

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda

Monday, July 15, 2019

7:00 PM

I. CALL TO ORDER

II. CITIZENS INPUT

III. SPECIAL REPORTS

1. 2020 Census Presentation
2. Centre Area Transportation Authority
3. Community Engagement/Strategic Plan Progress Report

IV. APPROVAL OF MINUTES

1. July 1, 2019, Board of Supervisors Regular Meeting

V. UNFINISHED BUSINESS

1. Authorization of Zoning/Subdivision & Land Development Ordinance Amendments for Public Hearing
2. Authorization for Advisory Services Agreement with Cornerstone Wealth Advisory & Insurance Services to the Township's Non-Uniformed Pension Plan
3. Review of Draft Discrimination Ordinance
4. Discussion of Stormwater Fee Feasibility Study Timeline and Schedule

VI. NEW BUSINESS

1. Consent Agenda
2. Conditional Use Hearing Application – 3062 Ernest Lane, State College Borough Water Authority
3. Review of CCEDP Evaluative Approach to Economic Development Retention & Expansion Projects

VII. REPORTS

1. COG Committee Reports
2. Other Regional Reports
3. Staff Reports

VIII. COMMUNICATIONS TO THE BOARD

IX. CALENDAR ITEMS – JULY/AUGUST

1. Coffee & Conversation, Naked Egg Café, 8:00 – 9:30 a.m., Friday, July 19th, 320 Pine Grove Rd.

X. ADJOURNMENT



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TOWNSHIP OF FERGUSON

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**Board of Supervisors
Regular Meeting Agenda
Monday, July 15, 2019
7:00 p.m.**

I. CALL TO ORDER

II. CITIZEN'S INPUT

III. SPECIAL REPORTS 30 minutes

1. 2020 Census Presentation – Carol King, U.S. Census Bureau
2. Centre Area Transportation Authority – John Spychalski
3. Community Engagement/Strategic Plan Progress Report – Centrice Martin, Assistant to the Manager

IV. APPROVAL OF MINUTES

1. July 1, 2019, Board of Supervisors Regular Meeting

V. UNFINISHED BUSINESS

1. AUTHORIZATION OF ZONING MAP AND ZONING AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AMENDMENTS FOR PUBLIC HEARING 20 minutes

Narrative

On Monday, July 8th, concluding nearly three years of review and comment, the Planning Commission made a recommendation to the Board of Supervisors to authorize advertising of a public hearing for the amendments to the zoning map, and zoning and subdivision and land development ordinances. The consultant engaged by the Township, Carolyn Yagle of Environmental Planning & Design, will be present to answer any questions the Board may have regarding the ordinance text, map, and process moving forward. Provided with the agenda are the most recent iterations of the ordinance amendments and zoning map. Staff is recommending that the Board authorize the public hearing and action on the ordinance amendments and zoning map for Monday, September 16th. This will allow the requisite time for the necessary property postings and legal advertisements.

Recommended motion: That the Board of Supervisors authorize advertisement of the zoning map, and zoning and subdivision and land development ordinance amendments for public hearing and action on September 16, 2019.

Staff Recommendation

That the Board of Supervisors **authorize** the public hearing on the zoning map, and zoning and subdivision and land development ordinance amendments for September 16, 2019.

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- 2. AUTHORIZATION OF THE TOWNSHIP MANAGER TO ENTER INTO AN INVESTMENT ADVISORY SERVICES AGREEMENT WITH CORNERSTONE WEALTH ADVISORY AND INSURANCE SERVICES, LLC FOR THE NON-UNIFORMED PENSION PLAN** 10 minutes

Narrative

In accordance with Pennsylvania Act 44, the Township issued Requests for Proposals (RFPs) to several qualified firms interested in providing investment advisory services for the Township's Non-Uniformed Pension Plan. The advisory services would pertain to the 457 Deferred Compensation Plan and the 401(a) with investments held by ICMA-RC. The total value of the Non-Uniformed Pension Trust Fund is approximately \$3.5 million and includes both municipal and employee contributions made by all non-uniformed employees and certain police officers who have elected to participate in the 457 Deferred Compensation Plan. Staff conducted a thorough review of respondents to the RFP including the evaluation of several key metrics including size of firm and assets under management, municipal experience, SEC inquiries, ethics, process, and more. Of the four respondents, two were selected for interviews and the Township's newly-formed non-uniformed pension advisory committee reviewed the responses. The Township Manager is recommending the Board authorize the engagement of Cornerstone Wealth Advisory and Insurance Services, LLC for investment advisory services to the Non-Uniformed Pension Plan. As part of these services, the firm would act as an independent 3(21) fiduciary, and evaluate investment options, as well as submit recommendations to the committee for changes to the investment portfolio. Additional services include evaluating fees charged by the plan sponsor and assisting in the development of an investment policy statement. Provided with the agenda is an engagement letter from Pat Geary, Managing Director of Cornerstone. Mr. Geary will be present to answer any questions the Board may have. It is important to note that the Township Manager is the Coordinator of the Non-Uniformed Pension Plan as stipulated in Chapter 1, Section 1274 of the Code of Ordinances. The fee for services is \$12,000 per year and would be committed from the General Fund.

Recommended motion: That the Board of Supervisors authorize the Township Manager to enter into an advisory services agreement with Cornerstone Wealth Advisory and Insurance Services, LLC for investment advisory services to the Township's Non-Uniformed Pension Plan.

Staff Recommendation

That the Board of Supervisors **authorize** the Township Manager to enter into an agreement with Cornerstone Wealth Advisory and Insurance Services, LLC.

- 3. REVIEW OF DRAFT DISCRIMINATION ORDINANCE**

10 minutes

Narrative

In August 2018, the Board directed staff to draft a Discrimination Ordinance that would protect all persons regardless of race, color, religion, ancestry, age, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a support animal, pregnancy, marital or familial status or family responsibility from unjust discrimination in housing, employment, and the use of public accommodations. The draft ordinance has been provided with the agenda this evening. The draft defines unlawful practices in housing, employment, and public accommodations, and establishes a clear process by which individuals aggrieved under the ordinance may file complaints with the Township. Furthermore, it enables the Township to establish a Human Relations Commission, or contract with the state, to investigate and adjudicate complaints brought before it. The ordinance as drafted is compliant with the Pennsylvania Human Relations Act and preserves an individual's right to dual file complaints with the Commonwealth and the Township. The Manager has engaged in several regional discussions with representatives from State College Borough and Bellefonte Borough about the formation of a regional Human Relations Commission, and these municipalities will be considering similar language in their respective ordinances. State College Borough has had an ordinance prohibiting

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these practices for several years and is the only municipality in the county with experience enforcing this kind of regulation. If the Board is interested in moving forward, the next step would be to provide comments on the ordinance as drafted. It would then be presented back for review and consideration of authorization for public hearing. If adopted, the Board would then appoint a Commission, either locally or regionally, to investigate and adjudicate complaints. No specific action is being requested this evening.

Staff Recommendation

That the Board of Supervisors **review and comment** on the draft Discrimination Ordinance.

4. DISCUSSION OF STORMWATER FEE FEASIBILITY STUDY TIMELINE AND SCHEDULE

20 minutes

Narrative

Earlier this year, the Board of Supervisors approved a contract for services with Wood (formerly Amec, Foster & Wheeler) to conduct the second of a three-phase stormwater fee feasibility study. The first phase, which concluded in 2018, determined that the implementation of a township-wide stormwater fee was feasible, meaning the Township could manage the accounting, as well as justify the costs and levels of service. The second phase is a more in-depth discussion with staff and the Stormwater Advisory Committee to evaluate and make recommendations on the appropriate level of service and fee structure. Other components of this phase of analysis include conducting an inventory of impervious area in the Township, determining an appropriate credit structure, and preparing the ordinance to establish the fee for public hearing. David Modricker, Director of Public Works, will introduce the topic. The schedule established by Elizabeth Treadway in the contract identifies a milestone of October 2019 to present the ordinance for public hearing and adoption. This would permit funds to begin being collected in the spring of 2019 with the issuance of real estate bills. However, given recent Board turnover, staff thought it would be prudent to revisit that schedule and give the Board an opportunity to revise the timeline as may be appropriate. Provided with the agenda are the original and adjusted flowcharts describing the proposed process for adoption of the stormwater fee ordinance. Staff remains in support of proceeding with the timeline as originally approved, understanding that delays due to additional advisory committee meetings will likely result in a November 18th review and public hearing on the ordinance.

Staff Recommendation

That the Board of Supervisors **discuss** the proposed schedule for the implementation of a Stormwater Fee and **direct** staff to proceed based on the results of the discussion.

VI. NEW BUSINESS

1. CONSENT AGENDA

5 minutes

- a. Voucher Report for June
- b. Special Events Permit – Family Fun Ride
- c. 2019-C8 Pay Application 2 – Pavement Markings: \$38,140.20
- d. 2019-C8 Pay Application 3 – Pavement Markings: \$17,843.25
- e. Public Works Maintenance Facility 2nd Extension Request
- f. Hummel Subdivision Extension Request

2. CONDITIONAL USE HEARING APPLICATION – 3062 ERNEST LANE, STATE COLLEGE BOROUGH WATER AUTHORITY

10 minutes

Narrative

The State College Borough Water Authority, 1201 West Branch Road, State College, PA 16801, is proposing to construct a new water treatment plant located at 3062 Ernest Lane (Tax Parcel 24-003-

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007F). Three well buildings currently exist on the property, which total approximately 2,080 square feet. The proposed water treatment plant proposed five standard parking spaces and one ADA space, one loading space and will employ four people. The proposed structure will be located less than 1,000 feet from the nearest residential structure and be surrounded by natural landscape buffer, a proposed landscape buffer and a fence line with privacy slats. A Water Treatment Facility is a Conditional Use within the Rural Agricultural Zoning District. This request has been submitted concurrently with the land development plan and replot plan for the property.

Recommended motion: That the Board of Supervisors authorize a public hearing on the conditional use application submitted by the State College Borough Water Authority for a water treatment plant at 3062 Ernest Lane and refer the application to the Planning Commission for review and comment.

Staff Recommendation

That the Board of Supervisors **authorize** the public hearing on the conditional use application and **refer** the application to the Planning Commission for review and comment.

3. REVIEW OF THE CENTRE COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP EVALUATIVE APPROACH TO ECONOMIC DEVELOPMENT RETENTION AND EXPANSION PROJECTS

20 minutes

Narrative

The Centre County Economic Development Partnership (CCEDP) is a consortium of public and private agencies formed to help the county attract, retain, and grow businesses and entrepreneurs. Since its formation, the CCEDP has partnered with municipalities in Centre County on several projects associated with its established mission. These have included Morgan Advanced Materials, KCF Technologies, and, most recently, Sensor Networks. Each of these projects has included a performance agreement whereby the business is required to meet certain established milestones related to job growth, wages, expansion, and more in exchange for the financial contribution made. These performance agreements include "claw-back" provisions where the CCEDP may recall its commitment if established milestones are not met. Interest has been expressed by several partners in developing a rubric against which potential retention and expansion projects can be evaluated. The Municipal Managers Committee of the Chamber of Business and Industry of Centre County has drafted the attached Evaluative Approach to Retention/Expansion Opportunities to identify the "necessary level of extraordinary performance needed to warrant CCEDP support." At this time, the Board is being asked to endorse the Evaluative Approach as a member of the Centre County Economic Development Partnership.

Recommended motion: That the Board of Supervisors endorse the Centre County Economic Development Partnership Evaluative Approach to Economic Development Retention and Expansion Projects.

Staff Recommendation

That the Board of Supervisors **endorse** the Centre County Economic Development Partnership Evaluative Approach to Economic Development Retention and Expansion Projects.

VII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS

15 minutes

- a. Ad Hoc Facilities Committee
- b. Finance Committee
- c. Joint Parks Capital and CRPRA

2. OTHER REGIONAL REPORTS

5 minutes

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3. STAFF REPORTS

20 minutes

- a. Township Manager
- b. Interim Planning and Zoning Director
- c. Public Works Director
- d. Chief of Police

VIII. COMMUNICATIONS TO THE BOARD

IX. CALENDAR ITEMS – JULY/AUGUST

- a) Coffee & Conversation, Naked Egg Café, 8:00 – 9:30 a.m., Friday, July 19th, 320 Pine Grove Rd.

X. ADJOURNMENT



TOWNSHIP OF FERGUSON

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TO: Board of Supervisors
FROM: Centrice Martin, Assistant to the Manager
DATE: July 15, 2019
SUBJECT: Community Engagement/Strategic Plan Progress Report

The community engagement reports historically informed on print media efforts and online platforms used by the Township to inform and engage residents with Township activity. The Communications Coordinator continues to prepare and produce the following biannual print newsletter and monthly electronic newsletter, updates the Township website, distributes Township news updates and alerts via Constant Contacts, and manages the Township's social media accounts. Attached is a communications report prepared by the Communications Coordinator and a analytical data report for the Township's social media accounts and Constant Contact email distribution list. Data trends show that all Township social media accounts continue to steadily increase the number of followers. The Township successfully leverages social media as a tool to share Township information to residents and community partners. Staff will be reevaluating social media goals and objectives to update the Township's social media strategy and approach to measuring the success of our posts.

Public participation and community engagement events have been regularly facilitated by Township staff in the last twelve (12) months. The following is a list of public outreach events held by the Township to inform on a specific project and invite citizens to give input or feedback on activity.

- Centre Region Planning Agency (CRPA) and staff held a Townhall Meeting and an Alignment Public Meeting to engage and discuss with citizens the Pine Grove Mills Small Area Plan.
- Northland Area Mobility Study included two public meetings held in two different locations.
- Planning and Zoning SALDO Updates were presented at an Open House
- Suburban Park Master Plan Update was prepared with citizen input at three (3) public meetings.
- Stormwater Feasibility Study included two public meetings.
- Songbird Sanctuary Park Outreach event was held to invite citizens to ask questions, inform on Park history and give feedback on proposed passive park amenities.

Ferguson Township Police Department hosted a Meet and Greet at the Heights and the Bike Rodeo to casually engage and discuss or answer questions related to community policing. Additional community engagement events include four (4) Coffee and Conversation gatherings and two (2) Homeowners Association Open Forums with the Township Manager and staff.

Township staff support and conduct a participatory methodology to advance new concepts, projects or programs. At the same time, Township residents, and staff, may benefit if these efforts are more

streamlined and strategically implemented. Staff is drafting a robust methodology design for community and stakeholder engagement to be utilized and serve as a tool for all staff to consider when facilitating for Township program and projects. As of now, an outline of said methodology is being explored and discussed with the Township Manager. Please see design outline and proposed strategies below.

- Use networks to establish and promote high level of project awareness within the Township
- Identify key stakeholder and community issues relating to the program or project proposal
- Inform citizens on project process and give continual project updates
- Identify opportunities for public comment and citizen input
- Offer meaningful interactions and dialogue for the duration of the project
- Acknowledge community concerns and reflect comments in project reporting

Multi-faucet approach should be used to create high level of project awareness, inform on project process and updates, explore stakeholder issues, invite citizens to give input and feedback and engage in meaningful, ongoing dialogue for duration of project. A few strategies being considered for this approach are listed below.

- Conduct Community Information Session to present project information and answer questions
- Conduct key stakeholder (individual and established groups) project briefings/sessions/focus groups
- Publish and distribute electronic newsletters
- Create webpage on Township Website to update weekly with project information and updates
- Use multiple avenues to promote via Township's social media accounts
- Media releases and media interviews
- Give Face-to-face announcements at interdepartmental events, meetings or Committee meetings
- Leverage partnerships and connections to community networks to encourage community participation in the project and to provide project information
- Send postcard to nearby residents being directly affected by the project including adjacent landholders and business people AND groups in geographic proximity to the project
- Prepare and distribute flyer
- Provide and share list of events dates in advance to invite citizens to give input
- Presentations to business, community organizations, special interest groups

The National Conference on Citizenship released a report detailing the decline in opportunities for civic engagement in America. Engaging civically in a meaningful way is sometimes perceived as difficult. This same report also encourages local governments to improve quality and quantity of civic engagement given the opportunity for unique close connections with citizens. Township staff will continue to facilitate outreach events, leverage online tools, produce newsletters and explore engagement strategies for a methodology that takes a proactive approach to increasing government-community interactions ranging from information sharing to community consultation and, in some cases, active participation in government decision making processes.

FERGUSON TOWNSHIP QUARTERLY STRATEGIC COMMUNICATIONS REPORT
March 1 through June 30, 2019

Ferguson Township's strategic communications continue to grow and generate strong, effective engagement by our residents and other followers in the Centre Region.

Activities and Initiatives: As Communications Coordinator, I create timely content for the website and social media daily, as well as plan and produce our monthly e-Newsletter and biannual print newsletters. I anticipate what residents want and need to know, and write and promote stories accordingly. In addition, I report on the most-read stories in our e-Newsletter.

Constant Contact analytics have shown that approximately 60 percent of our residents who subscribe to our e-Newsletters open them to read and click through to links.

Since the Township launched Twitter on May 1, 2015, we have grown to 932 followers (as of July 8, 2019) and are sharing information with our community partners. They and our residents often favorite or retweet our tweets. I search local news sites for timely information and helpful links, as well retweet posts by Schlow Library, CATA, CRPR, CCRRA, and C-NET.

The Township's Facebook page, which started on April 6, 2018, is currently at 338 likes. Instagram, which launched on April 16, 2018, has 242 followers.

I also develop regular content for the Police Department's Facebook page, which is now at 3,417 likes. I have shared many photos of police community relations activities as well as encouraged page visitors to like our Facebook pages.

I have effectively promoted and participated in Coffee & Conversation, not only publicizing widely and increasing attendance (the July event at The Naked Egg had record attendance), but assisting and following up on residents' expressed concerns.

Analysis:

With 932 followers and growing, Twitter is a significant source of news for residents in that each tweet links to the full news story on our website. Likewise, our monthly e-Newsletter features news briefs that link to the full story on our website, serving as a vehicle that takes readers to our website. Our Facebook posts, as well, link to the website. Facebook and Instagram are tailored to those looking for feature photos.

The popularity of our Twitter account (which has been recognized by Schlow Library, Peter Buckland, Jeremie Thompson and others) also explains why the bounce rate on our website is higher than before we started building our Twitter following. Our Twitter followers go to the website for the news story they are looking for and leave immediately after they've gotten

what they need. I would also suggest that our active, healthy Twitter account helps prevent residents from having to search for stories, considering that our search function on the website is lacking.

PUBLICATIONS

MONTHLY E-NEWSLETTER

918 Subscribers

SAMPLING OF MOST READ STORIES/HIGHEST ENGAGEMENT

March 2019

Residents brought questions on how the zoning ordinance will affect them, and Coming this week to 1,700 residents: the National Citizen Survey

The third most read story is the **Northland Area Mobility Study open house**

April 2019

Ordinances to be aware of during the warmer months

May 2019

Brush and leaf collection now features Hydradig

Suburban Park Master Plan

June 2019

An exceptionally high open rate for the stories on the **plastic bags ordinance** and the **stormwater user fee**

98 opens

Ferguson Township drafting an ordinance imposing impact fee on single-use plastic bags
35.6 percent

46 opens

Discussions of stormwater user fee underway
The story links to the Stormwater User Fee web page

Twice-Annual Print Newsletter

Mails to 8,094 households in Ferguson Township. The fall issue will mail August 31.

SOCIAL MEDIA

Facebook (Police and Township), Twitter and Instagram

See attachments for a comparative analysis of growth and engagement; posts with the highest engagement are a representative sampling of the content our residents most appreciate: job openings; Public Works services including Brush and Leaf Collection and Winter Operations; police community relations and recognition, and staff volunteer activities.

SPECIAL PROMOTIONS

What Tudek Park Means to Me Centre Gives campaign

This year's campaign raised \$1,125 for the Trust.

Twitter 900

Celebrated our 900th follower since the Township launched its Twitter account in May 2015

EMAIL AND SOCIAL MEDIA COMPARATIVE ANALYTICS attached

GLOSSARY OF TERMS

Subscribers: Number of individuals/organizations that have signed up to receive our newsletters, press releases, event announcements, agendas and minutes by email

Followers: Number of individuals/organizations that have agreed to follow Ferguson Township on Twitter

Impressions: Number of times our tweets have been seen

Mentions: Number of tweets or retweets on Twitter when @FergusonTwpPA is mentioned or tagged

Respectfully submitted by

Diana Griffith

Ferguson Township Communications Coordinator

EMAIL

CONSTANT CONTACT, January through March 2018

Monthly e-Newsletter Subscribers: 847

Average Open Rate: 58.3 percent

Average Click-through rate: 28.8 percent

Board of Supervisors Agenda Subscribers: 381

Average Open Rate: 48 percent

Planning Commission Agenda Subscribers: 343

Average Open Rate: 50 percent

Tree Education and Commission Agenda Subscribers: 106

Average Open Rate: 56 percent

Events Calendar Subscribers: 262

4 events: **Coffee & Conversation, Public Meeting on Stormwater User Fee, Arbor Day Celebration, Police Bike Rodeo**

Average Open Rate: 49 percent

Winter Weather Reminders (8 sent, January 12 through March 20)

Average Open Rate: 49 percent

Comparative Data

March e-Newsletter Growth since March 2017

Subscribers: +77 (10 percent increase)

Click-through Rate: +12 percent

Growth since March 2014:

Subscribers: + 99 percent

Click-through Rate: +15 percent

SOCIAL MEDIA

TWITTER, January through March 2018

Followers: 703

Tweets: 902

Impressions (number of times seen): 125K

Profile Visits (people checking us out): 2,193

Mentions: 138

New Followers: 55

Top Tweets: 2,774 impressions

Top Media Tweets: 1,775 impressions

Comparative Data

March 2018 Twitter growth since March 2017

Followers: +200 (40 percent)

Impressions: +19K

FACEBOOK (Ferguson Township Police Department), March 2018

Likes: 2,871

Page Views: 141

Reach: 2,501

Post Engagements (people reacting, commenting and sharing our posts): 626



FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, July 1, 2019
7:00 PM

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, July 1, 2019, at the Ferguson Township Municipal Building. In attendance were:

Board: Steve Miller
Richard Killian
Laura Dininni
Lisa Strickland

Staff: Dave Pribulka, Township Manager
Lindsay Schoch, Community Planner
Dave Modricker, Public Works Director
Chris Albright, Chief of Police

Others in attendance included: Faith Norris, Recording Secretary; Judge Casey McClain; Ford Stryker; Bill Keough; Jeremie Thompson; Robin Haner; Dan Harner.

II. CALL TO ORDER

Mr. Miller called the Monday, July 1, 2019, regular meeting to order at 7:00 p.m.

III. APPOINTMENT OF WARD II SUPERVISOR

Mr. Miller opened the floor for nominations for the Ward II Supervisor position. Mr. Buckland officially resigned from the Board of Supervisors last month. This position will fill the remainder of his term through December 2019. One applicant applied for the position and was interviewed last week.

Mr. Killian nominated Ford Stryker. No other nominations were made.

Roll Call vote: Ms. Dininni – YES; Mr. Killian – YES; Mr. Miller – YES; Ms. Strickland – YES.

Mr. Stryker was sworn in by Judge McClain.

IV. CITIZENS INPUT

None.

V. SPECIAL REPORTS

- a. Centre Region Parks & Recreation Authority. Mr. Keough reported on recent and future Authority meetings. The Active Adult Center has reduced hours for patrons from 8:00 a.m. to 3:30 p.m. to allow staff adequate time to complete their tasks. A new program for the community is Rec on the Go that coordinates a truck schedule to local parks for children, including a park in Ferguson Township. There was an update on the Whitehall Road Regional Park LDP that was received from Parks & Recreation and is being reviewed. Oak Hall and Hess Field Complex recently hosted ASA/USA amateur softball tournaments locally for the 18 and 16 and under Girls Fastball Softball State Championship. He noted our community is a sought-after location for some park and recreation amenities and that the fields are being used almost all the time.

Discussion followed on the activities and fee associated with the Rec on the Go program. Mr. Keough noted he will ask for more clarification on the fee for the program. A separate discussion followed on specifics of the reduced hours at the Active Adult Center.

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VI. **APPROVAL OF MINUTES**

Ms. Dininni moved that the Board of Supervisors **approve** the Regular Meeting Minutes of June 17, 2019.
Mr. Killian seconded the motion. The motion passed unanimously.

VII. **UNFINISHED BUSINESS**

a. **REVIEW OF PLASTIC BAG IMPACT FEE DRAFT ORDINANCE**

Mr. Pribulka reviewed this item's petition and draft ordinance history and indicated recent evolutions in state law relative to municipal preemption of regulations of plastic bag ordinances. Mr. Miller reviewed specifics on the PA legislation that blocks plastic bag bans for at least a year, including any taxes or fees associated with the bans and directs a department at the State level to research the economic and environmental impacts of the regulations. This in turn prevents the Township from enacting an ordinance. Given this information, Mr. Miller called for a motion to postpone any further action on the draft ordinance.

Mr. Killian moved that the Board of Supervisors **postpone** any further action on the draft ordinance until the State defines what local governments are allowed to do in terms of plastic bag regulation.
Mr. Stryker seconded the motion.

Mr. Harner noted recent communications he had and his suggestion on talking with the University and local manufacturers on the progress they are making. Mr. Harner requested more information on the survey that was done.

Discussion followed on how well the draft ordinance was written; regional components; research done at Penn State for all aspects of educational alternatives and sustainability initiatives. Suggestions included green certification and/or broader incentive-driven approach program for willing businesses for a competitive marketing advantage and economic development collaboration. The deadline for the environmental and economic analysis is July 1, 2020.

The motion passed unanimously.

VIII. **NEW BUSINESS**

1. **CONSENT AGENDA**

- a. Special Events Permit – Stonebridge Fourth of July Parade
- b. Donation Request – People's Choice Festival, \$250.00
- c. 2017-C1 Pay Application: \$75,630.58
- d. 2019-C31 Pay Application: \$4,100

Ms. Dininni moved that the Board of Supervisors **approve** the Consent Agenda. Mr. Killian seconded the motion. The motion passed unanimously.

2. **ZONING APPEALS/REQUESTS FOR VARIANCE**

a. Request for Variance – Whitehall Road Regional Park – Phase 1

Ms. Schoch introduced the variance. Three variances are requested by the applicant, including two relative to the caliper of tree required to be planted by ordinance and one relative to the number of tree plantings. The Board discussed the Tree Commission's role in reviewing land development plans. Concern was expressed by the Board that the applicant did not demonstrate sufficient hardship to justify the relief requested, and that the variances sought could be sharply out of character with the intent of the ordinance.

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Ms. Dininni moved that the Board of Supervisors oppose the three variances requested for Whitehall Road Regional Park. Mr. Stryker seconded the motion. The motion passed 4 to 1 with Mr. Miller dissenting.

Mr. Pribulka will represent the Board at the upcoming Zoning Hearing Board meeting.

b. Request for Variance – 3005 Enterprise Drive

Ms. Schoch introduced the variance. Relief of land development plan.

Ms. Dininni moved that the Board of Supervisors remain neutral on the request for variance for 3005 Enterprise Drive. Mr. Killian seconded the motion.

It was clarified the variance was not a modification due to being in the Zoning Ordinance and not the SALDO. The motion passed unanimously.

3. REVIEW OF REMOTE WORK AND FAMILY LEAVE

Mr. Pribulka reviewed the topic as provided with the agenda packet. This review was in regards to a previous request made by the Board.

Ms. Dininni moved that the Board of Supervisors direct staff to advertise a resolution for Public Hearing on amendments to the Ferguson Township Personnel Policy Manual adding policies establishing "remote work" guidelines and paid family leave. Mr. Killian seconded the motion.

It was noted how paid leave will help with employee retention and can attract qualified applicants. Discussions followed on minimal financial implications for remote work vs. Family Leave that is different financially than remote work in that the employee would be entitled to six (6) weeks of family leave according to Mr. Pribulka. More details followed on the Family Leave policy implementation and future anticipated expenses.

The motion passed unanimously.

4. COG / REGIONAL COMMITTEE APPOINTMENTS

Mr. Pribulka introduced the topic. With Mr. Buckland's resignation, the Township needs to appoint representatives to the following COG committees: Public Services & Environmental, Ad Hoc Facilities and Spring Creek Watershed Commission. The terms for each committee expires December 31, 2019.

Mr. Miller called for nominations one at a time.

Mr. Killian moved that the Board of Supervisors appoint Ford Stryker to the COG Public Services and Environmental Committee. Mr. Miller seconded the motion. The motion passed unanimously.

Mr. Killian moved that the Board of Supervisors appoint Ford Stryker to the Ad Hoc COG Facilities Committee. Ms. Strickland seconded the motion. The motion passed unanimously.

Ms. Strickland moved that the Board of Supervisors appoint Ford Stryker to the Spring Creek Watershed Commission. Mr. Miller seconded the motion. The motion passed unanimously.

No other nominations were made.

Ms. Dininni referenced an evaluation tool that Mr. Stryker can use moving forward.

Ferguson Township Board of Supervisors

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5. RESCHEDULED PUBLIC HEARING FOR PINE HALL TTD GENERAL MASTER PLAN

Mr. Pribulka introduced the request for extension to August 30th to allow the developer to work on outstanding issues on the traffic impact study and draft terms and conditions. Request for public hearing would be for August 5th with the second Board meeting in August to take action on the master plan.

Discussion followed on ensuring a Board quorum for granting of the extension. Mr. Pribulka explained the public hearing process. The Planning Commission will review and make a recommendation prior to the public hearing.

Ms. Dininni moved that the Board of Supervisors **reschedule** the public hearing on the Pine Hall Traditional Town Development General Master Plan for Monday, August 5, 2019. Mr. Killian seconded the motion. The motion passed unanimously.

6. FERGUSON TOWNSHIP PLANNING COMMISSION MEMBER APPPOINTMENT

Mr. Pribulka introduced the item. Ms. Strickland's unexpired core member position term runs through December 31, 2021. An alternate had expressed interest in becoming a core board member of the Planning Commission.

Matter of record. Bill Keough was appointed to serve as Chairman of the Planning Commission for the remainder of the year.

Ms. Dininni moved that the Board of Supervisors **appoint** Shannon Holiday to the Core Board of the Ferguson Township Planning Commission for a term expiring December 31, 2021, Ms. Strickland seconded the motion. The motion passed unanimously.

7. 2020-2024 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET SPECIAL MEETINGS

Mr. Pribulka introduced the item. Discussion followed on meeting dates that work best for the Board members.

With the Board consensus, the scheduled dates for the Special Meetings will be Tuesday, July 23rd and Wednesday, July 24th at 6:00 p.m., at the Township Building.

IX. STAFF AND COMMITTEE REPORTS

a. COG COMMITTEE REPORTS

1. Executive Committee. Mr. Miller noted a discussion about the screening committee's charge for the director and will narrow the pool to 2 to 3 candidates and the Executive Committee will do the final interviews. Anticipated timeframe is early next year.

b. OTHER REGIONAL REPORTS

1. Metropolitan Planning Organization Coordinating Committee. Mr. Seybert attended in Ms. Strickland's place. The actions taken at the meeting were passed. Report summary included Risks to Transportation Funding-summary available through COG; amendment to Transportation Improvement Program regarding the State College Area Connector Project engineering studies; and amended Unified Planning Work Program that received supplemental financing.
2. Ms. Dininni suggested adding the Centre Region COG Fire Study Working Group meeting updates to the Board's agenda under Regional Reports and will forward this information to Mr. Pribulka. Details followed from the last meeting on the 1st draft of the scoping of the study and its goals,

Ferguson Township Board of Supervisors

Monday, July 1, 2019

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transitions and concerns that were presented by Steve Bair. One of the main goals is how to maintain volunteers while transitioning to paid staff. Ms. Dininni noted a lot of effort was put into this study and team.

c. STAFF REPORTS

1. Township Manager. Mr. Pribulka's report included the following items. A letter from CCRRA's Executive Director to state legislators asking to oppose transfer of funds from the recycling fund to help support other initiatives. Letter of appreciation from the Community Diversity Group for sponsorship donation to support its conference on June 11th. Larson Design Group completed a safety inspection report for PennDot District 2 that is available at the Township for inspection of two (2) bridges in the Township that were found in satisfactory condition. A letter from CRPA to UAJA that approves a Task Activity Report for an Act 537 Plan Special Study for Scott Road Pump Station and Bristol Road Interceptor – details on UAJA to provide alternatives to the upgrade of the pump station. Draft of the 2020-2024 Capital Improvement Plan budget is being finalized and to be distributed the week of July 8th – Road Tour is scheduled for the Board on July 12th. Ms. Schoch will be leaving the Township effective July 27th and taking a new position with College Township. The Board was provided a letter from Ms. Darlene Chivers stating her resignation from the Tree Commission – the Board will be asked at a future regular meeting to make an appointment to serve the remaining term for Ms. Chivers. Crisis Intervention Training concluded this past week that was hosted by the Township as with previous years for First Responders who work with individuals in crisis that include a variety of issues including MHID. The Police Department now has a new upfitted pickup truck that is posted to our site to view.

Ms. Dininni noted that Ms. Chivers had served the Township well on the Tree Commission.

2. Interim Planning and Zoning Director. Ms. Schoch's report included the following items. Comments for Whitehall Road Regional Park will be out by end of this week. Orchard View is being reviewed by Penn Terra as well as Harner Farm and Harner Subdivision – to be resubmitted to staff in the near future and to the Planning Commission tentatively by July 22nd for future recommendation to the Board. A meeting is scheduled for next Tuesday on Pine Hall to discuss traffic mitigation. Awaiting comments back for the Hummel Subdivision Plan. Update on Public Works Maintenance Facility – awaiting for report that all review comments are satisfied. New tentative schedule for Zoning and SALDO Update as of the June 24th Planning Commission Meeting - asked consultant for an outline to ensure that changes are incorporated into the ordinances by July 8th and July 15th to recommend to the Board for advertisement authorization of Zoning/SALDO/Map and the 45-day public comment period will begin on July 16 - additional details were noted on process dates. The Waters Retail Group did a Pre-application Conference on a project with Patton and Ferguson townships on development in mostly the R3 district – major concerns noted from the Planning Commission were circulation and where best to place entry onto road - comments to be submitted shortly.

Discussion followed on a required traffic study for Young Scholars due to capped attendance in response to a Board member's question.

3. Public Works Director. Mr. Modricker reported that the Administration Building Renovation Project was out for bid through July 23rd and interested bidders can contact the architect. The Township does have a full set of plans for public viewing at the Township office. The proposed Public Works Maintenance Facility will go out to bid in August. The Stormwater Fee Study update was presented at the least Board meeting and the next SAC Meeting is July 17th. The Next Tree Commission Meeting is July 15th. Recent Tree Commission topics included involvement in the Land Development Plan review process and working on the Board-tasked Tree Preservation Ordinance. Maintenance update was provided. Following completed maintenance, there is a push to complete base repairs in advance

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of contracted work as noted. Park Hills Drainageway Design will be discussed at upcoming CIP budget meetings. Updates followed on Sidewalk Repairs bid and Green Light-Go round 4 funding.

X. COMMUNICATIONS TO THE BOARD

None.

XI. CALENDAR ITEMS

- a) Ferguson Township Administrative offices closed Thursday, July 4th for the holiday
- b) Pine Grove Mills Small Area Plan Meeting, 6:00 p.m., July 10th, St. Paul Lutheran Church
- c) Coffee & Conversation, Naked Egg Café, 8:00 – 9:30 a.m., Friday, July 19th, 320 Pine Grove Rd.

XII. ADJOURNMENT

Mr. Miller called for adjournment. With no further business to come before the Board of Supervisors, Mr. Killian motioned to adjourn the meeting. The meeting adjourned at 8:32 p.m.

Respectfully submitted,

David Pribulka, Township Manager
For the Board of Supervisors

Ferguson Township

Internal Working Draft
Zoning Ordinance

Draft: June 21, 2019

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PART 1**General Provisions****§27-101. Short Title.**

This Chapter shall be known, and may be cited, as the "Ferguson Township Zoning Ordinance".

§27-102. Authority.

This Chapter is enacted and ordained under the grant of powers by General Assembly of the Commonwealth of Pennsylvania, the Pennsylvania Municipalities Planning Code, Act of 1968, July 31, P.L. 805, as amended, 53 P.S. §10101 et seq.

§27-103. Purpose.

This Chapter is enacted for the following purposes:

- A. To promote, protect and facilitate public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, disaster evacuation, airports and national defense facilities, the provision of adequate light and air, police protection, transportation, water, sewerage, schools, public grounds and other public requirements.
- B. To prevent the following: overcrowding of land; blight; danger and congestion in travel and transportation; loss of health, life or property from fire, flood, panic or other dangers; and loss of productive farmland.
- C. This Chapter is made in accordance with the Centre Region Comprehensive Plan and with consideration of the character of the Township, its various parts and the suitability of the various parts for particular uses and structures. It maintains the established nature of development in the Township, for consistency with the policy decisions found in the Centre Region Comprehensive Plan. These policies include adherence to the Regional Growth Boundary and Sewer Service Area; protection of prime farmland and the agricultural industry considering topography, soil type and classification, and present use; and preservation of the traditional rural development pattern and lifestyle found in the region.

§27-104. Community Development Objectives.

In addition to the general purposes listed in §27-103, the following specific Community Development Objectives of this Chapter include the relevant objectives and recommendations from the Centre Region Comprehensive Plan, as amended, applicable to the purposes of this Chapter. These objectives are the basis upon which the regulations of this Chapter are established and are as follows:

- A. Land Use and Character.
 1. Maintain a Regional Growth Boundary within which development is encouraged and urban sprawl is minimized.
 2. Encourage enrollment in Agricultural Security Areas and participation in the Agricultural Conservation Easement Program in the Township's rural and semi-rural areas.
 3. Establish municipal regulations that support agriculture as the principal use on property outside the Regional Growth Boundary that has prime agricultural soils.

General Provision

4. Minimize conflicts between productive agricultural areas and urban land uses and discourage the "parcelization" and conversion of large agricultural holdings into rural residential parcels or urban uses.
5. Use rural preservation techniques for developments outside the Regional Growth Boundary.
6. Designate rural centers planned for a mix of residential and commercial uses to meet the needs of rural residents while retaining rural character and lifestyles.

B. Land Development.

1. Designate rural residential lands where low densities can be sustained by infrastructure improvements such as on-lot septic systems, individual wells, and rural roads, without significantly changing the rural character, degrading the environment, or creating the necessity for urban services.
2. Direct new residential development to sites within the Regional Growth Boundary and Sewer Service Area to facilitate convenient access to schools, jobs, medical facilities, community services, shopping, and transportation routes.
3. Consider retrofitting existing development to assure walkable neighborhoods, a mix of residential densities, a strong sense of place, and a mix of land uses, and consider the following points in planning for and developing new projects: ensure compact development plans, discourage sprawl, encourage infill, and provide a range of housing opportunities and choices.
4. Locate higher-density housing in areas zoned for intense mixed-use development where commercial, civic, and recreational opportunities are available.
5. Encourage mixed-use development opportunities in appropriately identified areas.
6. Locate industrial development within the Regional Growth Boundary in accordance with sound land planning principles and the needs of industry.
7. Encourage balancing the amount of commercially zoned property with the needs of the Township and the greater Centre Region.
8. Identify and develop strategies to encourage redevelopment and revitalization of under-utilized commercial properties within the requirements of redevelopment authorities in Pennsylvania.

C. Transportation.

1. Recognize the close relationship between land use and transportation impacts in actions related to zoning and land development.
2. Plan and implement transportation improvements and investments in all modes that are appropriate to accommodate future land uses identified.
3. Consider the transportation system's capacity to accommodate changes in travel demand when considering land use, zoning, and proposed land-development activities.

D. Resources and Sustainability.

1. Encourage the preservation of prime agricultural soils and farmland.
2. Protect the high-quality surface and groundwater resources in the Township.
3. Avoid and mitigate negative impacts to endangered or threatened species, key natural habitats, agricultural lands, water resources, and historic and cultural resources.
4. Support green infrastructure and open space techniques as the principle paths for encouraging development that is responsive to natural resource protection.
5. Encourage future developments that take advantage of existing infrastructure within the Regional Growth Boundary and Sewer Service Area, such as transportation routes, community services and facilities, or land-use patterns while minimizing land disturbance activities.

E. Economic Development.

1. Preserve agricultural land, support the viability of agriculture, and recognize the importance of agriculture to a healthy and diverse economy.
2. Encourage the continued development of agricultural activities in the Township.
3. Support the retention and expansion of existing businesses and technology-related firms within the commercial, industrial and research-related zoning districts.

§27-105. Establishment of Controls.

In their interpretation and application, the regulations set by this Chapter within each district shall be held to be minimum requirements adopted for the promotion of the purposes of this Chapter and shall apply with uniformity to each class of use or structure.

- A. **Types of Control.** The following regulations shall apply in the respective zoning and overlay districts: use regulations, including primary and accessory uses; lot requirements, including size, width and coverage; setback requirements for front, side and rear yards; maximum height requirements, and supplemental regulations.
- B. **New Lots, Uses, and Structures.** In all districts, after the effective date of this Chapter, any new lot, use or structure shall be constructed, developed and used only in accordance with the regulations specified for each district.
- C. **Existing Lots, Uses, and Structures.** In all districts, after the effective date of this Chapter, any existing lot, use or structure which is not in conformity with the regulations for the district in which it is located shall be deemed as nonconforming, and subject to the regulations of Part 8.
- D. **Relationship With Other Restrictions.** The provisions of this Chapter are not intended to interfere with, abrogate or annul other rules, regulations or ordinances; provided, that where this Chapter imposes a greater restriction than that imposed by such other rules, easements, covenants, restrictions, regulations or ordinances, the provisions of this Chapter shall control.

General Provision

E. Exemptions. This Chapter shall not apply to any lot, use or structure exempted from zoning regulations by the Pennsylvania Municipalities Planning Code or other laws of the Commonwealth of Pennsylvania.

§27-106. Severability.

The provisions of this Chapter are severable, and if any section, sentence, clause, part, or provision hereof shall be held to be illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Chapter. It is hereby declared to be the intent of the Board of Supervisors that this chapter would have been enacted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

PART 2**District Regulations****§27-201. Establishment and Purposes of Zoning Districts.**

For the purposes of this Chapter, the Township is hereby divided into the following districts:

A. Rural Districts

1. Rural Agricultural District (RA) - To encourage the continuation of the Township's commitment to promoting agriculture within established working landscapes and where agricultural activities have historically occurred.
2. Rural Residential District (RR) - To encourage the continuation of the Township's established working landscapes and activities in the context of very low density residential development.
3. Agricultural Research (AR) - To promote and preserve locations within the Township where institution-based agriculture, research, extension, or education, as defined by the USDA (US Dept of Agriculture), PDA (PA Dept of Agriculture) or the Agricultural Research, Extension, and Education Reform Act OF 1998 (and as amended), and associated accessory structures and related activities, can occur.
4. Forest/Gamelands District (FG) - To provide appropriate location for land uses dedicated to resources of State-wide significance supporting hunting and conservation, ecological sanctuaries, nature preserves, public parks and outdoor recreation facilities.

B. Residential Districts

1. Single-Family Residential District (R-1) - To provide appropriate location for single-family detached dwellings that may or may not be serviced with on-site sewage infrastructure and neighborhood-scale, civic-oriented land uses.
2. Suburban Single-Family Residential District (R-1B) - To provide appropriate location for single-family detached dwellings that are serviced with off-site sewage infrastructure and neighborhood-scale, civic-oriented land uses.
3. Two Family Residential District (R-2) - To provide appropriate location for single-family and two-family dwellings on lots smaller than those typically associated with single-family residential districts and neighborhood-scale, civic-oriented land uses.
4. Townhouse Residential District (R-3) - To provide appropriate location for a range dwellings types and densities generally oriented toward smaller lot sizes, zero-lot lines as well as neighborhood-scale, civic-oriented and/or supportive care facilities.
5. Multi-Family Residential District (R-4) - To provide appropriate location for higher-density dwellings and neighborhood-scale, civic-supportive land uses.
6. Mobile Home Park District (MHP) - To provide appropriate location that supports mobile home parks.
7. Village District (V) - To provide an appropriate location for an area that supports a mix of residential and non-residential land uses, ranging from single-family dwellings to professional offices, and encourages pedestrian activity.

District Regulations

8. Planned Residential Development District (PRD) - To encourage innovations in residential development and renewal so that the growing demand for housing may be met by greater variety in type, design and layout of dwellings and by the conservation and more efficient use of open space ancillary to said dwellings.
9. See also §27-303. Traditional Town Development (TTD) and §27-304. Terraced Streetscape (TS) District.

C. Commercial Districts

1. General Commercial District (C) - To provide appropriate location for commercial establishments larger in scale and more automobile-oriented than those of the Village District.
2. Office Commercial District (OC) – To provide for development serving as a transitional buffer in scale and use between commercial development and residential development.

D. Industrial Districts

1. General Industrial District (I) - To provide appropriate location for facilities commonly-oriented toward and supporting production, fabrication and/or manufacturing activities.
2. Light Industrial, Research and Development District (IRD) - To provide appropriate location for less intense industrial land uses such as light manufacturing, assembly, processing, research/testing facilities and supporting offices

E. Overlay Districts

1. See §27-401. Corridor Overlay District, §27-402. Ridge Overlay District, §27-403. Riparian Buffer Overlay, §27-404. Airport Overlay District.

§27-202. Annexed Territory.

All territory which may hereafter be annexed by the Township shall be automatically included in the district which most nearly corresponds to the zoning classification of the land at the time of annexation, unless otherwise specified in the ordinance of annexation.

§27-203. The Official Zoning Map.

The boundaries of the districts in which this Township is divided shall be shown upon a map entitled the "Ferguson Township Zoning Map." The said map and all notations, references and other data shown thereon is hereby incorporated by reference into this Chapter as if it were fully described herein.

- A. Adoption of the Zoning Map. The Zoning Map, as adopted by Ordinance, shall be identified by the signatures of the Board of Supervisors, attested by the Township Secretary, under the following words: "This is to certify that this is the Ferguson Township Zoning Map referred to in §203 of Ordinance No. 27 of the Township of Ferguson, Centre County, Pennsylvania," together with the date of enactment of Ordinance No. ___. The map shall be kept on file with the Township Zoning Administrator and shall be the final authority as to the current zoning status of land and water areas in the Township.
- B. Changes in the Zoning Map. If, in accordance with the provisions of this Chapter, changes are made in district boundaries or other matter portrayed on the Zoning Map, such changes shall be entered promptly on said map. All changes shall be certified by initialing of the Board of Supervisors, together with a brief description of the changes and the date of enactment of such changes, under the word "Revised." No amendment to this Chapter which involves matter portrayed

on the Zoning Map shall become effective until after such change and entry has been shown on said map.

C. Replacement of the Zoning Map.

1. In the event that the Zoning Map becomes damaged, lost or difficult to interpret because of the nature or number of changes, the Board of Supervisors may, by resolution, adopt a new Zoning Map which shall supersede the previous map. The new Zoning Map shall be identified by the signatures of the Board of Supervisors, attested by the Township Secretary, under the following words: "This is to certify that this Zoning Map supersedes and replaces the Zoning Map adopted as parts of Ordinance No. 27 of the Township of Ferguson, Centre County, Pennsylvania," together with the date of adoption of the resolution.

Unless the previous Zoning Map has been lost, or has been totally destroyed, the previous Map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.

D. District Boundary Lines. The district boundary lines shall be shown on the Zoning Map. Where uncertainty exists as to the boundaries of districts, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways or alleys shall be construed to follow such center lines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following Township limits shall be construed as following such Township limits.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams or other bodies of water shall be construed to follow such center lines and, in the event the stream or other body of water moves, the boundary shall move with the center line of such.
6. Boundaries indicated as parallel to or extensions of features indicated in subsections D.(1) through D.(5), above, shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map.
7. Where physical features existing on the ground are alleged to be at variance with those shown on the Zoning Map or in other circumstances not covered by subsections D.(1) through D.(6), above, it shall be the function of the Zoning Administrator to interpret and apply the Map.
8. Where one or more district boundary lines divides a lot held in single ownership, the regulations of one of the districts on either side of any such boundary line may be chosen by the owner to apply to the portion of such lot in the district on the other side of such line for a distance of not more than 50 feet beyond the district boundary line.

District Regulations

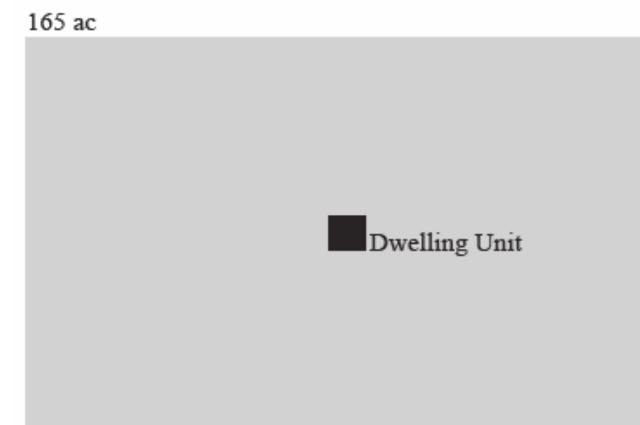
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Example Lot/Dwelling Relationships: RA District

Baseline

1 lot; 1 dwelling unit, single family



Scenario A

1 lot; 3 dwelling units, single family

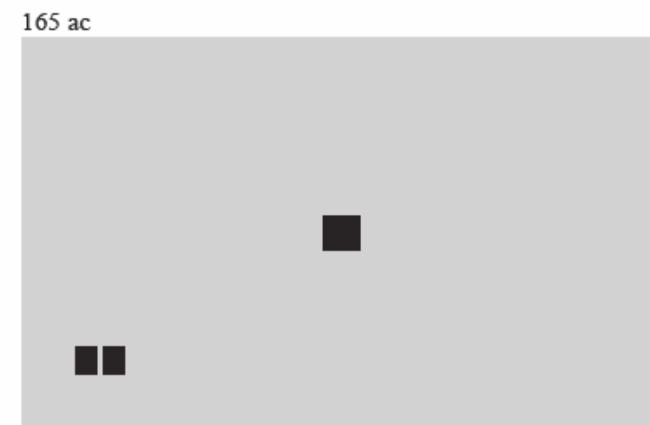
* Usual farm structures not exceeding 3 dwelling units on any one parcel



Scenario B

1 lot; 3 dwelling units, single family and 2 family

* Not exceeding 3 dwelling units/usual farm structures on any one parcel

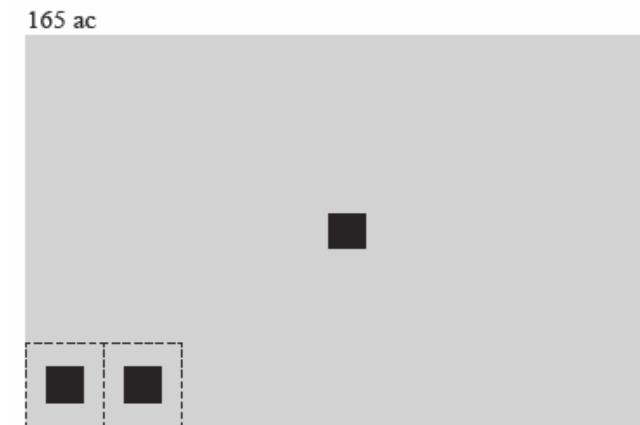


Scenario C

3 lots; 3 dwelling units, single family

* 1 for every 50 ac of primary use

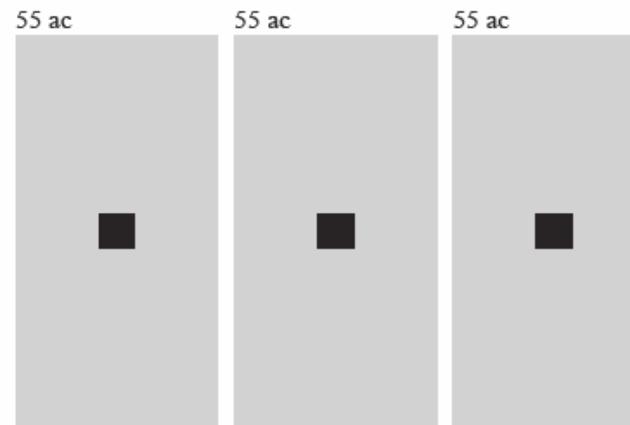
Min Size=1 ac; Max Size=2 ac



Scenario D

Subdivision of 165 ac

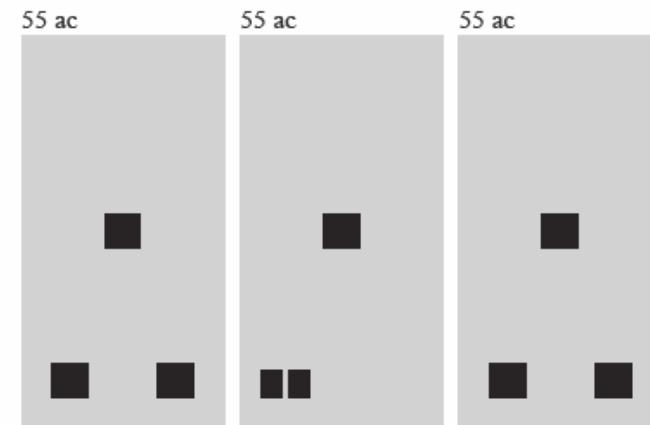
3 lots with 1 dwelling unit per 50 ac



Scenario E

Subdivision of 165 ac

3 lots with usual farm structures not exceeding 3 dwelling units on any single farm parcel



§27-205. District Quicks.**§205.1 District – Rural Agriculture (RA)**

AREA AND BULK CATEGORY	PRINCIPAL USES
1	Agriculture
1	Agriculture Related Production
1	Bird and Wildlife Sanctuaries/Fish Hatcheries
1	Commercial Hunting Preserves
1	Communication Towers
1	Conservation Areas
1	Equestrian Facility (50 acres or greater)
1	Forestry
1	Landscape and Garden Center – Non-Retail (50 acres or greater)
1	Cemeteries
1	Cideries
1	Community Gardens
1	Country Club
1	Emergency Services
1	Equestrian Facility (less than 50 acres)
1	Essential Services – Type 1
1	Golf Course
1	Landscape and Garden Center – Retail
1	Landscape and Garden Center – Non-Retail (less than 50 acres)
1	Mining and Quarrying
1	Park and Outdoor Recreational Facilities, Neighborhood, Public
1	Park and Outdoor Recreational Facilities, Community, Public
1	Park and Outdoor Recreational Facilities, Regional, Public
1	Places of Assembly, Community
1	Places of Assembly, Regional
1	Single-Family Detached Dwellings (50+ acre lot)
1	Single-Family Attached Dwellings (50+ acre lot)
1	Two-Family Dwellings (50+ acre lot)
1	Single-Family/Two-Family Dwellings (one dwelling for every 50 acres of a primary use, not to exceed 3 dwellings on any one lot)
1	Solar Energy Systems (PSES)
1	Water Production Facilities
1	Wind Energy Systems
2	Farm Cafés
2	Farm Markets
2	Kennels
2	Pet Care Services Facility
2	Tasting Facilities
2	Veterinary Offices/Clinics

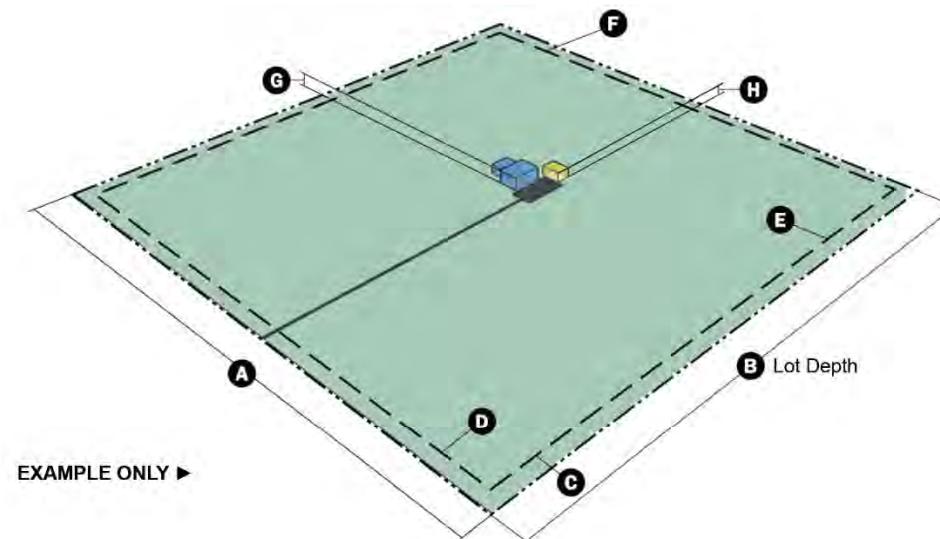
ACCESSORY USES		
Area and Bulk Categories		
	1	2
Accessory Use Customarily Incidental to the Specified Principal Use	P	P
Accessory Food Operations	P	
Agriculture/Environmental Education Program	P	
Agriculture	P	P
Agritourism	P	
Bed and Breakfast (1-3 rooms)	P	
Bed and Breakfasts (10 rooms max.)	P	
Building- and Ground-Mounted Solar and/or Wind Systems	P	P
Cideries	P	
Commercial Hunting Preserve	P	
Communication Towers	P	P
Community Garden	P	P
Community-Supported Agriculture Delivery Station	P	P
Composting – Small Scale	P	P
Day and Overnight Camping	P	
Dwelling Units	P	
Essential Services – Type 2	C	
Family Child-Care Homes		P
Farm Cafés	P	P
Farm Markets	P	P
Farm Stands by Road <2,000 SF	P	
Farm Stands by Road >2,000 SF	P	
Farm Structures, Traditional-Scale	P	
Farm Structures, Non-Traditional-Scale	P	
Food Trucks	P	
General Storage to include Boat and RVs	P	P
Group Child-Care Homes		P
Home-Based Business, No-Impact (including Farm-Based Business, No Impact)		P
Home Occupation – Type 1		P
Home Occupation – Type 2		P
Horse Riding Stables/Riding Academies	P	
Incinerators	P	
Kennels	P	P
Mining and Quarrying (for soil pits and digging on own property)	P	
Pet Care Services Facility	P	P
Retail Establishments, Agriculture-Supported	P	
Retail Establishments, Value-Added Agriculture	P	
Non-Commercial Keeping of Livestock	P	
Short-Term Rentals	P	P
Silos	P	P
Sugar Shacks for Processing Sap from Trees on Different Lot	P	P
Sugar Shacks for Processing Sap from Trees on Lot	P	P
Tasting Facilities	P	P
Veterinary Offices/Clinics	P	P
Welding Shops, Small Engine Repair	P	
Wind Energy Systems	C	C
Wineries/Tasting Facilities	P	

DIMENSIONS		AREA AND BULK CATEGORIES	
		1	2
Minimum	Lot Width	C Lot Size	50 ac 1 ac min. 2 ac max.
		A at Building Setback Line	60 ft 60 ft
	Setback	A at Street Line	60 ft 60 ft
		D Front Yard, for Principal Use on Local/Collector Street	50 ft 20 ft
Maximum	Height	D Front Yard, for Principal Use on Arterial Street	50 ft 50 ft
		E Side Yard, for Principal Use	50 ft 30 ft
	Coverage	F Rear Yard, for Principal Use	50 ft 50 ft
		G Principal Structure	50 ft 50 ft
	H Accessory Structure	G Accessory Structure	60 ft 40 ft
		Building	n/a 30%
		Impervious Surface	10% 30%

AREA AND BULK CATEGORIES:

1 – agricultural and conservation activities

2 – other



EXAMPLE ONLY ►

P = Permitted Use by Right C = Conditional Use SE = Use by Special Exception

District Regulations

§27-205. District Quicks.

§205.2 District – Rural Residential (RR)

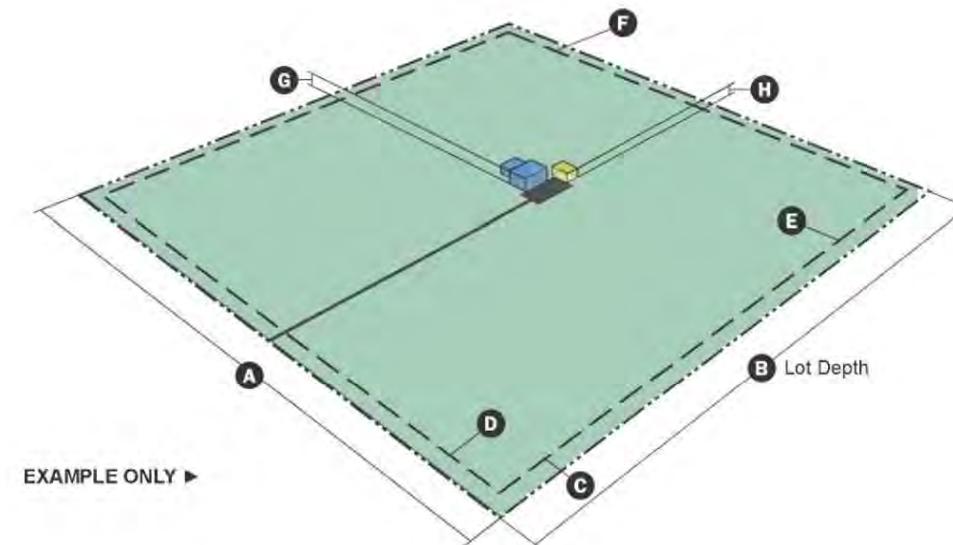
AREA AND BULK CATEGORY	PRINCIPAL USES	P
1	Agriculture	P
1	Agriculture Related Production	C
1	Bird and Wildlife Sanctuaries/Fish Hatcheries	P
1	Commercial Hunting Preserves	C
1	Conservation Areas	P
1	Equestrian Facility (50 acres or greater)	P
1	Forestry	P
1	Park and Outdoor Recreational Facilities, Regional, Public	P
1	Places of Assembly, Regional	C
2	Cemeteries	P
2	Cideries	C
2	Community Gardens	P
2	Emergency Services	P
2	Equestrian Facility (less than 50 acres)	C
2	Essential Services – Type 1	C
2	Farm Cafés	C
2	Farm Markets	C
2	Group Homes	P
2	Kennels	P
2	Landscape and Garden Center- Retail	P
2	Landscape and Garden Center- Non Retail	C
2	Mining and Quarrying	C
2	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
2	Park and Outdoor Recreational Facilities, Community, Public	P
2	Personal Care Homes, Large	P
2	Pet Care Services Facility	C
2	Places of Assembly, Community	C
2	Solar Energy Systems (PSES)	C
2	Tasting Facilities	P
2	Veterinary Offices/Clinics	P
2	Water Production Facilities	C
3	Single-Family Detached Dwellings	P
3	Seasonal Dwellings	P
3	Personal Care Homes, Small	P
4	Communication Towers	P
4	Wind Energy Systems	C

ACCESSORY USES				
Use	Area and Bulk Categories			
	1	2	3	4
Accessory Use Customarily Incidental to the Specified Principal Use	P	P	P	P
Accessory Food Operations	P	P		
Agriculture/Environmental Education Program	P	P	P	
Agriculture	P	P	C	P
Agritourism	P	P		P
Bed and Breakfasts (10 rooms max.)			P	
Building- and Ground-Mounted Solar and/or Wind Systems	P	P	P	P
Cideries	P	P		
Commercial Hunting Preserve	C			
Community Garden	P	P	P	P
Community-Supported Agriculture Delivery Station	P	P	P	
Composting – Small Scale	P	P		P
Day and Overnight Camping	P	P		
Essential Services – Type 2	C	C	C	
Family Child-Care Homes			P	
Farm Cafés	P	P		
Farm Markets	C	C		
Farm Stands by Road <2,000 SF	P	P	C	
Farm Stands by Road >2,000 SF	P	P	P	
Farm Structures, Traditional-Scale	P	P		
Farm Structures, Non-Traditional-Scale	C	C		
Food Trucks	P	P	P	
General Storage to include Boat and RVs	P	P		
Group Child-Care Homes			P	
Home-Based Business, No-Impact (including Farm-Based Business, No Impact)			P	
Home Occupation – Type 1			P	
Home Occupation – Type 2			P	
Horse Riding Stables/Riding Academies	P	P	P	
Incinerators	P	P		
Mining and Quarrying (for soil pits and digging on own property)	P	P		
Non-Commercial Keeping of Livestock	P	P	P	P
Retail Establishments, Agriculture-Supported	P	P		
Retail Establishments, Value-Added Agriculture	P	P		
Personal Care Homes, Small			P	
Seasonal Dwellings			P	
Short-Term Rentals	P	P		
Silos	P	P	P	
Sugar Shacks for Processing Sap from Trees on Different Lot	P	P		
Sugar Shacks for Processing Sap from Trees on Lot	P	P		
Two-Family Dwellings			P	
Welding Shops, Small Engine Repair	P	P		
Wineries/Tasting Facilities	P	P		

DIMENSIONS		AREA AND BULK CATEGORIES					
Minimum	C	Lot Size	1	2	3	4	5
			10 ac	1 ac	1 ac min. 2 ac max.	n/a	n/a
Setback	Lot Width	at Building Setback Line	150 ft	150 ft	150 ft	n/a	n/a
		at Street Line	150 ft	150 ft	100 ft	n/a	n/a
	D	Front Yard, for Principal Use on Local/Collector Street	50 ft	50 ft	20 ft	500 ft	n/a
	D	Front Yard, for Principal Use on Arterial Street	50 ft	50 ft	50 ft	500 ft	n/a
Height	E	Side Yard, for Principal Use	50 ft	30 ft	30 ft	500 ft	n/a
	F	Rear Yard, for Principal Use	75 ft	75 ft	30 ft	500 ft	n/a
Coverage	G	Principal Structure	50 ft	50 ft	50 ft	200 ft	n/a
	H	Accessory Structure	60 ft	40 ft	40 ft	20 ft	n/a
	Building		n/a	30%	30%	n/a	n/a
	Impervious Surface		5%	30%	30%	n/a	n/a

AREA AND BULK CATEGORIES:

- 1 – agricultural and conservation activities
 2 – non-residential uses
 3 – dwellings
 4 – utility and communication facilities



EXAMPLE ONLY ▶

P = Permitted Use by Right C = Conditional Use SE = Use by Special Exception

§27-205. District Quicks.**§205.3 District – Agricultural Research (AR)**

AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Administrative Office Buildings (associated with Advanced Agricultural Research)	P
1	Advanced Agricultural Research	P
1	Agriculture	P
1	Agriculture/Environmental Education Program	P
1	Any Use Owned or Managed by the Pennsylvania Department of Conservation and Natural Resources (PA DCNR) or the State Game Commission	P
1	Bird and Wildlife Sanctuaries/Fish Hatcheries	P
1	Exhibit Halls and Museums	P
1	Forestry	P
1	General Natural Resource Research	P
1	General Weather, Radio and Satellite Research	P
1	Nature Education Centers	P
1	Recreation Facilities for Employees, Faculty and Students	P
2	Farm Markets	C
2	Tasting Facilities	P
3	Archery and Shooting Ranges, Indoor	P
3	Community Gardens	P
3	Emergency Services	P
3	Essential Services – Type 1	C
3	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
3	Park and Outdoor Recreational Facilities, Community, Public	P
3	Park and Outdoor Recreational Facilities, Regional, Public	P
3	Places of Assembly, Community	P
3	Places of Assembly, Regional	P
3	Solar Energy Systems (PSES)	C
4	Communication Facilities	P
4	Communications Towers	P
4	Wind Energy Systems	C

ACCESSORY USES				
Use	Area and Bulk Categories			
	1	2	3	4
Accessory Use Customarily Incidental to the Specified Principal Use	P	P	P	P
Accessory Food Operations	P	P		
Agriculture/Environmental Education Program	P	P	P	
Agritourism	P	P	P	
Agriculture	P	P	P	
Building- and Ground-Mounted Solar and/or Wind Systems	P	P	P	P
Community Gardens	P	P	P	P
Composting – Small Scale	P	P	P	P
Day and Overnight Camping	P		P	
General Storage to include Boat and RVs	P			
Farm Structures, Traditional-Scale	P			
Farm Structures, Non-Traditional-Scale	P			
Food Trucks	P	P	P	
Incinerators	P			
Mining and Quarrying (for soil pits and digging on own property)	P			
Offices, Laboratories, Work Areas Related to Administrative/Research Activities	P	P		
Silos	P	P		
Temporary Facilities Related to Advanced Agricultural Research	P	P		
Welding Shops, Small Engine Repair	P			

DIMENSIONS		AREA AND BULK CATEGORIES				
Minimum	C	Lot Size	1	2	3	4
		at Building Setback Line	300 ft	150 ft	150 ft	150 ft
Setback	A	at Street Line	300 ft	150 ft	150 ft	150 ft
	D	Front Yard, for Principal Use on Local/Collector Street	50 ft	50 ft	50 ft	500 ft
Maximum	D	Front Yard, for Principal Use on Arterial Street	50 ft	50 ft	50 ft	500 ft
	E	Side Yard, for Principal Use	100 ft	100 ft	100 ft	500 ft
Coverage	F	Rear Yard, for Principal Use	75 ft	75 ft	75 ft	500 ft
	G	Principal Structure	40 ft	40 ft	40 ft	200 ft
	H	Accessory Structure	40 ft	40 ft	60 ft	20 ft
		Building	10%	30%	n/a	n/a
		Impervious Surface	10%	30%	10%	n/a
						n/a

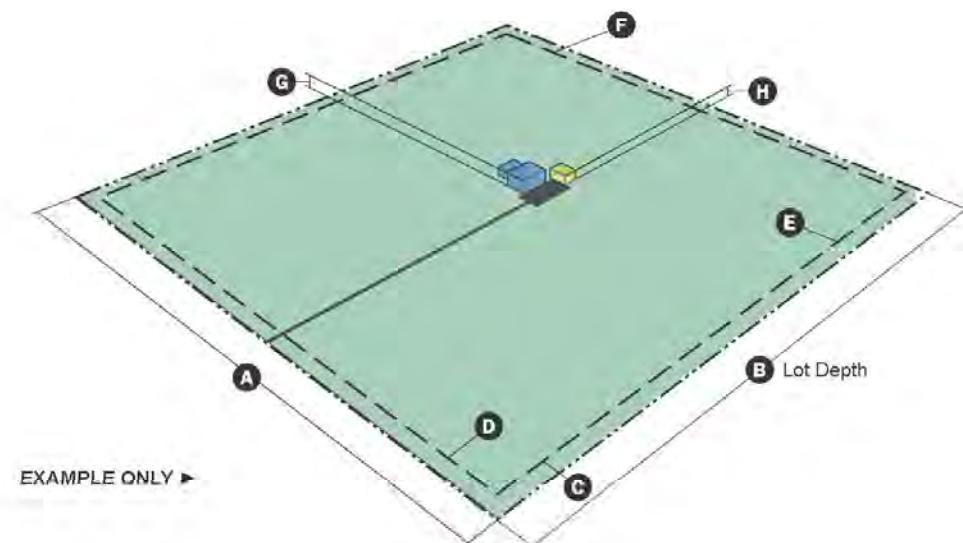
AREA AND BULK CATEGORIES:

1 – agricultural, conservation, research, and institutional uses

2 – agriculture-related businesses

3 – non-agricultural/non-residential/other uses

4 – utility and communication facilities



EXAMPLE ONLY ►

P = Permitted Use by Right

C = Conditional Use

SE = Use by Special Exception

District Regulations**§27-205. District Quicks.****§205.4 District – Forest/Game Lands (FG)**

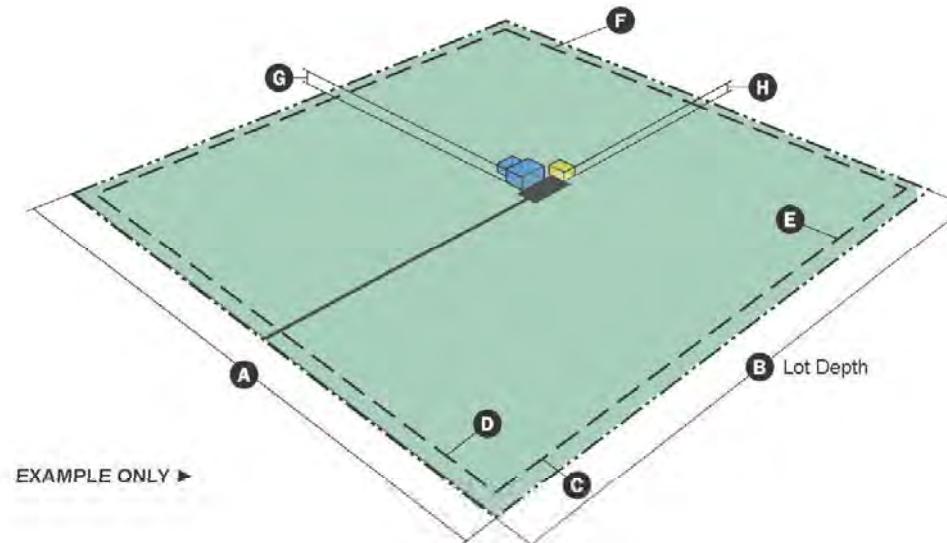
AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Any Use Owned or Managed by the Pennsylvania Department of Conservation and Natural Resources (PA DCNR) or the State Game Commission	P
1	Bird and Wildlife Sanctuaries/Fish Hatcheries	P
1	Forestry	P
2	Archery and Shooting Ranges, Indoor/Outdoor	P
2	Camping Grounds	C
2	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
2	Park and Outdoor Recreational Facilities, Community, Public	P
2	Park and Outdoor Recreational Facilities, Regional, Public	P
2	Park and Outdoor Recreational Facilities, Private	C
2	Recreation Facilities for Employees, Faculty & Students	P
2	Seasonal Dwellings	P
3	Commercial Hunting Preserves	P
3	Community Gardens	P
3	Conservation Areas	P
3	General Weather, Radio and Satellite Research	P
3	Nature Education Centers	P
4	Communication Facilities	P
4	Essential Services – Type 1	C

ACCESSORY USES				
Use	Area and Bulk Categories			
	1	2	3	4
Accessory Use Customarily Incidental to the Specified Principal Use	P	P	P	P
Building- and Ground-Mounted Solar and/or Wind Systems	P	P	P	P
Community Garden	P	P	P	P
Composting – small scale	P	P	P	P
Food Trucks		P		
Day and Overnight Camping	P	P		
Incinerators	P			
Mining and Quarrying (for soil pits and digging on own property)	P	P		

DIMENSIONS		AREA AND BULK CATEGORIES						
		1	2	3	4	5		
Minimum	Lot Width	C	Lot Size	25 ac	10 ac	1 ac	n/a	n/a
			at Building Setback Line	300 ft	150 ft	150 ft	150 ft	n/a
		A	at Street Line	300 ft	150 ft	150 ft	150 ft	n/a
		D	Front Yard, for Principal Use on Local/Collector Street	50 ft	50 ft	50 ft	500 ft	n/a
	Setback	D	Front Yard, for Principal Use on Arterial Street	50 ft	50 ft	50 ft	500 ft	n/a
		E	Side Yard, for Principal Use	100 ft	100 ft	50 ft	500 ft	n/a
		F	Rear Yard, for Principal Use	75 ft	75 ft	50 ft	500 ft	n/a
		G	Principal Structure	40 ft	40 ft	40 ft	200 ft	n/a
Maximum	Height	H	Accessory Structure	40 ft	40 ft	40 ft	40 ft	n/a
			Building	n/a	5%	15%	n/a	n/a
	Coverage		Impervious Surface	5%	10%	25%	n/a	n/a

AREA AND BULK CATEGORIES:

- 1 – agricultural and conservation activities
- 2 – recreational uses
- 3 – research and institutional uses
- 4 – utility and communication facilities



P = Permitted Use by Right

C = Conditional Use

SE = Use by Special Exception

§27-205. District Quicks.**§205.5 District – Single Family Residential (R1)**

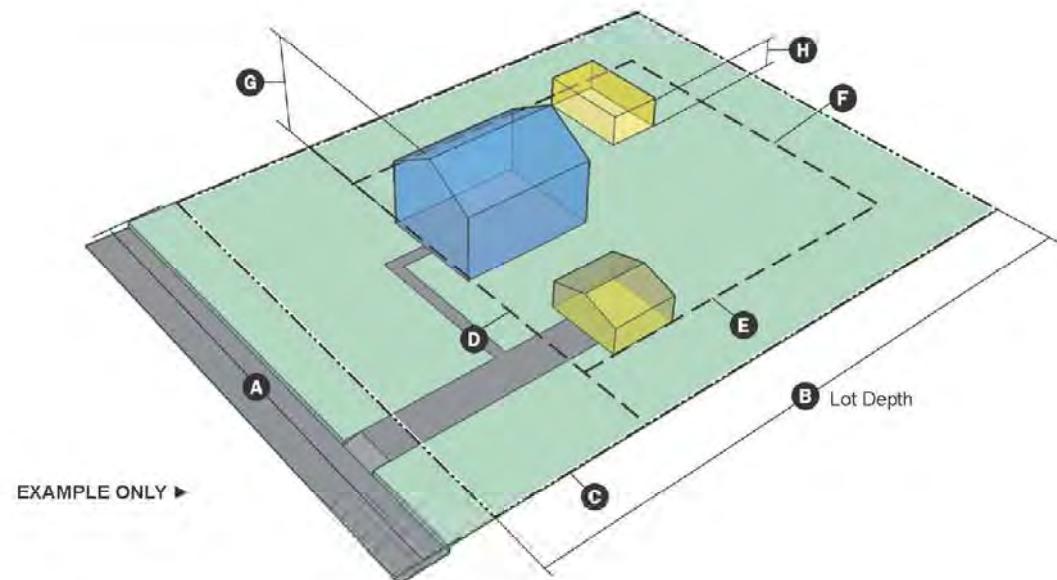
AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Forestry	P
1	Park and Outdoor Recreational Facilities, Regional, Public	P
2	Single-Family Detached Dwellings	P
3	Group Homes	P
3	Model Homes	C
4	Community Garden	P
4	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
4	Park and Outdoor Recreational Facilities, Community, Public	P
4	Places of Assembly, Community	P
5	Emergency Services	P
5	Essential Services – Type 1	C

ACCESSORY USES		Area and Bulk Categories				
Use	Area and Bulk Categories	1	2	3	4	5
Accessory Use Customarily Incidental to the Specified Principal Use		P	P	P	P	P
Bed and Breakfast (1-3 rooms)		P				
Building- and Ground-Mounted Solar Systems		P	P	P	P	P
Building- and Ground-Mounted Wind Systems		C	C	C	C	C
Community Garden		P	P	P	P	P
Family Child-Care Homes		C				
Farm Markets		P		P		
Group Child-Care Homes		C				
Home-Based Business, No-Impact (including Farm-Based Business, No Impact)		P				
Home Occupation – Type 1		P				
Short-Term Rentals		P				

DIMENSIONS		AREA AND BULK CATEGORIES					
Minimum	C	Lot Size	1	2	3	4	5
		at Building Setback Line	300 ft	80 ft	100 ft	100 ft	100 ft
Setback	A	at Street Line	300 ft	50 ft	75 ft	100 ft	75 ft
	D	Front Yard, for Principal Use on Local/Collector Street	50 ft	25 ft	25 ft	50 ft	50 ft
Height	D	Front Yard, for Principal Use on Arterial Street	50 ft	50 ft	50 ft	50 ft	50 ft
	E	Side Yard, for Principal Use	100 ft	10 ft	10 ft	30 ft	30 ft
Coverage	F	Rear Yard, for Principal Use	100 ft	30 ft	30 ft	50 ft	50 ft
	G	Principal Structure	40 ft	40 ft	40 ft	40 ft	40 ft
	H	Accessory Structure	n/a	24 ft	24 ft	24 ft	24 ft
		Building	n/a	30%	30%	30%	n/a
		Impervious Surface	5%	50%	50%	30%	n/a

AREA AND BULK CATEGORIES:

- 1 – conservation activities
- 2 – dwellings (off-site sewage)
- 3 – other residential uses (on-lot sewage)
- 4 – non-residential uses
- 5 – essential and emergency services



P = Permitted Use by Right C = Conditional Use SE = Use by Special Exception

District Regulations**§27-205. District Quicks.****§205.6 Suburban Single Family Residential (R1B)**

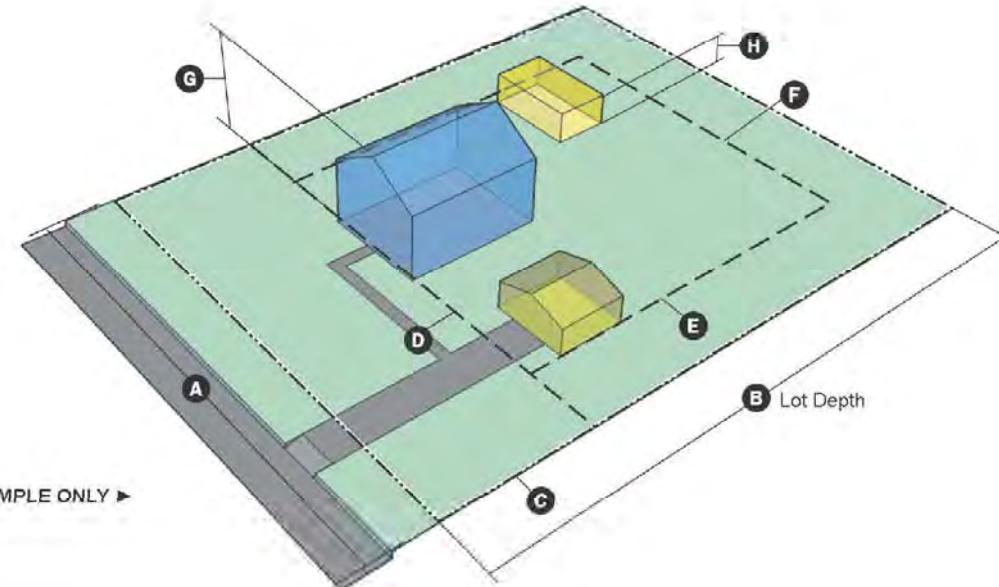
AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Forestry	P
1	Park and Outdoor Recreational Facilities, Regional, Public	P
2	Single-Family Detached Dwellings	P
3	Community Garden	P
3	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
3	Park and Outdoor Recreational Facilities, Community, Public	P
3	Places of Assembly, Neighborhood	P
4	Emergency Services	P
4	Essential Services – Type 1	C

ACCESSORY USES				
Use	Area and Bulk Categories			
	1	2	3	4
Accessory Use Customarily Incidental to the Specified Principal Use	P	P	P	P
Building- and Ground-Mounted Solar and/or Wind Systems	P	P	P	P
Community Garden	P	P	P	P
Family Child-Care Homes	C			
Group Child-Care Homes	C			
Home-Based Business, No-Impact	P			
Home Occupation – Type 1	P			
Short-Term Rentals	P			

DIMENSIONS		AREA AND BULK CATEGORIES						
Minimum	Lot Width	C	Lot Size	1	2	3	4	5
		C	Lot Size	10 ac	20,000 sf	1 ac	n/a	n/a
		A	at Building Setback Line	300 ft	100 ft	100 ft	75 ft	n/a
		B	at Street Line	300 ft	60 ft	100 ft	75 ft	n/a
	Setback	D	Front Yard, for Principal Use on Local/Collector Street	50 ft	30 ft	50 ft	50 ft	n/a
		D	Front Yard, for Principal Use on Arterial Street	50 ft	75 ft	50 ft	50 ft	n/a
		E	Side Yard, for Principal Use	100 ft	15 ft	30 ft	30 ft	n/a
		F	Rear Yard, for Principal Use	100 ft	40 ft	50 ft	50 ft	n/a
		G	Principal Structure	40 ft	40 ft	40 ft	40 ft	n/a
	Height	H	Accessory Structure	n/a	24 ft	24 ft	24 ft	n/a
		I	Building	n/a	20%	n/a	n/a	n/a
	Coverage	J	Impervious Surface	5%	20%	30%	n/a	n/a

AREA AND BULK CATEGORIES:

- 1 – conservation activities
 2 – dwellings
 3 – non-residential uses
 4 – essential and emergency services



P = Permitted Use by Right

C = Conditional Use

SE = Use by Special Exception

§27-205. District Quicks.

§205.7 District – Two Family Residential (R2)

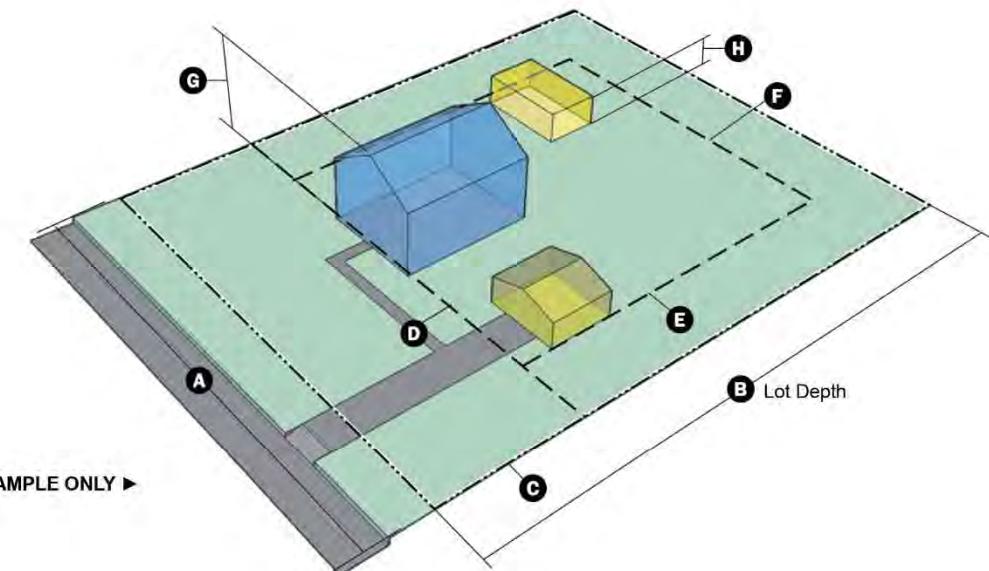
AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Assisted Living Facilities	P
1	Essential Services – Type 1	C
1	Forestry	P
1	Nursing Homes and/or Other Convalescent Homes	P
1	Park and Outdoor Recreational Facilities, Community, Public	P
1	Park and Outdoor Recreational Facilities, Regional, Public	P
1	Places of Assembly, Community	P
1	Retirement Communities	P
1	Schools, Public or Private	P
2	Single-Family Detached Dwellings	P
3	Single-Family Semi-Detached Dwellings	P
3	Two-Family Dwellings	P
4	Emergency Services	P
4	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
4	Community Garden	P
4	Group Homes	P
4	Model Homes	C
4	Personal Care Homes, Small	P

ACCESSORY USES				
Use	Area and Bulk Categories			
	1	2	3	4
Accessory Use Customarily Incidental to the Specified Principal Use	P	P	P	P
Building- and Ground-Mounted Solar and/or Wind Systems	P	P	P	P
Community Garden	P	P	P	
Family Child-Care Homes	C	C		
Home-Based Business, No-Impact	P	P		
Home Occupation – Type 1	P	P		
Short-Term Rentals	P	P		

		AREA AND BULK CATEGORIES				
DIMENSIONS		1	2	3	4	5
Minimum	C		Lot Size	3 ac	7,500 sf	4,250 sf per unit
	Lot Width	at Building Setback Line	150 ft	90 ft	90 ft	75 ft
Setback	A	at Street Line	150 ft	60 ft	60 ft	n/a
	D	Front Yard, for Principal Use on Local/Collector Street	50 ft	25 ft	20 ft	n/a
	D	Front Yard, for Principal Use on Arterial Street	50 ft	50 ft	50 ft	n/a
	E	Side Yard, for Principal Use	100 ft	10 ft	10 ft	30 ft
Height	F	Rear Yard, for Principal Use	100 ft	30 ft	30 ft	50 ft
	G	Principal Structure	40 ft	40 ft	40 ft	n/a
Coverage	H	Accessory Structure	24 ft	24 ft	24 ft	24 ft
	Building		n/a	30%	30%	n/a
	Impervious Surface		10%	50%	50%	30%

AREA AND BULK CATEGORIES:

- 1 – non-residential uses
 2 – single-family detached dwellings
 3 – attached dwellings
 4 – other residential uses



P = Permitted Use by Right C = Conditional Use SE = Use by Special Exception

District Regulations**§27-205. District Quicks.****§205.8 District – Townhouse Residential (R3)**

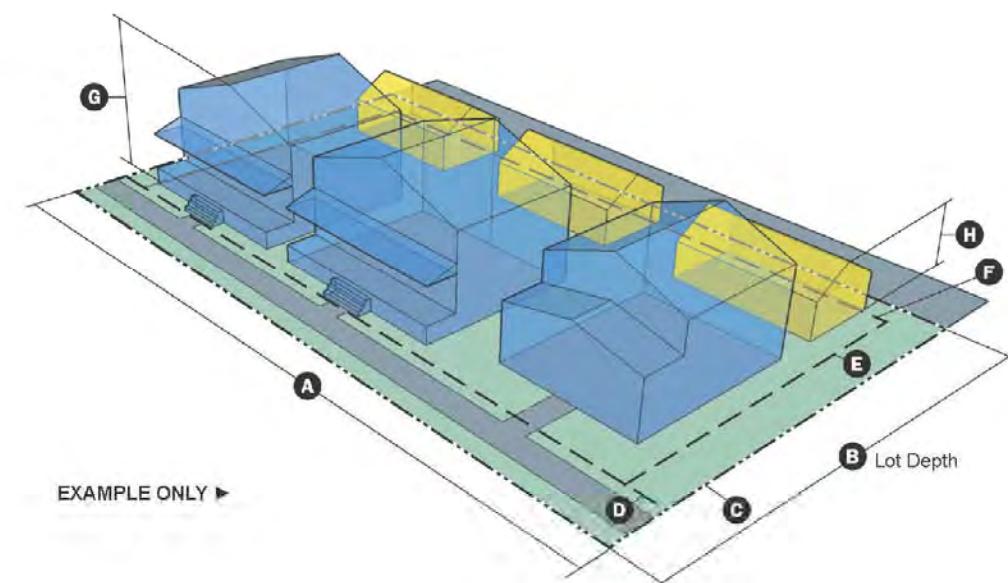
AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Child/Day Care Centers	P
1	Emergency Services	P
1	Essential Services – Type 1	C
1	Forestry	P
1	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
1	Park and Outdoor Recreational Facilities, Community, Public	P
1	Park and Outdoor Recreational Facilities, Regional, Public	P
1	Places of Assembly, Neighborhood	P
1	Places of Assembly, Community	P
1	Schools, Public or Private	P
2	Single-Family Detached Dwellings	P
3	Single-Family Attached Dwellings	P
3	Single-Family Semi-Detached Dwellings	P
3	Two-Family Dwellings	P
4	Community Gardens	P
4	Group Homes	P
4	Model Homes	P

ACCESSORY USES				
Use	Area and Bulk Categories			
	1	2	3	4
Accessory Use Customarily Incidental to the Specified Principal Use	P	P	P	P
Building- and Ground-Mounted Solar and/or Wind Systems	P	P	P	P
Community Garden	P	P	P	
Family Child-Care Homes	C	C		
Home-Based Business, No-Impact	P	P		
Home Occupation – Type 1	P	P		
Short-Term Rentals	P	P		

DIMENSIONS		AREA AND BULK CATEGORIES				
		1	2	3	4	5
Minimum	Lot Width	C Lot Size	3 ac	7,500 sf per unit	1 ac	n/a
		at Building Setback Line	150 ft	90 ft	75 ft	n/a
	Setback	A at Street Line	150 ft	60 ft	75 ft	n/a
		D Front Yard, for Principal Use on Local/Collector Street	50 ft	25 ft	20 ft	n/a
	Height	D Front Yard, for Principal Use on Arterial Street	50 ft	50 ft	50 ft	n/a
		E Side Yard, for Principal Use	100 ft	10 ft	30 ft	n/a
Maximum	Coverage	F Rear Yard, for Principal Use	100 ft	30 ft	30 ft	n/a
		G Principal Structure	40 ft	40 ft	40 ft	n/a
	H Accessory Structure	24 ft	24 ft	24 ft	24 ft	n/a

AREA AND BULK CATEGORIES:

- 1 – non-residential uses
 2 – single-family detached dwellings
 3 – attached dwellings
 4 – other residential uses



P = Permitted Use by Right C = Conditional Use SE = Use by Special Exception

§27-205. District Quicks.**§205.9 District – Multi-Family Residential (R4)**

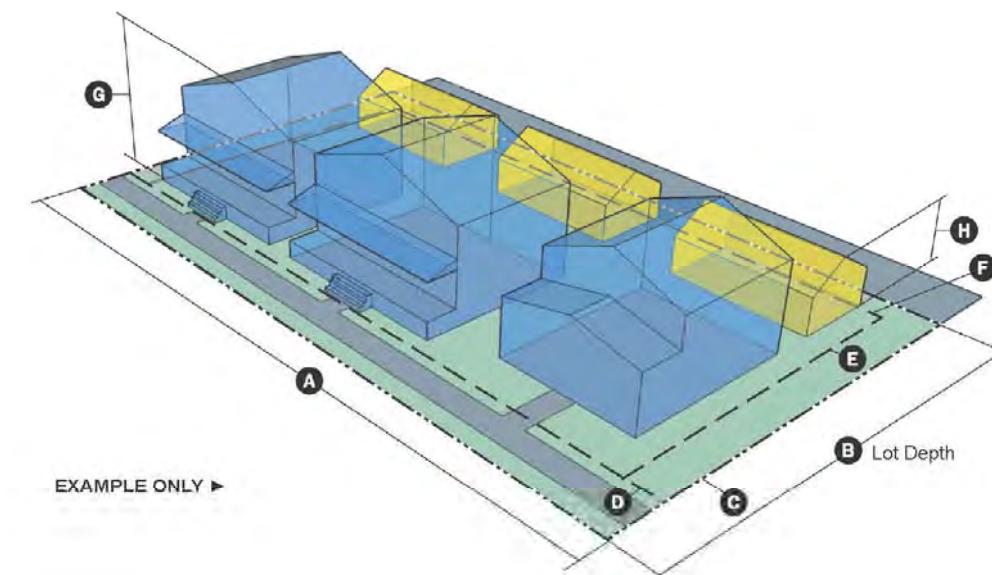
AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Single-Family Detached Dwellings	P
2	Single-Family Attached Dwellings	P
2	Single-Family Semi-Detached Dwellings	P
2	Two-Family Dwellings	P
3	Multi-Family Dwellings	P
4	Assisted Living Facilities	P
4	Nursing Homes and/or Other Convalescent Homes	P
4	Retirement Communities	P
4	Community Garden	P
4	Family Child-Care Homes	C
4	Home-Based Business, No-Impact	P
4	Home Occupation – Type 1	P
4	Model Homes	C
4	Child/Day Care Centers	P
4	Emergency Services	P
4	Essential Services – Type 1	C
4	Forestry	P
4	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
4	Park and Outdoor Recreational Facilities, Community, Public	P
4	Park and Outdoor Recreational Facilities, Regional, Public	P
4	Schools, Public or Private	P

ACCESSORY USES					
Use	Area and Bulk Categories				
	1	2	3	4	5
Accessory Use Customarily Incidental to the Specified Principal Use	P	P	P	P	P
Building- and Ground-Mounted Solar and/or Wind Systems	P	P	P	P	P
Commissary within Multi-Family Dwelling		P			
Community Garden	P	P	P	P	P
Family Child-Care Homes	C	C	C		
Home-Based Business, No-Impact	P	P	P		
Home Occupation – Type 1	P	P	P		
Short-Term Rentals	P	P			

DIMENSIONS		AREA AND BULK CATEGORIES				
		1	2	3	4	5
Minimum	Lot Width	C Lot Size	5,400 sf	4,250 sf per unit	2,500 sf per unit	1 ac n/a
		at Building Setback Line	90 ft	90 ft	90 ft	75 ft 60 ft
	Setback	A at Street Line	60 ft	60 ft	60 ft	75 ft 60 ft
		D Front Yard, for Principal Use on Local/Collector Street	25 ft	25 ft	25 ft	50 ft 50 ft
		D Front Yard, for Principal Use on Arterial Street	50 ft	50 ft	50 ft	50 ft 50 ft
		E Side Yard, for Principal Use	15 ft	15 ft	20 ft	75 ft 75 ft
	Height	F Rear Yard, for Principal Use	30 ft	30 ft	40 ft	50 ft 50 ft
		G Principal Structure	40 ft	40 ft	40 ft	40 ft 40 ft
Maximum	Coverage	H Accessory Structure	24 ft	24 ft	24 ft	24 ft 24 ft
		Building	30%	30%	30%	30% 30%
		Impervious Surface	65%	65%	65%	50% 50%

AREA AND BULK CATEGORIES:

- 1 – single-family detached dwellings
- 2 – attached dwellings
- 3 – multi-family dwellings
- 4 – other residential uses
- 5 – non-residential uses



P = Permitted Use by Right C = Conditional Use SE = Use by Special Exception

District Regulations**§27-205. District Quicks.****§205.10 District – Mobile Home Park (MHP)**

AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Forestry	P
2	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
2	Park and Outdoor Recreational Facilities, Community, Public	P
2	Park and Outdoor Recreational Facilities, Regional, Public	P
3	Mobile Home Parks	P
4	Community Garden	P
4	Essential Services – Type 1	C

ACCESSORY USES		Area and Bulk Categories			
Use		1	2	3	4
Accessory Use Customarily Incidental to the Specified Principal Use	P	P	P	P	P
Building- and Ground-Mounted Solar and/or Wind Systems	P	P	P	P	P
Community Garden	P	P	P		
Home-Based Business, No-Impact			P		

DIMENSIONS		AREA AND BULK CATEGORIES				
		1	2	3	4	5
Minimum	Lot Width	C Lot Size	1 ac	20,000 sf	1 ac	n/a
		at Building Setback Line	75 ft	100 ft	100 ft	60 ft
	Setback	A at Street Line	75 ft	100 ft	100 ft	60 ft
		D Front Yard, for Principal Use on Local/Collector Street	50 ft	50 ft	50 ft	n/a
	Height	D Front Yard, for Principal Use on Arterial Street	50 ft	50 ft	50 ft	n/a
		E Side Yard, for Principal Use	25 ft	25 ft	25 ft	50 ft
Maximum	F Rear Yard, for Principal Use	F Rear Yard, for Principal Use	50 ft	50 ft	50 ft	n/a
		G Principal Structure	40 ft	45 ft	45 ft	200 ft
	H Accessory Structure	H Accessory Structure	40 ft	40 ft	40 ft	40 ft
Coverage		Building	n/a	30%	30%	30%
		Impervious Surface	30%	60%	60%	60%

AREA AND BULK CATEGORIES:

- 1 – conservation uses
- 2 – recreational uses
- 3 – mobile home parks
- 4 – non-residential uses

P = Permitted Use by Right C = Conditional Use SE = Use by Special Exception

§27-205. District Quicks.

