agency or to the county planning agency under the MPC, the Participant shall also make an identical submission, at the same time, to the secretary of the Committee. The Committee shall have the right to submit comments, recommendations, or proposed amendments to the Participant and appear and comment before the body or board that is to take action on the matter.

C. Specific Municipal Responsibilities in Implementation of the Plan

Section _____ of the Plan identifies specific land use allocations in __ of the Participating Municipalities. In each area where a specific land use is encouraged or prohibited by the Plan, the affected Participant will adopt the necessary ordinances to implement the Plan as follows:

Borough of Hydetown (general and specific land uses)
City of Titusville (general and specific land uses)
Township of Oil Creek (general and specific land uses)

D. Implementation of Specific Provisions of the Oil Creek Region Multi-Municipal Plan

(1) Each Participant agrees to fully perform and implement all responsibilities assigned to it in the Oil Creek Multi-Municipal Plan as set forth on Schedule _____,attached hereto.

(2) Each Participant agrees to fully perform and implement all other duties and responsibilities it is required to perform, either singularly or in conjunction with other Participants, in connection with implementation of the Oil Creek Region Multi-Municipal Plan, including those responsibilities with respect to any of the areas designated by the Oil Creek Regional Multi-Municipal Plan as growth areas, future growth areas, and rural resource areas in accordance with Article XI of the MPC.

E. Procedure Upon Amendment of the Plan

If the Participant requests that any amendment be made to the Plan, that request shall be made in writing to the Committee and to all the Participants individually. The Participants shall abide by all relevant provisions of the MPC when acting on whether to amend the Plan, provided the Participants agree final decision to amend the Plan and actual amendment of the Plan, when applicable, shall occur within ninety days of the date the Participants gave notice of the request to amend. Failure to meet the ninety-day deadline shall result in a deemed approval by the Participants of the requested amendment, and the Participants shall so amend the Plan as quickly as permitted under the MPC.

6. Procedure Upon Amendment of the Plan

When the Participants approve an amendment to the Oil Creek Regional Multi-Municipal Plan, the Committee shall review the Plan as amended, the zoning, subdivision, and other land development ordinances and related regulations of each Participant to determine if amendments to the ordinances and regulations of any Participant are required to achieve general consistency between the Plan as amended and the ordinances and regulations of the Participants. The Committee shall make recommendations to the governing body of each Participant concerning proposed amendments to its land development ordinances and regulations to implement the amended Plan within forty-five days of the date of the amendment of the Plan, unless otherwise agreed to by all Participants. If requested, the Committee will assist the Participants in conforming their land development ordinances to the Plan as amended.

**Optional 6. Redefining Growth, Future Growth, and Rural Resource Areas**

In conjunction with each comprehensive review and amendment of the Plan, but not less frequently than every ten years, the Committee shall evaluate the operation, application, and development within each designated growth, future growth, and rural resource area designated by the Plan. The purpose of this review is to determine if it is necessary to redefine those areas to achieve the goals and objectives of the Plan. In conducting this review, the Committee shall review the assumptions that went into the initial designation of the areas and assess the development or other activities that have actually occurred within the designated areas. The Committee shall determine the extent to which the designated areas have functioned as anticipated at the time they were created. The Committee shall review the extent to which the population growth projections, projected housing demand, and other assumptions that supported the designation of the areas have been fulfilled. The review shall also determine the extent to which the infrastructure planned for growth areas has been developed, or, if undeveloped, is planned for future development. The review shall also examine the capital improvement plans required to develop needed infrastructure or otherwise implement the Plan. If this review indicates a need for changes in designated growth, future growth, or rural resource areas, or other amendments to the land development ordinances and regulations of the Participants to improve the functioning of the designated areas, the Committee shall recommend changes to the Participants.]

7. Implementation of Approved Plan Amendments

Each Participant agrees that within two years of the passage of its ordinance adopting a Plan amendment, it will conform its zoning, subdivision, and other land development ordinances and regulations to the Plan as amended.

8. Dispute Resolution

A dispute or claim over the rights or obligations, performance, breach, termination, or interpretation of this Implementation Agreement, the Plan or any other matter, action, claim, dispute, question, or issue arising under the terms of this Agreement not otherwise resolved between or among Participants, and/or one or more Participants and the Committee may be resolved as follows:

(1) The disputing parties agree to first discuss and negotiate in good faith in an attempt to resolve the dispute amicably and informally.

(2) If the dispute cannot be settled through direct discussions and good-faith negotiations, the disputing parties agree that, upon written notice by one of the disputing parties to the other or others, they will endeavor to settle the dispute in an amicable manner by mediation utilizing the auspices of the County pursuant to the provisions of Section 1104(d) of the MPC, the American Arbitration Association, or such other mediation agency as the parties may agree. Unless otherwise agreed, costs of mediation will be shared equally by the disputing parties. The dispute resolution process described herein shall take no longer than forty-five days, unless agreed otherwise by all Participants.

(3) The Participants mutually covenant to make best efforts to resolve disputes as they arise.

9. Enforcement

This Agreement may be enforced against any Participant by any other Participant in accordance with Section 2315 of the Intergovernmental Cooperation Act, 53 Pa. C.S.A. §2315.

10. Reports

By March 1st in each year following the execution of this Implementation Agreement, each Participant will furnish a report that describes the activities carried out pursuant to this Implementation Agreement during the previous year. In addition to a description of the Participant's activities pursuant to this Implementation Agreement, the report shall include summaries of public infrastructure needs in growth areas and progress toward meeting those needs through capital improvement plans and implementing actions, and reports on development applications and dispositions for residential, commercial, and industrial development. The report shall be in sufficient detail to enable the evaluation of the extent all categories of use are being provided within the area of the Plan. the Committee may assist the Participants in preparing their annual report and is authorized to compile and consolidate the information contained in the Participant's annual reports into a single, comprehensive, and detailed report, a copy of which will be provided to each Participant and the Crawford County Planning Commission.

7. Amendment of Implementation Agreement

a. Requirements

An amendment to this Implementation Agreement that affects the rights and obligations of all Participants may be made only with the consent of all Participants, each of which shall execute the amendment.

b. Consistency with the Amended Oil Creek Region Multi-Municipal Plan

No amendment to this Implementation Agreement shall be inconsistent with the Amended Oil Creek Region Multi-Municipal Plan. Any amendment that is not generally consistent with the Oil Creek Regional Multi-Municipal Plan shall be void.

c. Notice of Amendment

A true and complete copy of every amendment of this Implementation Agreement shall be provided to each Participant within ten days of the full execution thereof or its effective date, whichever is sooner.

12. New Participants to This Implementation Agreement

Additional Participants may join this Implementation Agreement. A new Participant must first be admitted as an Additional Participant to the Committee under the terms of the Planning Agreement and execute the Planning Agreement. If a new Participant's joinder will require an amendment to the Amended Oil Creek Region Multi-Municipal Plan, the new Participant may join the Implementation Agreement within (i) the Participants have approved an appropriate Plan Amendment providing for the admission of the Additional Participant and (ii) the Additional Participant has adopted the Amended Oil Creek Region Multi-Municipal Plan as so amended and has agreed to execute and be bound by this Implementation Agreement.

13. Withdrawal

A Participant may voluntarily withdraw from participation in this Implementation Agreement at any time after having been a Participant for at least six months, provided that the Participant shall give at least thirty days' notice to the Committee secretary and to each other Participant. Any Participant who withdraws from the Planning Agreement shall be automatically withdrawn from this Implementation Agreement.

RECEIVED

DEC 31 1987

CITY MANAGER'S OFFICE
TITUSVILLE, PENNA.