§205.11 District – District - Village (V)

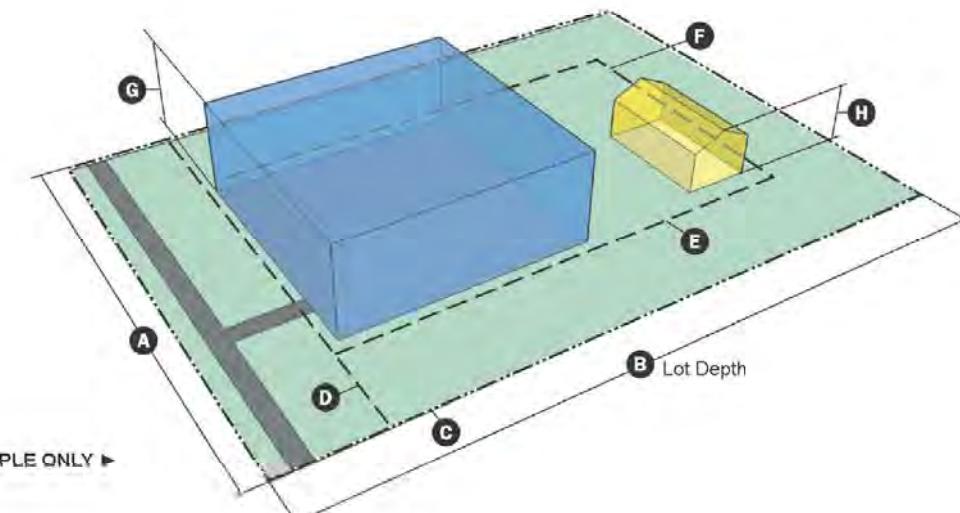
AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Community Gardens	P
1	Forestry	P
1	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
1	Park and Outdoor Recreational Facilities, Community, Public	P
1	Park and Outdoor Recreational Facilities, Regional, Public	P
2	Single-Family Detached Dwellings	P
3	Single-Family Attached Dwellings	P
3	Single-Family Semi-Detached Dwellings	P
3	Two-Family Dwellings	P
3	Personal Care Homes, Small	P
3	Group Homes	P
4	Automobile Service Stations and Garages	P
4	Business, Professional and Financial Offices	P
4	Child/Day Care Centers	P
4	Cideries	P
4	Clinics and Medical and Dental Offices	P
4	Convenience Food Stores	P
4	Eating and Drinking Establishments, Sit-Down	P
4	Eating and Drinking Establishments, Takeout	P
4	Grocery Stores	P
4	Health and Athletic Clubs	P
4	Laundromats	P
4	Micro-Distillery/Brewery (Beverage Production Facilities)	P
4	Personal Service Establishments	P
4	Retail Establishments, General	P
4	Studios for Instruction in Music, Performing Arts and Visual Media	P
4	Wineries	P
5	Emergency Services	P
5	Essential Services – Type 1	C
5	Places of Assembly, Neighborhood	P
5	Places of Assembly, Community	P
5	Schools, Public or Private	P

ACCESSORY USES		Area and Bulk Categories				
Use	Area and Bulk Categories	1	2	3	4	5
Accessory Use Customarily Incidental to the Specified Principal Use	P P P P P					
Bed and Breakfast (1-3 rooms)	P P					
Bed and Breakfasts (10 rooms max.)	C C					
Building- and Ground-Mounted Solar and/or Wind Systems	P P P P P					
Community Garden	P P P P P					
Family Child-Care Homes	C C					
Food Trucks	P P P P P					
General Storage to include Boat and RVs				P		
Home-Based Business, No-Impact	P P					
Home Occupation – Type 1	P P					

DIMENSIONS		AREA AND BULK CATEGORIES				
Minimum	C	1	2	3	4	5
		Lot Size	1 ac	7,500 sf per unit	7,500 sf	n/a
Setback	Lot Width	at Building Setback Line	75 ft	50 ft	50 ft	25 ft
	A	at Street Line	75 ft	50 ft	50 ft	25 ft
Height	D	Front Yard, for Principal Use on Local/Collector Street	50 ft	0 ft	0 ft	0 ft
	D	Front Yard, for Principal Use on Arterial Street	50 ft	0 ft	0 ft	50 ft
Coverage	E	Side Yard, for Principal Use	30 ft	3 ft	3 ft	3 ft
	F	Rear Yard, for Principal Use	50 ft	20 ft	20 ft	50 ft
Maximum	G	Principal Structure	40 ft	40 ft	40 ft	40 ft
	H	Accessory Structure	24 ft	24 ft	24 ft	24 ft
Building		Building	n/a	45%	45%	45%
		Impervious Surface	30%	75%	75%	75%

AREA AND BULK CATEGORIES:

- 1 – conservation and recreation activities
- 2 – single-family detached dwellings
- 3 – other residential uses
- 4 – commercial uses
- 5 – institutional and governmental uses



EXAMPLE ONLY ►

P = Permitted Use by Right

C = Conditional Use

SE = Use by Special Exception

District Regulations**§27-205. District Quicks.****§205.12 District – Office Commercial (OC)**

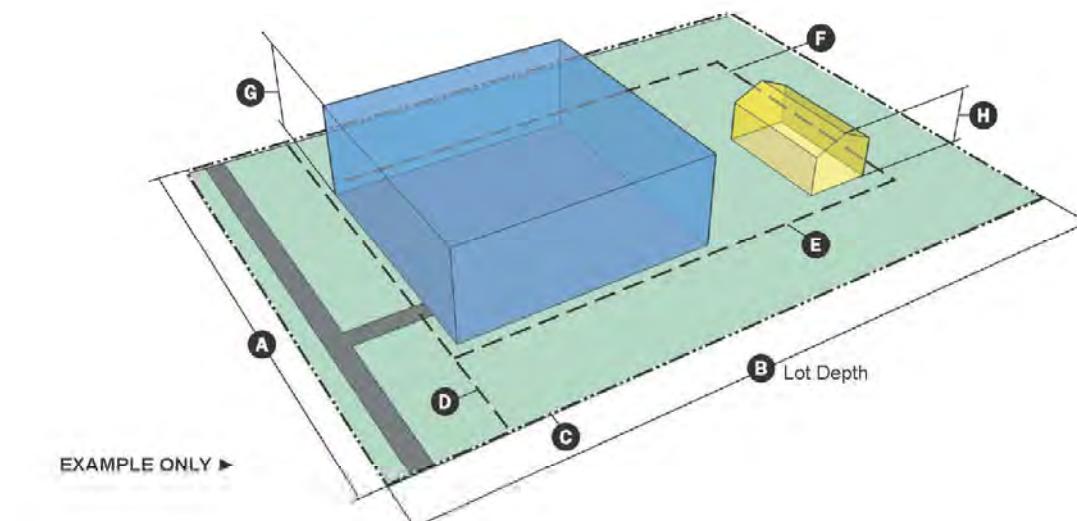
AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Community Gardens	P
1	Forestry	P
1	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
1	Park and Outdoor Recreational Facilities, Community, Public	P
1	Park and Outdoor Recreational Facilities, Regional, Public	P
2	Banks and Financial Establishments	P
2	Business, Professional and Financial Offices	P
2	Clinics and Medical and Dental Offices	P
2	Health and Athletic Clubs	P
2	Printing Establishments	P
2	Studios for Instruction in Music, Performing Arts and Visual Media	P
2	Tutoring and Study Centers	P
3	Child/Day Care Centers	P
3	Mortuaries	P
3	Places of Assembly, Community	C
4	Emergency Services	P
4	Essential Services – Type 1	C
4	Potable Water Pump Station Facilities	C

Use	Area and Bulk Categories			
	1	2	3	4
Accessory Use Customarily Incidental to the Specified Principal Use	P	P	P	P
Building- and Ground-Mounted Solar and/or Wind Systems	P	P	P	P
Community Garden	P	P	P	P
Food Trucks	P	P	P	P
Home-Based Business, No-Impact		P	P	
Home Occupation – Type 1		P	P	
Research, Development, Engineering or Testing Laboratory		P	P	P

		AREA AND BULK CATEGORIES						
DIMENSIONS		1	2	3	4	5		
Minimum	Lot Width	C	Lot Size	1 ac	7,500 sf	7,500 sf	1 ac	n/a
		A	at Building Setback Line	75 ft	25 ft	50 ft	60 ft	n/a
		D	at Street Line	75 ft	25 ft	50 ft	60 ft	n/a
		D	Front Yard, for Principal Use on Local/Collector Street	50 ft	50 ft	50 ft	50 ft	n/a
	Setback	D	Front Yard, for Principal Use on Arterial Street	50 ft	50 ft	50 ft	50 ft	n/a
		E	Side Yard, for Principal Use	30 ft	50 ft	50 ft	75 ft	n/a
	Height	F	Rear Yard, for Principal Use	50 ft	50 ft	50 ft	50 ft	n/a
		G	Principal Structure	40 ft	40 ft	40 ft	40 ft	n/a
Maximum	H	H	Accessory Structure	24 ft	24 ft	24 ft	24 ft	n/a
			Building	n/a	45%	45%	30%	n/a
			Impervious Surface	30%	75%	75%	50%	n/a

AREA AND BULK CATEGORIES:

- 1 – conservation and recreation activities
- 2 – small-scale commercial uses
- 3 – additional commercial and institutional uses
- 4 – governmental, utility, and communication facilities



P = Permitted Use by Right C = Conditional Use SE = Use by Special Exception

§27-205. District Quicks.**§205.13 District – General Commercial (C)**

AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Forestry	P
1	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
1	Park and Outdoor Recreational Facilities, Community, Public	P
1	Park and Outdoor Recreational Facilities, Regional, Public	P
1	Sport and Field Complexes	P
2	Group Homes	P
2	Personal Care Homes, Small	P
3	Automobile Service Stations and Garages	P
3	Banks and Financial Establishments	P
3	Business, Professional and Financial Offices	P
3	Car Washes	P
3	Child/Day Care Centers	P
3	Cideries	P
3	Cigar, Hookah, and/or Vapor Lounge	C
3	Clinics and Medical and Dental Offices	P
3	Convenience Food Stores	P
3	Eating and Drinking Establishments, Sit-Down	P
3	Eating and Drinking Establishments, Takeout	P
3	Food Catering	P
3	Health and Athletic Clubs	P
3	Laundromats	P
3	Medical Marijuana Dispensary	P
3	Mortuaries	P
3	Personal Service Establishments	P
3	Pet Care Services Facility	C
3	Pet Stores	P
3	Printing Establishments	P
3	Retail Establishments, General	P
3	Schools, Commercial	P
3	Studios for Instruction in Music, Performing Arts and Visual Media	P
3	Tasting Room	P
3	Treatment Centers	C
3	Tutoring and Study Centers	P
3	Veterinary Offices/Clinics	P
4	Adult Business Uses	C
4	Amusement Arcades	P
4	Bowling Alleys	P
4	Exercise and Fitness Centers	P
4	Grocery Stores	P

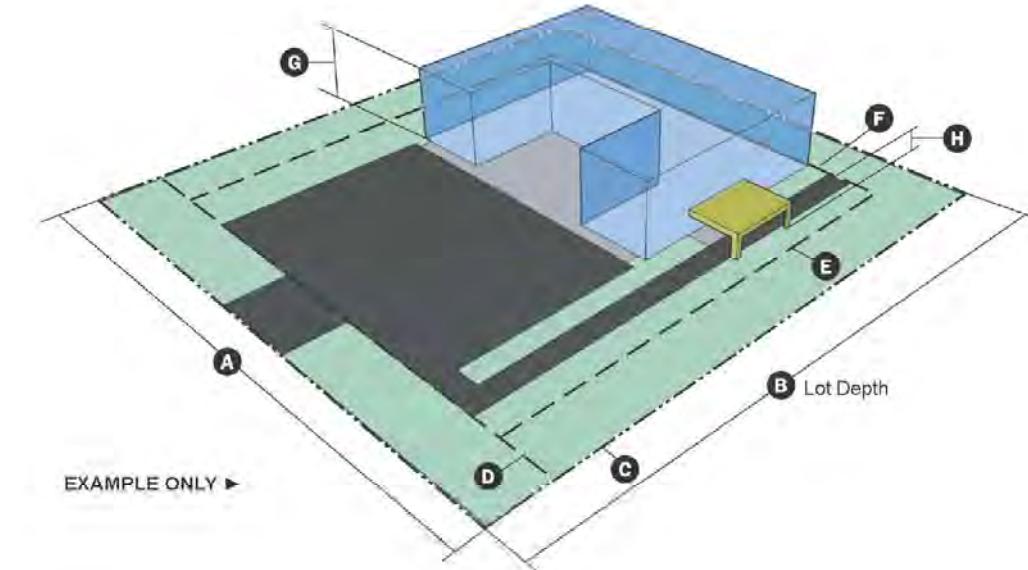
AREA AND BULK CATEGORY	PRINCIPAL USES, continued	
4	Miniature Golf	P
4	Public or Private Parking Garages	P
4	Theater	P
4	Wineries	P
4	All Other Commercial Uses	C
5	Bus Passenger Stations	P
5	Communication Towers	P
5	Emergency Services	P
5	Places of Assembly, Neighborhood	C
5	Places of Assembly, Community	C
5	Places of Assembly, Regional	C
5	Potable Water Pump Station Facilities	C
5	Radio and Television Studios, Excluding Towers in Excess of District Max. Height	P
5	Taxi and Limousine Services	P

ACCESSORY USES					
Use	Area and Bulk Categories				
	1	2	3	4	5
Accessory Use Customarily Incidental to the Specified Principal Use	P	P	P	P	P
Building- and Ground-Mounted Solar and/or Wind Systems	P	P	P	P	P
Food Truck	P	P	P	P	P
General Storage to include Boats and RVs					

DIMENSIONS		AREA AND BULK CATEGORIES					
		1	2	3	4	5	
Minimum	Lot Width	C Lot Size	1 acre	10,000 sf	5,000 sf	20,000 sf	n/a
		at Building Setback Line	75 ft	50 ft	25 ft	100 ft	60 ft
	Setback	A at Street Line	75 ft	50 ft	25 ft	100 ft	60 ft
		D Front Yard, for Principal Use on Local/Collector Street	50 ft	50 ft	50 ft	50 ft	50 ft
	Height	D Front Yard, for Principal Use on Arterial Street	50 ft	50 ft	50 ft	50 ft	50 ft
		E Side Yard, for Principal Use	30 ft	15 ft	15 ft	25 ft	75 ft
Maximum	F Rear Yard, for Principal Use	50 ft	50 ft	20 ft	50 ft	50 ft	
		G Principal Structure	40 ft	40 ft	40 ft	45 ft	40 ft
	H Accessory Structure	40 ft	40 ft	40 ft	40 ft	40 ft	
Coverage		Building	n/a	45%	45%	45%	30%
		Impervious Surface	30%	80%	80%	80%	50%

AREA AND BULK CATEGORIES:

- 1 – conservation and recreation activities
 2 – residential uses
 3 – local commercial uses
 4 – regional commercial uses
 5 – institutional, governmental, utility, and communication facilities



P = Permitted Use by Right

C = Conditional Use

SE = Use by Special Exception

District Regulations**§27-205. District Quicks.****§205.14 District – Industrial (I)**

AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Forestry	P
1	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
1	Park and Outdoor Recreational Facilities, Community, Public	P
1	Park and Outdoor Recreational Facilities, Regional, Public	P
1	Recreation Facilities for Employees, Faculty & Students	P
2	Landscape and Garden Center- Retail	P
2	Light Manufacturing, Assembly, Processing, Production and Fabrication	P
2	Moving and Storage Parcel Delivery and Express Transfer Stations	P
2	Research, Development, Engineering or Testing Laboratory	P
2	Storage of Passenger Vehicles and Light Trucks	C
2	Wholesale Distribution, Warehouse	P
3	Auto Wrecking, Junk, and Scrap Establishments	P
3	Freight and trucking terminals	P
3	Incinerators	P
3	Manufacturing, Processing or Bulk Storage of Natural Gas	C
3	All Other Commercial and Industrial Uses	C
4	Emergency Services	P
4	Essential Services – Type 1	C
4	Potable Water Well Pump Station Facilities	C
4	Public or Private Parking Garages	P
5	Communication Towers	P

ACCESSORY USES				
Use	Area and Bulk Categories			
	1	2	3	4
Accessory Use Customarily Incidental to the Specified Principal Use	P	P	P	P
Building- and Ground-Mounted Solar and/or Wind Systems	P	P	P	P
General Storage to include Boats and RVs	P			
Food Truck	P	P	P	
Research, Development, Engineering or Testing Laboratory	P	P	P	P

DIMENSIONS		AREA AND BULK CATEGORIES					
Minimum	C	Lot Size	1	2	3	4	5
		at Building Setback Line	75 ft	100 ft	150 ft	60 ft	60 ft
Setback	A	at Street Line	75 ft	100 ft	150 ft	60 ft	60 ft
	D	Front Yard, for Principal Use on Local/Collector Street	50 ft	50 ft	50 ft	50 ft	500 ft
Maximum	D	Front Yard, for Principal Use on Arterial Street	50 ft	50 ft	50 ft	50 ft	500 ft
	E	Side Yard, for Principal Use	25 ft	25 ft	25 ft	75 ft	500 ft
Coverage	F	Rear Yard, for Principal Use	50 ft	50 ft	50 ft	50 ft	500 ft
	G	Principal Structure	40 ft	45 ft	45 ft	200 ft	200 ft
	H	Accessory Structure	40 ft	40 ft	40 ft	40 ft	40 ft
	Building		n/a	45%	45%	30%	30%
	Impervious Surface		30%	75%	75%	60%	60%

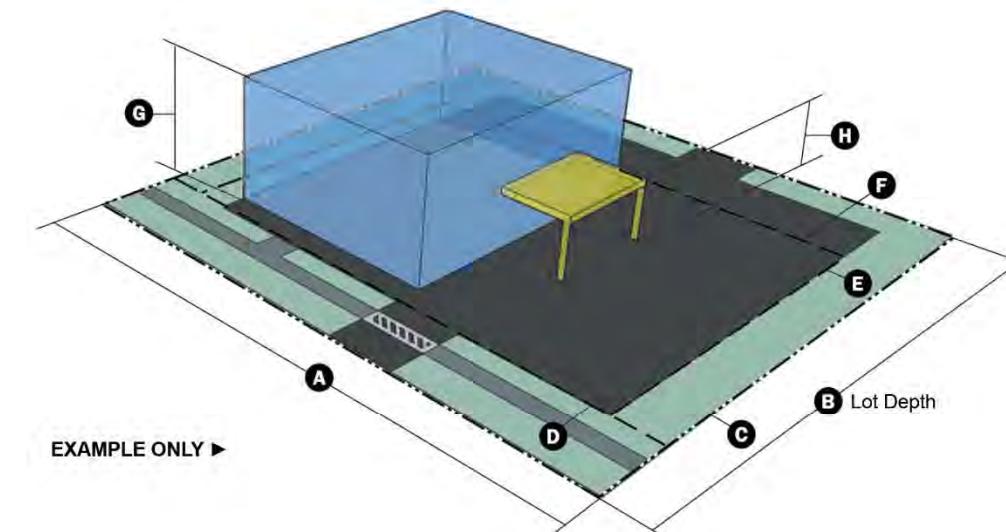
AREA AND BULK CATEGORIES:

1 – conservation and recreation activities

2 – light industrial uses

3 – other uses

4 – institutional, governmental, utility, and communication facilities



P = Permitted Use by Right

C = Conditional Use

SE = Use by Special Exception

§27-205. District Quicks.

§205.15 District – Light, Industry, Research & Development (IRD)

AREA AND BULK CATEGORY	PRINCIPAL USES	
1	Forestry	P
1	Park and Outdoor Recreational Facilities, Neighborhood, Public	P
1	Park and Outdoor Recreational Facilities, Community, Public	P
1	Park and Outdoor Recreational Facilities, Regional, Public	P
1	Recreation Facilities for Employees, Faculty & Students	P
2	Administrative Office Buildings (associated with the Uses in this Area and Bulk Category)	P
2	Food Catering	P
2	Micro-Distillery/Brewery (Beverage Production Facilities)	P
2	Light Manufacturing, Assembly, Processing, Production and Fabrication	P
2	Research, Development, Engineering or Testing Laboratory	P
2	Self-Service Storage Facility	P
2	Archival Libraries	P
3	Amusement Arcades	P
3	Archery and Shooting Ranges, Indoor	P
3	Bowling Alleys	P
3	Business, Professional and Financial Offices	P
3	Child/Day Care Centers	P
3	Clinics and Medical and Dental Offices	P
3	Eating and Drinking Establishments, Sit-Down	P
3	Eating and Drinking Establishments, Takeout	P
3	Health and Athletic Clubs	P
3	Pet Care Services Facility	C
3	Schools, Commercial	P
3	Sport and Field Complexes	P
3	Sporting and Entertainment Arenas and Stadiums	P
3	Studios for Instruction in Music, Performing Arts and Visual Media	P
3	Tutoring and Study Centers	P
4	Community Gardens	P
4	Emergency Services	P
4	Essential Services – Type 1	C
4	Potable Water Pump Station Facilities	C
4	Radio and Television Studios, Excluding Towers in Excess of District Max. Height	P
4	Telecommunications Switching Facility	P
5	Communications Towers	P

ACCESSORY USES		Area and Bulk Categories			
Use	Area and Bulk Categories	1	2	3	4
		P	P	P	P
Accessory Use Customarily Incidental to the Specified Principal Use		P	P	P	P
Building- and Ground-Mounted Solar and/or Wind Systems		P	P	P	P
Food Truck		P	P	P	P
General Storage to include Boat and RVs		P	P	P	P

DIMENSIONS		AREA AND BULK CATEGORIES				
Minimum	C	Lot Size	1	2	3	4
		at Building Setback Line	75 ft	100 ft	100 ft	60 ft
Setback	A	at Street Line	75 ft	100 ft	100 ft	60 ft
	D	Front Yard, for Principal Use on Local/Collector Street	50 ft	50 ft	50 ft	500 ft
	D	Front Yard, for Principal Use on Arterial Street	50 ft	50 ft	50 ft	500 ft
	E	Side Yard, for Principal Use	25 ft	25 ft	25 ft	500 ft
Height	F	Rear Yard, for Principal Use	50 ft	50 ft	50 ft	500 ft
	G	Principal Structure	40 ft	45 ft	45 ft	200 ft
Coverage	H	Accessory Structure	40 ft	40 ft	40 ft	40 ft
		Building	n/a	30%	30%	30%
		Impervious Surface	30%	60%	60%	60%

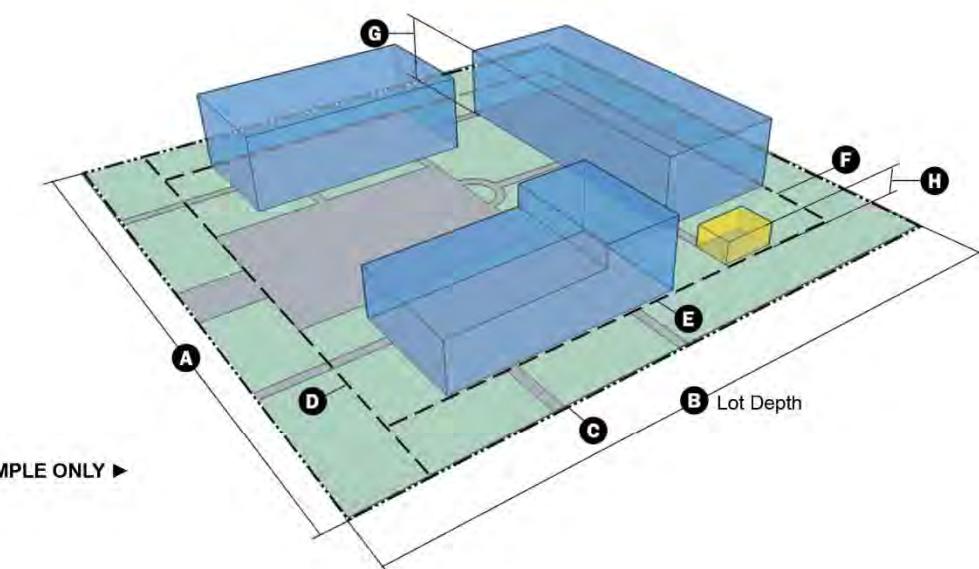
AREA AND BULK CATEGORIES:

1 – conservation and recreation activities

2 – light industrial uses

3 – other uses

4 – institutional, governmental, utility, and communication facilities



P = Permitted Use by Right

C = Conditional Use

SE = Use by Special Exception

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§27-206. Zero Lot Line Homes.

- A. Zero lot line homes, pursuant to the definition found in §27-1102 of this Chapter, shall be permitted, provided that the following requirements are satisfied:
 - B. The side yard shall be either 0 feet for only one side or the minimum distance as provided for in other relevant district and yard requirement regulations.
 - C. Where a zero lot line home is located on a lot line, a 10-foot wide easement shall be required for permanent access by the adjacent property owner or homeowners association to maintain the exterior portion of the dwelling unit wall along the zero lot line. Overhang of roof eaves shall be permitted, provided that no more than 2 feet of overhang encroaches into the easement on the zero lot line side of the structure and that the bottom of such eave is not less than 8 feet above the yard surface.
 - D. No doors or windows of any kind shall be permitted on the zero lot line sidewall of the dwelling/structure.
 - E. Exhaust/intake vents of any kind, i.e. for kitchen, laundry, bathrooms, HVAC on slab, etc., are prohibited on the designated zero lot line sidewall of the dwelling/structure.
 - F. The above design criteria shall be applicable to multiple single-family detached dwellings on a single lot as permitted in the R-3 and R-4 districts, where reference to lot lines is replaced with side walls facing each other.

§27-207. Accessory and Structures Uses.

- A. Accessory Uses. Except where otherwise permitted by this Chapter, all structures that include accessory uses shall comply with the lot, yard setback and maximum height requirements for the primary use to which it is accessory. Residential uses may be accessory to nonresidential uses only as provided for in subparagraphs (1) and (2) below:
 1. All commercial buildings permitted in the V District may include one dwelling unit.
 2. All commercial buildings permitted in the OC and C Districts may include dwelling units as permitted, subject to the following:
 - a. No dwelling unit shall be permitted on the lowest level on grade.
 - b. The floor area of the dwelling units permitted pursuant to this subsection as an accessory use shall not exceed 67% of the total floor area of the structure of which the dwelling units are a part.
 - c. Accessory uses permitted pursuant to this paragraph may not exist on a floor or level of the structure on which a primary use exists.
 3. Industrial uses may include a retail factory outlet for the sale of those products produced on the premises; provided, that the floor area of such outlet does not exceed 25% of the total floor area of the primary structure.
 4. Uses in the IRD zoning district may include on-site warehousing materials not used on site with the following restrictions:
 - a. The square footage of the warehouse may not exceed 25% of the square footage of the primary use on the site.

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- b. The materials stored may not be sold on site.
 - c. A land development plan must be filed to establish the location and limits of the warehouse space. No lighting and/or signage associated with identifying the location of the use will be permitted. In addition, the site must be designed to ensure the ability to accommodate the size and type of truck performing pick-up and delivery to the warehouse space.
 - d. No outdoor storage is permitted.
 - e. Truck access is limited to the hours between 7:00 a.m. and 7:00 p.m.
- B. Accessory Structures.
- 1. On any residential lot less than 5 acres, accessory structures shall be regulated by the calculation of maximum building coverage for the zoning district in which the lot exists.
 - 2. On a residential lot 5 acres and greater , no limit to building coverage associated with accessory structures shall exist.
 - 3. On nonresidential lots, the combined square footage of all structures shall not exceed the building coverage for the zoning district in which the lot exists.
 - 4. For any other use in the Rural Agricultural and Rural Residential Zoning Districts, the accessory structure limitations shall not apply to any structure.
 - 5. Swimming pools are permitted as accessory structures in any district; provided, that outdoor pools, as defined by the applicable building code, shall meet the following requirements:
 - a. No swimming pool may be located in any front or side yard setback area, but it may be located in the rear yard setback area provided that no part of the pool, including paved areas or accessory structures, excluding fencing, shall be located within 10 feet of the rear property line.
 - b. All outdoor swimming pools shall meet the requirements as set forth in the applicable building code.
 - 6. Small accessory buildings of not more than 144 square feet in ground floor area and 10 feet in height are permitted in the rear yard setback areas provided they are not placed closer than 3 feet from any lot line. All structures larger than 144 square feet, or higher than 10 feet, must comply with the setback requirements for primary structures.
- C. Principal uses(s) associated with the primary use of a lot as a place of assembly. Such uses might include but are not limited to: child care, kindergarten/elementary/secondary or nursery school; indoor/outdoor sports or recreation facilities; camp or retreat area; banquet hall/conference center; community center; art gallery; performance space; nursing/convalescent home; retail sales; eating and drinking establishment; parking structure or any combination of such.
- 1. Any structure that includes an adjunct use shall follow the same setback criteria as the primary uses associated with the zoning district in which the structure is located.
 - 2. Landscaping and parking requirements will be applicable in accordance with the primary principle use of the site.
 - 3. Adjunct uses that are associated with a civic- or faith-based place of assembly must be operated by the same organization for use by its members and their guests. Such facilities may be rented on a temporary basis for fund raising or charitable events associated with the civic organization

but may not function full-time in a manner that would qualify as a business-based place of assembly.

§27-208. Lot Requirements.

The lot requirements for any use or structure shall not include any part of a lot that is required by any other use or structure to comply with the requirements of this Chapter.

- A. Minimum Lot Size and Width. All lots created after the effective date of this Chapter shall be no less than the minimum lot size and width requirements stipulated for each use in the district regulations, except for uses otherwise regulated under the cluster option for rural districts or "Planned Residential Development District."
- B. Maximum Lot Coverage. The total ground floor area of all primary and accessory buildings shall not exceed the percent of coverage of the lot specified for the use in the district regulations.
- C. Maximum Impervious Landscaped Surface Coverage. The total of all surfaces shall not exceed the percent of coverage of the lot specified for the use in the district regulations.
- D. One Dwelling Unit per Lot in Single-Family Residential District and Suburban Single-Family Residential District. In the Single-Family Residential District (R-1) and the Suburban Single-Family Residential District (R-1B), only one dwelling unit may be constructed upon each lot.
- E. Cluster Option for Rural Residential District. The following cluster option is available for residential development land in the Rural Residential District for the purpose of preserving large tracts of farm and forest land and other open spaces for future generations.
 1. Provisions. All land included in any Rural Residential District may be developed for dwellings with lot and yard setback requirements for each lot reduced to those applicable to single-family detached dwellings with off-site sewer service in the Single-Family Residential District; provided, that the overall density of the tract does not exceed what would have otherwise been possible under the Rural Residential District regulations applicable to single-family detached dwellings and, provided that:
 - a. The total size of the tract shall be at least five (5) acres.
 - b. No more than 35% of the total tract be developed for single-family detached dwelling, single-family semidetached dwelling, single-family attached dwelling, two family detached dwelling or two-family semidetached dwelling lots, including streets and accessory uses.
 - c. The remaining portion of the tract, which shall be at least 65% of the tract, shall be used for only one or more of the following uses:
 - 1) The tilling of the land, the raising of crops, fruits and vegetables, and the raising and keeping of livestock and poultry.
 - 2) Horticultural uses related to the raising, propagating and selling of trees, shrubs, flowers and other plant materials.
 - 3) Usual farm structures, including barns and greenhouses.
 - 4) Commercial establishments for the processing, storage and sale of farm products produced and raised on the premises.
 - 5) The conservation of open space, water, soil and wildlife resources.
 - 6) Park and recreational uses for use by the general public and/or the homeowners of the developed portion of the tract.

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- 7) All such uses shall meet the lot, yard setback and height requirements specified for such use in the Rural Agricultural District.
- d. The undeveloped portion of the tract shall be contiguous.
- e. Where the developed portion of the tract abuts a Rural Agricultural District, then the 200 foot buffer yard as provided in this Chapter shall apply and the ratio of developed to undeveloped portion of the tract shall change from 35% to 65% to 40% to 60%.
2. Procedure for Approval. All land to be subdivided under the zoning provisions of this subsection shall follow the procedures for the subdivision of land contained in the Ferguson Township Subdivision and Land Development Regulations [Chapter 22], with the following additional requirements:
 - a. That at the time an application is made to the Township for preliminary plan approval, the applicant enter into a written agreement with the Township, in a manner and form acceptable for recording by the office for the recording of deeds, Centre County, Pennsylvania, stipulating the means by which said open space shall be preserved for the uses permitted by this subsection. Such means shall be either of the following:
 - 1) Dedication of the open space to the Township.
 - 2) Establishment of a corporate ownership of the open space by the homeowners of the developed portion of the tract, incorporating into the deeds of the homeowners an interest in such open space, indicating the uses, as permitted above, to be made of such open space.
 - 3) Disposition of such open space to a private or nonprofit corporation chartered under the laws of Pennsylvania to administer and maintain the facilities subject to an acceptable deed restriction limiting eventual disposition of said open space for one or more of the uses permitted above and stated in the articles of incorporation.
 - 4) Retention of ownership by the present landowner, his heirs and assigns for any and all of the uses permitted above.
 - b. Such means may include an arrangement, upon the agreement of all parties to the arrangement, whereby the present landowner and his heirs and assigns may continue to use the land labeled "Open Space" after subdivision has been accomplished for any or all of the uses permitted above. Such arrangement shall specify the responsibilities of all parties to the agreement for the payment of taxes, provision of liability insurance and care and maintenance of the open space.
 3. Nothing in this subsection shall be construed to mean denial of the right of the landowner to otherwise develop in accordance with the regulations applicable to the Rural Residential District, nor shall it exempt any development from complying with other applicable requirements of this Chapter.

§27-209. Yard Requirements.

No structure shall be placed in the front, side or rear yard setback areas specified for each use, except where specifically permitted below or in other Sections of this Chapter.

- A. Where two or more primary structures for nonresidential use are proposed to be placed upon a lot in single ownership, the front, side and rear yard setback areas are required only at lot lines abutting other property.
- B. Where two or more primary structures for residential use are proposed to be built upon a lot in single ownership, the front, side and rear yard setback areas are required as though each structure

were on an individual lot. Within the lot, the minimum horizontal distance between facing walls of any buildings on the lot shall be as follows:

1. Twenty feet between facing walls for single-family detached and semidetached dwellings, except that a distance of not less than 10 feet between zero lot line homes shall be permitted. A zero lot line home is a type of single-family detached dwelling.
 2. Thirty feet between facing walls (which are not party walls) for townhouse dwellings, single-family attached dwellings and two family semidetached dwellings.
 3. Forty feet between facing walls (which are not party walls) for two family attached dwellings, multifamily semidetached dwellings and attached dwellings, i.e. apartments, garden apartments.
 4. In instances when two types of principal buildings are located on one lot, then the distance between buildings shall be the larger distance based on the building of higher intensity.
- C. Where a lot abuts upon a collector or arterial street with a right-of-way of less than 50 feet in width, the front yard setback shall be measured from a line parallel to, and 25 feet from, the center line of the street cartway.
- D. Fences, walls and signs are permitted in any yard setback area unless otherwise restricted or prohibited by other provisions of this Chapter.
- E. Balconies, bay windows, chimneys and flues, columns, cornices and eaves, fire escapes, gutters and downspouts, sills, decks, patios, HVAC unit and pad and unenclosed porches may project into the specified yard setback areas of a lot, but not more than 3 feet.
- F. On corner lots, nothing, including structures, fences, walls and vegetation, shall be erected, placed, planted or allowed to grow in such a manner as to impede vision between a height of 2½ feet and 10 feet above the centerline grades of the intersecting streets and within an area bounded by the street right-of-way lines of such corner lots and a line joining points on these street right-of-way lines 25 feet from their intersection.
- G. On a corner lot, the side yard abutting the street shall have a setback area equal to the depth of the front yard setback area required for the use and shall be governed by all front yard setback requirements of this Chapter.
- H. On a through lot, the rear yard setback width shall be either the rear or front yard setback width designated for the use, whichever is greater.
- I. Where a tract of land zoned Rural Agricultural on the effective date of this Part, or thereafter, is changed to a different zoning classification, then a buffer yard of not less than 50 feet in width shall be provided on the property which has been rezoned when the rezoned land adjoins land in the RA Rural Agricultural zone.
1. This revised buffer shall also be applicable to any acreage which currently contains the previously established 200-foot buffer and for which a final subdivision or land development plan is approved after the effective date of this Part.
 - a. The approval of such reduction in the buffer area for any lot shall be contingent upon the agreement of all property owners within the specific section or phase of development of which the lot is a part. Any final plan submitted must therefore include all such lots.

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- b. Acreage subject to the buffer but not previously designated as a phase of an existing development will require amendment of the approved master plan for that development in order to modify the existing buffer location.
2. No structure, including decks, patios or building additions may encroach in this 50-foot buffer yard other than the placement of an accessory structure/shed of less than 144 square feet, which is permitted to be located within the buffer and as close as 3 feet from the property line. Swimming pools shall be prohibited from being located within the 50-foot buffer yard.
3. To ensure clear distinction between the land in the RA zone and the land zoned for development, the Board may require that the developer of the non-agricultural land install either fencing or landscaping along the entire length of the shared boundary with the RA zoned lands in addition to the establishment of the 50-foot buffer.
 - a. Where a landscaped buffer is required by the Board, such landscaping will be required to meet the requirements of either the 15-foot Buffer Yard "B" or the 30-foot Buffer Yard "D". Once installed, this landscaping may not be removed at any time by the present or future owner(s) of the non-farm lots. These owners will be responsible in perpetuity for the continued maintenance and replacement of the landscaping material located on their property.
 - b. At the discretion of the Board, the developer may be responsible for the installation of a 6-foot fence in lieu of the above landscaping requirement. Such fencing shall be installed along the entire length of the shared boundary with the RA zoned lands. The fencing may not be chain link and may not be removed at any time by the present or future owner(s) of the non-farm lots. In addition, unless a homeowners association is established, the individual lot owners will be responsible in perpetuity for the continued maintenance and if necessary, the replacement of that portion of the fence on their property.
- J. Where a tract of land zoned Rural Agricultural on the effective date of this Part, or thereafter, is changed to a different zoning classification, then a buffer yard of not less than 200 feet in width shall be provided on the property which has been rezoned when the rezoned land adjoins land in the (FG) Forest Gameland zone.
- K. In all zoning districts the lot width may vary as long as the minimum lot width at the street line and the building setback line are in compliance.

§27-207. Maximum Height Requirements.

No structure shall exceed the height limitations specified for the use, except as allowed below:

- A. Exceptions. In Rural, Agricultural Research, Commercial and Industrial Districts, the maximum height requirement shall not apply to the following: barns and silos, belfries, bulkheads, chimneys, church spires, domes, flag poles, grain elevators, masts and aerials, monuments, observation towers, skylights, smokestacks, utility poles and towers, ventilators, water tanks, windmills and solar collectors: provided:
 1. They are erected only to such height as is necessary to accomplish the purpose they are to serve.
 2. If over 40 feet in height they shall not exceed a height equal to their setback distance from any property line.
 3. They are not intended for human occupancy as dwellings.

- B. Computation. The height of a structure shall be computed as the vertical distance measured from the mean level of the ground surrounding the structure to its highest point.
- C. Single-Family Residential Structures in RA District. In the Rural Agricultural District, the maximum height requirement shall not apply to a single-family residential structure provided the following conditions are satisfied:
 - 1. The structure in question shall be located on a lot having a minimum size of ten acres.
 - 2. The minimum front yard setback of the lot in question shall be 100 feet.
 - 3. The maximum height as measured from the finished grade at the front elevation shall not exceed 40 feet in height.
 - 4. The overall maximum height of a single-family residential structure in the Rural Agricultural zoning district shall be measured by calculating the mean height of the structure. This calculation will subtract the final grade elevation of the front of the structure from the final grade elevation of the rear of the structure and divide the sum by 2. This sum will be added to the height of the structure at the front elevation of the structure to determine the maximum height of the structure. This mean height shall not exceed 115% of the height of the single-family residential structure at the front elevation.
 - 5. For the purposes of determining the height under this exception, the “front elevation” shall be the side of the structure that faces a road or street.
 - 6. A Rural Agricultural lot containing the aforesaid single-family structure shall not be further subdivided.

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PART 3**Residential Planned Development and Mixed Use****§27-301. Mobile Home Park (MHP) District.**

A. Site Requirements.

4. Site Location. The location of all mobile home parks shall comply with the following minimum requirements:
 - a. Free from adverse influence by swamps, marshes, garbage or rubbish disposal areas or other potential breeding places for insects or rodents.
 - b. Not subject to flooding.
 - c. Not subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare.
5. Site Drainage Requirements. Stormwater management controls as set forth in the Ferguson Township Stormwater Management Ordinance.
6. Soil and Ground Cover Requirements.
 - a. Exposed surfaces in all parts of every park shall be paved, or covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
7. Areas for Nonresidential Uses.
 - a. No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park.

B. Design Standards.

1. Required Setbacks, Buffer Strips and Screening.
 - a. All mobile homes shall be located at least 30 feet from any park property boundary line abutting upon a public street or highway right-of-way and at least 15 feet from other park property boundary lines, except mobile home space boundaries, which shall be minimum 6 feet.
 - b. There shall be a minimum distance of 15 feet between an individual mobile home, including accessory structures attached thereto and adjoining pavement of a park street, or common parking area or other common areas.
 - c. All mobile home parks may be required, at the discretion of the Board of Supervisors, to provide a planted visual screen.
2. Required Separation Between Mobile Homes.
 - a. Mobile homes shall be separated from each other and from service buildings and other structures by at least 30 feet and shall be located not less than 6 feet from the mobile home lot boundary. Mobile home lots shall have minimum width of 50 feet and minimum length of 100 feet.

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- b. An accessory structure which has a horizontal area exceeding 25 square feet, is attached to a mobile home and/or located within 10 feet of its window and has an opaque or translucent top or roof that is higher than such window shall, for purposes of this separation requirement, be considered to be part of the mobile home.
3. Street System.
 - a. All streets to be offered for public dedication will conform to the Ferguson Township Subdivision and Land Development Ordinance regulations.
 - b. All streets not to be offered for public dedication shall conform to the following standards:
 - 1) General Requirements. A safe and convenient vehicular access shall be provided from abutting public streets or roads.
 - 2) Access. The entrance road connecting the park streets with a public street or road shall have a minimum cartway width of 20 feet with 6 foot crushed stone shoulders.
 - 3) Internal Streets. Surfaced roadways shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the following minimum requirements:
 - (a) Internal streets shall have a minimum cartway width of 20 feet with 6 foot crushed stone shoulders, except one-way streets, which shall have a minimum cartway width of 10 feet with 6 foot crushed stone shoulders.
 - (b) Dead-end streets shall be provided at the closed end with a turnaround having an outside cartway diameter of at least 40 feet.
 - 4) Street Construction and Design Standards.
 - (a) Streets. All streets intended to be dedicated for public use shall conform to the Ferguson Township Subdivision Regulations [Chapter 22].
 - (b) Streets. All streets not to be dedicated for public use shall be provided with a smooth, hard and dust-free surface which shall be durable and well drained under normal use and weather conditions.
 - (c) Grades. Grades of all streets shall be sufficient to insure adequate surface drainage, but shall be not more than 8%. Short runs, not exceeding 500 feet, with a maximum grade of 10% may be permitted; provided, traffic safety is assured by appropriate surfacing, adequate leveling areas and avoidance of lateral curves.
 - (d) Intersections. Within of at least 150 feet shall be maintained between center lines of offset intersecting streets. Intersections of more than two streets at one point shall be avoided.

4. Parking Areas.
 - a. Areas shall be provided for the parking of motor vehicles. Such areas shall accommodate at least two parking spaces for each mobile home lot provided.
 - b. Off-street parking areas may be provided in all mobile home parks for the use of park occupants and guests.
 - c. Required car parking spaces shall be so located as to provide convenient access to the mobile home, but shall not exceed a distance of 100 feet from the mobile home that it is intended to serve. Said parking and related drives, when located within the confines of the mobile home lot, shall not occupy more than 20% of the area of the mobile home lot.
5. Mobile Home Stands; Construction. The area of the mobile home lot shall be improved to provide an adequate foundation for the placement of the mobile home. The mobile home lot shall be designed so as not to heave, shift or settle unevenly under the weight of the mobile home because of frost action, inadequate drainage, vibration or other forces acting on the superstructure.
6. Open Space Requirements.
 - a. All mobile home parks shall provide and so indicate on the plan of the mobile home park suitable areas for recreation and open space uses by using the standard of 20% of the total area of the mobile home park of which one- half of the area shall be in one piece. The remainder may be used to provide pedestrian connecting links to the recreation areas.
 - b. The recreation and open space shall be located as centrally as possible within the mobile home park in order to be easily accessible to the residents of the mobile home park.
 - 1) The open space shall be landscaped with a water absorbent surface except for recreational facilities and walkways utilizing a hard surface.
 - 2) The open space must be maintained by the mobile home park operator or the open space can be dedicated to the Township provided the Township is willing to accept and maintain the open space.
 - c. The maximum impervious surface coverage shall be 60%.
- C. Plan Requirements. In addition to the land development plan requirements of this Chapter, the plan of proposed development shall show:
 1. Location and width of all streets and rights-of-way, with a statement of any conditions governing their use.
 2. Suggested street names and utility easement locations.
 3. Proposed building setback lines along each street.
 4. Lot lines with dimensions.
 5. A statement of the intended use of all nonresidential lots and parcels.
 6. Lot numbers and a statement of the total number of lots and parcels.
 7. Sanitary and/or storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities.

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8. Parks, playgrounds, streets and other areas dedicated or reserved for public use, with any conditions governing such use.

D. Water Supply.

1. General Requirements. An adequate supply of water shall be provided for mobile homes, service buildings and other accessory facilities as required by this Chapter. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply shall be used exclusively. Where a satisfactory public water supply system is not available, the development of a private water supply system shall be approved by the Pennsylvania Department of Environmental Protection or other authorities having jurisdiction. [Ord. 820]
2. Fire Hydrants. Where a public supply of water is provided, fire hydrants shall be installed as agreed upon by the Board of Supervisors and the agency responsible for supplying water.
3. Individual Water-Riser Pipes and Connections.
 - a. Individual water-riser pipes shall be located within the confined area of the mobile home stand a point where the water connection will approximate a vertical position, thereby insuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.
 - b. The water-riser pipe shall have a minimum inside diameter of 3/4 inches and terminate at least 4 inches above the ground surface. The water outlet shall be provided with a cap when a mobile home does not occupy the lot.
 - c. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipe and to protect risers from heaving and shoving actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.
 - d. A shut-off valve below the frost line shall be provided near the water- riser pipe in each mobile home lot. Underground stop-and-waste valves are prohibited unless their types of manufacture and their method of installation are approved by the Board of Supervisors.

E. Sewage Disposal.

1. General Requirements. An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Such system shall be designed, constructed and maintained in accordance with the Pennsylvania Department of Environmental Protection and Township ordinances.
2. Individual Sewer Connections.
 - a. Each mobile home stand shall be provided with at least a 4 inch diameter sewer riser pipe. This sewer riser pipe shall be imbedded in poured concrete, minimum 12 inch diameter and a minimum eighteen 18 inch depth. The rim of the riser pipe shall extend at least ½ inch above ground elevation. The sewer riser pipe shall be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.
 - b. The sewer connection shall have a nominal inside diameter of not less than 3 inches and the slope of any portion thereof shall be at least 1/4 inch per foot. All joints shall be watertight.

- c. All materials used for sewer connection shall be semi-rigid, corrosive resistant, nonabsorbent and durable. The inner surface shall be smooth.
- d. Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser.

F. Electrical Distribution System.

1. General Requirements. Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with Township ordinances regulating such systems.
2. Power Distribution Lines. Main power lines not located underground shall be suspended at least 18 feet above the ground, and shall have a minimum vertical clearance of 8 feet above any mobile home, service building or other structure.

G. Service Buildings and Other Community Service Facilities.

1. The requirements of this Section shall apply to service buildings, recreation buildings and other community service facilities when constructed, such as management offices, repair shops and storage areas; laundry facilities; indoor recreation areas.
2. Structural Requirements for Building. All structural requirements shall be in accordance with the Township Building Code [Chapter 5, Part 1].

H. Refuse Disposal. The storage, collection and disposal of refuse in the mobile home park shall be so managed as to create no health hazards, rodent harborage, insect-breeding areas, accident or fire hazards or air pollution and shall be in accordance with Township ordinances.

- I. Fire Protection. Fire protection provisions shall be in accordance with the Township Fire Prevention Code [Chapter 7, Part 3].
- J. Fuel. All piping from outside storage tanks or cylinders to mobile homes shall be copper or other acceptable metallic tubing and shall be permanently installed and securely fastened in place and shall not be located inside or beneath the mobile home or less than 5 feet from any mobile home exit. Secondary containment shall be provided as necessary.

K. Supervision.

1. Responsibilities of the Park Management.
 - a. The person to whom a permit for a mobile home park is issued shall operate the park in compliance with this Chapter and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in clean and sanitary condition.
 - b. The park management shall supervise the placement of each mobile home on its mobile home stand which includes securing its stability and installing all utility connections.
 - c. The park management shall give the Board of Supervisors or their representative free access to all mobile home lots, service buildings and other community service facilities for the purpose of inspection.
 - d. The management shall maintain a register containing the names and addresses of all park occupants. Such register shall be available to any authorized person inspecting the park.
 - e. The management shall notify the Pennsylvania Department of Environmental Protection immediately of any suspected communicable or contagious disease within the park.

Residential Planned Development and Mixed Use**§27-302. Planned Residential Development (PRD) District.**

A. Procedure for Establishing a Planned Residential Development. An applicant wishing to receive approval of a planned residential development within the Township of Ferguson shall submit plans in accordance with procedures provided for under this subsection.

1. Pre-Application Conference. Before submitting an application for a planned residential development, an applicant is encouraged to confer with the Planning Commission, Township staff and Centre Regional Planning Agency to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys and other data.
2. Application for Tentative Approval of a Planned Residential Development.
 - a. An applicant desiring to establish a planned residential development shall provide the Planning Commission with ten (10) full size format and ten (10) 11"x 17" formatted copies of a development plan indicating the following:
 - 1) A key map at a scale of 1 inch equal 400 feet showing the location of the site in relation to adjacent properties and the larger neighborhood, adjacent zoning and road system connections with existing and proposed roads within 1,000 feet.
 - 2) Existing manmade features, including utilities, adjacent roadways and adjacent land uses and owners.
 - 3) Existing natural features including, but not limited to, soil types, unique vegetation, all tree masses greater than ten (10) feet in height, all other trees in excess of 4 inches in caliper, rock out-croppings, closed depressions, sinkholes, watercourses, flooplains, steep slopes, wetlands and topography of the site.
 - 4) A conceptual landscaping plan showing the treatment of materials and design concepts used for private and common open space.
 - 5) A plan showing the proposed general lot layout; the location of the various types of land uses; the approximate location, use, height and bulk of building(s); the proposed density of population and housing in each distinct residential area; the location and size of recreational spaces, parks, schools and other facilities which are intended for public use with off-street parking; the provisions for automobile parking and the size and floor space of commercial or industrial uses.
 - 6) A public utility plan for sanitary sewer, water and stormwater management controls and their easements, and a general grading plan showing any major alterations that affect the tract topography by five (5) vertical feet or more.
 - 7) A plan showing the width and location of proposed streets and public ways.
 - 8) The approximate locations of public transit amenities, bicycle paths, sidewalks and relevant recreational amenities including adjacent bikeways, sidewalks, parkland and open space.
 - 9) Signature block for Township Planning Commission and Board of Supervisors.
 - b. The applicant shall also submit ten copies of a written statement containing the following information:
 - 1) An explanation of the character of the planned residential development and the reasons

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why a planned residential development would be in the public interest and would be consistent with the Centre Region Comprehensive Plan and the Township's Parks, Recreation and Open Space Plan, when adopted. Discussion of other criteria used in site planning; such as natural features, consideration of adjacent land uses, circulation and community facilities is required with the explanation.

- 2) Covenants, grants, easements or other restrictions proposed to be imposed upon the use of the land, buildings or structures, including proposed easements or grants for public utilities.
 - 3) A statement of the present ownership of all the land included within the planned residential development and the applicant's interest in the land proposed for development. By definition, the PRD is required to be developed as a single entity for a number of dwelling units or combination of residential and nonresidential uses. Therefore, if multiple owners wish to form a partnership in order to pursue tentative approval of a PRD, a lot consolidation plan will be required as a condition of approval and must be completed prior to submission of the pre-final design.
 - 4) The form of organization proposed to own and maintain the common open space and whether public or private ownership is proposed.
 - 5) A statement describing the proposed surface drainage of the tract, proposed erosion and sediment control plan and proposed sanitary sewage treatment system and water service. Documentation shall be provided to support the feasibility of the proposal for water supply, control of stormwater, erosion and sediment control and for the sanitary sewage treatment, including sewer authority and public water authority ability and capacity to serve the PRD.
 - 6) A traffic impact study as per the adopted Township standards.
- c. For the purpose of reviewing the proposed development plan at the Planning Commission and Board of Supervisors meetings, the applicant shall provide a digital version (.pdf or Township-approved equivalent) of the submission.
- d. A phasing plan indicating:
- 1) The date when construction of the project can be expected to begin.
 - 2) The phases in which the project will be built and the date when construction of each phase can be expected to begin and end. The number and type of units to be developed in each phase shall also be included. This schedule will be updated every January.
 - 3) The development plan shall illustrate all items described in subsections (1) through (9) of subsection .2(a) above and include the phasing of all sections. In addition, the phasing of all on-site and off-site improvements such as roadways, storm drains and stormwater management shall be illustrated.
 - 4) The area and location of common open space that will be provided in each phase.
 - 5) The type and location of both active and passive recreation areas that will be provided in each phase.

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e. Public Hearings.

- 1) Within 60 days after the filing of an application for tentative approval of a planned residential development pursuant to this Part, a public hearing pursuant to public notice on said application shall be held by the Board of Supervisors for the enactment of an amendment to the Zoning Ordinance. The Chairman, or in his/her absence the Vice-Chairman, of the Board of Supervisors may administer oaths and compel the attendance of witnesses. All testimony by witnesses at any hearing shall be given under oath and every party of record at a hearing shall have the right to cross-examine adverse witnesses.
- 2) Prior to the public hearing by the Board of Supervisors, the Planning Commission shall consider the application without the requirement of public notice and shall make its recommendation to the Board of Supervisors. In the event that the Planning Commission shall not have a complete recommendation prior to the public hearing of the Board of Supervisors referred to herein, the Board of Supervisors may continue the public hearing as provided in this Chapter.
- 3) A verbatim record of the public hearing shall be caused to be made by the Board of Supervisors whenever such a record is requested by any party to the proceedings; but the cost of making and transcribing such a record and the expense of the copies shall be borne by the party requesting it. All exhibits accepted in evidence shall be identified and duly preserved or, if not accepted in evidence, shall be properly identified and the reason for exclusion clearly noted in the record.
- 4) The Board of Supervisors may continue the hearing from time to time and may refer the matter back to the Planning Commission for a report; provided, however, that in any event the public hearing or hearings shall be concluded within 60 days after the date of the first public hearing.
- 5) Owners of all adjacent and adjoining properties including any properties on the opposite side of any public right-of-way which is adjacent to the property in question shall individually receive written notice of the public hearing at least 2 weeks prior to the date of the meeting.

f. Findings of Fact.

- 1) The Board of Supervisors, within 60 days following the conclusion of the public hearing(s) provided for in this Section, shall by official written communication to the landowner, either:
 - (a) Grant tentative approval of the development plan as submitted.
 - (b) Grant tentative approval subject to specified conditions not included in the development plan as submitted.
 - (c) Deny tentative approval of the development plan. Failure to do so within said period shall be deemed to be a grant of tentative approval of the development plan as submitted. In the event, however, that tentative approval is granted subject to conditions, the landowner shall, within 30 days after receiving a copy of the official written communication of the Board of Supervisors, notify the Board of Supervisors of his/her intent to accept or reject all said conditions. In the event the landowner refuses to accept the conditions, the Board of Supervisors shall be deemed to have denied tentative approval of the development plan.

- 2) The grant or denial of tentative approval by official written communication shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth the reasons for the grant, with or without conditions, or for the denial and said communication shall set forth with particular emphasis in what respects the development plan would or would not be in the public interest including, but not limited to, findings of fact and conclusions on the following:
 - (a) In those respects in which the development plan is or is not consistent with the Centre Region Comprehensive Plan for the development of the Township and the Township's Park, Recreation and Open Space Plan, when adopted.
 - (b) The extent to which the development plan departs from zoning and subdivision regulations otherwise applicable to the subject property including, but not limited to, density, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.
 - (c) The purpose, location and amount of the common open space in the planned residential development, the reliability of the proposals for maintenance and conservation of the common open space and the adequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development.
 - (d) The physical design of the development plan and the manner in which said design does or does not make adequate provision for public services, vehicular traffic control, and for amenities including light and air, recreation and visual enjoyment.
 - (e) The relationship, beneficial or adverse, of the proposed planned residential development to the larger neighborhood in which it is proposed to be established.
 - (f) In the case of a development plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents of the planned residential development in the integrity of the development plan.
 - (g) Whether the PRD removes from the former zoning district an amount of area that would result in the reduction in inventory of that district, thereby decreasing the Township's ability to provide its "fair share" in relation to the Zoning Map.
 - 3) In the event a development plan is granted tentative approval, with or without conditions, the Board of Supervisors may set forth in the official written communication, the time within which an application for final approval of the development plan shall be filed; or, in case a development plan provides for development over a period of years, the periods of time within which applications for final approval of each part thereof shall be filed. Except upon the consent of the landowner, the time so established between grant of tentative approval and an application for final approval shall not be less than 3 months and, in the case of developments over a period of years, the time between applications for final approval of each part of a plan shall not be less than 12 months.
- g. Status of Plan After Tentative Approval.
- 1) The official written communication provided for in this Section shall be certified by the Township Secretary and shall be filed in his/her office and a certified copy shall be

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mailed to the landowner. Where tentative approval has been granted, it shall be deemed an amendment to the zoning map, effective upon final approval, and shall be noted on the Zoning Map.

- 2) Tentative approval of a development plan shall not qualify the planned residential development for recording nor authorize development or the issuance of any building permits. A development plan which has been given tentative approval with conditions of the tentative approval as submitted or which has been given tentative approval with conditions which have been accepted by the landowner (and provided that the landowner has not defaulted nor violated any of the conditions of the tentative approval), shall not be modified or revoked nor otherwise impaired by action of the Township pending an application or applications for final approval, without the consent of the landowner, provided an application for final approval is filed, or in the case of development over a period of years, provided applications are filed, within the periods of time specified in the official written communication granting tentative approval.
- 3) Revisions to a Development Plan After Tentative Approval. Any changes to the tentatively approved development plan which are proposed prior to the pre-final or final plan submittal shall be submitted to the Board of Supervisors for consideration and determination as to whether or not the changes are substantial enough to require a public hearing prior to approval. If the Board of Supervisors determines a public hearing is not required, the plan may move to the final approval stage. If the Board of Supervisors determines a public hearing is necessary, the process outlined in subsections (e.) and (f.) above ("Public Hearings" and "Findings of Fact") shall be followed. If a public hearing is required to review the revised plan, the applicant shall be responsible for payment of the fee for the legal advertising notice. Upon tentative approval, the applicant shall provide the Township with three copies of the revised master plan.
- h. Pre-Final Design Submission. A development plan which has been given tentative approval shall submit street, sanitary, water and stormwater management site plans for the entire development to be approved by the Township Engineer. The plans shall include information sufficient for review and approval of a pre-final design as required by the Township ordinances for a preliminary subdivision plan. Approval of this submission is required prior to any final plan submissions for separate section(s) or the complete development. Review shall be within 90 days of the submission or resubmission date. Pre-final design submission must be reviewed and approved by the Planner, Zoning Administrator, Fire Chief, water and sewer provider and Township Engineer. The applicant must submit evidence of approval from all other entities to the Township prior to approval of this submission.
 - i. Application for Final Design Approval.
 - 1) An application for final design approval may be for all of the land included in the development plan or, for a specific phase as set forth in the tentative development plan. Application shall be made to the Board of Supervisors within the time or times specified by the official written communication granting tentative approval but not until after the pre- final design submission has been approved. Application for final design approval shall be accompanied by:

- (a) Ten copies of the final plan, prepared or certified by a registered engineer or surveyor in accordance with the Township's Subdivision [Chapter 22] and Zoning Ordinance [this Chapter], showing the final location and widths of all streets, the location of all buildings, parking areas, pedestrian ways, utilities, utility easements, lot lines, the location and size of all open space not devoted to parking lots, streets or driveways, the proposed use of all lands and buildings and the metes and bounds of all proposed dedicated areas and lots.
 - (b) Restrictive covenants executed by all owners of the premises within the section covered by the final plan which, if approved, shall be recorded with the Recorder of Deeds of Centre County. The restrictive covenants shall be effective for a period of at least 35 years, except that covenants relating to stormwater management facilities, parks, recreation and other open space areas shall provide that the same remain as such perpetually.
 - (c) Any additional conditions set forth at the time of tentative approval.
- 2) A public hearing on an application for final approval of the development plan, or part thereof, shall not be required provided that the development, or part thereof, submitted for final approval is in compliance with the development plan theretofore given tentative approval and with any specified conditions attached thereto.
 - 3) In the event the application for final approval has been filed, together with all drawings, specifications and other documents in support thereof and as required by this Section and the official written communication of tentative approval, the Board of Supervisors shall, within 45 days of such filing, grant such development plan final approval. At the time of approval, the Board of Supervisors shall pass a resolution to change the zoning of the final plan portion of the property from its underlying zoning district to planned residential development (PRD).
 - 4) In the event the final development plan as submitted contains variations from the development plan given tentative approval, the Board of Supervisors may refuse to grant final approval and shall, within 45 days from the filing of the application for final approval, so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one or more said variations are not in the public interest. In the event of such refusal, the landowner may either:
 - (a) Refile his/her application for final approval without the variations objected to.
 - (b) File a written request with the Board of Supervisors that it hold a public hearing on his/her application for final approval.
 - 5) If the landowner wishes to take either such alternate action he/she may do so at any time within which he shall be entitled to apply for final approval, or within 30 additional days if the time for applying for final approval shall have already passed at the time when the landowner was advised that the development plan was not in substantial compliance. In the event the landowner shall fail to take either of these alternate actions within said time, he/she shall be deemed to have abandoned the development plan. Any such public hearing shall be held pursuant to public notice within 30 days after request for the hearing is made by the landowner, and the hearing shall be conducted in the manner prescribed in this Section for public hearings on applications for tentative approval. The applicant shall be responsible for payment of the fee for placement of the legal notice to advertise the public hearing. Within 30 days

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after the conclusion of the hearing, the Board of Supervisors shall by official written communication either grant final approval of the development plan or deny final approval. The granting or denial of final approval of the development plan shall, in cases arising under this Section, be in the form and contain the findings required for an application for tentative approval set forth in this Section.

- 6) Once all of the final plan approval conditions are met, with the exception of posting financial surety, construction may commence in accordance with Township road standards. However, no lots or parcels may be transferred or sold until financial surety is posted and the plan is recorded.
- 7) A development plan, or any part thereof, which has been given final approval shall be so certified without delay by the Board of Supervisors and shall be filed on record forthwith in the office of the Recorder of Deeds of Centre County, in accordance with the provisions of §509 and §513(a) of the Pennsylvania Municipalities Planning Code, together with any restrictive covenants and agreements or other provisions which govern the use, maintenance and continued protection of the planned residential development and its common open space. Upon the filing of record of the development plan, the zoning and subdivision regulations otherwise applicable to the land included in such plan shall cease to apply thereto. Pending completion, §508 of the Pennsylvania Municipalities Planning Code and the Township final subdivision regulations shall apply to said planned residential development or that part thereof, as the case may be, that has been finally approved. No modification of the provisions of said development plan, or part thereof, as finally approved, shall be made except with the consent of the landowner.
- 8) Approval of a final plan may be subject to posting a performance bond covering up to 110% of the cost of developing common open spaces, planting plans, public improvements and other improvements deemed appropriate by the Board of Supervisors.

B. Use Regulations.

1. The following residential uses may be permitted in a planned residential development: single family, two-family, multi-family detached, semi-detached and attached dwellings, nursing homes, personal care boarding homes, assisted living facilities, retirement communities, other convalescent homes, community gardens, as well as mixed use buildings as defined herein. The appropriate integration of these uses, throughout the PRD will be considered in determining the acceptable type and amount of units as well as the maximum square footage of units and/or development with a healthcare element. Mixed-use structures are subject to the square footage restrictions as provided below for all nonresidential uses. They may include employment opportunities such as professional office(s) or those related to the service industry as well as civic uses in addition to a residential component.
2. The additional uses set forth in the following subsections may be permitted where the Board of Supervisors deems that one or more of them is appropriate to the neighborhood in which the planned residential development is located. The definition of neighborhood shall be agreed upon by the applicant and the Board of Supervisors prior to the Board of Supervisors' action and shall be voted upon considering planning principles based upon, but not limited to, the following: (1) the proposed PRD area, (2) any adjacent, existing, proposed, potential or tentatively approved PRD area(s), (3) utilities, (4) building complexes, (5) topographic and natural features, (6) population projections, (7) infrastructure capacity and planned improvements, and (8) existing and proposed elements of connectivity.

- a. Building gross floor areas (square feet) for nonresidential uses shall not exceed 2% of the total acreage of the PRD. This includes the total gross floor area of a neighborhood shopping center and the gross floor area for the other nonresidential uses within the proposed PRD combined. The nonresidential square footage of a mixed-use building shall be calculated by using the ground floor footprint only. Residential uses in such structures shall not count toward the permitted density of the PRD.
- b. Neighborhood Shopping Center.
 - 1) A neighborhood shopping center shall not exceed the total gross floor area for the market area population of the neighborhood as defined above. The market area population is determined to be the day-time employment and residential population of the neighborhood as defined above. The neighborhood shopping center shall be planned and operated as a single unit, in the context of the PRD.
 - 2) For every 500 square feet of nonresidential floor area proposed, 20 square feet of public space (not including standard sidewalk dimensions) shall be provided. This public space shall serve as a focal point and shall be comprised of areas such as plazas, courtyards, walkways, market squares, civic spaces and other such gathering spaces. Although expected to be landscaped, these areas may contain a substantial hardscape design element.
 - 3) Ground floor commercial uses shall provide the opportunity for upper story housing or office space over a minimum of 30% of the square footage. Mixed-use buildings shall not exceed three stories except through conditional use approval which would permit up to five stories in appropriate locations.
 - 4) The following uses are permitted within the aforementioned neighborhood shopping center: greenways; trails; arts and artisan studios; music, dance, martial arts, or exercise studios; health clubs; fire/police/emergency services facilities; transit facilities; eating and licensed drinking establishments; bakery, butcher shop; café; catering; coffee shop; delicatessen; neighborhood grocer; neighborhood convenience store; ice cream and confections; eating and drinking establishment (not including drive-through service); diner; neighborhood market/farm market; sale, service or rental of a limited range of goods such as book store; florist; antique or gift shop; apothecary/pharmacy (not including drive-through service); jewelry; hardware; dry goods; clothing, toy, or home accessories store; lighting; music store including instruments and recordings; bikes; skateboards; skis; exercise equipment; personal service shops; business and professional offices such as barber; beautician; day care; hair/nails salon or spa; home occupations and no-impact home based business; dry cleaning services; administrative or financial offices (not including drive-through service); medical/dental offices; frame shop; laundromat; shoe repair; tailor; phone store; accountant; architect; attorney; or place of assembly.
 - 5) None of these uses shall, by reason of their location, construction, manner or timing of operation, signs, lighting, parking arrangements or other characteristics, be permitted to have adverse effects on residential uses within or adjoining the district or create traffic congestion or hazards to vehicular or pedestrian traffic. Mixed-use buildings, which contain any combination of the above permitted uses, shall also be permitted within a neighborhood shopping center. However, mixing of uses is desired between and among individual lots within the PRD as well as within structures. Mixed-use buildings that are located in a predominantly residential context may be setback in a

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manner that maintains general alignment with the facades of other structures in the block.

- 6) The sale of aircraft, boats, cars, heavy equipment, lumber yard, maintenance equipment, and vehicles, together with the servicing of vehicles is prohibited. Retail operations that rely on a market area exceeding the larger neighborhood of which the PRD is a part are prohibited as is any form of drive-through service.
- 7) Buildings which are designed for nonresidential or mixed-use purposes shall have a minimum front setback of 0 feet and a maximum front setback of 20 feet. However, such structures shall maintain a minimum of 65% of their frontage along the sidewalk's edge (zero setback) and the main pedestrian entrance shall be from this facade.
- 8) The setback of these structures may be increased where plazas, courts, or outdoor seating areas are proposed, as long as sufficient pedestrian walkway width is retained. Setbacks which provide for public space shall be useable and shall include special amenities such as benches, fountains, or sitting areas. Fabric awnings on commercial or mixed use structures may encroach within the setback or into the pedestrian way in instances where such feature enhances the human scale of the pedestrian environment or public space. All such extensions shall however, be set back a minimum of 2 feet from the face of curb. In no instance shall the setback be extended to accommodate parking.
- 9) For all nonresidential structures, a minimum of 50% of the front facade on the ground floor shall be transparent, consisting of window or door openings allowing views into and out of the interior. Blank walls along pedestrian routes are discouraged. Where blank walls are established, a landscaped border shall be provided between the wall and the walkway. This border shall be between 6 and 8 feet in width and shall be designed to provide visual interest and to screen the blank wall.
- 10) In nonresidential, mixed-use, or multi-family areas, well-lit walkways shall connect building entrances to the adjacent public sidewalk and to associated parking areas. Walkways shall be a minimum of 5 feet in width. Lighting shall be pedestrian oriented and provided at a level between 0.5 and 2.0 footcandles—dependent on the volume of both pedestrian and vehicular traffic and the location of the walkway in relation to intersections.
- 11) Year-round screening of any utility apparatus appearing above the surface of the ground shall be required unless such apparatus is placed in a lane or alley. As a result, the placement of aboveground utility structures should be coordinated with the proposed landscape plans, to ensure that they are positioned away from key focal areas. The visual impact of all rooftop mechanical equipment such as vents, exhaust hoods, and antennas (including satellite dishes and telecommunication facilities) shall be minimized by integrating or screening such appurtenances with the building design.
- 12) Multiple nonresidential structures may be provided on a single parcel provided that each structure is separated by a minimum of 20 feet and site amenities such as plazas, courtyards, park space, greens, or other such facility are incorporated to break up the massing of the structures. Such amenities shall also feature benches, plantings, fountains, or other element(s) that typically define a public space.
- 13) All dwelling units located within mixed-use buildings shall be situated within 1,000 feet of a commons, square, greenway, park or playground.

- 14) All neighborhood shopping centers shall accommodate transit service through provision of a stop or pull-off area convenient to the pedestrian access for the stores or offices or a universally accessible route to transit service if located adjacent to the neighborhood shopping center. If said service facility is on the lot, a shelter and seating with lighting shall be provided.
- 15) Bicycle parking is required to be provided for all nonresidential, mixed-use, or multi-family land uses. Bicycle parking spaces are to be located so as to be convenient to the structure or use for which they are provided, and to be visible from at least one entrance. Lighting shall be provided for all such bicycle parking areas.
- c. Any area devoted to an industrial use shall not exceed 1% of the total land area within the proposed PRD. Only the following uses in this industrial context shall be permitted: research and development, bakery, assembly of electrical appliances, scientific and technical equipment, office buildings, limited warehousing and storage. All storage of parts, equipment, etc., shall be located entirely within the main or accessory structures. Industrial uses in a PRD shall be located adjacent to an arterial or collector street. The range of uses listed above are permitted only when:
 - 1) The underlying zone was nonresidential (C, I, IRD).
 - 2) The PRD is adjacent to a commercial, industrial or similar nonresidential use that relates to the adjacent area. Where applicable, the proposed location of the nonresidential use shall be adjacent to neighboring nonresidential uses.
- d. The Board of Supervisors may also permit community civic- and faith- based or community business-based places of assembly to be developed within the PRD but outside of a neighborhood shopping center; provided, they are designed to serve primarily the residents of the PRD and the larger neighborhood and are compatibly and harmoniously incorporated into the design of the planned residential development. Such additional nonresidential uses shall not, by reason of their location, construction, manner or timing of operation, signs, lighting, parking arrangements or other characteristics, have adverse effects on residential uses within or adjoining the district, or create traffic congestion or hazards to vehicular or pedestrian traffic.

C. Area and Bulk Regulations.

1. In this Part, where the word "former" is used, said word shall refer to the zoning classification of a parcel of land prior to its having been zoned PRD (planned residential development) under the provisions of this Section.
2. The Board of Supervisors may permit reductions in the setback requirements if it finds that through the use of topography, siting on the lot, or design such building or buildings do not infringe upon the privacy of adjacent, existing or potential structures; provided, that:
 - a. Spacing shall be provided between buildings to ensure privacy and sufficient light and air. Each development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, walls, barriers and landscaping shall be used as appropriate, for protection and aesthetic enhancement of property, the privacy of its occupants, the screening of objectionable views or uses and the reduction of noise within the PRD tract, PRD sections and offsite.
3. The proposed location and arrangement of structures shall not be detrimental to existing or

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prospective adjacent dwellings or to the existing or prospective development of the neighborhood.

4. Utilities.
 - a. Sanitary Sewage Disposal. PRDs. shall only be permitted in areas designated for sewer service as identified in the Centre Region Act 537 Plan, as amended. All requirements of the Pennsylvania Department of Environmental Protection (PA DEP) shall be complied with.
 - b. Water Supply. All PRDs shall connect to public water authority/company mains. All water mains ad laterals shall meet the design and installation specifications of said water authority/company.
5. Impervious surface information shall be provided per section/phase such that the total ground floor area of all buildings and structures shall not exceed 30% of the total area of the PRD. Maximum impervious surfaces shall not exceed 50% of the total area of the PRD.

D. Residential Density.

1. In this Section, where the word "former" is used, said word shall refer to the zoning classification of a parcel of land prior to its having been re-zoned PRD (planned residential development) under the provisions of this Part.
2. The Board of Supervisors may permit up to and including the densities listed below, provided that the development exhibits continuity of land use and transportation connectivity in overall site design, provides maximum open space and encourages safe and connected pedestrian movement throughout. Each PRD shall consist of an appropriate mix of dwelling types.

<u>District</u>	<u>PRD Density</u>
R1B	5 units per acre
R-1	5 units per acre
R-2	10 units per acre
R-3	15 units per acre
R-4	20 units per acre
Commercial Districts	20 units per acre
Light Industrial	20 units per acre
Research and Development	20 units per acre

3. The minimum common open space to be provided within the PRD shall be in accordance with the following chart. Common open space (COS) is the portion of the gross tract area of the PRD which is specifically dedicated to passive and/or active recreational activities, and is freely accessible to residents, property owners and tenants of the PRD. Up to 75% of the onsite stormwater management facilities may be included in the common open space calculation.

<u>Residential Dwelling Units Per Acre</u>	<u>Required Common Open Space Percentage</u>
1 - 4.9	10
5 - 9.9	12
10 - 14.9	15
15 - 19.9	20
>20	20

5. The computation of overall residential dwelling units per acre of land of a planned residential development shall be rounded to the nearest tenth (0.1) and shall not include the area of lands intended for commercial or industrial purposes, churches or other public or nonresidential uses within the planned residential district. Common open space shall be included in the computation.
6. The total acreage and percentage of acreage to remain as common open space throughout the entire development and in each phase shall be provided on the plan.

E. Common Open Space.

1. The Board of Supervisors may not approve a planned residential development unless the common open space meets the following standards:
 - a. The location, size, shape and character of the common open space shall be provided in a manner to meet the needs of the planned residential development and the criteria of the Subdivision and Land Development Ordinance.
 - b. Common open space shall be used for amenity or recreational purposes. The uses authorized for the common open space must be appropriate to the scale and character of the planned residential development, considering its size, density, expected population, topography and the number and type of dwellings to be provided.
 - c. Adequate access shall be provided to the open space from all dwelling units in the PRD. This includes providing connections to existing and proposed sidewalks and bikeway systems as well as greenways, trails or other pedestrian access facilities.
 - d. A minimum of 50% of the required open space shall be contiguous land.
 - e. A minimum of 50% of the required open space shall be suitable for recreation purposes (i.e., no floodplain, wetlands, steep slopes, sinkholes).
 - f. Common open space must be suitably improved for its intended use, but common open space containing natural features, existing trees and ground cover worthy of preservation may be left unimproved. The buildings, structures and improvements which are permitted in the common open space shall be appropriate to the uses which are authorized for the common open space having regard to its topography and unimproved condition.
 - g. The development schedule which is part of the development plan must coordinate the improvement of the common open space, the construction of buildings, structures and improvements in the common open space, and the construction of residential dwellings in the planned residential development.

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- h. The use and improvement of the common open space shall be planned in relation to any existing or proposed public or semipublic open space which adjoins or which is within 1,500 feet of the perimeter of the planned residential development.
2. All land shown on the final development plan as common open space shall be conveyed in either of the following ways, at the discretion of the Board of Supervisors:
 - a. To the Township of Ferguson. The Township may accept or reject all or part of the common open space in dedication.
 - b. To an organization for the ownership and maintenance of the common open space, which organization shall not be dissolved nor shall it dispose of the common open space, by sale or otherwise, without first offering to dedicate same to the Township of Ferguson
 - c. In any event, the common open space, after being approved on the final land development plan shall be used thereafter for no other purpose than as specified on the final development plan.

F. Perimeter Requirements.

1. If topographical or other barriers do not provide adequate privacy for existing uses adjacent to the planned residential development, the Board of Supervisors may impose the following requirements:
 - a. Structures located within 20 feet of the perimeter of a planned residential development must be set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses.
 - b. Structures located on the perimeter of the planned residential development must be permanently screened if required by the Board of Supervisors.
2. The above subsections are intended to provide adequate privacy to the proposed structures and uses of the PRD from adjacent incompatible structures or uses.

G. Post Final.

1. In the event that a development plan, or a section thereof, is given final approval and the landowner abandons such plan or the section thereof that has been finally approved, and so notifies the Board of Supervisors in writing; or, in the event the landowner shall fail to commence and carry out the planned residential development within such five (5) years, after final approval has been granted, no development or further development shall take place on the property included in the development plan until after the said property is resubdivided and is reclassified by enactment of an amendment to this Chapter in the manner prescribed for such amendments in Article VI of the Pennsylvania Municipalities Planning Code.
2. No changes may be made in the approved final development plan during the construction of the planned residential development plan except upon application to the appropriate agency under the procedure provided below.
 - a. Minor changes in the locating, siting and height of buildings, structures and re-arrangement of lots to not exceed a 10% reduction of overall dwelling units of the finally approved plan to follow the Township's lot consolidation procedure, may be approved by the Township after authorization by the Planning Commission if required by engineering or other circumstances not foreseen at the time the final development plan was approved.

- b. All other changes in use, any re-arrangement of lots, blocks and building tracts, any changes in the provision of common open spaces, and all other changes in the approved final development plan must be made by the Board of Supervisors, under the procedures authorized for final plan approval. No amendments may be made to the approved final development plan unless they are shown to be required by changes in conditions that have occurred since the final development plan was approved or by changes in the development policy of the Township.

H. Additional Applicable Ordinances and Laws.

1. The plans required under this Section shall be submitted in a form which will satisfy the requirements of the Subdivision Regulations [Chapter 22] for the preliminary and final plans required under those regulations, and land development plans under this Chapter. [Ord. 820]
 2. The plans required under this Section shall be submitted in compliance with the Township's Stormwater Management Ordinance [Chapter 26, Part 1].
 3. This Part is enacted pursuant to Article VII of the Pennsylvania Municipalities Planning Code, which provisions shall apply whether or not specifically set forth herein.
 4. Any other ordinance of the Township governing construction of buildings.
- I. Appeals Procedure. Any decision of the Board of Supervisors granting or denying tentative or final approval of a development plan shall be subject to appeal to court in the same manner and within the same time limitations as provided for appeals under this Chapter.

§27-303. Traditional Town Development (TTD).

A. Overall Intent.

1. The intent of the adoption of these development regulations is to sanction, promote, and facilitate the development of fully integrated, mixed use, pedestrian-oriented neighborhoods in areas of the Township that are most appropriate for this type or style of development. The basis for such design influence is the desire to minimize traffic congestion, suburban sprawl, and environmental degradation. These regulations, administered jointly with the associated Design Manual found in Chapter 22, are designed to diversify and integrate land uses within close proximity to each other and to provide for the daily recreational and shopping needs of residents and those who work within the Township. The combined application of these standards is anticipated to produce sustainable, long-term development which enhances the quality of life, and to ensure the highest possible economic and social benefits for all residents.
2. Further, it is the intent of these standards, in conjunction with the Design Manual (See Chapter 22), to encourage innovation and promote flexibility, economy, and ingenuity in development and to be consistent with the goals and objectives enumerated by the provisions of Article VII-A of the Municipalities Planning Code (MPC). All such development within the Township is intended to be designed as an outgrowth or extension of existing development or urban infill. As a result, the establishment of the TTD Zoning District is consistent with the provisions of §702- A(1)(ii) of the MPC. The application of flexible design standards and increases in the permissible density of development which are specified below, are dependent on the extent to which each proposal identifies the ability to successfully achieve the goals enumerated herein.
3. An applicant wishing to receive approval of a Traditional Town Development within the Township shall submit plans in accordance with procedures provided under §27-904.

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B. Relationship to Other Township Requirements. The following criteria of the Township Code, as amended, remain applicable to development within the TTD District, whether the design is for a Traditional Town Development:

1. Chapter 19, Signs and Billboards.

Section No.	Section Title
§19-105	Construction Specifications
§19-106	Prohibited Signs
§19-107	Exempt Signs
§19-108	Temporary Signs
§19-110	Residential Use
§19-113	Permits
§19-114	Review of Existing Permanent Signs
§19-117	Administration and Enforcement
§19-118	Violations and Penalties

2. Chapter 21, Streets and Sidewalks in its entirety.
3. Chapter 22, Subdivision and Land Development in its entirety, except Section 503 Blocks.
4. Chapter 25, Trees.
5. Chapter 26, Stormwater Management in its entirety.
6. Chapter 27, Zoning.

Section No.	Section Title
§27-101	Short Title
§27-102	Authority
§27-103	Purpose
§27-104	Community Development Objectives
§27-105	Establishment of Controls
§27-201	Establishment and Purposes of Zoning Districts
§27-401	Corridor Overlay District Requirements
§27-701	Floodplain Conservation
§27-702	Slope Controls
§27-703	Nuisance Standards

Chapter 27, Zoning continued.

Section No.	Section Title
§27-704	Outdoor Storage
§27-705	Sewage Disposal
§27-707	Landscaping
§27-905	Occupancy Permits
§27-906	Violations and Penalties
§27-907	Appeals
§27-908	Amendments
§27-1101	Language Interpretations
§27-1102	Definitions

Where specific reference is made to one or more provisions of other Chapters of the Code of Ordinances, only those regulations so referenced will be applicable where they are not in conflict with standards found herein. Further, where requirements of the ordinance reference standards for off-street parking, only 60% of such spaces may be accommodated off-street in the TTD. The remainder of the required parking will be provided with on-street spaces, or nearby shared parking facilities. No spill-over parking is required.

With regard to landscaping, the applicable provisions of Part 7 shall include only § 27-707, Subsections A - M and O.1 - 4. However the Township's official plant list shall be applicable in all instances.

All portions of Part 10, Zoning Hearing Board, Part 11, Definitions, and §27-101 to (but not including) §27-205, are also applicable to development under the provisions herein.

The Board of Supervisors may allow for modification of the design standards applicable to a Traditional Town Development provided for in this Section, including but not limited to compactness, pedestrian orientation, street geometry or other related design features, in accordance with the standards applicable to the grant of modifications under Chapter 22, Subdivision and Land Development, §22-105.

C. Site Plans.

1. Land Use Standards.

- a. Composition of Uses. A variety of uses are required to be provided within a Traditional Town Development. This variety shall be comprised of a combination of the permitted uses as listed below in the percentages required by the diversity provisions of subsection .4.C(1)(e):
 - 1) Residential.
 - (a) Single family attached, detached and semi-detached units.**
 - (b) Accessory residential units.

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- (c) Zero lot line units.
- (d) Two-family dwellings.
- (e) Multi-family dwelling units.
- (f) Mixed-use buildings.

**When 100 or more dwelling units in a Traditional Town Development are under common management, each such dwelling unit under such common management may be used by one family or up to five unrelated persons, subject to the permitted occupancy of the dwelling as determined by the Centre region Code Office in accordance with the provisions of the Ferguson Township Housing Code.

- 2) Recreational, Cultural, and Civic or Community Facilities. Parks, playgrounds, greenways, trails, squares, commons, plazas, courtyards and public areas, arts and artisan studios, museums, community theater, libraries, music, dance, martial arts, or exercise studios, health club, lodges, fraternal organizations, amphitheater, community gardens, civic service clubs, private or charter schools, community center, government buildings such as municipal offices, fire/police/emergency services facilities, community meeting facilities, post offices, places of worship, educational facilities, transit facilities.
- 3) Commercial.
 - (a) Food Services. Eating and licensed drinking establishments such as: bakery, butcher shop, café (including outdoor spaces), catering, coffee shop, delicatessen, neighborhood grocer, ice cream and confections, restaurant (not including drive-through service), diner, neighborhood market/farm market.
 - (b) Entertainment. Studios, galleries, and performance arenas such as: community theater, playhouse, comedy club, art gallery, cinema, photography and handicraft studios and associated sales.
 - (c) Retail. Sale, service, and rental of a limited range of goods such as: book store, florist, antique or gift shop, apothecary/pharmacy (not including drive-through service), jewelry, hardware, dry goods, clothing, toy, or home accessories store, lighting, music store including instruments and recordings, bikes, skateboards, skis, and exercise equipment, mixed-use buildings.
 - (d) Services. Personal service shops, businesses and professional offices such as: barber, beautician, day care, hair/nail salon or spa, home occupations and no impact home based businesses, administrative, or financial offices (not including drive-through service), medical/dental offices, frame shop, laundromat, shoe repair, tailor, phone store, accountant, architect, day care center, health club, community center, government buildings.
 - (e) Accommodations. Overnight lodging places such as: bed and breakfast, hotel, inn.
- 4) Prohibited Uses. Uses which are expressly prohibited in a Traditional Town Development or associated Mixed Residential Area shall include:
 - Heavy or light manufacturing; storage or distribution as a principal use; outdoor advertising or billboards; prisons; detention centers; scrap yards; kennels; sand, gravel,

or other mineral extraction; cemetery or crematorium; mobile home park; automobile sales, service or repair; car wash; hospital(s); personal care homes; bulk fuel storage; heavy equipment storage, sales, or rental; warehouse; drive-through or drive-in establishments; food processing and/or packing; fuel generation; landfill; campgrounds; manufactured home sales or storage; automobile storage facilities; shopping centers; free-standing telecommunications towers; truck terminals; waste transfer facilities; adult business uses; convenience food stores that include gas sales; race track, riding stable, self-service storage facilities; dormitory; surface mining operations; motels; and non-municipally owned surface parking lots that constitute the principal use of a property.

- b. Height. 35% of the all commercial structures shall have two or more stories, with upper stories occupied by residential or office uses above first floor permitted non-residential uses.
- c. New residential structures within a TTD shall be no more than three stories. Multi-family, commercial, or mixed-use structures shall not exceed eight stories.
- d. Accessory Uses. Garage apartments, elder cottages, or in-law quarters may be made available as accessory uses to single-family dwellings in accordance with the criteria below, when the single-family dwelling is the principal use of the lot.
 - 1) Accessory Unit Criteria.
 - (a) Accessory dwellings may be attached, or separate from the principal dwelling.
 - (b) No more than one accessory dwelling shall be permitted on a single deeded lot in conjunction with the principal dwelling unit.
 - (c) The accessory dwelling shall be owned by the same person as the principal dwelling.
 - (d) The accessory dwelling shall not be served by a driveway separate from that serving the principal dwelling unless the accessory dwelling is accessed from a rear alley and the principal dwelling is accessed from the street in conformance with the provisions of subsection .3.13(1)(b)5).
 - (e) The maximum first floor area/footprint of a detached accessory dwelling shall not exceed 600 square feet. Space within this structure may combine living quarters with workshop, studio, or other similar use up to a maximum of 800 square feet.
- e. Workforce Housing. Workforce housing shall comprise an element of each development and will be incorporated at a minimum rate of 1:10 residential units.
 - 1) This housing shall not be segregated or clustered within a neighborhood and, from the exterior, will provide no evidence that distinguishes it from market-rate units.
 - 2) No more than two adjacent lots may contain such units.
 - 3) No more than four lots along any one block width or block length may contain such units.
- f. Frontage. All buildings shall front on a street or public space and the main pedestrian entrance shall be from this front facade.

Residential Planned Development and Mixed Use

2. Diversity.
 - a. TTD Standards.

Permitted Percentages

	Minimum %	Maximum %
Residential* (of total acreage)	35%	70%
Single family detached	5%	45%
Single family semi-detached	10%	40%
Single family attached	15%	35%
Multi-family	5%	50%
Live-work units (of total units)	—	5%
*A minimum of 80% of all residential units must be designed to permit fee simple conveyance		

	Minimum %	Maximum %
Commercial (of total acreage)	15%	40%
Vertical mixed use: including any combination of commercial, office and residential uses. (of total square footage)	15%	—
Recreational, cultural, and community facilities (of total acreage)	50%	—

b. Mixed Residential Area Standards.

- 1) These areas, associated with an existing or proposed TTD, shall follow the above requirements with the exception of the minimum percentage applied to commercial land uses. Commercial uses shall be permitted at appropriate intensities, but not required for such areas.
- 2) Where no commercial development is proposed in a Mixed Residential Area, the 20% land area required to be dedicated for such uses in a TTD shall, instead, be dedicated to some combination of the following: live/work; recreational, cultural, and community facilities; or small lot (4,000 - 8,000 sq.ft.) single family residential uses. This 20% shall not be consumed by any single one of these alternative uses.

In order to qualify for development as a Mixed Residential Area, the availability of a variety of retail, office, and/or business opportunities must be existing or proposed within walking distance ($\frac{1}{4}$ mile) of 90% of any proposed dwelling units. This area

must be accessible by a variety of transportation modes and provide safe pedestrian access. Additionally, the acreage of such non-residential area shall constitute a minimum of 20% of the acreage intended to be developed as a Mixed Residential Area, and the composition of the existing non-residential area must contain a mixture of retail, entertainment, service, and business/professional offices.

3. Blocks.

a. Standards.

- 1) Lot Sizes. Lot sizes within the block shall vary to assure housing diversity and to meet the projected housing needs of the community. Additionally, all lots shall conform to the provisions of the Subdivision and Land Development Ordinance, §22-504.A.1, .2, and .4.
- 2) Required Mixture. A mix of housing types shall be provided within blocks.
 - (a) Townhouse units must be dispersed among a variety of other residential and/or non-residential uses and may also be segregated in clusters of single residential-type buildings.
 - i. The maximum number of townhouse structures that may be located adjacent to each other when the townhouse dwellings are established on individual lots is six .
 - (b) A maximum of 10% of the single family detached units provided shall be designed to include an accessory dwelling unit. These accessory units may be located within the principal building or an accessory building but shall not exceed 800 total square feet. All properties designed to accommodate such units shall be designated at the time of plan submission.
 - (c) A maximum of 5% of the single family detached units may be designed as cottages, patio homes, or other one-story dwellings. The maximum footprint of such units shall be 1,500 square feet each. Such units shall not be located on or adjacent to the main public square or green (minimum size 20,000 sf).
 - (d) Mixing of uses is desired within structures as well as between and among individual lots.
 - i. Non-residential mixed-use structures are subject to the square footage restrictions as provided below for commercial/retail uses. They may, however, include other employment opportunities such as professional office(s) or those related to the service industry as well as civic uses.
 - ii. In order to count toward the required percentage of commercial development, a mixed use structure must have the entire ground floor dedicated to commercial development. Likewise, to be credited to the required civic element, the entire ground floor must be dedicated to a qualifying civic use. However, in some instances, an auxiliary use that supports and is complementary to the approved civic use may be incorporated. Additionally, in a commercial or civic core proposed as an element of the TTD, structures with multiple dwelling units and no non-residential uses are permitted as long as they do not comprise more than 10% of the total square footage of all nonresidential uses in such core area.

Residential Planned Development and Mixed Use

iii. Mixed-use structures which are primarily residential may include up to 66% of their floor area in neighborhood commercial uses as long as the available access and parking are shown to be adequate to accommodate the anticipated patrons.

(e) Lot sizes shall be consistent with the following dimensions:

Type	Lot Size	Width	Depth
Single family detached	Max: 12,000 sf Min: 1,700 sf/unit	Max: 75'	Min: 60'
Single family semi-detached	Max: 10,000 sf /unit Min: 3,000 sf /unit	Max: 60'/unit	Min: 60'
Single family attached	Max: 6,000 sf /unit Min: 1,100 sf /unit	Min: 20'/unit	Min: 50'
Multi-family	Max: 65,000 Min: 35,000	Min:36' Max:144'	-----
Live/work units and other mixed use structures outside of any retail core	Max: 15,000	Min: 36' Max: 108'	
Mixed use in a substantially commercial area	Max: 25,000	Min: 45 Max: 135	
Civic, cultural, and community facilities	-----	-----	-----
Commercial	Max: 200,000 sf	Min:36' Max:250'	

- (f) Residential and non-residential unit sizes shall be consistent with the following:

Type	Size
Retail	Maximum non-residential building footprint: 60,000 square feet max: 15,000 sf/unit or leasehold except grocery stores which may consume the entire permitted footprint of 60,000 square feet.
Anchor Retail	Located at prominent intersections or focal points of the civic/commercial core - maximum 60,000 square feet. No more than one such unit for every 50,000 square feet of non-residential development.
Apt/Condo	Min: 600 square feet

- (g) Multiple non-residential structures may be provided on a single parcel provided that each structure is separated by a minimum of 20 feet and site amenities such as plazas, courtyards, park space, greens, or other such facility is incorporated to break up the massing of the structures. Such amenities shall also feature benches, plantings, fountains, or other element(s) that typically define a public space.
- (h) The maximum impervious coverage for the overall Traditional Town Development is 85%.
- (i) The maximum building footprint permitted on each lot, regardless of use, is 85%.

4. Density and Setbacks.

a. Standards.

- 1) Permitted Density. The density permitted within the Traditional Town Development shall be up to 20 residential units per acre provided that the development exhibits good project design, provides maximum open space, and encourages pedestrian orientation and movement throughout. In areas which are designed for community, mixed use, or commercial development, no density limit will be applied. However, this acreage must be subtracted from the overall acreage of the site when calculating the permitted density.
- 2) Required Density. While some phases of the development may be less intensely developed than others, an average minimum density of seven residential units per acre must be maintained for development of the entire TTD or associated Mixed Residential Area. This calculation must exclude any acreage which accommodates civic, mixed use, or commercial development, as well as any accessory dwelling units associated with such areas.
- 3) Distance from Open Space. All dwelling units shall be situated within 1,000 feet of a commons, square, greenway, park or playground.
- 4) Maximum Setback. The maximum 20 feet setback for residential structures may be increased by up to 10 feet for dwelling units fronting on a collector street.

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- 5) Fence Heights. Fence heights at the front of residential units and along the side to the front facade of the structure shall not exceed 3.5 feet and, for the balance of the lot, shall not exceed 6 feet. Piers, fence posts and gateways in the front yard may have a maximum height of 5 feet, and trellises and similar features may have a maximum height of 9 feet. Fence height restrictions on corner lots shall be subject to the preservation of adequate clear sight per §27-206.F.
- 6) Prohibited Fence Types. Chain link, concrete block, unfaced concrete, plastic, fiberglass, plywood, slatted "snow" fences and mesh "construction" fences are prohibited.
- 7) Faux wood-type fencing, manufactured from plastic or fiberglass, may be approved.
- 8) Garage Setback. Front entry garages shall maintain a front yard setback of a minimum of 10 feet.

Garages, whether attached or detached, shall be subordinate to the primary structure on the site. Detached garages shall be located to the side or rear of the principal structure and, where possible, accessed from the side or rear. Residential units which front on mixed-use collector or mixed-use sub-collector streets are required to utilize rear access (e.g. from a lane or alley).

 - (a) Width. When a garage must be attached, those which have access from the front shall not consume more than 40% of the width of the lot.
 - (b) Access. Garages associated with townhouse or live/work units shall either be integral to the structure or oriented to the rear and accessed by a lane or alley.
- 9) Privacy. Spacing between structures shall be provided to ensure privacy and sufficient light and air. Although no minimum side yard setbacks are mandated for residential uses, each development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walks, barriers, and landscaping shall be used as appropriate, for the protection and aesthetic enhancement of property, the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.
- 10) Side Yard Setback. A minimum side yard setback of 6 feet is suggested for all detached residential buildings, and the end units of residential structures containing multiple units of occupancy.
- 11) Rear Yard Setback. A minimum rear yard setback of 25 feet is applicable to all primary dwelling units. However, accessory structures and detached garages shown on the approved plan may be set back only 5 feet from the rear lot line. The rear yard setback for primary dwelling units, accessory structures and detached garages from an alley may be reduced to 0 feet.
- 12) Front Setback. Structures which are designed for commercial, light industrial, or mixed-use purposes, shall have a minimum front setback of 0 feet and a maximum front setback of 25 feet. However, such structures shall maintain a minimum of 65% of their frontage along the sidewalk's edge (zero setback).
 - (a) For all non-residential structures, a minimum of 50% of the front facade on the ground floor shall be transparent, consisting of window or door openings allowing views into and out of the interior.

- (b) Mixed-use structures that are located in a predominantly residential context may be setback in a manner that maintains general alignment with the facades of other structures within the block.

5. Landscaping.

a. Standards.

- 1) Street Trees. Street trees shall be provided. At a minimum, they shall be located along each side of all existing or proposed streets as well as within the median of any proposed parkway or boulevard. Medians may also contain shrubs and plant groundcover. Street trees shall be in accordance with Chapter 25, "Trees."
- 2) Landscape Plan. A landscape plan, as required by §27-904.H.4(a) shall be prepared by a registered landscape architect and shall illustrate the project's conformance with the above requirements.

6. Streetscape Elements.

- a. Amount. For every 1,000 square feet of nonresidential floor area proposed to be developed, 20 square feet of public space(not including standard sidewalk dimensions) shall be provided. As noted previously, public space may comprise up to 10% of the required open space.
- b. Public space may also be provided to enhance the exterior of multi-family residential structures as noted in the TTD Design Manual.

7. Signage/Lighting.

a. Standards.

- 1) Type. Signage designed to serve pedestrians within the community may include directional and informational signage regarding destinations such as parks, museums, shopping districts, transit stops, or entertainment locations. Information for pedestrians may also be displayed on kiosks or in other designated areas. A coordinated signage plan should be established in order to provide the appropriate amount of signage with a consistent appearance. A common style, established by size, shape, material, and/or lettering is expected.
- 2) Appearance. Signs must have a consistent vocabulary of heights, sizes, shapes, materials, colors, and lettering. Signs should not be identical in all respects, just similar in a few.
- 3) Street/Traffic Signs. All street and/or traffic signage located within the public right-of-way shall comply with the Township standards for such infrastructure.
- 4) Applicability of Chapter 19. All signs shall be subject to the provisions of Chapter 19, §19-105, "Construction Specifications," §19-106, "Prohibited Signs," §19-107, "Exempt Signs," §19-108, "Temporary Signs," §19-110, "Residential Use," §19-113, "Permits," §19-114, "Review," §19- 117, "Administration and Enforcement," and §19-118, "Penalties."
- 5) Square Footage. Each non-residential establishment shall be permitted a total of 35 square feet of signage which may be applied among the following four sign types:

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- (a) Projecting Wall Sign. A projecting wall sign may be permitted provided that the lower edge of the sign is a minimum of 10 feet above grade, but does not extend more than 6 feet from the wall of the structure and not higher than the first floor or 15 feet, whichever is less. A projecting wall sign shall not exceed 10 square feet in area.
- (b) Flat Wall Sign. A flat wall sign that does not exceed 15 square feet in area and that is mounted on either side of a doorway or between the first and second floors of a multi-story structure may be permitted.
- (c) Awning Sign. An awning sign may be used in lieu of or in combination with a flat wall sign provided that the following standards are met:
 - Awning signs shall maintain a clear height of at least 10 feet and maximum projection of 6 feet from the face of the structure. Material shall be canvas cloth or an equivalent material, but in no case shall shiny or reflective material, metal, plastic, or fiberglass be permitted. Lettering shall be limited to 12 inches vertically.
- (d) Free Standing Sign. A free-standing sign may be permitted provided it does not exceed 10 square feet in area and 9 feet in height. Free-standing signs must be located within 12 feet of the structure.
- 6) Sandwich Board Sign. One sandwich board-type portable sign may be permitted in addition to the above total of 35 square feet of signage permitted per establishment provided it is no more than 6 square feet per side and is displayed only during normal business hours.
 - (a) Placement. The portable signage may be placed on the sidewalk immediately in front of the establishment provided that a 5-foot clear pedestrian passage is maintained.
- 7) Illumination. Backlit and internally illuminated signs are not permitted in the TTD or associated Mixed Residential Area. Illumination shall be from a concealed, indirect source only. If a sign is located on an exterior wall, awning, canopy or marquee, only the section which contains and is defined as the sign may be illuminated to the maximum permitted size of the sign.
- 8) Glare. All signs shall be so designed, located, shielded and directed so as to prevent the casting of glare or direct light from artificial illumination upon adjacent publicly dedicated roadways and surrounding property.
- 9) Lighting Plan. A comprehensive lighting plan in accordance with §27-904.H.4(g) must be provided for the TTD and/or Mixed Residential Area. Such plan must include, at a minimum, architectural details and specifications for all proposed fixtures, luminaries, and standards, maintenance and replacement plan for lighting fixtures, and photometric details.
- 10) Lighting Locational Requirements. Lighting shall be provided at Street intersections, entryways to commercial or multifamily uses, and in parking areas as well as for pedestrian safety in areas between parking areas and these uses.
- 11) Lighting Scale and Intensity. All light posts and fixtures shall be pedestrian friendly as measured by scale and harshness of the light source. The style and size of fixtures shall be appropriate for the size and massing of associated structures, the surrounding public

space, and the unified concept of the TTD and/or associated Mixed Residential Area (e.g., wall mounted, sidewalk lamps, bollards, landscape up lighting, etc.)

- (a) The level of lighting provided shall range between 0.5 and 2.0 footcandles dependent on the volume of both pedestrian and vehicular traffic and the location of the intersection or walkway.
 - (b) Fixture pole heights shall not exceed 14 feet except where necessary to provide effective lighting for parking areas and high volume intersections. In such cases, a maximum height of 25 feet is permitted.
 - (c) Fixtures shall be provided, at no greater than 80-foot intervals, along sidewalks and within parking areas.
 - (d) To impact energy efficiency, the use of LED lamps is required, and solar powered and motion sensitive fixtures is encouraged.
 - (e) All light fixtures that are proposed in the public right of way that will be dedicated to the Township shall be consistent with the requirements of the Township Street Standards.
- 12) Applicability of Chapter 4. Regulations regarding the placement, shielding, and intensity of lighting found in Chapter 4, Part 1, "Outdoor Lighting Regulations," remain applicable to the extent that they are not in conflict with the above provisions.

8. Storage and Loading Areas.

- a. Standards.
 - 1) Visibility. Service areas for non-residential structures, including areas for storage and/or loading, shall not be visible from major pedestrian ways or neighboring residential areas.
 - 2) Storage Areas. Storage areas for live/work units, mixed-use buildings, civic uses and multi-family dwellings shall be integrated into overall building design.
 - 3) Screening. Adequate trash storage capacity shall be provided. Service, loading, and trash disposal areas shall be effectively screened so as not to be visible from parking areas, roadways, or adjacent properties. Such screening shall consist of a combination of architectural masonry (or fencing) and landscaping with a height of at least 6 feet.
 - 4) Service Entrances. For commercial uses, service entrances shall be separate from those used by customers. When feasible, the location of service areas should be coordinated with adjacent properties so that the size and number of driveways and other paved surfaces can be minimized.
 - 5) Off-Street Loading Areas. Off-street loading shall be accommodated whenever possible. Such spaces shall be a minimum of 12 feet in width, 45 feet in length, and have a vertical clearance of at least 14 feet. Every non-residential use with a floor area of at least 5,000 square feet should provide at least one such off-street space. Curbside deliveries are permitted only so long as they do not occupy on-street parking spaces or block travel lanes.

Residential Planned Development and Mixed Use**§27-304. Terraced Streetscape (TS) District.**

- A. Specific Intent. It is the intent of this district to encourage innovation and to promote flexibility, economy, and ingenuity in development within the TS District for the purpose of allowing for an increase in the permissible density, or intensity of a particular use, based upon the standards, criteria and incentives set forth herein and in Chapter 22. The application of design standards and any permissible increases in density or mix of uses shall be dependent on the extent to which a project is consistent with and achieves the following design objectives and goals:
1. Establishes a pedestrian-oriented district that accommodates and encourages pedestrian and other multi-modal travel alternatives by including sidewalks, greenways, and/or bike path linkages and does not promote vehicular travel.
 2. Promotes development that creates shared parking facilities through the use of either surface parking lots or structured parking and decreases curb cuts by encouraging a “park once” approach to servicing retail and residential development.
 3. Promotes viable public transit by developing at an appropriate density with attention to transit routes and by providing transit stops or hubs within the proposed district.
 4. Provides opportunities to integrate age and income groups through the provision of a wide range of housing alternatives that are suitably mixed throughout the zoning district.
 5. Promotes development that, through the use of distinctive architectural elements and siting criteria, creates community character.
 6. Utilizes increased building height and mixed uses to achieve a more compact development footprint and efficient pattern of development while utilizing existing infrastructure.
 7. Promotes development that creates and retains a human-scaled context.
 8. Encourages energy efficiency, sustainable development, and green construction.
 9. Allows for small scale retail and entertainment uses that contribute to and enhance evening and weekend activity in the corridor.
- B. Use Regulations. A building may be erected, altered, or used and a lot may be used, or occupied, for any of the following purposes and no other:
1. Permitted principal uses, subject to the lot sizes as set forth, below, as well as the maximum square footage criteria as specified.
 - a. Conversion of an existing single-family detached dwelling unit to include accommodation of a non-residential use such as art studio, gallery, handicraft or photography studio, or professional office(s).
 - b. Conversion of an existing dwelling from apartment units back to a single-family dwelling.
 - c. Reconstruction of a single-family dwelling unit that exists at the time of adoption of this Section and is subsequently destroyed or partially destroyed by any means to an extent of 75% or more of the market valuation of all structures and other Improvements on the lot as per the provisions of §27-803.C, herein, only as long as such unit is designed to incorporate the nonresidential uses identified in subsection .2.A(1) above. All such properties shall be designed to comply with all provisions of the district when reconstructed.

- d. Playground, greenway, trail, square, commons, plaza, transit area, courtyard or public area, community gardens.
 - e. Bed and breakfast with no accessory services.
 - f. Farm market (seasonal).
 - g. Retail sale, service or rental of basic convenience commercial goods and services such as, but not limited to, books, flowers, antiques, gifts, jewelry, or music.
 - h. Business or professional office.
 - i. Vertical mixed use building involving a combination of uses authorized uses.
 - j. Hotel.
 - k. Eating establishment.
 - l. Brewery (beverage production facilities).
 - m. Community theater or play house.
 - n. Non-profit or civic service agency.
 - o. Pharmacy with no drive-through.
 - p. Health club.
 - q. Bank or financial office with no drive-through.
 - r. Eating and licensed drinking establishments with no drive-through.
 - s. Salon or spa.
 - t. Medical/dental office.
 - u. Structured parking when provided as part of or accessory to a proposed vertical mixed use structure.
 - v. Multi-family dwelling units (other than University Housing) only if part of a vertical mixed use structure; no more than three unrelated individuals may reside in each dwelling unit.
 - w. Gallery, handicraft, art, or photography studio, professional office for accountant, architect, attorney or similar profession.
 - x. Uses associated with private or public institutes of higher education; in this zoning district, these shall be limited to the following principal uses: classrooms, research facilities and labs; administrative and faculty offices, and residence halls for graduate and undergraduate student housing only when staffed, owned and operated by the University which the students attend.
- 2. Lots up to and Including .39 Acres. The permitted principal uses as set forth in subsections .B.1(a) through (f) only.
 - 3. Lots from .40 Acres, up to and Including Lots of .99 Acres. The permitted principal uses as set forth in the Chapter subject to the following:

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- a. Any structure that will be located on the corner of a lot that is at least 0.40 acres in size and that involves an intersection with West College Avenue must address both frontages (no blank walls) and be a minimum of 55 feet in height. The structure shall be designed in accordance with the applicable provisions of Chapter 22. The facade of buildings on corner lots may be accentuated by towers, corner building entrances or other distinctive elements; however, all structures on such lots shall be designed to architecturally enhance the corner location and all effort shall be made to ensure that such structure is a signature building within the district.
- b. The entire first floor of all structures located on lots that have frontage on West College Avenue must be devoted to retail or commercial uses permitted in the district.
 - 1) To allow pedestrian access to office, hotel, or residential uses located above street level, lobbies may be allowed within the required retail storefront space; provided, that street frontage of the lobby is limited relative to the property's overall retail frontage and that the storefront design of the lobby provides continuity to the retail character of the site and the overall street.
- c. Any vertical mixed use building not fronting on West College Avenue must dedicate a minimum of 50% of the first floor square footage of the building to nonresidential uses as specified.
4. Lots or Combined Lots Totaling 1 Acre or Larger. All permitted principal uses as set forth above subject to the same criteria as identified in subsections .B.3(a) through (c) above.
5. Conditional Uses. All of the following conditional uses shall be permitted only upon a lot, or combined lots, that total 1 acre or larger upon approval by the Board of Supervisors:
 - a. Any use not specifically permitted within the TS District that is deemed to be an acceptable use due to its consistency with the stated intent of the district, and the application of appropriate design criteria as determined by the Board of Supervisors through the conditional use approval process.
 - b. Any use not specifically excluded in subsection .B.6 that would be deemed to be an acceptable use within the TS District and is consistent with the stated intent of the district and the application of appropriate design criteria as determined by the Board of Supervisors through the conditional use approval process.
 - c. Conference center subject to the following criteria:
 - 1) Maximum building footprint of 30,000 square feet.
 - 2) All parking must be provided in an on- or off-site parking structure.
 - 3) The building must adhere to the design requirements in Chapter 22 and must have lot frontage on West College Avenue.
 - 4) The “center” may include eating and sleeping accommodations if incorporated in a manner that is consistent with the intent of the district.
 - d. Uses accessory to permitted principal uses, subject to the following criteria:
 - 1) The proposed accessory use is associated with a use specifically permitted in the district.

- (a) The proposed accessory use is complementary to the specific intent of the TS Zoning District and the West College Avenue streetscape.
 - (b) Sufficient parking exists or can be established to support the proposed accessory use under the parking standards specified in this district.
 - (c) Conformance with the criteria found in §27-204.
- e. Structured parking as a stand alone structure subject to the following criteria:
- 1) Conformance to the design requirements as stipulated in Chapter 22 as they pertain to architectural scaling elements; building materials and other design considerations that minimize the monotony of repetitive structural elements by varying the facade treatments from bay to bay, integrating planter walls, and/or incorporating landscaping along long undifferentiated expanses of wall.
 - 2) Must be wrapped at ground level with retail or other activity- generating use(s) permitted in the district. Any portion of the ground floor that does not incorporate retail or service-oriented uses must provide additional landscaping to create a separation from pedestrian activity.
 - 3) Minimize the dominance of the vehicular entrance and provide a human scale and pedestrian orientation along any street frontage.
 - 4) Must be established through a public-private partnership with the Township and/or developer of a separate site in the district.
 - 5) No access to the structure is permitted from the West College Avenue corridor. Access must be provided from a cartway that parallels the corridor. Vehicles may exit onto West College Avenue; however, depending on the location, may be prohibited from making a left turning movement.
 - 6) Maximum height 60 feet. Fifteen feet may be added through the use of incentives as specified in subsection .C.1(b)(3) below.
- f. Structures (other than parking structures) above 55 feet subject to the following criteria:
- 1) The structure does not exceed 75 feet in height, including all rooftop appurtenances other than solar panels or rooftop wind energy conversion systems.
 - 2) The appearance of any portion of the facade between 55 feet and 75 feet is distinguished from the facade treatment/material of the portion of the structure between 35 feet and 55 feet per the design requirements in Chapter 22.
 - 3) Any vertical mixed use structure that contains more than two floors devoted to residential units must provide full-time, on-site management.
 - 4) The application of sufficient incentives from subsection .3.B, below, to reach a height above the permitted 55 feet.
6. Prohibited Uses. Only those uses specifically identified above or found to be consistent with the intent of the district are permitted in the TS District. The following represent some, but not all, of the uses that are specifically prohibited in the TS District:
- a. Convenience stores with fuel pumps.

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- b. Vehicle garages and repair shops.
 - c. Adult entertainment.
 - d. Equipment rental.
 - e. Motor vehicle display, repair, and sales.
 - f. Child daycare/preschool.
 - g. Private and public K-12 schools.
 - h. Private recreation areas, arenas, and stadiums.
 - i. Car wash.
 - j. Motels.
 - k. Drive-through.
1. Surface parking lots that are not an accessory use to and required by a permitted principal use or approved conditional use on the same lot.
7. All development in the TS District is subject to the design standards found in Chapter 22.
- C. Height, Area and Bulk Regulations. The following regulations shall be observed for all permitted principal uses:
1. Maximum Height.
 - a. Lots up to and including .39 acres and any lot that does not have lot frontage on West College Avenue (an arterial): 35 feet; incentives may not be applied to increase this height.
 - b. Lots of .40 acres and up with frontage on an arterial street:
 - 1) By right maximum of 55 feet; 55 feet required on corner lots of this size.
 - 2) Additional height up to 75 feet for lots of at least 1 acre may be obtained through the use of incentives set forth in subsection .C.2 below; use of any incentive(s) other than paragraph .B(2) retains the requirement to obtain conditional use approval.
 - 3) Maximum height of parking structures is 60 feet, not including any underground parking levels. Additional height of up to 15 feet may be added specifically to this use if a minimum of 50% of the roof is planted as a green roof or roof garden, or if a wind energy conversion system, and/or solar panels are placed on the roof and provide energy for the parking structure and/or adjacent structures.
 - 4) Minimum height of all structures on lots of this size other than corner lots which are subject to subparagraph (B)(1) above: A street wall at least two stories or 30 feet in height (whichever is greater) shall be maintained for a minimum of 65% of the length of the lot frontage through placement of the principal structure or extension of its facade with an appropriate architectural element.
 2. Building Height Incentives.

- a. If a shared parking facility is provided or used to accommodate the use(s) on the lot, an additional 10 feet may be added to the permitted maximum.
 - b. If structured parking is provided to accommodate the use(s) on the lot and provides space for use by others, an additional 20 feet may be added to the permitted maximum without the need to obtain conditional use approval.
 - c. If 10% of the total residential units in a vertical mixed use building are established and maintained as owner occupied workforce units, an additional 20 feet may be added to the permitted maximum.
 - d. If 15% of the total residential units in a vertical mixed use building are established and maintained as “age-restricted” units, an additional 20 feet may be added to the permitted maximum.
3. Building Occupancy. The maximum square footage per individual nonresidential use is 10,000 square feet/floor. The maximum achievable through use of the incentives set forth below in subparagraphs (1) through (4) is a maximum of 15,000 square feet/use/floor.
 - a. Incorporation of day lighting through clerestories, roof monitors, light shelves, or other technologies throughout 30% of the building allows the maximum square footage/individual use to expand 2,500 square feet/floor.
 - b. If structured parking to meet the parking requirement of the site is provided on- or off-site, the maximum square footage per individual use may expand by 5,000 square feet/use/floor.
 - c. Incorporation of on-site drainage retention, such as bioswales or rain gardens. Into the landscaping design and the use of gray water for site irrigation allows the maximum square footage/individual use to expand 2,500 square feet/floor.
 - d. Use of on-site, non-polluting, renewable technologies (solar, geothermal, wind or biomass) for self-supply energy for a minimum of 5% of the total projected energy use allows the maximum square footage/individual use to expand 2,500 square feet/floor.
 4. Yard Regulations.
 - a. Front Yard.
 - 1) Buildings shall be located on the sidewalk line of the primary street. Sidewalks shall be 12 feet deep from the back edge of the curb on West College Avenue, and a minimum of 5 feet deep from the back edge of the curb on all side streets and cross streets off of West College Avenue. This area is subject to all sidewalk and streetscape requirements as specified in the design regulations of Chapter 22 or officially adopted Streetscape Plan for the Township. A standard 5-foot sidewalk shall be installed for the length of any portion of a lot that abuts an existing alley.
 - 2) Building frontages along streets shall break any flat, monolithic facade by including architectural elements such as bay windows, recessed entrances, or other articulation so as to provide pedestrian scale to the first floor.
 - (a) The building facade may recede from the street wall by as much as 18 inches to allow for columns or other architectural elements as parts of the street wall.

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- (b) A setback, not to exceed 15 feet measured from the back of the sidewalk is permitted, provided that no less than 65% of the street wall is maintained. Recesses on the ground floor to accommodate entryways, display windows, planters, or similar features shall not be considered as setbacks provided that the directly adjacent upper stories (to a minimum of 30 feet) have been built to the street wall.
- 3) All structures on a lot must maintain a minimum of 65% of their facade along the sidewalk line and 50% of the length and 50% of the ground level wall height or 15 feet above finished grade, whichever is less, of any building facade facing and/or adjacent to a public street, or facing into a park, plaza or other public outdoor space shall be transparent.
- (a) Darkly tinted windows and mirrored windows which block two-way visibility are prohibited as ground floor windows required under this provision. Storefront windows may not be completely obscured with display cases or signage that prevents customers and pedestrians from seeing inside.
- (b) Continuous window walls shall be avoided by providing architectural building treatments, mullions, building modulation, entry doors, and/or columns at appropriate intervals.
- b. Side Yard.
- 1) A side yard of 10 feet will be applicable except in the circumstances set forth below.
- (a) In the event that the side of a building would have frontage on a cross street, this shall be considered as a front yard and will be subject to the setback and design requirements as set forth above. However, the depth of sidewalk from back of curb may be maintained at 5 feet along the cross street.
- (b) In the event that the side yard is adjacent to another lot that fronts on West College Avenue, there will be no required side yard setback and new buildings may be constructed with a zero lot line.
- (c) In the event that the side yard is adjacent to a structured parking facility, there will be no side yard setback required and new buildings may be constructed with a zero lot line.
- (d) In the event that the side yard abuts an alley which coincides with the district boundary, this side yard shall be established as a rear yard consistent with the provisions for a rear yard as indicated below.
- 2) Pavement to accommodate surface parking may not encroach within the required setbacks.
- c. Rear Yard.
- 1) On each lot there shall be a rear yard, the depth of which shall be 5 feet. However, if the rear yard is adjacent to a property with a single family residential dwelling unit, or a property outside of the TS District, a 12-foot landscaped buffer shall be provided at the property line and shall constitute the required setback. Surface parking may not encroach within the required setback.

- (a) The required buffer shall be composed of one canopy tree or evergreen tree and 15 shrubs per 35 linear feet of the lot line.
- 2) If the rear yard of a lot abuts an alley, whether in or out of the district, a 5-foot concrete sidewalk shall be provided along the entire length of the property adjacent to the alley. Buildings may directly abut this sidewalk. If the alley coincides with the district boundary, the 12-foot landscaped buffer required above shall be provided in addition to the 5- foot sidewalk; establishing a total 17-foot setback.
- d. Building Separation.
 - 1) All buildings built on a zero lot line shall be independent and no structural wall may be shared by buildings on adjacent lots. Buildings on the same lot may be connected by enclosed walkways or covered walks.
5. Impervious Lot Coverage.
 - a. Lots up to and including .39 acres—50%, up to a maximum of 60% permitted for each lot by way of the incentives set forth at paragraph 6 below.
 - b. Lots from .40 acres up to and including lots of .99 acres—60%, up to a maximum of 75% for each lot by way of the incentives set forth at paragraph 6 below.
 - c. Lots 1 acre or larger—75%, up to a maximum of 95% for each lot by way of the incentives set forth at paragraph 6 below.
6. Impervious Coverage Incentives. In no event shall the maximum total impervious coverage, with any of the incentives provided for within this Section, exceed 95% of the site as measured within all existing or proposed lot lines:
 - a. If a green roof or roof garden(s) covering a minimum of 60% of the roof is provided on the structure(s) on the lot, an additional 10% coverage is permitted.
 - b. If an approved pervious parking surface is provided for a least 50% of the required on-site parking, an additional 10% coverage is permitted.
 - c. If the proposal is for vertical expansion of an existing use, an additional 10% coverage is permitted.
 - d. If the proposal is to add upper floor office or residential units to create a mixed use structure out of an existing single use building, an additional 10% coverage is permitted.
 - e. If the entire roof is a cool roof that reduces cooling loads, an additional 5% coverage is permitted.
 - f. If the proposal is to undo a previous conversion of a single-family dwelling from apartments back into a single-family dwelling an additional 10% coverage is permitted.
7. Parking Requirements. The regulations set forth herein are intended to apply within the TS District and may differ from the provisions of Chapter 22.
 - a. The required parking may be met through the use of on-site, off-site, and remote or structured parking, or any combination thereof.

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- b. When an on-site surface parking area is proposed, it shall be located underneath or to the side or rear of the structure(s) it is intended to serve and shall have vehicular access from the side or rear of the lot. On-site parking in the front yard is specifically prohibited.
- c. When surface parking is located to the side of a structure, it must be set back from the sidewalk edges a minimum of 10 feet. This additional setback shall be used to accommodate screening composed of a low architectural wall, masonry piers, fencing, or a combination thereof, and a continuous 4-foot high (at time of planting) shrub hedge that screens the parking and defines the sidewalk edge. Additional deciduous and evergreen trees may be used to supplement the required plantings.
- d. Surface parking located to the side of a structure may not extend to a side street. The corner lots are subject to the use and yard requirements as stipulated above.
- e. The maximum number of permitted spaces in an on-site surface parking lot is thirty. However, if acceptable pervious paving is used for the entire parking area, this number may be increased to 45.
- f. Parking areas shall be designed so as to optimize the potential to serve more than one building or more than one use on a site or adjoining sites as long as the location and design remain consistent with the other criteria of this Section.
- g. To be counted toward the minimum number of required spaces, off-site parking must be located within two blocks or $\frac{1}{4}$ mile of the main entrance to the use that requires the spaces. If the off-site spaces are not in a publicly owned and operated parking structure, documentation of the reservation of such spaces for each use must be provided in the form of a shared parking agreement.
- h. Residential parking within the TS District shall be provided at the rate of 1.0 space for each studio or one bedroom unit and 1.5 spaces for each unit that is two bedrooms or larger, subject to the following criteria:
 - 1) To utilize this parking standard, all surface parking on the site shall be priced separately from the cost of the unit. Such fee structure would not be applicable to the use of driveways, attached garages, or underground and understructure parking spaces on-site but would be applicable to the use of off-site parking spaces in a structured parking facility.
 - 2) The use of incentives cannot reduce this required parking ratio.
- i. Parking for non-residential uses within the TS District shall be provided at the rate of 1/500 square feet, subject to the following criteria:
 - 1) Where shared parking can be arranged, the amount of required parking shall be dictated in accordance with the provisions of the ULI Shared Parking Handbook, Second Edition (2005).
 - 2) Where either on or off-site shared parking is utilized, an agreement establishing the rights to use of the spaces shall be prepared, submitted and upon approval by the Township, recorded.
 - 3) Additional reductions may be considered through the use of incentives as listed elsewhere in this Section.

- j. Every non-residential use with a floor area of 10,000 square feet or more must provide a loading/unloading area. Curbside deliveries are permitted so long as they do not block travel lanes.
 - k. All uses shall provide bicycle parking accommodations on site.
 - l. All egress from a parking area shall be designed so that motor vehicles leaving the parking area will enter the public street traveling in a forward direction.
 - m. All surface parking lots must be suitably landscaped to minimize noise, glare, and other nuisance characteristics as well as enhance the environment and ecology of the site and surrounding area. At a minimum, all surface parking areas shall be landscaped in accordance with the provisions of §27-707.N.2 and§ 27-707.N.3 and shall demonstrate that a minimum of 5% of the internal surface parking area has been devoted to landscaping area.
 - n. Surface parking space dimensions shall be in accordance with the provisions of §27-601.
- D. Plan Processing and Procedure. The following general requirements shall apply to any proposal for development within the TS District:
1. Eligibility. The site proposed for development shall be under single ownership and shall be developed according to a single master plan that depicts full build-out of the site with common authority and responsibility.
 - a. The site shall be served by both public sewer and public water and notice of capacity and intent to serve shall be provided prior to approval of any final plan.
 - b. Any subdivision or land development proposal within the TS District that involves multiple phases of development shall follow the procedures outlined below, including each of the following steps:
 - 1) Initial conference.
 - 2) General master plan.
 - 3) Final plan.
 2. Initial Conference. An initial conference shall be scheduled to discuss the proposed development. The conference shall include appropriate representative(s) of the developer and the Township. The goal of the conference is to review the development proposal and to establish its consistency with the intent and purpose of the TS District as established by this Section and associated design manual [Chapter 22, Part 5A]. The applicant may submit any information they deem necessary to substantiate conformance with the objectives of the TS District. This step shall be required regardless of whether the development will be phased.
 3. General Master Plan. A master plan shall be required whenever a development is proposed to be phased, or where the developer wishes to obtain a preliminary level of approval prior to preparation of a final plan. Where such circumstances do not exist, the project may be submitted as a final plan. Review of the general master plan shall proceed as outlined in the Subdivision and Land Development Ordinance, Chapter 22, §22-303.C through §22-303.F, including review by the Township Planning Commission, review by the Centre County Planning Commission or its designee, and review by the Board of Supervisors.

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- a. The general master plan shall cover the entire tract, regardless of any intended phasing of the proposed development. The plan shall show the size and location of all access locations, parking facilities, public space, and service areas. Accompanying the master plan shall be rendered architectural elevation and perspective drawings providing a clear representation of the relationship of the proposed development to the site and its visual impact on adjacent properties and a narrative clarifying and illustrating the significance of the applicant's proposed design. In addition, the plan submission must include:
 - 1) A completed application for subdivision or land development approval and payment of all application and escrow fees.
 - 2) Written notice of acceptance of the design proposal by staff as a result of the required initial conference.
 - 3) Five black or blue on white prints of the general master plan and 10 reduced 11x17 copies of all plan sheets prepared in conformance with all provisions of this Part and the associated design guidelines.
 - 4) Such plans shall be drawn at a legible scale and shall include a key map showing the location of the site in relation to adjacent properties and the larger neighborhood, adjacent zoning, and road system connections identifying existing and proposed roads within 500 feet.
 - 5) All dimensions of the site shall be in feet and decimals; bearings shall be in degrees, minutes, and seconds. Lot line descriptions shall read in a clockwise direction. The survey of the site shall not have an error of closure greater than 1 inch in 10,000 feet.
 - 6) This plan shall be legible in every detail and shall identify the proposed project name, the name and address of the owner of the tract, the developer/subdivider and the firm that prepared the plan, as well as the plan date and the date of all plan revisions.
 - 7) The plan shall show the existing tract boundary with bearings and distances and identify the total acreage of the entire existing tract, the zoning district, lot size, and/or density requirements of the applicable zoning regulations, and the location of existing lot line markers along the perimeter of the entire existing tract as well as the general location of all existing man-made features including any historic structures, utilities, adjacent land uses, adjacent roadways, and other existing public infrastructure such as sewer and water mains, fire hydrants and storm- water management facilities.
 - 8) The presence of existing natural features including, but not limited to, soil types, unique vegetation, tree masses, closed depressions, sinkholes, watercourses, floodplains, steep slopes, archaeological sites, burial sites, wetlands, solid waste disposal areas and topography of the site shall be identified on the plan and any necessary approvals for encroachment in these areas shall be obtained.
 - 9) The proposed general lot layout shall be shown on the plan including the location of the various types of land uses and approximate location of lot lines; building setback measurements; the approximate location, use, height, and bulk of buildings; the proposed units of occupancy and resultant density calculation; the approximate location and size of park space or public plazas; the approximate floor space and general configuration of all nonresidential uses and the provisions for access and parking.

- 10) The general layout of any proposed streets, alleys, and sidewalks, including cartway and right-of-way widths shall be identified by the plan. A typical street cross-section and street centerline profile shall be provided for any proposed street or alleyway.

4. Final Plan.

- a. Review and approval of the final plan shall proceed as outlined in the Subdivision and Land Development Ordinance, Chapter 22, §22-§304.A through 22-304.G, including review by the Township Planning Commission, review by the Centre County Planning Commission or its designee, and review by the Board of Supervisors. Rendered architectural elevation and perspective drawings providing a clear representation of the relationship of the proposed development to the site and its visual impact on adjacent properties and a narrative clarifying and illustrating the significance of the applicant's proposed design must also be submitted with the final plan. Written notice of acceptance of the design proposal by staff as a result of the required initial conference will also be required. For projects that are not phased, this step will follow the initial conference.
- b. In addition to addressing all of the requirements of Chapter 22, §22- 401 through §22-403, the final plan submission shall address the following criteria. In the event of a conflict between these standards and criteria and those contained in Chapter 22, the standards and criteria set forth in this subsection shall control.
 - 1) TS District development plans shall address all design requirements set forth in the Township's Subdivision and Land Development Ordinance [Chapter 22]. This shall include but not be limited to information on the following, whether or not specific requirements are established in Chapter 22:
 - (a) Exterior building materials.
 - (b) Special building features and design elements.
 - (c) Signage and graphics.
 - (d) Lighting.
 - (e) Open space areas, including commons, plazas and pedestrian spaces.
 - (f) Circulation systems for vehicles and pedestrians, including linkages with adjoining properties and transit stops as well as between parking areas and building entrance(s).
 - (g) Landscape and hardscape design, including paving materials and plant materials to be used for buffering, screening, in parking areas and detention basins and any building related planting.
 - (h) Refuse facilities providing the appropriate containers in accordance with the standards of the Centre Region Refuse and Recycling Program.
- E. Stormwater Management Site Plan. The control of erosion and sediment during construction is subject to approvals of Centre County Conservation District, and the ongoing management of stormwater on the tract, shall be accomplished in accordance with Chapter 26, Part 1, provided that the proposed plan for the control of erosion and sedimentation may be submitted as a component of the final land development plan for the associated phase or stage of construction. Efforts must

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be made to improve the current systems on the site and to ensure no harm or damage is caused to the existing storm system and adjoining properties.

1. The final plan shall reflect and be accompanied by supporting documentation identifying the ownership and method of administering and maintaining all permanent stormwater management facilities in accordance with the provisions of Chapter 26, §26-703 and §26-704.
2. The agreement, declaration of easement(s) or other legally binding documentation shall be submitted to the Township for review. Upon review, the Township may require the agreement to contain provisions for requiring the posting and/or periodic payment of escrow funds by the private entity to guarantee proper maintenance of the facilities.

PART 4**Overlays****§27-401. Corridor Overlay District Requirements.**

The Corridor Overlay District requirements are intended to provide land use and land development controls along specified corridors in the Township as an overlay that is supplemental to the underlying zoning district regulations. If a conflict exists between the regulations of this Section and the underlying zoning district regulations, the more restrictive Section requirements shall apply. All land designated herein as part of the Corridor Overlay District shall be subject to the requirements of this Section regardless of within which zoning district said land or structure is located.

A. Intent. It is the intent of the requirements of the Corridor Overlay District to promote safe and efficient use of the Township's main corridors as well as to protect the aesthetic and visual character of the lands adjacent to them; and:

1. To encourage and ensure safe ingress and egress from existing and proposed development along main transportation corridors, to maintain adequate roadway capacity and lessen or prevent traffic congestion.
2. To encourage development consistent with the Centre Region Comprehensive Plan (as amended).
3. To discourage unlimited commercial "strip development" and curb cuts along streets and highways and encourage land development to occur in nodes and activity centers utilizing shared or controlled access points.
4. To establish a consistent pattern of setbacks, screening, lighting and signage throughout the corridor.

B. Delineation of Corridor Overlay District.

1. The Corridor Overlay District requirements shall be applied along West College Avenue from the Blue Course Drive to the intersection with Scott Road.
 - a. From the intersection with Scott Road to the intersection with Blue Course Drive, the Corridor Overlay District area shall be a combination of property lines not to exceed a distance of 660 feet as measured from the centerline of West College Avenue, on each side for a total of 1,320 feet.
 - b. The boundary of this portion of the Corridor Overlay District shall be illustrated on the Official Zoning Map.
2. The Corridor Overlay District requirements shall be applied along Blue Course Drive from Westerly Parkway to its intersection with North Atherton Street.
 - a. From the intersection with Westerly Parkway to the intersection with West College Avenue, the Corridor Overlay District shall be a combination of property lines not to exceed a distance of 440 feet as measured from the centerline of Blue Course Drive on each side, for a total of 880 feet. The Corridor Overlay District shall not overlap with the Terraced Streetscape Zoning District at the Blue Course Drive intersection with West College Avenue.

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- b. From the intersection with West College Avenue to the intersection with Circleville Road, the Corridor Overlay District shall be a combination of property lines not to exceed a distance of 660 feet as measured from the centerline of Blue Course Drive on the eastern side of Blue Course Drive not to overlap with the Traditional Town Development Zoning District.
 - c. From the intersection with Circleville Road to the intersection with North Atherton Street, the Corridor Overlay District shall be a combination of property lines not to exceed a distance of 660 feet as measured from the centerline of Clinton Avenue, on each side for a total of 1,320 feet.
 3. The Corridor Overlay District requirements shall be applied along Science Park Road from its intersection with Circleville Road inclusive of the Science Park extension; to its intersection with West College Avenue.
 - a. The Corridor Overlay District shall be a combination of property lines not to exceed a distance of 660 feet as measured from the centerline of Science Park Road, on each side for a total of 1,320 feet.
 - b. The boundary of this portion of the Corridor Overlay District shall be illustrated on the Official Zoning Map.
 4. The Corridor Overlay District Requirements shall be applied along Old Gatesburg Road from Foxpointe Drive to Science Park Road.
 - a. From the intersection with Foxpointe Drive to the intersection with Science Park Road, the Corridor Overlay District shall be a combination of property lines not to exceed a distance of 440 feet as measured from the centerline of Old Gatesburg Road on each side, for a total of 880 feet.
 - b. The boundary of this portion of the Corridor Overlay District shall be illustrated on the Official Zoning Map.
 5. The corridor streets shall be defined as above including; West College Avenue (PA Route 26) from Scott Road to Blue Course Drive, Science Park Road, Old Gatesburg Road from Foxpointe Drive to Science Park Road and Blue Course Drive from Westerly Parkway to Atherton Street not to overlap the Terraced Streetscape District or the Traditional Town Development District.
 6. Lots on which the sole existing use is single-family or two-family residential shall be exempt from all subsections of this Section with the exception of subsection .D which pertains to vehicular access. Any new development or changes in use, including residential, shall comply with this Chapter.
- C. District Regulations. All uses shall conform to the lot, yard setback and height regulations stipulated herein, as well as other appropriate requirements of this Section and Chapter.
1. Minimum lot width shall be in accordance with the underlying zoning district.
 2. Minimum Yard Setbacks.
 - a. Setbacks shall be 50 feet measured from the right-of-way line when abutting a corridor street. Corridor street front yard setbacks may be reduced by not more than 10 feet at its corner lots; to become a 40-foot setback, when the only access to the site is provided from

- a collector or subcollector access road. If the property is a corner lot or a double frontage lot, the 50-foot setback shall apply to all sides of the property which abut a corridor street. No parking or buildings are permitted within the 50-foot setback from the corridor street.
- b. If a property is located within the general commercial zoning district the setback may be 40 feet measured from the right-of-way line when abutting a corridor street. No parking or buildings are permitted within the 40-foot setback from the corridor street. Even when the only access to the corridor street is provided from a collector or subcollector access road, the setback abutting the corridor street may not be reduced to less than 40 feet.
 - c. Setbacks for yards which do not abut a corridor street shall be in accordance with the underlying zoning district.
 - d. Rear yard setbacks as designated in the underlying zoning may be reduced up to 10 feet when the designated rear yard does not abut a corridor street.
3. Maximum Building Height. Any building may exceed the underlying zoning district maximum height by a ratio of 1 foot or fraction thereof for each additional 2 feet or fraction thereof of building setback which is provided from the Corridor Ratio of 1:2 (Example: an increase of 5 feet in height equals an increase of 10 feet of the setback from the corridor).
- D. Vehicular Access.
1. Vehicular access for lot abutting corridor streets shall be provided in the hierarchy as follows:
 - a. First, access to the lot shall be through collector, subcollector or residential access streets with limited access from the corridor street. When the only available access to the lot(s) is from the corridor street then the provisions of this subsection shall not apply.
 - b. Second, if feasible and in the best interest of traffic operations, access shall be provided through an existing shared common driveway which serves the adjacent lot or lots.
 - c. Third, by means of access points directly onto the corridor street which existed prior to the enactment of this Section; provided, that at the time of land development a reduction of multiple access points is to occur with approval of the Township and/or PennDOT when more than one access is not in the best interest of acceptable traffic operations and practices.
 - d. Fourth, when the only available access to a lot is from the corridor street, access shall be limited to not more than one driveway for the first 300 feet of frontage and one driveway for each additional 300 feet of frontage, unless only one access is not in the best interest of acceptable traffic operations.
 2. When multiple drive-up window services/businesses are located on one lot, shared access to the corridor street shall be required.
 3. Pedestrian and Bicycle Access. Pedestrian access between adjacent lots and individual businesses within a development shall be provided. Access to bike path rights-of-way, if adjacent to a lot, shall be provided via a paved connection no less than 10 feet in width and integrated into the land development plan. Interior circulation design shall incorporate safe separation of pedestrian, bicycle and vehicular traffic. Vehicle overhang shall be separated by a minimum of 5 feet of landscaping when off-street parking is located adjacent to pedestrian and bicycle access. In addition, walkways shall be provided to related properties located across a street. Determination of walkway locations shall be made by Township staff.

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4. Transit Amenities. If deemed appropriate by Township staff, a public transit area(s) shall be provided at the site. Each public transit area shall include a bus stop pad area, covered shelter and connecting walkways. The design, location and extent of these facilities shall be based on ADA (American with Disabilities Act) standards along with review comments from CATA (Centre Area Transportation Authority), Township staff and the land developer/consultant.
- E. Landscaping Requirements to Apply. Any site located within the Corridor Overlay District shall comply with the landscaped buffer yard requirements set forth in this Chapter.
- F. Off-Street Parking. Off-street parking, storage or display of products shall not be permitted in the required 50-foot setback along a corridor street. To the extent feasible, off-street parking shall be shared with adjacent lots through off- street access.
- G. Building Appearance. All buildings located within the Corridor Overlay District that have sides and walls visible from all existing or proposed public right- of-way are to be covered with the same materials as are used on the designated “front” of the building. “Visible” is determined by anyone (as represented by the Township Zoning Administrator) that is either a pedestrian and/or passenger or driver of an average size vehicle on the corridor street or on side assess streets. The elevation requirements of the land development plan section are applicable to the sides of the building facing the corridor street. Rooftop mechanical systems shall be screened by fencing or other means at least three-fourths the height of the system.
- H. Signage. Ground signage in the Corridor Overlay District shall be installed in accordance with §19-111.2 of the Sign Ordinance [Chapter 19] and applied to all uses. The ground pole shall not exceed 10 feet above grade except that the sign height is permitted to be an additional 3 feet higher with a landscaped base elevated with each mounding up to 3 feet tall. The placement of building-mounted signs is permissible in accordance with the applicable Sections of the Sign Ordinance [Chapter 19] for the relevant use.
- I. Utilities. All new development along the Western Inner Loop and Old Gatesburg Road from Science Park Road to Blue Course Drive (Western Inner Loop) is required to provide underground utility (electric, telephone, cable) service.
- J. Lighting. All lighting shall be in accordance with the Township’s Lighting Ordinance [Chapter 4, Part 1]:
 1. The maximum height of the light fixture shall be 25 feet.
 2. Any outdoor lighting fixture newly installed or replaced shall be shielded so it does not produce a strong, direct light over adjacent property boundaries or produce a glare to motorists along the arterial corridor.

§27-402. Ridge Overlay District Requirements.

The Ridge Overlay District requirements are intended to provide land use and land use development controls along specified ridge corridors in the Township as an overlay that is supplemental to the underlying Rural Residential Zoning District regulations. If a conflict exists between the regulations of this Section and the underlying Rural Residential Zoning District regulations, the more restrictive requirements shall apply:

- A. Intent. Many of the soils present in the overlay zone, including some of those identified as Colluvial, are rated by the Soil Survey of Centre County as having severe limitations for uses such as septic tank absorption fields, dwellings with basements, and local roads and streets. The Soil Survey, prepared by the United States Department of Agriculture Soil Conservation Service,

indicates that a rating of severe means “ soil properties are so unfavorable and so difficult to correct or overcome as to require major soil reclamation, special designs, or intensive maintenance.” The limitations associated with the Colluvial soils include a seasonal high water table, fragipan, soil stability, steep slopes, slow permeability, large stones, and frost action. It is the intent of the Ridge Overlay District requirements set forth hereinafter to restrict the intensity of development on areas containing a predominance of Colluvial soils with severe limitations, and; (1) to identify the location of the most severe soil areas where development is not appropriate; (2) to minimize the potential for damage from erosion, sedimentation and flooding; (3) to protect the property of the Township and future homeowners from adverse conditions; and (4) to protect and retain natural resources, especially surface water and ground water resources within the Township.

- B. Delineation of Ridge Overlay District. The Ridge Overlay District requirements shall be applied in the areas depicted on the Official Zoning Map for Ferguson Township.
- C. Criteria for Subdivision or Erection of Structures in Ridge Overlay District. The following criteria will determine the ability to, and establish the process for, the subdivision of land or erection of a habitable structure in the Ridge Overlay Zoning District.
 - 1. Soils. No land disturbance which would involve the construction of a habitable structure, the installation of a paved driveway, or construction of roads which are used for access to a dwelling unit or units may occur on Andover, Buchanan, Laidig or other soils defined as Colluvial by the Centre County Soil Survey and/or NRCS digital soil survey, other than in accordance with the provisions (subparagraphs (2) through (10)) below, or through the conditional use process provided for in paragraphs .D through .G which follow.
 - a. Although the Centre County Soil Survey may be used as a resource, extensive on-site soils investigation and testing will be required to determine the actual soil distribution on each site. Any property or site within the overlay district mapped with or potentially containing severely rated colluvial soils, or inclusions thereof, must be evaluated prior to being permitted for the land disturbance activities noted above. In order to accomplish the soils evaluation work , the developer must meet with the Township's Engineer to determine, at a minimum, the location, number and type of soil test pits that will provide a representative sample of the soils present within the area intended to be disturbed, Consensus on the number of test pits will be reached based on the landowner's development intentions, soil mapping units delineated in the Centre County Soil Survey and/or the NRCS digital soil survey, the location of natural features on the site, and any previous soil test results. This will provide the data necessary to prepare a detailed soils map of the site that will allow the applicant to determine the potential to provide roads, driveways and/or structures in accordance with these regulations. The purpose of requiring testing of each parcel is to allow for consideration of the variety of property sizes, the location of salient natural features, and the full range of permitted development options. For those properties or sites where the above required soils investigation definitively indicates that the proposed land disturbance activities will not be impacted by the location of colluvial soils, the remainder of the requirements of this district shall not be applicable.
 - 1) No excavation or fill that will cause any slope to become unstable; impose loads that may affect the safety of structures or slopes; interfere with adequate drainage for the site area and the drainage area of land tributary to the site; obstruct, damage, or adversely affect existing sewerage or drainage; cause a stagnant pond of water to form; or cause erosion or sedimentation shall be permitted.

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2. Soils Mapping and Report. The actual testing and report preparation must be completed by a qualified soil scientist or registered professional geologist with the appropriate experience in soil science interpretation, subject to approval by the Township Engineer. The results must then be submitted for review and approval by the Township's Engineer. This municipal review will determine the adequacy of the testing as well as the development potential/buildable area of the parcel. It is recommended that the need for any Federal and State permits be investigated, and that such permits be obtained, prior to moving forward with any development plans.
3. Drainage Way/Watercourse. No land disturbance which would involve the construction of a habitable structure or the installation of a paved driveway or construction of a road or roads which are used for access to a dwelling unit or units, may occur within 100 feet of a defined drainage way. Some drainage ways may have the capacity to carry substantially more runoff than others. Therefore, the required separation distance may be reduced as the result of a hydrological analysis of the characteristics of each specific site and/or the issuance of appropriate State or Federal permits associated with the proposed development activity.
4. Floodplain. No land disturbance which would involve the construction of habitable structures or the installation of paved driveways or construction of a road or roads which are used for access to a dwelling unit or units may occur within 100 feet of the edge of a floodplain or the floodplain conservation district as defined by the Flood Hazard Boundary Map for Ferguson Township prepared by the Federal Insurance Administration, Federal Emergency Management Agency. This distance may be reduced for areas where there is a minimum 5% rise between the edge of the floodplain and the area of earth disturbance, Where such reduction in distance is desired, information shall be provided during the conditional use hearing to assure that an adequate separation has been provided.
5. Septic System Approval. As part of the soils testing for the entire site, the testing for septic systems must be accomplished. The septic systems must be approved by the Township's Sewage Enforcement Officer in conformity with the rules, policies, regulations and specifications of the Department of Environmental Protection (DEP).
6. Sinkholes. No land disturbance which would involve the construction of habitable structures or the installation of paved driveways or construction of a road or roads which are used for access to a dwelling unit or units may occur within 50 feet of the edge of a sinkhole. If there is a drainage path leading to the sinkhole, a minimum of 50 feet on all sides of the drainage channel shall be protected.
7. Slope. No land disturbance which would involve the construction of habitable structures or the installation of paved driveways or construction of a road or roads which are used for access to a dwelling unit or units shall occur within 100 feet down grade of any area with a slope of 20% or more that is primarily comprised of colluvial soils.
8. Springs. No land disturbance which involves the construction of habitable structures, the installation of paved driveways and/or construction of a road or roads which are used for access to a dwelling unit or units may occur within 100 feet of a defined spring. This required separation distance may be reduced as the result of a hydrological analysis of the characteristics of each specific site and/or the issuance of appropriate State or Federal permits associated with the proposed development activity.
9. Wetlands. No land disturbance which would involve the construction of habitable structures, the installation of paved driveways and/or construction of a road or roads which are used for access to a dwelling unit or units may occur within 50 feet of the edge of a defined wetland

area as established by this Chapter, DEP, and/or the Army Corps of Engineers. This distance may be reduced, if necessary; when the appropriate permits from these State and Federal agencies are obtained. Where such reduction in separation distance is desired, information shall be submitted during the conditional use hearing that substantiates the need to reduce the separation distance as well as the endorsement of the permitting agencies.

10. Subdivision. No new building lots may be created after the date of enactment of this Section which do not encompass sufficient buildable area to comply with the applicable provisions of paragraph .C(3)-(9). The buildable area shall be considered the same as the area of potential land disturbance and includes the footprint of the structure, the access, and the on-lot disposal system (OLDS) as well as suitable land necessary to accommodate the required OLDS replacement area. The subdivision plan for any lots which are created must identify the location of all colluvial soils within the proposed lot, as well as delineating that portion of the lot which encompasses the buildable area. In addition, a note must be placed on the plan which will alert future homeowners to the potential for sinkholes, flooding and drainage issues, as well as the possibility for development of the lot to require special design or construction considerations to mitigate the limitations imposed by the soils. Where sinkholes are included on acreage designated as part of a newly subdivided lot, it is recommended that such areas be fenced for safety.
 11. Existing wooded areas shall be protected to prevent unnecessary destruction or removal of healthy trees with a minimum trunk caliper of 5 inches at 6 inches above ground. Where development is authorized in accordance with subparagraphs (2) through (10) above, or through the conditional use process provided for in paragraphs .D through .G below, at least 40% of healthy trees on the site shall be maintained or replaced immediately following construction. Replacement trees shall be native species to Pennsylvania and shall have a minimum trunk caliper of 2 inches at a height of 6 inches above finished grade. Where significant removal of trees within an existing wooded area is anticipated, plans shall be required to be provided during the conditional use process so as to demonstrate conformance with these criteria.
- D. Conditional Use Requirements for Land Accessed across Colluvial Soils In many cases, access to an area that is developable may not be possible without crossing colluvial soils. In such cases, the Board of Supervisors may grant a conditional use to cross the colluvial soils if the following conditions can be satisfied:
1. Access is not practical from another direction.
 2. Low impact driveway or roadway design, in accordance with the associated PennDOT or other recognized standards acceptable to the Township Engineer, is used.
 3. The proposed location and design of the access provides the least practicable disturbance to the colluvial soils in the area.
 4. The access is located in conformance with the setback restrictions associated with wetlands, floodplains, sinkholes, springs, drainageways, and watercourses as referenced above or, where such setbacks cannot be met, evidence that the location and design of the access is not adversely impacted by its proximity to such features is provided. The sufficiency of evidence submitted shall be determined by the Board of Supervisors depending on the specifics of each request.
- E. Conditional Use Criteria for Existing Structures. Where existing structures are located either wholly or in part on colluvial soils, the Board of Supervisors may grant a conditional use to modify, expand,

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or otherwise alter the structure (whether or not such construction would also be located on areas of colluvial soils) if the following conditions can be met:

1. Certification as to the stability/structural integrity of the existing structure is provided by a licensed, professional engineer registered in the state of Pennsylvania.
 2. The proposed location and design of the expansion, alteration or modification provides the least practicable disturbance to the colluvial soils in the area.
 3. The design of the proposed structure modification has been engineered to overcome the limiting properties of the soils by a licensed, professional engineer registered in the state of Pennsylvania.
 4. Any increased maintenance required to ensure the longevity of structural integrity of the design is identified and a written maintenance plan is provided. A report from the design engineer shall be provided to establish the necessity of regular or specific maintenance.
 5. The construction is in conformity with the setback restrictions associated with wetlands, floodplains, sinkholes, springs, drainageways, and watercourses as referenced above or, where such setbacks cannot be met, evidence that the location and design of the proposed construction is not adversely impacted by its proximity to such features is provided. The sufficiency of evidence submitted shall be determined by the Board of Supervisors depending on the specifics of each request.
 6. The applicant shall provide a hold-harmless agreement and indemnification in favor of the Township for any damage that may occur to the structure or any other private property as a result of the presence of colluvial soils.
- F. Conditional Use Criteria For Single Family Dwelling. Where a landowner desires to construct a single family dwelling unit on an existing lot that, as a result of these restrictions contains little or no buildable area, the Board of Supervisors may grant a conditional use if the landowner can establish the following:
1. The property existed and was acquired prior to the date of enactment of this Section.
 2. There are no dwelling units currently existing on the site.
 3. Neither the area of land disturbance (which shall include the footprint of the structure, the access, and the primary OLDS) nor the impervious coverage shall exceed 50,000 square feet.
 4. The proposed location and design of the dwelling unit and access provide the least practicable disturbance to the colluvial soils in the area.
 5. The proposal is consistent with the lot size requirement specified for the Rural Residential Zoning District.
 6. The design of the proposed structure has been engineered to overcome the limiting properties of the soils by a licensed, professional engineer registered in the state of Pennsylvania.
 7. Any increased maintenance required to ensure the longevity of the structural integrity of the dwelling unit is identified and a written maintenance plan is provided. A report from the design engineer shall be provided to establish the necessity of regular or specific maintenance.
 8. The proposed construction will occur in conformance with the setback restrictions associated with wetlands, floodplains, sinkholes, springs, drainage ways, and watercourses as referenced

above or, where such setbacks cannot be met, evidence that the location of such construction is not adversely impacted by its proximity to such features is provided. The sufficiency of evidence submitted shall be determined by the Board of Supervisors depending on the specifics of each request.

9. The applicant shall provide a hold-harmless agreement and indemnification in favor of the Township for any damage that may occur to the structure or any other private property as a result of the presence of colluvial soils.
- G. Conditional Use Criteria Where Restrictions Eliminate All Development Potential on Existing Lots. Where the land disturbance restrictions of this Section result in the elimination of all development potential for lots existing as of the date of the enactment of this Section, the Board of Supervisors may grant a conditional use to allow the following uses as permitted in the underlying Rural Residential Zoning District: (1) forestry uses; (2) private passive park and recreational areas that do not include any habitable structures; (3) horticultural and agricultural uses related to the tilling of the land, the raising and propagation of crops, trees, shrubs, flowers, fruits and vegetables, and other plant materials; or (4) public or private conservation areas for the conservation of open space, water soil, and wildlife resources; subject to the following conditions:
 1. The proposal is consistent with the lot size and bulk regulations as specified in the Rural Residential District.
 2. The proposed use provides the least practicable disturbance to the colluvial soils in the area.
 3. All resultant land disturbance conforms to the associated setback restrictions as referenced above or, where such setbacks cannot be met, evidence that the location of such disturbance is not adversely impacted by its proximity to such features is provided. The sufficiency of evidence submitted shall be determined by the Board of Supervisors depending on the specifics of each request.

§27-403. Riparian Buffer Overlay Zoning District Requirements.

- A. Legislative Intent.
 1. Under the Authority of Article I, §27, of the Pennsylvania Constitution, Act 247, the Municipalities Planning Code, as amended, other Commonwealth and Federal statutes, and in recognition of the fact that natural features contribute to the welfare of residents, the following riparian buffer regulations are enacted to provide reasonable controls governing the restoration, conservation, disturbance, and management of existing riparian corridors by establishing a designated Riparian Buffer Overlay Zoning District.
 2. Ferguson Township adoption of these regulations does not grant public access to private property. Any grant of public access remains the prerogative of each individual property owner.
 3. The Riparian Buffer Overlay Zoning District ordinance, upon adoption, shall apply to all subdivisions, land developments or redevelopment of existing properties or any other improvements that require subdivision or land development plan submission if they are within or touch the Riparian Buffer Overlay Zoning District within Ferguson Township.
 4. Any required riparian buffer preservation and maintenance shall remain the sole responsibility of each individual property owner or as otherwise stipulated by the Ferguson Township Stormwater Management Ordinance.
 5. In addition, the specific purposes and intent of this Section are to:

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- a. Conserve the natural features important to land or water resources (e.g., headwater areas, groundwater recharge zones, floodways, floodplains, springs, streams, wetlands, woodlands, prime wildlife habitats).
- b. Work with floodplain, steep slope, and other municipal ordinances that regulate environmentally sensitive areas to minimize hazards to life, property, and important riparian features.
- c. Conserve natural, scenic and recreation areas within and adjacent to riparian areas for the Centre Region's benefit.
- d. Reduce the amount of nutrients, sediment, organic matter, pesticides, and other harmful substances that reach watercourses, wetlands, subsurface, and surface water bodies by using scientifically-proven processes including filtration, deposition, absorption, adsorption, plant uptake, and denitrification, and by stabilizing. Further, to minimize concentrated flows through the use of level spreaders and/or similar stormwater management devices used to disburse concentrated flow uniformly over the ground as sheet flow.
- e. Improve and maintain the safety, reliability, and adequacy of the Centre Region's water supply for domestic, agricultural, commercial, industrial, and recreational uses along with sustaining diverse populations of aquatic plants and animals.
- f. Regulate the land use, siting, and engineering of development to be consistent with the intent and objectives of this Section and accepted conservation practices, as well assure that the impacts of such development remain within the carrying capacity of existing natural resources.
- g. Assist in the implementation of pertinent state laws concerning erosion and sediment control practices, specifically erosion control, of the Pennsylvania Clean Streams Law, Act 394, P.L. 1987, Chapter 102 of the Administrative Code (as amended October 10, 1980, Act 157 P.L.), Title 25, and any subsequent amendments thereto, as administered by the Pennsylvania Department of Environmental Protection and the Centre County Conservation District.

B. Definition, Establishment, Width Determination, Applicability, and Interpretation**1. Definition.**

- a. The Riparian Buffer Overlay is a zoning district consisting of: Areas surrounding swales, creeks, streams, water bodies, intermittent watercourses and delineated wetlands as well as those encountered during subdivision and land development. These areas intercept surface water runoff, subsurface flow, and deep groundwater flows from upland sources and remove or "buffer" the impact of nutrients, sediment, organic matter, pesticides, or other pollutants prior to entry into surface waters.

2. Establishment.

- a. The establishment of a Riparian Buffer Overlay Zoning District applies to the following areas which are identified on the Zoning Map:
 - 1) Lands adjacent to streams within Ferguson Township.
 - 2) Lands adjacent to intermittent water courses within Ferguson Township.

- 3) Lands, water bodies and wetlands as regulated by State and/or Federal designation
 - 4) Similar land and/or water to those outlined above as encountered during the process of subdivision and land development within Ferguson Township.
3. Width Determination.
- a. The Riparian Buffer Overlay Zoning District shall extend a minimum total width of 100 feet from each edge of any perennial watercourse or surface water body, or shall equal the extent of the 100-year floodplain, whichever is greater. Where the edge of waterway of an intermittent watercourse cannot be determined, the width of the Buffer Overlay Zoning District shall be measured beginning from the centerline of the channel. The district may consist of two distinct zones designated as:
 - 1) Zone One. This zone will begin at the edge of the waterway (including-wetlands and intermittent watercourses) and occupy a margin of land with a minimum width of 35 feet measured horizontally on a line perpendicular to the edge of the waterway. Where a defined bed and bank exist, the edge shall be established based on bank full flow. The width of Zone One may be required to extend beyond the minimum 35 feet depending upon existing topography, woodlands, and other natural conditions. This determination will be made by the Township Arborist and/or Township Zoning Administrator.

Where slopes of 15% or greater are located within the 35-foot Zone One, this zone shall extend the entire distance of the steep sloped area. If the distance of this sloped area is greater than 100 feet, there will be no requirement for the establishment of additional buffer area designated as Zone Two. If the distance is less than 100 feet, but greater than 35 feet, the 65-foot wide Zone Two will begin at the end of Zone One.
 - 2) Zone Two. This zone will begin at the outer edge of Zone One and occupy a minimum width of 65 feet in addition to Zone One (unless otherwise noted).
 - (a) Where the floodplain extends greater than 100 feet from the waterway, Zone One shall remain a minimum of 35 feet wide, and Zone Two shall extend from the outer edge of Zone One to the outer edge of the defined 100-year floodplain.
 - (b) As per §27-701.I of this Chapter, an additional 50-foot buffer shall be provided between the edge of a FEMA defined floodplain and any proposed use on the site. The land within this 50 feet shall remain in its natural condition.
 - b. The Overlay Zoning District shall also include a minimum buffer width of 50 feet around the entire perimeter of the outer edge of wetlands and water bodies greater than 5,000 square feet in area and not located along a stream.
4. Applicability. The provisions of this Section shall apply as follows:
- a. The developer/applicant shall be responsible for identifying the location of the riparian buffer overlay zoning district boundary on any plan that is submitted to Ferguson Township for the following:
 - 1) Subdivision, land development or redevelopment. (See subsection .5.A(1).)

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- 2) Approval for improvements that require a zoning and building permit. (See subsection .5.A(2).) Although mitigation may not be required for such activity, the boundary must still be delineated.
 - (a) In the Overlay District, such permit shall only be required when construction or erection of any structure(s) within or touching the Riparian Buffer Overlay Zones of Ferguson Township is located on the ground or attached to something on the ground and is greater than 144 square feet in size.
- b. This initial delineation of the overlay district boundary shall be subject to review and approval by the Ferguson Township Zoning Administrator and/or Engineer.
- c. These requirements shall NOT apply to any existing (as of 05/18/09) primary or accessory buildings or to any of the following: agricultural uses, transportation facilities, fences, lawns, gardens, utility lines, decks and piers, or to interior renovations, septic and essential services
5. Interpretation of Ordinance Provisions. In interpreting the language of the Riparian Buffer Overlay District and the extent of underlying zoning district regulation upon use of property, where doubt exists between regulations the stricter regulation shall govern. Any challenges to municipal interpretation of the applicability of the Riparian Buffer Overlay Zoning District shall be appealed in accordance with the requirements outlined in subsection .8.C, "Boundary Interpretation and Appeals Procedure," and Article IX, "Zoning Hearing Board and Other Administrative Proceedings," of the Municipalities Planning Code (MPC), Act 247, as amended.
6. Uses Permitted in the Riparian Buffer Overlay District. The following uses are permitted, either by right or as a conditional use, in the Riparian Buffer Overlay Zoning District. NOTE: within any riparian buffer, no construction, development, use, activity or encroachment shall be permitted unless the activity has been first authorized by the Township Zoning Administrator.
 - a. Zone One.
 - 1) Uses Permitted by Right. The following uses where permitted in the underlying zoning district shall be permitted to extend into the area defined as Zone One:
 - (a) Agricultural activities.
 - (b) Forestry uses with a Centre County Conservation District approved erosion and sedimentation control plan and in accordance with the best management practices for forestry found in the Pennsylvania Department of Environmental Protection's Chapter 93—Water Quality Standards.
 - (c) Removal of trees where such removal is necessary as a means to eliminate dead, diseased or hazardous stands of trees that jeopardize public safety provided that such removal is in compliance with the recommendations of this Section and Appendix C, "Riparian Buffer Management" and in accordance with the best management practices for forestry found in the Pennsylvania Department of Environmental Protection's Chapter 93—Water Quality Standards.
 - (d) *Required Yards.* The required setback area may incorporate a portion of the zoning overlay however, at least one-half of each required front, side or rear yards on any private lots, shall be entirely outside of the Riparian Buffer Overlay District.
 - (e) Wildlife sanctuaries, nature preserves, forest preserves, fishing areas, passive areas

of public and private parklands and native planting and reforestation in compliance with the recommendations of this Section and Appendix C, "Riparian Buffer Management."

- (f) Stream bank stabilization and/or recommended native tree reforestation, in compliance with the recommendations of this Section and Appendix C, "Riparian Buffer Management."
 - (g) Stream crossings for farm vehicles and/or livestock if part of a Federal, State and/or privately funded Centre County Conservation District and/or local nonprofit riparian buffer improvement project.
 - (h) Placement of research and monitoring devices such as staff gauges, water recording, water quality testing, cross vanes, weirs and related demonstration facilities.
- 2) Uses Permitted by Conditional Use. The following uses, when permitted in the underlying zoning district shall be permitted to occupy land within Zone One after receipt of conditional use approval:
- (a) New stream crossings for roads, railroads, centralized sewer and/or water lines and public utility transmission lines and /or their related appurtenances (i.e., towers, well houses, pump and lift stations) provided that they are:
 - (b) Designed and installed in accordance with the stream crossing standards of this Section.
 - (c) All disturbance must be mitigated at a ratio of 1:1 for each square foot of disturbance and must follow the recommendations for improvements identified in subsection .5 and Appendix C, "Riparian Buffer Management" When feasible, these lines shall be located as far from Zone One as practical.
- b. Zone Two.
- 1) Uses Permitted by Right. The following uses where permitted in the underlying zoning shall be permitted to extend into the area defined as Zone Two:
- (a) Agricultural activities.
 - (b) Forestry uses with a Centre County Conservation District approved erosion and sedimentation control plan and in accordance with the best management practices for forestry found in the Pennsylvania Department of Environmental Protection's Chapter 93—Water Quality Standards.
 - (c) Removal of trees where such removal is necessary as a means to eliminate dead, diseased or hazardous stands of trees that jeopardize public safety provided that such removal is in compliance with the recommendations of this Section and Appendix C, "Riparian Buffer Management" and in accordance with the best management practices for forestry found in the Pennsylvania Department of Environmental Protection's Chapter 93—Water Quality Standards.
 - (d) Required Yards. The required setback area may incorporate a portion of the zoning overlay however, at least one-half of each required front, side or rear yards on any private lots, shall be entirely outside of the Riparian Buffer Overlay District.
 - (e) Wildlife sanctuaries, nature preserves, forest preserves, fishing areas, passive areas

of public and private parklands and native planting and reforestation in compliance with the recommendations of this Section and Appendix C, "Riparian Buffer Management."

- (f) Stream bank stabilization and/or recommended native tree reforestation, in compliance with the recommendations of this Section and Appendix C, "Riparian Buffer Management."
 - (g) Stream crossings for farm vehicles and/or livestock if part of a Federal, State and/or privately funded Centre County Conservation District and/or local nonprofit riparian buffer improvement project.
 - (h) Placement of research and monitoring devices such as staff gauges, water recording, water quality testing, cross vanes, weirs and related demonstration facilities.
- 2) Uses Permitted by Conditional Use. The following uses, when permitted in the underlying zoning district shall be permitted to occupy land within Zone Two after receipt of conditional use approval.
- (a) Passive use areas such as camps, campgrounds and picnic areas. Active recreation areas such ball fields, playgrounds and courts. These uses shall be designed in a manner that will not create concentrated stormwater flow; subject to any other conditions as imposed by the Board of Supervisors. The use of level spreaders or similar devices may be required.
 - (b) Naturalized stormwater basins in compliance with the recommendations for improvements identified in this Section and Appendix C, "Riparian Buffer Management." The entire basin shall be located a minimum of 50 feet from the edge of any identified watercourse or water body; subject to any other conditions imposed by the Board of Supervisors.
 - (c) Level spreaders or other similar stormwater structures used to disperse concentrated stormwater runoff uniformly over the ground surface as sheet flow. These devices shall be located a minimum of 50 feet from the edge of any identified watercourse or water body; subject to any other conditions imposed by the Board of Supervisors.
7. Uses Specifically Prohibited in the Riparian Buffer Overlay Zoning District.
- Any use or activity not authorized shall be prohibited within the Riparian Buffer Overlay Zoning District. By way of example only, the following activities and facilities are specifically prohibited:
- a. Removal or disturbance of vegetation in a manner that is inconsistent with erosion and sedimentation control and riparian buffer protection.
 - b. Storage of any hazardous or noxious materials, except those used during emergencies for the treatment and /or maintenance of sewer and water treatment facilities (i.e., generator sets and alternative drive units.)
 - c. Use of fertilizers, pesticides, herbicides, and/or other chemicals in excess of federally prescribed industry standards and/or the recommendations of the Centre County Conservation District.
 - d. Roads or driveways, except where permitted as stream crossings in compliance with this

Section.

- e. Motor or wheeled vehicle traffic in any area not designed to adequately accommodate the type and volume.
 - f. Parking lots.
8. Management of the Riparian Buffer Overlay Zoning District.
 - a. Riparian Buffer Management. No development activities shall be permitted within the Riparian Buffer Overlay Zoning District unless specifically permitted by this Section. All such activities are subject to the following:
 - 1) Subdivision and Land Development. Within the Riparian Buffer Overlay Zoning District, subdivision, land development or redevelopment shall only be permitted when the impacts of such actions are mitigated at a 1:1 square foot replacement ratio. The applicant shall prepare and submit a plan in accordance with the provisions of Appendix C and Chapter 22 of the Code of Ordinances, that identifies the existing conditions (vegetation, floodplain, wetlands, soils, slopes, etc.), all proposed activities including any measures necessary to offset disturbances to land within the Riparian Buffer Overlay Zoning District and, if applicable, any proposed management techniques following the guidelines for restoration improvements identified in this Section, Appendix C, "Riparian Buffer Management."
 - (a) Any earth disturbance within the Riparian Buffer Overlay Zoning District shall follow the guidelines for improvements identified in Appendix C, "Riparian Buffer Management," and shall be graphically represented along with any required buffers on formal subdivision or land development plan submissions. Where there is no disturbance within the buffer, no mitigation is required. However, the location of the Riparian Buffer Overlay Zoning District boundary must still be delineated on the plan.
 - (b) Lots where the Buffer Overlay Zoning District consumes 50% or more of the lot shall be exempted from the Riparian Buffer Overlay Zoning District requirements if the following criteria are met:
 - a. As of 5/18/2009, the lot is developed and such development is already located within the area of Zones One and/or Two.
 - b. As of 5/18/2009 the lot is 2 acres or less in size.
 - (c) For lots that are exempted per above:
 - a. Any redevelopment of the lot shall be required to comply with the regulations associated with the disturbance of any Nolin soils located on the site as well as all applicable floodplain regulations.
 - b. Where the boundaries of Zone One fall completely within an area designated as either floodplain or Nolin soils, the overlay zoning requirements shall remain in effect for this area of the parcel.
 - c. The above criteria shall not adversely impact any nonconforming rights associated with use of the parcel.
 - 2) Zoning and Building Permits. For any activities that require a zoning and/or building permit and include improvements within the Riparian Buffer Overlay Zoning District,

riparian buffer replacement or restoration is recommended only. If provided, the buffer should be at a 1:1 square foot replacement ratio for all disturbances; following the guidelines for restoration improvements identified in this Section, Appendix C, "Riparian Buffer Management."

- (a) Projects for which mitigation is only recommended and for which a buffer is provided, shall identify the existing conditions (vegetation, floodplain, wetlands, soils, slopes, etc.), all proposed activities and if applicable, any proposed management techniques, including any measures necessary to offset disturbances to land within the Riparian Buffer Overlay Zoning District.

d. Vegetation Selection.

- 1) To function properly, dominant native vegetation in the riparian buffer should be selected from the list of native plants most suited to riparian areas (Appendix D, "Selective Native Riparian Buffer Plantings List," Morris Arboretum of the University of Pennsylvania). Plants not included on this list may also be permitted by the Township Arborist. The Township may also require that the suitability of planting species be verified by local qualified experts at the U.S. Fish and Wildlife Service, the Natural Resource Conservation Service, the Centre County Conservation District, the Penn State Cooperative Extension and/or Clearwater Conservancy, or other State and Federal forest agencies.
- 2) As part of riparian buffer restoration, it is required that any/all noxious species existing within the buffer area and/or within the site be removed. Property owners and developers should ensure that invasive species are removed so as to not adversely impact any native species planted and protected as part of the required riparian buffer restoration. Please refer to Appendices D, G and H.
- 3) For maximum effect, the riparian buffer should be composed of three layers of vegetation or more.
 - (a) Canopy and understory trees to form a tree canopy particularly in Zone One.
 - (b) Shrubs to support a dense, healthy and diverse understory.
 - (c) Grasses, sedges, flowering perennials and other groundcover.
- 4) General Recommendations for Riparian Buffer Plantings. Canopy and understory trees should be 1½ to 2½ calipers in diameter at breast height, 8–10 feet tall at planting. Canopy trees should be planted a minimum of 20–25 feet on center in staggered rows, and understory trees should be planted a minimum of 15 feet on center, also in staggered rows. Shrubs should be planted in between canopy and understory trees at a minimum **distance** of between 3 and 5 feet apart. Grasses, sedges, flowering perennials and groundcovers should be planted 1–3 feet apart.

9. Stream Crossing Standards.

a. Criteria.

- 1) All stream crossings permitted under subsections .3.A(1) and .3.A(2), shall comply with and incorporate as required, the following minimum standards:
 - (a) Any stream crossings requiring any activity in, under and/or over any body of water shall first consult the Department of Environmental Protection's North Central Regional Office, Watershed Management Permitting and Technical

Services Section at (570) 327-3636.

- (b) The width of any right-of-way shall not be greater than the minimum right-of-way width required by Township ordinances unless additional right-of-way is offered for dedication.
 - (c) Stream crossings shall be designed to cross in a manner that minimizes disturbance.
 - (d) Stream crossings shall be separated by a minimum of 1,000 feet of stream length.
 - (e) Bridges, with the appropriate Federal and/or State permits, shall be used in place of culverts when crossings would require a 72-inch or greater diameter pipe. When culverts are installed they shall be designed to retain the natural stream channel bottom to ensure the passage of water during low flow or dry weather periods.
10. Nonconforming Structures and Uses in the Riparian Buffer Overlay Zoning District. All existing, nonconforming structures and uses will continue to be permitted in accordance with the Ferguson Township existing nonconforming provisions so noted in Chapter 27, Part 8, "Nonconformities."
11. Boundary Interpretation and Appeals Procedure.
- a. When a landowner or applicant disputes the Zone One or Zone Two boundaries of the Riparian Buffer Overlay Zoning District, or the defined edge of a watercourse, surface water body, or wetland, the landowner or applicant shall submit evidence to the Township that describes the existing boundary per the provisions of this Section, presents the landowner or applicant's proposed boundary, and presents all justification for the proposed boundary change.
 - b. The Township Arborist and/or Zoning Administrator shall evaluate all material submitted and shall make a written determination of the acceptability of the proposed boundary change within 45 days.
 - c. Any party aggrieved by any such determination or other decision or determination under this Section may appeal to the Zoning Hearing Board. The party contesting the location of the district boundary shall have the burden of proof in the case of any such appeal.
12. Inspection of Riparian Buffer Overlay Zoning District.
- a. Lands within or adjacent to an identified Riparian Buffer Overlay Zoning District will be inspected by the Township Arborist when:
 - 1) A subdivision or land development plan is submitted.
 - 2) A zoning and/or building permit is requested.
 - b. The Riparian Buffer Overlay Zoning District may also be inspected periodically by the Township Arborist and/or Zoning Administrator to determine compliance with required riparian buffer restoration in accordance with recommendations for improvements identified in this Section and Appendix C, "Riparian Buffer Management" or when excessive or potentially problematic erosion, sedimentation, hazardous trees or an unauthorized activity or structure is brought to the attention of Ferguson Township officials.

Overlays**§27-404. Airport Overlay District Requirements.**

- A. Purpose. The purposes of this Section are to create an airport district overlay that considers safety issues around the facility now or formerly known as the University Park Airport, regulate and restrict the heights of constructed structures and objects of natural growth, create appropriate zones, establish the boundaries thereof and provide for changes in the restrictions and boundaries of such zones, create the permitting process for use within said zones and provide for enforcement, assessment of violation penalties, an appeals process and judicial review. If a conflict exists between the regulations of this Section and the underlying zoning district regulations, the more restrictive requirements shall apply.
- B. Relation to Other Zoning Districts. The Airport District Overlay shall not modify the boundaries of any underlying zoning district. Where applicable, the Airport District Overlay shall impose certain requirements on land use and construction in addition to those contained in the underlying zoning district.
- C. Establishment of Airport Zones. There is hereby created and established a Conical Surface Zone within the Airport Overlay, as depicted in Appendix J and illustrated on the University Park Airport Hazard Area Map.
- D. Permit Applications. A zoning permit shall be required prior to the erection, extension or alteration of any structure or portion thereof, or to erect and maintain any object (natural or man-made), within the conical surface. A zoning permit shall not be required prior to a change in residential ownership nor prior to a change in residential tenants.
 1. Prior to the issuance of any zoning permit, the Zoning Administrator shall review the application for the permit to determine if all other necessary government permits required by State and Federal laws have been obtained. Prior to applying for a permit and, at least 30 days prior to commencing the permitting action, the applicant shall notify the Bureau of Aviation (BOA) by submitting PENNDOT Form AV-57 to obtain an obstruction review of the proposal. The Department's BOA response must be included with the zoning permit application for it to be considered complete.
 - a. If the Department's BOA returns a determination of penetration of airspace, the applicant may seek a variance from the regulations, as specified in subsection .F below, by filing an appeal as prescribed in §27-907.
 2. No such zoning permit shall be required for normal maintenance activities and minor repairs which do not constitute an erection, extension or alteration as herein defined, or for any structure permitted pursuant to §27-206.D of this Chapter.
 3. No such permit shall be granted by the Zoning Administrator for any purpose except in compliance with the provisions of this Section, or upon appeal, in compliance with a decision of the Zoning Hearing Board or the courts.
 - (a) Refer to §§27-902.C through 27-902.F to find applications for zoning permits.
- E. Variance. Variance requests shall be made on the forms provided by the Township and shall be in accordance with §910.2 of the Municipalities Planning Code. In addition, all requests for a variance shall include documentation in compliance with 14 Code of Federal Regulations Part 77 Subpart B (FAA Form 7460-1 as amended or replaced). Determinations of whether to grant a variance will depend on the determinations made by the FAA and the Department's BOA as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable air

space. In particular, the Zoning Hearing Board shall consider which of the following categories the FAA has placed the proposed construction in:

1. No Objection. The subject construction/alteration is determined not (to) exceed obstruction standards and marking/lighting is not required to mitigate potential hazard.
 2. Conditional Determination. The proposed construction/alteration is determined to create some level of encroachment into an airport hazard area which can be effectively mitigated.
 3. Objectionable. The proposed construction/alteration is determined to be a hazard and is thus objectionable.
- F. Use Restrictions. Airports and Landing Strips. All airports and landing strips shall be site- selected, designed and constructed in accordance with standards of the Federal Aviation Agency. Notwithstanding any other provisions of this Section, no use shall be made of land or water within this Section in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise endanger or interfere with the landing, takeoff or maneuvering of aircraft utilizing the University Park Airport surface.
- G. Pre-existing Nonconforming Uses. All nonconforming uses are subject to the provisions of §27-803. In addition, the regulations prescribed by the Airport Hazard Overlay District shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Section, or otherwise interfere with the continuance of a nonconforming use. No nonconforming use shall be structurally altered or permitted to grow higher, so as to increase the nonconformity, and a nonconforming use, once substantially abated (subject to the underlying zoning ordinance), may only be reestablished consistent with the provisions herein.
- H. Obstruction Marking and Lighting. Any permit or variance granted pursuant to the provisions of subsection .6 of this Section may be conditioned, according to the process described therein, to require the owner of the structure or object of natural growth in question or the person requesting the permit or variance, to install, operate, and maintain such marking or lighting as deemed necessary to assure both ground and air safety.
- I. Violations and Penalties. Violations and penalties shall be subject to the provisions of §27-906.
 - J. Appeals. Appeals shall be made in accordance with the process identified in §27-907.

§27-405. Source Water Protection Overlay District Requirements.

- A. Purpose and Intent. The purpose of this Ordinance is to protect the health, safety, and welfare of residents and the ecosystems of the township, provide protections for sources of public drinking water supplies, and safeguard the future supply of safe and sustaining drinking water. The designation of a Source Water Protection Overlay District, as provided herein, and the regulation of activities within such Source Water Protection Overlay District are intended to reduce the potential for ground water and surface water contamination and minimize adverse environmental impacts. The Source Water Protection Overlay District further intends to:
1. Protect groundwater-based public and private water supply sources within the Township from contamination.
 2. Minimize the risk from spills, leaks and other discharges into groundwater within the Source Water Protection Overlay District.

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3. Manage land use activities that store, handle, and produce hazardous materials or regulated substances which can contaminate water supply sources through inadequate management.
 4. Encourage Best Management Practices (BMP) to limit degradation of groundwater and surface water quality.
 5. Provide many of the Source Water protections that are set forth as goals in the existing Source Water Protection reports or plans formulated by such entities as the State College Borough Water Authority, Pennsylvania State University, Bellefonte Borough Water Authority, College Township Water Authority, and any other private water companies utilizing groundwater within the Township for public consumption.
 6. Update ordinance requirements periodically, taking into account any new technologies or practices in agricultural operations. When new technologies, farming practices, or development activities could lead to unacceptable harm to people or our source water that is scientifically plausible but uncertain, the township shall take actions to avoid or diminish that harm.
 7. Help mitigate the impacts of a changing climate on the groundwater and surface water resources within the Township by defining the Source Water Protection Overlay District to be the entire Township, thereby including the future southwest extension of the Zone II area.
- B. Statutory Authority. Section 1428 of the Federal Safe Drinking Water Act Amendments of 1986 requires the States to establish Wellhead Protection Programs to protect groundwater from contamination. In Pennsylvania, the responsibilities for development and implementation of Source Water (Wellhead) Protection Programs is shared between water suppliers, the Commonwealth, and local municipal governments. The Pennsylvania Department of Environmental Protection (PA DEP) recognizes that, in Pennsylvania, DEP is responsible for regulating water suppliers and discharges of contaminants. Pennsylvania DEP also recognizes that it is the responsibility of local governments to regulate land use. Ferguson Township is empowered to regulate land use activities through the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, which provides authorization to the Township to enact ordinances regulating development and land uses to ensure the public health, safety, and welfare; provisions for safe, reliable, and adequate water supply; considering current and future water resources availability, uses, and limitations (including provisions adequate to protect water supply sources).
- C. Applicability.
1. These provisions apply to land uses located or proposed within the area delineated as the Source Water Protection Overlay District, and to those land uses on parcels located within a Source Water Protection Overlay District.
 2. To the extent otherwise permitted or regulated by Federal, state and/or county statutes and regulations, the owners and/or occupiers of lots and tracts of land which are primarily utilized for the purpose of single or multi-family residential dwellings are permitted to utilize and store fuels, hazardous chemicals, pesticides, fertilizers, inflammable liquids and gases, and toxic and regulated substances listed as part of this ordinance in such quantities and in such manner as is associated with normal and responsible household use, and such limited authorization shall not be deemed a Regulated Land Use and Activity for the purposes of this Ordinance.
 - a. For commercial and retail establishments that sell pre-packaged fuels, hazardous chemicals, pesticides, fertilizers, inflammable liquids and gases, and toxic and regulated substances packaged for home uses, these packaged materials shall be exempt from the requirements of this Ordinance.

3. Both existing and proposed Agricultural Operations and/or Service Businesses defined under Section 3 shall be exempt from this ordinance, provided that individual farmers coordinate and implement best management practices through Conservation, Manure Management, Agricultural Erosion & Sedimentation, and Nutrient Management Plans and any other applicable county, state or federal regulations.
 4. On-site sewage disposal systems, both existing and proposed, must participate and fulfill requirements outlined in the regional Act 537 Plan, and comply with the Ferguson Township Chapter 18, Sewers and Sewage Disposal, Part 5, Sewage Management Program.
 5. Silvicultural and timber harvesting operations and activities shall comply with the Commonwealth's Chapter 102 regulations for Erosion & Sedimentation control and Chapter 105 permits for wetlands and streams through the Centre County Conservation District.
- D. Establishment and delineation of source water protection overlay district and wellhead protection zones. The "Source Water Protection Overlay District" shall be defined as the entire area within the boundaries of Ferguson Township as set forth on the map marked as Appendix A and incorporated herein by reference thereto. Source Water Protection zones have been established by the State College Borough Water Authority under the "Source Water Protection Report, January 2007 (Revised in May 2017)" for Zones I and II, and the Pennsylvania State University for Zone II. The Rock Springs Water Company retains established well locations within western Ferguson Township, as the Overlay Map includes a prescribed Zone I delineation around the well site.
1. Zone I: A protective area immediately surrounding a public water supply with a radius defined by the most recently adopted State College Borough Water Authority "Source Water Protection Report", as amended:
 - a. DeArmit Well Field: Wells 1, 2 & 3 = 400'
 - b. Wellfield #4 (Nixon): Wells 41, 43 & 53 = 400'
 - c. Wellfield #5 (Chestnut Ridge): Well 55 = 135' and Well 57 = 140'
 - d. Wellfield #7 (Kocher): Wells 71, 73 & 78 = 400' and Well 79 = 140'
 - e. Wellfields #1 and #3 (Thomas/Harter): No wells located within township boundary
 - f. Penn State University Wellfields: Well 28A = 400' and Well 37 = No Radius
 - g. Rock Springs Water Company: 400' radius around existing wells
 - 1) Upon a well decommissioning by the water purveyor, the prescribed radius shall no longer be in effect upon notice of the water purveyor to Ferguson Township.
 2. Zone II: The area encompassing the portion of the aquifer through which water is diverted into a well and typically defined by DEP as a ½ mile radius around a well unless a more detailed delineation is conducted. Detailed delineation was conducted as part of the State College Borough Water Authority under the "Source Water Protection Report, January 2007 (Revised in May 2017)" and outlined as the Source Water Protection Overlay District in Appendix A.
 3. Consistent with the Safe Drinking Water Act, for all construction permit applications accepted by the Department of Environmental Protection after October 9, 1995, a water supplier who is developing a community water system well, spring, or infiltration gallery that is installed for a new system or as an expansion of an existing system shall:

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- a. Own or substantially control through a deed restriction, or other methods acceptable to the Department, the Zone I wellhead protection area in order to prohibit activities within Zone I that may have a potential adverse impact on source water quality or quantity.
 - b. Discontinue the storage, use, or disposal of a potential contaminant within the Zone I wellhead protection area unless the chemical or material is used in the production or treatment, or both, of drinking water.
 - c. Eliminate the storage of liquid fossil fuel within the Zone I wellhead protection area except for providing auxiliary power to the public water system to ensure the uninterrupted of essential services during power failures or as a primary heating source only when the use of natural gas or propane gas is not a viable option.
 - d. Construct any new and replacement liquid fossil fuel tanks that are within the Zone I wellhead protection area aboveground within the pump house or an enclosed, locked structure using an impermeable secondary containment structure of greater capacity than the fuel storage tank.
- E. Boundary interpretation. Each application for a subdivision, land development, or zoning permit required for a Regulated Land Use and Activity (Table 1) containing land within the Source Water Protection Overlay District shall be submitted in accordance with such other applicable provisions of Ferguson Township ordinances. Any area of the Source Water Protection Overlay District that falls within the subject lot or lots shall be shown on the site plan through shading of such area or areas and identification of the impacted wellfield.

Any applicant seeking subdivision, land development or zoning permit approval for a Regulated Land Use and Activity (Table 405.G.1) in a Source Water Protection Zone shall have the burden to present evidence of the boundaries of the District in the area in question. This evidence must include applicable geographic data with respect to the property and any other pertinent documentation for consideration. The Township's qualified professional and Planning & Zoning staff shall evaluate the information and shall make determination regarding the boundaries of lands within a particular Source Water Protection Zone. This information shall include:

1. All plans shall be on sheet sizes consistent with (the Township subdivision and land development ordinance).
2. Proposed name or identifying title of project.
3. Name and address of the landowner and developer of the project site.
4. Plan date and date of the latest revision to the plan, north point, graphic scale and written scale. All plans shall be at a scale of one hundred (100') feet to the inch.
5. Total acreage and boundary lines of the project site and the tract of land on which the project site is located.
6. A location map, for the purpose of locating the project site to be developed, at a minimum scale of two thousand (2,000') feet to the inch, showing the relation of the tract to adjoining property and to all highways, streets, Township boundaries, and other identifiable landmarks existing within one thousand (1,000) feet of any part of the tract of land on which the project site is proposed to be developed. Map should also include Source Water Protection Zones along with the most recent aerial photography.

F. Public water supplier review. Prior to the commencement of any subdivision, land development or new Regulated Land Uses and Activities, as outlined in Table 405.G.1. below, the Ferguson Township Department of Planning and Zoning shall furnish a copy of plans or proposed permit application information to public water suppliers such as the State College Borough Water Authority, the Pennsylvania State University, Borough of Bellefonte, or the Rock Springs Water Company under the following requirements:

1. The owner/applicant shall submit all pertinent information to demonstrate to the Public Water Supplier the following:
 - a. The owner/applicant meets the provisions for Regulated Land Uses and Activities in Table 405.G.1.
2. Ferguson Township shall offer public water suppliers an opportunity to review and comment on proposed land development plans of Regulated Land Uses and Activities. Upon land development application submission, Ferguson Township Planning & Zoning staff shall forward copies of the plans and request public water supplier to review and comment within 45-days of receipt. Extraordinary development proposals may necessitate an extension of public water supplier review time, which may prompt a public water supplier request to extend the 45-day review time. All costs associated with public water supplier review shall be borne by the land development applicant. The public water supplier may waive further review of the proposed development plan, depending upon the physical location of the proposed project, and must notify Ferguson Township Planning staff, in writing, that the public water supplier opts to waive land development plan review.

G. Regulated land uses and activities. The Regulated Land Uses and Activities, under Table 405.G.1 contained in this section, sets forth various Regulated Land Uses and Activities to the extent of regulation permitted in each of the zones in the Source Water Protection Overlay District. In the event of judicial decision affecting any of the Land Uses and Activities or regulations set forth herein, it is the intent of this Ordinance that any provision found to be illegal shall be stricken, and the remaining provisions shall remain in full force and effect.

Full authority for the administration/application of all criteria, terms, and conditions of this section shall be with the Zoning Administrator. Land uses and activities shall be regulated as follows:

TABLE 405.G.1
REGULATED LAND USES AND ACTIVITIES

	<u>LAND USE AND ACTIVITIES</u>	<u>ZONE I</u>	<u>TOWNSHIP-WIDE SOURCE WATER PROTECTION ZONE II</u>
1.	Kennels	NOT PERMITTED	<p>A.Proof of a manure management plan and manure storage areas shall be designed in a manner to contain any accidental releases and provide optimal protection of groundwater resources.</p>
2.	Pet Care Services Facilities	NOT PERMITTED	<p>B.Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.</p> <p>C.A detailed description of disposal procedures for Regulated Substances and</p>

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			wastes and name, address and telephone number of any waste haulers used. D. Site map location of where hazardous materials are stored, handled and used.
3.	Veterinary Office/Clinic	NOT PERMITTED	
4.	Mining and Quarrying	NOT PERMITTED	A. Location map and site plan, drawn to scale not less than 1" = 100', showing property boundaries, stockpile areas, existing reclaimed and unreclaimed lands, proposed maximum acreage of all affected lands, erosion and sedimentation control all applicable private drinking water supplies or public drinking water sources and all existing or proposed solid waste disposal areas. B. A detailed report by a Certified Geologist with experience in hydrogeology attesting to the depth of the seasonal water table, and plan showing benchmarked elevations for depth of excavation.
5.	Place of Assembly, Regional	NOT PERMITTED	A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.
6.	Bed and Breakfast	NOT PERMITTED	B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.
7.	Farm Café	NOT PERMITTED	C. Site map location of where hazardous materials are stored, handled and used.
8.	Cemeteries	NOT PERMITTED	A. All caskets shall be encased in concrete grave liners as defined by the Federal Trade Commission in regulations at part 453, as amended.
9.	Mortuaries	NOT PERMITTED	A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.
10.	Convenience Food Stores	NOT PERMITTED	B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.
11.	All Retail Establishments for the sale, service, and rental of goods	NOT PERMITTED	C. Site map location of where hazardous materials are stored, handled and used.
12.	Personal Service Establishments	NOT PERMITTED	
13.	Eating and Drinking Establishments	NOT PERMITTED	
14.	Automobile Service Stations and Garages	NOT PERMITTED	

	<u>LAND USE AND ACTIVITIES</u>	<u>ZONE I</u>	<u>TOWNSHIP-WIDE SOURCE WATER PROTECTION ZONE II</u>
15.	Hotels and Motels	NOT PERMITTED	A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage. B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used. C. Site map location of where hazardous materials are stored, handled and used.
16.	Public and Private Garages for the storage and maintenance of motor vehicles	NOT PERMITTED	
17.	Storage and display of motor vehicles, motorcycles, mobile homes, passenger vehicles and light trucks, recreational vehicles, boats and marine craft held for sale or rental	NOT PERMITTED	C. Site map location of where hazardous materials are stored, handled and used.
18.	Archerynd shooting ranges	NOT PERMITTED	A. Mitigation plan for the abatement of lead contamination within range lanes and trap access.
19.	Printing Establishments	NOT PERMITTED	A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage. B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used. C. Site map location of where hazardous materials are stored, handled and used
20.	Incinerators	NOT PERMITTED	A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage. B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used. C. Site map location of where hazardous materials are stored, handled and used
21.	The manufacture, processing or bulk storage of natural gas, petroleum, gasoline and other petroleum derivatives and explosives.	NOT PERMITTED	A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage. B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used. C. Site map location of where hazardous materials are stored, handled and used

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	<u>LAND USE AND ACTIVITIES</u>	<u>ZONE I</u>	<u>TOWNSHIP-WIDE SOURCE WATER PROTECTION ZONE II</u>
22.	Wholesale Distribution and Warehouses	NOT PERMITTED	<p>A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous materials are stored, handled and used.</p>
23.	Auto Wrecking, Junk, and Scrap Establishments	NOT PERMITTED	<p>A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.</p>
24.	Commercial or Industrial production, manufacturing, assembly, processing, cleaning, repair, storage or distribution of goods, equipment materials, foodstuffs and other products not involving a retail activity except as an accessory use	NOT PERMITTED	<p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous materials are stored, handled and used.</p>
25.	Light manufacturing, assembly, processing, fabrication and packaging of components into finished or remanufactured products, where all work occurs inside the building and all raw products and finished products are stored within the building	NOT PERMITTED	
26.	Research engineering or testing laboratories and fabrication of models or test equipment used in research	NOT PERMITTED	
27.	Manufacture, use and storage of Hazardous materials as a Principal Activity	NOT PERMITTED	
	<u>LAND USE AND ACTIVITIES</u>	<u>ZONE I</u>	<u>TOWNSHIP-WIDE SOURCE WATER PROTECTION ZONE II</u>
28.	Land Application of Bio-Solids	UNDER PA DEP PERMIT CONDITIONS OF APPROVAL	
29.	Underground Injection Wells, Natural Gas Well Extraction Pads for Horizontal Drilling and Hydraulic Fracturing, Compressor Stations	NOT PERMITTED	NOT PERMITTED
30.	Liquid Petroleum Transmission Lines	NOT PERMITTED	NOT PERMITTED

31.	Commercial or Municipal Composting Facilities	NOT PERMITTED	A. Storage facilities shall be designed to have an impervious storage and loading surface, prevent infiltration of rain and surface water into storage areas and provide diking to prevent runoff from storage & loading areas.
32.	Golf Course	NOT PERMITTED	A. All herbicides and pesticides shall be applied in accordance with label directions, and must be applied in accordance with an approved Nutrient Management Plan. B. Irrigation schedules shall be coordinated with pesticide and nutrient application to minimize the possibility of leaching/runoff. C. Coordination with the Penn State Cooperative Extension Service to develop and implement an Integrated Pest Management Plan
33.	Geothermal Exchange Systems (Open and Closed Loop)	NOT PERMITTED	A. Placement of such systems shall comply with the standards set forth in Chapter 10 – Well Drilling of the Centre Region Building Safety & Property Maintenance Code.
34.	Storage Tanks-Aboveground (AST)	NOT PERMITTED	A. Submittal of an approved registration form indicating compliance with Permit Requirements of the Storage Tank and Spill Prevention Act (STSPA, Act of 1989, P.L. 169, No. 32) standards B. Above-ground Storage Tanks shall not be located within 200' of a Zone I Boundary
35.	Storage Tanks-Underground (UST)	NOT PERMITTED	A. Submittal of an approved registration form indicating compliance with Permit Requirements of the Storage Tank and Spill Prevention Act (STSPA, Act of 1989, P.L. 169, No. 32) standards. B. Underground Storage Tanks shall not be located within 200' of a Zone I Boundary.
36.	Storage of Road Salt and De-Icing Materials	NOT PERMITTED	A. All salt and associated sand mix piles must be stored on an impermeable surface and covered with a waterproof material. Stockpiles shall not be located near surface waters, in flood plains, or areas with steep slopes, and shall be designed to prevent surface water runoff. Snow containing road salt shall not be brought to sites within (200') of Zone 1 for disposal. Environmentally friendly snow and ice removal products and procedures are encouraged.
	<u>LAND USE AND ACTIVITIES</u>	<u>ZONE I</u>	<u>TOWNSHIP-WIDE SOURCE WATER PROTECTION ZONE II</u>
37.	Application of Road Salt and De-Icing Materials		A. Ferguson Township shall monitor and record amounts of salts or de-icing materials applied to township roads during each storm event.
38.	Withdrawal or diversion of 10,000 gpd for any consecutive 30-day period from ground or surface water sources		A. Registration of the amount of the water withdrawal is required by the Susquehanna River Basin Commission.
39.	Abandonment of Wells		A. Abandonment of Wells shall comply with the standards set forth in Chapter 10 – Well Drilling of the Centre Region Building Safety & Property Maintenance Code.

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40.	Well Building/Water Production Facilities	<p>A. Provide a detailed description of the storage, handling, use of regulated substances and description of the containment structures for hazardous material storage</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p>	
41.	Freight or Truck Terminals	NOT PERMITTED	<p>A. Provide a detailed description of the storage, handling, use of Regulated Substances and description of the containment structures for hazardous material storage.</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous materials are stored, handled and used.</p>
42.	Medical Marijuana Growing and Processing Facility	NOT PERMITTED	<p>A. Provide a detailed description of the storage, handling, use of regulated substances and description of the containment structures for hazardous material storage.</p> <p>B. A detailed description of disposal procedures for Regulated Substances and wastes and name, address and telephone number of any waste haulers used.</p> <p>C. Site map location of where hazardous materials are stored, handled and used.</p>

H. Environmental Emergency Response Plans. Ferguson Township contains a variety of land uses and activities with the potential for additional development throughout the township. Some activities can pose moderate to high risk of causing environmental degradation or the endangerment of public safety through active releases of toxic, hazardous, or other pollutant materials. It is the intent of this ordinance to require such activities to follow the PA Department of Environmental Protection “***Guidelines for the Development and Implementation of Environmental Emergency Response Plans***” that encourages the consolidation of State and Federal pollution incident prevention and emergency response programs into a single plan. The Guideline has been made part of this Ordinance as Appendix B.

PART 5**Conditional Uses/Special Exceptions****§27-501. General Provisions.**

A. All conditional uses shall be reviewed with the standards and criteria of this Ordinance. In granting a conditional use, the Township Supervisors may attach such reasonable conditions and safeguards, as necessary to implement the purposes of this Article and the Pennsylvania MPC.

§27-502. Standards for Specific Uses.

A. Adult Business Use.

1. Procedures. A conditional use permit for an adult business use shall be issued by the Board of Supervisors provided that the following specific conditions are met:
 - a. Applications for a conditional use permit for an adult business use shall be submitted to the Township Manager at least 20 days prior to the next regular meeting of the Board of Supervisors. At that meeting, the Board of Supervisors shall receive the application and all information required by this subsection. The Board of Supervisors shall refer such information to the Ferguson Township Planning Commission for its review before taking action on the conditional use permit application.
 - b. Upon receipt of an application for an adult business conditional use permit, the Board of Supervisors shall establish the date, time and place for a public hearing on the application. Notice of the public hearing shall be advertised to the public in accordance with applicable law. The notice shall describe the proposal in general terms. In addition to the public hearing notice, a written notice shall be mailed to the owners of all property within 200 feet of the site proposed for the adult business use. Such public hearing shall be held no later than 60 days following the meeting at which the Board of Supervisors receives such application.
 - c. The Planning Commission shall review the application at its next regular meeting following the receipt of the application from the Board of Supervisors. Within 7 days of such review, the Planning Commission shall submit a written report to the Board of Supervisors on its findings regarding the conformity of the adult business conditional use permit application with the requirements of this and other applicable Chapter sections.
 - d. At the first regular or special meeting of the Board of Supervisors subsequent to the occurrence of the public hearing, the Board of Supervisors shall take action on such application. The Board of Supervisors may approve the conditional use permit subject to specific conditions or changes, or may disapprove the conditional use permit with a specific list of reasons for such disapproval. Written notification of the action of the Board of Supervisors, with reasons therefore, shall be mailed to the applicant by the Township Secretary within 5 days of action by the Board of Supervisors.
 - e. All applications for an adult business use conditional use permit shall be accompanied by a land development plan. The minimum information required on the land development plan shall include, in addition to the requirements of Chapter 22 the Township's Subdivision and Land Development Ordinance:
 - 1) The adult business use intended.

Conditional Uses/Special Exceptions

- 2) The location and elevations of all buildings.
 - 3) Off-street parking areas and traffic circulation patterns.
 - 4) All signs, displays and advertising, including locations.
2. Other Requirements.
 - a. All storage and displays shall be located within the building.
 - b. All business transactions on the premises shall be conducted within the building.
 - c. No exterior changes, excluding maintenance, to a building proposed to be used for an adult business use shall be made without the approval of the Board of Supervisors. In no case shall the opaque covering of display windows be permitted.
 - d. All new construction shall be in keeping with the scale and architectural styles of the buildings surrounding the site proposed for an adult business use.
 - e. Not more than one type of adult business use, as defined herein, may operate on any lot.
 - f. Advertisements, displays or other promotional materials of specified sexual activities or specified anatomical areas shall not be shown or exhibited so as to be visible to the public from the exterior of the building.
 - g. No openings are permitted through walls that separate private viewing booths.
 3. Signs and other Visible Messages. In addition to the regulations of the Township Sign Ordinance [Chapter 19] and applicable State laws, the following shall apply to all adult business uses:
 - a. Sign messages shall be limited to written descriptions of material or services available on the premises.
 - b. Sign messages may not include any graphic or pictorial depiction of material related to specific sexual activities or specified anatomical areas.
 4. Locational Requirements.
 - a. No adult business use shall be located within 1,000 feet of any other existing adult business use measured from the nearest point of the property on which the use is to be located to the nearest point of the parcel or property from which the use is to be separated.
 - b. No adult business use shall be located within 1,000 feet of any lot on which the following uses are located as measured from the nearest point of the property on which the adult business use is to be located to the nearest point of the parcel or property from which said use is to be separated.
 - 1) Any stand-alone residential structure (excludes commercial buildings with accessory residential units).
 - 2) Churches, monasteries, chapels, synagogues, convents or rectories or any other place of worship.
 - 3) Schools, up to and including the twelfth grade, daycare centers, and their adjunct play areas.

- 4) Public or private playgrounds, parks, swimming pools and libraries.
- 5) Premises licensed to sell alcoholic beverages.
- c. In addition, no adult business shall be located within 1,000 feet of lots which are owned by a school, place of worship or public agency, as measured from the nearest point of the property on which the adult business use is to be located to the nearest point of the parcel or property from which the use is to be separated.
5. Landscaping. Flexible Buffer Yard D, in accordance with §27-707, shall be required between any adult business use and adjacent land uses. In addition, the Township's Corridor Overlay district requirements shall apply where applicable.
6. Statement of Ownership. Applications for a conditional use permit for an adult business use shall include a statement providing specific information on each individual, partner, limited partner, corporate officer, corporate stockholder owning more than 3% of the issued and outstanding stock of a corporate applicant, or corporate director comprising the applicant as follows:
 - (a) Name, residence address and Social Security number.
7. Termination or Modification of Conditional Use Permit.
 - a. When a conditional use permit for an adult business use is authorized by the Board of Supervisors, the continuation of such use shall be dependent upon the conditions established under the permit and this Chapter. In the event of a change of conditions or noncompliance with conditions, the Board of Supervisors and the Township Zoning Administrator shall have the responsibility and right to terminate or revoke the conditional use permit.
 - b. A conditional use permit may be modified subject to the criteria and procedures established in this Chapter.

B. Agriculture

1. On lots less than five acres, the scale of activities and production shall be residentially-oriented.

C. Agriculture Related Production

1. On lots less than five acres, the scale of activities and production shall be residentially-oriented.

D. All other Commercial and Industrial Uses.

A use not expressly listed in §§ 27-205.1-15 may be considered for a conditional use application upon review and determination that the Applicant's demonstration of the proposed use meets the following requirements:

1. Impacts the neighborhood and adjacent streets, circulation and lots equal to or less than any use specifically listed in the Zoning District. In making such determination, the following characteristics shall be considered:
 - a. The number employees.

Conditional Uses/Special Exceptions

- b. The floor area of the building, gross area of the lot and/or scale of development in devoted to the proposed use.
 - c. The type of products, materials, equipment and/or processes involved in the proposed use.
 - d. The magnitude of walk-in trade.
 - e. The traffic and environmental impacts and the ability of the proposed use to comply with the performance standards of this Chapter.
 - f. The hours of operation.
 - g. The extent of pervious and impervious surfaces in relationship to that currently present on adjacent lots and the overall block in which development, infill, reuse and/or redevelopment is proposed.
2. Elevations and site plans must be provided with the application.
 3. Will not endanger the public health and safety if located where proposed and that the use will not deteriorate the environment or generate nuisance conditions such as traffic congestion, noise, dust, smoke, glare or vibration.
 4. Is in general conformity and harmony with the area in which it is proposed.
 5. Complies with any applicable standards and criteria specified in this section for the most nearly comparable conditional uses or specifically listed in the Zoning District in which it is proposed and is in compliance with all other standards of this Chapter and all other applicable Township Ordinances.
- E. Bed and Breakfast.
1. A minimum of four (4) rooms shall be offered as part of this use.
- F. Camping Grounds.
1. Camping grounds shall meet all requirements of 28 Pa. Code § 19, Organized Camps and Campgrounds, including but not limited to those requirements related to water supplies, plumbing, toilet facilities, sewage disposal, garbage disposal, vector control, maintenance, and permitting from the Pennsylvania Department of Health.
 2. The following conditions shall also apply:
 - a. The minimum lot area for the entire camping ground shall be 10 acres.
 - b. The minimum lot area for a campsite intended for a camper, trailer or recreational vehicle shall be 2,400 square feet.
 - c. No more than 12 campsites per acre are permitted.
 - d. No camper, trailer, tent or recreational vehicle may be placed permanently on the site. The maximum length of time that a camper, trailer, tent or recreational vehicle and any associated guests may stay at a camping ground shall be 30 days or any 90-day period of time.
 - e. Onsite administration and security must be provided.

- f. Landscape screening must be provided to screen the campground from adjacent noncompatible uses as defined by the Board of Supervisors.
- g. A plan which identifies the original vegetative cover to remain shall be approved by the Board of Supervisors.
- h. Access must be provided from a public collector road.
 - i. An internal road circulation plan shall be approved by the Board of Supervisors.
 - j. Appropriate fire prevention measures must be provided.
- k. All lighting shall be arranged and shielded so that no glare or direct illumination shall be cast upon adjacent properties or public streets.
- l. The Board of Supervisors must approve all recreational facilities onsite.

G. Cideries

1. The following conditions shall apply:
 - a. If located in the RR District, the minimum lot area shall be ten (10) acres.
 - b. The cideries are located on premises used for agricultural purposes.
 - c. The cideries are operated in connection with the processing of fruit grown on the premises or purchased fruit or juice.
 - d. The cidery may include a tasting room.
 - e. Structures and outdoor use areas associated with a cidery shall comply with the setbacks of the zoning district.
 - f. Access to the cidery premises and access ways within the cidery premises, shall be designed to the satisfaction of the Township, County and/or State as applicable and shall comply with the applicable road and driveway standards and requirements. Ingress and egress shall be clearly marked and visible, and turning movements into the premises shall not create congestion or unnecessary slowing at access points. The ingress and egress shall be paved 20 ft. from the juncture of a state or township road.
 - g. Existing roads shall be utilized to the maximum extent feasible in order to minimize grading, site disturbance, and the loss of agricultural land.
 - h. The visibility of parking areas associated with the cidery from public roads shall be minimized through the use of landscaping and other devices.
 - i. The location of the tasting room shall take into consideration site constraints, onsite access, visual concerns, grading and other environmental issues.
 - j. Any and all odors generated as part of a cidery operation shall be in conformance standards of this Chapter.
 - k. An inventory of toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids stored and/or used on site shall be available upon request.
 - l. A minimum area equivalent to three parking spaces shall be available for the use of parking on the lot.

Conditional Uses/Special Exceptions**H. Cigar, Hookah, and/or Vapor Lounge**

1. Daily hours of operation shall be a maximum of 10:00am to 11:00pm.
2. All lounge activities shall take place indoors.
3. The land use shall be a minimum of 500 feet from the following:
 - a. Schools or day cares
 - b. Parks or recreation facilities
 - c. Places of assembly
 - d. Another Cigar, Hookah, and/or Vapor Lounge
 - e. Adult Business Use
 - f. Archery & Shooting Ranges, Indoor and/or Outdoor

I. Commercial Hunting Preserve

1. All shooting activities shall take place at a minimum of 1,000 feet from any occupied structure. This dimension may be reduced to 600 feet for any commercial hunting preserve restricted to archery use.
2. Firearms shall not be stored on the premises or otherwise left unattended.
3. Each preserve shall have a clear and concise safety plan.
4. Minors shall not be allowed on the preserve unless accompanied by an adult at all times.

J. Dwelling Unit

1. Accessory Use.
2. As an accessory land use the following conditions shall apply:
 - a. There shall be no more than two (2) accessory dwellings on any one (1) lot more than 50 acres.
 - b. A minimum area equivalent to three parking spaces shall be available for the use of parking on the lot.

K. Equestrian Facilities

1. The facility shall be a minimum of ten (10) acres and shall be subject to the Township's standard Land Development application.

L. Essential Services

1. An ambient sound level study has been provided and the ambient sound level at all points along the boundary line of the property upon which the essential service is located shall be no more than 55 decibels (dBa).
2. All items used for essential service shall be stored within the essential service structure or a separate storage building. This restriction does not include items necessary for the operation of

the plant which includes, but it not limited to, emergency generators, fuel tanks, drying beds, sedimentation basins, etc.

3. Odor control mitigation shall be implemented for sanitary sewer applications.
 4. A land development plan shall be prepared in accordance with Chapter 22 the Township's Subdivision and Land Development Ordinance.
 5. An elevation drawing of any structure to be constructed on the premises shall be provided.
 6. A landscape buffer in accordance with §27-707 shall be provided between any on-site buildings and the property line. The adjacent buffer is to screen on-site buildings from adjacent properties. A landscaping plan shall be submitted and approved by the Board of Supervisors as a condition of its approval.
 7. A minimum four-hundred-foot setback zone from all adjacent property lines shall be provided on the lot where a potable water well is located. The minimum four-hundred-foot setback zone shall be measured from the nearest well head to the adjacent property line. Parkland, state game lands and state forest may be included within the four-hundred-foot setback zone as a conditional use approved by the Board of Supervisors. In the case of state- owned property, approval of the appropriate state agency shall be required.
 8. An erosion and sediment control plan shall be prepared and approved.
 9. A plan describing the method to be used to handle the water runoff from well pumping testing shall be submitted to the Township for review. The Township may engage the services of a consultant to review the plan and fees charged by said consultant for review shall be paid for by the applicant.
 10. The Board may also consider placing limitations on signage, access, parking, lighting, and structure height.
 11. Any other conditions the Board of Supervisors may desire to consider.
 12. The minimum lot size shall be 1/2 acre for Essential Services Type 1 and 1 acre for Essential Services Type 2.
 13. Minimum yard setbacks shall be as follows:
 - a. Rear yard setback - 25 feet for Essential Services Type 1; 50 feet for Essential Services Type 2
 - b. Front yard setback - 25 feet for Essential Services Type 1; 50 feet for Essential Services Type 2
 - c. Side yard setback - 25 feet for Essential Services Type 1; 50 feet for Essential Services Type 2
 14. Maximum building coverage: 50%
 15. Maximum impervious coverage: 75%
- M. Family Child-Care Homes.
1. Principal Use- Not Applicable.

Conditional Uses/Special Exceptions

2. As an accessory land use the following conditions shall apply:
 - a. The family child care home shall comply with all licensing requirements of the Commonwealth of Pennsylvania.
 - b. No structural changes are permitted which will alter the exterior character of the single-family residence.
 - c. A nonfee zoning permit is required for this accessory use.
 - d. A minimum area equivalent to three parking spaces shall be available for the use of parking on the lot.
 - e. In the RR and RA zoning districts, a minimum gravel area equivalent to three parking spaces shall be available for the use of parking on the lot.

N. Farm Cafés.

1. As a principal land use, the following conditions shall apply:
 - a. Circulation and lot access shall be designed to minimize conflict with typical traffic conditions of adjacent right-of-way.
2. As an accessory land use the following conditions shall apply:
 - a. A minimum area equivalent to three parking spaces shall be available for the use of parking on the lot.
3. The total gross floor area specific to the farm café use shall not exceed 2,500 square feet. This provision shall apply to the entirety of the farm café in the case of a freestanding structure or, in the case of an attached structure, the portion of the structure that shall be used for the farm café.
4. The minimum lot size shall be the same as the minimum lot size for the principal use of the property with the exception of nonconforming lots. In the case of nonconforming lots, the minimum lot size shall be the size of the lot, provided the other requirements of this section can be met.
5. No structure within the facility shall exceed 40 feet in height.
6. To reduce traffic impacts, only on-site and take-out is permitted. No drive-through service is permitted.
7. Outdoor lighting shall be permitted in accordance with the Township lighting ordinance (Chapter 4, Part 1 of the Township Code of Ordinances).
 - a. No event lighting or loudspeaker system is permitted to be installed or used on the site.
8. Front, side, and rear setbacks shall be a minimum of 50 feet.
9. Signage shall be permitted in accordance with the Township's sign regulations (Chapter 19 of the Township Code of Ordinances).
10. Adequate parking to accommodate the use shall be provided on-site according to the parking standards for eating and drinking establishments (per §27-714, one space shall be provided per 50 square feet of the gross floor area of the inside seating area, and one space shall be provided

per 100 square feet of the gross floor area of the outside seating area). A parking study submitted for review by the Township may suffice as justification for a number of parking spaces smaller than the zoning ordinance requirement.

- a. Gravel parking lots with bumper blocks shall be allowed until such time as the required parking exceeds 25 parking spaces. At such time, all parking spaces shall be paved.
- b. Handicapped parking spaces shall comply with ADA standards.
11. Retail sales shall be limited to agricultural products produced in whole or in part within Region 5 as defined by the Pennsylvania Department of Agriculture including, but not limited to, canned or jarred fruits and vegetables and frozen meats. Retail sales shall only be permitted under this section in conjunction with an eating establishment that is provided in accordance with the definition of farm café.
12. The farm associated with the farm café must be an active agriculture operation, as defined in §27-1102, as the purpose of the farm café is to serve primarily local and regional foods in support of sustaining local agriculture.
13. The farm café conditional use need not be subordinate to the agriculture operation in terms utilized).
14. All sites with an on-site septic system must be inspected by the Township's Sewage Enforcement Officer to assure compliance with the Pennsylvania Sewage Facilities Act 537, as amended.
15. All applications for a farm café conditional use permit shall be accompanied by a land development plan prepared in accordance with the provisions of Chapter 22 the Township's Subdivision and Land Development Ordinance.
16. The site shall be subject to all code requirements in Chapter 5 of the Township Code of Ordinances.

O. Farm Markets

1. As a principal land use, the following conditions shall apply:
 - a. A minimum of 50% of the farm market parking area shall be constructed of a paved surface.
 - b. A minimum of 8 vendors and a maximum of 30 vendors shall be permitted.
 - c. The market shall be operational for at least 6 months of the year.
 - d. The market shall be open no more than 12 hours per day.
 - e. Up to 3 food trucks at any one time may be parked in the parking area to serve prepared food to patrons.
 - f. The market shall comply with noise standards contained in the Township's Noise Ordinance [Chapter 10, Part 3].
2. As an accessory land use the following conditions shall apply:
 - a. A minimum gravel area equivalent to three parking spaces shall be available for the use of parking on the lot.

Conditional Uses/Special Exceptions

- b. The market shall be open no more than 12 hours per day.
- P. Farm Stands
- 1. Principal Use- Not Applicable.
 - 2. As an accessory land use the following conditions shall apply:
 - a. A minimum gravel area equivalent to three parking spaces shall be available for the use of parking on the lot.
 - b. The stand shall be open no more than 12 hours per day.
- Q. Farm Structures, Non-Traditional-scale
- 1. Principal Use- Not Applicable.
 - 2. As an accessory land use the following conditions shall apply:
 - a. A plan for stormwater, in compliance with Chapter 26.
 - b. Any outdoor lighting shall be in compliance with Chapter 4, Lighting.
- R. Golf Courses, Conventional or Special
- 1. The site is located within the Regional Growth Boundary.
 - 2. All applications for a conditional use permit shall be accompanied by a land development plan prepared in conformance with the provisions of Chapter 22 the Township's Subdivision and Land Development Ordinance.
 - 3. All lighting must conform to the standards of Chapter 4, Part 1, of the Township Code of Ordinances.
 - 4. Development of the site shall be subject to the setbacks and impervious coverage standards of the RA zone.
 - 5. All applications shall conform with the provisions of Chapter 26 of the Township Code of Ordinances.
 - 6. All buildings shall be set back 75 feet from any adjoining roads and 100 feet from adjoining residential structures or parcels.
 - 7. In no case shall the golf course design permit or encourage a golf ball to be driven across any building, building lot, parking lot, street, or driveway.
 - 8. The site shall be subject to all code requirements in Chapter 5 of the Township Code of Ordinances.
 - 9. Golf courses may include the following uses provided such uses are reasonably sized and located so as to provide incidental service to the golf course users and employees:
 - a. Clubhouse, which may include:
 - 1) Restaurant, snack bar, or lounge.
 - 2) Locker and rest rooms; classrooms; and instructional space.

- 3) Pro shop.
- 4) Administrative offices.
- 5) Golf cart and maintenance equipment storage and service facilities.
- 6) Fitness and health equipment, including workout machines, whirlpools, saunas, and steam rooms.
- b. Freestanding maintenance equipment and supply buildings, storage yards, locker rooms and/or team meeting facilities.
- c. Accessory amenities located outside of the clubhouse including:
 - 1) Driving range.
 - 2) Practice putting green.
 - 3) Picnic tables, pavilions and park benches.
 - 4) Snack shacks.

S. Group Child Care Homes.

- 1. Principal Use- Not Applicable.
- 2. As an accessory land use the following conditions shall apply:
 - a. The group child care home shall comply with all licensing requirements of the Commonwealth of Pennsylvania.
 - b. A zoning permit shall be obtained from the Ferguson Township Zoning Administrator. The zoning permit shall be accompanied by a sketch plan which identifies parking, outdoor play area and access.
 - c. The area designated as the outdoor play area shall be enclosed with a minimum 4 foot high fence.
 - d. One additional off-street parking space shall be provided for each employee as required by the Commonwealth of Pennsylvania.
 - e. No structural changes are permitted which will alter the exterior character of the single-family residence.
 - f. Residences located on arterial streets must provide a drop- off/pick-up area designed to prevent vehicles from backing onto the arterial roadway.
 - g. The home shall comply with noise standards contained in the Township's Noise Ordinance [Chapter 10, Part 3].
 - h. A minimum area equivalent to three parking spaces shall be available for the use of parking on the lot.
 - i. In the RR and RA zoning districts, a minimum gravel area equivalent to three parking spaces shall be available for the use of parking on the lot.

Conditional Uses/Special Exceptions**T. Landscape and Garden Center, Non-retail**

1. The minimum acreage shall be five (5) acres.
2. No sales shall be permissible on the lot.
3. The use shall be subject to the Township's standard Land Development requirements.

U. Manufacturing, Processing or Bulk Storage of Natural Gas.

1. The use shall meet the applicable outdoor storage control provisions in § 27-704.
2. The use shall meet applicable standards for fire safety from the National Fire Protection Association and applicable Federal, State, and local authorities.
3. An Emergency Response Plan should be submitted annually for approval by the Fire Chief.

V. Mining and Quarrying

1. Specific Intent. It is the purpose of this subsection to allow surface mining and its related processing procedures in rural districts by Conditional Use.
2. Permits.
 - a. Use of land for surface mining in the rural districts shall be permitted as a Conditional Use, provided the Board of Supervisors determines in each instance that the proposed location will offer reasonable protection to the neighborhood in which the mining operation will occur against possible detrimental effects of the surface mining operations, taking into consideration the physical relationship of the proposed mining site to surrounding properties and permitted land uses, access to the site from public roads, streets and other public rights-of-way that must be traveled in removing minerals from the site and the effect of the mining operations on the public water supply. In granting a use permit under this provision, the Board of Supervisors may impose such conditions upon the location of the mining operation as are shown to be necessary and appropriate to protect the public health, safety and welfare. No permit granted under this provision shall be valid unless the mine operator also has secured a valid permit to conduct surface mining operations from the appropriate State or Federal agency having regulatory authority over the conduct of surface mining operations.
 - b. The Board of Supervisors shall forward one copy of all applications for a Conditional Use for surface mining to the Ferguson Township Planning Commission immediately upon receipt for review and comment by that agency on all aspects of the application as they relate to the purposes and requirements of this Chapter. The Ferguson Township Planning Commission shall prepare a report on the application within 30 days of the receipt of the application, which report shall be presented to the Board of Supervisors by an authorized representative of the Ferguson Township Planning Commission during the public hearing held on the application for a Conditional Use. Copies of the report shall be made available to any party to the proceeding before the Board at a reasonable cost for duplication or reproduction.
3. Application.
 - a. Application for a special exception permit from the Zoning Hearing Board shall include a duplicate copy of the application the company made to Pennsylvania Department of

Environmental Protection in accordance with the Surface Mining Conservation and Reclamation Act of 1971.

4. Limitations.

- a. No surface mining shall be conducted closer than 100 feet of any public right-of-way or within 300 feet of any property line.
- b. Edges of stockpiles of excavated materials shall not be located closer than 300 feet to the property line, and all reasonable precaution shall be taken to prevent any material or waste deposited upon any stockpile from being transferred off the premises by wind, water or other natural cause.
- c. Fencing. A 6 foot fence that completely encloses the portion of the property that includes the open pit area, high wall, water pool or spoilbank and culm bank (as those terms are defined in the Surface Mining Conservation and Reclamation Act) shall be provided and shall be constructed as to have openings no larger than 6 inches and if pickets are used, the openings shall not exceed 6 inches.

W. Model Homes

1. A model home shall not be used for residential purposes during the period of time when it is used to "model" the type(s) of residential structures being offered for sale by the developer.
2. The purpose of a "model home" is to display the exterior and interior of a typical residential structure, and to display the developer's/builder's options offered in the residential structures to be built in the same residential development/subdivision as the model home.

X. Parks and Outdoor Recreation Facilities (Private)

1. All pools, tennis courts, or other comparable facilities shall be considered structures for the purpose of this chapter.
2. Coverage, including structures, parking lots, and buildings, shall not exceed 50% of the lot.
3. The facility area and lot boundaries shall be landscaped as required by the Township to minimize noise projection and make the grounds aesthetically compatible to the surrounding properties.
4. All structures shall not be less than 100 feet from any lot line, and no less than 200 feet from the nearest house.
5. All facilities shall have a paved parking area in accordance with this chapter; and it shall not be closer than 25 feet to any residential lot line.
6. All facilities shall abut a public road and have a permanent access thereto.
7. Alcoholic beverages without a Pennsylvania Liquor Control Board license, amplified music, and jukeboxes shall be prohibited on the premises.
8. No direct or sky-reflected glare, whether from floodlights or any other kind of light, shall be visible from adjoining public streets or adjacent lots when viewed by a person standing on ground level.

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9. All pools shall be surrounded by a fence at least six feet in height, the entrance to which shall be kept locked when attendant is not present; and shall be constructed in accordance with all applicable state requirements.
10. Tennis courts shall be protected by a permanent fence 10 feet in height behind each base line extending 10 feet beyond the playing area in each direction.
11. The landowner and/or developer shall demonstrate the proposal will be compatible with the neighborhood and not adversely affect adjoining lot.
12. The amount of new traffic generated shall not have a detrimental impact on the neighborhood.
13. Plans shall clearly show ingress-egress facilities and provide proper sight visibility for motorists.
14. Hours of operation shall be scheduled to minimize negative impacts on surrounding residential neighborhoods. The Township may limit hours within this time frame based on the use and location of the facility. Operating hours for the purpose of this section shall mean the period of time that the recreational or athletic activity is occurring.

Y. Pet Care Services Facility.

As a principal land use, the following conditions shall apply:

1. The Pet Care Service Facility must be operated in compliance with all applicable ordinances, laws and regulations including but not limited to the Pennsylvania Dog Law, §206 - §211, in compliance with a Kennel Class C I License.
2. Applicants must provide written operating procedures such as those recommended by the American Boarding and Kennel Association (ABKA) or the American Kennel Club (AKC). These must address the identification and correction of animal behavior that has the potential to impact surrounding use, including excessive barking.
3. Pet Care Service Facilities shall provide a minimum of seventy-five (75) square feet of floor area for each animal, exclusive of office and support areas.
4. A minimum staff to dog ratio of 1:12 shall be maintained (no more than 12 dogs per one staff member).
5. An acoustical analysis of the proposed use shall be performed and prepared under the supervision of a person experienced in the field of acoustical engineering. Ferguson Township shall contract a person in the field of acoustical engineering to review the acoustical analysis for compliance with this section of the ordinance and participate in inspections of the site prior to opening. All township expenses borne by the acoustical engineering review shall be paid by the applicant. The acoustical analysis shall evaluate existing and projected noise levels, noise attenuation measures to be applied, and the noise insulation effectiveness to eliminate animal noise from reaching adjacent properties and neighborhoods. This is to ensure that any noise impacts to sensitive uses are adequately mitigated. The specific noise attenuation provisions identified in the analysis (padded walls, acoustical panels, etc.) shall be indicated on the construction drawings prior to the issuance of any permits. The person preparing the report shall, under the direction of a person experienced in the field of acoustical engineering, perform an inspection of the site prior to the opening of the business to the public to ensure that noise attenuation measures are implemented as recommended by the acoustical expert. A final _____ of

occupancy or building inspection for the proposed use shall not be issued until this condition of approval is satisfied.

6. Signs shall be posted, instructing dog owners to keep dogs on leashes and other domestic pets with carriers until they are inside the facility to assist with animal control measures in the pick-up and drop-off area.
7. Outdoor areas shall provide a minimum of 500 ft.2 of fenced space. Outside areas must include access to shade and must be enclosed and gated. Animals will always be supervised outdoors and shall be allowed between the hours of 7:00 a.m. and 7:00 p.m. A maximum of five (5) dogs shall occupy the outdoor exercise and run at any time between these hours.
8. Fencing surrounding exercise areas and/or runs shall be of a sufficient height to prevent escape and shall be buried as part of installation to prevent escape by digging beneath the fences.
9. All animal quarters and runs are to be kept in a clean, dry and sanitary condition.
10. Hours of operation and dog pick-up and drop-off are limited to those between 7:00 a.m. and 7:00 p.m. Overnight boarding shall be allowed in designated areas on the premise with the requirement that a staff member be on-site during overnight hours. The overnight boarding area within the establishment shall not exceed 50% of the total gross floor area of the business.
11. No unlicensed animals shall be accepted into the facility. Pet owners shall provide the owners of the Pet Care Service Facilities an individual pet record of all vaccinations.
12. Animal waste shall be picked up from the outdoor portion of the property daily. Storage of animal waste shall utilize air-tight containers or in-ground, septic style digesters. Applicants for Pet Care Service Facilities shall acquire all necessary DEP permitting for in-ground, style waste disposal facilities.
13. Any portion of the site that abuts residentially occupied property or the side or rear yard area that contains outdoor areas must provide a 6-foot sound buffering landscape screen and/or fencing.
14. The retail sale of pet products and food shall not exceed 25% of the total gross floor area of the business.
15. The minimum lot size shall be five (0.5) acres within the General Commercial district, (0.75) acres within the IRD district and (1.0) acre within the RA and RR districts.

Z. Places of Assembly.

1. The criteria for conditional approval of a place of assembly are as follows:
 - a. Submission and approval of a land development plan and traffic impact study per the requirements established in Chapter 22 the Township's Subdivision and Land Development Ordinance.
 - b. All activity subject to the Township's Noise Ordinance [Chapter 10, Part 3].
 - c. All lighting subject to the illumination standards of Chapter 4, Part 1.
 - d. Primary or adjunct uses that are not enclosed shall be limited to operating from dawn to dusk; exceptions may be made for organized activities that are held in outdoor areas with approved lighting.

Conditional Uses/Special Exceptions

- e. Impervious coverage limited to 30%.
 - 1) Use of impervious material for parking is encouraged. Material must be approved by the Township Engineer.
 - 2) The design of permanent stormwater facilities to allow for recreational activities must be approved by the Township Engineer.
- f. Buffering of any adjunct or accessory use within the boundary of the site shall not be required; however, landscaping shall be used to delineate the boundaries of the site from adjacent uses in separate ownership and all landscaping required within parking areas shall be provided.
- g. All signs, other than directional signage shall be located on site. The use of temporary event signage must be approved by the Zoning Administrator:
 - 1) Any requests for on-site signage beyond that which identifies the principal use of the site or any that is approved as part of the land development plan shall be considered for approval at the sole discretion of the Board of Supervisors. Such consideration may include a review of size, location, material, and illumination.
- h. Any other conditions that the Board determines are necessary to address the impacts associated with the specific use or the specific site.
- i. No public sewer service will be provided to places of assembly that are outside of the RGB/SSA.
- j. To align with the impacts of natural resource demands, within the RA and RR Districts, any structure shall be limited to an occupancy of 250 occupants.

AA. Potable Water Pump Station Facilities

Potable water pump station facilities shall be permitted as a conditional use if the following standards and criteria are met:

- 1. An ambient-sound-level study is provided and the ambient-sound level at all points along the boundary line of the property upon which the water production facility is located shall be no more than 55 decibels (dBA).
- 2. A land development plan shall be prepared in accordance with § 27-1003 of this chapter. An elevation drawing of any structure to be constructed on the property shall be provided as part of the land development plan.
- 3. A landscape buffer in accordance with buffer yard regulations shall be provided between on-site buildings and the property line.
- 4. An erosion and sediment control (ESC) plan shall be prepared and approved.

BB. Solar Energy Systems

- 1. Principal Solar Energy Systems (PSES) constructed prior to the effective date of this Section shall not be required to meet the terms and conditions of this Section. Any physical modification to any existing PSES, whether or not existing prior to the effective date of this Section that expands the PSES shall require approval under this Ordinance. Routine maintenance or replacements do not require a permit.

2. The PSES layout, design and installation shall conform to applicable industry standards, such as those of the American National Standards (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory(ETL) or other similar certifying organizations, and shall comply with Municipality's Building Code, and with all other applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.
3. All on-site utility transmission lines and plumbing shall be placed underground to the greatest extent feasible.
4. The owner of a PSES shall provide the Township written confirmation that the public utility company to which the PSES will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection. The owner shall provide a copy of the final inspection report or other final approval from the utility company to the Township prior to the issuance of a certificate of use and occupancy for the PSES.
5. If a PSES is being used as an accessory use for commercial/industrial activity on another property, then the municipality shall be informed of the intent of the PSES.
6. Signage shall comply with the prevailing sign regulations.
7. All PSES shall be situated to eliminate concentrated glare onto nearby structures or roadways.
8. All solar energy systems should be designed and located to ensure solar access without reliance on and/or interference from adjacent properties.
9. Minimum Lot Size
 - a. The PSES shall meet the lot size requirements of the applicable zoning district.
10. Setbacks
 - a. The PSES shall comply with the setbacks of the applicable zoning districts.
 - b. If located adjacent to a residential district, the PSES shall have an increased setback of 100 linear feet.
 - c. PSES shall not be placed within any legal easement or right-of-way location, or be placed within any storm water conveyance system, or in any other manner that would alter or impede storm water runoff from collecting in a constructed storm water conveyance system.
11. Height
 - a. Ground mounted PSES shall comply with the building height restrictions of the applicable zoning district.
12. Impervious Coverage
 - a. The following components of a PSES shall be considered impervious coverage and calculated as part of the impervious coverage limitations for the underlying zoning district:

Conditional Uses/Special Exceptions

- i. Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.
- ii. All mechanical equipment of PSES including any structure for batteries or storage cells.
- iii. Gravel of paved access roads servicing the PSES.

13. Stormwater

- a. The Applicant shall submit a storm water management plan that demonstrates stormwater from the PSES will infiltrate into the ground beneath the PSES at a rate equal to that of the infiltration rate prior to the placement of the system.
- b. PSES owners are encouraged to use low maintenance and/or low growing vegetative surfaces under the system as a best management practice for stormwater management.

14. Screening

- a. Ground mounted PSES shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of plant materials which provide a visual screen. In lieu of a planting screen, a fence that provides visual screening and meets requirements of the controlling ordinance may be used.

15. Security

- a. All ground mounted PSES shall be completely enclosed by fencing that consists of a minimum eight (8) foot high fence with a locking gate, or as designated by the municipality.
- b. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence surrounding the PSES informing individuals of potential voltage hazards.

16. Access Drives

- a. Access drives are required to allow for maintenance and emergency management vehicles and shall have a cartway with a minimum width of 12'.

17. Removal

- a. If a ground mounted PSES is removed, any earth disturbance as a result of the removal of the ground mounted solar energy system must be graded and re-seeded.

CC. Storage of passenger vehicle light trucks.

1. Vehicles shall not be stored within the front yard of any lot and/or between the front building façade and the front lot line.

DD. Treatment Centers.

1. The applicant shall prove to the satisfaction of the Board of Supervisors that the use will involve adequate on-site supervision and security measures to protect public safety.

2. The Board of Supervisors may place conditions upon the use to protect public safety, such as conditions on the types of residents and security measures.
3. Any such use shall not be located or operated within 500 feet of an existing school, public playground, public park, residential housing district, child-care facility, church, meeting house or other actual place of regularly stated religious worship established prior to the proposed treatment center, and shall be located a minimum of 600 feet from any existing treatment center.
4. No treatment center shall be permitted unless it is certified by and meets all regulations of the appropriate local, County, State and/or Federal agencies.

EE. Water Production Facilities.

Water production facilities in the vicinity of their potable water wells shall be permitted as a conditional use if the following standards and criteria are met:

5. An ambient-sound-level study is provided and the ambient-sound level at all points along the boundary line of the property upon which the water production facility is located shall be no more than 55 decibels (dBA).
6. A land development plan shall be prepared in accordance with § 27-1003 of this chapter. An elevation drawing of any structure to be constructed on the property shall be provided as part of the land development plan.
7. A landscape buffer in accordance with buffer yard regulations shall be provided between on-site buildings and the property line.
8. An erosion and sediment control (ESC) plan shall be prepared and approved.
9. A laboratory within the water production facility shall be allowable. The scale of the laboratory shall be limited to only the required testing necessary for compliance with Pennsylvania Department of Environmental Protection (DEP) regulations. Storage of chemicals within the laboratory which are to be used for DEP compliance shall be limited to a four-month supply of such chemicals at one time.
10. The minimum lot size shall be five acres.
11. The minimum yard setbacks shall be as follows:
 - Rear yard setback: 50 feet.
 - Front yard setback: 50 feet.
 - Side yard setback: 50 feet.
12. Maximum building coverage: 15% of lot area.
13. Maximum impervious coverage: 50% of lot area.

FF. Welding Shops

1. Principal Use- Not Applicable.
2. As an accessory land use the following conditions shall apply:

Conditional Uses/Special Exceptions

- (a) All processes associated with welding shall be completed within a minimum of a partially enclosed structure.

GG. Wind Energy Systems / Building and Ground Mounted Wind Systems

1. The required setback from a residential structure shall equal twice the height of the Wind Energy Conversion System.
2. The required setback from a road shall equal the height of the system plus 50 (fifty) feet.

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PART 6

Reserved

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Supplemental Regulations**PART 7****Supplemental Regulations****§27-701. Floodplain Conservation.**

All land and watercourses defined herein as floodplains shall be subject to the following regulations regardless of the district regulations within which such land and watercourses are located. The identified floodplain area shall be: (A) any areas of Ferguson Township, subject to the 100-year flood, which is identified as Zone A (Area of Special Flood Hazard) in the Flood Insurance Study (FIS) with the effective date of May 4, 2009, and the accompanying maps or the most recent revision thereof as issued by the Federal Emergency Management Agency, including all digital data developed as part of the Flood Insurance Study, and (B) those areas designated as alluvial soils by the "Soil Survey of Centre County, Pennsylvania," prepared by the U.S. Department of Agriculture, dated 1981.

The AE Area/District (Flood Insurance Risk Zone) shall be those areas identified as an AE Zone on the Flood Insurance Rate Map (FIRM) included in the FIS prepared by FEMA and for which 100-year flood elevations have been provided in the FIS.

The A Area/District shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no 100-year flood elevations have been provided. For these areas, elevation and floodway information from Federal, State or other acceptable sources shall be used when available. Where other acceptable information is not available, the elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site. In lieu of the above, the municipality may require the applicant to determine the 100-year flood elevation with detailed hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualification, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Township. Where a difference exists between these two documents, the document which delineates the greater area shall be used. Any changes to the data contained in the Flood Insurance Study are subject to the approval of the Federal Insurance Administration.

- A. Intent. It is the intent of this Section to preserve the natural functions of floodplains, to protect life and property from the hazards of flooding, to protect the waters of the Township and to minimize the financial burdens which floods impose upon the community. These purposes shall be advanced by preventing certain uses and structures from locating in floodplains while allowing others which will not (1) impede *the* flow of flood waters, (2) present the hazard of pollution, erosion and sedimentation of floodplains and watercourses, (3) result in increased surface runoff and downstream flooding and (4) impede the recharge of aquifers.
 1. Areas subject to periodic inundation by flood waters shall include (a) all flood hazard areas indicated on the aforementioned Flood Insurance Rate Maps and (b) the following alluvial soil types indicated on the aforementioned soil survey maps:

<u>Symbol</u>	<u>Name</u>
At	Atkins Silt Loam
Ba	Basher Loam
Ca	Carlisle Muck

<u>Symbol</u>	<u>Name</u>
Ch	Chagrin Soils
DU	Dunning Silty Clay Loam
LX	Linside Soils
Mm	Melvin Silt Loam
No	Nolin Silt Loam
Ph	Philo Loam
Pk	Philo and Atkins very stony soil
Po	Pope soils

2. Natural drainage swales subject to periodic inundation by runoff rather than flood waters are also subject to the Floodplain Conservation regulations. Such drainage swales are identified as Nolin silt loam soils, soil symbol “No” on the aforementioned soil survey maps.
- B. Permitted Uses. Floodplains may be only used for the following, provided such uses and structures do not conflict with the limitations of paragraph .C, below:
1. The tilling of the land, the raising of crops, fruits and vegetables and the raising and keeping of livestock and poultry.
 2. Horticultural uses related to the raising, propagating and selling of trees, shrubs, flowers and other plant materials.
 3. Forestry uses related to the harvesting of lumber products.
 4. Public and private conservation areas for the conservation of open space, water, soil and wildlife resources.
 5. Essential services.
 6. Retaining walls, flood retention dams, culverts and bridges as permitted by the Pennsylvania Department of Environmental Protection.
 7. Customary uses accessory to the above.
- C. Use Limitations. Uses permitted in subsection B, above, are limited as follows:
1. All new construction or development (including substantial improvements) are prohibited. Essential services necessary for the health and wellbeing of the public are exempted from the prohibition of this subsection pending approval of a hydrologic and hydraulic analysis by the Township Engineer. The analysis shall calculate the impact that the proposed essential service will have on the 100-year water surface elevation and determine if any adverse impacts will result from the construction of the essential service. The hydrologic and hydraulic analysis shall be undertaken by a professional engineer or others of demonstrated qualification, who shall clarify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Township Engineer.

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2. Improvements or modifications to an existing structure shall be permitted but they shall be elevated or floodproofed as much as possible; provided, that said improvements or modifications involve (a) less than 50% of the fair market value and (b) less than 50% of the square footage as it existed on March 8, 1984. Essential services necessary for the health and wellbeing of the public are exempted from the requirements of this subsection.
3. All other uses whether temporary or permanent are prohibited including, but not limited to, the following which are not interpreted as being customary accessory uses: filling in of the floodplain; sanitary landfill or dumping of any kind; fences which impede, retard or change the direction of the flow of water or catch or collect debris carried by such water; outdoor storage of materials which are buoyant, flammable or explosive; and on-site sewage disposal systems.
4. Prior to any proposed alteration or relocation of any stream or any watercourse, etc., within the Township, a permit shall be obtained from the Department of Environmental Protection, Dams and Encroachment Division, as specified in the Dam Safety and Encroachment Act, as amended. Further, notification of the proposal shall be given to all affected adjacent municipalities. Copies of such notifications shall be forwarded to both the Federal Insurance Administration and the Department of Community and Economic Development.
 - a. Under no circumstances shall any use, activity and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch or any other drainage facility or system.
- D. Zoning Permit. Prior to the issuance of any zoning permit, the Zoning Administrator shall review the application for the permit to determine if all other necessary government permits required by State and Federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, §404, 33 U.S.C. 1344. No permit shall be issued until this determination has been made.
- E. Land Development Plan Review. Any applicant for a zoning permit who is engaging in land development (as that term is defined in Chapter 22, Subdivision and Land Development) within a floodplain or 100 feet therefrom shall submit, along with the application, a land development plan as required in Part 10 of this Chapter.
- F. Conditional Use. Local alluvial soils, while not always displaying all of the characteristics common to alluvial soils, may be subject to periodic inundation or flooding. For this reason they shall be considered an integral part of the floodplain network. However, they may be exempted from the provisions of this Section when it is determined that, by use of proper engineering and conservation practices, such conditional use will not have the effect of nullifying the intent of this Section and they are not within a watercourse, drainageway channel or stream, or within the floodplain area of the Flood Insurance Rate Map for Ferguson Township as prepared by the Federal Insurance Administration. A conditional use may be a use as permitted by the existing Township zoning district, where the soils are found as previously listed and a floodplain does not exist.
 1. In granting a conditional use, the Board of Supervisors shall:
 - a. Consider that there is good and sufficient cause.
 - b. Consider that failure to grant the conditional use will result in exceptional hardship to the applicant.

- c. Consider that the granting of the conditional use will:
 - 1) Neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety or extraordinary public expense.
 - 2) Nor create nuisances, cause fraud on or victimize the public or conflict with any other applicable State or local ordinances and regulations.
 - d. Make sure that a conditional use shall involve only the least modification necessary to provide relief.
 - e. Attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety and welfare and to meet the intent of this Section.
 - f. Require the applicant to comply with all applicable requirements of the National Flood Insurance Program regulations (60.3a, b and c), including the requirements for flood-proofing, anchoring and elevation.
2. Notwithstanding the provisions of this Section, no conditional use shall be granted for the following obstructions and activities if located entirely or partially within an identified floodplain area:
- a. Hospitals (public or private).
 - b. Nursing homes (public or private).
 - c. Jails or prisons.
 - d. New manufactured home parks and manufactured home subdivisions, and substantial improvements to existing manufactured home parks.
 - e. Any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances or which will be used for any activity requiring the maintenance of a supply (more than 550 gallons or other comparable volume or any amount of radioactive substances) of any one of the following dangerous materials or substances and 935 gallons in the aggregate on the premises:
 - 1) Acetone.
 - 2) Ammonia.
 - 3) Benzene.
 - 4) Calcium carbide.
 - 5) Carbon disulfide.
 - 6) Celluloid.
 - 7) Chlorine.
 - 8) Hydrochloric acid.
 - 9) Hydrocyanic acid.
 - 10) Magnesium.

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- 11) Nitric acid and oxides of nitrogen.
 - 12) Petroleum products (gasoline, fuel oil, etc.)
 - 13) Phosphorus.
 - 14) Potassium.
 - 15) Sodium.
 - 16) Sulphur and sulphur products.
 - 17) Pesticides (including insecticides, fungicides and rodenticides).
 - f. Any residential dwelling.
 3. Whenever a conditional use is granted, the Zoning Administrator shall notify the applicant in writing that:
 - a. The granting of the conditional use may result in increased premium rates for flood insurance.
 - b. Such conditional uses may increase the risks to life and property.
 4. A report of all conditional uses granted under this Section during the year shall be included in the annual report to the Federal Insurance Administration.
 5. Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the 100 year flood.
- G. Wetlands. Areas subject to periodic inundation by flood waters and/or occurring without flooding shall include:
1. All wetland locations mapped on Fish and Wildlife Service National Wetlands Inventory Maps for Ferguson Township.
 2. Any wetlands identified by on-site field investigation that finds hydric soils and/or common wetland indicator plants.
 3. Requirements for construction of obstructions, structures and uses affecting wetlands:
 - a. Land development plans are to contain boundaries of any wetlands, existing vegetation cover and location of existing soils.
 - b. Soils having severe limitations due to wetness for crops, leach fields, buildings or roads are possible wetlands and require Pennsylvania Department of Environmental Protection and U.S. Army Corps of Engineers review and approval of permits.
 - c. Upon the approval by the Department of Environmental Protection and Corps of Engineers of required permits for the land development in the identified wetland areas; the land development plan and/or subdivision plan may then be submitted to the Township for review and approval.
 - d. The Township procedures of approval may have conditions attached as needed to further the goal of prohibiting development in floodplains and wetlands.

- H. Floodways. No activity, land development, structure, building or obstruction shall be permitted within an identified floodway portion of the Floodplain District.
- I. Use Buffer. A land buffer remaining in its natural condition shall be not less than 100 feet separating the permitted use from the edge of the top of the bank of the watercourse. The 100 feet distance is to start from the outermost edge of the watercourse measured in a perpendicular direction to the approved use. A 50-foot land buffer remaining in its natural condition shall be provided between the permitted use and the edge of the floodplain as defined by FEMA. Essential services necessary for the health and wellbeing of the public are exempted from the requirements of this subsection.
- J. Variances.
 - 1. Any variances granted by the Zoning Hearing Board to any of the floodplain conservation regulations of this Section shall be subject to the same standards and requirements as applied to the granting of conditional uses in subsection .F.
 - 2. In addition to meeting the requirements of subsection E. whenever a variance is granted, the Township shall notify the applicant in writing that the granting of the variance may result in increased premium rates for flood insurance and may increase the risks to life and property.
 - 3. No variance shall be granted for any construction, development, use or activity within any floodway area that would cause any increase in the 100- year flood elevation.
 - 4. No variance shall be granted for any construction, development, use or activity within the floodplain area that would, together with all other existing and anticipated development, increase the 100-year flood elevation more than 1 foot at any point.
- K. Abrogation and Greater Restrictions. This Section supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive.

§27-702. Slope Controls.

All land defined herein as having steep slopes shall be subject to the following regulations:

- A. Intent. It is the intent of this Section to control the following purposes: (1) to limit erosion and sedimentation, (2) to prevent an increase in the possibilities of landslides and soil subsidence, (4) to maintain adequate foliage cover on hillsides and (5) to protect streams from increases in sediment and pollution.
- B. Permitted Uses. Steep slopes may be used as permitted by the district regulations within which they are located, subject to the additional requirements below.
- C. Principles of Development. Where it is necessary to use steep slopes (25% or greater) to permit development of a lot, all such proposals shall, in addition to other applicable regulations of this Chapter, be in accordance with the following principles of development. All development on steep slopes shall:
 - 1. Be oriented so that grading and other site preparations are kept to an absolute minimum.
 - 2. Where grading is essential, shape such grading to complement the natural land form.
 - 3. Be staged where necessary to complete construction of each stage during a season so that large areas of disturbed land are not left bare and exposed during the winter-spring runoff period.

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4. Accomplish all paving as rapidly as possible after grading.
 5. Allocate to open space and recreation uses those areas least suited to development, as evidenced by competent soils, geology and hydrology investigations.
 6. Landscape areas around structures to blend them with the natural landscape.
 7. Take measures to minimize erosion and sedimentation and to limit increases in stormwater runoff in accordance with related regulations of the Township and the Commonwealth of Pennsylvania.
- D. Land development plan Review. All applications for zoning permits for lot, uses and structures located, in whole or in part, on land with steep slopes shall submit, along with the application, a land development plan as required in the Township Subdivision and Land Development Ordinance.

§27-703. Nuisance Standards.

- A. All uses of land and structures shall be prohibited which produce heat or vibration perceptible beyond the lot line.
- B. No agricultural operation or any of its appurtenances, lawful under this Chapter, shall be or become a public nuisance under this Chapter; provided, the provisions of this Section shall not apply whenever a nuisance results from the negligent or improper operation of any such agricultural operation or its appurtenances.

§27-704. Outdoor Storage.

The outdoor storage of materials shall be subject to the following requirements:

- A. All outdoor storage of fuel, raw materials and products, except finished products for retail sale to the public, for a commercial or industrial use, in any Commercial, Industrial or Village District, shall be completely screened from view from any public right-of-way and Residential District by a sight-obscuring evergreen planting, fence or wall. Secondary fuel containment shall be constructed as necessary.
- B. All discarded organic rubbish or garbage stored outdoors shall be placed in water-tight, vermin-proof containers.
- C. All trash dumpsters, compactors and other refuse storage containers, other than those for single-family detached homes and other curbside collection, must be completely screened from view on all sides. The screening to be installed must be sight-obscuring and shall be installed at the height of the dumpster/refuse container. The permitted screening materials are as follows: a fence, evergreen plantings in combination with deciduous shrubs or a wall. Plants installed for screening are required to be the height of the dumpster/refuse container at the time of planting. Refuse storage containers other than those for single-family detached homes and other curbside collection shall not be permitted in the front yard of any property.

§27-705. Sewage Disposal.

A sewage permit shall be a prerequisite to the issuance of a zoning permit.

§27-706. Illumination.

The illumination of any lot, use or structure shall comply with Chapter 4 of the Code of Ordinances of The Township of Ferguson, entitled "Outdoor Lighting Regulations."

§27-707. Landscaping.

- A. Purpose and Intent. The purpose of this Section is to provide landscaping requirements which:
 1. Enhance and promote the image of the community.
 2. Protect the public health, safety and welfare by:
 - a. Screening and buffering incompatible land uses.
 - b. Minimizing noise, air, water, dust and visual pollution.
 - c. Preserving property values and the character of neighborhoods.
 - d. Reducing the heat and glare absorbed and radiated by development.
 - e. Helping control soil erosion.
 - f. Increasing traffic safety.
 - g. Mitigate stormwater runoff on site and improving the quality of this water through the use of vegetation.
 3. Increase the variety of plant materials used in landscape plans.
 4. Improve the aesthetics of the site through seasonal diversity of plantings.
- B. General Requirements.
 1. Required buffers shall be reserved solely for open space and landscaping. No proposed building addition, structure, parking area or any other type of physical land improvement shall be located in a required buffer; provided, that driveways or roads may cross required buffers if necessary to provide access to the building site. Sidewalks, bikeways and pedestrian paths may also be located within required buffers.
 2. All selected trees and shrubs must be listed on the official Township plant list. Although not listed on the official Township plant list, any type of herbaceous perennial may be used onsite, provided it is not recognized as an invasive plant by the Commonwealth of Pennsylvania Department of Conservation & Natural Resources.
 3. If you wish to use ericaceous or broadleaf evergreens onsite, the pH of the soil must be tested and the soil amended where the plants will be located. This information must be provided to the Zoning Administrator and Township Arborist for verification prior to issuance of the occupancy permit.
 4. All landscaping, trees and planting materials adjacent to parking areas, loading areas or driveways shall be properly protected by barriers, curbs or other means from damage by vehicles. In addition, the tree or shrub shall be planted a minimum of 3 feet from any curb.
 5. Plant materials with seasonal diversity should be selected and distributed throughout the site.
 6. All landscaping plans should be verified by the Zoning Administrator and Township Arborist with consultation from the Tree Commission.
- C. Conflicting Requirements. In the event that one or more of the subsections of this Section, is applicable and there is a conflict among them, the more restrictive subsection requirement shall apply.

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- D. Landscaping Plan. When a site or land development plan requires the installation of landscaping, subject to the requirements of this Section, a landscaping plan shall be submitted along with the site or land development plan. The landscaping plan shall show the following:
1. The location of all buffer yards and planting areas shall be graphically depicted.
 2. The plan must graphically depict the distribution, mature height and spread of all required plant materials. The official Township plant list shows the plant height and spread which is to be used for each plant species.
 3. The plan must show a table which identifies the required and proposed number of each plant species being provided for each type of buffer, screen or other use. (i.e., the number of plants within each flexible buffer yard, Corridor Overlay buffer, parking lot, general site). The table shall also identify the scientific and common name of each plant, the mature height and spread and the symbol used for the plant.
 4. The plan must identify the specific size and species of materials, both vegetative and fencing, which will be used for screening of trash collection and storage areas.
- E. Planting Requirements. All trees and shrubs shall be planted in accordance with Township Resolution 2015-25.
- F. Maintenance.
1. The owner or his agent shall be responsible for the maintenance, repair and replacement of all landscaping materials and screening fences or walls to maintain conformance with the landscaping requirements.
 2. Any plant material that is 25% dead or more shall be considered dead and must be replaced.
 3. Replacements shall be made during the first spring or fall planting season following the death of the plants.
 4. Replacements shall be of the same size and type (canopy, understory, shrub) of plant as shown on the plan.
 5. All parking lots and buffer yards shall be kept free of litter and trash.
- G. Standards. All landscape material planted shall meet or exceed the following standards at the time of planting:
1. All canopy trees shall reach a height of at maturity of at least 30 feet with a spread of at least 30 feet and shall have a caliper of at least 2 inches at planting. Canopy trees are to be planted such that the majority of the canopy is located on the site of the applicant's land development. See the Township's official plant list for a listing of permitted canopy trees.
 2. All evergreen trees shall reach a minimum height of 20 feet at maturity and shall be a minimum of 6 feet tall at planting. See the Township's official plant list for a listing of permitted evergreen trees.
 3. All understory trees shall reach a minimum height of 10 feet at maturity and shall have a caliper of 1½ inches at planting. See the Township's official plant list for a listing of permitted understory trees.
 4. All deciduous or evergreen shrubs used for screening purposes in the Corridor Overlay District

or flexible buffer yard shall reach a minimum height of 5 feet at maturity and shall be at least 3 feet tall at planting. See the Township's official plant list for a listing of permitted shrubs.

5. All deciduous or evergreen shrubs used for general or parking lot landscaping must be a minimum of 2 gallons at planting. See the Township's official plant list for a listing of permitted shrubs.
6. Where the plantings identified in subsections .G.1 through .G.4, immediately above, would result in an inappropriate or impractical design due to underground utilities, overhead wires or other factors, the following substitutions may be made:
 - a. Two understory trees (1½ inch caliper) may be substituted for one canopy tree.
 - b. Two evergreen trees may be substituted for one canopy tree.
 - c. One evergreen tree may be substituted for five shrubs.

H. Use of Existing Vegetation.

1. Where an existing hedgerow or forested area is located within a proposed buffer yard, the use of existing vegetation is strongly encouraged, to the extent that a suitable buffer will be provided. One existing canopy tree of at least 4-inch caliper may be substituted for one new tree that is listed in Township's official plant list. All changes to the existing hedgerow or forested area must be approved by the Township Zoning Administrator and Township Arborist with consultation from the Tree Commission..
 2. Any existing understory vegetation which is shown to be native and noninvasive should counted toward the buffer yard planting requirements.
 3. In an area where the canopy trees will not allow for the planting and growth of understory trees, four shrubs could be planted in lieu of each required understory tree.
 4. Prior to plan approval, the plan for tree and/or understory vegetation substitution or removal of existing vegetation must be approved by the Zoning Administrator and Arborist with consultation for the Tree Commission.
- I. **Preservation of Existing Vegetation.** Preservation of existing trees or groves of three or more trees of at least 4-inch caliper shall enable an applicant to obtain credit toward lot coverage requirements. For every qualifying specimen tree or grove of three or more trees preserved, the square footage of the critical root zone circumference of the tree or grove of trees preserved may be used to determine credit toward impervious surface requirements, up to 15% in additional impervious surface beyond the base requirement.

For instance, if a 1-acre development (43,560 square feet) is located in a part of the Township that permits a lot coverage of 30% impervious surface (13,068 square feet), and there are fifty (50) trees of 4-inch caliper or greater, the following calculations would be performed to determine minimum additional site area that may be impervious beyond the 30% base requirement:

Tree caliper: 4 inches;

Critical root zone ratio: 1 inch of tree trunk diameter (caliper) for every 18 inches of critical root zone radius;

Critical root zone radius: 4 inches × 18 inches = 72 inches (6 feet);

Critical root zone (in square feet): 6 feet squared × π (pi) = 113 square feet;

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Additional permitted impervious surface: 50 qualifying trees × 113 square feet = 5,655 square feet;

Total permitted impervious surface with credit: 13,068 square feet + 5,655 square feet = 18,723 square feet (43% impervious surface).

Note that this example development would not be able to go beyond 45% impervious surface even if there were a substantially higher number of qualifying trees preserved, as 45% is equivalent to 15% in additional impervious surface beyond the base 30% minimum requirement.

- J. Use of Existing Features. Lots separated by a bona fide drainageway, creekway or stream channel may not substitute such condition for a portion of any corresponding buffer yard width.
- K. Screening of Trash Collection and Storage Areas. All trash collection and storage areas shall be screened from all adjoining properties and streets with vegetative materials and/or fences of at least 6 feet in height at the time of installation. Screening with chain link fencing shall not be acceptable.
- L. Access and Visibility. No tree, shrub, fence, wall or similar item shall be installed in the sight triangle of any corner, street intersection or accessway intersecting a public right-of-way that would cause an obstruction to visibility.
- M. Corridor Overlay District. In addition to the requirements of §27-401, including the buffer yard options set forth in illustrations adopted as part of this Ordinance and codified at the end of this Section, any site located within the Corridor Overlay Zoning District shall comply with the following landscaped buffer yard requirements:
 - 1. A landscaped buffer shall be required for all parking areas visible from the corridor street. Visible is determined by anyone (as represented by the Township Zoning Administrator) that is either a pedestrian and/or passenger or driver of an average size vehicle on the corridor street. The main purpose of this landscape buffer is to screen parking lot views from the corridor street. The landscaped buffer may be permitted within the required 50-foot setback.
 - 2. To provide flexibility in design of the landscaped buffer yard between the off-street parking lot and the street located in the corridor, one or more of the following landscape treatment options shall be used. The type of canopy trees chosen shall be in accordance with Township Resolution 2014-25 ("Regulations and Standards for Arbor Work") and Township Resolution 2015-29 ("Approved List of Tree Species, Cultivars, and Hybrids for Street and Park Planting"). These treatment options include:
 - a. A minimum 10-foot wide landscaped strip shall be planted with a minimum of one canopy tree or evergreen tree and fifteen shrubs per 35 linear feet of frontage along the parking area (excluding driveway openings) (Figure 1).
 - b. A berm/earth mound, the top of which is at least 2 feet higher than the elevation of the adjacent parking lot pavement. The slope of the berm shall not exceed 25% (4:1) for lawn areas. Berms planted with ground covers and shrubs may be steeper. However, no slope shall exceed 50% (2:1). Berms shall be graded to appear as naturalistic forms not causing any soil erosion problems and planted with a minimum of one canopy tree or evergreen tree and fifteen shrubs per 35 linear feet of frontage along the parking area (excluding driveway openings) (Figure 2).
 - c. A 6-foot-wide landscaped embankment strip and a minimum 3 feet grade drop from the required yard area into any adjacent parking lot pavement. The resulting embankment shall be planted with a minimum of one canopy tree or evergreen tree and fifteen shrubs per 35

linear feet of frontage along the parking area (excluding driveway openings). At least 50% of the required shrubs shall be planted in the top half of the grade drop area (Figure 3).

- d. A minimum of a 5-foot-wide landscaped strip with a minimum 3 feet high brick, stone or finished concrete material wall to screen any parking lot. The wall shall be located adjacent to, but entirely outside, the minimum 5-foot-wide landscaping strip. The strip shall be planted with a minimum of one canopy tree or evergreen tree and fifteen shrubs per 35 linear foot of frontage along the parking area (excluding driveway openings) (Figure 4).
- e. A minimum 25-foot-wide strip of existing woodlands or tree growth of sufficient trunk diameter or caliper of 6" if preserved between any parking lot or buildings and the Corridor street (Figure 5).
- f. For display areas consisting of a parking lot that will be used to display products for sale or rent such as cars, trucks, boats and recreational vehicles, the following buffer yard may be used:

A landscaped planting strip shall be planted with a minimum of one canopy tree for every 50 feet of frontage along the display parking area. Each tree shall have a landscaped planting bed around its base. In addition, each end of the display area shall include a planting bed/mound which includes one canopy tree and ten shrubs (Figure 6). As required by this Ordinance, a certain number of plants shall be planted per 35 linear feet. Within the specified length, the plantings may be staggered and do not have to be planted in a linear fashion.

The placement/configuration of mulch shall reflect best practices in horticultural and landscape maintenance standards including but not limited to no placing of materials to be a minimum of 2" of mulch and not to create a formation indicative of a mulch "volcano."

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3. Flexible Buffer Yard.

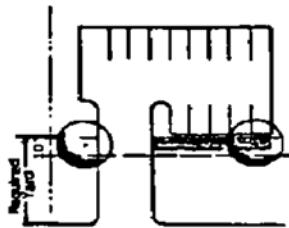


Figure 1

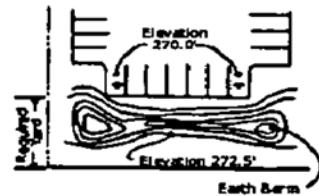


Figure 2

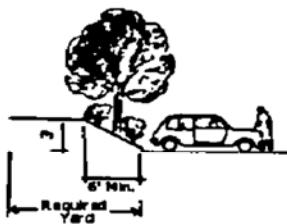


Figure 3



Figure 4

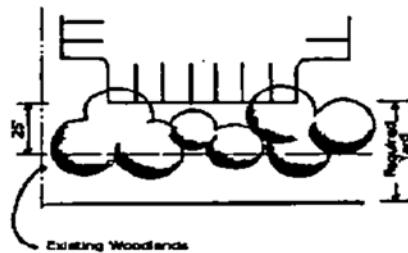


Figure 5

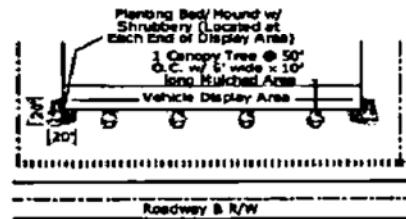


Figure 6

Purpose. Flexible buffer yards are intended to aid the Township of Ferguson in protecting the community character of the Township by separating incompatible uses either within the same zoning district and/or between adjacent zoning districts. The purpose of the flexible buffer yard requirements is to alleviate problems which could be encountered by a single standard. The requirements of this Section can reasonably accommodate the characteristics of each site and the range of land uses.

Procedure. The following procedure shall be used to determine the type of buffer yard required between two uses located on separate but abutting parcels:

- a. Step One. Identify the land use classification of the proposed use and of all existing uses located on separate adjoining lots by referring to the Land Use Intensity Classification Chart as follows:

Land Use Intensity Classification Chart

Group I

Agricultural

Single-Family Detached Residential Use(s)

Nonagricultural Residential Lot

Stormwater Detention Basin

Group II

Townhouses, Multifamily Housing, Duplexes, Quad-plexes

Neighborhood Civic-, Business- or Faith-Based Place of Assembly

Community Civic-, Business- or Faith-Based Place of Assembly

Group III

All uses not identified in Group I or II

- b. Step Two. Determine the buffer yard required between uses by referring to the following

Buffer Yards shall include a required width of 25' and a minimum of three (3) canopy trees and four (4) understory trees/evergreen trees per every 100 linear feet of distance along a site's perimeter. Areas less than 100 linear feet and/or fractions thereof are to be landscaped with the corresponding ratio by 100 linear feet, rounded up to the nearest whole plant. All developments requiring a buffer yard are potentially subject to the planting of nine (9) deciduous or evergreen shrubs per 100 linear feet unless a landscape wall or fence is constructed, whereas then six (6) such shrubs per 100 linear feet shall be planted.

The installation of a fence shall satisfy a portion of the buffer yard requirements of as identified above if the fence consists of at least 50% fence material distributed evenly, not less than 4 feet nor more than 6 feet in height. A perimeter wall shall also satisfy a portion of the buffer yard requirements as identified above if the wall is not less than 4 feet nor more than 6 feet in height. Within the required 3 foot side yard setback of the Village District only, the Board of Supervisors may approve the use of a fence or wall in place of the buffer yard which would satisfy the buffer yard requirements as defined above. When landscaping is being provided to buffer against a different use group than is on the site, the required plant material must be evenly distributed within each 100 foot section of the buffer area. The even distribution of plantings is intended to screen objectionable views. When landscaping is being provided to buffer against the same use group as exists on the site, the required plant material may be grouped or unevenly distributed within each 100-foot section of the buffer area.

- c. Step Three. Determine the planting stock to be used as landscape materials for the buffer yard in question by referring to the Township's Official Plant List.

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1. Placement of Buffer Yard Width. The landscaped buffer yard area shall be established along the length of, and contiguous to, any lot line or demarcation of land use, such as a leasable area. The width of the area determined from Buffer Yard Table 2 of this Section shall be measured at right angles to the lot line of the applicant's land development.

N. Interior and Exterior Parking Lot Landscaping.

1. All parking lots shall meet the location requirements stipulated in §27- 601.A(2). All raised yards surrounding the parking lot shall be bordered by a curb 6 inches high along the sides of the yard area abutting the parking lot, including spaces and aisles. Where the yards are not raised, separate stops shall be provided at the end of each parking space abutting the yards. Where walkways terminate at curbs, ramps shall be provided. Setback areas shall be planted with grass or similar vegetative material and may include shrubs, fences or walls.
2. Planting areas shall be installed at the end of all parking bays abutting an aisle or driveway. The planting areas shall be bordered by a curb 4 inches high wherever it abuts a space or aisle, and shall be at least 9 feet wide and extend the length of the parking space and/or bay. Each planting area shall be planted with a combination of suitable ground covers and/or grass and a minimum of one canopy tree.
3. Utility poles and light standards are permitted within the planting areas; provided, they are separated from the spaces and aisles as required by §27- 601.C(1). Utility poles and light standards are also permitted within the parking lot provided the pole is surrounded on all sides by a 6 inch concrete curb. The back of the curb must be a minimum of 3 feet away from the edge of the pole. No poles are permitted within a required parking space or drive aisle.
4. When parking bays incorporate more than ten parking spaces in a continuous row, a raised island shall be incorporated within the parking bay for every ten parking spaces. The raised island shall be bordered by a curb 4 inches high minimum wherever it abuts a space or aisle and shall be 9 feet wide and extend the length of the parking space and/or bay. Each raised island shall be planted with a combination of suitable ground covers and/or grass and a minimum of one canopy tree. Wherever a building adjoins a parking lot perimeter, islands shall be required. At the discretion of the Board of Supervisors, the required ratio of landscaped islands shall be maintained, but may be exceeded in some lot areas to one island for every twelve parking spaces where lot configuration and/or site constraints exist that would make it unreasonable to install a raised island for every ten parking spaces.
5. In order to provide flexibility in design, reduce heat, glare and visual expansiveness, the following option may be considered in conjunction with interior landscaped islands: provision of a continuous landscaped strip between every four bays of parking in lots that contain eight or more bays in one area. The strip shall be a minimum of 15 feet wide and shall include a vehicle overhang of 2½ feet when parking spaces are adjacent to the strip. The stall length with the overhang strip may be reduced to 16 feet. The strip shall contain a landscaped area of 10 feet minimum width and shall be planted with shade trees at a ratio of at least one tree for every 40 feet of the strip length inclusive of driveway widths. These trees shall be planted no less than 25 feet nor greater than 40 feet apart. A combination of suitable ground covers and/or grass shall cover the remainder of the strip. If the landscaped strip provides direct access to a building entrance, a minimum 5 foot wide sidewalk shall also be included in the strip. In this event, the landscaped strip will be required to be 20 feet in width, with the sidewalk in the middle of the strip. The required trees can then be planted alternately on each side of the sidewalk at the required distance.

6. In the event an existing parking lot is being enlarged or revised, these regulations will apply only to the new section of the parking lot.
- O. Commercial District Planting Requirements.
 1. In the C District, the off-street parking located within the front yard setback area shall be provided with a 12-foot-wide buffer yard between the parking lot and property line fronting any street right-of-way.
 2. The planting shall provide shade and a view restrictive screen for parking areas. For evening uses, the screen is intended to function to block headlight glare affecting vehicles offsite. Headlights of parked vehicles must be obscured from the public right-of-way.
 3. One of options in subsections .14.B(1) through .14.B(4), hereinabove, shall be used for the perimeter planting.
 4. No tree, fence, wall or similar item shall be installed in the sight triangle of any corner, street intersection or accessway intersecting a public right-of-way that would cause an obstruction to visibility.

§27-708. Motor Vehicle Access.

See Ferguson Township Subdivision and Land Development.

§27-709. Sidewalks.

See Ferguson Township Subdivision and Land Development.

§27-710. Wireless Communications Facilities.

- A. Intent. The Wireless Communications Facilities (WCF) regulations are intended to achieve the following:
 1. To provide a competitive and wide range of communications services.
 2. To encourage the shared use of existing communication towers, buildings and structures.
 3. To ensure compliance with federal and state regulations.
 4. To promote the health, safety and welfare of Township residents and businesses with respect to wireless communications facilities.
 5. To address modern and developing technologies including, but not limited to, distributed antenna systems, data collection units, cable Wi-Fi and other communications facilities.
 6. To establish procedures for design, siting, construction, installation, maintenance and removal of both tower-based and non-tower based wireless communications facilities in the Township, including facilities both inside and outside of the public rights-of-way.
 7. To protect Township residents and businesses from potential adverse impacts of wireless communications facilities and preserve, to the extent permitted under law, the visual character of established communities and the natural beauty of the landscape.
- B. General Requirements for All Tower-Based Wireless Communications Facilities. The following regulations shall apply to all tower-based wireless communications facilities:
 1. **Standard of Care.** Any tower-based WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable

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technical, safety, and safety-related codes including, but not limited to, the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, National Electrical Code, as well as the accepted and responsible workmanlike industry practices of the National Association of Tower Erectors. Any tower-based WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Township.

2. **Wind.** Any tower-based WCF structures shall be designed to withstand the effects of wind according to the standard designed by the ANSI as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry (ANSFEINTIA-222-E Code, as amended).
3. **Height.** Any tower-based WCF shall be designed at the minimum functional height and shall not exceed a maximum total height of 200 feet, or 40 feet when located within the ROW, which height shall include all subsequent additions or alterations. Height shall be measured from the average natural grade to the top point of the communications tower or antenna, whichever is greater. All tower-based WCF applicants must submit documentation to the Township justifying the total height of the structure. Tower-based WCF constructed outside the ROW at a height greater than 200 feet but not to exceed 300 feet shall be permitted as a conditional use in the RA, AR, RR, C, FG, I and IRD Districts by the Board of Supervisors if the following criteria are met:
 - a. The applicant shall provide documentation to the Township which details the commitment to provide capacity on the proposed tower-based WCF to more than one provider. The document must describe the additional tower height that is required to provide the capacity to the additional provider(s). The document shall also show that by providing the additional height and capacity, there will not be a need from the involved companies for an additional tower outside the ROW within a radius of 1 mile of the site. The burden of proof shall be on the applicant to show that the proposed tower is the minimum height needed to provide the required service.
 - b. The applicant shall provide documentation to the Township that the height limitation of 200 feet will require the construction of two or more towers and that by permitting an increase in the height of the tower, only one tower will be required. The burden of proof shall be on the applicant to show that the proposed tower is the minimum height needed to provide the required services. The purpose of this conditional use is to permit an increase in the height of one tower to reduce the need for additional towers.
4. **Public Safety Communications.** No tower-based WCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.
5. **Maintenance.** The following maintenance requirements shall apply:
 - a. Any tower-based WCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair, except as permitted and in accordance with subsection .4.K of this Section.
 - b. Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the Township's residents.
 - c. All maintenance and activities shall utilize the best available technology for preventing

failures and accidents.

6. Radio Frequency Emissions. No tower-based WCF may, by itself or in conjunction with other WCF, generate radio frequency emissions in excess of the standards and regulations of the Federal Communications Commission (FCC) including, but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended. The applicant shall provide, upon request, a statement from a qualified licensed and professional registered engineer that the non-ionizing electromagnetic radiation (NIER) emitted from the tower-based WCF, when measured in conjunction with the emissions from all communications antenna on the tower, does not result in an exposure at any point on or outside such facility which exceeds the lowest applicable exposure standards established by the FCC or the ANSI.
7. Historic Buildings or Districts. No tower-based WCF may be located on or within 200 feet of a site that is listed on a historic register, a site listed for inclusion on the historic register, or in an officially designated State or Federal Historic District.
8. Identification. All tower-based WCF shall post a notice in a readily visible location identifying the name and phone number of a party to contact in the event of an emergency, subject to approval by the Township. The notice shall not exceed 2 square feet in gross surface area and shall maintain the contact party.
9. Lighting. Tower-based WCF shall not be artificially lighted, except as required by the Federal Aviation Administration and as may be approved by the Township. If lighting is required, the applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under State and Federal regulations. No flag shall be located on the structure that requires lighting.
10. Appearance. Towers shall be galvanized and/or painted with a rust- preventive paint of an appropriate color as determined by the Township Planning and Zoning Director to harmonize with the surroundings.
11. Noise. Tower-based WCF shall be operated and maintained so as not to produce noise in excess of applicable noise standards under State law and Chapter 10, Part 3 of the Ferguson Township Code of Ordinances, except in emergency situations requiring the use of a backup generator, where such noise standards may be exceeded on a temporary basis only.
12. Aviation Safety. Tower-based WCF shall comply with all Federal and State laws and regulations concerning aviation safety.
13. Retention of Experts. The Township may hire any consultant(s) and/or expert(s) necessary to assist the Township in reviewing and evaluating the application for approval of the tower-based WCF and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of this Section. The applicant and/or owner of the WCF shall reimburse the Township for all costs of the Township's consultant(s) in providing expert evaluation and consultation in connection with these activities.
14. Timing of Approval. Within 30 calendar days of the date that an application for a tower-based WCF is filed with the Township, the Township shall notify the applicant in writing of any information that may be required to complete such application. All complete applications for tower-based WCF shall be acted upon within 150 days of the receipt of a fully completed application for the approval of such tower-based WCF and the Township shall advise the applicant in writing of its decision. If additional information is requested by the Township to

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complete an application, the time required by the applicant to provide the information shall not be counted toward the 150-day review period.

15. **Nonconforming Uses.** Nonconforming tower-based WCF which are hereafter damaged or destroyed due to any reason or cause may be repaired and restored at their former location, but must otherwise comply with the terms and conditions of this Section. Co-location of facilities may be permitted on non-conforming structures in accordance with standards established in the Pennsylvania Wireless Broadband Collocation Act.
 16. **Removal.** In the event that use of a tower-based WCF is planned to be discontinued, the owner shall provide written notice to the Township of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCF or portions of WCF shall be removed as follows:
 - a. All unused or abandoned tower-based WCF and accessory facilities shall be removed within 6 months of the cessation of operations at the site unless a time extension is approved by the Township.
 - b. If the WCF and/or accessory facility is not removed within 6 months of the cessation of operations at a site, or within any longer period approved by the Township, the WCF and accessory facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the WCF.
 - c. Any unused portions of tower-based WCF, including antennas, shall be removed within 6 months of the time of cessation of operations. The Township must approve all replacements of portions of a tower-based WCF previously removed.
 17. **Application Fees.** The Township may assess appropriate and reasonable application fees directly related to the Township's actual costs in reviewing and processing the application for approval of a tower-based WCF, as well as related inspection, monitoring and related costs.
- C. **Tower-Based Wireless Communications Facilities Outside the Rights-of-Way.** The following regulations shall apply to tower-based wireless communications facilities located outside of the right-of-way (ROW):
1. **Permitted Only in Certain Zones.** No tower-based WCF shall be permitted within 500 feet of the nearest adjoining property line. Tower-based WCF shall only be permitted as designated in zoning districts as identified within the Chapter.
 2. **Evidence of Need.** It is required that the applicant for the placement of a tower-based WCF that will exceed 40 feet in height shall submit to Ferguson Township evidence of the need for the tower-based WCF in the proposed location and that the applicant has exhausted all alternatives to locate on an existing tower or structure (co-location). In addition, the applicant must demonstrate via written evidence from a qualified, licensed, and professional engineer that, in terms of location and construction, there are no existing towers, tower-based WCF, buildings, structures, elevated tanks or similar uses able to provide the platform for the antenna within a 1 mile radius of the chosen location, unless the applicant can demonstrate to the satisfaction of the Township that a different distance is more reasonable. Co-location is not possible if:
 - a. Coverage diagrams and technical reports demonstrate that co-location on an existing tower-based WCF is not technically possible in order to serve the desired need.
 - b. Planned equipment would exceed the structural capacity of existing towers within the Township, considering existing and planned use of those towers and existing towers cannot

- be reinforced to accommodate planned or equivalent equipment at a reasonable cost.
- c. Planned equipment will cause radio frequency (RF) interference with other existing or planned equipment for that tower and the interference cannot be prevented at a reasonable cost.
 - d. Existing or approved towers do not have the space on which planned equipment can be placed so it can function effectively and at least in parity with other similar equipment in place or planned.
 - e. Other reasons can be demonstrated to the satisfaction of the Township that make it impractical to place the equipment planned by the applicant on existing and approved towers.
3. Sole Use on a Lot. A tower-based WCF is permitted as the sole use on a lot subject to the minimum lot size and setbacks complying with the requirements of the applicable zoning district.
4. Combined with Another Use. A tower-based WCF may be permitted on a property with an existing use or on a vacant parcel in combination with another agricultural, industrial, commercial, or municipal use, subject to the following conditions:
- a. The existing use on the property may be any permitted use in the applicable zoning district and need not be affiliated with the communications facility.
 - b. Minimum Lot Area. The minimum lot shall comply with the requirements for the applicable zoning district and shall be the area needed to accommodate the tower-based WCF, the communications facility building, security fence, and buffer planting.
 - c. Minimum Setbacks. The tower-based WCF and accompanying communications facility building shall comply with the requirements for the applicable zoning district, provided that no tower-based WCF shall be located within 500 feet of the nearest adjoining property line.
5. Notice. Upon receipt of a complete application for a tower-based WCF, the applicant shall mail notice thereof to the owner or owners of every property within 500 radial feet of the parcel or property of the proposed facility. The applicant shall provide the Township with evidence that the notice was mailed out to applicable property owners.
6. Design and Construction.
- a. The WCF shall employ the most current Stealth Technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the Stealth Technology chosen by the WCF applicant shall be subject to the approval of the Township.
 - b. To the extent permissible under applicable law, any height extensions to an existing tower-based WCF shall require prior approval of the Township. The Township reserves the right to deny such requests based upon aesthetic and land use impact, or any other lawful considerations related to the character of the Township.
 - c. Any proposed tower-based WCF shall be designed structurally, electrically, and in all respects to accommodate both the WCF applicant's antennas and comparable antennas for at least two additional users if the tower is over 100 feet in height or for at least one additional user if the tower is over 60 feet in height. tower-based WCF must be designed

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- to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at various heights.
- d. Guy wires are not permitted. The monopole must be self-supporting.
 7. Surrounding Environs. A soil report complying with the standards of Appendix I: Geotechnical Investigations, ANSI/EIA/TIA-222-G Manual, as amended, shall be submitted to the Township to document and verify design specifications of the foundation for the tower-based WCF.
 8. Fence/Screen.
 - a. A security fence of approved design, of not less than 8 feet in height and no greater than 10 feet in height, shall completely enclose the tower-based WCF. The fencing required in this subsection must also have a 1-foot barbed arm slanted at a 45 degree angle which runs along the entire top of the fence.
 - b. The applicant shall submit a landscaping plan. Sites in which communications towers are located shall be required to comply with the following landscape requirements:
 - 1) Landscaping, consisting of evergreen plantings which shall reach a height of at least 8 feet within 5 years of planting shall be required at the perimeter of the security fences and WCF. Existing wooded areas, tree lines and hedgerows adjacent to the facility shall be preserved and used to substitute or meet a portion of the buffer yard requirements. When the WCF is located in a developed commercial or industrial area, the Board of Supervisors may waive the buffer yard regulations in exchange for another type of screening which is compatible with the surrounding land use.
 - c. Where feasible/appropriate, the tower or antenna shall be constructed to blend in with the surrounding area.
 - d. No signs or any form of advertising of any kind shall be permitted on the WCF or antennas. However, one sign not to exceed 2 square feet in gross surface area, which identifies the phone number and contact in the event of an emergency is permitted. In addition, "No Trespassing" signs may be placed on the security fencing in accordance with the Township's Sign Ordinance [Chapter 19].
 9. Accessory Equipment.
 - a. Ground-mounted equipment associated with, or connected to, a tower-based WCF shall be underground, if possible. In the event that an applicant can demonstrate that the equipment cannot be located underground to the satisfaction of the Township Engineer, then the ground-mounted equipment shall be screened from public view using Stealth Technologies, as described above.
 - b. All buildings and structures associated with a tower-based WCF shall be architecturally designed to blend into the environment in which they are situated and shall meet the minimum setback requirements of the underlying zoning district.
 10. Access Road. An access road, turnaround space and parking shall be provided to ensure adequate emergency and service access to tower-based WCF. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion. The vehicular access to the tower-based WCF and communications facility building shall meet the

applicable municipal street standards for private streets and/or driveway standards. Where applicable, the WCF owner shall present documentation to the Township that the property owner has granted an easement for the proposed facility.

11. Inspection. The Township reserves the right to inspect any tower-based WCF to ensure compliance with the provisions of this Section and any other provisions found within the Township Code of Ordinances or State or Federal law. The Township and/or its agents shall have the authority to enter the property upon which a WCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.
- D. Tower-Based Wireless Communications Facilities Inside the Rights-of-Way. The following regulations shall apply to tower-based wireless communications facilities located in the rights-of-way (ROW):
 1. Permitted where above ground utility infrastructure exists. No tower- based wireless communications facilities shall be located in areas where utility infrastructure is installed underground.
 - a. In areas not served by above ground utility infrastructure, tower- based WCF may be constructed at intersections of Arterial and Arterial Street Classifications and Arterial and Collector Street Classifications to provide coverage and capacity.
 2. Evidence of Need. It is required that the applicant for the placement of a tower-based WCF shall submit to Ferguson Township evidence of the need for the tower-based WCF in the proposed location and that the applicant has exhausted all alternatives to locate on an existing tower or structure (co-location). In addition, the applicant must demonstrate via written evidence from a qualified, licensed, professional engineer that, in terms of location and construction, there are no existing towers, tower-based WCF, buildings, structures, elevated tanks or similar uses able to provide the platform for the antenna within a $\frac{1}{2}$ mile radius of the chosen location, unless the applicant can demonstrate to the satisfaction of the Township that a different distance is more reasonable. Co-location is not possible if:
 - a. Capacity diagrams and technical reports demonstrate that co-location on an existing tower-based WCF is not technically possible in order to serve the desired need.
 - b. Planned equipment would exceed the structural capacity of existing towers within the Township, considering existing and planned use of those towers and existing towers cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost.
 - c. Planned equipment will cause radio frequency (RF) interference with other existing or planned equipment for that tower and the interference cannot be prevented at a reasonable cost.
 - d. Existing or approved towers do not have the space on which planned equipment can be placed so it can function effectively and at least in parity with other similar equipment in place or planned.
 - e. Other reasons can be demonstrated to the satisfaction of the Township that make it impractical to place the equipment planned by the applicant on existing and approved towers.
 3. Notice. Upon receipt of an application for a tower-based WCF, the applicant shall mail notice thereof to the owner or owners of every property within 500 feet of the parcel or property of the proposed facility. The applicant shall provide the Township with evidence that the notice

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was mailed out to applicable property owners.

4. Co-location. An application for a new tower-based WCF in the ROW shall not be approved unless the Township finds that the proposed wireless communications equipment cannot be accommodated on an existing structure, such as a utility pole. Any application for approval of a tower-based WCF shall include a comprehensive inventory of all existing towers and other suitable structures within a $\frac{1}{2}$ mile radius from the point of the proposed tower, unless the applicant can show to the satisfaction of the Township that a different distance is more reasonable, and shall demonstrate conclusively why an existing tower or other suitable structure cannot be utilized. Co-location shall not be permitted on ornamental street light fixtures.
5. Time, Place, and Manner. The Township shall determine the time, place, and manner of construction, maintenance, repair, and/or removal of all tower-based WCF in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place, and manner requirements shall be consistent with the police powers of the Township and the requirements of the Public Utility Code.
6. Equipment Location. Tower-based WCF and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the Township. in addition:
 - a. In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb. In the absence of a curb, facility must be located outside the safe clear zone of the roadway as determined by Public Works Director.
 - b. Ground-mounted equipment that cannot be undergrounded shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the Township.
 - c. Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the Township.
 - d. Any graffiti on the tower or any accessory equipment shall be removed at the sole expense of the owner within 10 business days of notice of the existence of the graffiti.
 - e. Any underground vaults related to tower-based WCF shall be reviewed and approved by the Township.
7. Design Regulations.
 - a. The WCF shall employ the most current Stealth Technology available in an effort to appropriately blend into the surrounding environment and minimize the aesthetic impact. The application of the Stealth Technology chosen by the WCF applicant shall be subject to the approval of the Township.
 - b. Any height extensions to an existing tower-based WCF shall require prior approval of the Township, and shall not increase the overall height of the tower-based WCF to more than 50 feet. The Township reserves the right to deny such requests based upon aesthetic and land use impact, or any other lawful considerations related to the character of the Township.
 - c. Guy wires are not permitted. The monopole must be self-supporting.

8. Additional Antennas. As a condition of approval for all tower-based WCF in the ROW, the WCF applicant shall provide the Township with a written commitment that it will allow other service providers to co-locate antennas on tower-based WCF where technically and economically feasible. The owner of a tower-based WCF shall not install any additional antennas without obtaining the prior written approval of the Township.
9. Relocation or Removal of Facilities. Within 60 days following written notice from the Township, or such longer period as the Township determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a tower-based WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change, or alter the position of any WCF when the Township, consistent with its police powers and the applicable Public Utility Commission regulations, shall determine that such removal, relocation, change, or alteration is reasonably necessary under the following circumstances:
 - a. The construction repair, maintenance, or installation of any Township or other public improvement in the right-of-way.
 - b. The operations of the Township or other governmental entity in the right-of-way.
 - c. Vacation of a street or road or the release of a utility easement.
 - d. An emergency as determined by the Township.
10. Compensation for ROW Use. In addition to the permit fees as described in subsection .3.Q above, every tower-based WCF in the ROW is subject to the Township's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the ROW. Such compensation for ROW use shall directly related to the Township's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising, and other ROW management activities by the Township. The owner of each tower-based WCF shall pay an annual fee to the Township to compensate the Township for the Township's costs incurred in connection with the activities described above. The Annual ROW management fee for tower-based WCF shall be determined by the Township and authorized by resolution of the Board of Supervisors and shall be based on the Township's actual ROW management costs as applied to such tower-based WCF.
11. Restoration Deposit. Prior to the issuance of a permit, the owner of each individual tower-based WCF shall, at its own cost and expense, deliver a restoration deposit in an amount determined by the Director of Public Works, or his designee. The return of the deposit shall be contingent upon the proper restoration of the ROW and compliance with the terms and conditions of this Section. Upon installation of the tower-based WCF, the applicant shall notify the Township that the site is ready for inspection. The Public Works Director or his designee shall inspect the site and, if it is found to be satisfactory, the restoration deposit shall be refunded to the applicant within 30 days. The restoration deposit may be forfeited in whole or in part to the Township if any work is found to be incomplete or not in compliance with all applicable standards.

E. General Requirements for All Non-Tower Based Wireless Communications Facilities.

1. For the purposes of this Section, the regulations in this subsection .6 shall only apply to non-tower based wireless communications facilities that are not regulated by the Pennsylvania Wireless Broadband Collocation Act, except where noted or where otherwise permitted by law.
2. The following regulations shall apply to all non-tower based wireless communications facilities

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that do not substantially change the physical dimensions of the wireless support structure to which they are attached, as defined above:

- a. Permitted in All Zones Subject to Regulations. Non-tower based WCF are permitted in all zones subject to the restrictions and conditions prescribed below and subject to the prior written approval of the Township.
- b. Standard of Care. Any non-tower based WCF shall be designed, constructed, operated, maintained, repaired, modified, and removed in strict compliance with all current applicable technical, safety, and safety-related codes, including, but not limited to, the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, and National Electrical Code. Any non-tower based WCF shall at all times be kept and maintained in good condition, order, and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Township.
- c. Wind. Any non-tower based WCF structure shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI EIA/TIA-222-G, as amended).
- d. Public Safety Communications. No non-tower based WCF shall interfere with public safety communications or the reception of broadband, television, radio, or other communication services enjoyed by occupants of nearby properties.
- e. Aviation safety non-tower based WCF shall comply with all Federal and State laws and regulations concerning aviation safety.
- f. Radio Frequency Emissions. No non-tower based WCF shall, by itself or in conjunction with other WCF, generate radio frequency emissions in excess of the standards and regulations of the FCC, including, but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.
- g. Removal. In the event that the use of a non-tower based WCF is discontinued, the owner shall provide written notice to the Township of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCF or portions of WCF shall be removed as follows:
 - 1) All abandoned or unused WCF and accessory facilities shall be removed within 3 months of the cessation of operations at the site unless a time extension is approved by the Township.
 - 2) If the WCF and/or accessory facilities are not removed within 3 months of the cessation of operations, or within any longer period of time approved by the Township, the WCF and/or associated facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the WCF.
- h. Timing of Approval. Within 30 calendar days of the date that an application for a non-tower based WCF is filed with the Township, the Township shall notify the applicant in writing of any information that may be required to complete such application. Within 60 calendar days of receipt of a complete application, the Township shall make its final decision on whether to approve the application and shall advise the applicant in writing of such decision. If additional information was requested by the Township to complete an

application, the time required by the applicant to provide the information shall not be counted toward the Township's 60-day review period. This standard shall only apply to facilities that are regulated by the Pennsylvania Wireless Broadband Collocation Act.

- i. Application Fees. The Township may assess appropriate and reasonable permit fees directly related to the Township's actual costs in reviewing and processing the application for approval of a non-tower based WCF, as well as related inspection, monitoring and related costs. Such fees may be assessed by applicable Federal or State statute for relevant co-located facilities and other non-tower based WCF.
3. The following regulations shall apply to all non-tower based wireless communications facilities that substantially change the wireless support structure to which they are attached:
 - a. Permitted in All Zones Subject to Regulations. Non-tower based WCF are permitted in all zones subject to the restrictions and conditions prescribed below and subject to the prior written approval of the Township.
 - b. Standard of Care. Any non-tower based WCF shall be designed, constructed, operated, maintained, repaired, modified, and removed in strict compliance with all current applicable technical, safety, and safety-related codes, including but not limited to the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, and National Electrical Code. Any non-tower based WCF shall at all times be kept and maintained in good condition, order, and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Township.
 - c. Wind. Any non-tower based WCF structure shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI EIA/TIA-222-G, as amended).
 - d. Public Safety Communications. No non-tower based WCF shall interfere with public safety communications or the reception of broadband, television, radio, or other communication services enjoyed by occupants of nearby properties.
 - e. Historic Buildings. Non-tower WCF may not be located on a building or structure that is on a historic register or a building or structure listed for inclusion on a historic register.
 - f. Aviation Safety. Non-tower based WCF shall comply with all Federal and State laws and regulations concerning aviation safety.
 - g. Maintenance. The following maintenance requirements shall apply:
 - 1) The non-tower based WCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.
 - 2) Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the Township's residents.
 - 3) All maintenance activities shall utilize nothing less than the best available technologies for preventing failures and accidents.
 - h. Radio Frequency Emissions. No non-tower based WCF shall, by itself or in conjunction with other WCF, generate radio frequency emissions in excess of the standards and regulations of the FCC, including, but not limited to, the FCC Office of Engineering

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Technology Bulletin 65 entitled, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.

- i. Removal. In the event that the use of a non-tower based WCF is discontinued, the owner shall provide written notice to the Township of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCF or portions of WCF shall be removed as follows:
 - 1) All abandoned or unused WCF and necessary facilities shall be removed within 3 months of the cessation of operations at the site unless a time extension is approved by the Township.
 - 2) If the WCF or accessory facility is not removed within 3 months of the cessation of operations, or within any longer period of time approved by the Township, the WCF and/or associated facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the WCF.
 - 3) Timing of Approval. Within 30 calendar days of the date that an application for a non-tower based WCF is filed with the Township, the Township shall notify the applicant in writing of any information that may be required to complete such application. Within 60 calendar days of receipt of a complete application, the Township shall make its final decision on whether to approve the application and shall advise the applicant in writing of such decision. If additional information was requested by the Township to complete an application, the time required by the applicant to provide the information shall not be counted toward the Township's 60-day review period. This standard shall only apply to facilities that are regulated by the Pennsylvania Wireless Broadband Collocation Act.
 - 4) Retention of Experts. The Township may hire any consultant(s) and/or expert(s) necessary to assist the Township in reviewing and evaluating the application for approval of the non-tower based WCF and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of this Section. The applicant and/or owner of the WCF shall reimburse the Township for all costs of the Township's consultant(s) in providing expert evaluation and consultation in connection with these activities.
 - 5) Restoration Deposit. Prior to the issuance of a permit, the owner of each individual tower-based WCF shall, at its own cost and expense, deliver a restoration deposit in an amount determined by the Director of Public Works, or his designee. The return of the deposit shall be contingent upon, where applicable, the proper restoration of the ROW and compliance with the terms and conditions of this Section. Upon installation of the tower-based WCF, the applicant shall notify the Township that the site is ready for inspection. The Public Works Director or his designee shall inspect the site and, if it is found to be satisfactory, the restoration deposit shall be refunded to the applicant within 30 days. The restoration deposit may be forfeited in whole or in part to the Township if any work is found to be incomplete or not in compliance with all applicable standards.
 - 6) Permit Fees. The Township may assess appropriate and reasonable permit fees directly related to the Township's actual costs in reviewing and processing the application for approval of a non-tower based WCF, as well as related inspection, monitoring and related costs.

F. Non-Tower Based Wireless Communications Facilities Outside the Rights-of-Way. The following additional regulations shall apply to non-tower based wireless communications facilities located outside the rights-of-way that substantially change the wireless support structure to which they are attached:

1. Development Regulations. Non-tower based WCF shall be co-located on existing structures such as existing building or tower-based WCF subject to the following conditions:
 - a. Such WCF does not exceed a maximum height of 10 feet above the permitted height of any structure in the applicable zoning district.
 - b. If the WCF applicant proposes to locate the communications equipment in a separate building, the building shall comply with the minimum requirements for the applicable zoning district.
 - c. A 6-foot high security fence with evergreen screening shall surround any separate communications equipment building. Vehicular access to the communications equipment building shall not interfere with the parking or vehicular circulations on the site for the principal use.
2. Design Regulations.
 - a. Non-tower based WCF shall employ Stealth Technology and be treated to match the supporting structure in order to minimize the aesthetic impact. The application of the Stealth Technology chosen by the WCF applicant shall be subject to the approval of the Township.
 - b. Non-tower based WCF, which are mounted to a building or similar structure, may not exceed a height of 15 feet above the roof or parapet, whichever is higher, unless the WCF applicant obtains a conditional use approval.
 - c. All non-tower based WCF applicants must submit documentation to the Township justifying the total height of the non-tower structure. Such documentation shall be analyzed in context of such justification on an individual basis.
 - d. Antennas, and their respective accompanying support structures, shall be no greater in diameter than any cross-sectional dimension that is reasonably necessary for their proper functioning.
 - e. Noncommercial Usage Exemption. The design regulations enumerated in paragraph .A(2) shall not apply to direct broadcast satellite dishes installed for the purpose of receiving video and related communications services at residential dwellings.
3. Removal, Replacement, and Modification.
 - a. The removal and replacement of non-tower based WCF and/or accessory equipment for the purpose of upgrading or repairing the WCF is permitted, so long as such repair or upgrade does not increase the overall size of the WCF or the numbers of antennas.
 - b. Any material modification to a WCF shall require prior amendment to the original permit or authorization.
4. Inspection. The Township reserves the right to inspect any WCF to ensure compliance with the provisions of this Section and any other provisions found within the Township Code of Ordinance or State or Federal law. The Township and/or its agents shall have the authority to

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enter the property upon which a WCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.

G. Non-Tower Based Wireless Communications Facilities in the Rights-of-Way. The following additional regulations shall apply to all non-tower based wireless communications facilities located in the rights-of-way:

1. Location. Non-tower based WCF in the ROW shall be co-located on existing poles, such as utility poles. Co-location shall not be permitted on ornamental street light fixtures.
2. Design Requirements.
 - a. WCF installations located above the surface grade in the public ROW including, but not limited to, those on street lights and joint utility poles, shall consist of equipment components that are no more than 6 feet in height and that are compatible in scale and proportion to the structures upon which they are mounted. All equipment shall be the smallest and least visibly intrusive equipment feasible.
 - b. Antennas and all support equipment shall be treated to match the supporting structure. WCF and accompanying equipment shall be painted, or otherwise coated, to be visually compatible with the support structure upon which they are mounted.
3. Compensation for ROW Use. In addition to the permit fees as described in subsection .6.B(9) and .6(c)(8) above, every non-tower based WCF in the ROW is subject to the Township's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the ROW. Such compensation for ROW use shall directly related to the Township's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising, and other ROW management activities by the Township. The owner of each non-tower based WCF shall pay an annual fee to the Township to compensate the Township for the Township's costs incurred in connection with the activities described above. The annual ROW management fee for non-tower based WCF shall be determined by the Township and authorized by resolution of the Board of Supervisors and shall be based on the Township's actual ROW management costs as applied to such non-tower based WCF.
4. Time, Place, and Manner. The Township shall determine the time, place, and manner of construction, maintenance, repair, and/or removal of all non-tower based WCF in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place, and manner requirements shall be consistent with the police powers of the Township and the requirements of the Public Utility Code.
5. Equipment Location. Non-tower based WCF and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the Township. In addition:
 - a. In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb. In the absence of a curb, facility must be located outside the safe clear zone of the roadway as determined by Public Works Director.
 - b. Ground-mounted equipment shall be located underground. In the event an applicant can demonstrate, to the satisfaction of the Township Engineer, that ground-mounted equipment cannot be undergrounded, then all such equipment shall be screened, to the fullest extent

possible, through the use of landscaping or other decorative features to the satisfaction of the Township.

- c. Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the Township.
- d. Any graffiti on the tower or any accessory equipment shall be removed at the sole expense of the owner within 10 business days of notice of the existence of the graffiti.
- e. Any underground vaults related to tower-based WCF shall be reviewed and approved by the Township.
6. Relocation or Removal of Facilities. Within 60 days following written notice from the Township, or such longer period as the Township determines is seasonably necessary, or such other period in the case of an emergency, an owner of a WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change, or alter the position of any WCF when the Township, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change, or alteration is reasonably necessary under the following circumstances:
 - a. The construction, repair, maintenance, or installation of any Township or other public improvement in the right-of-way.
 - b. The operations of the Township or other governmental entity in the right-of-way.
 - c. Vacation of a street or road or the release of a utility easement.
 - d. An emergency as determined by the Township.
7. Visual and/or Land Use Impact. The Township retains the right to deny an application for the construction or placement of a non-tower based WCF based upon visual and/or land use impact.

H. Violations Applicable to All Wireless Communications Facilities.

1. Penalties. Any person violating any provision of this Section shall be subject, upon finding by a magisterial district judge, to a penalty not exceeding \$500, for each and every offense, together with attorneys' fees and costs. A separate and distinct violation shall be deemed to be committed each day on which a violation occurs or continues to occur. In addition to an action to enforce any penalty imposed by this Section and any other remedy at law or in equity, the Township may apply to a Federal District Court for an injunction or other appropriate relief at law or in equity to enforce compliance with or restrain violation of any provision of this Section.
2. Determination of Violation. In the event a determination is made that a person has violated any provision of this Section, such person shall be provided written notice of the determination and the reasons therefor. Except in the case of an emergency, the person shall have 30 days to cure the violation. If the nature of the violation is such that it cannot be fully cured within such time period, the Township may, in its reasonable judgment, extend the time period to cure, provided that Person has commenced to cure and is diligently pursuing its efforts to cure. If the violation has not been cured within the time allowed, the Township may take any and all actions authorized by this Section and/or Federal and/or Pennsylvania law and regulations.

I. Miscellaneous.

1. Police Powers. The Township, by granting any permit or taking any other action pursuant to

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this Section, does not waive, reduce, lessen, or impair the lawful police powers vested in the Township under applicable Federal, State, and local laws and regulations.

2. **Severability.** If any section, subsection, sentence, clause, phrase, or word of this Section is for any reason held illegal or invalid by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not render the remainder of this Section invalid.

§27-711. Small Wind Energy Systems.

- A. **Intent.** The intent of these regulations is to promote the safe, effective and efficient use of small wind energy systems to reduce the on-site consumption of utility-supplied electricity.
- B. **Review and Permitting.**
 1. A small wind energy system shall be permitted as an accessory use on any lot of at least 1 acre in size located in the RA or RR zoning districts, subject to compliance with the following ordinance provisions:
 - a. A zoning permit shall be required for the installation of a small wind energy system. No more than one small wind energy system may be placed on any lot.
 - b. In addition to any other requirements or application procedures, the zoning permit application shall be accompanied by a plot plan that includes the following:
 - 1) Property lines and physical dimensions of the property.
 - 2) Location, dimensions, and types of existing principal and accessory structures on the property.
 - 3) Location of the small wind energy system tower.
 - 4) The right-of-way delineation of any public road that is contiguous with the property.
 - 5) Any overhead utility lines.
 - 6) Any easements.
 - 7) Small wind energy system specifications, including manufacturer and model, rotor diameter, tower height, tower type (freestanding or guyed).
 - 8) Detailed tower and tower foundation drawings, stamped and sealed by a Pennsylvania licensed professional engineer.
 - 9) A map of the 200-foot area surrounding the subject property showing all affected lands and structures at a legible scale.
- C. **Tower Height.**
 1. Tower heights of not more than 80 feet shall be allowed on parcels between 1 and 2 acres. Properties over 2 and up to 5 acres may have tower heights up to and including 140 feet. For property sizes of 5 acres or more, there is no limitation on tower height except as imposed by FAA regulations, provided that evidence is provided that the proposed height does not exceed the height recommended by the manufacturer or distributor of the system.

D. Setbacks.

1. Setbacks for the system tower shall be no closer to the property line than the height of the system and, no part of the system, including guy wires anchors, may extend closer than 10 feet to the property boundary. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of 6 feet above the guy wire anchors.

E. Compliance.

1. Permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for determination that the manner of installation conforms to the National Electrical Code. This information may be supplied by the manufacturer.
2. Permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the Uniform Building Code and certified by a licensed professional engineer shall also be submitted. This analysis may be supplied by the manufacturer.
3. Small wind energy systems shall comply with all applicable FAA regulations, including any necessary approvals for installations close to airports.
4. Small wind energy systems shall comply with all applicable State construction and electrical codes. The owner/operator of the small wind energy system must also obtain any permits required by other Federal, State and local agencies/departments prior to erecting the system.

F. Noise and Interference.

1. Decibel levels for the system shall not exceed 60 decibels (dBA) measured at the property line, except during short-term events such as utility outages and severe wind storms.
2. The small wind energy system shall not cause any radio, television, microwave, or navigation interference. If a signal disturbance problem is identified, the owner shall correct the problem within 90 days of being notified of the problem.
3. The system owner/operator shall make all reasonable efforts to minimize and/or eliminate shadow flicker to occupied buildings on immediately adjacent properties. The applicant is responsible for identifying problem areas where shadow flicker will interfere with existing or future residences and describe proposed mitigation measures including, but not limited to, a change in siting of the wind energy conversion system, a change in the operation of the wind energy conversion system, or grading or landscaping mitigation measures.

G. Appearance and Lighting.

1. The small wind energy system shall maintain a galvanized neutral finish or be painted to conform to the surrounding environment to minimize adverse effects. No small wind energy system shall have any signage, writing, pictures, or decorations placed on it at any time other than warning, equipment, and ownership information. No small wind energy system shall have any flags, streamers, banners, or other decorative items that extend from any part of the system, placed on it at any time.
2. A small wind energy system shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration.

Supplemental Regulations**H. Safety Features.**

1. The small wind energy system shall have an automatic overspeed control to render the system inoperable when winds are blowing in excess of the speeds for which the system is designed, and a manually operable method to render the system inoperable in the event of a structural or mechanical failure of any part of the system.
2. All ground-mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access. The tower shall be designed and installed so as not to provide step bolts, a ladder, rungs, or other publicly accessible means of climbing the tower, for a minimum height of 8 feet above the ground elevation.
3. All electrical wires associated with a small wind energy system shall be located underground when practicable. All wires not located underground including, but not limited to, wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box and the grounding wires, shall be contained within an appropriate conduit suitable for same.
4. No portion of the small wind energy system blade shall extend within 20 feet of the ground.

I. Notification.

1. No small wind energy system shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an inter connected customer-owned generator. Off-grid systems shall be exempt from this requirement.
2. When application is made for approval of a small wind energy system, notified in written form to the owners of all properties adjacent and within 200 feet of the lot on which the system is to be constructed.

J. Met Towers.

1. A met tower shall be permitted under the same standards, permit requirements, and procedures as a small wind energy system.

K. Removal.

1. A small wind energy system that is out-of-service for a continuous 12- month period will be deemed to have been abandoned. Non-function or lack of operation may be proven by reports from the interconnected utility. The owner/operator shall make available to the zoning administrator all reports to and from the purchaser of energy from the small wind energy system if requested.
2. If the small wind energy system is determined to be abandoned, the owner of the small wind energy system shall remove the wind generator from the tower at the owner's sole expense within 3 months of notice of abandonment. The owner is solely responsible for removal of the system and all costs, financial or otherwise, of system removal.

L. Violations.

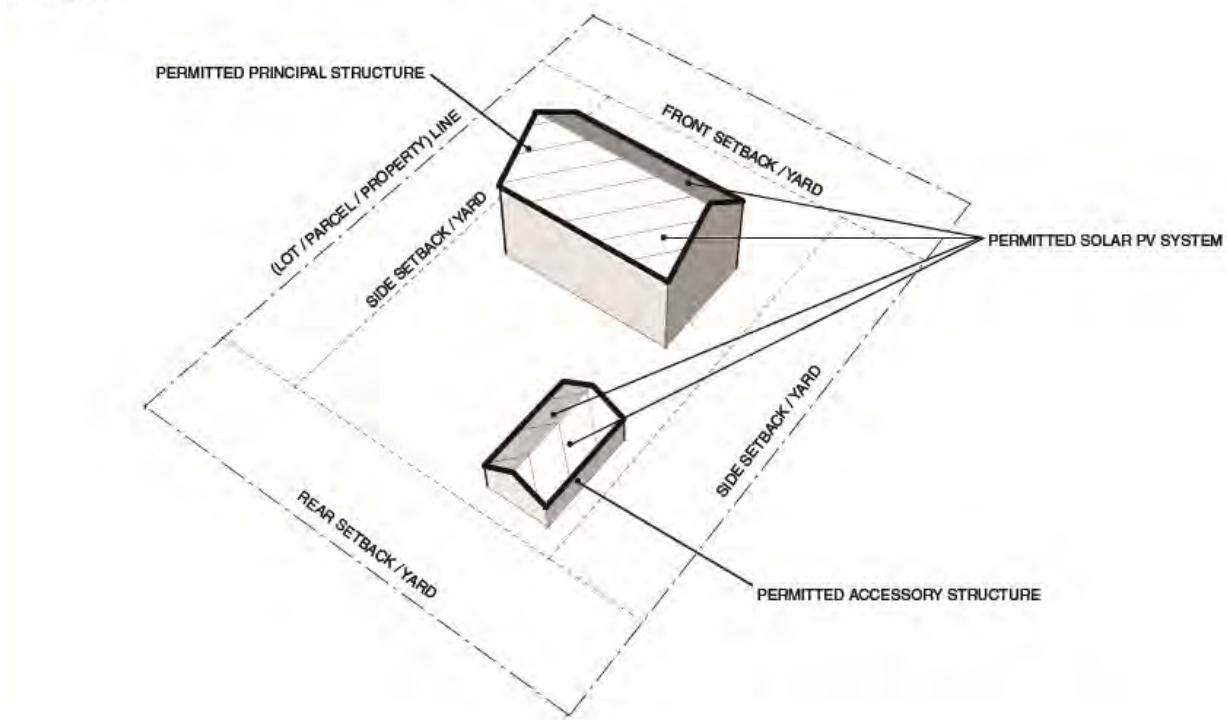
1. It is unlawful for any person to construct, install, or operate a small wind energy system that is not in compliance with this Section or any condition contained in a building permit issued pursuant to this Section. Small wind energy systems installed prior to adoption of this Section are exempt.

§27-712. Requests for Reasonable Accommodations.

- A. Persons with a claim for reasonable accommodation under the Fair Housing Amendments Act or the Americans with Disabilities Act shall submit an application for a special exception to the Zoning Hearing Board. The Zoning Hearing Board shall require the information outlined in §_____, Application and approval of procedures.
- B. The Zoning Hearing Board may hold any meeting(s) and/or hearing(s) necessary in its discretion to elicit information or argument pertinent to the request for accommodation.
- C. The Zoning Hearing Board's decision shall be in writing.
- D. The Zoning Hearing Board shall issue its written decision to the Applicant and the Board of Commissioners within 30 days of filing of the request for accommodation or at the next regularly scheduled Zoning Hearing Board meeting, whichever is the later of the two.
- E. A request for reasonable accommodation should be directed to the Zoning Hearing Board. In considering a request for reasonable accommodation, the Zoning Hearing Board shall, with the advice of the appointed legal counsel, apply the following criteria:
 1. Whether the Applicant is handicapped or disabled within the meaning of the Federal Fair Housing Act Amendments or the Americans with Disabilities Act.
 2. The degree to which the accommodation sought is related to the handicap or disability of the Applicant.
 3. A description of hardship, if any, that the Applicant will incur absent provisions of the reasonable accommodation requested.
 4. The extent to which the requested accommodation is necessary to afford the Applicant an opportunity equal to a non-handicapped or non-disabled person to use and enjoy the dwelling in question.
 5. The extent to which the proposed accommodation may impact other landowners in the immediate vicinity.
 6. The extent to which the requested accommodation would impose financial and administrative burdens upon Ferguson Township.
 7. The extent to which the requested accommodation would impose an undue hardship upon Ferguson Township.
 8. The extent to which the accommodation would require a fundamental alteration in the nature of Ferguson Township's regulatory policies, objectives and regulations.
 9. The extent to which the requested accommodation would result in a subsidy, privilege, or benefit not available to non-handicapped or non-disabled persons.
 10. The permanency of the requested accommodation and the conditions under which such accommodation will be removed, terminated or discontinued when they are no longer needed to provide handicapped or disabled persons equal opportunity to use and enjoy the dwelling in question.
 11. The extent to which the requested accommodation will increase the value of the lot during and after its occupancy by Applicant.

Supplemental Regulations**§27-713. Solar Collectors and Solar-Related Equipment.**

- A. Intent. It is the intent of this regulation to promote the safe, effective and efficient use of installed solar energy systems that reduce on-site consumption of utility-supplied energy while protecting the health, safety and welfare of adjacent and surrounding land uses and lots. This section seeks to:
 - 1. Provide lot owners and business owners/operators with flexibility in satisfying their on- site energy needs.
 - 2. Reduce overall energy demands within the community and to promote energy efficiency.
 - 3. Integrate alternative energy systems seamlessly into the community's neighborhoods and landscapes without diminishing quality of life in the neighborhoods.
- B. Applicability.
 - 1. This Section applies to building-mounted and ground-mounted systems installed and constructed after the effective date of the section.
 - 2. Solar PV systems constructed prior to the effective date of this Section are not required to meet the requirements of this Section.
 - 3. Any upgrade, modification or structural change that materially alters the size or placement of an existing solar PV system shall comply with the provisions of this Section.
- C. Permitted Zoning Districts.
 - 1. Building-mounted and ground-mounted systems are permitted in all zoning districts as an accessory use to any lawfully permitted principal use on the same lot upon issuance of the proper permit pursuant to Section and upon compliance with all requirements of this Section and as elsewhere specified in this section.
 - 2. Building-integrated systems, as defined by this Section, are not considered an accessory use and are not subject to the requirements of this Section.
- D. Location Within a Lot.
 - 1. Building-mounted systems are permitted to face any rear, side and front yard or any unregulated yard area as defined in this Section. Building-mounted systems may only be mounted on lawfully permitted principal or accessory structures.
 - 2. Ground-mounted systems are permitted based on the requirements for accessory uses or structures in the property's zoning district.

**PERMITTED LOCATION: BUILDING-MOUNTED SOLAR PV SYSTEM
ISOMETRIC**

Supplemental Regulations**E. Design and Installation Standards.**

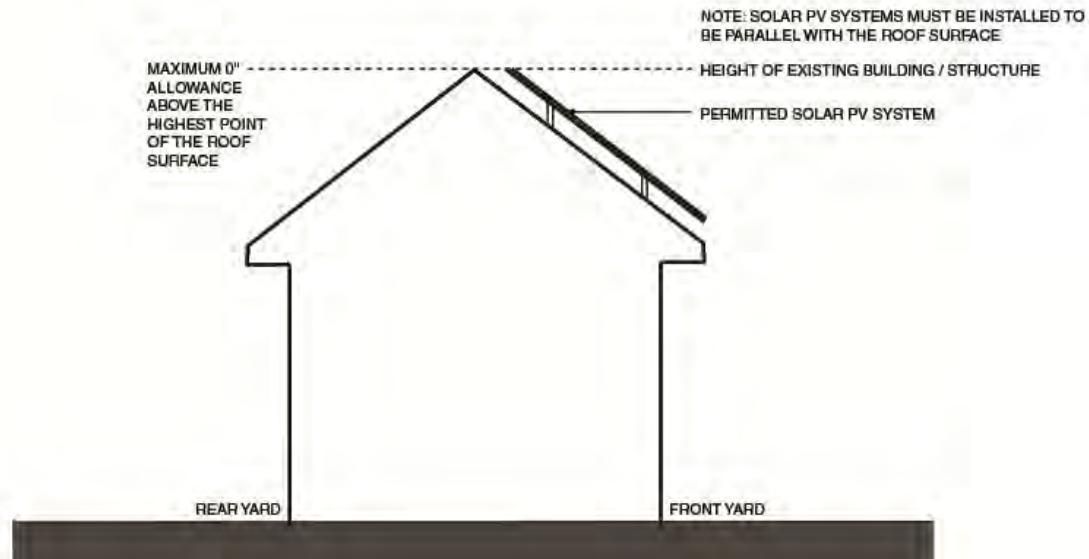
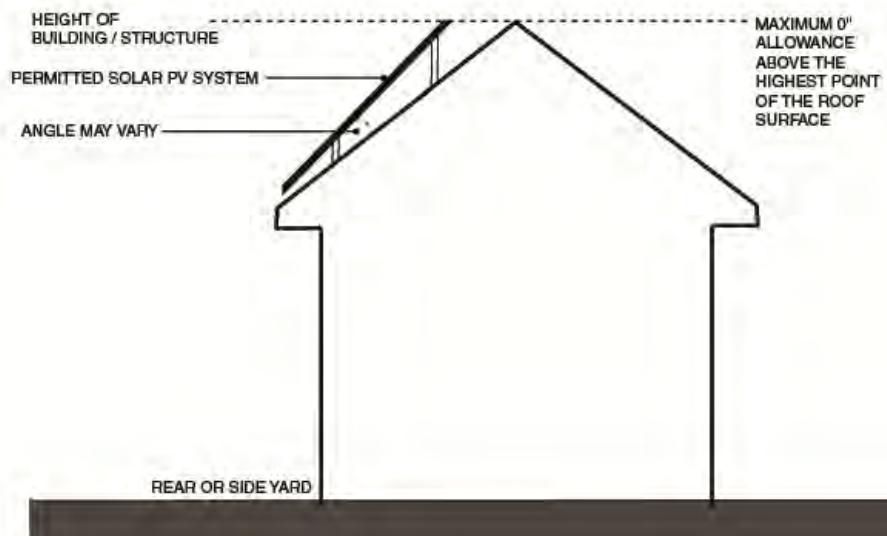
1. The solar PV system must be constructed to comply with the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as amended, and any regulations adopted by the Pennsylvania Department of Labor and Industry as they relate to the UCC, except where an applicable industry standard has been approved by the Pennsylvania Department of Labor and Industry under its regulatory authority.
2. All wiring must comply with the National Electrical Code, most recent edition, as amended and adopted by the Commonwealth of Pennsylvania. For ground-mounted systems, all exterior electrical lines must be buried below the surface of the ground where possible or be placed in conduit.
3. The solar PV system must be constructed to comply with the most recent fire code as amended and adopted by the Commonwealth of Pennsylvania.

F. Setback Requirements.

1. Ground-mounted systems. Ground-mounted systems are subject to the accessory use or structure setback requirements in the zoning district in which the system is to be constructed. The required setbacks are measured from the lot line to the nearest part of the system. No part of the ground-mounted system shall extend into the required setbacks due to a tracking system or other adjustment of solar PV related equipment or parts.

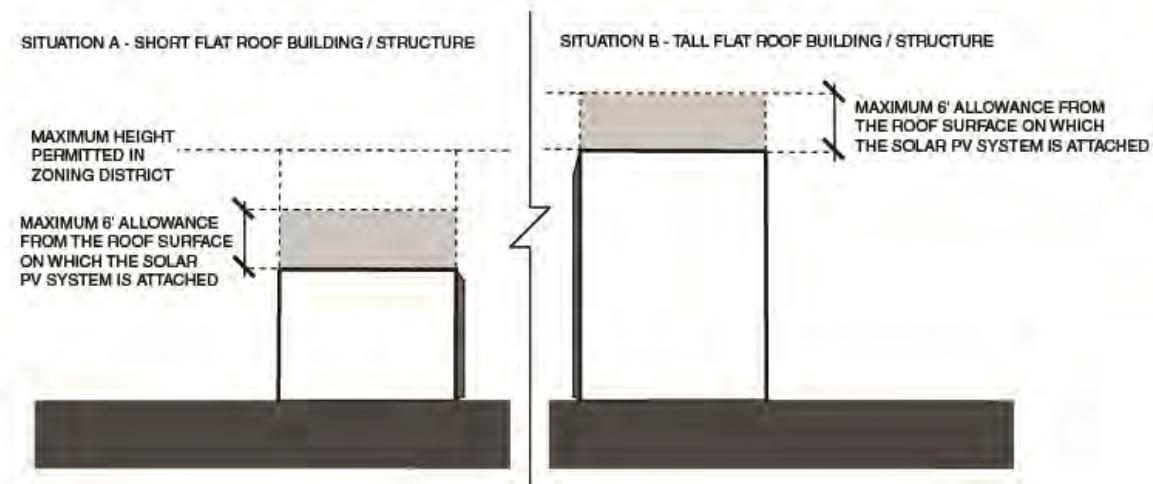
G. Height Restrictions.

1. Notwithstanding the height limitations of the zoning district:
 - a. For a building-mounted system installed on a sloped roof that faces the front yard of a lot, the system must be installed at the same angle as the roof on which it is installed with a maximum distance, measured perpendicular to the roof, of eighteen (18) inches between the roof and highest edge or surface of the system.
 - b. For a building-mounted system installed on a sloped roof, the highest point of the system shall not exceed the highest point of the roof to which it is attached.
2. Notwithstanding the height limitations of the zoning district:
 - a. For a building-mounted system installed on a flat roof, the highest point of the system shall be permitted to extend up to six (6) feet above the roof to which it is attached.
 - b. Ground-mounted systems may not exceed the permitted height of accessory structures in the zoning district where the solar PV system is to be installed.

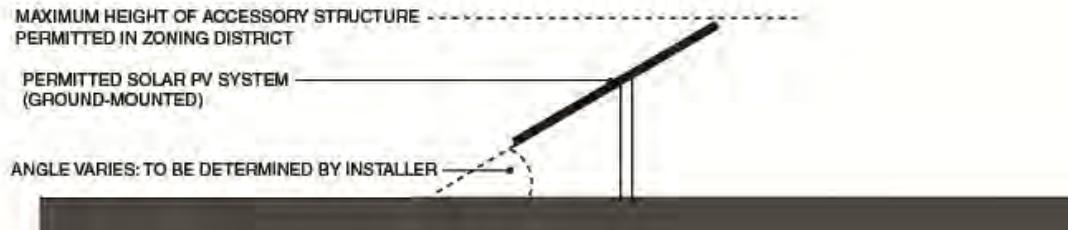
HEIGHT RESTRICTION, SLOPED ROOF FACING FRONT YARD: BUILDING-MOUNTED SOLAR PV SYSTEM ELEVATION**HEIGHT RESTRICTION, SLOPED ROOF FACING REAR OR SIDE YARD: BUILDING-MOUNTED SOLAR PV SYSTEM ELEVATION**

Supplemental Regulations

**HEIGHT RESTRICTION, FLAT ROOF: BUILDING-MOUNTED SOLAR PV SYSTEM
ISOMETRIC**



**HEIGHT RESTRICTION: GROUND-MOUNTED SOLAR PV SYSTEM
ELEVATION**



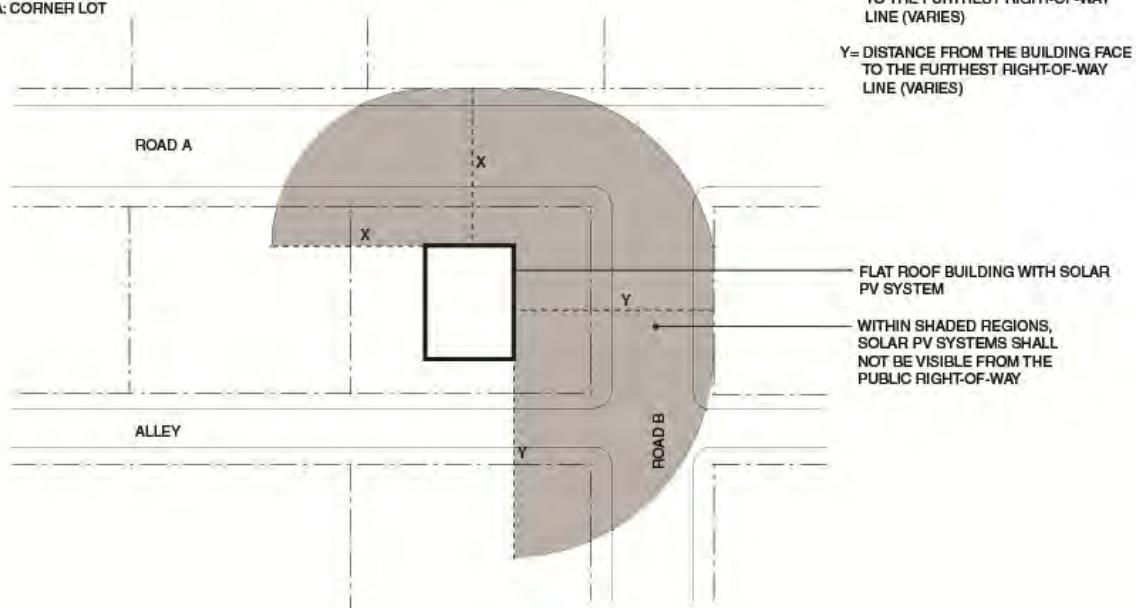
H. Screening and Visibility.

1. Building-mounted systems on a sloped roof shall not be required to be screened.

2. Building-mounted systems mounted on a flat roof shall not be visible from the public right-of-way within a fifty (50) foot radius of the lot, exclusive of an alley as defined by this section, at a level of five (5) feet from the ground in a similar manner as to any other rooftop HVAC or mechanical equipment. This can be accomplished with architectural screening such as a building parapet or by setting the system back from the roof edge in such a manner that the solar PV system is not visible from the public right-of-way within a fifty (50) foot radius when measured at a distance of five (5) feet from the ground.

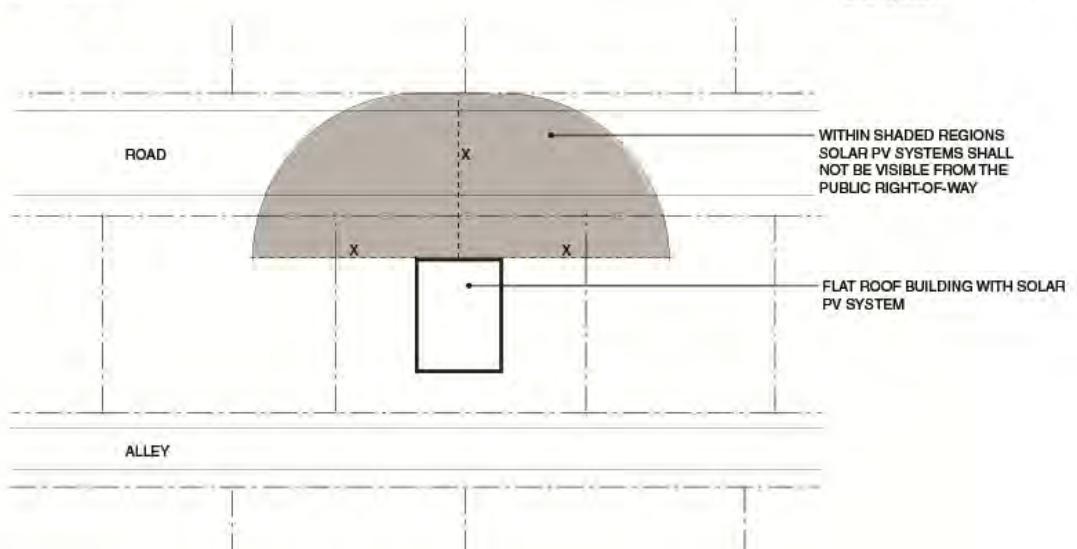
SCREENING & VISIBILITY, FLAT ROOF: BUILDING-MOUNTED SOLAR PV SYSTEM PLAN

SITUATION A: CORNER LOT



SCREENING & VISIBILITY, FLAT ROOF: BUILDING-MOUNTED SOLAR PV SYSTEM PLAN

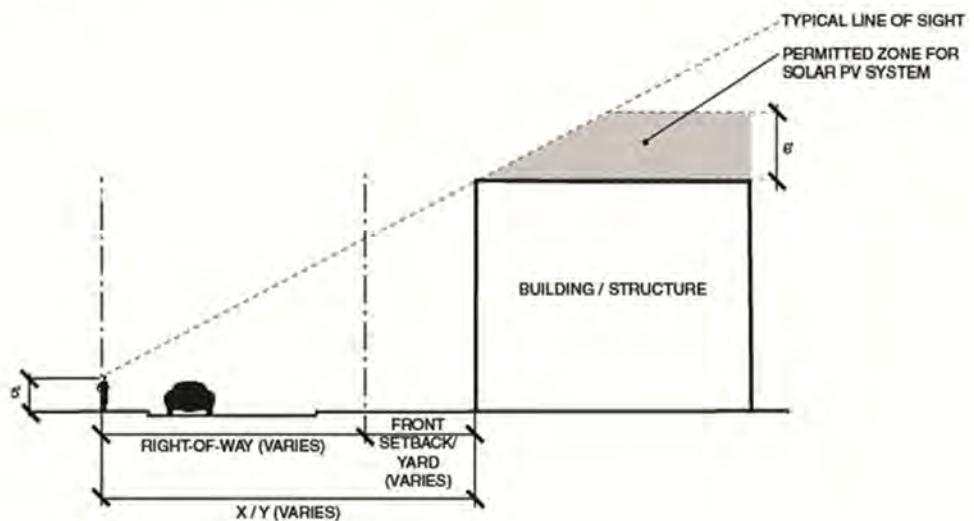
SITUATION B: INTERIOR LOT



Supplemental Regulations

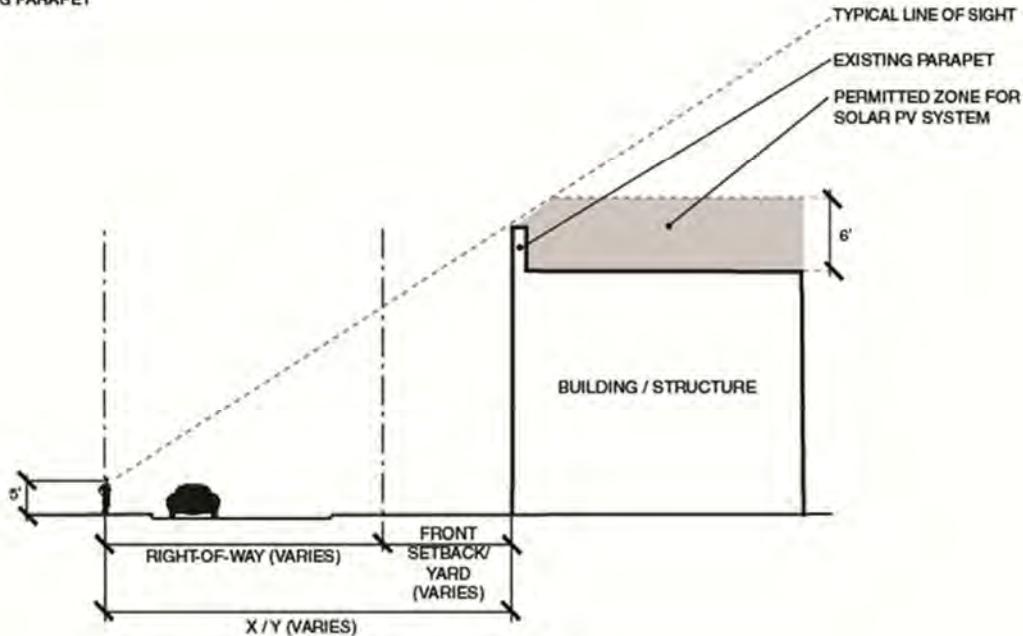
**SCREENING & VISIBILITY, FLAT ROOF: BUILDING-MOUNTED SOLAR PV SYSTEM
ELEVATION**

SITUATION A: WITHOUT BUILDING PARAPET



SCREENING & VISIBILITY, FLAT ROOF: BUILDING-MOUNTED SOLAR PV SYSTEM ELEVATION

SITUATION B: WITH BUILDING PARAPET

**I. Impervious Lot Coverage Restrictions.**

1. The surface area of any ground-mounted system, regardless of the mounted angle of any portion of the system, is considered impervious surface and shall be calculated as part of the lot coverage limitations for the zoning district. If the ground-mounted system is mounted above existing impervious surface, it shall not be calculated as part of the lot coverage limitations for the zoning district.

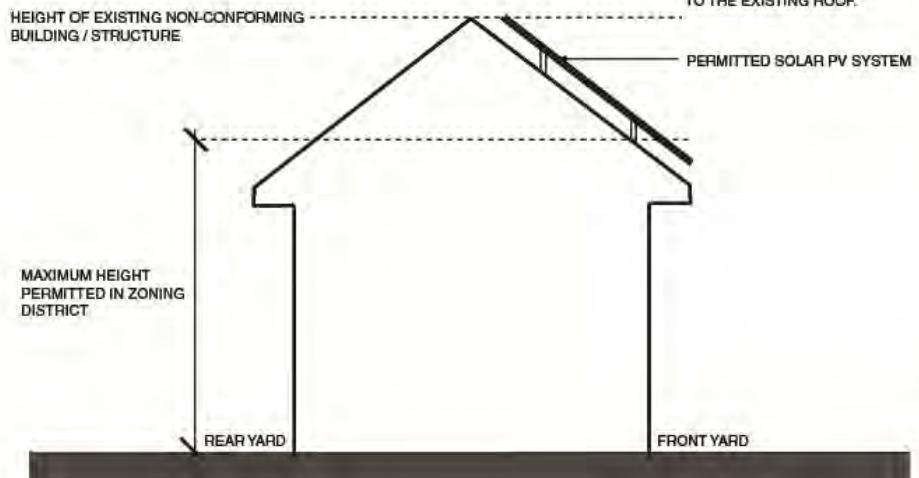
J. Non-conformance.

1. Building-mounted systems:
 - a. If a building-mounted system is to be installed on any building or structure that is non-conforming because its height violates the height restrictions of the zoning district in which it is located, the building-mounted system shall be permitted so long as the building-mounted system does not extend above the peak or highest point of the roof to which it is mounted and so long as it complies with the other provisions of this Section.
 - b. If a building-mounted system is to be installed on a building or structure on a non-conforming lot that does not meet the minimum setbacks required and/or exceeds the lot coverage limits for the zoning district in which it is located, a building-mounted system shall be permitted so long as there is no expansion of any setback or lot coverage non-conformity and so long as it complies with the other provisions of this Section.
2. Ground-mounted systems. If a ground-mounted system is to be installed on a lot containing a structure that is non-conforming because the required minimum setbacks are exceeded, the proposed system shall be permitted so long as the system does not encroach into the established setback for the lot. If a ground-mounted system is to be installed on a lot that is non-conforming because it violates zoning district requirements other than setbacks, then a variance must be obtained for the proposed installation.

Supplemental Regulations**NON-CONFORMING BUILDING, SLOPED ROOF FACING FRONT YARD: BUILDING-MOUNTED SOLAR PV SYSTEM ELEVATION**

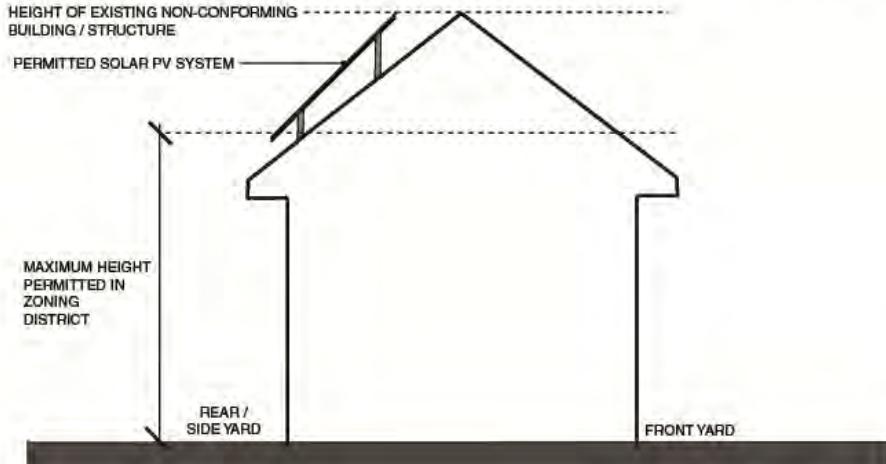
*PERMITTED SOLAR PV SYSTEM MAY BE GRANTED WITH ADMINISTRATION APPROVAL.

NOTE: SOLAR PV SYSTEMS SHALL NOT EXTEND BEYOND HIGHEST POINT ON THE EXISTING ROOF SURFACE AND THE SLOPE OF INSTALLATION SHALL BE PARALLEL TO THE EXISTING ROOF.

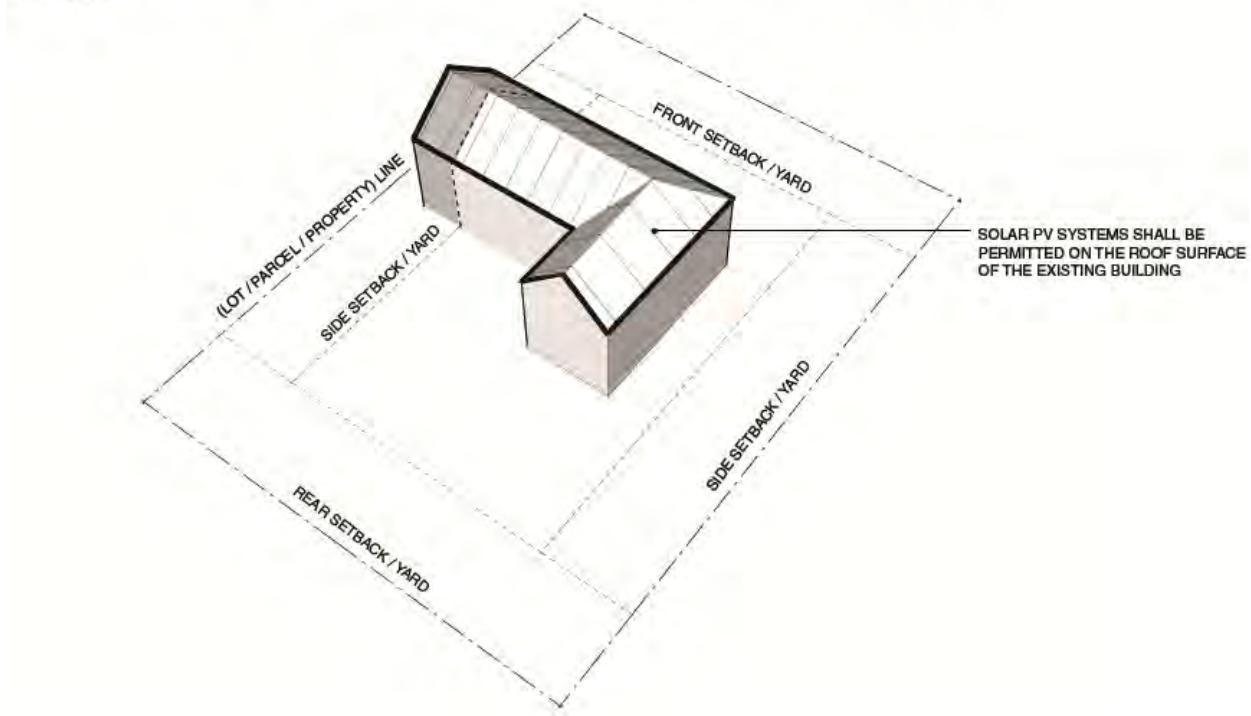
**NON-CONFORMING BUILDING, SLOPED ROOF FACING REAR OR SIDE YARD: BUILDING-MOUNTED SOLAR PV SYSTEM ELEVATION**

*PERMITTED SOLAR PV SYSTEM MAY BE GRANTED WITH ADMINISTRATION APPROVAL.

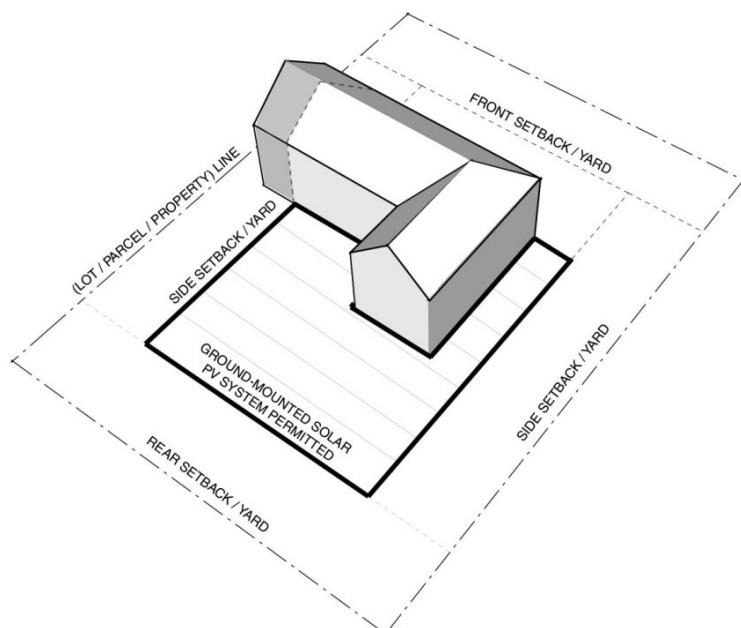
NOTE: SOLAR PV SYSTEMS SHALL NOT EXTEND BEYOND HIGHEST POINT ON THE EXISTING ROOF SURFACE



**NON-CONFORMING LOT, SETBACKS, AND / OR LOT COVERAGE LIMITS: BUILDING-MOUNTED SOLAR PV SYSTEM
ISOMETRIC**



**NON-CONFORMING LOT, SETBACKS: GROUND-MOUNTED SOLAR PV SYSTEM
ISOMETRIC**



Supplemental Regulations**K. Signage and/or Graphic Content.**

1. No signage or graphic content may be displayed on the solar PV system except the manufacturer's badge, safety information and equipment specification information. Said information shall be depicted within an area no more than thirty-six (36) square inches in size.

L. Performance Requirements.

1. All solar PV systems are subject to compliance with applicable performance standards detailed elsewhere in the Zoning Ordinance.

M. Inspection, Safety and Removal.

1. The Township reserves the right to inspect a solar PV system for building or fire code compliance and safety.
2. If upon inspection the Township determines that a fire code or building code violation exists, or that the system poses a safety hazard to persons or property, the Township may order the lot owner to repair or remove the system within a reasonable time. Such an order shall be in writing, shall offer the option to repair, shall specify the code violation or safety hazard found and shall notify the lot owner of his or her right to appeal such determination.
3. If a lot owner fails to repair or remove a solar PV system as ordered, and any appeal rights have been exhausted, the Township may enter the lot, remove the system and charge the lot owner and or facility owner and operator for all costs and expenses of removal, including reasonable attorney's fees or pursue other legal action to have the system removed at the lot owner's expense.
4. In addition to any other available remedies, any unpaid costs resulting from the Township's removal of a vacated abandoned or de-commissioned solar PV system shall constitute a lien upon the lot against which the costs were charged. Legal counsel of the Township shall institute appropriate action for the recovery of such cost, plus attorney's fees, including, but not limited to filing of municipal claims pursuant to 53 P.S. § 7107, et seq., for the cost of such work, 6% interest per annum, plus a penalty of 5% of the amount due plus attorney's fees and costs incurred by the Township in connection with the removal work and the filing of the municipal claim.

N. Permit Requirements.

1. Before any construction or installation on any solar PV system shall commence, a permit issued by the Township shall be obtained to document compliance with this section.

O. Solar Energy Projects.

1. When the land involved lies wholly or partly within a zoning district qualifies as a solar energy project, the buffering and screening shall be clearly marked on the site plan and shall include a detailed list of the materials to be used, plant species, height or size at the time of planting, and mature height or size.
2. When the land involved qualifies as a solar energy project, traffic impact on any road upon which the solar energy project will front shall be included with the plan for the period of construction and post-construction. The applicant shall state the actions they intend to take to mitigate the impact of increased traffic to the site.

3. When the land involved qualifies as a solar energy project, a decommissioning plan, which may include the anticipated life of the project, the estimated cost of decommissioning, how such an estimate was determined, and the manner in which the project will be decommissioned. The applicant shall provide a performance bond or other agreed-upon secured funding sources payable to the Board of Supervisors in a form approved by the Township Solicitor to ensure that performance obligations are satisfied, up to and including the costs for decommissioning, unless the Board of Supervisors specifically waives the requirement in an approval of the special use permit. When a solar energy project is scheduled to be abandoned, the facility owner or operator shall notify the Township in writing prior to ceasing operations and shall provide a schedule for implementation of the decommissioning plan. If any solar energy project is not operated for a continuous period of one (1) year, or if the work called for in the decommissioning plan fails to progress in a timely manner, the Board of Supervisors may take any necessary action to compel the physical removal of the solar energy project in compliance with the decommissioning plan after written notice is provided to the project owner by certified mail. The project owner shall have thirty (30) days from the date of the letter to provide a written explanation of the inactivity and to request a delay in action by the Board of Supervisors.

§27-714. Parking.

See Chapter 22 Subdivision and Land Development Part 5C Off-street Parking and Loading.

§27-715. Accessory Keeping of Livestock.

The purpose of these regulations is to provide a definition of livestock; to set forth reasonable standards for the keeping and care of non-commercial livestock as an accessory use in residential areas; to give appropriate consideration to the property rights of citizens of Ferguson Township with non-commercial livestock; to help maintain neighborhood compatibility; and to protect the health, safety, and welfare of the general public. It is not the intent of this ordinance to regulate domestic animals (pets) which are typically kept inside the household. For parcels 50 acres of larger, these regulations do not apply. The following regulations do not apply to agriculture as a principal.

A. Accessory Keeping of Livestock

Accessory Keeping of Livestock as an accessory use, subject to the following regulations:

1. Lot Size and Density Restrictions

- a. Unless otherwise regulated by the Township of Ferguson, the minimum lot size of one (1) acre shall be required for the noncommercial keeping of livestock.
- b. In the event any livestock, excluding chickens and fowl, gives birth, thereby exceeding the number of livestock animals allowed by the minimum set forth in this subsection, the owner of said livestock and/or the occupier of the premises shall conform to the number of livestock animals for the dimensional requirements within one year of the birth of the animal. Chickens and fowl shall conform to the number for the dimensional requirements within six (6) months of the birth of the animal.
- c. Up to one (1) Animal Equivalent Unit for each acre or a portion thereof dedicated to the calculated using standard weight (pounds). Round up to the nearest whole animal. See Article XI Definitions: Animal Equivalent Unit.
- d. Changes in animal types must still adhere to Animal Unit Densities.

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2. Manure Management:

- a. Accessory Keeping of Livestock must comply with the Pennsylvania Nutrient Management Regulations, Pa. Code Title 25, Chapter 83, as required by the Department of Environmental Protection.¹⁸

3. Animal Care:

- a. All Accessory Keeping of Livestock must comply with minimum standards of animal care as required by Pennsylvania law, Pa. Code Title 18, regarding animal cruelty provisions.
- b. An animal housing facility shall be provided as a shelter for the animal(s). The structure shall incorporate no less than three walls and a sufficient roof area to provide a weather proof shelter.
- c. Animal housing facilities shall be of sufficient size to enable the animal to comfortably stand, turn around and lay down.
- d. Animal housing facilities shall be ventilated to avoid respiratory disease and infections, control ambient temperature, and prevent accumulation of toxic gases.

4. General Requirements

- a. The disposal of dead animals shall be in accordance with the Domestic Animal Law, Pa. Code Title 3, Chapter 23, subsection 2352. Dead animals shall be disposed of within 48 hours after death.

B. Beekeeping

Honeybee apiaries are permitted by right as an accessory use in RA, RR, and AR when in compliance with the Pennsylvania Bee Law (3 Pa.C.S.A. § 2101-§ 2117) and, subject to the following regulations:

1. Best Management Practices: Beekeeping facilities must be consistent with the Pennsylvania Department of Agriculture “Best Management Practices for Maintaining European Honey Bee colonies in the Commonwealth of Pennsylvania”.
2. Registration: The apiary must be properly registered with the Pennsylvania Department of Agriculture, Bureau of Plant Industry, pursuant to applicable Pennsylvania state laws;
3. Ownership and Care: Ownership, care and control of the honey bees shall be responsibility of a resident of the dwelling on the lot or the individual listed on the registration;

C. Permitting Process for Accessory Livestock.

Applicants proposing the non-commercial keeping of livestock and/or beekeeping must submit a zoning permit application identifying the following:

1. An application fee payable to the Township in the amount of up to \$25.00. This amount may be amended by resolution adopted by a majority of the Township Board of Supervisors.
2. Property address, name and contact information of applicant.
3. Description of the proposed animals and activities on the property.

4. Location and area of proposed livestock enclosures.
5. Location and height of proposed livestock structures including sheds, containers, animal housing, coops, hives, apiaries, flyway barriers, manure storage facilities, landscaping and fencing.
6. Distance between structures/activities and neighboring properties.

A. Verification that the applicant is familiar with the requirements set forth in this ordinance.

Appendix M: Pennsylvania Act 38/Nutrient Management Program/Technical Manual, Supplement 5 Standard Animal Weights, Agronomy Facts 54 – Table 1, January 2013. *Please note this is included for reference as the latest version at time of ordinance preparation. The latest version shall apply.*

§27-716. Workforce Housing.

A. Intent. It is the intent of these regulations to:

1. Provide a wide range of quality, affordable **housing** units for qualified buyers in the Township;
2. Ensure the continued affordability of established workforce housing units by creating a development agreement between the developer and the Township;
3. Provide criteria for workforce housing including, but not limited to, design, construction, phasing, and location within a development;
4. Effectively enforce and administer the provisions of the workforce housing program.

B. Applicability. The provisions of this Section shall apply to any zoning district within the Township where workforce housing is a requirement of a proposed development project or if the developer intends to take advantage of incentives in exchange for workforce housing in those districts where incentives are stipulated. Provisions regarding the ratio of workforce housing units to market-rate units, and incentives related to the establishment of workforce housing units, may be found in the applicable zoning district regulations governing the specific development project.

C. Administration and Enforcement.

1. The Board of Supervisors may, at its sole discretion and by resolution, authorize a third-party administrator of the workforce housing program. The designated third party shall have the authority to administer the provisions of the workforce housing development agreement. The cost of said administration shall be set by the Township and shall be the responsibility of the property owner and subsequent property owners throughout the lifetime of the property in the affordable housing program.
2. The Township shall have the authority to enforce the provisions of the workforce housing program. It shall be incumbent on the developer to ensure compliance with all aspects of the workforce housing program as prescribed in this Section.

D. Workforce Housing Requirements. In residential developments where the provision of workforce housing is required, the following conditions shall apply:

1. Workforce housing shall not be segregated or clustered within a development;
2. Workforce housing units shall be like market-rate units with regard to number of bedrooms,

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amenities, and access to amenities, but may be permitted to differ from market-rate units in a development with regard to interior amenities, provided that:

- a. These differences, excluding differences related to size differentials, are not apparent in the general interior and exterior appearance of the development's units; and
- b. These differences do not include insulation, windows, heating systems, and other improvements related to the energy efficiency and standard components of the development's units;
3. No more than two adjacent lots shall contain workforce housing units;
4. No more than four lots along any block width or block length may contain such units;
5. Principal Place of Residence. Unless purchased by the Township or transferred to a third party to hold in trust, all workforce housing units constructed as part of a development shall be offered for sale to a qualified household to be used as its principal place of residence;
6. Workforce Housing Development Agreement. No zoning permit shall be issued to a development in which workforce housing units are required unless the applicant for development shall have entered into a workforce housing development agreement that contains, at minimum, the provisions established in § 27-716, Subsection F.

E. Workforce Housing Development Agreement.

1. For developments required by this Section to include workforce housing units, no zoning permit shall be issued for said development without having first duly executed a workforce housing development agreement. Ferguson Township, the applicant for development, and the administrator of the workforce housing program established by this Section shall each be parties to the agreement. The agreement shall, at minimum, contain the following provisions:
 - a. A statement from the designated administrator of the workforce housing program that the workforce housing units are consistent with the definition of workforce housing units in § 27-716, Subsection C, above;
 - b. The location, zoning designation, and ownership of the project;
 - c. The number and type of workforce housing units that will be provided and the calculations used to determine the number of units, including any incentives that were employed to reduce the requirement of workforce housing units or additional workforce housing units provided to reduce or relieve the requirement of another provision of the Zoning Ordinance, where applicable;
 - d. A description of the development proposed, including the name of the development project and marketing name, if different from the name submitted to the Township, and a site plan or preliminary subdivision or land development plan of the project;
 - e. The exact location of workforce housing units within the proposed development including lot number;
 - f. A schedule, binding on the developer or property owner, for the construction of the workforce housing units. For phased developments, a phasing plan for the construction of the workforce housing units and market-rate units that is consistent with

- the preliminary subdivision and land development plan of the proposed development;
- g. The proposed sale prices and affordability restrictions for each workforce housing unit and a copy of the applicable affordability deed restrictions or covenants;
 - h. Indication of which, if any, of the workforce housing units will be special needs housing for seniors, disabled, or other special needs populations and a description of the unique features or services for that population;
 - i. Indication as to whether the developer or a third party will be constructing the workforce housing units. If a third party is to construct the housing units, a separate development agreement or other binding legal document between the developer and the third party must be submitted with the workforce housing development agreement;
 - j. Acknowledgement that the certificates of occupancy for the last 10% of the market-rate units shall be withheld until the certificates of occupancy for all of the workforce housing units have been issued;
 - k. Acknowledgement that the designated workforce housing administrator of the Township's workforce housing program shall have full authority to administer the provisions of the workforce housing development agreement.
2. The workforce housing development agreement shall be reviewed by the Township Solicitor, and included as a condition of approval of the subdivision or land development plan. Revisions to the workforce housing development agreement shall be submitted in writing and shall require approval of the Board of Supervisors. Approved revisions shall be affixed to the workforce housing development agreement and recorded as an amendment to the subdivision or land development plan.

F. Continued Affordability.

1. The continuity of workforce housing units in the workforce housing program shall be ensured for a period of 99 years commencing the date of the approved certificate of occupancy for the unit. To provide for the continuity of workforce housing units, a restriction shall be placed on the deed of the property, which shall read as follows: "This property is to remain affordable for a period of 99 years from its initial date of sale for persons earning between 80% and 120% of the median household income for Centre County as established by the latest income guidelines defined in the annual schedule published by the Secretary of the United States Department of Housing and Urban Development."
2. Prospective buyers shall enter into a legally binding agreement with the designated administrator of the workforce housing program that will stipulate the process for certifying subsequent buyers of affordable housing units for the applicable ninety-nine-year period, and the amount of equity able to be recouped by the homeowner upon sale of the workforce housing unit. The designated administrator of the workforce housing program shall have the authority to require additional stipulations in the agreement including, but not limited to, the requirement of prospective buyers to participate in financial counseling in accordance with the procedures and requirements of the designated administrator.

Supplemental Regulations**§27-717. Bed and Breakfast.**

Rental or lease of the B&B property for events such as weddings, reunions, parties, business or social gatherings which host 10 or more non-overnight guests is specifically prohibited at these facilities.

- A. One paved off-street parking space shall be provided per guest room in addition to the spaces required for the dwelling unit. In the RA and RR zones, if the existing driveway and parking spaces are not paved, the additional parking spaces required by this Section do not have to be paved. These parking spaces may not be stacked and must comply with this Chapter and Chapter 22 the Township's Subdivision and Land Development Ordinance.
- B. The only meal to be provided to the guests may be breakfast, and it shall only be served to guests who are staying overnight at the bed and breakfast. No catered meals may be served. Catered meals are those which involve the service of food prepared off-site to non-overnight guests. This does not include take-out.
- C. The bed and breakfast shall remain accessory to the primary residential use of the property.
- D. The bed and breakfast shall comply with all building and fire code regulations.
- E. The bed and breakfast is permitted one sign in accordance with the Township sign regulations for home occupations.
- F. All sites with an on-site septic system must be inspected by the Township Sewage Enforcement Officer to assure compliance with the Pennsylvania Sewage Facilities Act 537, as amended. In addition, the SEO must approve the home occupation permit.
- G. A home occupation permit application (including a sketch plan and floor plan) shall be supplied to and approved by the Township Zoning Administrator.

§27-718. Regional Park and Outdoor Recreational Facilities.

- A. Direct access to an arterial street shall be required.
- B. Primary or accessory uses/structures that are not enclosed shall be limited to operating from dawn to dusk; exceptions may be made for organized activities that are held in outdoor areas with approved lighting

§27-719. Short-term Rentals.

- A. The dwelling must be the permanent address of the owner or lessee and the owner or lessee must occupy the dwelling for at least six (6) months of the calendar year. -
- B. All activity at the short-term rental shall be subject to enforcement of the Township's noise-, nuisance- and property maintenance-related ordinances including but not limited to Performance Standards and Property Maintenance.
- C. Any noise caused by the house guests that disturbs the neighboring dwellings shall not be permitted, and if the house guest(s) is convicted for any disturbance(s) of the peace, the house owner or lessee shall not be permitted to continue to offer short term rentals.
- D. Within the context of short-term rentals, a meeting room shall refer to the location within the dwelling unit where people gather for personal and/or professional purposes.
- E. The short-term rental shall provide one off-street parking space per bedroom available for rental.

PART 8**Nonconformities****§27-801. Intent.**

It is the intent of this Chapter to recognize the right of nonconformities to continue, but to encourage that such lots, uses and structures be brought into conformity with this Chapter as soon as constitutionally permissible. To achieve this end, nonconformities are subject to the regulations set forth in this Part.

§27-802. Nonconforming Lots of Record.

- A. In any district in which dwellings are permitted as principal uses, a single-family detached dwelling and customary accessory uses may be erected on any single nonconforming lot of record at the effective date of adoption or amendment of this Chapter, notwithstanding limitations imposed by other provisions of this Chapter. This provision shall apply even though such lot fails to meet the requirements for area and/or width that are applicable in the district; provided, that all other yard dimensions and requirements of the lot shall conform to the regulations for single-family detached dwellings in the Single-Family Residential District. Such nonconforming lot must be in separate ownership and not abut other lots under the same ownership.
- B. If two or more abutting lots or combinations of abutting lots and portions of lots under the same ownership are of record and not in conformity at the time of passage or amendment of this Chapter, and if all or part of the lots do not meet the requirements established for lot width or area, the lands involved shall be considered to be an undivided parcel for the purposes of this Chapter and no portion of said parcels be used or sold in a manner which diminishes compliance with lot width or area requirements established by this Chapter, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this Chapter. This subsection shall only apply when neither of the lots involved, which abut each other, contains a building. This subsection shall not apply to lots which are conforming to the zoning in effect as of the time of passage of this Chapter.
- C. Lots which fail to meet minimum width or area requirements may be expanded to include abutting lots under the same ownership.

§27-803. Nonconforming Uses and Structures.

Where a lawful use or structure exists which, on the effective date of this Chapter or subsequent amendment thereto, becomes nonconforming, such use or structure may be continued as long as it remains otherwise lawful, including subsequent sales of the property, subject to the following provisions:

- A. The existing nonconforming use shall not be changed to a different nonconforming use.
- B. No such nonconforming use or structure shall be altered or extended except if such complies with the following criteria and standards:
 1. To provide for a natural expansion which is not detrimental to public health, safety and general welfare, provided such expansion does not exceed 50% of the existing ground floor area of the structure or other space occupied by the use.
 2. Provided such does not constitute the addition of a new nonconforming use or structure.
 3. Provided such does not decrease yards when such already fail to meet minimum yard setback areas.

Nonconformities

4. Provided that the alteration or extension meets the district regulations for such use or structure as if same were being altered or extended in the district where such use is permitted. In cases where the use is permitted in two or more districts, the most restrictive district regulations shall apply.
- C. In the event that any nonconforming structure is destroyed or partially destroyed by any means to an extent of 75% or more of the market valuation of all structures and other improvements on the lot, as determined to be the fair market value as of the date of destruction, pursuant to an appraisal by a professional real estate appraiser licensed in the Commonwealth of Pennsylvania, and selected by the Board of Supervisors; such nonconforming structure and use thereof shall terminate and the lot shall thereafter be used only for conforming uses and structures, except if the use or structure is a farm use as herein defined. Essential services are exempt from the provisions of this subsection.
- D. When a nonconforming use or structure is discontinued or abandoned for a period of 1 year or more continuously, or replaced by a conforming use or structure, the premises shall not thereafter be used except in conformity with the regulations of the district in which it is located, except if the use is a farm use as herein defined.
- E. Provided that the requirements of subsections A to D of §27-803 are satisfied, a landowner need not obtain a variance prior to altering or extending a nonconforming structure if such alteration/extension would extend the nonconformity but not aggravate it. In such cases, the landowner would be required to obtain a fee zoning permit. *An example of the type of alteration permitted by zoning permit pursuant to this subsection is as follows: a 20 foot front yard setback requirement exists and the structure is already constructed 2 feet into the setback. The landowner proposes an addition to the nonconforming part of the structure which would continue along the line of that portion of the structure which is 2 feet into the setback.*

§27-804. Nonconforming Uses, Structures and Lots.

To administer this Part, the Zoning Administrator may review, identify and list for the purposes of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22], nonconforming uses, structures and lots, as the individual instance may arise.

§27-805. Registration of Nonconforming Uses, Structures and Lots.

In administering and enforcing this Part and reviewing applications for zoning certificates, temporary use permits, sign permits or variances, the Zoning Administrator may register nonconforming uses, nonconforming structures and nonconforming lots as they become known through the application and enforcement process. Registration and proof of nonconforming uses, structures and lots shall be the burden of the lot owner.

§27-806. New Construction.

To avoid undue hardship, nothing in this Chapter 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 adoption or amendment of this Chapter and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing structure has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

PART 9**Administration and Enforcement****§27-901. General Provisions.**

For the administration and enforcement of this Chapter, the Board of Supervisors shall appoint a Zoning Administrator, who may not hold any elective office in the Township. The Zoning Administrator shall administer and enforce this Chapter 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 Chapter.

- A. Duties of the Zoning Administrator. The duties of the Zoning Administrator shall be as follows:
 1. To examine, record and file all applications for zoning permits, with any accompanying plans and documents, and to issue such permits only for lots, uses and structures which are in conformity with the provisions of this Chapter.
 2. To initiate enforcement proceedings.
 3. To receive all fees to the Township as required by this Chapter and to post a schedule of fees in the Township Municipal Building.
 4. To receive complaints and notify persons of violations of provisions of this Chapter.
 5. To conduct inspections of property for which zoning permits have been issued to ascertain if the construction or use is in conformity with the provisions of the permit.
 6. Upon request of the Board of Supervisors, Planning Commission or Zoning Hearing Board, to present to such body facts, records and any similar information required to assist such body in its deliberations.
 7. To be responsible for keeping current copies of this Chapter and the Official Zoning Map for distribution to the public.
 8. To perform other duties in the administration and enforcement of this Chapter as may be directed by the Board of Supervisors.
- B. Fees. The Board of Supervisors shall establish a schedule of fees and a collection procedure for all permits, applications and appeals.
 1. The schedule of fees shall be available in the Township Municipal Building.
 2. All such fees shall be payable to Ferguson Township at the Township Municipal Building.
 3. No request for a zoning permit or certificate of nonconformity and no appeal or application to the Zoning Administrator, Zoning Hearing Board or Board of Supervisors shall be considered complete, nor shall it be filed or docketed, until all fees have been paid in full.

§27-902. Zoning Permits.

- A. A zoning permit shall be required prior to the erection, extension or alteration of any structure or portion thereof and prior to the use by a new landowner/tenant or change in the use of a structure or parcel of land. A zoning permit shall not be required prior to a change in residential ownership nor prior to a change in residential tenants.

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- B. Prior to the issuance of any zoning permit, the Zoning Administrator shall review the permit application to determine if all other necessary government permits required by State and Federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, §404, 33 U.S.C. 1344. No zoning permit shall be issued until this determination has been made.
1. No such zoning permit shall be required for normal maintenance activities and minor repairs which do not constitute an erection, extension or alteration as herein defined, or for any structure permitted.
 2. In the Rural Agricultural Zoning District, a zoning permit shall be required for all agricultural uses and/or structures as follows:
 - a. A fee zoning permit is required for all principal and accessory uses and/or structures unless outlined below.
 - b. A fee zoning permit is required for residential structures, including houses, trailers, etc. and nonagricultural structures for principal uses including churches, other places of worship/assembly, parish houses or convents.
 - c. A nonfee zoning permit is required for other nonresidential primary farm use structures, barns, or other agriculture-related structures not requiring a land development plan.
 - d. A zoning permit shall not be required for structures accessory to nonresidential, agricultural principal uses including, but not limited to, corn cribs, lean-tos, calf booths, silos and similar storage structures.
 3. No such zoning permit shall be required for the alteration of any structure which meets the above for structures in the RA Zone.
 4. No such permit shall be granted by the Zoning Administrator for any purpose except in compliance with the provisions of this Part, or upon appeal, in compliance with a decision of the Zoning Hearing Board or the courts.
- C. Application for Zoning Permits. To apply for a zoning permit, the applicant shall submit an application for a zoning permit to the Zoning Administrator along with all required fees. When required by this Chapter, land development plans and other information shall accompany the application. When a land development plan is not required, the application for zoning permit shall show the manner by which §27-709 and §27-902 in this Chapter will be complied with.
- D. Review of the Application. Except when a land development plan is required, in which case a land development plan shall be submitted in accordance with Chapter 22, all applications for zoning permits shall be granted or denied by the Zoning Administrator within 30 days from the date of receipt of the application and fees for such. The Zoning Administrator shall notify the applicant in writing of all action taken on the application for a zoning permit within said 30-day period. If the application is denied, such notification shall specify the provisions of this Part with which such application does not comply. If, for any reason, the Zoning Administrator fails to notify the applicant of all action taken in the manner and time limit set forth above, such application shall be considered approved as submitted.

E. When a land development plan is required, the following provisions shall apply:

1. The land development plan shall be prepared in accordance with Chapter 22 the Township's Subdivision and Land Development Ordinance and submitted 28 days or more prior to the Planning Commission meeting at which it shall first be considered.
 2. Approval or disapproval is required by the Board of Supervisors within 90 days following the date of the regular meeting of the Planning Commission at which the land development plan may be first considered in accordance with subsection B.1.; provided, that should said Planning Commission meeting occur more than 30 days following the filing of the application, then approval or disapproval shall be within 120 days from the filing of the application.
- F. No zoning permit for erection, extension or alteration of any structure or portion thereof shall be valid for more than 2 years from the date of issue unless work at the site is commenced within such period. No zoning permit for use of building or land shall be valid for more than 2 years from the date of issue unless such use is established within the 2-year period; provided, however, that where such use is dependent upon the erection, extension or alteration of a structure, the zoning permit shall continue in force if erection, extension or alteration is started within the 2 year period and completed in an expeditious manner. Any erection, extension or alteration shall be completed within 2 years of commencement.

§27-903. Rezoning.

A. Purpose of Rezoning.

1. The purpose of rezoning is to protect the safety, capacity and efficiency of Ferguson Township's existing infrastructure systems; to maintain fiscal responsibility; and to uphold the objectives of the Centre Region Comprehensive Plan.
2. Rezoning requests shall be evaluated on the basis of the projected benefits and/or detrimental effects to Ferguson Township as a whole.

B. Rezoning Application Forms.

1. All Applicants submitting rezoning applications shall be required to prepare a series of plans, impact analyses and summary reports as enumerated in §27-903.E, Impact Analysis, to demonstrate the compatibility of a rezoning proposal.

C. Review of rezoning applications.

1. The Applicant shall meet with the Planning and Zoning Staff and Planning Commission for a pre-rezoning review. The purpose of said review shall be to discuss the general intent of the proposed rezoning and outline the necessary components of the re-zoning application.
2. The Applicant shall have sixty (60) days from the date of the pre-rezoning review to file a rezoning application.
3. The Director of Planning and Zoning shall review the rezoning application in compliance with the following procedural guidelines:
 - a. Upon receipt of a rezoning application, the Director of Planning and Zoning will perform a desk check review of the package to determine the completeness of the application.
 - b. The Director of Planning and Zoning will provide the Applicant a letter within seven (7) business days stating that the application has been submitted with all required information attached.

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- c. If the Director of Planning and Zoning finds the application to be incomplete or insufficient, the rezoning application will be returned to the Applicant.
- d. Finding and Facts Report. When the rezoning application is found to be complete, the Director of Planning and Zoning, Township Staff or its designee shall prepare an evaluation assessment identifying concurrencies and/or differences and summarize this assessment in a report. This report shall identify the impacts and potential manners in which the resolution of issues could be addressed. The completed application package and report shall be forwarded to the Planning Commission for review.
4. As part of the rezoning approval process, the Planning Commission and Board of Supervisors shall consider the motivation and implications of each plan, analysis and report.
5. Ferguson Township shall review the application in compliance with the following procedural guidelines:
 - a. If the rezoning proposal is found to be generally consistent with the Township's element of the Centre Region Comprehensive Plan and the community development objectives of the Zoning Ordinance, the Planning Commission shall consider the findings reported as part of the Applicant's Impact Analysis to determine any projected beneficial and/or detrimental effects on Ferguson Township. The Planning Commission may host a hearing on the application if they deem it applicable.
 - b. The rezoning proposal shall be reviewed through the context of the Center Region Planning Agency's rezoning guidelines to ensure that the rezoning conforms to the requirements
 - c. Based on these analyses, the Planning Commission shall submit a written recommendation either in favor or not in favor of the rezoning proposal including a specific statement as to whether or not the proposed rezoning is in accordance with the objectives of the Centre Region Comprehensive Plan.
6. The final recommendation of the Planning Commission shall be forwarded to the Board of Supervisors.
7. Upon receipt of the Planning Commission's final recommendations, the Board of Supervisor's shall host a hearing on the application. The provisions within the Municipalities Planning Code as related to the procedures associated with a zoning map amendment shall apply. The associated with The Board of Supervisors shall compose a brief summary explanation of its decision and forward the decision and explanation to the Applicant. The Board of Supervisors may deny the rezoning proposal and shall provide a brief summary explanation of the decision to the Applicant.
8. The Township shall make the decision for approval or denial of the requested rezoning within one hundred fifty (150) days of receipt of a completed rezoning application, which includes the impact analysis. Approval cannot be based on a contingency or condition of resolving potential negative impacts. If no decision is made by the Township after this time period, then the application will be deemed approved.
9. At any time, an Applicant may request an extension of time or removal of an application from Township consideration.
10. Upon approval of the rezoning proposal the Zoning Administrator shall update the Ferguson Township Zoning Map accordingly.

11. See also Rezoning Approval Process Diagram and §609 of the Pennsylvania Municipalities Planning Code.

D. Application Criteria.

1. Application Requirements. The plans and reports that a landowner and/or developer are to submit shall include:
 - a. Conceptual Site Development Plan.
 - b. Topographic survey.
 - c. Site conditions report.
 - d. Existing zoning of surrounding parcels and closest adjacency of zoning district identical to request.
 - e. Classifications of existing roadways/streets adjacent to and within three hundred (300) feet of the perimeter of the proposed site.
 - f. The percentage of proposed dwelling units and any associated limitations that are specific to a particular segment of potential residential demographics/socio-economics.

E. Impact Analysis.

1. As part of the rezoning application, the Applicant shall prepare and submit an Impact Analysis to identify the benefits and detrimental effects of the proposed rezoning application.
2. Impact Analysis Requirements. The following outlines the information that is required as part of the rezoning application. Information shall be presented as a comparison of the impacts that are created by the existing zoning district and the proposed rezoning classification. In all instances, the land use permitted in the proposed zoning classification that creates the greatest impact shall be utilized in the comparison analysis. Required information includes:
 - a. Off-Street Parking Requirements.
 - b. Density/Floor Area Ratio
 - c. Maximum Building Height
 - d. Geotechnical/stormwater run-off analysis (associated with impervious surface).
 - e. Traffic (Average Daily trips and Peak Hour Demand for both weekday and weekends based on Conceptual Site Development Plan).
 - f. Fiscal Impact Analysis projecting tax rate changes associated with the Municipality, the County and the School District.
 - g. Student Impact Analysis projecting potential increase to school district population because of proposed rezoning.
 - h. Estimated infrastructure (sanitary sewer and potable water) demands (gallons per day).
 - i. Estimated Impacts to safety services (police department services, fire department services) based on proposed infrastructure (roadways) expansion.
 - j. A summary of anticipated impacts on adjoining lots including but not limited to noise, vibration, night-time lighting, service area locations and visibility, hours of operation.

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- k. Depending upon the location of lot access, infrastructure service/demands and impacts identified on adjoining lots, the Board of Supervisors may require a landowner and/or developer to prepare other potential related studies.
- l. Within the Impact Analysis, the Application shall identify impacts that need mitigation but does not need to propose remedy/resolution for identified impacts.

F. Additional Information.

The Planning Commission and the Board of Supervisors reserve the right to request additional information as part of the rezoning review and approval process in order to evaluate the applicability of the rezoning.

§27-904. TTD Plan Process and Procedure.

- A. Eligibility. The site must be zoned TTD, be located within the regional growth boundary and within a planned public service area. Public sewer and water must not only serve the site, but sufficient capacity must also be available.
 1. The site proposed for development shall be under single ownership and shall be developed according to a single master plan that depicts build-out of the site with common authority and responsibility.
- B. Approvals. Any TTD proposal within the zoning district shall follow the procedures outlined below which shall include each of the following steps:
 1. Initial Conference.
 2. General Master Plan.
 3. Specific Implementation Plan.
- C. Initial Conference. A Traditional Town Development or Mixed Residential Area involves the creation of a coordinated and comprehensive plan for a site as well as its integration with surrounding development. To ensure that each submission addresses site development from this perspective, an applicant shall meet with Township staff for an initial conference prior to final preparation and/or submission of a general master plan for approval. At the initial conference, the applicant should be prepared to present, at a minimum, plans which represent the required evaluation of open space, the design for transportation, and utilities for the specific site as required by §27-303.C.1, .2, and .3 of this Part. In addition, the applicant shall prepare a narrative which details the design pattern and/or innovative design concepts proposed; an explanation of how this approach will preserve natural features and existing amenities of the site as well as protecting scenic vistas; the structure or organization anticipated to be necessary to maintain public areas and/or common open space; and the expected development schedule for the project including any phasing associated with the build-out of the plan. Other issues for discussion at this stage of the review may include the design proposal's ability to satisfactorily address specific elements of the TTD criteria related to pedestrian generation and streetscape design; community building and the development of community focal points and destinations; the consideration of the environmental context of the site and the resultant design provisions; and the ability of the applicant to comprehend and ultimately implement the TTD concepts as envisioned by the Township and enumerated by the ordinance standards and associated Design Manual (See Chapter 22). Such plans, although in a sketch plan format, shall not be binding on either the applicant or the Township at this stage. However, consensus on the proposal's ability to meet the Township's goals must be reached with staff prior to the project moving forward. As a result, such conference should take place as early as

possible in the process to eliminate unnecessary expenditures for design and engineering. A list of possible questions to which each applicant should be prepared to respond is included in Appendix L.

- D. General Master Plan. The next step of the approval process involves the preparation and submission of a general master plan. Preparation of the plan shall be in accordance with the requirements as outlined in Section H and shall be commensurate with the preliminary plan as provided for in Article V of the MPC.
1. The general master plan shall include all adjacent land owned, equitably owned, or otherwise controlled by the applicant within this zoning district. If the land extends into an adjacent municipality or district, then it is requested that the general master plan also include such areas so as to plan for coordinated transportation, infrastructure and open space systems. If a TTD exists, is or could be proposed, or has been approved on an adjacent tract, then the applicant's general master plan shall be coordinated with the development of such adjacent land.
 2. Approval Process. See Approval Process Diagram.
 3. Plan Requirements. A general master plan shall be deemed to have been submitted for review and approval when the applicant has furnished to the Township Department of Planning and Zoning a package consisting of all of the following documents:
 - a. A completed application for subdivision or land development plus payment of all application and escrow fees.
 - b. Written notice of acceptance of the design proposal by staff as a result of the required initial conference.
 - c. Five black (or blue) on white prints of the general master plan and 10 reduced (11"x17") copies of all plan sheets prepared in conformance with all provisions of this Part and the associated design guidelines.
 - 1) Such plan shall be drawn at a legible scale and shall include a key map showing the location of the site in relation to adjacent properties and the larger neighborhood, adjacent zoning, and road system connections with existing and proposed roads within 1,000 feet.
 - 2) All dimensions of the site shall be in feet and decimals; bearings shall be in degrees, minutes, and seconds. Lot line descriptions shall read in a clockwise direction. The survey of the site shall not have an error of closure greater than 1 foot in 10,000 feet.
 - 3) This plan shall be legible in every detail and shall identify the proposed project name, the name and address of the owner of the tract, the developer/subdivider, and the firm that prepared the plan, as well as the plan date and the date of all plan revisions.
 - 4) The plan shall show the entire existing tract boundary with bearings and distances and identify the total acreage of the entire existing tract, the district, lot size and/or density requirements of the applicable zoning regulations, and the location of existing lot line markers along the perimeter of the entire existing tract as well as the general location of all existing manmade features including any historic structures, utilities, adjacent land uses, adjacent roadways, and other existing public infrastructure such as sewer and water mains, fire hydrants and stormwater management facilities.
 - 5) The presence of existing natural features including, but not limited to, soil types,

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unique vegetation, all tree masses and trees in excess of 4 inches in caliper, rock outcroppings, closed depressions, sinkholes, watercourses, floodplains, steep slopes, archaeological sites, burial sites, wetlands, solid waste disposal areas and topography of the site shall be included on the plan. In addition, any proposed disturbance, encroachment, or alteration to such features shall be indicated.

- 6) The proposed general lot layout shall be shown on the plan including the location of the various types of land uses and approximate location of lot lines; building setback measurements; the approximate location, use, height and bulk of buildings; the proposed units of occupancy and resultant density calculation; the approximate location and size of recreational areas, parks, schools, and other facilities which are intended for public use; the approximate floor space and general configuration of nonresidential uses and the provisions for access and parking.
 - 7) The general layout of streets, alleys, and sidewalks, including cartway and right-of-way widths shall be identified by the plan. A typical street cross-section and a street centerline profile shall be provided for each type of street and proposed street names shall be identified.
 - 8) A professional land surveyor certification as to the accuracy of the plan information shall be provided.
- d. In addition, the following material shall be submitted:
- 1) Two copies of a conceptual landscaping plan identifying the type of materials and general design concepts for the treatment of both public and common open space. The design and provision of appropriate landscaping is integral to the value and function of the open space provided. Therefore, the required landscape plan shall be prepared by a registered landscape architect and, although a detail of the quantity, and size of proposed vegetation is not required at this stage, the plan must identify the location and amount of existing vegetation within the site that will be retained as well as where landscaping will be used to enhance the development. The plan shall address all portions of the proposed open space, as well as those public areas that will be designed as part of the overall development plan. In addition, areas required to be landscaped by other Sections of this Part (such as parking areas, dumpster locations, etc.), proposed street plantings, and the type of street trees to be provided throughout the development shall be included. Standards associated with such auxiliary plantings are found in §27-707.
 - 2) All trees and shrubs shall be planted in accordance with the “Ferguson Township Regulations and Standards for Arbor Work” and all landscape material shall meet or exceed the provisions of §27-707.G.1 - .6.
 - 3) Two copies of a public utility plan identifying connections to and extensions of public sanitary sewer and public water as well as stormwater management controls and all associated easements. Documentation shall be provided to support the feasibility of the proposal for water supply, control of stormwater, erosion and sedimentation control, and for the sanitary sewage treatment, including sewer authority and public water authority ability and capacity to serve the development in its entirety.
 - 4) The location of all other existing and proposed utilities shall be addressed, and the information submitted shall specifically identify which improvements are intended to be dedicated to and maintained by the Township, and which are to be owned and

maintained by a property owner's association. Additionally, any easements or restrictive covenants associated with such infrastructure shall be identified.

- 5) Two copies of a general grading and sedimentation and erosion control plan.
- 6) Two copies of an open space plan that, in addition to identifying the project's conformance with the open space requirements and any associated design incentives, highlights the anticipated location of transit amenities, bicycle paths, and sidewalks within the site, as well as adjacent bikeways, sidewalks, parkland and open space.
- 7) Two copies of a traffic impact study as per the adopted Township standards.
- 8) Two copies of a phasing plan indicating:
 - (a) The phases in which the project will be built including dates when the specific implementation plan for each phase of development will be submitted and an indication of the number and type of units to be developed in each phase. This phasing plan must be updated on a yearly basis in accordance with §508(4)(v) of the Municipalities Planning Code.
 - (b) A timetable for construction of the project including when the first phase of construction is anticipated to begin and sufficient information to ensure the coordinated installation of infrastructure on the site.
 - (c) The area, type, and location of public space, and open space to be provided with each phase.
 - (d) The phasing plan shall ensure the coordinated installation of all public infrastructure as well as the timely construction of required street connections and any other traffic mitigation installations as may be required. In addition, the Township reserves the authority to approve the number, size, and timing of all phases of the project, as well as the composition of each phase. In general, any non-residential portions of the site shall be contained within the first phase of development.
- 9) Two copies of a lighting plan that generally identifies the type and location of lighting standards proposed within the public right-of-way. A detail of the proposed lighting fixture(s) need not be included at this stage. However, to the degree that they are related to the community context, a general depiction shall be provided. Associated levels of illumination as well as the final placement of fixtures within public space or private property shall not be required until the specific implementation plan is filed.
- 10) Two copies of any architectural standards or pattern books that are intended to guide development within the site as per the provisions found in the Design Manual. This material shall provide an explanation of the character of the development and a discussion of the criteria used in site planning including the preservation of natural features and scenic vistas, the consideration of and coordination with adjacent land uses, the inclusion of community facilities, and a description of the networks developed for open space, transportation, and utilities/infrastructure.
- 11) Two copies of the draft text of all covenants, grants, easements, or other restrictions intended to be imposed upon the use of the land, buildings or structures, including proposed easements or grants for public utilities.

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12) Two copies of the draft text of all agreements, declaration of easement(s) or other legally binding documentation which specifies the form of organization proposed to own and maintain the stormwater management facilities and any associated infrastructure or improvements. With regard to maintenance of these facilities, they must be maintained by a private entity (e.g., homeowners association or individual(s) that own the land) in accordance with the terms of an agreement, declaration of easements or other legally binding and recorded documentation approved in form by the Township's Solicitor. The agreement, declaration of easement(s) or other legally binding documentation shall provide that the Township shall have the right to:

- (a) Inspect the facilities at any time.
- (b) Require the private entity to take corrective measures and assign the private entity reasonable time periods for necessary action, authorize maintenance to be done, and lien all costs of the work against the properties of the members of the private entity responsible for maintenance.

Upon review, the Township may require the agreement to contain provisions requiring the posting and/or periodic payment of escrow funds by the private entity to guarantee proper maintenance of the facilities. All of these documents may be in draft form at this juncture.

13) Two (2) copies of the draft text of a written description of the disposition of ownership of the open space and public areas. This is an essential element of the retention of the open space network. Therefore, all ownership options must perpetually restrict future subdivision or land development through establishment of a permanent easement which becomes part of the property title. In addition, one or more of the ownership options listed below must be selected for all portions of the open space provided:

- (a) The Township may, but shall not be required to, accept dedication in the form of fee simple ownership. All areas to be offered for dedication shall be so designated and shall be provided, without compensation, for public use provided that:
 - i. Such land is accessible to all residents of the Township.
 - ii. The Township agrees to and has access to maintain such lands.
 - iii. Any infrastructure located within such area shall be subject to a separate agreement for maintenance and/or replacement.
- (b) A property owner's association may be established to own and maintain the open space areas, as well as any infrastructure located therein. If this option is selected, a complete description of the organization to be established or designated to own and maintain the open space and, the methods by which this organization is to be established and maintained must be submitted. Documentation to this effect shall include:
 - i. Articles of incorporation and registry statement for the association; declaration of protective covenants describing the improvements and membership and voting rights in the association, property rights in the area under common ownership and covenants for maintenance assessments.
 - ii. Bylaws of the association; and proposed language to be included in the deeds of conveyance of lots in the development, requiring each lot owner

to become a member of the association and be obligated to contribute towards the maintenance of the areas under common ownership through the association.

(c) In addition, prior to final approval of the general master plan, the developer shall provide an affidavit setting forth the obligation to:

- i. Create the corporation.
- ii. Record the declaration of protective covenants prior to conveyance of the first lot.
- iii. Include in the deed of each purchaser a requirement that the purchaser join the association and be obligated to contribute towards the maintenance of the common area improvements through the association.

(d) A third option is to transfer fee simple title to the open space, or any portion thereof, to a private, non-profit organization among whose purposes is the conservation of open space land and/or natural resources provided that:

- i. The conveyance is made to a bona-fide conservation organization with a perpetual existence which is acceptable to the Township.
- ii. Appropriate deed restrictions in favor of the Township are provided in language acceptable to the Township's Solicitor.
- iii. The conveyance contains adequate provisions for proper retransfer or reverse in the event that the organization becomes unable to continue to carry out its assigned functions.
- iv. A maintenance agreement, acceptable to the Township and its Solicitor is entered into by the developer, the chosen organization, and the Township.

4. Distribution and Review. Copies of this information shall be distributed to all appropriate agencies including, but not limited to the Board of Supervisors, Township Planning Commission members, the Centre Region Planning Agency, the Township Engineer, the Centre County Conservation District, CATA, and the PA DEP regional office.

a. The grant of approval of the general master plan shall be by official written communication and shall, in the case of a plan which proposes development over a period of years, include sufficient terms and conditions to protect the interests of the public and of the residents of the proposed development in the integrity of the general master plan.

G. Development Timetable. In the event that the general master plan is granted approval with or without conditions, the Board of Supervisors may set forth in the official written communication the time within which an application for final plan approval, as signified by submission of a specific implementation plan, shall be filed; or, in the case of a general master plan that provides for development over a period of years, the periods of time within which applications for final approval of each part/phase thereof shall be filed. Except upon consent of the Board of Supervisors, the time frame established for submission of all phases of the master plan shall not exceed the vesting protection established by Article V, §508(4)(v)-(vii), of the MPC. Any extension of said time frame shall be established at the time of approval of the general master plan.

1. Status after General Master Plan Approval. Approval of the general master plan shall not qualify a plat of the Traditional Town Development or associated Mixed Residential Area, for

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recording, nor authorize development, the sale of lots, or the issuance of any building permits. A general master plan which has been given approval shall not be modified or revoked, nor otherwise impaired by action of the Township pending the filing of an application or applications for a specific implementation plan, without the consent of the landowner, provided that applications are filed within the periods of time specified above, or, upon the extension of such time frame, in accordance with the official written communication granting approval of the general master plan.

2. **Rewvisions to the General Master Plan after Approval.** The Township may accept a specific implementation plan revised to reflect a change to the site or surroundings which occurs after approval of the general master plan. Any changes to the approved general master plan that are proposed prior to the submittal of the specific implementation plan shall be presented to the Board of Supervisors for consideration and determination as to whether or not the changes are substantial enough to require a modification to the approved general master plan. If the Board determines that a modified plan is not required, a specific implementation plan may be submitted to signify the request for final plan approval. If the Board of Supervisors determines that the general master plan must be modified, the process outlined in subsection .4 above shall be followed. Upon approval of the revised general master plan, the applicant shall provide the Township with at least two copies of the revised plan for their record.

Any revisions to the specific implementation plan, or during construction subsequent to approval of that plan, shall follow the same procedures which are set forth for such circumstances in the PRD provisions of §27-302.G.2(a), (b).

- H. **Specific Implementation Plan Approval.** An application for specific implementation plan approval may be for all of the land included in the general master plan or, for a specific phase as set forth and approved by the Board of Supervisors during their consideration of the general master plan. Application shall be made to the Board of Supervisors within the time or times specified by the phasing plan approved as part of the general master plan, but not until after any conditions established as part of the approval of the master plan have been satisfactorily addressed. In addition, a specific implementation plan may not be submitted for final Township review until after all improvements indicated on the general master plan have been installed or, in lieu of the completion of the improvements, subject to deposit with the Township of a corporate bond or other security acceptable to the Board of Supervisors in accordance with the Subdivision and Land Development Ordinance, §22-304.2.

1. The application for specific implementation plan approval shall conform to the approved general master plan including all conditions and modifications attached thereto and shall include:
 - a. A completed application for subdivision or land development and payment of all application and escrow fees.
 - b. Five black (or blue) on white prints of the plan and 10 reduced (11"x17") copies of all plan sheets prepared in conformance with all provisions of this Part and the associated design guidelines.
2. Plans shall contain the information required for general master plan approval with the following exceptions and additions:
 - a. All locational information shall no longer be approximate but shall conform to the accuracy requirements and/or be field verified for precision. This shall include, but not be limited to, the following information: existing environmental or topographic features, existing and

proposed easements and rights-of-way, existing sanitary sewer and water supply mains, fire hydrants, and stormwater management facilities which effect stormwater runoff on the subject tract(s).

3. Additional plan information required includes the following:
 - a. Complete description of the centerline and right-of-way line for all new streets. This description shall include distances and bearings with curve segments composed of radius, tangent, arc, and chord.
 - b. Proposed lot lines with accurate bearings and distances, and lot areas for all parcels. Curve segments shall be comprised of arc, chord, bearing and distance.
 - c. The location and configuration of proposed buildings, parking compounds, streets, driveways, landscaping and all other significant facilities.
 - d. Total number of lots, units of occupancy, density, and proposed land uses.
 - e. Building setback lines, with distances from the street right-of-way line.
 - f. Typical cross section for each proposed street. Each cross section shall include the entire right-of-way width.
 - g. Curb radii at intersections.
 - h. Curbs and gutters, location, cross-section and typical design.
 - i. Vegetation, including street trees, to be planted between curb or shoulder and right-of-way line.
 - j. Sidewalks, including location, width, grades and ramps for handicapped.
 - k. Location of street lights.
 - l. Proposed street address and address for each unit if applicable.
 - m. Location, size and material of sewer and water mains and laterals to each lot.
 - n. Final vertical and horizontal alignment for each proposed street, sanitary sewer, and water distribution system. All street profiles shall show at least the existing (natural) profile along the centerline, proposed grade at the centerline, and the length of all proposed vertical curves for streets. All water distribution and sanitary sewer systems shall provide manhole locations and size and type of material.
 - o. Source of title to the land included within the subject application as shown by the Centre County Recorder of Deeds, and a copy of said ownership documentation.
 - p. Final street names.
 - q. Location and material of all permanent monuments and lot line markers provided in conformance with the provisions of the Subdivision and Land Development Ordinance.
 - r. A grading plan that includes finished land contours and grades, directions of water movement, type of soils, location of water bars or silt fences and ground floor elevations. This information may be provided on separate sheets and is not subject to recording with the specific implementation plan.
 - s. Identification of any lands to be dedicated or reserved for public, semi-public, or

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community use.

- t. The location, face area and height of signs as regulated by the Sign Regulations [Chapter 19, Part 1].
- u. Space for approval signatures by the Chairman and Secretary of the Planning Commission including date of such approval.
- v. Space for approval signatures by the Chairman and Secretary of the Board of Supervisors including date of such approval.
- w. The following certificate for execution by the Township Engineer:

I, ___, have reviewed and hereby certify that the plan meets all engineering design standards and criteria of the Ferguson Township Code of Ordinances.

In the case of a plan which requires access to a highway under the jurisdiction of the Pennsylvania Department of Transportation, the inclusion of the following plan note:

“A Highway Occupancy Permit is required pursuant to §420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the State Highway Law, before driveway access to a State Highway is permitted. Access to the State Highway shall only be as authorized by a Highway Occupancy Permit, and the Township’s approval of this plan in no way implies that such permit can be acquired.”

- 4. In addition, the following material shall be submitted:

- a. Two (2) copies of a landscaping plan identifying the materials and design for the public and common open space. The required landscape plan shall be prepared by a registered landscape architect, and shall specify the quantity, type and size of proposed vegetation, as well as identifying the location and amount of existing vegetation within the site that will be retained. The plan shall include all portions of the proposed open space, as well as those public areas that will be designed as part of the overall development plan. In addition, areas required to be landscaped by other sections of this Part (such as parking areas, dumpster locations, etc.), proposed street plantings, and the type and location of street trees to be provided shall be included. Standards associated with such auxiliary plantings are found in §27-707. The landscaping plan submitted shall conform to the requirements of §27-707.D.1, .2, .3, and .4.
- b. All trees and shrubs shall be planted in accordance with the “Ferguson Township Regulations and Standards for Arbor Work,” and all landscape material shall meet or exceed the provisions of §27-707.G.1 - .6.
- c. Two copies of a public utility plan identifying connections to and extensions of public sanitary sewer and public water as well as stormwater management controls and all associated easements. Documentation shall be provided to support the proposal for water supply, control of stormwater, erosion and sedimentation control, and for the sanitary sewage treatment, including sewer authority and public water authority ability and capacity to serve the development in its entirety.
- d. Two copies of a grading and sedimentation and erosion control plan with approval from the Centre County Conservation District.
- e. Two copies of an open space plan that, in addition to identifying the project’s conformance with the open space requirements and any associated design incentives, identifies the

location of transit amenities, bicycle paths, and sidewalks within the site, as well as adjacent bikeways, sidewalks, parkland and open space.

- f. Two copies of the approved traffic impact study, as per the adopted Township standards. The design of the proposed street network shall be in conformance with the study results.
- g. Two copies of a lighting plan that identifies the type and location of lighting standards proposed within the public right-of-way. A detail of the proposed lighting fixture(s) shall be included. Associated levels of illumination as well as the final placement of fixtures within public space or private property shall be provided.
- h. Two copies of the final version of all covenants, grants, easements, or other restrictions intended to be imposed upon the use of the land, buildings or structures, including proposed easements or grants for public utilities.
 - 1) Two copies of the final version of all agreements, declaration of easement(s) or other legally binding documentation which specifies the form of organization proposed to own and maintain the stormwater management facilities and any associated infrastructure or improvements.
 - 2) Two copies of the final documents describing the disposition of ownership of the open space and public areas.
5. Upon receipt of the material listed above, the Township Department of Planning and Zoning shall forward one copy of the plan and associated information to the Township Solicitor; the Centre Regional and Centre County Planning Commissions; the Township Engineer; and the Alpha Fire Company Chief.
6. The review of the specific implementation plan shall be conducted by the Board of Supervisors in the same manner as review of the general master plan prescribed by subsection .4.B.
7. In the event that the specific implementation plan submitted contains variations from the approved general master plan, the Board of Supervisors may refuse to grant approval of the specific implementation plan and shall, within 45 days from the filing of the application for approval of the specific implementation plan, so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one or more said variations are not in the public interest. Provisions for requesting approval of amendments to the approved general master plan are outlined by subsection .8.B.
8. Conditions to Approval of the Specific Implementation Plan. The Board of Supervisor's may grant approval of a specific implementation plan with or without conditions. If the Board of Supervisors desires to attach conditions to a plan, it shall include the conditions in the motion of acceptance. The conditions imposed by the Board of Supervisors shall be delivered in writing to the applicant, at the address given with the final plan, by first-class mail, postage prepaid, within seven (7) days of the vote on the plan by the Board of Supervisors.

Such notice shall include a period of time, of not more than ten (10) days, within which the applicant may either accept all of the conditions imposed by the Board of Supervisors or reject any or all of the conditions. In the event that the applicant rejects any or all of the conditions or does not respond or notify the Board of Supervisors of the decision to accept or reject the conditions, then the conditions shall be deemed to be rejected by the applicant. In the event that any or all of the conditions are rejected by the applicant, then the approval of the plan by the Board of Supervisors shall be automatically rescinded.

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The Board of Supervisors may render a decision disapproving the plan, which decision will be the decision of the Board of Supervisors if the applicant does not accept all of the conditions attached to the plan by the Board of Supervisors.

- a. As a condition of approval of all plans filed, the applicant shall permit the Township Engineer to make periodic site inspections of such nature and extent as is necessary to insure that the required improvements are being installed and constructed in conformity with the design standards contained herein or otherwise specified in approval of the general master plan.
9. Disapproval of the Specific Implementation Plan. The Board of Supervisors may render a decision disapproving the plan, which shall also constitute the decision of the Board of Supervisors if the applicant does not accept all of the conditions attached to the plan by the Board of Supervisors.
- I. Record Plan. Once the specific implementation plan has been given final approval, it shall be so certified without delay by the Board of Supervisors and shall be filed on record forthwith in the Office of the Recorder of Deeds of Centre County, in accordance with the provisions of §509 and §513 of the Pennsylvania Municipalities Planning Code, together with any restrictive covenants and agreements or other provisions which govern the use and maintenance of the TTD and its common open space and infrastructure.
- J. Corporate Bonds and Maintenance Guarantee. Approval of the specific implementation plan may be subject to posting a performance bond covering up to one hundred ten percent (110%) of the cost of developing common open spaces, planting plans, public improvements, and other improvements as deemed appropriate by the Board of Supervisors. Such financial security may include, among others, a lending institution letter of credit or a restrictive escrow account in a lending institution. Such bond, or other security, shall provide for, and secure to the public, the completion of any improvements which may be required within a stated period which shall not be longer than five (5) years from the date the plan received general master plan approval. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten percent (110%) of the cost of completion of the improvements to be estimated as of ninety (90) days following the date scheduled for completion. The basis for the determination of the costs shall take into account and be based upon the estimated costs as would be experienced by the Township if it were to bid and complete the project subject to the restrictions of the Home Rule Charter, any prevailing wage requirements or other material and labor requirements on the Township. Each year, the Board of Supervisors may adjust the amount of financial security required by comparing the actual costs of improvements which have been completed and the estimated costs for the completion of the remaining improvements as of the expiration of ninety (90) days after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to such adjustment, the Board of Supervisors may require the applicant to post additional security in order to assure that the financial security equals 110%. Any additional securities shall be posted by the applicant in accordance with the Municipalities Planning Code and this Part. In determining the adjustment annually, the Board of Supervisors shall take into account the restrictions contained above. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements submitted by the applicant and prepared by a professional engineer licensed in the Commonwealth of Pennsylvania and certified by such engineer to be a fair and reasonable estimate of such cost.
 1. Upon final approval of the plan, if requested by the applicant and in order to facilitate financing, the Board of Supervisors shall furnish the applicant with a signed copy of a resolution indicating final approval of the plan contingent upon the applicant obtaining satisfactory

financial security. The final plan shall not be signed nor recorded until the appropriate financial security is supplied to the Township. In such case, the motion passing the final approval of the plan shall be contingent upon receipt of satisfactory financial security within 90 days of the date of the motion (unless a written extension is granted by the Board of Supervisors).

In the event that satisfactory financial security is not provided within the said 90 days or within the time granted by written extension by the Board of Supervisors, then the motion granting the contingent approval shall expire and shall be deemed to be revoked, and the contingency of the motion granting final approval of the plan shall be deemed to be not satisfied.

2. Upon written application signed by the obligor and surety of a performance guarantee in a form approved by the Board of Supervisors, the governing body may at their discretion extend said period provided that satisfactory security for the completion of the improvements within the extended time is provided, or when the improvements have been partially completed reduce proportionally the amount of the bond or other form of security by formal resolution.
3. In the event that any improvements which may have been required in accordance with the finally approved plan have not been installed, the Board of Supervisors may enforce any corporate bond or other security by appropriate legal and equitable remedies. If the proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by the said security, the Board of Supervisors may install part of such improvements in all or part of the subdivision or land development or cause the same to be installed and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements.

All the proceeds, whether resulting from the security or from any legal or equitable action brought against the applicant, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

4. Release from the bond or other security shall be granted by the Board of Supervisors contingent upon review and report by the Township Engineer in accordance with procedures outlined above.
5. Prior to final approval of a plan by the Township, the Board of Supervisors may require the applicant to deliver to the Township Secretary a maintenance guarantee in an amount of not less than fifteen percent (15%) of the estimate of the cost of all required improvements, guaranteeing that the applicant shall maintain all such improvements in good condition for a period of one (1) year after completion of construction and installation of all such improvements.
6. A separate maintenance guarantee shall be provided by each applicant to ensure the health and vitality of all plant material within the site, whether part of the open space or associated public space, for a period of eighteen (18) months from planting. Any of the landscaping that dies or is removed within this time frame shall be replaced with vegetation of the same size and species. It shall also be the responsibility of each applicant to assure the proper care and maintenance of all plant material within the open space areas for the duration of these eighteen (18) months and until such time as appropriate provisions for the perpetual maintenance of the open space areas are provided in a manner described by this Part and acceptable to the governing body.

- K. Payment of Review and Professional Consultant's Fees. Prior to final approval of a plan by the Board of Supervisors, the applicant shall pay all review fees, including fees for professional consultants

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and engineers for review and reports which were requested by the Township, either in the normal course of review or as a result of a problem or issue arising out of the normal review. The review fees and consultant's fees to be paid shall be based upon a schedule established by resolution by the Board of Supervisors.

- L. Use Regulations. All development within a Traditional Town Development or associated Mixed Residential Area shall proceed in accordance with the standards of §27-303.A, §27-303.B, §27-303.C and §27-303.D, and the associated Design Manual adopted as a part thereof. The amount and type of uses shall be as specifically prescribed by these standards.

§27-905. Occupancy Permits.

Upon completion of the erection, extension or alteration of a structure or the establishment of the use for which a zoning permit was issued, the applicant shall request a final inspection. The structure for which the zoning permit was issued may not be occupied or otherwise used until a final inspection has been completed by the Zoning Administrator.

- A. Within seven (7) days of request for final inspection, the Zoning Administrator shall inspect the premises to determine if the action taken complies with the regulations of this Chapter. If it does, the Zoning Administrator shall sign the building permit card or sign off on the project within the seven (7)-day time limitation.
- B. If the action fails to comply with the regulations of this Chapter, the Zoning Administrator shall notify the applicant, in writing, of the reason for not signing the permit card or signing off on the project and shall state the provisions of this Chapter with which the action does not comply. The applicant may correct the defects cited in the denial of the Zoning Administrator for final approval. If, upon notification by the applicant and inspection of the premises, the Zoning Administrator finds that the defects have been corrected and that no additional defects have been created, final approval shall be immediately permitted.
- C. Failure of the Zoning Administrator to properly grant or deny occupancy approval in the manner and time period stipulated above shall constitute an approval of the application for occupancy, and the premises may be occupied or otherwise used as stipulated in the zoning permit.
- D. Temporary Occupancy. Temporary occupancy may be granted in the manner prescribed above, pending the completion of a structure to allow for partial occupancy; issuance of said temporary occupancy shall be at the discretion of the Zoning Administrator. In the event that a temporary occupancy permit is issued, the applicant shall provide financial security (which may be an irrevocable letter of credit with a Federal or Commonwealth chartered lending institution, a restrictive escrow account in such lending institution, or a personal bond; the nature of which shall be at the discretion of the Zoning Administrator) in an amount sufficient to guarantee the completion of the improvements within the prescribed time period and in an amount as set by the Zoning Administrator. The permit shall be valid only until such time as the action for which the zoning permit was issued is complete, or for a period of six (6) months after issuance, whichever is less. Upon expiration of the temporary occupancy permission, the applicant shall apply for permanent occupancy or, if the action remains incomplete, may apply for one additional temporary occupancy. If granted, temporary occupancy shall be for a period of time determined by the Zoning Administrator but shall be for no more than six (6) months after issuance.
- E. Prior to occupancy of a building, other than a single or two-family dwelling, an emergency contact card shall be completed for the police department.
- F.

§27-906. Violations and Penalties.

Failure to comply with any provisions of this Chapter shall be a violation of this Chapter.

- A. Complaints Regarding Violations. Whenever a violation of this Chapter occurs, or is alleged to have occurred, any person may file a complaint to the Zoning Administrator stating fully the causes and basis thereof. The Zoning Administrator shall record such complaint, immediately investigate and take action thereon as provided by this Chapter.
- B. Notice of Violation. If the Zoning Administrator shall find a violation, he shall initiate enforcement proceedings by sending an enforcement notice as provided herein:
 1. The enforcement notice shall be sent to the owner of record of the lot on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.
 2. An enforcement notice shall state the following:
 - a. The name of the owner of record and any other person against whom the Township intends to take action.
 - b. The location of the property in violation.
 - c. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Chapter.
 - 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 a right to appeal to the Zoning Hearing Board within thirty (30) days by filing a request for appeal in writing with the Zoning Hearing Board within the said thirty (30) days period.
- C. That failure to comply with the notice within the said thirty (30) days, unless extended by appeal to the Zoning Hearing Board, constitutes a violation with possible sanctions, which may be as much as five hundred dollars (\$500) per day of each violation plus all court costs, including reasonable attorney fees the Township incurs as a result of prosecution of such violation.
- D. Civil Enforcement. The Zoning Administrator may institute civil enforcement proceedings as a means of enforcement if authorized by the Manager or the Board of Supervisors.
- E. Enforcement Provisions and Causes of Action. Remedies for violation of this Chapter are as set forth in §616.1 and §617.1 and §617.2 of Article VI of the Pennsylvania Municipalities Planning Code, as amended.

§27-907. Appeals.

Any appeal from a decision or action of the Board of Supervisors or of any officer or agency of the Township in matters pertaining to this Chapter shall be made in accordance with Article X of the Pennsylvania Municipalities Planning Code, as amended.

§27-908. Amendments.

The regulations, restrictions and district boundaries set forth in this Chapter may, from time to time, be amended through action of the Board of Supervisors in the manner provided by §609 through §611 of Article VI of the Pennsylvania Municipalities Planning Code, as amended.

Administration and Enforcement**§27-909. Source Water Protection Administration.**

The Zoning Administrator is hereby designated as the Township official responsible for the administration and enforcement of this Ordinance. The Ferguson Township Zoning Hearing Board shall hear variances and/or appeals from the written determinations and orders of the Zoning Administrator regarding applications, enforcement notices, cease and desist orders, and other matters, and shall also hear substantive and procedural challenges to the validity of this Ordinance.

- A. Uses of lots or tracts of land in existence on the date of enactment of this Ordinance which are Regulated Land Uses and Activities shall be deemed to be "Nonconforming Uses" of land under the terms of this Ordinance. Such Nonconforming Uses of land may be continued by the present or any subsequent owner as long as:
 1. Such use is and remains otherwise lawful and in compliance with all federal, state and county environmental, pollution control, hazardous material, and drinking water laws and regulations;
 2. Such Non-Conforming use has not been and is not discontinued for a period of twelve (12) consecutive months;
 3. Such Nonconforming Use is not, after the date of enactment of this Ordinance, materially altered, changed or expanded;
 4. Such Nonconforming Use is not an actual known source of groundwater contamination as a result of a specific violation notice from the PA Department of Environmental Protection, the United States Environmental Protection Agency, or any other pertinent county, state or federal regulatory agency;
 5. Such use shall upgrade its technology on a regular basis, as the technology required by applicable law is changed, or upon request of the Township, in order to minimize the risks associated with such use to the community water resources. Such upgrades shall be a necessity to support the right to continue with the Nonconforming Use.
- B. A Regulated Land Use and Activity under Table 405.G.1 shall be deemed to be new or materially altered, changed or expanded if:
 1. The land use which constitutes the Regulated Land Use and Activity was not previously present and conducted upon the lot or tract of land in question;
 2. The production and/or storage capacity of the Regulated Land Use and Activity is increased except for fluctuations resulting from the delivery of supplies to replenish stocks up to previously reported levels and the decrease attributable to proper use of the substances;
 3. The types of any substances which give rise to the Regulated Land Use and Activity is changed;
 4. The number of types of substances which give rise to the Regulated Land Use and Activity is changed;
 5. The quantity of any substances which give rise to the Regulated Land Use and Activity is materially increased; or
 6. The land area subject to the Regulated Land Use and Activity is enlarged in any respect.
- C. Application for a Special Exception shall be made to the Ferguson Township Zoning Hearing Board in writing on such form as may be prescribed by the Zoning Administrator, and such application shall include, at a minimum, a detailed description of each of the activities to be conducted upon

the lot or tract of land in question which constitute a Regulated Land Use and Activity, including a listing of all substances which are to be stored, handled, used, or produced in connection with each Regulated Land Use and Activity being proposed, and which substances are subject to regulation by federal, state, and/or county governmental authorities.

- D. The Ferguson Township Zoning Hearing Board shall issue a written determination approving or disapproving the application for a Special Exception, or conditioning the granting of the Special Exception upon adherence to any or all of the following requirements by the applicant for the Special Exception, where the Zoning Hearing Board has found that such adherence is reasonably necessary to fulfill the groundwater protection purposes of this Ordinance:
 - 1. The installation of containment facilities and systems so as to prevent the contamination of groundwater by substances regulated by federal, state, and/or county governmental authorities;
 - 2. The preparation and filing (with the Zoning Administrator) of a Spill Contingency Plan addressing the means by which any potential contamination of groundwater will be controlled, collected, and remediated, including emergency contacts and identification of potential contaminants;
 - 3. Regular inspection and/or monitoring by the owner, occupant, the Zoning Administrator, and/or third parties of the Regulated Land Use and Activity area;
 - 4. Compliance by the applicant with the provisions of the Ferguson Township Subdivision and Land Development Ordinance pertaining to sanitary sewage disposal, water supply, storm water management, and easements.
- E. Other items that may be required to characterize environmental or physical conditions of the subject property.

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PART 10**Zoning Hearing Board****§27-1001. Administration.**

The Board of Supervisors shall appoint a Zoning Hearing Board, whose membership, organization, procedures and functions shall be those as set forth in Article IX of the Pennsylvania Municipalities Planning Code, as amended.

§27-1002. Hearings.

The Board shall conduct hearings and make decisions in accordance with the procedures stipulated in §908 of Article IX of the Pennsylvania Municipalities Planning Code, as amended. Notice shall be given to the public, the applicant, the Zoning Administrator, the Township Manager and to any person who has made timely request for the same. Notice shall be given at such time and in such manner as shall be prescribed by the rules of the Board. Notice shall also be conspicuously posted on the affected tract of land for at least seven (7) consecutive days prior to the hearing. The posting shall consist of a sign at least thirty (30) inches by thirty (30) inches.

§27-1003. Functions.

The Zoning Hearing Board shall have the functions set forth in §§909.1, 910.2 and of Article IX of the Municipalities Planning Code, as amended.

§27-1004. Parties Appellant Before the Board.

Appeals under §27-907 as applicable and as amended, may be filed with the Board in writing by the land owner affected, and any officer or agency of the Township, or any person aggrieved.

§27-1005. Zoning Appeals to Court.

Appeals to court from any decision of the Board may be taken by any party aggrieved within the time frame and in accordance with the manner provided by Article X-A of the Municipalities Planning Code, as amended.

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PART 11**Definitions****§27-1101. Language Interpretation.**

For the purposes of this Chapter, certain terms and words used herein shall be interpreted as follows:

- A. Words used in the present tense include the future tense; the singular number includes the plural and the plural number includes the singular; words of masculine gender include feminine gender, and words of feminine gender include masculine gender.
- B. The word "includes" or "including" shall not limit the term to the specific example, but is intended to extend its meaning to all other instances of like kind and character.
- C. The word "person" includes an individual, firm, association, organization, partnership, trust, company, corporation or any other similar entity.
- D. The words "shall" and "must" are mandatory; the words "may" and "should" are permissive.
- E. The words "used" or "occupied" include the words "intended, designed, maintained, or arranged to be used or occupied."

§27-1102. Definitions.

Unless a contrary intention clearly appears, the following words and phrases shall have a meaning given in this Section. All words and terms not defined herein shall be used with a meaning of standard usage as defined in Merriam Webster's Collegiate Dictionary, Eleventh Edition.

Definitions found in the Subdivision and Land Development Ordinance [Chapter 22] shall be applicable to this Chapter.

ACCESS DRIVE – A means of approach or entry to or exit from a lot, a site or a parcel to a street.

ACCESSORY DWELLING UNIT – A dwelling unit which has been authorized to be established pursuant to this Chapter, which is occupied by a person or persons related by blood or marriage to the resident/owner of the dwelling unit to which the accessory dwelling unit is subordinate, or which is occupied by a person or persons employed to provide health care, domestic housekeeping or horticultural services to the resident/owner of, and on the site of, the resident/owner's dwelling unit.

ACCESSORY FOOD OPERATIONS – Supporting production and/or preparation facilities related to food produced or processed on-site.

ACCESSORY STRUCTURE, BUILDING – A detached subordinate structure, the use of which is clearly incidental to the principal structure and/or principal use of the land.

ACCESSORY USE – A use conducted on the same lot as, and subordinate to, a principle or adjunct use to which it is related. The use must be clearly incidental to and found in connection with a particular principal use.

ACCESSORY USE CUSTOMARILY INCIDENTAL TO THE SPECIFIED PRINCIPAL USE – See ACCESSORY USE.

ADDITION – See "extension."

ADMINISTRATIVE OFFICE BUILDING – A building or facility where administrative activities are

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conducted or social or educational services are provided to the general public.

ADULT ARCADE – An establishment where, for any form of consideration, one or more motion picture projectors, slide projectors, or similar machines for viewing by five or fewer persons each are used to show films, motion pictures, videocassettes, slides or other photographic reproductions that are characterized by an emphasis upon the depiction or description of specified anatomical areas or specified sexual activities.

ADULT BOOKSTORE – An establishment which, for any form of consideration, has as a substantial or significant portion of its stock in trade, any one or more of the following:

- A. Books, magazines, periodicals or other printed matter, or photography, films, motion pictures, videocassettes, slides or other visual representations that are characterized by an emphasis upon the depiction of specified sexual activities or specified anatomical areas.
- B. Instruments, devices, or paraphernalia that are designed for use in connection with specified sexual activities.

ADULT BUSINESS USE – Any adult bookstore, arcade, cabaret, motion/mini motion picture theater, theater and massage parlor, as defined herein, and which, under the State Obscenity Code, must exclude minors or may not knowingly admit or disseminate to minors.

ADULT CABARET – A cabaret, nightclub, bar, restaurant, tavern, theater or club which regularly features live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities, or films, motion pictures, videocassettes, slides or other photographic reproductions in which a substantial portion of the presentation time is devoted to the showing of material that is characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas as defined herein.

ADULT MOTION/MINI MOTION PICTURE THEATER – An establishment where for any form of consideration, films, motion pictures, videocassettes, slides or similar photographic reproductions are shown and in which a substantial portion of the total presentation time is devoted to the showing of material characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas, as defined herein.

ADULT THEATER – Any theater, concert hall, auditorium or similar establishment, indoor or outdoor, which exhibits a motion picture show or other presentation which, in whole or in part, depicts specified anatomical areas or specified sexual activities as defined herein.

ADVANCED AGRICULTURAL RESEARCH – An indoor outdoor educational agricultural research area conducted by an institution of higher education. Uses, structures and activities may include, but are not limited to, events and activities such as exhibits, displays, programs, research, structures, equipment, livestock, poultry, horses, field demonstrations, tours, shows, clinics and workshops related to agriculture, research, extension or education.

AGE-RESTRICTED UNITS – Housing that restricts ownership and/or residency to individuals of a certain age range.

AGRICULTURE – Any use of land or structures for farming, dairying, pasturage, land tilling, horticulture, floriculture, arboriculture or animal or poultry husbandry or as otherwise defined by the Pennsylvania Department of Agriculture and/or the United States Department of Agriculture.

AGRICULTURE RELATED PRODUCTION – A farm that is actively producing agricultural products

for purchase and sale. It may include any farm marketing or agricultural tourism endeavor such as farm markets, farm direct marketing, farm stays, farm visits, roadside markets or stands, U-Pick operations, community supported agriculture, rural tourism, farm museums, corn mazes, cider mills, vineyards and wineries, pumpkin patches, petting farms, on-farm retail meat shops, on-farm retail dairies and creameries, on-farm woolen goods shops, maple syrup farms, Christmas tree farms, multi-farmers' markets, on-farm retail nurseries, on-farm gift shops, on-farm flowers, herbs and spices stores, on-farm bakeries, on-farm restaurants or cafes, and other value-added production facilities.

AGRICULTURAL EROSION AND SEDIMENTATION CONTROL PLANS – A site specific plan identifying BMPs to minimize accelerated erosion and sedimentation from agricultural runoff, required by Chapter 102 (relating to erosion and sedimentation control). The agricultural erosion and sediment control components of a conservation plan may meet this requirement, if allowed under Chapter 102.

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

AGRICULTURAL SERVICE BUSINESS – A business engaged in providing services for agricultural operations, including sales and service of farm implements, fertilizer/pesticide/herbicide, agricultural product storage and distribution facilities, testing services, and seed and feed operations.

AGRICULTURE/ENVIRONMENTAL EDUCATION PROGRAM – The hosting of day and overnight events for students and or guests for farm education.

AGRITOURISM – The practice of visiting an agribusiness or agricultural operation for the purpose of recreation, education, purchase or involvement in the operation. These operations include those that are for-profit and those that are provided free of charge.

AIRPORT/HELIPORT – An area of land or water or a structural surface which is designed, used or intended to be used for the landing and take-off of airplanes or helicopters, and any appurtenant areas which are designed to be used for airplane or helicopter support facilities, such as maintenance, refueling and parking.

AIRPORT ELEVATION – The highest point of an airport's usable landing area measured in feet above sea level. The airport elevation of the airport identified as "University Park Airport" in all locations is 1231 feet.

AIRPORT HAZARD – Any structure or object, natural or man-made, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous to the landing or taking off of aircraft.

AIRPORT HAZARD AREA – Any area of land or water upon which an airport hazard might be established if not prevented as provided for in this section and the Pennsylvania Aviation Code, Act 164 of 1984.

AISLE – A corridor used for access within a parking lot by motor vehicles to the parking spaces.

ALLEY – A street, usually located to the rear or side of properties otherwise abutting a street, used primarily for vehicular service access and which does not typically provide primary frontage for a building.

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ALLEY/LANE – A narrow vehicular access to the rear of lots providing service areas, utility easements, and access to parking and outbuildings.

ALLUVIAL – An alluvial deposit; relating to, composed of or found in alluvium.

ALLUVIUM – Clay, silt, sand, gravel or similar detrital material deposited by running water.

ALTERATION - As applied to land, a change in topography as a result of the moving of soil and rock from one location or position to another, also the changing of surface conditions by causing the surface to be more or less impervious; land disturbance. This term shall not apply to agricultural plowing and tilling activity.

ALTERATION, STRUCTURAL - Any change or rearrangement in the supporting members of an existing building such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors, windows, means of ingress and egress, or any enlargement to or diminution of a building or structure, or the moving of a building from one location to another.

AMBULANCE SERVICE – A facility for the dispatch, storage, and maintenance of emergency medical care vehicles.

AMENDMENT – Any change or revision of the text of this chapter or the Zoning Map.

AMUSEMENT ARCADES – A principal use of a building in which player-operated amusement devices, such as pinball machines, video games, coin-operated games, or other similar devices are used by the general public.

ANIMAL EQUIVALENT UNIT – 1,000 pounds live weight of livestock or poultry animals, regardless of the actual number of individuals comprising the unit. Animal weights shall be calculated using the Standard Animal Weights listed in Pennsylvania Act 38 Nutrient Management Program Technical Manual, by the Pennsylvania State Conservation Commission.

ANIMAL, LARGE – For the purposes of this ordinance, Large Animals are considered livestock of the bovine, equine, sheep, goat or camelid families.

ANIMAL, SMALL – For the purposes of this ordinance, Small Animals are considered including chickens, fowl, game birds, and any other animal which is by size and/or nature of a similar character to the aforementioned animals

APARTMENT COMPLEX – A group of two or more buildings occupying a lot in single ownership, with each building used by three or more families.

APPLICANT – A subdivider, landowner or developer who has filed an application for development, including the landowner's or developer's heirs, successors and assigns.

AQUIFER – A water-bearing layer of rock that will yield water in a usable quantity to a well or spring.

ARCHERY AND SHOOTING RANGES, INDOOR – A totally enclosed building that is equipped for the practice of shooting, including archery, where no activity associated with shooting is conducted outside the building.

ARCHIVAL LIBRARY – A location used for the collection and preservation of books, journals, manuscripts, maps and other materials which are of limited use and circulation. Because use of the materials is strictly controlled, the traffic and public use is on a much lesser scale than a typical public library.

ASSISTED LIVING FACILITY – A residential building or group of buildings designed to provide multifamily dwelling units for elderly or physically or mentally disabled persons who are independently mobile and are not in need of the level of service provided by a personal-care home, but that provides on-site supervision and assistance available to the residents on an occasional, as-needed basis, and where at least one meal each day is provided in a common dining area, and that includes certain design features associated with the needs of the elderly that are not customary in the construction of conventional dwelling units, such as emergency call systems, common dining facilities, common laundry facilities, minimal housekeeping services, common leisure and recreational facilities, transportation services and similar supporting services for the convenience of the residents.

AUTO COURT – A functional automobile and pedestrian area that is surrounded by a cluster of homes and paved with decorative brick or stone pavers. Auto courts use permeable paving systems, allowing runoff to percolate into and undergo filtration by the subsoil underlying the pavers.

AUTO WRECKING, JUNK AND SCRAP ESTABLISHMENT – The use of land and structures for the storage, baling, packing, sorting, handling, disassembling, purchase or sale of any material which has been used, salvaged, scrapped or reclaimed, but is capable of being reused in some form, including metals, fiber, paper, cloth and rags, rubber, rope, bottles, machinery, tools, appliances, fixtures, utensils, lumber, boxes, crates, pipe and pipe fittings, tires, motor vehicles which are inoperable and do not have a current and valid inspection sticker as required by the Commonwealth of Pennsylvania, and motor vehicle parts, but not including garbage or other organic wastes.

AUTOMOBILE SERVICE STATIONS AND GARAGE – The use of land and structures engaged in the retail sale of gasoline, oil, grease, batteries, tires and other motor vehicle accessories, which may also provide minor mechanical repairs and servicing of motorized vehicles.

AVERAGE RIPARIAN BUFFER WIDTH – The total area of the riparian buffer in Zone One along the length of the stream or body of water divided by the total linear length of the stream for the case where buffer averaging is permitted.

AVERAGE TOTAL RIPARIAN BUFFER WIDTH – The total area of the riparian buffer (Zones One and Two) along the length of a stream or body of water divided by the total linear length of the stream for the case where buffer averaging is permitted.

BANK AND FINANCIAL ESTABLISHMENT – Business including, but not limited to, banking, savings and loans, credit agencies, investment companies, brokers and dealers of securities and commodities, security and commodity exchanges, insurance agents, lessors, lessees, buyers, sellers, agents and developers of real estate.

BASE FLOOD ELEVATION – The water surface elevation of the flood level that has a 1% or greater chance of occurrence in any given year.

BASEMENT – Any area of the building having its floor below ground level on all sides.

BASIC CONVENIENCE COMMERCIAL GOODS AND SERVICE – Retail items generally necessary or desirable for everyday living, usually purchased at a convenient nearby location.

BED AND BREAKFAST – An owner-occupied single-family detached dwelling in which rooms, all without cooking facilities, are rented to guests on a daily basis in which breakfast may be served to the guests by the proprietor of the facility.

BEE KEEPING – as defined and regulated by the PA Bee Law and defined by the Pennsylvania Department of Agriculture.

BEST MANAGEMENT PRACTICES (BMPs): Schedule of activities, prohibitions of practices,

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maintenance procedures, and other management practices to prevent or reduce the pollution of “waters of the United States.” BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. Additionally, agricultural practices are intended to be consistent with the Pennsylvania Nutrient Management Chapter.

BEVERAGE PRODUCTION USE – See Brewery, Brewery Pub/Tap Room, Storage facility, Limited distillery, Limited winery, brewed beverage manufacturer.

BIORETENTION – The process in which contaminants and sedimentation are removed from stormwater runoff. Stormwater is collected into the treatment area which consists of a grass buffer strip, sand bed, ponding area, organic layer or mulch layer, planting soil, and plants. Runoff passes first over or through a sand bed, which slows the runoff's velocity, distributes it evenly along the length of the ponding area, which consists of a surface organic layer and/or ground cover and the underlying planting soil. The ponding area is graded, its center depressed. Water is ponded to a depth of 15 cm (5.9 in) and gradually infiltrates the bioretention area or is evapotranspired. The bioretention area is graded to divert excess runoff away from itself. Stored water in the bioretention area planting soil exfiltrates over a period of days into the underlying soils.

BIOSWALE – A landscape element, often a planted strip along a street or parking lot, for the purpose of capturing surface water runoff and filtering out silt and pollution before the stormwater enters the drainage system or groundwater.

BIRD AND WILDLIFE SANCTUARY – An area maintained in a natural state for the preservation of both animal and plant life.

BOARD OF SUPERVISORS – The governing body of the Township of Ferguson, Centre County, Pennsylvania.

BOUNDARY – A line marking the limit, or border, of a lot or district.

BOWLING ALLEY – An entertainment/recreational venue generally geared to hosting events for the sport of bowling

BREWERY – A facility which holds a license to manufacture, store and distribute brewed or malt beverages and which may include a brewery pub or tap room, as regulated by Chapter 47, the Pennsylvania Liquor Code, as amended.

MICRO BREWERY – A brewery manufacturing one thousand (1,000) barrels (US barrels) or less per year.

LARGE BREWERY – A brewery manufacturing greater than one thousand (1,000) barrels (US barrels) per year.

BREWERY PUB/TAP ROOM – A portion of an establishment which holds a brewery license as regulated by the Pennsylvania Liquor Control Board, which is open to the public for the sale of brewed and malt beverages for on-site and/or off-site consumption and which also offers food to patrons, as regulated by Chapter 47, the Pennsylvania Liquor Code, as amended.

STORAGE FACILITY – A portion of a warehouse or a separate structure, owned and maintained by a person or entity which holds a license that permits the temporary storage of brewed or malt beverages and which may also include a brewery pub or tap room, as regulated by Chapter 47, the Pennsylvania Liquor Code, as amended.

DISTRIBUTOR – As defined by Chapter 47, §102 of the Pennsylvania Liquor Code, as amended.

IMPORTING DISTRIBUTOR – As defined by Chapter 47, §102 of the Pennsylvania Liquor Code, as amended.

LIMITED DISTILLERY – An establishment licensed by the Pennsylvania Liquor Control Board to operate a distillery that shall not exceed production of one hundred thousand (100,000) gallons of distilled liquor per year, or as otherwise defined by Chapter 47, the Pennsylvania Liquor Code, as amended.

LIMITED WINERY – An establishment licensed by the Pennsylvania Liquor Control Board to operate a winery that shall not exceed production of two hundred thousand (200,000) gallons per year, or as otherwise defined by Chapter 47, the Pennsylvania Liquor Code, as amended.

BREWED BEVERAGE MANUFACTURER – An establishment which produces brewed and/or malt beverages for on-site or off-site sale and distribution, and which may include a brewery pub or tap room on the premise, or as otherwise defined as “Manufacturer” by Chapter 47, the Pennsylvania Liquor Code, as amended. See *Brewery*.

BUILD-TO LINE – A line, located a specified distance from the front lot line, along which the front of a structure must not transcend.

BUILDING – A structure, including any part thereof, having a roof and used for the shelter or enclosure of persons or property.

BUILDING-INTEGRATED SYSTEM – A solar photovoltaic system that is constructed as an integral part of a principal or accessory building or structure and where the building-integrated system features maintain a uniform profile or surface of vertical walls, window openings, and roofing. Such a system is used in lieu of a separate mechanical device, replacing or substituting for an architectural or structural component of the building or structure that appends or interrupts the uniform surfaces of walls, window openings and roofing. A building-integrated system may occur within vertical facades, replacing view glass, spandrel glass or other facade material; into semitransparent skylight systems; into roofing systems, replacing traditional roofing materials; or other building or structure envelope systems.

BUILDING SETBACK LINE – The line within a lot defining the required minimum setback distance between any structure and the adjacent street line as well as side and rear lot lines.

BUS PASSENGER STATION – A facility or location in which the principal use is the handling, receiving and transfer or passenger traffic, and may include as an accessory use the loading, unloading, storing, receiving, assembling, dispatching, weighing, consolidating, classifying, switching, distribution, movement, or transfer of freight, as well as all equipment and facilities associated with such activities.

BUSINESS, PROFESSIONAL AND FINANCIAL OFFICE – A use in which the affairs of a business, profession, or service are conducted including administration, record keeping, consulting, clerical work and similar functions, but not including manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair or storage of goods or products, or the sale of goods or products which are physically located on the premises. See also Professional Office.

CALIPER – *As defined by the American Standards of Nursery Stock. Typically, the diameter of a tree at the height of 6 inches from the top of the root ball. In the case of a multi-stem tree, the caliper is determined by the average of the stems.*

CAMPING GROUND – The use of land and structures by campers for seasonal, recreational, and temporary living purposes in cabins, tents or outdoor recreational vehicles.

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CANOPY TREE – A tree, either single-stemmed or multi-stemmed (clump form), which has a caliper of at least 2 inches at planting and is of a species which, at maturity, shall reach a height of at least 30 feet with a spread of at least 30 feet. See the Township's official plant list for a listing of permitted canopy trees.

CAR WASH – A building on a lot, designed and used exclusively for the washing and polishing of vehicles.

CARBONATE – A sediment formed by the organic or inorganic precipitation of mineral compounds characterized by the fundamental chemical in CO₃, the principal element in limestone and dolomite strata.

CARTWAY – The portion of a street right-of-way designed or intended for vehicular use.

CEMETERY – Land used or dedicated to the burial of the dead, including, mausoleums, necessary sales and maintenance facilities.

CENTER LINE – A line running parallel to and equidistant from both sides of a street.

CENTRE COUNTY CONSERVATION DISTRICT – The County Conservation District, created under authority of state law to administer soil and water conservation work within Centre County, with the technical assistance of state and federal agencies.

CERTIFICATE OF REGISTRATION – The written approval, as issued by the Pennsylvania Department of Environmental Protection, authorizing a person to operate and maintain a mobile home park.

CERTIFICATE OF USE AND OCCUPANCY – The certificate issued by the Centre Region Code Office, which permits the use of a building in accordance with the approved plans and specifications and which certifies compliance with the provisions of law for the use and occupancy of the land and structure in its several parts, together with any special stipulations or conditions of the building permit.

CHANNEL – The bed of a single or braided watercourse that commonly is barren of above-water vegetation and is formed of modern alluvium. Channels may be enclosed by banks or splayed across and slightly mounded above a fan surface and include bars and dumps of cobbles and stones.

CHANNEL BANK – The sloping land bordering a channel. The bank has steeper slope than the bottom of the channel and is usually steeper than the land surrounding the channel.

CHANNEL CAPACITY – The maximum rate of flow that may occur in a stream without causing overbank flooding; the maximum flow which can pass through a channel without overflowing the banks.

CHESAPEAKE BAY TRIBUTARY STRATEGY (CBTS) – Pennsylvania's Chesapeake Bay Tributary Strategy is a catalog of measures that, if applied to the state's Susquehanna and Potomac Watersheds, will generate appreciable sediment and nutrient reductions in order to provide cleaner water resources in the state and downstream at the Chesapeake Bay.

CHILD/DAY CARE CENTER – Any facility/structure in which out-of-home care is provided as a primary or adjunct use, at any one time, for part of a twenty-four-hour day to seven or more children, 15 years of age or younger, including, care provided to a child at the parent's work site when the parent is not present in the child care space; care provided in private or public, profit or nonprofit facilities; care provided before or after the hours of instruction in nonpublic schools and in private nursery schools and kindergartens as well as care provided in or in association with places of assembly, whether or not

the care is offered during the same or different hours of operation.

CIDERY – Any place or premises wherein cider (alcoholic or non-alcoholic) is manufactured and/or bottled for local, regional or national distribution as well as package sales.

CIGAR, HOOKAH, AND/OR VAPOR LOUNGE – A business establishment specializing in selling patrons flavored tobacco, tobacco-like or tobacco-inspired products to be consumed on the premise, and which may sell food and non-alcoholic beverages as a secondary function.

CIVIC – The term defining not-for-profit organizations dedicated to the arts, culture, education, recreation, and/or government.

CIVIC BUILDING – A building designed specifically for a civic function.

CLEAR SIGHT TRIANGLE – An area of unobstructed vision at street intersections defined by the center lines of the streets and by a line of sight between points on their center lines at a given distance from the intersection of the center lines.

CLUBS, LODGES AND FRATERNAL ORGANIZATIONS – The nonprofit use of land and structures for social activities among a group of people and their guests associated or formally organized for a common purpose, interest or pleasure, usually cultural, religious or entertainment, with regular meetings, membership requirements, fees and dues and a constitution and/or by-laws. A club, lodge or fraternal organization can include groups such as, but not limited to, the Elks Club, Moose, Masonic Lodge, Lions Club, VFW, American Legion, Kiwanis Club, Knights of Columbus, Rotary Club, Odd Fellows, Optimist Club, Womens Club, Junior Womens Club, Boy Scouts, Girl Scouts, 4-H, YMCA, Boys Club of America and Demolay. A club, lodge or fraternal organization shall not include the following: 1) a men's or women's student organization (college fraternity or sorority) formed chiefly for social purposes having secret rites and a name consisting of Greek letters.

CLUSTER – A grouping together of lots with a minimum perimeter.

CO-LOCATION – The placement or installation of new wireless telecommunications facilities on previously approved and constructed wireless support structures, including self-supporting or guyed monopoles and towers, electrical transmission towers, water towers, or any other structure not classified as a wireless support structure that can support the placement or installation of wireless telecommunications facilities if approved by the Township. The term includes the placement, replacement, or modification of accessory equipment within a previously approved communications facility building.

COMMERCIAL HUNTING PRESERVE – An area of land designed to provide a profit for the owner/operator who furnishes hunting opportunities to those willing to pay for it and open to the public on a daily fee basis or on a membership basis.

COMMONS – A spatially defined element of usable open space distributed strategically within a community such that it provides a focal point for residences as well as a gathering place for residents and an assembly area for community functions. Permanent structures directly related to the intended function of a commons may be included in this space in addition to landscaping and lighting elements which are essential to its function.

COMMUNICATIONS ANTENNA – Any structure or device used for the purpose of collecting or transmitting electromagnetic waves including, but not limited to, directional antennas such as panels, microwave dishes, satellite dishes and omnidirectional antennas such as whip antennas. Communications antennas shall not include tower-based wireless communications facilities as defined below. Not included are antennas and supportive structures on residential dwellings for private

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noncommercial amateur purposes including, but not limited to, ham radios and citizen band radios that are regulated by the residential district sections of this chapter.

COMMUNICATIONS FACILITY – The building in which electronic receiving and relay equipment for a tower is housed. Receiving and relay equipment can include, but are not limited to, in-ground and above-ground cabling and any equipment associated with the provision of wireless services.

COMMUNICATIONS TOWER – A structure designed and constructed to support one or more antennas used by commercial wireless communications facilities and includes all appurtenant devices attached to it.

COMMUNITY CENTER – A facility designed to provide one or more community services to a clientele from the surrounding neighborhood.

COMMUNITY GARDEN – An area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

COMMUNITY-SCALE SOLAR – A solar-electric system that, through a voluntary program, provides power and financial benefit to, or is owned by, multiple community members.

COMMUNITY SUPPORTED AGRICULTURE – A system that connects agricultural producers and consumers by allowing consumers to subscribe to the harvest of a certain farm or group of farms for a fee.

COMMUNITY SUPPORTED AGRICULTURE DELIVERY STATION ACCESSORY TO FARM LOT – A community supported agriculture delivery/pickup site located on the lot where the agricultural products were harvested.

COMMUNITY SUPPORTED AGRICULTURE DELIVERY STATION ON DIFFERENT LOT THAN FARM – A community supported agriculture delivery/pickup site located at a different location than where the agricultural products were harvested.

COMPLETELY DRY SPACE – A space that will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.

CONDITIONAL USE – A use permitted in a particular zoning district pursuant to approval being granted by the governing body.

CONFERENCE CENTER – A facility that is constructed for and devoted to accommodating meetings by providing meeting space.

CONICAL SURFACE – An imaginary surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet horizontally to one foot vertically for a horizontal distance of 4,000 feet. The conical surface zone, as shown as part of the Airport Hazard Overlay, is based on the conical surface.

CONSERVATION AREA – A defined area which is being held for the purpose of natural resource protection and/or the raising and protection of game. Activity within these types of areas may include, but is not limited to, hunting, trapping, walking paths and educational centers.

CONSERVATION EASEMENT – An area designated for public access to a conservation area so that

maintenance may occur.

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

CONVENIENCE FOOD STORE – Small stores which retail food and beverages primarily to the immediately surrounding population.

COOL ROOF – A cool roof reflects and emits the sun's heat back to the sky instead of transferring it to the building below. "Coolness" is measured by two properties, solar reflectance and thermal emittance. Roofs with a Solar Reflectance Index (SRI) value greater than or equal to 78 for low-slope roofs, and 29 for steep-slope roofs, covering at least 75% of the roof area. A lower SRI is allowed if more than 75% of the roof is covered, using a weighted formula. A cool roof surface may also be installed in concert with a vegetated roof. See the U.S. Green Building Council's LEED Green Building Rating System for details.

COUNTRY CLUB – A club that may include a combination of outdoor and indoor recreation, dining and/or supporting facilities for members, their families, and invited guests.

CURB RETURN – A curved curb connecting the tangents of two intersecting curbs of streets or driveways.

DAY AND OVERNIGHT CAMPING – See AGRICULTURE/ENVIRONMENTAL EDUCATION PROGRAM.

DATA COLLECTION UNIT – Any ground-mounted structure that is designed and constructed primarily for the purpose of data collection including self-supporting lattice towers, guyed towers or monopole towers. The term includes structures used to wirelessly read utility meters and for other remote monitoring purposes. For the purposes of this chapter, the term includes facilities that are not solely under the jurisdiction of the Pennsylvania Public Utility Commission, except where permitted by law. The term includes the structure and any supporting structures thereto.

DECK – A structure which may or may not be enclosed and which projects out from the main wall of a building or structure and does not have a roof.

DENSITY – The computation of overall residential dwelling units per acre of land. This figure shall be rounded to the nearest tenth and shall not include the area of lands intended for non-residential purposes, including churches or other civic/public uses within the development, nor shall it include dwelling units accessory to residential or non-residential uses. Open space shall however, be included in the computation.

DEP – The Pennsylvania Department of Environmental Protection ("DEP"), the Commonwealth agency responsible for overseeing and administering environmental laws and regulations within Pennsylvania.

DESIGNATED WELL SITE – Any potable water well within Ferguson Township which has obtained the necessary local, state and federal approvals and permits.

DETENTION BASIN – An impoundment structure designed to manage stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate.

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. For the purposes of Part

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8 only, the definition of development shall also include the storage of equipment or materials.

DIRECT RAY – When used in regard to illumination, that form of lighting wherein the source is visible and the light is distributed directly from it to the object to be illuminated.

DIRECTLY ADJACENT – Immediately contiguous, sharing at least one boundary.

DISTRICT – All land and watercourses located within designated boundaries on the Official Zoning Map; a zoning district.

DOLOMITE – A rock that contains a variable portion of magnesium carbonate and calcium carbonate.

DRAINAGEWAY – An area of land, in its natural state or disturbed, within which stormwater runoff flows. Usually long, channel like topography, but can be a low lying flat area which collects stormwater and may or may not be well defined.

DRIVE-IN COMMERCIAL USE – The use of land and structures in which goods or services are dispensed directly to the patron in a motor vehicle by any means which eliminates the necessity for the patron to exit the motor vehicle.

DRIVE-THROUGH – A facility or portion of a facility that permits goods or services to be dispensed directly to a patron in a motor vehicle by any means which eliminates the necessity for the patron to exit the motor vehicle.

DRIVEWAY – A vehicular accessway from a street into a lot.

DUPLEX RESIDENTIAL UNIT – Single family semi-detached dwelling unit.

DWELLING - Any building or portion of a building designed and used as a residence(s) and having separate living, cooking and sanitary facilities, used as living quarters.

DWELLING UNIT – A dwelling used by one family or single housekeeping unit.

SINGLE-FAMILY DWELLING – A single dwelling unit occupying the building from ground to roof.

DETACHED – Each dwelling unit has open space on all sides.

ATTACHED – Both side walls of all except the dwelling units at the ends of the building are party walls.

SEMI-DETACHED – One side of each dwelling unit is a party wall in common with an adjoining dwelling unit.

TWO-FAMILY DWELLINGS – Two (2) dwelling units, one above the other.

MULTI-FAMILY DWELLINGS – Three (3) or more dwelling units, with the units stacked one above another.

EATING AND DRINKING ESTABLISHMENT – A place open to the general public for the sale and consumption on the premises of food and/or beverages, which includes restaurants, bars, and tavern establishments.

EATING AND DRINKING ESTABLISHMENT, SIT-DOWN – An eating and drinking establishment where the principal business is the sale of food and beverages with waited table service or where less than one-third (1/3) of sales are to patrons for off-premise consumption (carryout or delivery). Menus for such restaurants are often provided individually to on-premise patrons at their tables, or food may

be selected from a buffet table or cafeteria line.

EATING AND DRINKING ESTABLISHMENT, TAKE-OUT – An eating and drinking establishment where the principal business is the rapid preparation, turnover, and sale of food and/or beverages without waited table service and where over one-third (1/3) of sales are to patrons for off-premise consumption (carryout or delivery). Menus for quick-service restaurants are posted, and food and beverages served at such restaurants are usually ordered at a counter and contained in disposable containers or packaging, with on-premise patrons typically expected to clean up after themselves.

ELDER COTTAGE/IN-LAW QUARTERS/CARRIAGE HOUSE (ACCESSORY DWELLING UNIT) – An apartment, not less than 600 square feet, sharing utility connections with a principal building. Such unit(s) may be within an outbuilding (usually located toward the rear of the same lot as the principal building). These accessory dwelling units do not count toward density calculations.

EMERGENCY SERVICES, PRIVATE – A building, structure and/or lot used for the maintenance, fueling, storage, dispatching or parking of vehicles and/or equipment utilized to provide private rescue or ambulatory services, fire and/or police services.

EMERGENCY SERVICES, PUBLIC – Any service to citizens for injury or life-threatening events, including but not limited to ambulance, paramedic or fire and rescue services provided by a public agency.

EQUESTRIAN FACILITY – Services for equestrian-related business including but not limited to boarding, riding, show ring and/or tack shop.

ERECTION – Construction or assembly.

ERICACEOUS/BROAD LEAF EVERGREEN – plants such as rhododendron, azaleas, holly, mountain laurel and blueberries. If these plants are to be used onsite, soil pH testing must be completed to determine the required amendment of the soil.

EROSION AND SEDIMENTATION – Erosion, the process by which the land surface and/or subsurface is worn away by the action of natural elements; sedimentation, the process by which mineral or organic matter is accumulated or deposited by the movement of wind and water, or by gravity.

ESSENTIALLY DRY SPACES – A space that will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.

ESSENTIAL SERVICES, TYPE 1 – A structure, building or appurtenant facility owned and maintained by a utility for the operation and maintenance of a utility's service. For the purposes of this chapter, such Type 1 facilities include building or structures such as electric substations, water towers/tanks/reservoirs, and other similar structures. Facilities for the distribution of utility services, including gas, electric, steam, , telephone and similar services are also included in this definition. Treatment Power-generation facilities, resource- extraction activities and communication antennas are not included in this definition.

ESSENTIAL SERVICES, TYPE 2 – A structure, building or appurtenant facility owned and maintained by a utility for the operation and maintenance of a utility's service. For the purposes of this chapter, such Type 2 facilities include building or structures such as water pumping stations and/or treatment and sewage disposal pumping plants and/or treatment. Power-generation facilities, resource-extraction activities and communication antennas are not included in this definition.

EXHIBIT HALL AND MUSEUM – A facility for the public display of items, materials, or information

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that is related to some historic, educational, cultural, entertainment, or scientific purpose or a building whose structure itself is of historic, architectural or cultural significance and whose interpretation relates primarily to the building's architecture, furnishings and history. This term includes related accessory uses (e.g. restaurant, gift shop, etc.) so long as these remain incidental to the primary exhibit hall or museum use.

EXISTING USE – The use of a property as of the date this ordinance was adopted.

EXPANSION – An increase in the size of an existing structure or use, including the physical size of a property, building, parking lot, and other improvements.

EXTENSION – An addition to the floor area of an existing structure, an increase in the size of a structure, or an increase in that portion of a lot occupied by an existing use; an enlargement.

EXTRAORDINARY DEVELOPMENT PROPOSAL – A land development plan application that exceeds the prescribed 90-day time limit. Approval of Plats as stipulated within the Act of 1968, P.L. 805, No. 247, the PA Municipalities Planning Code.

EVERGREEN TREE – *A tree, either single-stemmed or multi-stemmed (clump form), which is a minimum of six (6) feet tall at planting and is a species which at maturity can be expected to reach a height of at least 20 feet. See the Township's official plant list for a listing of permitted evergreen trees.*

FAA – Federal Aviation Administration of the United States Department of Transportation.

FACING WALLS – (1) Walls of a structure opposite to and parallel with one another, or (2) wall lines, or wall lines extended of opposite walls intersecting at angles of less than 65°.

FAMILY – (1) A person; (2) two or more persons, all of whom are related by blood, marriage, parentage or adoption (including foster children), living together as a single housekeeping unit. In addition to the family, two or fewer unrelated persons may reside with the housekeeping unit in the dwelling unit. For dwelling units in multifamily buildings containing three or more dwelling units (other than those in vertical mixed use buildings in the Terraced Streetscape zone) the number of persons permitted to occupy a unit shall be determined by the Centre Region Code Office in accordance with the provisions of the Ferguson Township Housing Code.

FAMILY CARE – The provision of care in accord with regulations of the appropriate state agency(ies) for up to three mentally ill or disabled children or adults or elderly persons in a dwelling unit by a provider who resides in that unit.

FAMILY CHILD CARE HOME – A residence in which out-of-home care is provided, as an accessory use, at any one time, for part of a twenty-four-hour day, for up to and including six children who are not related to the operator and who are 15 years of age or younger. This definition does not apply to: care provided in the home of someone who is a relative to all of the children being cared for or care provided by a relative in the home of children whom are all related to each other and to the relative.

FARM – A lot or parcel consisting of the minimum number of acres required herein and used for agricultural operations.

FARM-BASED BUSINESS – A scale of operation essential to farm activities and based on production of products. This use shall be considered of similar nature and function as a Home-Based Business.

FARM CAFE – An eating establishment that prepares and serves food grown on-site and within Region 5 as defined by the Pennsylvania Department of Agriculture to the greatest extent possible. The principal objective of a farm cafe is to support local agriculture and provide alternatives to the conversion of farmland through sustainable rural economic development and empowering farmers to

undertake entrepreneurial endeavors which augment, support and highlight local agriculture.

FARM MARKET – The offering for sale of fresh and packaged agricultural products directly to the consumer at an open-air market and/or combination of enclosed and open-air facility.

FARM STAND – A stand that sells fresh agricultural produce.

FARM STRUCTURES, TRADITIONAL-SCALE – buildings and facilities 25,000 square feet and less in area that are typically for farm-related activity and typically found on land designated to farm-related activity.

FARM STRUCTURES, NON-TRADITIONAL-SCALE - buildings and facilities greater than 25,000 square feet that are typically for farm-related activity and typically found on land designated to farm-related activity.

FARM USE – The use of land and structures for one or more of the following: the tilling of the land, the raising of crops, fruits and vegetables, and the raising and keeping of livestock and poultry; horticultural uses related to the raising, propagating and selling of trees, shrubs, flowers, and other plant materials; forestry uses related to the harvesting of lumber products.

FAST-FOOD RESTAURANT – Any establishment whose principal business is the sale of food or beverages with rapid turnover to customers in a ready-to-consume state for consumption either within the building or for carryout off the premises, and whose design or principal method of operation includes the following - foods and beverages are usually served in disposable or edible containers; it is self-service, with customers expected to clean up after themselves; and, menus are posted.

FENCE – A fabricated barrier used to enclose an area of land.

FISH HATCHERY – A facility for the artificial breeding, hatching and initial growing of finfish and shellfish.

FIREWOOD – Trunks and branches of trees and bushes, not including leaves, needles, vines or brush smaller than three inches in diameter.

FLICKER – A repeating cycle of changing light intensity.

FLOODPLAIN – A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

FLOODPLAIN CONSERVATION DISTRICT – The area along a natural watercourse which is periodically overflowed by water therefrom, and which is designated as such on the Flood Hazard Boundary Map for Ferguson Township, January 5, 1996, or the most recent revision prepared by the Federal Insurance Administration, Federal Emergency Management Agency. In addition, it shall include local alluvium soils such as Nolin silt loams, designated by map symbol "No" on the "Soil Survey of Centre County, Pennsylvania," August 1981, prepared by the Soil Conservation Service, U.S. Department of Agriculture, in cooperation with the Pennsylvania State University and the Pennsylvania Department of Environmental Protection.

FLOODWAY – The designated area of floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this section, the floodway shall be capable of accommodating a flood of the one-hundred-year magnitude.

FLOOD WATER – Waters which escape from streams or other bodies of water and over low adjacent

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lands, as distinct from runoff.

FLYWAY BARRIER – A solid wall, fence, dense vegetation or combination thereof that forces bees to fly at a higher elevation above ground level over the property lines in the vicinity of the apiary.

FOOD CATERING – A business establishment which prepares and serves meals or refreshments for entertainment primarily off the premises.

FOOD TRUCK – A licensed, self-contained, motorized vehicle or mobile food unit (unit that does not travel under its own power) which is temporarily permitted to park in a designated area of an established use in permitted zoning district within Ferguson Township in a location approved by the property owner. Ice cream trucks are exempted from this chapter.

FORESTRY – The management of forest and timber lands when practiced in accordance with accepted silvicultural principals, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

FOWL – a domestic bird of any kind, not including chickens.

FRACTURE TRACE – Natural, linear-drainage, soil-tonal and topographic alignments, usually visible on aerial photographs, which are commonly the surface manifestations of corresponding zones of fracture concentration within underlying bedrock. Particularly in soluble rocks (e.g., limestone and dolomite), fracture zones cause increased bedrock porosity and permeability, resulting in rates of groundwater movement that are greater than the surrounding bedrock.

FREIGHT AND TRUCKING TERMINAL – a facility for the receipt, transfer, short-term storage and dispatching of freight and goods transported by truck.

FRONTAGE – The portion of a lot boundary abutting a street.

GAME FARM – A farm where a variety of wild animals are kept or bred, often with facilities for visitors to observe and/or hunt.

GENERAL NATURAL RESOURCE RESEARCH – Activity related to:

- A. **AGRICULTURAL ENGINEERING RESEARCH** – Systematic investigation to establish new facts and principles for improvement of the engineering needs of modern agriculture and agribusiness. Includes digital mapping, frost protection research and soil erosion and nutrient transport research.
- B. **GENERAL AGRICULTURAL RESEARCH** – Systematic investigation to establish new facts relating to agriculture, agribusiness, rural communities and institutions. Includes general farming, land tillage, cultivation, irrigation, fertility, insect/plant interactions and pest management. Fertilizers, compost, manures and pesticides are applied as needed.
- C. **GENERAL FARMING** – One or more areas of land operated as a unit as a principal use for the purpose of producing agricultural, horticultural, floriculture, vegetable and fruit products of the soil, livestock, meats, poultry, eggs, dairy products, nuts, honey, wool and hides, but shall not include the breeding, raising, or maintaining of furbearing animals, or abattoirs, riding academies, livery stables or animal kennels.
- D. **GENERAL FISH AND MAMMAL RESEARCH** – Systematic investigation to establish new facts relating to fish and mammals in various ecosystems. Includes experiments on biology, including reproduction and growth.

- E. GENERAL FORESTRY RESEARCH – Systematic investigation to establish new facts relating to forest ecosystems.
- F. GENERAL SOIL, IRRIGATION AND BIOLOGICAL ENGINEERING RESEARCH – Systematic investigation to establish new facts and principles relating to the qualities of our soil and biology.
- G. GENERAL SOIL, IRRIGATION AND WATER RESEARCH – Systematic investigation to establish new facts and principles relating to the qualities of our soil and water resources. Includes general farming, land tillage, cultivation, irrigation, fertility and pest management. Fertilizers, manures and pesticides are applied as needed.

GENERAL STORAGE TO INCLUDE BOAT AND RV – a structure, enclosed on a minimum of three (3) sides constructed prior to the adoption of this ordinance, where the structure is used of storing motorized or non-motorized watercraft and/or recreational vehicles.

GENERAL WEATHER, RADIO AND SATELLITE RESEARCH – Systematic investigation to establish new facts relating to meteorological information, antenna design and research and radio propagation research.

GOLF COURSES:

- A. CONVENTIONAL GOLF COURSE - A golf course with a minimum of 2,800 yards of play in nine holes.
- B. SPECIAL GOLF COURSE - Any form of golf which is not included under the definition of conventional golf course, such as, driving ranges, disc golf, foot golf, or pitch-and-putt, but excluding miniature golf.

GRADING – The act of excavating and/or filling land for the purpose of changing natural slope.

GREEN SPACE – A spatially defined element of usable open space designed to serve a variety of outdoor leisure and assembly needs. Greens may be distributed throughout the open space network to enhance the form, appearance and function of this element of the community. Landscaping, lighting, and accessory structures integral to the function of the green shall be inclusive elements of the definition.

GREEN ROOF – A roofing system that utilizes vegetation to absorb rain water and reduce heat reflection.

GROCERY STORE – Retail location for the purveying and/or selling of predominantly food stuffs and other related living essentials.

GROSS – The total amount.

GROSS FLOOR AREA (GFA) – The sum total of the floor areas of all floors of a building as measured from the exterior walls, inclusive of hallways, restrooms and other space ancillary to the proposed use.

GROUND-MOUNTED SYSTEM – A solar photovoltaic system mounted on a structure, pole or series of poles constructed specifically to support the photovoltaic system and not attached to any other structure.

GROUP CHILD CARE HOME – A residence in which out-of-home care is provided, as an accessory use, at any one time, for part of a twenty-four-hour day to more than six but fewer than 16 older school-

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age children or more than six but less than 13 children of any other age. This definition does not apply to: care provided in the home of someone who is a relative to all of the children being cared for or care provided by a relative in the home of children whom are all related to each other and to the relative.

GROUP HOME – A residence comprised of rooming units operated by a responsible individual, family or organization with a program to provide a supportive living arrangement for individuals where special care is needed by persons served due to age, emotional, mental, developmental or physical disability. This definition shall expressly include facilities for the supervised care of persons with disabilities subject to protection under the Federal Fair Housing Act, as amended. Group homes must be licensed where required by any appropriate government agencies, and a copy of such license and update must be delivered to the Zoning Administrator prior to the initiation and continuation of the use.

- A. Group homes shall be subject to the same limitations and regulations by the Township as the type of dwelling unit they occupy.
- B. It is the express intent of the Township to comply with all provisions of the Federal Fair Housing Act, as amended, and regulations promulgated thereunder, in the construction of this term.
- C. A group home shall not involve the housing or treatment of persons who:
 1. Could reasonably be considered a serious threat to the physical safety of others.
 2. Were previously convicted of a sexual felony.

GUY CABLE – Any cable or wire that extends from a small wind energy system for the purpose of supporting the system structure.

HARNESS SHOP – A shop that is open to the public for agricultural-retail retail trade of supplies, apparel, supporting accessories, repair and limited production.

HAZARDOUS MATERIAL – Materials which are classified by the U.S. Environmental Protection Agency and the Pennsylvania Department of Environmental Protection as having the potential to damage health, impair safety, or pose a significant actual or potential hazard to water supplies if such material were discharged into land or water of the Township. Hazardous materials include but are not limited to: inorganic mineral acids or sulfur, fluorine, chlorine, nitrogen, chromium, phosphorous, selenium, arsenic and their common salts, lead, coal tar acids (such as phenols and cresols) and their salts, petroleum products, pesticides, herbicides, solvents, thinners, fertilizers, and radioactive material.

HEALTH AND ATHLETIC CLUBS - A business establishment where patrons use weights, machines, or other such equipment or floor space for the purpose of physical exercise and/or wellness. Exercise and fitness centers may include health spas and concession stands.

HEIGHT – The maximum height of a building and/or structure measured from the average finished grade at perimeter of the base of the building and/or structure to the highest point of such building and/or structure. For the purpose of determining the height limits in all zones set forth and shown on the official supplementary Airport Overlay Zoning Map, the datum shall be mean sea level elevation unless otherwise specified.

HERBICIDE – Chemicals developed to control or eradicate plants.

HIGHER EDUCATION – Study beyond the level of secondary education.

HISTORIC STRUCTURE – Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the

- Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements of individual listings in the National Register.
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
 - C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior.
 - D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1. By an approved state program as determined by the Secretary of the Interior.
 - 2. Directly by the Secretary of the Interior in states without approved programs.

HOME BASED BUSINESS, NO-IMPACT – 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 function 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, 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 or electronic 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 25% of the habitable floor area.
- H. The business activity may not involve any illegal activity.

HOME OCCUPATION, TYPE 1 – An activity, intended to be financially gainful, conducted within a dwelling unit, the conduct of which is clearly incidental and secondary to the use of the dwelling unit. Unlike a No-Impact Home Based Business, Home Occupations provide opportunity for on-site customers and therefore, also permit restricted signage opportunity.

HOME OCCUPATION, TYPE 2 – An activity, intended to be financially gainful, conducted within a farm structure, the conduct of which is clearly incidental and secondary to the use of the farm. Unlike a No-Impact Home Based Business, Home Occupations provide opportunity for on-site customers and therefore, also permit restricted signage opportunity.

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HONEYBEE – Honey bees are limited to European races of apis mellifera.

HONEYBEE APIARY – A place where honey bee colonies and/or lives, and other beekeeping equipment, are kept.

HONEYBEE COLONY – An aggregate of worker bees, drones, queen, and developing brood living together in a social family unit in a hive. The colony must be registered with the Pennsylvania Department of Agriculture. The colony must also be inspected by an apiary inspector for diseases.

HONEYBEE COMB – A mass of six-sided cells made of wax by honeybees in which a brood is reared and honey and pollen are stored; composed of two layers united at their bases.

HONEYBEE HIVE – A box or receptacle with movable frames, used for housing a colony of bees.

HORSE RIDING STABLES / RIDING ACADEMY – An establishment where horses are kept for riding or driving or are stabled for compensation as part of a club association, ranch or similar establishment. This may include providing instruction to individuals or groups as well as demonstrations or exhibitions by such students. Horse shows, or other competitive events involving horses not normally kept on the premises is expressly forbidden. In addition, this use may not include the sale of feed, tack, or any other goods and/or services associated with riding or showing horses.

HORTICULTURE USE – Activities and practices relating to the raising, propagating and selling of trees, shrubs, flowers, fruits, vegetables, and other plant materials.

HOSPITAL – An establishment for the diagnosis, treatment or other care of humans and having facilities for inpatient care; includes sanitarium, sanatorium and preventorium.

HOTEL – A building used primarily for providing more than 10 transient lodging accommodations on a daily rate basis to the general public in which the lodging rooms provide no cooking facilities.

HOUSEHOLD PET – Domesticated species of dog, cat, or other non-exotic animal generally weighing less than 150 pounds that resides within a dwelling unit and is not raised for production of products for sale.

HOUSE GUEST - A temporary occupant of a short-term rental living quarter and/or meeting room(s) within a dwelling unit.

HUNTING, FISHING AND GUN CLUB – A facility, whether open to the public or limited to members of a group, which offers activities such as game hunting, fishing, trap/skeet shooting, target shooting, target practice, game farms, and related uses such as assembly halls or sale of bait or equipment.

ICE CREAM TRUCK – A licensed vehicle which vends only prepackaged frozen dairy or frozen water-based food products, soft-serve or hand-dipped frozen dairy products or frozen water-based food products and prepackaged beverages.

IMPERMEABLE – Impervious, impenetrable to moisture.

IMPERVIOUS SURFACE (IMPERVIOUS AREA) – A surface that prevents the infiltration of water into the ground. Impervious surfaces (or areas) shall include, but not be limited to: roofs; additional indoor living spaces, patios, garages, storage sheds and similar structures; and any new streets or sidewalks. Decks, parking areas, and driveway areas are not counted as impervious areas if they do not prevent infiltration.

INCINERATOR – A facility in which the process of the combustion of organic substances contained in waste materials through high-temperature waste treatment systems takes place.

INDUSTRIAL PARK – An area planned for the integrated design of two or more primary industrial uses and structures on a lot held in single ownership.

INSECTICIDE – Chemicals developed to control or eradicate insects.

INTEGRATED PEST MANAGEMENT PLAN – A plan which provides for the use of multiple pest management tactics which minimize the risk of undesirable environmental and health effects.

INTERMITTED OR VERNAL POND - Transient surface water bodies formed in closed depressions after heavy precipitation due to poor internal drainage. This poor drainage may be due to residual clay.

INTERMITTENT STREAM – A body of water flowing in a channel or bed composed primarily of substrates associated with flowing water, which, during periods of the year, is below the local water table and obtains its flow from both surface runoff and groundwater discharges. Most intermittent streams are shown as thin blue lines on the most recent Streams Within the Centre Region, U.S.G.S. National Hydrologic Dataset (NHD) mapping as noted on attached Appendix E.

JUNKYARD/SALVAGE YARD – A lot used for the storage of any scrap material or junk, including without limitation, appliances, fixtures, nonworking automobiles, automobile parts, machines or machinery parts, equipment, containers and building materials.

KARST – A type of topography that is formed over limestone, dolomite, or gypsum by bedrock solution, and that is characterized by closed depressions, sinkholes, caves, and underground conduit drainage.

KENNEL – Any facility in which six or more animals are kept or boarded. Training and grooming of such animals may also take place.

LAND DEVELOPMENT –

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving
 1. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 2. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land.
- C. Development in accordance with § 503(1.1) of the Pennsylvania's Municipalities Planning Code and the Township's Subdivision and Land Development Code.

LANDSCAPE AND GARDEN CENTER- RETAIL – Any lot or parcel of land used to cultivate, propagate, grow and/or sell trees, shrubs, vines and other plants for on-site sale, including the buildings, structures and equipment customarily incidental and accessory to the primary use.

LANDSCAPE AND GARDEN SERVICE – NON-RETAIL – Any lot or parcel of land used to cultivate, propagate, and grow trees, shrubs, vines and other plants for sale and distribution off-site, including the buildings, structures and equipment customarily incidental and accessory to the primary use.

LANDSCAPE BUFFER – A use of new or existing plants, earthen mounds, fences and/or walls located

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between two uses, or between one use and a public right-of-way, that is intended to lessen negative impacts, such as undesirable views, noise or light.

LARGE DORMITORY – A residence hall providing living facilities for 21 or more individuals.

LARGER THAN UTILITY RUNWAY – A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

LAUNDROMAT – A self-service facility containing clothes washing machines and dryers which are usually coin-operated and are open for use to the general public.

LEVEL SPREADER – A device used to disperse concentrated stormwater flow uniformly over the ground surface as sheet flow.

LIGHT MANUFACTURING, ASSEMBLY, PROCESSING, PRODUCTION AND FABRICATION – the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, distribution of such products.

LIMESTONE – A rock that by chemical precipitation or the accumulation of organic remains consists mainly of calcium carbonate.

LIVE/WORK UNIT – A combination of a dwelling unit and business space, such as an artisan shop or office that is open to the public for retail trade or personal or professional services. Work activities are conducted by one or more occupants of the unit (preferably on the street level) and the dwelling area (second floor and above) serves as their principal residence. All such units of occupancy are counted when establishing the density of development.

LIVESTOCK – those class of animals that are customarily kept and housed outside the home or in enclosures such as pens, barns, corrals or padlock areas. Livestock includes, but is not limited to, horses, cattle (beef and dairy), llamas, alpacas, mules, swine, sheep, goats, chickens, and fowl.

LIVESTOCK ENCLOSURE – a fenced-in area that presents an adequate blockade around a field, yard, or other such expanse of land for the purpose of containing livestock or prohibiting intrusions from outside.

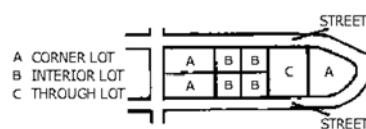
LOCAL ALLUVIUM – Alluvial materials that have eroded from uplands and been deposited in lower lying areas and drainageways.

LOT – A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

CORNER LOT – A lot at the junction of and abutting on two or more intersecting streets or at the point of abrupt change of a single street where the interior angle is less than 135° and the radius of the street is less than 100 feet.

INTERIOR LOT – A lot with only one frontage on a street.

THROUGH LOT – A lot with front and rear street frontage.



LOT COVERAGE – The portion of the lot that may be impervious. This includes, but may not be limited to, both building footprint and parking area.

LOT LINE – A line generally established by metes and bounds, which, when combined with other lot lines, delineates a lot.

FRONT LOT LINE – The line separating the lot from the street right-of-way.

SIDE LOT LINE – Any lines which are not front or rear lot lines.

REAR LOT LINE – The line parallel to or within 45° of being parallel to a street line which defines the rear of the lot.

LOT SIZE – The area contained within the boundary lines of a lot.

LOT WIDTH – The horizontal distance between side lot lines:

LOT WIDTH AT STREET LINE – The minimum horizontal distance between side lot lines as measured at the street line.

LOT WIDTH AT BUILDING SETBACK LINE – The minimum horizontal distance between side lot lines as measured at the building setback line.

LOW IMPACT DEVELOPMENT (LID) – An innovative stormwater management approach with a basic principle that is modeled after nature: to manage rainfall at the source using uniformly distributed decentralized micro-scale controls. LID's goal is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to its source. Small, cost-effective landscape features located at the lot level, known as integrated management practices (IMPs), are the building blocks of LID. Almost all components of the urban environment have the potential to serve as an IMP. This includes not only open space, but also rooftops, streetscapes, parking lots, sidewalks, and medians.

LOW IMPACT HOME-BASED BUSINESS – An activity, intended to be financially gainful, conducted within a dwelling unit, the conduct of which is clearly incidental and secondary to the use of the dwelling unit. Unlike a No-Impact Home Based Business, a Home Occupation provides opportunity for on-site customers and therefore, also permits restricted signage opportunity.

LOW IMPACT FARM OCCUPATION – An activity, intended to be financially gainful, conducted as a secondary activity to typical farm activities. A Farm-Based Business provides opportunity for on-site customers and facility rentals.

LOWEST FLOOR – The lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage in an area other than a basement area is not considered the lowest floor of a building; provided, that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this section.

MAIL-ORDER AGENCY – The buying of goods or services by parcel or postal delivery.

MANUFACTURED HOME – A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" includes parked trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days.

MANUFACTURED HOME PARK – A parcel of land under single ownership, which has been planned

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and improved for the placement of two or more manufactured homes for non-transient use.

MANUFACTURING, PROCESSING OR BULK STORAGE OF NATURAL GAS – The production and/or keeping of said material as defined by the Commonwealth of Pennsylvania.

MASSAGE PARLOR – An establishment for where any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation of the human body is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the state. This definition does not include an athletic club, health club, school gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

MASSING – The three-dimensional building form produced by combining building height and building cover. A massing envelope represents the maximum building volume that can be constructed on a lot.

MAXIMUM IMPERVIOUS COVERAGE – The percentage of lot area that may be covered in a manner that prevents the percolation of water into the ground.

MEDIAN HOUSEHOLD INCOME - The median income for Centre County as established and defined in the annual schedule published by the Secretary of the United States Department of Housing and Urban Development.

MEDICAL MARIJUANA – Marijuana for certified medical use as legally permitted by the Commonwealth of Pennsylvania with Act 16.

MEDICAL MARIJUANA DISPENSARY – A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit issued by the Department of Health (DOH) of the Commonwealth to dispense medical marijuana.

MEDICAL MARIJUANA GROWER/PROCESSOR – A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit from the DOH to grow and process medical marijuana.

MEDICAL MARIJUANA ORGANIZATION OR FACILITY – A dispensary or a grower/processor of marijuana for medical purposes.

MEDICAL MARIJUANA TRANSPORT VEHICLE SERVICE – Any facility used to house delivery vehicles for supplying marijuana plants or seeds to one or more marijuana grower/processor and/or dispensaries.

METEOROLOGICAL TOWER OR MET TOWER – A structure designed to support the gathering of wind energy resource data, and includes the tower, base plate, anchors, guy cables, and hardware, anemometers, wind direction vanes, booms to hold equipment, anemometers and vanes, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.

MICRO-DISTILLERIES/BREWERIES – See BREWERY.

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

gas.

MINIMUM AVERAGE RIPARIAN BUFFER WIDTH – The minimum value permitted for said width as identified by this Ordinance.

MINIMUM AVERAGE TOTAL RIPARIAN BUFFER WIDTH – The minimum value permitted in for said width as identified by this Ordinance.

MINING AND QUARRYING – The use of land for the purpose of extracting rocks and minerals for sale, exclusive of grading a lot preparatory to the construction of a structure for which a zoning permit has been issued.

MIXED RESIDENTIAL AREA – An area of development, associated with an existing or proposed Traditional Town Development, which is primarily residential with local retail, institutions, employment, and open space as permitted secondary uses.

MIXED-USE BUILDING – A building, other than an accessory structure, with more than one use in it. These may be non-residential structures with civic, commercial, or residential components or, multi-family residential structures that include commercial components.

MOBILE HOME – a transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one 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. For the purposes of this Ordinance, mobile homes shall be required to meet any applicable regulations of the Floodplain Overlay, as indicated for a manufactured home. Under no circumstances shall a park trailer, travel trailer, recreational and other similar type vehicle be permitted to be placed on a mobile home lot, or within a mobile home park, and used as a permanent place of residency. Occupancy and compliance requirements of the applicable building code shall be approved by the Centre Region Code Office.

MOBILE HOME LOT – A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MOBILE HOME PARK – A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MOBILE HOME PARK SERVICE BUILDING – A structure which contains operational, office, recreational, sanitary, maintenance or other facilities built for the use of the mobile home park residents or owner.

MOBILE HOME SEWER CONNECTION – All pipes, fittings and appurtenances from the drain outlet of the mobile home to the inlet of the corresponding sewer riser pipe.

MOBILE HOME SEWER RISER PIPE – That portion of the sewer lateral which extends vertically to the ground elevation and terminates at each mobile home space.

MOBILE HOME WATER CONNECTION – All pipes, fittings and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the mobile home.

MOBILE HOME WATER RISER PIPE – The portion of the water service pipe which extends vertically to the ground elevation and terminates at a designated point at each mobile home lot.

MOBILE HOME WATER SERVICE PIPE – All pipes, fittings, valves and appurtenances from the water main of the park distribution system to the water outlet of the distribution system within the

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mobile home.

MODEL HOME – A residential structure used initially for display purposes which typifies the type of unit that will be constructed within the same residential development.

MOTEL – See Hotel.

MONOPOLE – A wireless communications facility (WCF) or site which consists of a single pole structure, designed and erected on the ground or on top of a structure, to support communications, antennas, and connective appurtenances. Connective appurtenances can include, but are not limited to, feeder cables, climb ladders, platforms, ice shields, and other accessory infrastructure associated with a WCF.

MORTUARY – an establishment providing services such as preparing the human dead for burial and arranging and managing funerals and which may include limited caretaker facilities.

MOVING AND STORAGE PARCEL DELIVERY AND EXPRESS TRANSFER STATION – An establishment intended for the keeping and/or distribution of consumer products.

MPC – The Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. §10101 et seq., as reenacted and amended.

MULCH - an organic or inorganic material used to cover the ground or a planting bed (i.e. tree bark, stones).

NATURALIZED STORMWATER BASIN – Stormwater control facilities that are planted with native vegetation rather than maintained as hardscape or lawn.

NATURE EDUCATION CENTER – A building and/or land dedicated to providing information and educational exhibits about the natural environment to the public.

NEW CONSTRUCTION – Structures for which the start of construction commenced on or after March 15, 1982, including any subsequent improvements thereto.

NONCONFORMING LOT – A lot the area or dimension of which was lawful prior to the adoption or amendment of this zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment.

NONCONFORMING STRUCTURE – A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in this zoning ordinance or any amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE – A use, whether of land or of structure, which does not comply with the applicable use provisions in this zoning ordinance or any amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

NONCONFORMITY – Any nonconforming lot, structure or use of land or structures.

NON-COMMERCIAL KEEPING OF LIVESTOCK – An accessory use to a dwelling unit involving the breeding, raising, caring for, housing, and principally the hobby (including agricultural clubs such as 4-H, FFA and the like); personal use of livestock and products derived from livestock by the occupant, owner or lessee of the lot on which such use is located.

NON-PRECISION INSTRUMENT RUNWAY – A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment for which a straight-in non-precision instrument approach procedure has been approved or planned.

NON-PUBLIC – intended for specialized use other than for the general population to partake or participate.

NON-TOWER BASED WIRELESS COMMUNICATIONS FACILITY – All non-tower based wireless communications facilities including, but not limited to, data collection units, communications antenna and related equipment. Non-tower based WCF shall not include support structures for communications antenna and related equipment. Not included are towers and supporting structures on residential dwellings for private noncommercial amateur purposes including, but not limited to, ham radios and citizen band radios that are regulated by the residential district sections of this chapter.

NURSING HOME AND/OR OTHER CONVALESCENT HOME – A building with rooming units where persons are housed or lodged and furnished with meals, includes nursing care for hire, and which is licensed for such by the Pennsylvania Department of Human Services.

NUTRIENT MANAGEMENT ACT – The PA Nutrient Management Act of 1993, which is applicable to agricultural operations with over 2,000 pounds of animal weight per acre that generate or utilize manure. The act requires the development of a plan demonstrating that nutrients which are land applied do not exceed crop uptake.

NUTRIENT/MANURE MANAGEMENT PLAN – A plan prepared by a qualified professional establishing application rates for manure/fertilizer on agricultural lands to achieve a proper balance of nutrients and minimize nutrient contamination of groundwater.

OBSTRUCTION – Any dam, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, rectification, bridge, conduit, culvert, building, wire fence, rock, gravel, refuse, fill, structure or matter in, along, across or projecting into any channel, watercourse, floodplain or regulatory flood hazard area which may impede, retard or change the direction of the flow of water, or that is placed where the flow of water might carry the same downstream to the damage of life or property.

OFF-SITE SEWER SERVICE – A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

OFFICE, LABORATORIES, WORK AREAS RELATED TO ADMINISTRATIVE/RESEARCH ACTIVITIES – Any office, laboratory, or work area used primarily for accounting, correspondence, research, editing, or other administrative functions accessory to the principal use of a research and testing facility, manufacturing facility, medical office, or other similar uses.

ON-SITE SEWER SERVICE – A sanitary sewage disposal system in which sewage is treated and discharged on the same lot as the use which it serves.

OPEN-LOOP GEOTHERMAL SYSTEM – A type of geothermal heating and/or cooling system that utilizes a water-supply well and a water pump to deliver ground water to a water-source heat pump. The discharge water from the water-source heat pump may be returned to the subsurface through a recharge well or infiltration bed, or may be discharged into a pond, lake, or stream. A spring may also be the source of the ground water supply.

OPEN SPACE – a parcel or parcels of land incorporated within a subdivision that is used for passive and unorganized play areas. This land may include floodplain, wetlands, steep slopes, stormwater basins and drainage areas. The land set aside as open space may not be used towards calculating the

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parkland requirements of the development.

OUTDOOR FURNACE – Any equipment, device or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a space or water heating system in a building or structure, outside of which the unit is located.

PARK AND OUTDOOR RECREATIONAL FACILITIES – See PUBLIC RECREATION AREA.

PEDESTAL – The base and/or supporting structure, other than a building or tower, for the support of an antenna or sign.

PENNDOT – The Pennsylvania Department of Transportation (“PennDOT”), the Commonwealth agency responsible for overseeing and administering transportation laws and regulations within Pennsylvania.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE – Act of July 31, 1968, P.L. 805, No. 247, as reenacted and amended, 53 P.S. § 10101 et seq.

PENNSYLVANIA STATE GAME COMMISSION – The state agency responsible for the wildlife conservation and management in Pennsylvania.

PERENNIAL STREAM – A body of water flowing in a channel or bed composed primarily of substrates associated with flowing waters and capable, in the absence of pollution or other man-made disturbances, of supporting a benthic macro-invertebrate community which is composed of two or more recognizable taxonomic groups of organisms which are large enough to be seen by the unaided eye and can be retained by a United States Standard No. 30 Sieve (28 meshes per inch, 0.595mm openings) and live at least part of their life cycles within or upon available substrates in a body of water or water transport system.

PERMITTED USE – An authorized use herein which, upon application to the Zoning Administrator, may be granted in accordance with the provisions of this Chapter.

PERSONAL CARE HOME, LARGE – a premise that is approved and licensed as a personal care boarding home by the Department of Human Services for which food, shelter and personal assistance or supervision are provided for a period exceed 24 hours to nine or more residents who are not relatives of the operator or owner and who require assistance or supervision in such matters as dressing, bathing, diet or medication prescribed for self-administration.

PERSONAL CARE HOME, SMALL – a premise that is approved and licensed as a personal care boarding home by the Department of Human Services for which food, shelter and personal assistance or supervision are provided for a period exceed 24 hours to four to eight residents who are not relatives of the operator or owner and who require assistance or supervision in such matters as dressing, bathing, diet or medication prescribed for self-administration.

PERSONAL SERVICE ESTABLISHMENTS – A business in which services are offered to an individual relating to the hygiene or appearance of an individual such as, but not limited to, barber shops, hair salons, manicurists, acupuncturists, massage therapy, health spas, weight loss centers, tanning salons, hair replacement or removal facilities, and the like.

PET CARE SERVICE FACILITY - A building, structure or portion thereof designed or used for grooming, boarding, training, daycare or overnight boarding of domestic animals or other household

pets. A portion of the facility used for the retail sale of pet products and food may be accessory to the primary Pet Care Service Facilities use.

PET STORE – A commercial retail facility that provides food and accessories for domestic and farm animals. Training and grooming areas may also be incorporated as well as the sale of individual household pets. Boarding and/or breeding at such facilities is prohibited. The sale of dogs and cats at such stores is prohibited.

PLACE OF ASSEMBLY – An institution, other than recreation- and/or school-related, that people regularly attend to participate in or hold religious worship services, community-wide activities and/or related meetings.

Community place of assembly - a place of assembly as herein defined, that is designed to serve those within the surrounding community.

Neighborhood place of assembly - a place of assembly as herein defined, that is designed to serve those within one or more adjacent neighborhoods.

Regional place of assembly - a place of assembly as herein defined, that is designed to serve those in multiple communities.

PLAN (GENERAL MASTER) – A depiction of a proposed traditional town development or associated mixed residential area, indicating the overall design and approximate layout of the various elements required by the applicable provisions of this chapter. This plan shall serve as the basis for consideration of compliance with the design goals of the regulations prior to preparation of a specific implementation plan. This term is also used to identify the first step in the plan approval process for any development in the Terraced Streetscape Zoning District.

PLAN (SPECIFIC IMPLEMENTATION) – A complete and exact plan prepared for official recording and containing all elements of one specific phase of an approved general master plan as required by the procedures required by §27-903, Subsection H1 – 9.

PLANNED RESIDENTIAL DEVELOPMENT – An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling or use, density or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of a municipal zoning ordinance.

PLANNING COMMISSION – The Ferguson Township Planning Commission, Township of Ferguson, Centre County, Pennsylvania.

PORCH – A covered entrance to a building or structure which may or may not be enclosed and which projects out from the main wall of such building or structure and has a separate roof or an integral roof with the principal building or structure to which it is attached.

POTABLE WATER WELL – Any well developed within Ferguson Township by a public or private company/authority which provides water supply to off-site customers and satisfies the requirements of the Safe Drinking Water Act.

POTABLE WATER WELL PUMP STATION – The facilities and related appurtenances utilized to extract water from a potable water well.

PRECISION INSTRUMENT RUNWAY – A runway having an existing instrument approach

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procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). Also included is a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planned document.

PREPAREDNESS, PREVENTION, AND CONTINGENCY (PPC) PLAN – A written plan that identifies an emergency response program, material and waste inventory, spill and leak prevention and response, inspection program, housekeeping program, security and external factors, which is developed and implemented to control potential discharges of pollutants other than sediment into waters of this Commonwealth.

PRIME AGRICULTURAL LAND – Land used for agricultural purposes that contains soils of the first, second or third class as defined by the United States Department of Agriculture Natural Resource and Conservation Services County Soil Survey.

PRINCIPAL USE – The main use of land, building(s) or structures(s) as distinguished from an accessory use.

PRINTING ESTABLISHMENT – a retail establishment that provides duplicating services using photocopying, blueprint, and printing equipment and may include the collating and binding of booklets and reports.

PRIVATE – Not publicly owned, operated or controlled.

PRIVATE PARK AND OUTDOOR RECREATION FACILITY – A facility in which organized forms of play and amusement occur outdoors. May include, but is not limited to, the discharge of firearms, fishing, horseback riding, hiking, biking, skiing, sledding, ice skating, walking, running, swimming pools. Accessory buildings such as pool houses, clubhouses, restroom facilities are permitted. Does not include indoor recreation such as, but not limited to, indoor swimming pools, bowling alleys, racquetball courts or basketball courts. Organized sanctioned or competitive snowmobiling, ATV or motorcycle use is not permitted.

PRIVATE RECREATIONAL, SPORTS, AND ENTERTAINMENT FACILITIES - A business establishment, owned by a private-sector entity(ies), generally intended to provide recreation or entertainment for use by a paying clientele.

PROFESSIONAL OFFICE – Any office of recognized professions, such as doctors, dentists, lawyers, architects, engineers, artists, musicians, designers, teachers and others who, through training, are qualified to perform services of a professional nature. Includes business offices and offices for financial services.

PUBLIC – Intended for the general population to partake or participate.

PUBLIC MEETINGS – A forum held pursuant to notice under 65 P.A.C.S.A. Ch. 7 (relating to open meetings).

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

PUBLIC OR PRIVATE CONSERVATION AREA – A defined area of land that is either public or private lot which is being held for the purpose of natural resource protection and/or the raising and protection of game. Activity within these types of areas may include, but is not limited to, hunting,

trapping, walking paths and educational centers.

PUBLIC OR PRIVATE INSTITUTIONS OF HIGHER EDUCATION – Colleges and universities as well as professional schools in such fields as law, theology, medicine, business, music, and art where, at the end of a prescribed course of study, a degree, diploma, or certificate is awarded.

PUBLIC OR PRIVATE PARKING GARAGE – A structure, other than for boat/RV storage, that is either public or private intended for the temporary storage of vehicles and motorcycles.

PUBLIC RECREATION AREA – A park or recreation area which is owned or proposed to be owned by Ferguson Township or Centre Region Government entity:

COMMUNITY, PUBLIC PARK AND OUTDOOR RECREATIONAL FACILITIES – A public recreation area designed to serve those within the surrounding community.

NEIGHBORHOOD, PUBLIC PARK AND OUTDOOR RECREATIONAL FACILITIES – A public recreation area designed to serve those within one or more adjacent neighborhoods.

REGIONAL, PUBLIC PARK AND OUTDOOR RECREATIONAL FACILITIES – A public recreation area designed to serve those in multiple communities.

PUBLIC SPACE – Public space is comprised of areas such as plazas, courtyards, walkways, market squares, civic spaces, and other such gathering places that, although landscaped, contain a substantial hardscape design element (e.g., sidewalks, retaining walls, seating areas, fountains, plazas, etc.). These sociable gathering/meeting places are designed for the purpose of inviting face to face contact and personal interaction within a human-scaled environment.

PUBLIC UTILITY FACILITY – For the purposes of this chapter, electric substations, automatic telephone exchanges, micro-relay stations and the like (but excluding public sewer and water facilities and radio and television transmitters and towers) and any other public utility corporation when exempted from the provisions of this chapter by state law.

QUALIFIED PROFESSIONAL – A person, who by education, experience, certification or licensure, has demonstrated expertise in a particular field. For the purpose of this ordinance, fields may include professional engineering, geology, hydrogeology and soil sciences.

QUEUEING STREET – A street containing one parallel parking lane and one travel lane. In instances where cars park along the roadway, queuing streets require one car to wait temporarily in "queue" until the oncoming car passes.

RACE TRACK – A commercial establishment for the racing of animals or motorized vehicles.

RADIO AND TELEVISION STUDIO – A studio engaged in transmitting oral and visual programs to the public, but not including the transmitter and/or antennas for such broadcasting.

RAIN GARDEN – A planted depression that allows rainwater runoff from impervious urban areas like roofs, driveways, walkways, parking lots, and compacted lawn areas the opportunity to be absorbed.

RECREATION FACILITES FOR EMPLOYEES, FACULTY AND STUDENTS – A business establishment, owned by a private-sector entity(ies), generally intended for use by employees, faculty and/or students where said use provides recreation and entertainment related to the employee, faculty and/or student activities.

RECREATIONAL VEHICLE – A vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or

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permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for permitted recreational, camping, travel or seasonal use.

RECYCLING COLLECTION FACILITY – A location whose principal use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled, or handled from the public. Collection facilities may include reverse vending machines and small collection facilities.

REDEVELOPMENT – The reconstruction, reuse or change in use of any developed property including, but not limited to, the following: the demolition and clearance of any existing structures, any increase in the intensity of use of already developed land, such as an increase in the number of dwelling units in a structure or change to a commercial or industrial use from a less intensive use.

REGULATED SUBSTANCE – A product or waste, or combination of substances that, because of the quantity, concentration, physical, chemical, or infectious characteristics which if not properly treated, stored, transported, used or disposed of, or otherwise managed, would create a substantial present or potential threat to public health through direct or indirect introduction into groundwater resources and the subsurface environment. Such hazardous materials include, but are not limited to, substances regulated under Federal or State environmental, pollution control, hazardous materials, and drinking water laws and regulations.

REGULATORY FLOODWAY – A channel of the watercourse and portions of the adjacent land areas that must be reserved without cumulatively increasing the water surface elevation, contained in a floodplain.

RELEASE – The spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of one or more Regulated Substances upon or into any land or water within the Source Water Protection Overlay District. Release includes, without limitation, leakage of such materials from failed or discarded containers or storage systems and disposal of such materials into any on-site sewage disposal system, dry-well, catch basin, swale, drainage way.

REPAIR – To restore by replacing parts or putting together what is torn or broken. Repair can be defined as an accessory or principal use.

RESEARCH ENGINEERING OR TESTING LABORATORY – An establishment engaged in research, development, testing, assembly, repair, and manufacturing in the following industries: biotechnology, pharmaceuticals, medical instruments or supplies, communications and information technology, electronics and instrumentation, and computer hardware and software. Office, warehousing, wholesaling, and distribution of the finished products produced at the site shall be included in this land use.

RESEARCH, AGRICULTURAL OR ANIMAL – A structure or complex of structures designed or used for research, analysis and experimentation centered around agricultural activities, production and practices including but not limited to forage, forestry, entomology, livestock, vegetables, fruits and ornamental crops.

RESTAURANT – Any eating or drinking establishment, however designated, at which a principal use is to sell prepared food/beverages to the general public for consumption on and off the premises, including, but not limited to, a public dining room, lunchroom, diner, food court, luncheonette, café, tea room, coffee house, coffee shop, tavern, grill, lunch counter, drive-through, snack bar, cafeteria, buffet, , etc. This does not include establishments that sell only treats (such as ice cream or candy), employee and/or student lunchrooms associated with a permitted principal use, or concession stands at active public recreation sites or public sporting events.

RETAIL ESTABLISHMENT, AGRICULTURE SUPPORTED – A commercial enterprise that provides goods and/or services for which the majority of the customer-base is non-public agriculture business-to-farm or business-to-business relationships.

RETAIL ESTABLISHMENT, GENERAL – A commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser.

RETAIL ESTABLISHMENTS, VALUE ADDED AGRICULTURE – A commercial enterprise that provides goods and/or services for which the majority of the customer-base is the general public as related to farm-to-business or farm-to-consumer relationships.

RETENTION BASIN – An impoundment in which stormwater is stored and not released during the storm event. Stored water may be released from the basin at some time after the end of the storm.

RETIREMENT COMMUNITY – A facility licensed by the state designed to serve the housing needs of older persons in a continuum of care environment through facilities which relate both to dependent and independent persons; such facilities may include independent living units, sheltered care units, nursing care units and related support services.

RIGHT-OF-WAY – A corridor of land set aside for use, in whole or in part, by a street or other public purpose.

RIPARIAN AREA – (a) Areas adjacent to a stream that are saturated by ground water or intermittently inundated by surface water at a frequency and duration sufficient to support the prevalence of vegetation typically adapted for life in saturated soil. (b) The transition area between the aquatic ecosystem and the nearby, upland terrestrial ecosystem. These areas are identified by soil characteristics and/or plant communities and include the wet areas in and near streams, ponds, lakes, springs and other surface waters.

RIPARIAN BUFFER – Area of varying width adjacent to a water body where management practices that might affect water quality, fish, or other aquatic resources are modified. It is an area which acts as an effective filter and adsorptive zone for sediment; maintains shade; protects aquatic and terrestrial riparian habitats; protects channel and streambanks; and promotes floodplain stability. The buffer may be wider than just the riparian area.

RIPARIAN BUFFER OVERLAY ZONING DISTRICTS – Areas surrounding surface water bodies including, but not limited to, swales, creeks, streams, water bodies, intermittent watercourses and delineated wetlands as well as those encountered during subdivision and land development. These areas intercept surface water runoff, subsurface flow, and deep groundwater flows from upland sources and remove or "buffer" the impact of nutrients, sediment, organic matter, pesticides, or other pollutants prior to entry into surface waters.

RIPARIAN BUFFER WIDTH AVERAGING – A technique for delineating the width of a buffer such that the buffer boundary can be narrower at some points along the stream and wider at others so that its average width meets the minimum criteria.

ROOMING UNIT – A space within a personal care home, nursing/other convalescent home or group home where said space is occupied by no more than two (2) people.

RUNOFF – The surface water discharge or rate of discharge of a given watershed after a fall of rain, snow or other form of precipitation that does not enter the soil but runs off the surface of the land.

RUNWAY – A defined area of an airport prepared for landing and takeoff of aircraft along its length.

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SCHOOL – Any place offering instruction in any branch of knowledge under the supervision of the Commonwealth of Pennsylvania or a lawfully constituted ecclesiastical or non-parochial governing body, person, partnership or corporation meeting the requirements of the Commonwealth of Pennsylvania.

SECONDAY CONTAINMENT AREA – An additional layer of impervious material creating a space in which a release of a regulated substance from a storage tank may be detected before it enters the environment. This space permits a monitoring zone for leak detection methods.

SEDIMENT – Soil materials transported by wind or water as a result of erosion.

SELF-SERVICE STORAGE FACILITY – A facility consisting of one or more structures which contain separate enclosed storage spaces, for personal belongings, of varying sizes, leased or rented on an individual basis.

SERVICE ESTABLISHMENT – Any establishment whose primary activity is the provision of assistance, as opposed to products, though products may be sold secondarily to the services provided. Common service establishments examples are, but not limited to, barber shops, hair salons, beauticians, shoe repairs, reading rooms, tanning salons, drycleaners and tailors.

SETBACK OR BUILDING LINE – The line within a lot defining the required minimum or maximum setback distance between any structure and the adjacent street line.

SHADOW FLICKER – The on and off flickering effect of a shadow caused when the sun passes behind the rotor of a wind turbine.

SHORT-TERM RENTAL – The act of offering temporary living quarters and/or meeting rooms within a dwelling unit occupied by the owner or lessee for a negotiated price to a house guest with or without the mediating use of a rental housing exchange agency.

SHRUB – An ornamental plant with woody stems that is at least 2 gallons in depth at planting. See the Township's official plant list for a listing of permitted shrubs.

SILO – Tower or other structure on a farm used for feed/grain storage.

SINKHOLE – A localized, gradual, or rapid sinking of the land surface to a variable depth, occurring in areas of carbonate bedrock; generally characterized by a roughly circular outline, a distinct breaking of the ground surface, and downward movement of soil into bedrock voids.

SMALL ANIMAL – For the purpose of this ordinance, small Animals are considered including chickens, fowl, game birds, and any other animal which is by size and/or nature of a similar character to the aforementioned animals.

LARGE ANIMAL – For the purpose of this ordinance, large animals are considered including bovine, equine, sheep, goat or camelid families. This shall also include emus and similar large birds.

SMALL DORMITORY – A residence hall providing living facilities for 20 or fewer individuals.

SMALL WIND ENERGY SYSTEM – A wind energy conversion system which has a rated capacity of up to 100 kilowatts and which is incidental and subordinate to a permitted use on the same parcel. A system is considered a small wind energy system only if it supplies electrical power solely for on-site use, except that when a parcel upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

SOLAR ENERGY – Radiant energy (direct, diffuse and/or reflective) received from the sun.

SOLAR ENERGY PROJECT - A renewable energy project that either (a) generates electricity from sunlight, consisting of one or more PV systems and other appurtenant structures and facilities within the boundaries of the site, or (b) utilizes sunlight as an energy source to heat or cool buildings, heat or cool water, or produce mechanical power by means of any combination of collecting, transferring, or converting solar-generated energy. A solar energy project will not include any project which has a disturbance zone of two or fewer acres, is mounted on or over an existing building or parking lot, or utilizes integrated PV only.

SOLAR ENERGY SYSTEM (PSES) – An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground, or roof mounted, solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators and heat exchangers; substations; electrical infrastructure; transmission lines and other appurtenant structures.

SOLAR RELATED EQUIPMENT – Items including a solar photovoltaic cell, module, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used or intended to be used for collection of solar energy.

SOLAR ARRAY – A grouping of multiple solar modules with the purpose of harvesting solar energy.

SOLAR CELL – The smallest basic solar electric device which generates electricity when exposed to light.

SOLAR MODULE – A grouping of solar cells with the purpose of harvesting solar energy.

SOLAR SYSTEM, BUILDING AND/OR GROUND-MOUNTED – A system, structure, or device accessory to a principal use which is used to collect, store, and distribute energy derived from the sun for the purpose of heating or cooling the interior spaces of buildings or for heating domestic hot water. Small solar energy systems may include, but are not limited to, solar collectors, solar reflectors, heat storage tanks, south facing double glazed window walls, attached south facing greenhouses utilizing double glazing, and architectural overhangs for blocking sunlight on south facing windows.

SOURCE WATER PROTECTION AREA – The surface and subsurface area surrounding a water well, well field, spring, or infiltration gallery supplying a public water system, through which contaminants are reasonably likely to move toward and reach the water source. The Source Water Protection Area shall consist of the following zones:

- A. Zone I: The protective zone immediately surrounding a well, spring, or infiltration gallery which shall be a one-hundred (100') to four-hundred (400') foot radius, depending on site-specific source and aquifer characteristics.
- B. Zone II: The zone encompassing the portion of the aquifer through which water is diverted to a well or flows to a spring or infiltration gallery. Zone II shall be one-half (1/2) mile radius around the source unless a more detailed delineation is approved.
- C. Zone III: The zone beyond Zone II that contributes surface water and groundwater to Zones I and II.
- D. For the purpose of this Ordinance, the Ferguson Township-Wide Source Water Protection Zone II Overlay District encompasses the entire area of Ferguson Township.

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SOURCE WATER PROTECTION OVERLAY DISTRICT – Wellhead protection areas surrounding public water supply wells, including Zones I, II, and the Township-Wide Source Water Protection Zone II.

SPECIFIED ANATOMICAL AREAS –

- A. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus or breasts below a point immediately above the top of the areola.
- B. Human genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES –

- A. Acts of masturbation, sexual intercourse, sexual bestiality or physical contact with a person's clothed or unclothed genitals, pubic areas, buttocks or breast.
- B. The condition of human genitals when in a state of sexual stimulation or arousal.
- C. Flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.
- D. The showing of the human genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple or the depiction of covered male genitals in a discernibly turgid state.

SPORT AND FIELD COMPLEXES - A recreational facility consisting of multiple fields and athletic venues, which may be either indoor or outdoor facilities. These facilities may include other elements, such as health and athletic clubs and other recreational, entertainment or sports facilities and concession stands.

SPORTING AND ENTERTAINMENT ARENAS & STADIUMS – A principal use that includes a structure with seats for spectators to observe sporting, recreational, or entertainment events.

SPRING – Place where a concentrated discharge of ground water flows at the ground surface, including perched water flow from the soil.

SQUARE – A spatially defined element of usable open space designed such that it directly abuts streets on two or more sides. Squares may be located throughout the required open space of a community in a manner which enhances the form, appearance and function of this element of the community. Landscaping and lighting must be provided to augment the function of this feature within the open space network.

STACK OR CHIMNEY – Any structure enclosing a flue or flues that carries off smoke or exhaust from a furnace located inside or outside of a structure.

STAGING AREA – An off-street facility used for the transfer of loads to, from or between trucks. This site is intended to be used for more than four (4) months out of a twelve (12) month period pursuant to stand-alone agreement with the property owner.

STATE OBSCENITY CODES – Section 5903, Title 18, Pennsylvania Consolidated Statutes, and as amended.

STEALTH TECHNOLOGIES – Camouflaging methods applied to wireless communications facilities,

communications antenna and other facilities which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted communications antenna, building-mounted communications antenna painted to match the existing structure and facilities constructed to resemble trees, shrubs, flag poles, and light poles.

STEEP SLOPE – Land whose slope (surfaces at an angle to the plane of the horizon) is 25% or more a vertical difference of 25 feet or more per 100 feet of horizontal distance.

STORAGE – A space or place for storing materials and supplies for use by the principal use located on the same site. Includes the storage of goods which were produced on site. Storage is accessory to the principal use on the site.

STORAGE TANK – Any Aboveground (AST) or Underground (UST) storage tank which is used for the storage of any regulated substance.

- A. A tank of 1,100 gallons or less capacity used for storing motor fuel or motor oil for noncommercial purposes.
- B. A tank used for storing heating oil for consumptive use on the premises where stored.
- C. A pipeline facility, including gathering lines, regulated under:
 - 1) The Natural Gas Pipeline Safety Act of 1968 (49 U.S.C.A. App. §§1671 – 1687).
 - 2) The Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C.A. §§ 2001 – 2015).
 - 3) An interstate or intrastate pipeline facility regulated under State laws comparable to the provisions of law referred to in clause (A) or (B).
- D. A surface impoundment, pit, pond, or lagoon.
- E. A stormwater or wastewater collection system.
- F. A flow-through process tank including, but not limited to, a pressure vessel and oil and water separators.
- G. A nonstationary tank liquid trap or associated gathering lines directly related to oil and gas production or gathering operations.
- H. Tanks which are used to store brines, crude oil, drilling, or frac fluids and similar substances or materials which are directly related to the exploration, development, or production of crude oil or natural gas regulated under the Oil and Gas Act (58 P.S. §§601.101 – 601.605).
- I. Tanks regulated under the Surface Mining Conservation and Reclamation Act (52 P.S. §§1396.1 – 1396.31).
- J. Tanks used for the storage of products which are regulated under the Federal Food, Drug, and Cosmetic Act (21 U.S.C.A. §§6018.101 – 6018.1003).
- K. Tanks regulated under the Solid Waste Management Act (35 P.S. §§ 6018.101 – 6018.1003) including, but not limited to, piping, tanks, collection and treatment systems used for leachate, methane gas and methane gas condensate management.

Definitions

- L. A tank of 1,100 gallons or less in capacity located on a farm used solely to store or contain substances that are used to facilitate the production of crops, livestock, and livestock products on the farm.
- M. Tanks which are used to store propane gas.
- N. Tanks containing radioactive materials or coolants that are regulated under the Atomic Energy Act of 1954 (42 U.S.C.A. §§2011-2297).
- O. Tanks regulated under the act of May 2, 1929 (P.L. 1513, No. 451), known as the Boiler Regulation Law (35 P.S. §§1301 – 1500).
- P. Equipment or machinery that contains regulated substances for operational purposes such as hydraulic lift tanks and electrical equipment tanks.
- Q. A tank that contains a de minimis concentration of regulated substances.
- R. An emergency spill or overflow containment tank that is expeditiously emptied after use.
- S. Other tanks excluded by regulations promulgated under the Storage Tank and Spill Prevention Act.

STORAGE TANK – ABOVEGROUND (AST) – One or a combination of stationary tanks with a total capacity in excess of 250 gallons, including underground pipes and dispensing systems connected thereto within the emergency containment area, which is or was used to contain an accumulation of regulated substances, and the volume of which, including the volume of piping within the storage tank facility, is greater than 90% above the surface of the ground. The term includes tanks which can be visually inspected, from the exterior, in an underground area. The term does not include the following, or pipes connected thereto:

STORAGE TANK – EXEMPTED – Any tank or container which contains hazardous or petroleum substances, either above or underground, which is otherwise unregulated by the Storage Tank and Spill Prevention Act (STSPA), as amended. For the purpose of this ordinance, exempted tanks are limited to the following: on-premise heating fuel tanks, farm or residential motor fuel tanks with a capacity of 1,100 gallons or less, and tanks, drums, or containers with a capacity of less than 110 gallons which contain hazardous materials.

STORAGE TANK FACILITY – One or more stationary tanks, including any associated intrafacility pipelines, fixtures, monitoring devices, and other equipment. A facility may include aboveground tanks, underground tanks, or a combination of both. The associated intrafacility pipelines, fixtures, monitoring devices, and other equipment for an aboveground storage tank shall be that which lies within the secondary containment area.

STORAGE TANK – UNDERGROUND (UST) – Any one or combination of tanks (including underground pipes connected thereto) which are used to contain an accumulation of regulated substances, and the volume of which (including the volume of the underground pipes connected thereto) is 10% or more beneath the surface of the ground. The term shall not include:

- A. Farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes.
- B. Tanks used for storing heating oil for consumptive use on the premises where stored unless they are specifically required to be regulated by Federal law.
- C. A septic or other subsurface sewage treatment tank.

- D. A pipeline facility (including gathering lines) regulated under:
 - 1) The Natural Gas Pipeline Safety Act of 1968 (Public Law 90-481, 82 Stat. 720, 49 U.S.C. App. § 1671 et seq.).
 - 2) The Hazardous Liquid Pipeline Safety Act of 1979 (Public Law 96-129, 93 Stat. 989, 49 U.S.C. § 2001 et seq.).
- E. An interstate or intrastate pipeline facility regulated under State laws comparable to the provisions of law in paragraph (4).
- F. Surface impoundments, pits, ponds, or lagoons.
- G. Storm water or wastewater collection systems.
- H. Flow-through process tanks.
- I. Liquid traps or associated gathering lines directly related to oil or gas production and gathering operations.
- J. Storage tanks situated in an underground area (such as a basement, cellar, working mine, drift, shaft, or tunnel) if the tank is situated upon or above the surface of the floor.
- K. Except for tanks subject to the requirements of 40 CFR 280 (relating to technical standards and corrective action requirements for owners and operators of underground storage tanks (UST), tanks regulated pursuant to the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act including, but not limited to, piping, tanks, collection and treatment systems used for leachate, methane gas and methane gas condensate management.
- L. Any underground storage tank system whose capacity is 110 gallons or less.
- M. Any other tank excluded by policy or regulations promulgated pursuant to this act. (Def. amended May 10, 1996, P.L.171, No.34)
- N. Fire Suppression Tanks

STORAGE OF PASSENGER VEHICLES AND LIGHT TRUCKS – A facility or structure intended for the temporary storage of passenger vehicles and light trucks.

STORMWATER MANAGEMENT SITE PLAN (SWM SITE PLAN) – The plan prepared by the developer or his representative indicating how stormwater runoff will be managed at the development site in accordance with Chapter 26, Part 1. The contents of the SWM site plan are established in Chapter 26, Part 1, Subpart D, "Stormwater Management Site Plan Requirements," § 26-403, "Plan Submission."

STORMWATER MANAGEMENT STRUCTURE – A designed device, constructed or manufactured, used in a soil or water conservation or management system to retain, regulate or control the flow of water.

STORY – A habitable level within a building of no more than 14 feet in height from finished floor to finished ceiling. Attics and raised basements are not considered stories for the purposes of determining compliance with regulations associated with Traditional Town Development or Mixed Residential Area development(s).

STREAM – A watercourse. Most streams are shown on the U.S.D.A. Soil Conservation Service "Soils Survey of Centre County" mapping or as watercourses shown on a U.S.G.S., 75 minute quadrangle

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map as solid blue lines or as state open waters identified in a letter of interpretation issued by the Pennsylvania DEP. Streams are also shown as blue lines on the most recent Streams Within the Centre Region, U.S.G.S. National Hydrologic Dataset (NHD) mapping as noted in attached Appendix E.

STREAM CROSSING – A bridge, ford or structure installed across a stream or watercourse for temporary and/or permanent use as a means of ingress and egress, livestock, or construction and/or agricultural vehicles.

STREET – Includes a street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other way used or intended to be used by vehicular traffic or pedestrians, whether public or private. Streets are further classified according to the functions they perform:

RESIDENTIAL ACCESS STREET – A street that provides access to abutting properties designed to carry no more traffic than that which is generated on the street itself. No section of the street shall carry an ADT volume greater than 200. Each half of a loop street may be regarded as a single local access street and the total calculated traffic volume on a loop street shall not exceed 400 ADT. These streets may intersect or take access from any street type. Both ends of a loop street, however, must intersect the same collecting street and be laid out to discourage through traffic.

RESIDENTIAL SUBCOLLECTOR STREET – A street that provides access to abutting properties and which may also conduct traffic from residential access streets that intersect it. Each subcollector street shall be designed so that no section of it will convey a traffic volume greater than 500 ADT. Each half of a loop subcollector street may be regarded as a single subcollector and the total traffic volume conveyed on a loop street shall not exceed 1,000 ADT. Subcollector streets shall be designed to exclude all external through traffic which has neither origin nor destination on the subcollector or its tributary residential access streets.

COLLECTOR STREET – A street that places more emphasis on land access than arterial streets and offers lower traffic mobility. A collector street often carries local bus traffic and provides intracommunity continuity but ideally does not penetrate identifiable neighborhoods. This system includes urban connections to rural collector roads. In the central business district, and in other areas of similar development and traffic density, the collector system may include the entire street grid.

URBAN ARTERIAL STREET – Identified as unusually significant in terms of the nature and composition of travel it serves. Its importance is derived primarily from service provided to through travel, from service provided to major circulation movements within the urbanized area, and from service provided to rurally oriented traffic. The urban arterial system serves the major centers of activity of urbanized areas, the highest traffic volume corridors, and the longest trip desires and carries a high proportion of the total urban area travel mileage. The system should be integrated both internally and between major rural connections.

RURAL ARTERIAL STREET – Identified as streets with trip length and density suitable for substantial statewide or interstate travel. Rural arterial streets are those that provide linkage of cities, towns and other traffic generators that are capable of attracting travel over similarly long distances.

RESIDENTIAL SUBCOLLECTOR STREET AND RESIDENTIAL ACCESS STREET – Any street which is not defined herein as urban arterial, rural arterial or collector shall be classified as residential subcollector or residential access street based on the average daily traffic count set forth in the definitions of these classifications.

STREET LINE – The dividing line between a street and the lot; includes right-of-way line and front lot

line.

STREET WALL – That portion of the building facade facing the arterial street at the back edge of the sidewalk.

STRUCTURE – An object, including a mobile object, includes without limitation, buildings, towers, cranes, smokestacks, earth formation and overhead transmissions lines.

STRUCTURES, TRADITIONAL-SCALE FARM – Buildings and facilities, such as barns and silos, of under 25,000 square feet in area, that are used for farm-related activities.

STRUCTURES, NON-TRADITIONAL-SCALE FARM – Buildings and facilities, such as barns and silos, of 25,000 square feet in area or greater, that are used for farm-related activities.

STRUCTURED PARKING (PARKING STRUCTURE, PARKING GARAGE, OR PARKING DECK) – A building (or part thereof) which is designed specifically to be for automobile parking and where there are a number of floors or levels on which parking takes place.

STUDIOS FOR INSTRUCTION OF MUSIC, PERFORMING ARTS – An establishment used by an artist, dancer, photographer or similar occupant who may or may not offer classes and/or workshops at the studio.

SUBDIVISION – The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUBSTANTIAL CHANGE – (1) Any increase in the height of a wireless support structure by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet for structures located outside of the rights-of-way, or 10 feet for structures located within the rights-of-way, whichever is greater, except that the mounting of the proposed wireless communications facility may exceed the size limits set forth herein if necessary to avoid interference with existing antennas; or (2) any further increase in the height of a wireless support structure which has already been extended by more than 10% of its originally approved height or by the height of one additional antenna array.

SUBSTANTIAL DAMAGE – Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% or more of the market value of the structure before damage occurred.

SUBSTANTIAL IMPROVEMENT – Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specification which have been identified by the local code enforcement officials and which are the minimum necessary to assure safe living conditions.
- B. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Definitions

SUGAR SHACKS FOR PROCESSING SAP FROM TREES ON DIFFERENT LOT – A facility used for the processing of tree sap harvested at a different location than where it was harvested.

SUGAR SHACKS FOR PROCESSING SAP FROM TREES ON LOT – A facility used for the processing of tree sap harvested on the same lot as where it was harvested.

SURFACE MINING – Extraction for sale or other commercial use of any mineral which involves removal of the surface of the earth or exposure of the mineral or subsurface to the earth to wind, rain, sun or other elements of nature.

SURFACE WATERS – Perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps, and estuaries, excluding water at facilities approved for wastewater treatment such as wastewater treatment impoundments, cooling water ponds, and constructed wetlands used as part of a wastewater treatment process.

SUSTAINABLE – An ecosystem condition in which biodiversity, renewability, and resource productivity are maintained over time.

SWALE – A natural low-lying stretch of land or minor man-made conveyance channel which gathers or carries surface water runoff.

TASTING ROOM – A room or rooms open to the general public, primarily used for the retail marketing of beverage-related products controlled by the PA Liquor Control Board. Merchandise offered for sale within the tasting room may also include souvenirs and clothing bearing the logo of the business, as well as related items and other products that reflect or enhance the character or theme of the product(s). Rooms where wine tasting occurs, where beverage tasting is part of the normal business practice in the wholesale marketing of beverage products and that are not open to the public are not considered tasting rooms.

TAXI AND LIMOUSINE SERVICES – An establishment which offers transportation in passenger automobiles and vans to persons including those who are handicapped for a fee. The establishment may include facilities for servicing, repairing, and fueling the taxicabs, limousines or vans. For the purposes of this Ordinance, storage and/or test/research locations for driver services such as Uber, Lyft, or equivalent shall apply to this land use.

TELECOMMUNICATIONS SWITCHING FACILITY – A building or structure used exclusively for the transmission and exchange of telephone messages. The term shall not include wireless service towers.

TEMPORARY FACILITIES RELATED TO ADVANCED AGRICULTURAL RESEARCH – Supporting structures and or uses that are removed from the site as needed.

TEMPORARY USE – A use lasting for a limited time of seven days or less, unless specified as longer under a particular use. Does not include the construction or alteration of any structure.

THEATER - building or part of a building devoted to the showing of motion pictures or theatrical or performing arts productions as a principal use, but not including an outdoor drive-in theater or adult movie theater.

TILLING – The agricultural preparation of soil by use of various mechanisms and tools.

TOTAL RIPARIAN BUFFER WIDTH – The sum of the widths of Zone One and Zone Two riparian buffers for the standard case where buffer averaging is not permitted.

TOTAL MAXIMUM DAILY LOAD (TMDL) – A tool for establishing the allowable loadings of a

given pollutant in a surface water resource to meet predetermined water quality standards.

TOWER – A monopole, freestanding, or guyed structure that supports a wind generator.

TOWER-BASED WIRELESS COMMUNICATIONS FACILITY – Any ground-mounted structure that is designed and constructed primarily for the purpose of supporting one or more antennas for wireless communication purposes including self-supporting lattice towers, guyed towers or monopole towers. For the purposes of this ordinance, the term includes facilities that are not solely under the jurisdiction of the Pennsylvania Public Utility Commission, except where permitted by law. The term includes the structure and any supporting structures thereto.

TOWER HEIGHT – The height above grade of the fixed portion of a wind generator tower, excluding the wind turbine and blades.

TOWNHOUSES – Three or more single-family dwellings connected by common side party walls to other single-family dwellings where all except the end units are connected on both sides by party walls. Also referred to as single-family attached dwellings (three or more dwelling units).

TOWNSHIP – The Township of Ferguson, Centre County, Commonwealth of Pennsylvania.

TOWNSHIP ENGINEER – A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for Ferguson Township.

TRANSMITTER – An electronic device that generates radio waves of various frequencies, modulates the radio waves' amplitude of frequency and sends them through space by means of an antenna using greater than 100 watts of power.

TREATMENT CENTER – A use (other than a prison or hospital) providing treatment and/or housing for three or more unrelated persons who need specialized housing, treatment and/or counseling because of:

- A. Criminal rehabilitation, such as criminal halfway house.
- B. Addiction to alcohol or a controlled substance.
- C. A type of mental illness or other behavior that causes a person to be a threat to the physical safety of others.

TTD OPEN SPACE – Area which has been specifically designed or set aside to accommodate recreation, relaxation, or environmental preservation in accordance with the provisions of §27-303. This does not include yard areas, or setbacks associated with lots designated for uses other than open space uses.

TURBINES – The parts of a wind system including the blades, generator, and tail.

TUTORING AND STUDY CENTER – An operation which provides educational assistance to children in 1st through 12th grades based on a system of learning or instructional standards that supplement the child's primary school participation and attendance. The use and distribution of educational materials is anticipated as accessory to the operation of the center.

UNDERGROUND INJECTION WELL - A bored, drilled, driven, or dug well for the emplacement of fluids into the ground (except open loop geothermal heat pump systems).

UNDERSTORY TREE – a tree, either single-stemmed or multi-stemmed (clump form), which has a caliper of at least 1½ inches at planting and is of a species which, at maturity, can be expected to reach

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a height of at least 10 feet. See the Township's official plant list for a listing of permitted understory trees.

UNIFIED DEVELOPMENT – A development which is under single or multiple ownership and control at the time of land development approval and which is planned as an integral commercial unit, containing common, unified or interconnected parking facilities and served by a limited number of common or shared access driveways.

UNREGULATED YARD AREA – Area not within a building and not in a defined setback or yard area.

UNTREATED LUMBER – Dry wood which has been milled and dried but which has not been treated or combined with any petroleum product, chemical, preservative, glue, adhesive, stain, paint or other substance.

USABLE OPEN SPACE – Open space which has been designed in accordance with those purposes for which it is intended to be used. This does not include unbuildable portions of the site unless they have been incorporated as a design feature such as a greenway, conservation area, or other passive park space.

USE – Any purpose for which a lot or structure may be designed, arranged, intended, maintained or occupied, or any activity, occupation, business or operation carried on in a structure on a lot.

USE, ACCESSORY – See “Accessory Use”.

USE, CONDITIONAL – See “Conditional Use”.

USE, PERMITTED – See “Permitted Use”.

USE, PRINCIPAL – See “Primary/Principal Use”.

USE, TEMPORARY – See “Temporary Use”.

USE BUFFER – The land area to remain in its natural condition for the purpose of: (1) allowing normal surface water runoff to be filtered for sound environmental practice of maintaining good water quality, and (2) providing an activity of natural scenery preservation adjacent to the watercourse between the neighboring land use, serving as a corridor of water regime preservation.

USUAL FARM STRUCTURES – Buildings and facilities that are typically for farm related activity and typically found on land designated to farm-related activity.

UTILITY – A corporation, enterprise, government entity or persons generating, transmitting, distributing, transporting and/or collecting in any manner, electricity, heat, steam, natural gas, propane, water, wastewater, or communications (cable, telephone and fiber optic) to the public, or any portion thereof.

UTILITY RUNWAY – A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

VARIANCE – A permissive waiver of terms and conditions of this chapter issued by the Zoning Hearing Board.

VERTICAL CLOSED-LOOP BOREHOLE – A borehole which is constructed to receive heat exchanger loop pipes and grout material. Fill material may be used below a minimum depth of 20 feet below grade as the subsurface conditions warrant.

VERTICAL MIXED USE BUILDING – A building with more than one use where the separate uses occupy separate floors of the structure.

VETERINARY OFFICE/CLINIC – An establishment used by a licensed veterinarian for the diagnosis, treatment or prevention of animal diseases. Temporary/limited boarding of animals, for the purpose of recovery or medical treatment may be included, as well as overnight boarding for short-term care. No outdoor boarding of animals is permitted. Facilities which offer emergency veterinary care are included.

VILLAGE – An unincorporated settlement that is part of a township where residential and mixed-use densities of one unit to the acre or more exist or are permitted and commercial, industrial or institution uses exist or are permitted.

VIOLATION – The act of not meeting specific conditions or requirements of this Chapter.

VISUAL RUNWAY – A runway intended solely for the operation of aircraft using visual approach procedures.

WALKING, HIKING, BICYCLING AND/OR HORSEBACK RIDING TRAIL – A pathway designed for and used by equestrians, pedestrians and/or cyclists using non-motorized bicycles.

WAREHOUSE – A structure or room(s) for the storage of merchandise or commodities which are not produced on site and are not required for use on site. This use is typically found in conjunction with a distribution center.

WATER BODY – A natural or artificial lake, pond, reservoir, swamp, marsh, or wetland.

WATERCOURSE – A channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

WATER PRODUCTION FACILITY – A structure or building whose primary function is the production of potable water for public use. For the purposes of this chapter, such facilities include buildings or structures, including, but not limited to, water treatment facilities, watertowers /tanks/reservoirs or pumping stations and any appurtenant structures including, but not limited to, drying beds, back-up generators and fuel tanks, which are necessary for the operation of the water production facility and compliance with the Pennsylvania Department of Environmental Protection (DEP) regulations.

WATER SOURCE HEAT PUMB – A heat pump that uses a water-to-refrigerant heat exchanger to extract heat from the heat source.

WATER TABLE – Upper surface of the zone of saturation in soil or rock.

WATER WELL – A hole or shaft excavated, drilled, dug, or driven for the supply of industrial, agricultural, or potable water for general public consumption.

WEDDING/CELEBRATION VENUE – An area of land and/or structure that may be used for weddings/celebrations. Consumption on the premises of food and/or beverages shall occur at these venues.

WELDING SHOPS, SMALL ENGINE REPAIR – location for repairs and machine work to support technical operations related to engines, welding and the like.

WETLANDS – Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps,

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marshes, bogs and similar areas.

WHOLESALE DISTRIBUTION, WAREHOUSE – A structure or room(s) for the distribution of merchandise or commodities.

WIND ENERGY CONVERSION SYSTEM (WEC) – Any device which converts wind energy to a form of usable energy.

WIND ENERGY SYSTEM – A wind generator and all associated equipment, including any base, blade, foundation, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries and/or other component necessary to fully utilize the wind generator.

WIND GENERATOR – Equipment that converts energy from the wind into electricity. Includes the rotor, blades, and associated mechanical and electrical conversion components necessary to generate, store, and/or transfer energy.

WIND SYSTEM, BUILDING AND/OR GROUND-MOUNTED – A device accessory to a principal use that converts wind energy to mechanical or electrical energy.

WINERY – Licensed facilities used for the commercial processing of grapes or other fruit products to produce wine or similar spirits or the refermenting of still wine into sparkling wine.

WIRELESS SUPPORT STRUCTURE – A freestanding structure, such as a tower-based wireless communications facility or any other support structure that could support the placement or installation of a non-tower based wireless communications facility if approved by the Township.

WORKFORCE HOUSING – Housing that is affordable for someone earning between 80% and 120% of the median household income in Centre County as determined by the latest Census data. These units shall not be segregated or clustered within a neighborhood or structure and, from the exterior, will provide no evidence that distinguishes them from market-rate units.

WORKFORCE HOUSING DEVELOPMENT AGREEMENT - A written agreement duly executed between the applicant for a development, the Township, and the designated third-party administrator of the workforce housing program..

WORKFORCE HOUSING UNIT - Housing that is affordable for someone earning between 80% and 120% of the median household income for Centre County as established by the latest income guidelines defined in the annual schedule published by the Secretary of the United States Department of Housing and Urban Development. Housing shall be deemed affordable provided that costs of such housing including mortgage, amortization, taxes, insurance, and condominium or association fees, if applicable, constitute no more than 30% of such gross annual household income for a household size that may occupy the unit in question.

YARD – An unoccupied space, open to the sky, extending from the lot line to a structure. The size of a required yard shall be measured as the shortest distance between the structure and lot line.

FRONT YARD –An open space area extending along the full width of a lot parallel to the front property line or adjacent street right-of-way line, whichever is the closer to the property, which area is unoccupied and obstructed from the ground up, except for such intrusions as are expressly permitted by this Chapter.

SIDE YARD – An open space area extending along the side of a lot parallel to the side lot line,

which area shall extend from the front yard area to the rear yard area, except that in the absence of a rear or front yard area the side yard area shall extend the full length of the lot.

REAR YARD – An open space area extending across the full width of a lot parallel to the rear property line or adjacent street right-of-way line, whichever is closer to the property, which area is unoccupied and unobstructed from the ground up, except for such intrusions as are expressly permitted by this Chapter.

BUFFER YARD – An open space inclusive of vegetation and designed to provide an area of separation between different districts or uses.

YARD SETBACK AREA – An area bounded by a lot line and a line drawn parallel to the lot line at a distance specified in the ordinance for front, side or rear yard setbacks.

ZERO LOT LINE HOME – A building which is designed for and occupied by one family or group of persons, as with a single-family detached dwelling, living as a single household, with setbacks on three sides and one side built all or partially on a side property line. Structural attachments may be made to adjacent dwellings or garages with walls or fences to the side property line. Noncombustible material must be used when buildings are separated by 10 feet or less. Maximum occupancy shall be determined by the BOCA Building Code or this chapter, whichever is more restrictive. (See also "Zero Lot Line Homes," § 27-207.)

ZONING ADMINISTRATOR – The officially designated Zoning Administrator of the Township of Ferguson, Centre County, Commonwealth of Pennsylvania.

ZONING DISTRICT – A finite area of the Township, as designated by its boundaries on the Zoning Map, throughout which specific and uniform regulations govern the use of land and/or the location, size and use of buildings and structures. The regulations of a zoning district may be supplemented or altered by regulations imposed in an overlay zoning district.

ZONING HEARING BOARD – The Zoning Hearing Board of Ferguson Township.

ZONING MAP – The map setting forth the boundaries of the districts of this chapter and adopted by the Board of Supervisors of the Township.

Chapter 22
Ferguson Township
Subdivision and Land Development

INTERNAL WORKING DRAFT

June 21, 2019

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Subdivision and Land Development

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PART 1

GENERAL PROVISIONS

§22-101. Short Title.

This Chapter shall be known, and may be cited, as the "Township of Ferguson Subdivision and Land Development Regulations" Ordinance No. _____.

§22-102. Authority.

This Chapter is enacted and ordained under the grant of powers by the General Assembly of the Commonwealth of Pennsylvania, "The Pennsylvania Municipalities Planning Code" Act 247 as reenacted and amended.

§22-103. Purpose.

This Chapter is enacted for the following purposes:

- A. Assuring sites suitable for building purposes and human habitation.
- B. Providing for the harmonious development of the Township so as to be generally consistent with the 2013 Centre Region Comprehensive Plan.
- C. Coordinating the proposed development with existing development within the Township.
- D. Encouraging adequate open spaces for proper traffic flows, recreation, light and air and for proper distribution of population, thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens.
- E. Protecting the character and social and economic stability of the Township and to encourage the orderly and beneficial development of the Township.
- F. Promoting the desirability of Ferguson Township as a place to live, work and do business through maximum strategic use of vegetation. Vegetation, in particular trees and shrubs, is known to be effective in: mitigating the effects of heat islands by reducing ambient temperature; water filtration and purification; stormwater management; improving air quality; providing habitat for pollinators, birds and wildlife; improving the aesthetics and property values of neighborhoods and commercial developments; and encouraging civic engagement by improving the walkability of transportation corridors.
- G. Protecting and conserving the value of land throughout the Township, the value of buildings and improvements upon the land and to minimize the conflicts among the uses of land and buildings.
- H. Guiding public and private policy and action in order to provide adequate and efficient transportation, water supply, sewage, schools, parks, playgrounds, recreation and other public requirements and facilities.
- I. Providing the most beneficial relationship between the uses of land and buildings and the circulation of traffic within the Township, having particular regard to the avoidance of congestion in the streets and highways and the pedestrian traffic movements appropriate to the various uses of land and buildings, and providing for the proper location and width of streets and building lines.

- J. Establishing reasonable standards of design and procedures for subdivision and re-subdivision in order to further the orderly layout and use and/or reuse of land; and insuring proper legal descriptions and monumenting of subdivided land.
- K. Promoting and fostering the community development goals and objectives including quality infill, redevelopment and/or adaptive reuse.
- L. Ensuring that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
- M. Preventing the pollution of air, streams and ponds; assuring the adequacy of drainage facilities; safeguarding the water table; and encouraging the wise use and management of natural resources in order to preserve the community and value of the land.
- N. Preserving the natural characteristics and topography of the Township and ensuring appropriate development with regard to these natural features.
- O. Providing for open spaces through efficient design and layout of the land.
- P. Ensuring that documents prepared as part of land ownership transfer fully and accurately describe the parcel of land being subdivided and new parcels thus created.

§22-104. Establishment of Controls.

In their interpretation and application, the regulations set by this Chapter shall be held to be the minimum requirements adopted for the promotion of the purposes of this Chapter.

- A. Types of Control. This Chapter contains regulations governing the following: submission procedures for the review and disposition of subdivision and land development plans; graphic and written information to be contained on, or filed with, such plans; and, regulations governing the design and installation of required improvements, the layout and arrangement of lots and blocks, the reservation of land for public use, and methods of handling storm drainage and erosion and sedimentation.
- B. New Subdivisions and Land Developments. No subdivision or land development of any lot, tract, or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main, or other improvements in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Chapter.

This Chapter shall apply to all plans submitted for initial approval of a subdivision or land development after the date of enactment of this Chapter.

- C. Existing Subdivisions and Land Developments.
 - 1. Any preliminary plan approved within 5 years prior to the date of enactment of this Chapter shall be entitled to final plan approval, within 5 years of the date of approval of the said preliminary plan, according to the terms of said plan.
 - 2. Any plan submitted for preliminary plan approval prior to the date of enactment of this Chapter shall be reviewed under the terms of the prior enacted Township Subdivision and Land Development Ordinance.
 - 3. This Chapter shall apply to any subdivision or land development which occurred without

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Subdivision and Land Development

obtaining approval required under this or previous subdivision ordinances of this municipality.

4. The provisions of this Chapter governing the design and installation of improvements shall apply to any unbuilt portion of a subdivision or land development for which a preliminary or final plan was approved more than 5 years prior to the date of the enactment of this Chapter. Where final plan approval was preceded by preliminary plan approval, the 5-year period shall be counted from the date of the preliminary plan approval.

D. Relationship with Other Restrictions.

1. The provisions of this Chapter are not intended to interfere with, abrogate, or annul other rules, regulations, or ordinances, provided that where this Chapter imposes a greater restriction than that imposed by such other rules, easements, covenants, restrictions, regulations, or ordinances, the provisions of this Chapter shall control, except that:
2. For any development governed by Ord. ___, "The Township of Ferguson Planned Residential Development Ordinance," where a provision of this Chapter conflicts with a provision or provisions of Ord. ___, the provisions(s) of Ord. ___ shall control.

E. Exceptions.

This Chapter shall not apply to any subdivision or land development exempted by the Pennsylvania Municipalities Planning Code or other laws of the Commonwealth of Pennsylvania, or to the design and installation of improvements for developments governed by Ord. 46, "The Township of Ferguson Mobile Home Park Ordinance," or to property wholly or partially owned and/or controlled by the Township of Ferguson.

§22-105. Modifications and Waivers.

- A. Where the Applicant shows to the satisfaction of the Township that the literal compliance with any mandatory provision of these regulations and causes undue hardship to the Applicant because of peculiar conditions pertaining to the particular property, the Township may grant a modification or waiver to one or more provisions of this Chapter. Such modification and/or waiver, however, shall not have the effect of nullifying the intent and/or purpose of this Chapter.
- B. In granting any modification and/or waiver, the Township may impose such conditions as will substantially secure the objectives of the standards and requirements of this Chapter.
- C. All requests for modifications and/or waiver of any standard and/or requirement contained in this Chapter shall be made in accordance with the following procedure:
 1. The request shall be made in writing and shall accompany the application form as provided by the Township of Ferguson. The request shall include:
 - a) A full description of the unreasonableness or hardship on which the request is based, and any, peculiar circumstances.
 - b) A full description of the alternative standard proposed to provide equal or better results.
 - c) The section(s) of this Chapter that are requested to be modified and the minimum modification necessary to relieve the hardship.

Ferguson Township

2. The request shall be reviewed by the Planning Commission to determine compliance with the requirements in subsection C.1, above, and shall provide its recommendation for action to the Township Board of Supervisors.
3. The Township Board of Supervisors, after receipt and review of the Planning Commission recommendation, shall complete its own review and shall grant or reject the requested modification and/or waiver.
4. If the modification is granted, a note shall appear on the final plan for recordation.
5. The Township shall keep a written record of all action on all requests for modifications.

PART 2

DEFINITIONS

§22-201. Language Interpretations:

For the purposes of this Chapter, certain terms and words used herein shall be interpreted as follows:

- A. Words used in the present tense include the future tense; the singular number includes the plural, and the plural number includes the singular; words are gender neutral.
- B. The word "includes" or "including" shall not limit the term to the specific example but is intended to extend its meaning to all other instances of like kind and character.
- C. The word "person" includes an individual, firm, association, organization, partnership, trust, company, corporation, or any other similar entity.
- D. The words "shall" and "must" are mandatory; the words "may" and "should" are permissive.
- E. The words "used" or "occupied" include the words "intended, designed, maintained, or arranged to be used or occupied."
- F. The word "land" shall include water surface.
- G. The word "Supervisor" shall mean the elected members of the Township Board of Supervisors of Ferguson Township, Pennsylvania.
- H. The phrase "Board Member" shall mean the members of the Zoning Hearing Board of Ferguson Township, Pennsylvania.
- I. The word "Manager" shall mean the Township Manager of Ferguson Township, Pennsylvania.
- J. Any reference to the Township Manager, Planning Commission, Township Engineer or other administrative official of Ferguson Township, Pennsylvania, shall include their designees.

Abbreviations.

ADA	Americans with Disabilities Act
ASTM	American Society for Testing and Materials
EPA	Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FHA	Federal Housing Administration
HOP	Highway Occupancy Permit
HVAC	Heating, Ventilating, and Air Conditioning
MPC	Municipalities Planning Code
NFPA	National Fire Protection Association
NPDES	National Pollutant Discharge Elimination System
PADEP	Pennsylvania Department of Environmental Protection

PennDOT	Pennsylvania Department of Transportation
PUC	Pennsylvania Public Utility Commission
SALDO	Subdivision and Land Development Ordinance

§22-202. Definitions.

Unless a contrary intention clearly appears, the following words and phrases shall have the meaning given in this section. All words and terms not defined herein shall be used with a meaning of standard usage. All words and terms not defined herein shall be used with a meaning of standard usage as defined in Merriam Webster's Collegiate Dictionary, Eleventh Edition.

Acreage of Property – the area contained within the perimeter boundary of a lot.

Amendment – any change or revision of the text of this Chapter.

Applicant – a subdivider, landowner, or developer, as hereinafter defined, who has filed an "Application for Subdivision or Land Development," including his heirs, successors, and assigns.

Application for Development – every application, whether preliminary or final, required to be filed and approved prior to start of construction or development including, but not limited to, an application for a building permit and an application for the approval of a development plan.

Average Daily Traffic (ADT) – Average Daily Traffic is the total volume during a given time-period (in whole days greater than 1 day and less than 1 year) divided by the number of days in that time-period. For new residential streets and driveways, the expected ADT is determined by using the Trip Generation Rates table found in the current ITE Trip Generation Manual. [Ord. 820]

Bicycle Parking Space – A physical space that is a minimum of two and one-half (2.5) feet in width by six (6) feet in length with a vertical clearance of at least seven (7) feet that allows for the parking of one bicycle, and if located outside, is hard surfaced and well drained.

Bike Locker – A lockable enclosure consistent with industry standards that:

- A. Can hold one bicycle;
- B. Is made of durable material;
- C. Is designed to fully protect the bicycle against rain, snow, ice, high winds;
- D. Provides secure protection from theft;
- E. Opens sufficiently to allow bicyclists easy access; and
- F. Is of a character and color that adds aesthetically to the immediate environment.

Bike Rack – A device consistent with industry standards that:

- A. Is capable of supporting a bicycle in a stable position;
- B. Is made of durable materials;
- C. Is no less than thirty-six (36) inches tall (from base to top of rack) and no less than one and one-half (1.5) feet in length;
- D. Permits the securing of the bicycle frame and one wheel with a U-shaped lock; and
- E. Is of a character and color that adds aesthetically to the immediate environment.

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Subdivision and Land Development

Bikeway – any road, path, or way which in some manner is specifically designated as being open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.

Block – an area bounded by streets, rights-of-way, streams or other similar natural features.

Board of Supervisors – the governing body of the Township of Ferguson, Centre County, Pennsylvania.

Boulevard Type Entrance – any entrance with two distinct travel lanes which are separated by a median which is a minimum of ten (10) feet wide.

Building – A structure, including any part thereof, having a roof and used for the shelter or enclosure of persons or property.

Cartway – the portion of a street right-of-way designed or intended for vehicular use.

Centerline – a line running parallel to and equidistant from both sides of a street.

Centre Regional Planning Agency – See Planning Agency.

Centre Regional Planning Commission – See Planning Agency.

Clear Sight Triangle – an area of unobstructed vision at the intersection of two (2) streets or the intersection of a driveway with a street, intended to allow the operators of vehicles approaching simultaneously to see each other in time to prevent a collision.

Community Sewage Systems – any system for the collection of sewage or industrial wastes of a liquid nature from two or more lots, and the treatment and/or disposal of the sewage or industrial waste on one or more of the lots or at any other site other than a Public Sanitary Sewer System.

Community Water System – any public or private water system that serves more than 15 homes or 25 residents.

Comprehensive Plan – the 2013 Centre Region Comprehensive Plan, as amended.

Condominium – a lot or portion of a lot where portion(s) of which are designated for separate ownership and the remainder of which is designated for common ownership solely controlled by the owners of the said portions.

County – the County of Centre, Commonwealth of Pennsylvania.

Crosswalk – a publicly- or privately-owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.

Cul-de-sac – any roadway with a single means of entry and exit. The cul-de-sac has two parts: the stem and turnaround. The cul-de-sac is measured from the end of the turnaround to the point where the stem intersects with a roadway that has two means of entry and exit.

Curb Return – a curved curb connecting the tangents of two intersecting curbs of streets or driveways.

Cut – the difference between a point on the original ground and designated point of lower elevation on the final grade; an excavation.

Dedication – the conveyance of land or objects to some public use, made by the owner, and accepted for such use by or on behalf of the public by a municipality, school district, or public authority. The Township may or may not accept the offer of dedication.

Department of Environmental Protection (PADEP) – the Department of Environmental Protection in the state of Pennsylvania, its bureaus, divisions, departments and/or agencies, as may from time to time be established, or such Department or Departments as may in the future succeed it.

Detention Basin – an elevated area at which surface water runoff is temporarily stored pending its release at a controlled rate.

Developer – any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

Development Plan – the provisions for development of land including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, driveways, sidewalks and parking facilities, common open space, and public facilities. The phrase “provisions of development plan,” when used in this Chapter, shall mean the written and graphic materials referred to in this definition.

Direct Access – a method or route to gain access to a public street whereas lots must abut the right-of-way of a public street or have access to a public street via private street(s) that meet the criteria for subdivision on a private street.

Drainage – the removal of surface water or groundwater from land by drains, grading, or other means, and includes control of runoff to minimize erosion and sedimentation during and after construction or development.

Drainage Facility – any ditch, gutter, culvert, storm sewer, or other structure designed, intended, or constructed for the purpose of carrying, diverting, or controlling surface water or groundwater.

Driveway – a vehicular accessway from a street into a lot.

Dwelling – Any building or portion of a building designed and used as a residence(s) and having separate living, cooking and sanitary facilities, used as living quarters.

Dwelling Unit – A dwelling used by one family or single housekeeping unit.

Easement – a grant of one (1) or more property rights for a portion of land by the landowner to and/or for the use by the public, a corporation, or another person or entity.

Elevation – height, in feet, of a point on the ground above sea level or above existing soil level.

Engineer – an individual licensed and registered to engage in the practice of engineering in Pennsylvania. A professional engineer may not practice land surveying unless licensed as set forth in P.L. 534, No. 230; however, a professional engineer may perform engineering land surveys.

Erosion and Sedimentation – erosion, the process by which the land surface and/or subsurface is worn

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away by the action of natural elements; sedimentation, the process by which mineral or organic matter is accumulated or deposited by the movement of wind and water, or by gravity.

Excavation – an act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting therefrom.

Fill – any act by which earth, sand, gravel, rock or any other similar material is placed, pushed, dumped, pulled, transported, or moved to a new location above the natural surface of the ground or on top of the stripped surface; the difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade; the material used to make fill.

Financial Security – cash or irrevocable letters of credit and restrictive or escrow accounts in a lending institution which is Federally or Commonwealth chartered, used for the purpose of guaranteeing the expense of completion of improvements for a plan or a plat, or a bond with a bonding company acceptable to the Township.

Fire Apparatus Access Road – a road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as “fire lane,” “public street,” “private street,” “parking lot lane” and “access roadway.”

Fire Chief – the chief of the Alpha Fire Company or a duly authorized representative.

Fire Department Connection – any hose connection utilized by the fire department to supply water to a built-in fire protection system.

Fire Flow – the flow rate of a water supply, measured at 20 pounds per square inch (psi) residual pressure that is available for firefighting.

Floodplain – Areas subject to inundation by a specified percent-annual-chance flood event generally determined using approximate methodologies.

Governing Body – the Board of Supervisors, Centre County, Commonwealth of Pennsylvania.

Grade – the slope of ground, street, or other public way, specified in percentage of change in elevation per horizontal distance; the act of altering the topography of undisturbed land.

Gross Floor Area (GFA) – the sum total of the floor areas of all floors of a building as measured from the exterior walls, inclusive of hallways, restrooms and other space ancillary to the proposed use.

Improvements – a construction or installation including, but not limited to, of any of the following: streets, gutters, culverts, sidewalks, storm sewers, fiber optic cable, water drainage facilities, utilities (gas, electric, telephone services), water system, fire hydrants, sanitary sewers, septic tanks, street signs, street lights and including cuts and/or fills.

In-Street Bicycle Parking – A portion of a vehicle parking lane or other area on a roadway that is set aside for the parking of bicycles.

Land Development – any of the following activities: (1) the improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving: (i) a group of two or more residential

or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or (ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features; (2) a subdivision of land; or (3) development in accordance with §503(1.1) of the Municipalities Planning Code, as amended.

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

Licensed Engineer/Land Surveyor – licensed professional engineer or land surveyor registered by the Commonwealth of Pennsylvania.

Long-Term Bicycle Parking – Bicycle parking that is primarily intended for bicyclists who need bicycle parking for more than 3 hours and is fully protected from the weather.

Long-Term Bicycle Parking Space – A Bicycle Parking Space that provides Long-Term Bicycle Parking.

Lot – a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

Lot Area – the area contained within the lot lines of a single lot, excluding space within all public streets and plotted streets, but including the area contained in any easement, and generally expressed in terms of acres or square feet.

Lot Consolidation – the act of joining two or more contiguous lots, held in the same ownership, previously separated by subdivision into a single lot or tract of land by elimination of the common boundaries of such lots.

Lot Corner – a lot at the junction of and adjoining two (2) or more intersecting streets or at the point of abrupt change of a single street, where the interior angle is less than one hundred thirty-five (135) degrees or the radius of the street line is less than ten (10) feet.

Lot, Double or Reverse Frontage – a lot with front and rear street frontage; a lot extending between, and having frontage on, an arterial and minor street.

Lot, Interior – a lot other than a corner lot with only one (1) frontage on a street.

Lot Line – a line generally established by metes and bounds, which, when combined with other lot lines, delineates a lot; a boundary line of a lot; includes property line.

Major Renovation – Any physical improvement of an existing building or structure, excluding single-family dwellings and multi-family dwellings with 4 or fewer units, that requires a building permit and has an estimated construction cost equal to or exceeding [\$250,000], excluding cost of (1) compliance with accessibility requirements for individuals with disabilities under governing federal, state, or local law, and (2) seismic or other structural safety retrofit.

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Marker – a metal pipe or pin of at least one half (1/2) inch diameter (preferred three-fourths (3/4) inch or seven-eighths (7/8) inch and at least twenty-four (24) inches in length (preferred thirty (30) inches to thirty-six (36) inches) which shall be used for survey purposes.

Master Plan – a plan for future development of a park prepared by a consultant selected by the Township or a plan of said term as permissible by the processes of the Township Zoning Ordinance. The master plan will identify the improvements that will be installed.

Modification – the granting of a change to a requirement of one or more provisions of this Chapter.

Monument – a stone or concrete monument with a flat top at least four (4) inches in diameter or square, containing a copper or brass dowel (plug), and at least twenty-four (24) inches in length (preferred thirty (30) inches to thirty-six (36) inches. The bottom, sides or radius shall be at least two (2) inches greater than the top, to minimize movements caused by front which shall be used for survey purposes.

Municipal – of or for the Township of Ferguson, unless specifically in reference to another municipality.

National Fire Protection Association (NFPA) – This organization is a national association established for the purpose of proposing standards that reduce the opportunity for injury or death from fire.

Net Floor Area (GFA) – the sum total of the floor areas of all floors of a building as measured from the exterior walls, not including hallways, restrooms and other space ancillary to the proposed use.

New Development – Any construction of a new building or facility that requires a building permit, excluding single-family dwellings and multi-family dwellings with 4 or less units

North Point – an arrow on a plan depicting true north.

Off-Street Loading Space – A space not located within any street right-of-way used by motor vehicles for the temporary storage of trucks and other commercial vehicles while loading and unloading merchandise or materials.

Off-Street Parking Space – A space not located within any street right-of-way used by motor vehicles for the temporary storage of one motor vehicle.

Official Map – the map established by the Township of Ferguson pursuant to an ordinance.

Open Space – a parcel or parcels of land incorporated within a subdivision that is used for passive and unorganized play areas. This land may include floodplain, wetlands, steep slopes, stormwater basins and drainage areas. The land set aside as open space may not be used towards calculating the parkland requirements of the subdivision.

Owner – the legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if the person is authorized under the lease to exercise the rights of the owner, or other persons having a proprietary interest in the land, shall be deemed to be an owner for the purposes of this Chapter; landowner.

Parcel – see “Lot.”

Parking Bay – A row of parking spaces abutting one another along the length of each space.

Parking Lot – A facility providing off-street parking space for five or more motor vehicles.

Parking, On-Lot – the number of parking spaces required by the municipal zoning ordinance to be provided off-street for each dwelling unit. These spaces are intended to serve the normal daily parking needs of the dwelling unit occupants.

Parks or Parkland – a parcel or parcels of land designed and intended for the use or enjoyment of the residents of a subdivision or nearby residential areas, and such land must be dedicated to the Township for use as a park. Such land may not include wetlands, steep slopes, stormwater detention basins or drainage areas.

Perimeter Boundary – see "Lot Line."

Person – an individual(s), partnership(s), co-partnership(s), association(s), corporation(s), limited liability company(ies), limited liability partnership(s), and any and all other entities.

Plan, Final – the complete and exact subdivision plan prepared for official recording and as required by this Chapter.

Plan, Preliminary – a general development plan prepared in lesser detail than the final plan, indicating the approximate proposed layout of a subdivision as a basis for consideration prior to preparation of the final plan.

Plan, Record – a final plan prepared for recording.

Planned Residential Development – an area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of the Township of Ferguson zoning ordinance.

Planning Agency – Centre Regional Planning Agency and its Designee, Centre Regional Planning Commission, as permissible as a regional planning agency defined by the Pennsylvania Municipalities Planning Code.

Planning Commission – the Ferguson Township Planning Commission, Township of Ferguson, Centre County, Pennsylvania

Planning Commission, County – Centre County Planning Commission, Centre County, Pennsylvania.

Plat – a complete and exact map or plan of a subdivision or land development (and including, all required supplementary data), in lesser detail than a final plat, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plat.

Private Street – a street which existed prior to January 10, 1989, which was not offered or accepted for dedication to public use.

Public Grounds – public grounds include:

- A. Parks, playgrounds, trails, paths and other recreation areas and other public areas.
- B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.

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C. Publicly owned or operated scenic and historic sites.

Public Hearing – a formal meeting held pursuant to public notice by the Township Board of Supervisors or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with the Pennsylvania Municipalities Planning Code, Act 247, as amended.

Public Meeting – a forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84, known as the “Sunshine Act.”

Public Notice – a notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

Public Sanitary Sewer System – a system for the collection of sewage or industrial wastes of a liquid nature from two or more lots, and the treatment and/or disposal of the sewage or industrial waste at a site owned, leased or managed by a municipality or an authority.

Renewable Energy Source – any method, process or substance whose supply is rejuvenated through natural processes and, subject to those natural processes, remains relatively constant, including, but not limited to, biomass conversion, geothermal energy, solar and wind energy and hydroelectric energy and excluding those sources of energy used in the fission and fusion processes.

Reserve Strip – a parcel of ground in separate (sometimes public) ownership separating a street from the adjacent properties, or from another street.

Right-of-way – an area of land that is legally described for the public or private provision of access.

Runoff – the surface water discharge or rate of discharge of a given area or watershed after a fall of rain or snow, that does not enter the soil but runs off the surface of the land.

Sanitary Sewage Disposal, Onsite – any structure designed to biochemically treat sanitary sewage within the boundaries of an individual lot, or tract of lots.

Sanitary Sewage Disposal (Private) – a sanitary sewage collection system managed and operated under private auspices, in which sewage is carried from individual lots by a system of pipes, to a central treatment and disposal plant, generally serving a neighborhood area.

Sanitary Sewage Disposal (Public) – a sanitary sewage collection system, managed and operated a public agency, in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

Sedimentation – the process by which mineral or organic matter is accumulated or deposited by the movement of wind and water, or by gravity. Once this matter is deposited (or remains suspended in water), it is considered sediment.

Seed – to plant an area of ground with grass or similar vegetative ground cover.

Setback or Building Line – the line within a lot defining the required minimum setback distance between any structure and the adjacent street line or between any structure and a side and/or rear lot line.

Short-Term Bicycle Parking – Bicycle parking primarily intended for bicyclists who need bicycle parking for 3 hours or less.

Short-Term Bicycle Parking Space – A Bicycle Parking Space that provides Short-Term Bicycle Parking

Shoulder – the portion of a roadway (cartway) between the curb or gutter and the travelway intended for emergency and parking use.

Sight Distance – the length of cartway visible to the driver of a motor vehicle at any given point in the cartway when the view is unobstructed by traffic.

Slope – the face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slope is expressed in a percentage based upon vertical difference in feet/one hundred (100) feet of horizontal distance.

Steep Slope – land whose slope (surfaces at an angle to the plane of the horizon) is twenty-five percent (25%) or more a vertical difference of twenty-five (25) feet or more per one hundred (100) feet of horizontal distance.

Stormwater Management Site Plan – the plan prepared by the developer or his representative indicating how stormwater runoff will be managed at the development site in accordance with Chapter 26, Part 1. Stormwater management site plan may be designated as SWM site plan. The contents of the SWM site plan are established in Chapter 26, Part 1, Subpart D, “Stormwater Management Site Plan Requirements,” §26-403, “Plan Submission.”

Street – includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. Streets are further classified according to the functions they perform. See also §22-502.D.

Streets Classification Map – a map, adopted by resolution of the governing body of the municipality, classifying existing streets with the municipality.

Structure – any man-made object that has an ascertainable stationary location on or in land or water, whether or not affixed to the land.

Structured Parking (Parking Structure, Parking Garage, or Parking Deck) – A building (or part thereof) which is designed specifically to be for automobile parking and where there are a number of floors or levels on which parking takes place.

Subdivider – see "developer."

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

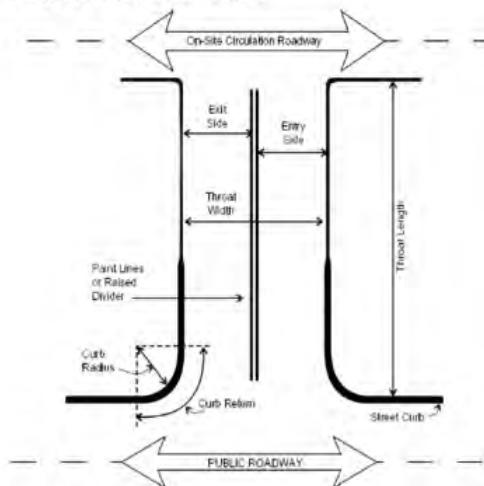
Surveyor – a surveyor registered by the Commonwealth of Pennsylvania.

PART 2 - DEFINITIONS
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Swale – a low lying stretch of land which gather, or carries, surface water runoff.

Throat – As pertaining to the length and width dimensions of a driveway.

Diagram Displaying Driveway Throat Length, Width, and Radius



Source: TRB Access Management Manual, 2003.

Township – the Township of Ferguson, Centre County, Commonwealth of Pennsylvania.

Tract – see “Lot.”

Traditional Neighborhood Development – an area of land typically developed for a compatible mixture of residential units for various income levels and nonresidential commercial and workplace uses, including some structures that provide for a mix of uses within the same building. Residences, shops, offices, workplaces, public buildings, and parks are interwoven within the neighborhood so that all are within relatively close proximity to each other. Traditional neighborhood development is relatively compact and oriented toward pedestrian activity. It has an identifiable center and a discernible edge. The center of the neighborhood is in the form of a public park, commons, plaza, square or prominent intersection of two or more major streets. Generally, there is a hierarchy of streets laid out with an interconnected network of streets and blocks that provides multiple routes from origins to destinations and are appropriately designed to serve the needs of pedestrians and vehicles equally.

True to Variety – a guarantee from a nursery that each shade tree ordered is healthy and true to name.

Walkway – a right-of-way intended to furnish access across a block from one street to another.

Waiver – An application-specific decision, as made by the Township Board of Supervisors, that a stipulated provision(s) within this Ordinance is no longer applicable.

Watercourse – a permanent stream; intermittent stream; river; brook; creek; or a channel or ditch for water whether natural or manmade.

Wetland – any area defined as a wetland by the Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

Yard – An unoccupied space, open to the sky, extending from the lot line to a structure. The size of a

required yard shall be measured as the shortest distance between the structure and lot line.

Front Yard – An open space area extending along the full width of a lot parallel to the front property line or adjacent street right-of-way line, whichever is the closer to the property, which area is unoccupied and obstructed from the ground up, except for such intrusions as are expressly permitted by this Chapter.

Side Yard – An open space area extending along the side of a lot parallel to the side lot line, which area shall extend from the front yard area to the rear yard area, except that in the absence of a rear or front yard area the side yard area shall extend the full length of the lot.

Rear Yard – An open space area extending across the full width of a lot parallel to the rear property line or adjacent street right-of-way line, whichever is closer to the property, which area is unoccupied and unobstructed from the ground up, except for such intrusions as are expressly permitted by this Chapter.

Buffer Yard – An open space inclusive of vegetation and designed to provide an area of separation between different districts or uses.

PART 3

PLAN REVIEW PROCEDURES

§22-301. General.

Proposed subdivision and land development plans shall be reviewed by the Township Planning Commission and the Centre County Planning Commission, or its designated agent, and shall be approved or not approved by the Board of Supervisors in accordance with the procedures specified in this Chapter. Following the recommended Preapplication Conference for Sketch Plan review, plans may be presented in two stages, preliminary and final, or simultaneously as a preliminary/final plan. If a plan is presented in one stage as a preliminary/final plan, then the plan must meet both the preliminary plan requirements and final plan requirements as if the plan were presented in two stages.

§22-302. Preapplication Conference.

- A. A potential applicant for subdivision or land development, all or part of which is situate in the Township, may request a preapplication conference with the Planning Commission for the purpose of discussing or reviewing such proposed subdivision or land development.
- B. The preapplication conference is strongly recommended but shall not be mandatory and shall not be regarded as formal application for subdivision or land development. The filing of any report, sketch plan, plat, or map prior to or at such conference shall not constitute submission of a plan or application for land development or subdivision.
- C. Any report, sketch plan, plat, or map to be considered by the Planning Commission at such conference shall be provided by the potential applicant in ten (10) copies and the Township Department of Planning and Zoning shall distribute a copy of the same to the Township Planning Commission and the Centre Regional Planning Commission for informational purposes only.
- D. The Planning Commission may, at its sole discretion, make, or refuse to make, recommendations as the result of the pre-application conference. Any recommendations made by the Planning Commission at or in response to the pre-application conference shall not be binding upon the Planning Commission in its review of the plan after formal application.
- E. Lot(s), existing and proposed structure(s), and existing and proposed road(s) on mapping to scale

§22-303. Review of the Preliminary Plan.

- A. All applications for approval of subdivision and land development plans shall commence with the official submission of a plan and all required supplementary data to the Township Department of Planning and Zoning. All applications for preliminary review of a plan shall be acted upon by the Township within such time limits as established by the Pennsylvania Municipalities Planning Code. At any time during the review process the applicant may substitute an amended plan for that originally submitted solely for the purpose of correcting the original plan to the extent necessary to meet the requirements of this Chapter. In the event that the applicant submits an amended plan to the Township, the owner or agent of the subject lot(s) must provide the Township with a written ninety- (90-) day time extension in a form to be supplied by the Township to review the plan. The ninety (90) days will be measured from the date the revised plan is submitted to the Township. See §22-303.F.4
- B. A plan shall be deemed to have been submitted for preliminary review when the applicant has

Ferguson Township

furnished to the Township Department of Planning and Zoning the following documents:

1. One copy of a completed "Application for Subdivision or Land Development," plus payment of all application and escrow fees.
 2. Ten (10) black (or blue) on white full-size prints, fourteen (14) 11x17 copies and one (1) digital copy of the plan which shall fully comply with the provisions of this Chapter.
 3. A copy of the completed "Planning Module for Land Development" as required by the Pa. Department of Environmental Protection; if an on-site sewage facility is planned, soil log and percolation test data shall be included for each lot; and one fully completed copy of the "Subdivision Sewage Disposal Report."
 4. Two (2) prints of the required street cross-section drawings and street profiles.
 5. Two (2) copies of all other information and plans required by this Chapter but not included on the documents listed above.
- C. Upon receipt of the above, the Township Department of Planning and Zoning shall forward immediately one (1) copy of the plan to Reviewing Agencies: The Township Solicitor; Centre Regional Planning Agency; Centre Regional Planning Commission; Centre County Planning Commission; the Township Engineer; the Township Tree Commission; Township Arborist; and, the Alpha Fire Company Chief. All written comments from Reviewing Agencies are requested to be delivered to the Township within fourteen (14) days of receipt from the Township.
- D. Review by the Township Planning Commission.
1. The Township Planning Commission shall review all applications and make recommendation as to action or changes applicable to the submission.
 2. The Planning Commission shall notify the Board of Supervisors in writing of any recommended action or changes to the plan after such decision is made. If review by the Township Planning Commission results in an unfavorable recommendation because the requirements of this Chapter have not been met, notification to the Board of Supervisors should specify the defects found in the plan and describe the requirements which have not been met and should cite the provisions of this Chapter from which such defects or requirements originate.
- E. Review by the County Planning Commission or its Designee (Centre Regional Planning Commission). A copy of the plan shall be forwarded to the Centre County Office of Planning and Community Development. The County Planning Commission or its designated agent may review the plan to determine its conformance to the provisions contained in these regulations. The Board of Supervisors shall take no official action on such application until the County report is received or until expiration of thirty (30) days from the date the plan was forwarded to the County, whichever comes first.
- F. Review by the Board of Supervisors.
1. Upon receipt of the recommendations of the Planning Commission, the plan shall be placed upon the agenda of the Board of Supervisors for review at a regularly scheduled public meeting or, at the Board of Supervisors discretion, at a special public meeting to be held for the purpose.

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2. The Board of Supervisors shall review the plan and the written reports thereon of the Township Planning Commission and the Centre County Planning Commission or its designee to determine if the plan meets the provisions contained in these regulations. Before acting on any plan, the Board of Supervisors may hold a public hearing thereon after public notice. Prior to final review of a plan for which offsite sewer or water service is proposed, the Board of Supervisors may require, as part of preliminary approval, that the applicant furnish written confirmation from the appropriate bodies that such service is and will be made available to the site under review.
3. The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.
 - a. If the plan receives preliminary approval by the Board of Supervisors and all fees are paid, the action of the Board of Supervisors shall be noted, together with the date of action and signature of the Chairman and Secretary, on two copies of the plan. One copy of the plan shall be given to the applicant, while the other copy shall be retained in the Township files. After the signatures are obtained, the applicant may immediately begin to lay out all lots, parcels, blocks, easements, and rights-of-way, and construct all streets, sanitary sewage disposal systems, water supply systems, storm drainage facilities, and monuments in accordance with the approved plan, but no parcel or lot may be conveyed or recorded until after final approval of the plan.
 - b. If the plan is not approved, the decision shall specify the defects found in the plan and describe the requirements which have not been met and shall, in each case, cite the provisions of this Chapter from which such defects or requirements originate.
4. Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the plan in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

§22-304. Review of the Final Plan.

- A. A plan shall be officially submitted to the Township Department of Planning and Zoning for final Township review after all improvements, as defined by this ordinance, indicated on the plan receiving preliminary approval have been installed or, in lieu of the completion of the improvements, after deposit with the Township of a corporate bond or other security acceptable to the Board of Supervisors in accordance with this Chapter. All plans which have received preliminary approval shall be entitled to final approval in accordance with the terms of the approved preliminary application for a period of five (5) years from the date of the preliminary approval.
- B. All applications for final approval of a plan shall be acted upon by the Township within such time limits as established in this Chapter, provided that the Board of Supervisors shall render its decision and communicate it to the applicant not later than ninety (90) days after the date of the next regular meeting of the Planning Commission following the date the application is filed or after a final

order of court remanding an application, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the application or the final order of the court, the said ninety- (90-)day period shall be measured from the thirtieth (30th) day following the day the application was filed. The plan shall conform to that which received preliminary approval by the Board of Supervisors, including all conditions and modifications attached thereto.

1. In the case where subdivision and land development is projected over a period of years, the Board of Supervisors and the developer shall enter into a written agreement specifying the sequence of development of sections or stages and any other such requirements or guarantees as are applicable to that particular development.
2. Final official submission of the plan to the Board of Supervisors shall consist of ten (10) black (or blue) on white prints of the plan, which shall fully comply with the regulations and the conditions for which the plan received preliminary approval, plus financial surety specified in this Chapter, all offers of dedication and deeds of easements to the Township and all other required documents.

C. Review by the Board of Supervisors.

1. Upon receipt of a complete plan, the Township Department of Planning and Zoning shall forward one (1) copy of the plan to: The Township Solicitor; Centre Regional Planning Agency; Centre Regional Planning Commission; Centre County Planning Commission; the Township Engineer; the Township Tree Commission; Township Arborist; and the Alpha Fire Company Chief.
2. The final review of the plan shall be conducted by the Board of Supervisors in the same manner as prescribed for preliminary review of the plan specified in §22-303.F, except that final review shall be limited to determining if (a) the plan conforms to the plan which received preliminary approval, including all requirements and modifications granted by the Board of Supervisors and (b) the requirements for final plan review have been met.
3. As a component of approval, the applicant shall permit the Township Engineer to make periodic site inspections of such nature and extent as is necessary to ensure that the required improvements are being installed and constructed in conformity with the design standards contained herein or otherwise specified in the preliminary approval of the plan.

If the applicant has completed all of the required improvements (Reference), he shall notify the Board of Supervisors in writing, by certified or registered mail, of the completion of the improvements and shall send a copy thereof to the Township. The Board of Supervisors hereby directs and authorizes the Township to make a final inspection of all the aforesaid improvements after receipt of such notice. The Township Staff shall file a written report with the Board of Supervisors and shall promptly mail a copy of the same to the applicant by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt. The report shall be detailed and shall indicate approval or rejection of said improvement, either in whole or in part, and if the improvements or any portion thereof shall not be approved or shall be rejected by the Township, the report shall contain a statement of the reasons for such non-approval or rejection. For subdivisions and land developments served by off-site sewer and water service, Township Staff shall coordinate said review with that of the appropriate authorities and/or companies providing such service to ensure that the provisions of this Chapter are met.

- a) The Township Staff shall notify the applicant in writing by certified or registered mail of

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action taken with relation to the improvements.

- b) If the Township fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the applicant shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
- c) If the Township shall not approve or shall reject any portion of the said improvements , the applicant shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

D. Corporate Bonds and Maintenance Guarantees.

- 1. In lieu of the completion of any improvements required as a condition for final approval of the plan, the Board of Supervisors shall require deposit of a corporate bond or other form of financial security, prior to approval of the plan, in an amount sufficient to cover the costs of any improvements which may be required. Such financial security may include, among others, a lending institution letter of credit or a restrictive or escrow account in a lending institution. Such bond, or other security, shall provide for, and secure to the public, the completion of any improvements which may be required within a stated period which shall not be longer than five (5) years from the date the plan received preliminary approval. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred and ten percent (110%) of the cost of completion of the improvements to be estimated as of ninety (90) days following the date scheduled for completion. The basis for determination of cost of the improvements shall take into account and be based upon the estimated costs as would be experienced by the Township if it were to bid and complete the project subject to the restrictions of the Home Rule Charter, any prevailing wage requirements or other material and labor requirements on the Township. Each year, the Board of Supervisors may adjust the amount of financial security required by comparing the actual costs of improvements which have been completed and the estimated costs for the completion of the remaining improvements as of the expiration of ninety (90) days after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to such adjustment, the Board of Supervisors may require the applicant to post additional security in order to assure that the financial security equals one hundred and ten percent (110%). Any additional securities shall be posted by the applicant in accordance with the Municipalities Planning Code and this Part. In determining the adjustment annually, the Board of Supervisors shall take into account the restrictions contained above. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements submitted by the applicant and prepared by a professional engineer licensed in the Commonwealth of Pennsylvania and certified by such engineer to be a fair and reasonable estimate of such cost.
- 2. Upon final approval of the plan, if requested by the applicant and in order to facilitate financing, the Board of Supervisors shall furnish the applicant with a signed copy of a resolution indicating final approval of the plan contingent upon the applicant obtaining satisfactory financial security. The final plan shall not be signed nor recorded until the appropriate financial security is supplied to the Township. In such case, the motion passing the final approval of the plan shall be contingent upon receipt of satisfactory financial security within ninety (90) days of the date of the motion (unless a written extension is granted by the Board of Supervisors). In the event that satisfactory financial security is not provided within the said ninety (90) days or within the time granted by written extension by the Board of Supervisors, then the motion granting the contingent approval shall expire and shall be deemed to be revoked, and the

contingency of the motion granting final approval of the plan shall be deemed to be not satisfied.

3. Upon written application signed by the obligor and surety of a performance guarantee in a form approved by the Board of Supervisors, the governing body may at their discretion extend said period provided that satisfactory security for the completion of the improvements within the extended time is provided, or when the improvements have been partially completed reduce proportionally the amount of the bond or other form of security by formal resolution.
 4. In the event that any improvements which may have been required in accordance with the finally approved plan have not been installed, the Board of Supervisors may enforce any corporate bond or other security by appropriate legal and equitable remedies. If the proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by the said security, the Board of Supervisors may install part of such improvements in all or part of the subdivision or land development or cause the same to be installed and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All the proceeds, whether resulting from the security or from any legal or equitable action brought against the applicant, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.
 5. Release from the bond or other security shall be granted by the Board of Supervisors contingent upon review and report by the Township Engineer in accordance with procedures outlined in subsection .C, above.
 6. Prior to final approval of a plan by the Township, the Board of Supervisors may require the applicant to deliver to the Township Secretary a maintenance guarantee in an amount of not less than fifteen percent (15%) of the estimate of the cost of all required improvements, guaranteeing that the applicant shall maintain all such improvements in good condition for a period of one (1) year after completion of construction and installation of all such improvements.
- E. Payment of Review and Professional Consultant's Fees. The applicant shall pay all review fees, including fees for professional consultants and engineers for review and reports which were requested by the Township, either in the normal course of review or as a result of a problem or issue arising out of the normal review. All fees to be paid shall be based upon a fee schedule established by resolution by the Board of Supervisors.
- F. Prior to receiving final signature, all subdivision and land development plans must be submitted to the Township in digital format. The data shall be in a format readily compatible (i.e., without conversion) with the Township's Geographical Information System (GIS) software and shall provide a true and complete display of the subdivision or land development plan, in correct geographic location, configured in appropriate layers as specified by the Township.

§22-305. Record Plan.

After completion of the procedures required by this Part and after final approval of a plan by the Board of Supervisors, all endorsements shall be so indicated on the approved plan and on as many other copies of the plan as may be desired by the Township. Upon approval and signing of the plan by the Board of Supervisors as required by the Municipalities Planning Code, the record plan and the plan containing the approval signatures shall be recorded in the Office of the Recorder of Deeds of Centre County by the applicant within ninety (90) days of such final approval or ninety (90) days after the date of delivery

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of an approved plat signed by the governing body, whichever is later,. Such recording shall be otherwise in conformity with §513 of the Municipalities Planning Code, as amended. Within ten (10) days after the Recorder of Deeds has properly recorded the plan, a copy of such, including the endorsement of the Recorder of Deeds, shall be forwarded by the applicant to the Township Secretary. Upon the plan's recording, the applicant shall submit a digital file of the signed, recorded plan to the Township.

§22-306. Minor Subdivision and Minor Alteration Plan.

A. Minor Subdivision

Applicants are required to apply for and receive a minor subdivision approval from the Township in accordance with the following criteria:

1. Recommendations and Approvals.
 - a) Application requirements as shown on the Subdivision and/or Land Development Requirements Table shall be submitted for all Minor Subdivisions.
 - b) The Township Staff shall review and forward an Application to the Planning Commission regarding Minor Subdivision. Township Staff comment resulting from said review shall accompany the Application forwarded.
 - c) The Planning Commission shall recommend Application approval, approval subject to conditions, or denial to the Township Board of Supervisors regarding Minor Subdivision.
 - d) The Township Board of Supervisors shall be responsible for approving or denying minor land developments.
2. Conferences. A pre-application conference is highly recommended with the Township prior to the submission of a final application.
3. Applicants are required to provide an escrow fee for plan review and legal opinion of the Township Solicitor.

B. Minor Alteration Plan.

1. Minor alterations to a previously issued zoning permit may be made by the applicant submitting a revised application and land development plan, if applicable, to the Zoning Administrator for approval.
2. An alteration to a zoning permit and land development plan, if applicable, shall be considered minor if:
 - a) the building coverage will be increased or decreased by no more than 10%.
 - b) The impervious coverage will be increased by not more than 10%.
 - c) The change in use will not increase the parking requirements.
 - d) The stormwater management controls will not be changed.
 - e) Any motor vehicle access to the property will not be added, deleted or relocated by more than 50% of its width.

- f) The location for the construction of proposed structures from an approved plan will not be changed by more than 10% of the ground floor area.
 - g) The landscaping plan will not be changed in more than 10% of the total pervious coverage area.
 - h) The changes to the proposed/existing sign(s) include changes in size, shape, height, location, orientation, lighting, or number of signs. A change in sign copy does not require minor alteration approval.
3. The revised minor alteration plan shall be a full-size copy of the latest recorded land development plan with the appropriate changes as required below:
- a) Clear delineation of all proposed changes to the previously approved land development plan.
 - b) Revision of the existing plan notes to accurately reflect the current plan information.
 - c) Removal or strike-out of all previously executed signature blocks that are no longer applicable - including any signatures or certifications that were not specifically obtained in relation to the proposed change(s).
 - d) Provision of new notarized signatures of all landowners affected by the proposed change(s) and any certifications necessitated by these changes.
 - e) Provision of the following note:

“This Minor Alteration Plan revises the plan recorded in the Centre County Recorder's Office in Plat Book , Page , only in the manner identified herein. Such alteration(s) do(es) not meet the definition of Subdivision or Land Development [Chapter 22] and is/are therefore exempted from the approval process set forth in Chapter 22 of the Ferguson Township Code of Ordinances. This represents a true and correct copy of the approved plan as of _____(date).”
 - f) Submission of sufficient documentation to demonstrate compliance with the minor alteration criteria set forth in this Ordinance.
4. No applicant/landowner shall be permitted to file more than one minor alteration plan to a previously issued zoning permit based on any of the subsections of **§22-306.2.B.a),b),e),f) or g)**. More than one minor alteration plan may be filed for a site, but only one for each of the subsections listed above.
5. *Process.* All applications for approval of a minor alteration plan shall commence with the official submission of a plan and all required supplementary data to the Township Department of Planning and Zoning.
- a) A plan shall be deemed submitted for review when the applicant has submitted to the Township Department of Planning and Zoning the following documents:
 - 1.) One copy of a completed Application for Subdivision or Land Development [Chapter 22], plus payment of all application fees.

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- 2.) Three prints of the plan which comply with the above regulations.
 - 3.) Upon receipt of the above, the Township Department of Planning and Zoning shall forward immediately one copy of the plan to: the Centre Region and Centre County Planning Commissions as required by the MPC.
- b) *Review.* The copy of the plan forwarded to the Centre County Planning Commission (or its designee) shall be reviewed to determine its conformance with these regulations. The Township shall take no official action on the application until this review is received or until expiration of 45 days from the date the plan was forwarded, whichever comes first.
- 1.) Upon receipt of the recommendation of the Centre County and/or Centre Region Planning Commission(s) or upon the expiration of the 45 days, if the plan is in conformance with the above regulations, the Zoning Administrator will sign a plotted version of the plan at the applicable scale.
 - 2.) Prior to returning the signed plan to the applicant, the plan must be provided to the Township in digital format. The data shall be in a format readily compatible with the Township's Geographical Information System (GIS) software and shall provide a true and complete display of the minor alteration plan. The specific requirements for submission are outlined in a resolution adopted by the Board of Supervisors.
 - 3.) Within 90 days of the execution of the mylar by the Zoning Administrator, the Minor Alteration Plan shall be recorded in the Office of the Recorder of Deeds of Centre County by the applicant. Such recording shall be otherwise in conformity with §513 of the Municipalities Planning Code, 53 P.S.
 - 4.) §10513, as amended. Within 10 days after the Recorder of Deeds has properly recorded the plan, a copy of such, including the endorsement of the Recorder of Deeds, shall be forwarded by the applicant to the Township Secretary. A zoning permit will not be issued until the Township is in receipt of the record copy of the plan.

§22-307. Lot Consolidation.

Any person who desires to consolidate lots shall be required to consolidate such lots in the manner set forth herein. No lots may be consolidated unless the legal or equitable title of all such lots is held in common ownership. No lot consolidation shall be permitted which would, by reason thereof, create a violation or nonconformity of the Zoning Ordinance [Chapter 27]. No lot consolidation shall be permitted unless and until all persons having any proprietary interest in any of the land comprising the lots to be consolidated have consented, in writing, to such consolidation and presented a required affidavit with proposed deed language. The term "proprietary interest" shall include, but not limited to, legal or beneficial owner, optionee, purchaser, lessee and mortgagee.

A. Procedures and Data.

1. Any person wishing to consolidate lots shall furnish to the Township Zoning Administrator the following:
 - a) A written application, under oath, requesting such lot consolidation and setting forth the nature of the proprietary interest, and the identity of all persons having a proprietary interest in the lots to be consolidated.

- b) The consent, in writing, acknowledging all persons having a proprietary interest in the lots to be consolidated.
 - c) A perimeter metes and bounds description of the consolidated area, including a document or deed of conveyance, describing the area as consolidated, which shall be recorded in office of the Recorder of Deeds of Centre County within 90 days of final approval of the lot consolidation.
 - d) One reproducible drawing, with a scale not less than 1 inch equals
 - e) 100 feet (1" = 100'), which shall show the following:
 - 5.) Bearings and distance of all property lines to remain.
 - 6.) All property lines to be removed.
 - 7.) Location, purpose and width of all easements.
 - 8.) Location, size and type of all utilities on and adjacent to the site.
 - 9.) Minimum building setback lines.
 - 10.) Location and use of all existing structures.
 - 11.) North point and scale.
 - 12.) Appropriate space for signature of the Zoning Administrator and the Recorder of Deeds of Centre County.
 - 13.) Signature and seal of a professional land surveyor, as affixed to a statement as follows:

"I, _____, a Professional Land Surveyor, in the Commonwealth of Pennsylvania, do hereby certify that the plan correctly represents the tract of land shown."
- 2. The Township Zoning Administrator shall have the right to request additional information and/or evidence relative to those persons having any proprietary interest in the lots to be consolidated, including copies of documents.
 - 3. Upon receipt of an application for lot consolidation and other required materials, the Zoning Administrator shall refer such material to the Township Engineer for review and comment.
 - 4. The Zoning Administrator shall contact the applicant, by certified mail, and inform the applicant of any omissions in the application. The applicant shall make any necessary revisions before approval.
 - 5. Upon determining that an application for lot consolidation complies with all ordinance requirements, the Township Zoning Administrator shall approve the same, in writing.
 - 6. All lot consolidations shall be permanently retained in a separate file for such purposes in the office of Ferguson Township, including the original application, consent and a copy of the original plan or plans.
 - 7. After final approval, the applicant shall record the plan and the document or deed of conveyance in the Office of the Recorder of Deeds of Centre County within ninety (90) days

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- of the date of final approval and shall furnish the Zoning Administrator with a copy of such plan and document or deed of conveyance with the recording data thereon.
8. The Zoning Administrator shall submit to the Secretary of the Township, the Secretary of the Planning Commission and to the Director of the Centre Regional Planning Commission a report, in writing, listing all applications for lot consolidation approved by him in the proceeding 30 calendar days. Said report shall include, but not be limited to, the address, ownership and number of lots for all approved lot consolidation applications.
- B. Effect of Lot Consolidation. After approval of any lot consolidation, the resulting single lot from such consolidation shall be thereafter a single lot and may not be thereafter replotted or resubdivided without following procedures of the subdivision and land development Chapter of Ferguson Township.
- §22-308. Development Review Notice Signs.**
- A. Intent. The intent of this provision is to provide notice to adjacent property owners and the general public of a pending subdivision, site plan, land development plan or PRD development or final plan review by the Township. The sign will have the phone number of the Township so that persons may call to inquire about the status of a pending development review. With this type of notification, the Township hopes to involve interested parties and obtain input earlier in the plan review process.
- B. Notice Requirement. The applicant or applicant's agent (hereinafter referred to as applicant) shall be responsible for placement of a development review notice sign on the affected property in accordance with the following regulations:
1. Timing. Within ten (10) days of submitting a subdivision, land development, or PRD plan to the Township, the applicant shall place a development review sign on the property in accordance with the location requirements below.
2. Location. One sign shall be placed every one thousand (1,000) feet, or portion thereof, along each side of the property which abuts a public right-of-way. The sign shall be placed near the property line, but not within the right-of-way. The sign shall be placed so it does not impede traffic visibility but can be seen by passing motorists and pedestrians within the public right-of-way.
3. Proof. Upon placement of the sign and within ten (10) days of submitting a subdivision, or land development plan, the applicant shall submit a "certificate of installation" to the Township which identifies the following information:
- a) Date of development review notice sign installation.
- b) Sketch of development review notice sign placement.
- c) Signed statement by the applicant certifying that the sign(s) was placed in accordance with Township standards. The plan will not be placed on the Planning Commission agenda until proof that the sign has been posted has been received by the Township.
4. Sign Rental. A development review notice sign, post and anchor may be rented from the Township for a nonrefundable fee in accordance with the Township's fee schedule. The applicant also has the option of having signs made in accordance with the sign design standards

set forth below.

5. Sign Removal. A development review notice sign shall be removed from the property within seven (7) days of receiving conditional plan approval from the Board of Supervisors. If a sign is rented from the Township, an original approved plan with signatures will not be released until the rental sign, post and anchor are returned to the Township in good condition. If the sign is supplied by the applicant or applicant's agent, an original approved plan with signatures will not be released until the sign is removed from the property as verified by the Zoning Administrator.
6. Sign Design. The development review sign shall be 30 inches wide, 48 inches high and shall have the following wording in 3 and 4-inch lettering: DEVELOPMENT PROPOSAL UNDER REVIEW, (TOWNSHIP LOGO) FERGUSON TOWNSHIP, CALL 238-4651 (see attached exhibit for specifications). The sign shall be made of aluminum with white reflective sheeting and the lettering and logo shall be royal blue.
7. Sign Mounting. The sign shall be mounted so that the bottom of the sign is between 5 and 6 feet from ground level. The sign may be mounted on a 4 lb. lap-splice post with standard anchor or on a 4-inch by 4-inch wood post. If using a wood post, the post must be buried a minimum of 30 inches in the ground. If the area where a sign must be mounted is a hard surface and a post cannot be placed in the ground, the applicant or applicant's agent shall confer with the Township Zoning Administrator to determine a feasible way to post the sign and meet the intent of this Section. The sign, when mounted, shall not be obstructed by landscaping.
8. Mapping. The Township shall be responsible for keeping an up-to-date map of the development proposals under review. This map shall be on display and available for review on the Township website. The map shall identify the location, name and type of development proposal under review.

§22-309. Public Signs.

- A. Intent. The intent of this provision is to provide notice to adjacent property owners and the general public of a pending right of way or land acquisition by the Township for a public facility such as a roadway, bikeway, trail, park or structure. The sign will have the phone number of the Township so that persons may call to inquire about the status of the acquisition. With this type of notification, the Township hopes to involve interested parties and obtain input earlier in the plan review process.
- B. Notice Requirement. Township staff shall be responsible for placement of a public sign on the affected property in accordance with the following regulations:
 1. Timing. A public sign shall be posted on the affected property a minimum of 7 days prior to the meeting when the Board of Supervisors will vote on the proposed right of way or land acquisition. The sign shall be posted on the property in accordance with the location requirements below.
 2. Location. One sign shall be posted at the beginning and terminus of the project area and at appropriate intersecting locations where the sign will be informative to the general public. The sign shall be placed so it does not impede traffic visibility but can be seen by passing motorists and pedestrians within the public right-of-way.

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3. Sign Design. The public sign shall be 30 inches wide, 48 inches high and shall have the following wording in 3 and 4-inch lettering: TOWNSHIP PROJECT PROPOSED, (TOWNSHIP LOGO) FERGUSON TOWNSHIP, CALL 238-4651 (see attached exhibit for specifications). The sign shall be made of aluminum with white reflective sheeting and the lettering and logo shall be royal blue.
4. Sign Mounting. The sign shall be mounted so that the bottom of the sign is between 5 and 6 feet from ground level. The sign may be mounted on a 4 lb lap- splice post with standard anchor or on a 4-inch by 4-inch wood post. If using a wood post, the post must be buried a minimum of 30 inches in the ground. The sign, when mounted, shall not be obstructed by landscaping.
5. Mapping. The Township shall be responsible for keeping an up-to-date map of the right of way or land acquisitions under review. This map shall be available for review on the Township website. The map shall identify the location, name and type of acquisition under review.

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PART 4

PLAN REQUIREMENTS

§22-401. Preliminary Plan Contents and Review

- A. All plans submitted for preliminary review shall be drawn to a scale of one inch equals 50 feet or larger (one inch equals 50 feet) and contain the following information:
1. Requirements for Subdivision and Land Development Plans.
 - a) General Data.
 - 1.) Graphic scale.
 - 2.) Day, month, year plan prepared and revised.
 - 3.) Names of abutting property owners and their deed book and page numbers.
 - 4.) Key map at a scale of 1-inch equals 400 feet showing streets, roads, buildings and motor vehicle access within 1000 feet from the exterior boundary of the lot.
 - 5.) The name of the proposed development, the identification by Centre County Tax Map Parcel Number and the name and address of the legal owner of the property (and equitable owner, if any), proof of ownership and the individual or firm preparing the site plan. To the extent that the owner is not an individual or a group of individuals, but rather is an entity, the entity shall be required to disclose the name of all individuals possessing an ownership interest in the entity. The aforesaid disclosure requirement shall not apply to publicly traded corporations nor to entities owned by more than ten individuals.
 - 6.) North Point (specified as true or magnetic).
 - 7.) Total size of the property, and each lot and/or area(s) to be leased. (h) The proposed use of the property.
 - 8.) Location of the existing and proposed front, side and rear yard setback area(s) as required by the applicable zoning district.
 - 9.) A stormwater management site plan as required by the Ferguson Township Stormwater Management Ordinance [Chapter 26, Part 1].
 - 10.) Soil erosion and sedimentation control plan in accordance with 25 Pa. Code §102, Erosion Control.
 - 11.) A statement of general utility information and information required by Act 172 of 1986, 73 P.S. §176 et seq., as amended.
 - 12.) The location, face area and height of signs as regulated by the Sign Regulations [Chapter 19, Part 1].

- b) Existing Features.
 - 1.) Perimeter boundaries of the total property, showing bearings to the nearest minute and distances to the nearest hundredths of a foot, except that tract boundaries are not required for residual parcels of more than ten acres when used for agricultural purposes and not involving any new street or easement of access, provided the general location of the perimeter boundary of such land is shown on the key map.
 - 2.) Zoning district, as stipulated in the Township Zoning Ordinance [Chapter 27].
 - 3.) Natural Features.
 - (i) Sinkholes, watercourses, and trees ~~masses~~ six (6) inches or larger in diameter.
 - (ii) Floodplain wetlands and steep slopes as defined by the Township Zoning Ordinance [Chapter 27].
 - (iii) A statement of existing soil types.
 - (iv) Topographic contour lines at vertical intervals of 2 feet for land with average undisturbed slope of 4% or less, and at intervals of 5 feet for land with average natural slopes exceeding 4%, including source of topographic data. Areas to be dedicated as public park lands shall have topographic contour lines at vertical intervals of 1 foot.
 - 4.) Manmade features in or within 50 feet of the property, including but not limited to: (1) sewer lines; (2) all existing and proposed water lines within and adjacent to the proposed subdivision or land development; (3) electrical lines and poles; (4) culverts and bridges; (5) Railroads; (6) buildings; (7) streets, including right-of-way and cartway widths, and approximate grades.
- c) Proposed Development.
 - 1.) Location and width of rights-of-way and cartways.
 - 2.) Proposed street names.
 - 3.) Typical street cross-section showing materials for base and surfacing and method of construction.
 - 4.) Profiles along centerline of each proposed street, showing finished grade a scale of 1 inch equal 50 feet horizontal and 1-inch equals 5 feet vertical.
 - 5.) Radius of horizontal curves.
 - 6.) Length of tangents between reverse curves.
 - 7.) Curb radii at intersections.
 - 8.) Vegetation to be planted between curb or shoulder and right-of- way line.
 - 9.) Curbs and gutters, location, cross-section and typical design.

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- (i) Topographic contour lines for proposed finished grades within rights-of-way at specified intervals.
- 10.) Perimeter boundaries of each lot with distances to hundreds of a foot and bearing to 1 minute, determined by accurate survey in the field, balanced and closed with an error of closure not to exceed 1 foot in 2,000 and dimensions and bearings of right-of-way lines and easements including radii of curves and areas and delta angles of all curves.
- 11.) For plans with access onto a State Highway the following note shall be placed on the plan: A highway occupancy permit is required pursuant to §420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the “State Highway Law,” before driveway access to a State Highway is permitted.
- 12.) Sidewalks, including location, width, grades and ramps for handicapped.
- 13.) Mid-block walkways as required.
- 14.) Location of streetlights.
- 15.) Proposed lot numbers.
- 16.) Proposed street address and address for each unit if applicable.
- 17.) Utility, drainage and other easements.
- 18.) Location and species of street trees within street rights-of-way.
- 19.) Location and pipe diameter (I.D.) of sewer and water mains and laterals to each lot; location of soil log holes or onsite sewage systems plus a statement indicating the type of onsite systems permitted for each soil log hole as specified in the approved plan module.
- 20.) Subdivision plans of four parcels or less and changes to existing subdivisions which impact four parcels or less are exempt from the following requirements.
 - a) The applicant shall contact the applicable community water system to obtain fire flow rates for the water system serving the proposed subdivision or land development. These flow rates shall be provided as a note on the plan submitted to the municipality.
 - b) The location, construction detail and ownership information of any water storage system shall be provided in the plan detail sheets. (Approved design specifications for underground storage tanks may be obtained from the Centre Region Fire Administrator.)
 - c) Details for all existing and proposed fire apparatus access routes.
 - d) Details for all existing and proposed fire department connections.
 - e) The plan shall provide a note indicating if any structure within the proposed development will have a built-in fire suppression system, including but not limited to automatic fire sprinkler systems.

- (i) Questions relating to fire protection issues and meetings with Fire Chiefs.
- (ii) Chiefs shall be coordinated through the Centre Region Fire Administrator.

21.) Land to be reserved or dedicated for public use including the required notes.

22.) Phasing schedule.

d) Signature.

- 1.) Space for approval signatures by the Chairman and Secretary of the Planning Commission including date of such approval.
- 2.) Space for approval signatures by the Chairman and Secretary of the Board of Supervisors including date of such approval.
- 3.) Zoning Administrator, if applicable.
- 4.) [Reserved].
- 5.) [Reserved].
- 6.) Township Engineer; Engineering Certification.

I, _____, have reviewed and hereby certify that the plan meets all engineering design standards and criteria of the Ferguson Township Code of Ordinances.

e) Property Owners Association. In any subdivision or land development in which there is property, being a fee simple interest, easement interest, or license interest, which will not be owned exclusively by an owner of one (1) lot, and which is also not dedicated to and accepted by the Township, including, but not limited to, stormwater detention basins, stormwater easements, easements and rights-of-way for access (other than those dedicated to the Township, or those private streets for which an agreement exists pursuant to this Chapter, lot frontage and access), planting mounds, open space or parkland, (other than those dedicated to the Township) ("common area improvements") and other amenities and improvements which benefit the subdivision, then the following requirements must be fulfilled:

- 1.) A property owners (or homeowners) association must be created, which association shall be obligated to maintain the common area improvements.
- 2.) The property owners (or homeowners) association must have as a minimum requirement:
 - (i) All owners of lots are automatically members of the association.
 - (ii) All owners of lots must be assessed by the association for the maintenance of the common area improvements to be determined on an equitable basis.
- 3.) Each subdivider shall submit to the Township, along with the proposed subdivision plan, the following items:

PART 4 – PLAN REQUIREMENTS
Subdivision and Land Development

- (i) Proposed articles of incorporation and registry statement for the property owners (or homeowners) association.
 - (ii) Proposed declaration of protective covenants describing the common area improvements and membership and voting rights in the association, property rights in the common areas and covenants for maintenance assessments.
 - (iii) Proposed Bylaws of the property owner (or homeowners) association.
 - (iv) Proposed language to be included in the deeds of conveyance of lots in the subdivision, requiring each lot owner to become a member of the association and to be subject to the obligations of membership in the association.
- 4.) The subdivider shall provide an affidavit setting forth the subdivider's obligation to create the corporation, to record the declaration of protective covenants prior to conveyance of the first lot out of the subdivision, to include in the deed of each purchaser a requirement that the purchaser join the association and be obligated to contribute towards the maintenance of the common area improvements through the association.
2. Requirements for Subdivision Plans Only.
- a) General Data.
 - 1.) If a plan shows or intends a single-family detached dwelling in the Rural Agricultural Zoning District as a primary use, then there shall be a note on the plan in the following context:

"Owner recognizes and acknowledges that one single-family detached dwelling is permitted on a lot of a minimum size of 1 acre in the Rural Agricultural Zoning District as a primary use for every 50 acres of land which is in use other than as a single-family detached dwelling. The land which is the subject of this plan constitutes acres. There are(is) a total of single-family detached dwelling lots shown. Therefore, upon any further subdivision of any lands contained in this plan, there may be no more than additional single family detached dwelling lots created."
 - b) Signature.
 - 1.) Signature of a licensed land surveyor certifying the accuracy of the plan.
 - 2.) Signed, notarized statement by the owner certifying ownership of the property and acknowledging all offers of dedication of lands and/or facilities to the Township, and acknowledging that the owner will be responsible for maintenance of lands and/or facilities until they are completed and accepted for dedication by the Township.
 - c) Offer of Dedication.

I/We, the owner(s) of the Real Estate shown and described herein, certify that I/we have laid off, plotted and subdivided, and that all proposed streets, rights-of-way and easements not heretofore dedicated are hereby approved for public use.

d) Certification of Ownership.

A certification of ownership, acknowledgment of plan and offer of dedication shall be lettered on the plan and shall be duly acknowledged and approved by the owner(s) of the property before an officer authorized to take acknowledgment of deeds.

e) Professional Land Surveyor Certification.

I, _____, a Professional Land Surveyor in the Commonwealth of Pennsylvania, do hereby certify that the plan correctly represents the tract of land shown.

Further, the professional licensed land surveyor shall affix his seal to the plan.

3. Requirements for Land Development Plans Only.

a) Proposed Development.

- 1.) Date of the application for a zoning permit.
- 2.) All existing and proposed structures, showing location and a statement of the ground floor area, any retail and service floor areas and the height of each. A floor plan showing all floors in all buildings must also be provided.
- 3.) A list of the square footage of each use in a building and/or the number of each type of unit and the number of bedrooms for each unit.
- 4.) All existing and proposed points of motor vehicle access to the property.
- 5.) All existing and proposed parking, loading spaces and parking lots. A statement of the surfacing material to be used and the calculations used to determine the number of required parking spaces.
- 6.) Fire lanes shall be shown in accordance with the Fire Lane Regulations [Chapter 7, Part 1].
- 7.) The location, intensity and light pattern produced of all outdoor light fixtures. When new or proposed lighting is to be provided on site, a lighting plan must be submitted in accordance with the Outdoor Lighting Ordinance [Chapter 4].

When a land development plan requires the installation of landscaping subject to the requirements of this Chapter, a landscaping plan shall be submitted along with the site or land development plan. It shall include identification of all trees ~~masses~~ six (6) inches or larger in diameter to remain and to be removed.

8.) The location of all buffer yards required by this Part.

- 9.) A statement of the existing building coverages, proposed building coverages and maximum building coverages (as allowed by the applicable zoning district), and a statement of the existing impervious coverages, proposed impervious coverages and maximum impervious coverages (as allowed by the applicable zoning district).

- 10.) Two sections through the site showing buildings, light fixtures and standards; one

PART 4 – PLAN REQUIREMENTS
Subdivision and Land Development

section to be from side yard to side yard, and the other section to be from front yard to rear yard.

- 11.)The following certification by the applicant's professional licensed engineer or registered landscape architect:

I, _____, hereby certify that this land development meets all design requirements of the Subdivision and Land Development Ordinance, Zoning Ordinance and all other applicable Chapters of the Ferguson Township Code.

Further, the professional licensed engineer or registered landscape architect shall affix his seal to the plan.

- (i) Signed, notarized statement by the owner certifying ownership of the property.

§22-402. Final Plan Contents and Review.

Plans submitted for final review shall include all information required in §22-401 plus the following:

- A. Final perimeter boundaries of each lot with distances to hundreds of a foot and bearings to one minute, determined by accurate survey in the field, balanced and closed with an error of closure not to exceed 1 foot in 2,000.
- B. Location and elevation of installed monuments and markers.
- C. Final dimensions and bearings of right-of-way lines and easements including radii of curves and arcs and delta angles of all curves.
- D. Final house numbers and lot numbers as approved by the Township.
- E. The final plan shall be accompanied by the following supplementary data, in addition to that required in §22-302:
 1. All offers of dedication and covenants governing the reservation and maintenance of undedicated open space, which shall bear the certificate of approval of the Township Solicitor as to their legal sufficiency.
 2. Such private deed restrictions, including anti-lot reduction clauses and building setback agreements, as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided.

§22-403. Record Plan Contents.

All Record Plans shall be clear and legibly drawn to scale on a reproducible tracing of linen or dimensionally stable film. All Record Plans shall contain the following information, such being an exact replica of corresponding information found on the plan receiving final approval. Additional information from such plan may also be included on the Record Plan as the applicant so desires, provided that under no circumstances may information shown on the Record Plan be at variance or conflict with the plan as finally approved.

Ferguson Township

- A. All data required in §§22-401.
- B. Perimeter boundaries required in §22-402.A.
- C. Total acreage of property.
- D. Zoning district, as stipulated by the Township Zoning Ordinance [Chapter 27].
- E. Floodplains and steep slopes.
- F. Location and width of street rights-of-way.
- G. Approved street names.
- H. Lot lines.
- I. Walkways.
- J. Yard setback lines as required by the Township Zoning Chapter.
- K. Approved house and lot numbers.
- L. Utility and drainage easements.
- M. Lands reserved or dedicated for public use.
- N. Location and elevation of monuments and markers.
- O. Completed signature blocks as required by this Chapter
- P. All existing and proposed structures
- Q. The following statement: "This Record Plan conforms with the plan receiving final approval by the Ferguson Township Board of Supervisors on _____. All improvements are or will be installed in accordance with such plan in a manner and time so specified therein."

PART 5

DESIGN AND IMPROVEMENT STANDARDS

§22-501. General.

- A. Design and Improvements. The design and physical improvements to the property being subdivided shall be provided, constructed, and installed by the developer as shown on the approved plan in accordance with the requirements of this Chapter. If any provisions of this Chapter are found to be unreasonable and cause undue and unnecessary hardship as they apply to his proposed subdivision, the Board of Supervisors may waive or vary the strict terms of such provisions. The criteria for the Board of Supervisors to apply in determining whether to waive or vary the strict applications of a provision are the following and shall be considered in their totality:
1. That there exist special physical circumstances or conditions which render the strict application of the requirements as undue or unnecessary hardship.
 2. That the hardship created cannot be ameliorated by a reasonable change in plans.
 3. That the unnecessary or undue hardship has not been created by the applicant.
 4. That the waiver or varying of the strict terms of this Chapter will not have the effect of nullifying the intent and purpose of this Chapter.
 5. That the property cannot be reasonably developed without the waiver or the varying of the strict terms of the Chapter.
 6. That the waiver or varying of the strict terms of this Chapter will represent the minimum deviation that will afford relief and will represent the least modification possible of the regulations in issue.

B. Land Requirements.

1. All portions of a tract being subdivided shall be taken up in lots, streets, public lands or other proposed uses so that remnants and landlocked areas shall not be created.
2. Reserve strips preventing access to lots, public rights-of-way, public lands, or adjacent private lands are prohibited.
3. Wherever possible, applicants shall preserve trees, groves, waterways, scenic points, identified spots of heritage and other community assets and landmarks.
4. Subdivisions and land developments shall be laid out to avoid the necessity for excessive cut or fill.
5. Land which the Board of Supervisors finds to be unsuitable for subdivision building purposes due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the applicant and approved by the Board of Supervisors upon recommendation

of the municipal planning commission and Engineer, to solve the problems created by the unsuitable land conditions. Such land shall be set aside for uses that shall not involve such a danger or incorporated into other suitable lots.

§22-502. Streets.

- A. Purpose.
 1. Objective. The purpose of these provisions is to establish appropriate standards for the design of streets that will (1) promote the safety and convenience of vehicular traffic, (2) protect the safety of neighborhood residents, (3) minimize the long term costs for the maintenance and repair of streets, (4) discourage crime in residential areas, (5) protect the residential qualities of neighborhoods by limiting traffic volume, traffic speed, noise and fumes, (6) encourage the efficient use of land, (7) minimize the cost of street construction and thereby restrain the rise in housing costs, (8) use vegetation for mitigating heat island effect on streets, and (8) minimize the construction of impervious surface thereby protecting the quantity and quality of the municipality's water resources.
 2. Limitations. These provisions do not include standards for stormwater management or pedestrian circulation. Refer to appropriate ordinances for those standards.
- B. Jurisdiction. These provisions shall be applicable to the design and construction of all new streets.
- C. Relationship to Other Plans and Ordinances. The location of all streets shall conform to the Official Map or Comprehensive Plan adopted by the Township.
- D. Functional Classification. Functional classification, the grouping of streets by the character of service they provide, was developed for transportation planning purposes. Comprehensive transportation planning, an integral part of total economic and social development, uses functional classification as an important planning tool. The emergence of functional classification as the predominant method of grouping streets is consistent with the policies contained herein. All or new existing public streets shall be classified in accordance with the following criteria by the Township Engineer:
 1. Arterial - Identified as significant in terms of the nature and composition of travel it serves. Its importance is derived primarily from service provided to through travel, from service provided to major circulation movements within the area, and from service provided to rurally oriented traffic. Identified as streets with trip length and density suitable for statewide travel. Arterial streets are those that provide linkage of cities, towns, and other traffic generators that can attract travel over similarly long distances.
 2. Collector - Collector streets provide access to arterial streets from other collectors or local access streets. A moderate level of mobility is expected. A collector street often carries local bus traffic and provides intra-community continuity but ideally does not penetrate identifiable neighborhoods. In the central business district, and in other areas of similar development and traffic density, the collector system may include the entire street grid.
 3. Local - Local streets provide access to abutting properties and may also conduct traffic from local streets that intersect it. Each local street shall be designed so that no section of it will convey a traffic volume greater than 1,000 ADT. Each half of a loop local street may be regarded as a single local street and the total traffic volume conveyed on a loop street shall not exceed 1,000 ADT. Local streets shall be designed to exclude external through traffic which

PART 5 – DESIGN AND IMPROVEMENT STANDARDS

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has neither origin nor destination on the local access.

4. Very Low Volume Local (VLV) – Very Low Volume Local (VLV) streets are similar to Local streets except that the maximum traffic volume on a VLV Local street shall be 400 ADT.

E. Design Standards for Streets.

1. All streets shall be designed in accordance with the following, except where standards contained within this Part differ:

- a) A policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials, latest edition.
- b) Pennsylvania Department of Transportation Design Manual Part 2, Highway Design, Publication 13, latest edition.
- c) Highway Capacity Manual, Transportation Research Board, National Research Council, latest edition.
- d) Trip Generation, Institute of Transportation Engineers, latest edition.
- e) Chapter 21, “Streets and Sidewalks.”
- f) Chapter 25, “Trees.”

2. Street Connectivity Index

- a) All street networks shall be designed to provide a minimum Connectivity Index (CI) of 0.75 that is calculated as follows:
- b) CI equals the Number of Intersections divided by the Number of Intersections plus the Number of Cul-de-sacs.
- c) All development proposals shall be designed to provide at least two access locations to existing streets.
- d) Where a development proposal includes the construction of an arterial or collector street, those streets shall be completed prior to the remainder of the street network within the development.

3. Design Standards for Very Low Volume (VLV) Local Street.

- a) Cartway Width and Curbing. Cartway width and curb requirements shall be determined on the basis of the intensity of development proposed and the manner in which parking shall be as required by Chapter 21, “Streets and Sidewalks.”.
- b) Moving Lanes. All VLV local streets shall provide at least two lanes.
- c) Engineering Criteria. All features of the geometric design of residential access streets that are not specified below shall meet a design speed of 25 miles per hour:
 - 1.) Minimum grade: 1% (Max. K = 167 for sag positive drainage).
 - 2.) Maximum grade: 10%

- 3.) Horizontal Curvature: Minimum centerline radius of 100 feet
 - 4.) Minimum tangent length between reverse curves: 50 feet
 - 5.) Stopping sight distances: 155 feet minimum (min K = 12 for crest and 26 for sag).
 - 6.) Maximum grade within 50 feet of intersection: 5%
 - 7.) Minimum street length: 250 linear feet
- d) Cul-De-Sac Turnarounds. A cul-de-sac with a grass center island with the following dimensions: island radius = 32 feet, cartway width = 26 feet, cartway radius = 58 feet, right-of-way radius = 70 feet) shall be provided at the terminus of every permanent cul-de-sac. In no case shall a cul-de-sac exceed 750 feet in length.
4. Design Standards for Local Streets.
 - a) Cartway Width and Curbing. Cartway width and curb requirements shall be determined on the basis of the intensity of development proposed and the manner in which parking will be provided, as determined by Chapter 21, "Streets and Sidewalks."
 - b) Moving Lanes. All local streets shall be provided with two (2) continuous moving lanes within which no required parking is permitted.
 - c) Engineering Criteria. All features of the geometric design of local streets that are not specified below shall meet a design speed of 25 miles per hour:
 - 1.) Minimum grade: 1% (Max K = 167 for sag positive drainage).
 - 2.) Maximum grade: 8%.
 - 3.) Horizontal curvature: minimum centerline radius of 100 feet.
 - 4.) Minimum tangent length between reverse curves: 50 feet.
 - 5.) Stopping sight distance: 155 feet (K=12 for crest and 26 for sag).
 - 6.) Maximum grade within 50 feet of intersection: 5%.
 - 7.) Minimum street length: 250 linear feet
 - d) Cul-De-Sac. Cul-de-sacs are not permitted on Local Streets or must be approved by the Ferguson Township Board of Supervisors.
5. Stub Streets.
 - a) Local and VLV Local stub streets may be permitted only within subsections of a phased development for which the proposed street extension in its entirety has been approved as part of an approved preliminary plan.
 - b) Collector Stub Streets. Collector stub streets may be permitted or may be required by the

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municipality provided that the future extension of the street is deemed desirable by the municipality or conforms to an adopted plan of the municipality.

- c) Temporary Turnarounds. All stub streets shall be provided with a turnaround paved to an outside radius of 35 feet. No turnaround is required if the stub street provides access to four or less lots or housing units. In the latter case, a sign indicating a dead-end street shall be posted.
- 6. Half Streets. Half Streets are prohibited. The full right-of-way and cartway width of all classes of streets shall always be provided.
- 7. Intersections.
 - a) Corner Sight Distance (Clear Sight Triangle). Whenever a proposed street intersects an existing or proposed street with higher traffic volumes, the street with lower traffic volumes shall be made a stop street. The stop street shall also be designed to provide a minimum corner sight distance as specified in the AASHTO Green Book for public streets. Driveway sight distance shall not be used for public streets.
 - 1.) The entire area of the clear sight triangle shall be designed to provide a continuous view of approaching vehicles within the clear sight triangle.
 - 2.) The clear sight triangle shall be depicted and labeled on the plan.
 - 3.) In determining the clear sight triangle; the distance to the stopped driver from the edge of the through street shall be 18 feet, and the stopped driver's eye height shall be at both 3.5 feet and 7.5 feet; and the distance from the center of the intersection to the approaching vehicle shall be 350 feet for Local and VLV Local streets. For collector and arterial streets contact Township Engineer.

For streets that have required on-street parking, the distance to the stopped driver from the edge of the through street may be reduced to 14.5 feet, and the distance from the center of the intersection to the approaching vehicle may be reduced to the minimum required stopping sight distance based upon street slope and design speed. No required on-street parking spaces shall be within the clear sight triangle.

- 4.) Street trees shall only be planted in the clear sight triangle with the approval of the Township Engineer after consultation with the Township Arborist. Trees must be of the variety that will not limit the continuous view of oncoming vehicles (small diameter tree at larger spacing with 7.5' clear understory).
- b) Curb Radius. Minimum curb or edge of pavement radius shall be determined according to the specifications for the street of higher classification in the street system hierarchy, as specified below:

VLV Local:	15 feet
Local:	20 feet

Collector and Arterial:	As determined by the Township Engineer
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c) Intersection Spacing

- 1.) Proposed streets which intersect opposite sides of another street (either existing or proposed) shall be laid out to intersect directly opposite each other.
- 2.) Minimum spacing between intersections measured from centerline to centerline shall be as specified below.

<u>Major Road Type Intersected</u>	<u>Minimum Spacing (in feet)</u>
Arterial	1,000*
Collector	300
Local	125

* This is minimum. The actual spacing shall be determined by the Township Engineer based upon the traffic characteristics of the higher order street.

- d) Minimum Intersection Angle. Cartways shall intersect at a 90° angle for a minimum of 50 feet from the intersection.
- e) Acceleration, deceleration and turning lanes (auxiliary lanes) may be required along existing and proposed streets as determined by a traffic impact study required by this part. All auxiliary lanes shall be designed in accordance with the results of the traffic impact study, AASHTO Green Book, and relevant PennDOT guidelines

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8. Rights-Of-Way.

- a) Rights-of-Way. Minimum rights-of-way shall be provided as follows:

<u>Road Type</u>	<u>Width</u>
Arterial	90 feet
Collectors	70 feet
Local	60 feet or 50 feet with 5-foot sidewalk easement on both sides
VLV Local	60 feet or 50 feet with 5-foot sidewalk easement on both sides

Increases in the road width for parking lanes, turning lanes, medians, etc., will require an increase in the right-of-way width equal to the additional road width. All rights of way widths shall be in 10-foot increments.

- b) Reduction in Right-of-way Width. The municipality may reduce the required right-of-way width for Local or VLV Local streets if all the following conditions are met:

- 1.) The site is located within Zone District RA or RR.
- 2.) The potential for future development will alter neither the street classification nor the design standards proposed. As a condition for varying the right-of-way requirements, the municipality may require deed restrictions or other binding agreements to ensure no additional access to or use of the street.
- 3.) In no instance shall a right-of-way width be less than 33 feet. In granting the reduced right-of-way width, it shall be determined that sufficient width will be available to provide for all of the following (unless separate right-of-way for them is being provided elsewhere to the satisfaction of the municipality, or they are clearly not required by the proposed development):

- Cartway Shoulders
- Utility easements
- Drainage features
- Pedestrian and/or bicycle paths
- Street trees or other planting strips
- Turning lanes
- Cut or fill slopes (The right-of-way shall extend 5 feet beyond the crest or toe of these slopes)

- c) Increase in Right-of-Way Width.

- 1.) If proposed lots are large enough for further subdivision which may change the street classification in the future to a higher order street, the municipality may require that the right-of-way width for the higher order street be provided.

- 2.) In unusual circumstances, the provision of the elements listed in this section may require right-of-way widths in excess of the minimum established in other Sections.
9. Driveways.
 - a) Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with motor vehicle access to an existing private street. The intent of the following regulations is to provide safe and convenient access for servicing, fire protection, traffic circulation and required off-street parking:
 - 1.) On arterial streets, access for each lot shall be limited to not more than two driveways for the first 300 feet of frontage or fraction thereof and one driveway for each additional 300 feet of frontage. On all other streets, access shall be provided by not more than one driveway for the first 50 feet of frontage or fraction thereof and one driveway for each additional 50 feet of frontage.
 - 2.) No driveway shall be closer to the side or rear property line than two feet, unless the two adjoining property owners mutually agree to a common driveway in such form and manner acceptable for recording in the Office of the Recorder of Deeds of Centre County, Pennsylvania, binding their heirs and assigns to the easement so created, or unless the two adjoining property owners agree that each may locate this driveway at the lot line joined to the driveway of the other.
 - 3.) Driveways to corner lots or through lots shall gain access from the street of lower classification when the lot is bound by streets of two different classifications.
 - 4.) All driveways shall be designed to comply with Chapter 21, "Streets and Sidewalks."
 - b) Driveways to Single-Family and Two-Family Dwellings.
 - 1.) Driveways to corner lots shall be located not less than 55 feet from point of intersect of the projection of the curb lines of the intersecting streets to the projection of the edge of driveway at the right of way. Driveways to corner lots shall gain access from the street of lower classification when a corner lot is bounded by streets of two different classifications.
 - 2.) The following standards shall apply to the throat of the driveway:
 - (i) Minimum driveway width: 10 feet for single family and 16 feet for two-family.
 - (ii) Maximum driveway width: 20 feet for single family and 24 feet for two-family.
 - 3.) A single common driveway serving no more than four dwelling units is permitted. A recorded shared use and maintenance agreement is required for the driveway to be permitted.
 - 4.) Driveways may have radii that range from 0 feet to 5 feet. Therefore, the width of the driveway at the edge of the street/curb can range from 10 feet to 34 feet.

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- 5.) If two driveways are proposed on the same lot, the distance between the driveways shall be at least 50 feet, measured between the inner edges of the driveway at the edge of the street/curb.
- c) Driveways for Multi-Family, Office, Commercial or Industrial Development.
 - 1.) All entrance drives serving four or less dwelling units may be designed to single family/two-family driveway standards above.
 - 2.) All entrance drives serving more than 4 dwelling units and all other uses in this category shall be laid out to conform to the design, service, and access standards established in this Chapter for the classification of street based on expected ADT. [Ord. 820]
 - 3.) If two driveways are proposed on the same lot, the distance between the driveways shall be at least 75 feet, measured between the inner edges of the driveway at the edge of the street/curb.
- d) Driveways to Farm Uses.
 - 1.) The throat width of the driveway shall be between 12 feet and 20 feet.
 - 2.) The driveway radii shall be no less than 15 feet and no more than 35 feet. Therefore, the width of the driveway at the edge of the street/curb can range from 42 feet to 90 feet.
- e) Driveway Density.
 - 1.) Driveway density shall be calculated for all existing or proposed streets that are proposed by the developer to result in additional accesses as a result of the subdivision or land development plan. The driveway density calculation shall include all existing and proposed access along both sides of the street and shall be performed for each block of the street.
 - 2.) Driveway density calculations for each street block shall be no more than the following:
 - (1) Arterial Street – 10 driveways/mile, or no more than currently exists if greater than 10.
 - (2) Collector Street
 - (i) if ADT < 2,000 vpd, then no more than 50 driveways/mile
 - (ii) if ADT 2,000 to 4,000 vpd, then no more than 20 driveways/mile
 - (iii) if ADT > 4,000 vpd, then no more than 10 driveways/mile
 - (3) Local and VLV Local – no restriction

10. Roadway Hazard Areas. Streets shall be laid out to avoid hazard areas such as floodplains, cliffs, steep slopes or large ravines. A secondary means of access which does not go back through the same hazard area shall be provided when one of the streets into a subdivision of more than 20 dwelling units crosses through a hazard area.
11. Signage and Signalization. The developer shall provide all necessary roadway signs and traffic signalization as may be required by the municipality, based upon municipal standards, state standards and a traffic impact study if required.
12. Construction Standards. All street and related improvements shall be constructed in accordance with Chapter 21, "Streets and Sidewalks."
13. Traffic Impact Study. These regulations represent the minimum requirements and standards for preparation of a traffic impact study satisfying the reporting requirements of Ferguson Township for any development, subdivision, expansion or change in use within the Township. Also specified are the traffic level of service standards and minimum requirements which must be satisfied for future development impacts.
 - a) Traffic Study Requirements. A Traffic Impact Study (TIS) shall be required as outlined below. The estimated number of trips shall be determined by either an analysis of similar uses through data collected by the Institute of Transportation Engineers or through studies of similar uses, whichever is deemed acceptable to the Township Engineer.
 - 1.) Any development, subdivision, expansion or change in use which will generate, on the average, 75 or more additional trips during any peak hour shall be required to have a TIS completed as part of the development.
 - 2.) When a TIS is prepared for a subdivision that does not propose development of the lots, the TIS may be required to be updated at the time of land development of the lots to address the specific type and size of development that differs from the original TIS assumptions.
 - 3.) The Township may require a traffic study for developments or changes in use generating less than 75 additional vehicles during peak hours in cases where known traffic deficiencies exist in the area of the proposed development or change in use.
 - 4.) The Township may waive the TIS requirement for an individual subdivision or development or change in use where said development or change in use was incorporated as part of a previous traffic impact study or studies by the Township or other government agencies.
 - 5.) The TIS shall only be valid for the duration of the development assumptions contained within the TIS. If a phased development occurs over a longer time than studied, a new TIS shall be required.
 - 6.) The TIS shall be completed consistent with criteria required by PennDOT.
 - b) Report Contents and Scope. Prior to performing a TIS, the Township must approve a scope of study specifying the study area, intersections, methodologies, and any special requirements. Prior to beginning the study, a TIS scoping meeting will be scheduled by the applicant to develop and review the scope of work. PennDOT will be invited to the meeting when appropriate (access to State Highway or potential traffic signal mitigation). The study

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shall include the following:

- 1.) Description of the proposed project in terms of land use and magnitude.
- 2.) An inventory and analysis of existing roadway and traffic conditions in the site environs including:
 - (i) Roadway network and traffic control.
 - (ii) Existing traffic volumes in terms of peak hours and average daily traffic (ADT), where specifically requested.
 - (iii) Planned roadway improvements by others.
 - (i) Intersection levels of service by movement, approach, and total intersection.
 - (iv) Roadway levels of service (where requested).
 - (v) Other measures of roadway adequacy; i.e., lane widths, traffic signal warrants, vehicle delay studies, etc.
- 3.) Projected site-generated traffic volumes in terms of:
 - (i) Peak hours and ADT (by phase if required).
 - (ii) Approach/departure distribution including method of determination (It is recommended that this be approved prior to performing future traffic analyses).
 - (iii) Site traffic volumes in roadway.
- 4.) An analysis of future traffic conditions, with and without the proposed development, including:
 - (i) Future design year, or years with phasing, combined traffic volumes (site traffic plus future roadway traffic). Note: If the study is required for PennDOT review, the future design year shall be consistent with PennDOT requirements.
 - (ii) Intersection levels of service.
 - (iii) Roadway levels of service (where appropriate).
 - (iv) A pavement analysis of roadways which are projected to experience significant increases in ADT volumes (where appropriate).
 - (v) Other measures of roadway adequacy, i.e., lane width; traffic signal warrants; vehicle delay studies, etc.
- 5.) A description of future levels of service and their compliance with standards for traffic capacity of streets, intersections and driveways as outlined in subsection (c).
- 6.) A description and analysis of the proposed access plan and site plan.
 - (i) On-site circulation plan showing parking locations and dimension, loading access,

circulation plan showing parking locations and dimension, loading access, circulation roadway and traffic control.

- (ii) Driveway access plan showing location of driveways and new intersections including geometric conditions and traffic control.

- 7.) A qualitative analysis of Transportation demand management measures including transit, pedestrian and bicycles, as well as telecom-muting, flex-time, ridesharing, etc.
- c) Standards for Traffic Capacity and Access. New or modified streets and intersections shall be designed for adequate traffic capacity defined as follows, unless approved by the Township Board of Supervisors. All reference to levels of service (LOS) shall be as defined by the Highway Capacity Manual, Special Report 209, published by the Transportation Research Board.
- 1.) Traffic capacity LOS shall be based upon a future design year which coincides with completion of the development and PennDOT requirements.
 - 2.) New unsignalized intersections or driveways which intersect streets shall be designed for LOS C or better for each traffic movement.
 - 3.) New or modified (adding an additional approach) signalized intersections shall be designed for LOS C or better for each movement.
 - 4.) Existing intersections impacted by development traffic shall maintain a minimum LOS D for each movement.
 - 5.) Streets shall be designed for a minimum LOS C.
 - 6.) Sight distance at driveways and new intersections shall meet standards as specified in Section 502.3.G.

§22-503. Blocks.

- A. Length. Blocks shall have a minimum length of 300 feet and a maximum length of 1500 feet.
- B. Depth. Residential blocks shall be of sufficient depth to accommodate two tiers of lots, except:
 1. Where reverse frontage lots are required along an arterial street.
 2. Where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Board of Supervisors may approve a single tier of lots.
- C. Mid-block Walkways.
 1. Mid-block walkways shall be required between adjacent streets in excess of 1,000 feet in length. Such walkways shall extend through the approximate center of the block.
 2. Mid-block walkways shall have the right-of-way width of not less than 10 feet, a width of 5 feet and designed and constructed in accordance with Chapter 21 "Streets and Sidewalks." The entity to maintain the mid-block walkway shall be identified.

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3. Mid-block walkways should include ground cover or other vegetation on one or both sides of the walkway to identify areas suitable for public access and to minimize negative impacts of stormwater run-off.

§22-504. Lots and Parcels.

A. General.

1. Lot Lines. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.
2. Municipal Boundaries. Where practical, lot lines shall follow municipal boundaries rather than cross them.
3. Residential Lot Depth. Generally, the depth of residential lots shall be not less than 1 nor more than 2 ½ times their width.
4. Lot Drainage. Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage plan for the area if adopted by the municipality.

B. Lot Frontage and Access.

1. Access to Public Streets. All lots shall have direct access to a public street or to a private street if it meets the requirements of this subsection.
 - a) Lots may be created in recorded subdivisions where private streets existed as of January 10, 1989.
 - b) Whenever a developer proposes to access a street that existed as of January 10, 1989 and was/is not offered for dedication to public use, the developer shall submit for the purposes of recording with the plan a copy of an agreement in a form and content acceptable to the Township. Said agreement shall include the Township as a party together with the developer, his heirs and assigns and all other property owners who access said existing private street and their heirs and assigns. The agreement shall establish the conditions under which said street(s) shall be maintained and the condition under which it may be later offered for dedication. Said agreement shall stipulate, among other things:
 - 1.) That said street(s) shall be maintained, cleared of snow and ice, and remain passable at all times. The distribution of the cost of said maintenance for the private street among all adjacent property owners shall be set forth. The area of street to be maintained shall be from the nearest intersection of the private street(s) with the public street to the intersection with another street, or the end of the private street.
 - 2.) That failure of the developer or other parties to the agreement to maintain the street in a passable condition at all times shall be sufficient reason for the Township to enter the street in an emergency to maintain, to clear snow and ice, and to make the street passable and, to bill the responsible parties for the cost of said work. If the parties fail to pay said charges, the Township may collect the charges through a municipal lien plus interest, costs and attorney fees. Forced maintenance by the Township under this Section shall not be construed as the Township's acceptance, or potential acceptance,

of the street.

- 3.) That said street(s) shall conform to municipal specifications with respect to design construction standards and right-of-way at the time of the offer of dedication or when surety is posted in an amount approved by the Township for the improvements to the street to bring it into conformance with the municipal specifications in effect on the date of the dedication.
 - 4.) That agreement by the owners of 60% of the front footage thereon shall be binding on the owners of the remaining lots with respect to offering the private street for public dedication.
 - 5.) That at any intersection of the private street with a public street, a sign no larger than 2 square feet shall be erected and maintained by the developer that states "This is a private street and is the end of Township road maintenance."
- c) Private Streets Offered for Public Dedication. Upon receipt of a petition of the owners of 60% of the front footage of the private street, the Board of Supervisors may authorize the acceptance of said street provided:
- 1.) That the right-of-way, for the classification of street as determined by the Township Engineer, is dedicated and deeded to the Township.
 - 2.) That the street is constructed pursuant to the currently adopted street standards.
 - 3.) That the street has a logical beginning and end; no mid-block streets may be offered for dedication.
 - 4.) That complete construction drawings per the Township's standards for public streets, which are sealed by a licensed civil engineer, shall be provided to the Township.
- d) A note shall be placed on the subdivision plan indicating that the street is private and shall refer to the Deed Book and Page where the agreement is recorded.
- e) Any newly created lot(s) shall have a provision placed in the deed of conveyance that the access for said lot(s) is via a private street and subject to the agreement recorded in Deed Book , Page .
2. Double or Reverse Frontage. Double or reverse frontage lots shall be avoided except where required to prevent direct access to arterial streets, or to overcome specific disadvantages of topography or orientation.
 3. Arterial Streets. Where a lot abuts an arterial street and an existing local and/or collector street, access shall be from the local or collector street only. Where this Chapter requires installation of a local, marginal access, or other type of street parallel to an arterial street, all lots abutting such local, marginal access, or other type shall derive access solely therefrom.
- C. Zoning Requirements. Lot dimensions and areas shall be not less than specified by the provisions of the Township Zoning Chapter, unless a variance is first granted under provisions of said Chapter. No parcel may be subdivided which will create a non-conforming lot or building setback. No parcel may be subdivided which would require, for building purposes, encroachment into flood plains or

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steep slopes in order to meet other requirements of the Zoning Chapter.

§22-505. Sanitary Sewage Disposal.

A. Off-Site Systems.

1. A. Public Sanitary Sewer. All lots located within the designated sewer service area of the current Centre Region Sewage Facilities Plan, as revised, shall connect to the public sanitary sewer system when deemed feasible, permitted, and/or required by the appropriate sewer authority. If sewer service is not presently available to lots in the service area, capped sewers shall be installed for future connection unless off-site service is specifically exempted by revision to the plan. All components of the system shall be designed and constructed in accordance with the standards of the applicable sewer authority.
 2. Community Sewage Systems. Community sewage systems (package treatment plant or subsurface disposal) shall be required for subdivisions or land developments outside the sewer service area when such include ten or more lots with a median lot size of less than one acre. The design of the system shall be approved by the Sewage Enforcement Officer. An agreement guaranteeing maintenance of the systems shall be prepared by the applicant subject to approval by the Board of Supervisors. Such agreement shall be noted in the deed for each connecting lot and shall specify the responsibilities of each property owner for the proper functioning and maintenance of the system.
- B. On-Site Systems. All lots which will not have off-site sewage disposal shall provide on-site systems approved by the Sewage Enforcement Officer, except for lots intended to remain undeveloped and so exempted by the Board of Supervisors. No lot may be subdivided unless so exempted or found suitable for an approved system.

§22-506. Water Supply.

- A. All water supply systems shall meet applicable State and/or local water authority/company standards.
1. All lots located within the designated water service area of the current Centre Region Sewage Facilities Plan, as revised, shall connect to public water authority/company mains when such is feasible and/or permitted by the appropriate water authority/company. All water mains and laterals shall meet the design and installation specifications of said water authority/company.
 2. Fire hydrants shall be provided in accordance with this Section for the protection of buildings or portions of buildings. Fire hydrants shall be provided along required fire apparatus access roads and adjacent to public streets along the route of travel for fire apparatus.
 3. Existing fire hydrants on public streets may be considered available. Existing fire hydrants on adjacent private properties shall not be considered available.
 4. The minimum fire flow requirements for developments of one- and two- family dwellings with front, side and rear yard setback requirements of 15 feet or greater and building separations of 30 feet or greater, shall be 750 gallons per minute.
 5. The minimum fire flow requirements for developments of one- and two- family dwellings with any setback requirement of less than 15 feet or building separations less than 30 feet shall be 1,000 gallons per minute.

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6. The minimum fire flow requirements for developments of other than one- and two-family dwellings shall be determined using the Needed Fire Flow method described in the Fire Suppression Rating Schedule published by the Insurance Services Office, Inc. (ISO).
7. The spacing between fire hydrants shall not exceed 1,000 feet in developments of one- and two-family dwellings and shall not exceed 600 feet in developments of other development types as measured along the centerline of fire apparatus access roads. With the exception of one- and two-family dwellings the distance to any building or structure shall not exceed 300 feet.
8. If the needed fire flow is not provided in developments served by a community water system, all dwellings and occupied structures shall be provided with an approved automatic fire sprinkler system installed in accordance with the applicable NFPA standard.
 - a) Exception: The fire chief is authorized to accept a deficiency of up to 10% of the required fire flow where existing fire hydrants provide all or a portion of the required fire flow. (Written notice of the deficiency and approval shall be noted on the plan.)
 - b) Exception: Subdivisions and land developments located outside of the Regional Growth Boundary and served by a community water system may utilize water storage systems, as described in subsection .2, to meet the water supply requirements.

B. Water System Areas.

1. The minimum water supply requirements for developments of one- and two-family dwellings shall be a 4,000-gallon approved water storage source located along required fire apparatus access roads. The spacing between the 4,000-gallon water storage sources shall not exceed 1,500 feet as measured along the center line of fire apparatus access roads. The distance from the closest lot line to a 4,000-gallon water storage source shall not exceed 750 feet as measured along the center line of fire apparatus access roads.
2. Maintenance, replacement and repair of the water storage container shall be the responsibility of the Township. The Township shall collect sufficient funding to maintain, replace and repair the water storage container through an assessment levied by resolution on a front-foot basis. Funds collected shall be placed in a separate account within the hydrant fund for each development. The Township may require by resolution an initial fee to be collected from the developer for each underground water storage tank as an initial payment toward the depreciation costs to replace the water storage tank.
3. The minimum water supply requirements for developments other than one- and two-family dwellings, shall be determined using NFPA Standard 1142, "Water Supplies for Suburban and Rural Fire Fighting."
4. If the needed water supply is not provided in developments outside of the community water system areas, all dwellings and occupied structures shall be provided with an approved automatic fire sprinkler system installed in accordance with the applicable NFPA standard.

C. Fire Apparatus Access.

1. Facilities, buildings, or portions of buildings hereafter constructed in subdivisions or land developments approved after the effective date of this Section shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt,

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concrete or other approved driving surface capable of supporting the imposed load of fire apparatus. An exception shall be granted for private roads or driveways that serve four or less dwellings.

2. The paved cartway width for all public streets shall meet municipal standards. Minimum paved cartway width for fire apparatus access roads that are curbed shall be 20 feet. The minimum paved cartway width for fire apparatus access roads that are non-curbed shall be 18 feet and the adjacent berms must be stabilized and mud-free.
3. The maximum length of dead-end fire apparatus access roads (cul-de-sacs) shall not exceed 750 feet.
 - a) Exception(s):
 - 1.) The length of dead-end fire apparatus access roads (cul-de-sacs) may be extended to 1500 feet if all structures on the access road are provided with an approved automatic fire sprinkler system installed in accordance with the applicable NFPA standard and the municipality provides a modification from the 750-foot regulation.
 - 2.) Phased developments with an approved master plan may contain dead-end fire apparatus access roads exceeding 750 feet, provided that additional phases correct the deficiency.
 4. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with turnaround provisions in accordance with municipal standards.
 5. Single access developments must be provided with a boulevard type entrance. The boulevard entrance shall extend to the interior of the subdivision and have distinct travel lanes with a minimum width of 12 feet each.

§22-507. Easements.

- A. Utility Easements. In subdivisions containing five or more lots, all electric, telephone, and cable television utility lines shall be placed underground. All utilities shall be installed in a manner which will allow safe and ready access for the installation and maintenance of other utilities.
 1. Utility easements outside street rights-of-way shall be a minimum of 15 feet in width or as otherwise determined by the appropriate utility company, except that easements lying parallel and abutting street rights-of-way may be reduced to a minimum width of 7 ½ feet. All other easements outside street rights-of-way shall be centered on or adjacent to rear or side lot lines where feasible.
 2. Lines connecting utility service to each lot shall be installed in accordance with the standards of the utility company providing such service.
- B. Drainage Easements. Where a subdivision or land development is or will be traversed by a drainage way there shall be provided a drainage easement conforming with the line and width of such adequate to preserve unimpeded flow of natural drainage or for the purpose of installing a stormwater sewer. The owner shall grade and seed the slopes of such after construction where necessary to prevent erosion and sedimentation and in a manner which will not adversely alter the functioning of the drainage way. Nothing shall be placed or planted within the drainage easement which will impede the flow of natural drainage.

1. No structures, trees, or shrubs shall be placed or planted within a drainage easement unless authorized by the Township.
- C. Snow Stockpile Easement. At the end of any cul-de-sac street provide a 20-foot wide by 20-foot deep easement for plowing and placement of snow by public works equipment. The easement area shall be shown on any plan, and unobstructed by any feature such as a driveway, plantings or above-ground structures.

§22-508. Markers.

All markers required herein shall be accurately placed by a licensed land surveyor after final approval of the plan.

A. Markers.

1. Markers shall consist of iron pipes or steel bars 36 inches long and 1 inch in diameter.
2. Markers shall be set at all lot corners, at all changes in direction of lot lines (except curve arcs), and at the beginning and end of curved lot lines.
3. Markers shall be set at all corners and changes in direction of right of way lines, unless they coincide with property corners.

§22-509. Street Trees.

Street trees shall be planted by the developer, in a variety approved by the Township along all new streets in a subdivision. Street trees shall be planted on both sides of the street in accordance with Chapter 25, "Trees." Criteria, including but not limited to canopy cover, shall be in accordance with the Township Code of Ordinances.

§22-510. Erosion and Grading Control.

A. Erosion and Sedimentation Control Plans. Whenever earthmoving activities are proposed for a subdivision or land development which requires preparation of an erosion and sedimentation control plan under the rules and regulations of the Pennsylvania Department of Environmental Protection, the Board of Supervisors shall require that a copy of such plan be submitted along with the plan submitted for preliminary approval. Review and approval of such erosion and sedimentation control plan by the Department of Environmental Protection, or its designated agent, shall, in such cases, be required for preliminary approval of the plan.

B. Grading.

1. Blocks and lots shall be graded to secure proper drainage away from buildings. Alterations to existing storm runoff patterns and amounts shall conform to provisions of the "Ferguson Township Stormwater Management Ordinance," [Chapter 26, Part 1].
2. No excavation shall be made resulting in a slope steeper than 3 horizontal to 1 vertical, except when all of the following criteria are met:
 - a) The excavation is located so that a line having a slope of 3:1 and passing through any portion of the proposed slope will intersect the existing ground inside the property lines of the property on which the excavation is proposed to be made and

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- b) The slope is located so that settlement, sliding, or erosion will not result in material being deposited on adjoining property by any means; and
 - c) The materials and methods used to finish such grading is sufficiently stable to sustain a slope of 1:1; and
 - d) A geotechnical report shall be prepared by a qualified geotechnical consultant and reviewed by the Township geotechnical consultant. The report shall identify all methods and materials used for such cut and fill operations and shall affirm that such deviation from the slope standard will not result in erosion, sedimentation or injury to persons or damage to adjacent property.
3. In all cases, the edge of excavation or fill shall be a minimum of 5 feet from property lines of developed lots.

§22-511. Stormwater Management.

All subdivisions and land developments shall be planned in conformity with the provisions of Chapter 26, Part 1, "Ferguson Township Stormwater Management Ordinance." All required plans of said ordinance shall be completed and approved prior to preliminary approval of the subdivision or land development plan.

§22-512. Sidewalks.

A. Sidewalks shall be shown on all new preliminary and final subdivision plans, land development plans and surety posted upon final plan approval, in all districts, as required below:

1. In the C, OC, I and IRD Districts along both sides of all streets.
2. In the R-1, R1B, R-2, R-3, R-4, MHP, V, TSD, TTD, and PRD Districts along both sides of all streets.
3. In the RA, AR and FG Districts, no sidewalks shall be required.
4. In the RR zoning district, the Board of Supervisors will determine whether sidewalks are required or not.
5. Sidewalks are required along both sides of all private streets and/or driveways serving more than three units unless a modification is granted by the Board of Supervisors.
6. When a property is to be subdivided into ten or more residential lots, or is to be developed with ten or more residential units, and the original parcel abuts a public bikeway, a connection to the bikeway must be provided. The connection may be a sidewalk or a bikeway.
7. When a property is to be subdivided into five or more non-residential lots, and the original parcel abuts a public bikeway, a connection to the bikeway must be provided. The connection may be a sidewalk or a bikeway.
8. All non-residential and multi-family residential uses shall provide a separate pedestrian walkway connecting the primary building entrance(s) to the nearest public sidewalk abutting the parcel. Parcels greater than 1 acre that have frontage on more than one street may be required to provide multiple connecting walkways.

B. Sidewalks shall be constructed according to Chapter 21 "Streets and Sidewalks" and shall be

located along all property lines which abut streets. Sidewalks shall be constructed within the public right-of-way, unless the Board of Supervisors authorizes sidewalks to be constructed on private property immediately adjacent to the public right-of-way. In such case, the developer shall enter into an easement agreement in a form acceptable to the Board of Supervisors. The grant of easement shall be recorded contemporaneously with the recording of the final subdivision plan and/or land development plan. Said plan shall include a note referencing the existence of and recording information concerning the grant of easement.

- C. Sidewalks crossings of streets shall be provided across both sides of intersecting streets. All crossing shall have designed ramps to meet current ADA requirements and conform to PennDOT RC Standards and Chapter 21 "Streets and Sidewalks". Ramps shall be constructed by the developer at the time of street construction.

§22-513. Public Use and Service Areas.

A. Public Spaces.

1. In reviewing subdivision plans, the Township Planning Commission, Board of Supervisors and Township staff shall consider whether community facilities, including schools in the area, are adequate to serve the needs of the additional dwellings proposed by the subdivision and shall make such report thereon as its deems necessary in the public interest, to the State College Area School Board.
2. Developers shall give earnest consideration to the desirability of providing or reserving areas for facilities normally required in residential neighborhoods, including places of worship, libraries, schools and other public buildings; parks, playgrounds and playfields. Area provided or reserved for such community facilities should be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed. Prior to the preparation of plans, developers of large tracts should review minimum standards for suitability and desirability of various community facilities applicable to the tract being subdivided with the Township staff, the staff of the Centre Region Parks and Recreation Department and the Ferguson Township Planning Commission.
3. Unity. It is desirable for the intended parkland to be in several well-placed, adequately-sized areas within the Township, so that it can accommodate the anticipated uses.

B. Parks, Open Space and Recreational Facilities.

1. The purpose of this Section is to ensure that adequate parks and recreational facilities are provided to meet the needs of residents as these needs are generated by new subdivision and land development activity.
2. The provisions of this Section shall apply to all developments with either single or multiple family dwellings.
 - a) Established lots for agriculture within the RA or RR Zoning Districts will not be assessed a fee for any of the one or more dwelling units that could be established on the farm lot. However, should said lot(s) undergo further subdivision for any residential lots the appropriate fee shall be applied as a condition of approval at the time of any such subdivision.
 - b) In mixed-use development and/or mixed-use structures, where a combination of residential

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and non-residential units is proposed, the fee-in-lieu will be applicable to all proposed residential units and shall be assessed as a condition of final plan approval.

- c) The amount of parkland to be dedicated in each development shall be determined based upon the calculation identified within Township Fee Schedule or approved equivalent. The Centre Region Parks and Recreation Department policy on acceptance of maintenance of parkland requires parks to be equal to or larger than four (4) acres.
- d) The developer shall place a note on each subdivision plan or land development plan which is subject to dedication of parkland that shall read as follows:
 - 1.) “No more than [insert number] dwelling units may be constructed on the land which is the subject of this subdivision plan [land development plan] unless additional land is dedicated to the Township of Ferguson for parkland and/or the Board of Supervisors accepts an additional fee-in-lieu of dedication of parkland. The land shown on this plan as parkland, consisting of acres shall be deeded to Ferguson Township by a deed of general warranty, free and clear of all liens and encumbrances. Said land shall be available for Ferguson Township use consistent with its ordinances and regulations with no restriction, except that the purpose of the conveyance shall be for public park and recreation uses.”
- 3. The Township will officially accept the parkland at the time of final plan approval provided the land meets the criteria set forth in paragraph .F. At such time, a general warranty deed free from all encumbrances shall be recorded for the dedicated land and it shall contain the following restrictive clause:
 - a) “This land was dedicated to the Township of Ferguson for perpetual public park purposes pursuant to the Township of Ferguson Subdivision Ordinance.”
- 4. The Township or its designee shall be responsible for maintaining all dedicated and accepted areas. Formation of and cooperation with homeowners associations or similar organizations for purposes of maintenance shall be required, but the responsibility of seeing that the work is done shall remain with the Township.
- 5. The Board of Supervisors shall determine if the land is acceptable for dedication based on the following and any other relevant criteria:
 - a) Access. The dedicated land must be readily accessible to all development residents that it is intended to serve. The dedicated land shall abut a public street and shall have a minimum frontage of 50 feet or shall adjoin and become part of an already existing park area which is accessible from a public street. If appropriate, access to the park from other parts of the neighborhood shall be provided through 20-foot access easements with 10-foot wide paved walkways.
 - b) Location. The parkland shall be located, to the extent possible, so that it equally serves all residents of the development, but in all events the land shall be accessible to those it is designated to serve. In some instances, the Township may require that the parkland be placed in a location where it may be combined with existing parkland from an adjacent development. In determining the location, reference should be made to the Township's Recreation, Parks and Open Space Plan to determine if there are proposed parkland locations in the vicinity of the site.

- c) Shape. The majority of the parkland shall have a length to width ratio of no more than 2½ to 1. The shape shall be suitable to accommodate those park activities appropriate to the location and needs of the residents. Yards, court areas, setbacks, and other open areas required by zoning and other regulations are not to be included as part of the acreage to be dedicated.
 - d) Soils, Floodplain and Stormwater Facility. Soil shall be suitable for the intended park uses. No parkland may be located on or within any drainage-way, wetland area, steep slope area or stormwater detention basin, with the exception that up to 25 percent of the total parkland may be located within a floodplain with approval of the Board of Supervisors.
 - e) Slope. The majority of the park shall have a slope of no more than 4 percent, and the average slope of the park, as measured perpendicular to the contour lines, shall not exceed 8 percent.
 - f) Size. The minimum parcel size shall be no less than 4 acres.
 - g) Utilities.
 - 2.) The major piece(s) of dedicated land are to be accessible to, but not crossed above the surface by, a public street(s), telephone, power, fuel, water and sewer lines, etc. If any of these facilities are placed under-ground, no part of them or their supportive equipment shall protrude above ground level within an active play area. When parkland is to be dedicated to the Township, utilities such as water, sewer, and electric shall be extended to the parkland. The location of the utility extensions shall be approved by the Township.
6. Pedestrian and Bicycle Paths. Pedestrian and bicycle paths may be accepted as parkland if they meet all the following conditions:
- a) The minimum width of the parkland right-of-way or easement shall be 20 feet.
 - b) The pedestrian and bicycle paths shall have logical beginning and ending points that provide appropriate means of access to a park or other facilities residents of the development are likely to use.
 - c) The cost of improving the pedestrian or bicycle path shall be paid by the developer in order to accommodate its intended use. This shall not be considered as a credit towards a fee-in-lieu of land dedication.
 - d) The provisions of subparagraphs, "Shape," and, "Slope" must still be met by the development.
7. The developer shall be responsible for complying with the provisions of the Ferguson Township Stormwater Management Ordinance [Chapter 26, Part 1]. The stormwater management site plan submitted to the Township for the subject development must provide mechanisms to ensure effective stormwater management for the dedicated parkland property.
8. Fee in Lieu of Dedication.
- a) The payment of fee-in-lieu of land dedication shall be in accordance with the requirements of Article V, §503(11) of the Pennsylvania Municipalities Planning Code (Act 247), as

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amended, 53 P.S. §10503(11). The fee-in-lieu of parkland shall be used to enhance public recreation areas which will directly or indirectly benefit future inhabitants of the development or subdivision providing the fee.

- b) If it is determined that there is not land suitable for dedication, or that the subdivision is too small to allow for a suitable amount of land for dedication, or that it is not practical to dedicate land, or that there already exists an adequate amount of parkland and recreational facilities, or the location of parkland within the proposed subdivision is not consistent with the adopted Ferguson Township Recreation Parks and Open Space Plan, a fee-in-lieu shall be considered by the developer. Such determination shall be made at the preliminary plan stage. The parkland fee per person shall be established by resolution of the Board of Supervisors.
- c) After receiving the recommendation of Ferguson Township staff, the Centre Regional Planning Agency, the Ferguson Township Parks and Recreation Committee, and the Centre Region Parks and Recreation Department, the Ferguson Township Board of Supervisors may determine that a fee-in-lieu would be more beneficial to the Township residents than a land dedication for parkland. The following procedure shall be utilized to determine the appropriate fee-in-lieu:
 - 1.) As part of the plan approval process, the Township Manager, under the direction of the Board of Supervisors, shall send written notice to the developer that the Board has determined a fee-in-lieu would be more beneficial to the Township's residents than the dedication of parkland.
 - 2.) Neighborhood/Community Park Fee-in-Lieu. See Township Fee Schedule or approved equivalent for said calculation.
9. The Board of Supervisors may, at its option, and with the developer's agreement, require the dedication of some land and the payment of a fee-in-lieu of dedication for the balance. This will be determined based on existing parkland being located adjacent to the proposed subdivision or land development plan and the desire to expand the existing parkland.
10. The Board of Supervisors may establish by resolution a fee to be paid in addition to the dedication of land to fund the costs of preparing a park master plan or to update an existing

§22-514 Source Water Protection Overlay District Design Standards.

- A. See also Appendix A and B of the Township of Ferguson Zoning Ordinance.
- B. General Requirements.
 1. The subdivision of land within Zone I for any purpose other than for the specific protection of the groundwater within this area shall be prohibited.
 - a) All Land Development Plans shall contain a note acknowledging the proposed project location in relation to Appendix A "Source Water Protection Overlay Map" zones. In addition, all land development plans shall note the applicant's compliance with all state and federal laws regarding chemical storage and use.
 2. In Zone II, land development plans for Regulated Land Uses and Activity shall comply with the following requirements, in addition to Plan Review Procedures and Requirements within

the Ferguson Township Subdivision and Land Development Ordinance:

A qualified professional shall review aerial photos, soils, geologic, and other available related data including any Source Water Protection Study or Report, as the data relates to the subject property. The qualified professional shall also conduct a site inspection of the property. Based on the above information, the professional shall prepare a map of the site showing the following:

- a) Closed depressions
 - b) Open sinkholes
 - c) Seasonal high ponds and streams
 - d) Intermittent streams
 - e) Bodies of water or streams
 - f) Surface drainage patterns
 - g) Intermittent or vernal ponds
 - h) Lineaments, faults and fracture traces
 - i) Excavations and quarries
 - j) Outcrops of bedrock
3. Based on the map prepared pursuant to Section 10, paragraph A.2. above, and in conjunction with other mapping and information submitted for compliance with the requirements of the Subdivision and Land Development Ordinance, the registered design professional shall prepare a report demonstrating compliance with the requirements of this section, including any recommended mitigating measures designed to ensure compliance.
 4. The Ferguson Township qualified professional, or other appointed agent, shall review the information and recommendations made by the applicant's qualified professional and shall then report to the Ferguson Township Planning Commission and the Board of Supervisors whether the proposal meets the design requirements of this section.
 5. During construction activity, all excavations shall be protected against storm water ponding.
 6. All buildings, structures, impervious surfaces, and utilities shall be situated, designed, and constructed so as to minimize the risk of new sinkhole formation and of the accelerated introduction of contaminants and pollution into the Source Water protection area through existing or future sinkholes.
 7. Buildings, structures, impervious surfaces, utilities, and swimming pools shall not be located within fifty (50) feet of any features identified in Section 10, paragraph A.2.b.
 8. All commercial, industrial and non-residential salt or de-icing storage areas, gasoline, or other chemical storage areas shall not be located within one hundred (100') feet of any features identified in Section 10, paragraph A.2.b., A.2.c. and A.2.e.

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9. Detention, retention and infiltration facilities shall be in compliance with Chapter 26, Part 1, Stormwater Management.
10. Storm water retention facilities, French drains, and other areas of concentrated infiltration of storm water shall be in compliance with Chapter 26, Part 1, Stormwater.
11. Blasting activity permitting is required by the PA DEP Bureau of Mining Programs in accordance with provisions of the Administrative Code of 1929, Section 1917-A and 25 PA Code Chapter 211. For the purpose of the Source Water Protection Overlay District and Map, blasting activity shall be permitted by Special Exception within any delineated Zone I radius. Blasting must be done per PA DEP's standards and regulations. PA DEP Limits the number and size of blasts that can go off in a sequence to limit ground motion.
 - a) Prior to PA DEP permit approval and Zoning Hearing Board consideration of Special Exception, a water purveyor shall have the opportunity to review and comment on proposed blasting activity within any delineated Zone I radius.

PART 5A

DESIGN STANDARDS FOR DEVELOPMENT IN THE TERRACED STREETSCAPE DISTRICT

§22-501A. Intent.

- A. The standards included in this Part are intended to establish guidelines for development activity in the area designated as the Terraced Streetscape Zoning District on the Township's Official Zoning Map. The district generally extends from the Township boundary on the east to Blue Course Drive on the west and from West Campus Drive on the north to Beaver Avenue on the south.
- B. These guidelines are intended to aid the Township and property owners in making sensitive and appropriate decisions with regard to the built environment and quality of space within the district. Adherence to these design standards will ensure that the built environment is attractive and harmonious, with both other parts of the built environment and the natural environment. It will also promote vitality and a pedestrian focused area that is distinguishable in character from the surrounding area.

§22-502A. Purpose.

- A. Design guidelines provide a common basis for making decisions about design elements that affect individual properties as well as the overall character of the district. The guidelines are not intended to dictate solutions but rather provide general information to guide the Township and property owners in making decisions by providing appropriate choices for a variety of specific design issues. The guidelines are intended to inform the community and property owners of the policies and standards expected by the Township within the established district and to ensure quality development that enhances the character of the district.
- B. The provisions of this Part also identify several design approaches that will enhance both the appearance and potential value of existing properties within the district and help to ensure that the desired character is established uniformly.
- C. This Part will serve as a guide to the Township but will not necessarily dictate the final outcome. Each project has unique circumstances that will be considered and result in the Township applying the standards on a project by project basis; ensuring that the character of individual structures observes the fundamental standards of quality anticipated within the district.

§22-503A. Statutory Authority.

- A. Pursuant to §708-A of the Pennsylvania Municipalities Planning Code, the written and graphic design guidelines included herein are established to assist applicants in the preparation of land development plans for projects within the Terraced Streetscape Zoning District. The design guidelines take effect only when a project is initiated by a property owner or tenant to alter an existing structure or to construct a new one. The guidelines do not require existing properties to initiate changes nor is there any deadline that forces existing properties into compliance or otherwise alters the non-conforming rights established in Chapter 27, §27-903.
- B. Property owners, tenants, developers and architects are encouraged to use these guidelines as a starting point for all projects within the Terraced Streetscape District. These standards will assist them by providing a basic framework for planning a project and serve as a reference as well as

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regulatory manual. The Township will apply these provisions in the review and approval of development proposals and in the issuance of permits as a measure of the observance of the goals and intent of the district.

§22-504A. Goals.

- A. The goal of the application of the design standards set forth herein is to shape and protect the character and appeal of the Terraced Streetscape District within the Township. These provisions are designed to ensure that all proposed new construction and renovation or expansion activity is consistent with the standards of quality as well as respect for the built environment within the district as it relates to appearance, scale and density.
- B. Specific goals include:
 1. To promote and improve the perception of the district.
 2. To protect the desired appearance of the district.
 3. To promote a sense of identity and place.
 4. To prioritize and encourage pedestrian activity.
 5. To convey a sense of human/pedestrian scale in common areas, streetscaped areas and public outdoor spaces.
 6. To ensure development practices within the district meet the expected standards.
 7. To attract a dynamic and diverse concentration of uses and to foster economic interaction among the mix of uses in the district.
 8. To ensure sustainability of the development.

§22-505A. Context.

- A. Development projects within an urban or suburban setting are part of a larger context that requires that architects, developers, and approval authorities make decisions within the parameters of an established and diverse physical setting. Each project within the Terraced Streetscape District will ultimately become part of the larger neighborhood fabric and environmental context. Buildings within the district should therefore be planned with the utmost consideration for adjacent structures and properties while exhibiting compliance with the principal goals of the district and thoughtfulness for the overall quality of place and adherence to a sensitivity of natural resources.

§22-506A. Design Principles.

- A. Successful urban environments accommodate and foster multiple uses and activities while simultaneously addressing human scale and safety. These environments result from the cumulative effect of well-designed individual sites that are mindful of their context. Enjoyable and pleasant streetscapes, as well as walkable destinations combine to give a neighborhood its recognizable character. To accomplish this, proper zoning and architectural standards need to be applied.
- B. Basic principles of project planning and site design within the Terraced Streetscape District include:

1. Promote a diversity of uses/occupancies.
2. Create functional pedestrian and public transit linkages.
3. Foster a distinctive identity that prioritizes high quality design and development.
4. Incorporate the landscape and green spaces into civic assets.
5. Foster intensity of development and compactness.
6. Use landscaping, green space and existing vegetation to address traffic calming, issues of identity, territoriality and privacy.
7. Ensure the perception of safety by way of proper lighting/sightline strategies.

§22-507A. Synergy.

- A. The district is designed to encourage as much density and mix of occupancies as is practical. It is the synergy of diverse and complimentary uses that make a mixed-use neighborhood experientially rich and attractive. In such mixed-use settings, the issues of identity, territoriality and privacy need to be addressed as do connectivity to public common areas, gathering spaces, public transit, and retail and service operations. Awareness of these issues and a balanced approach to the definition of space and the associated access is required.
- B. Single development projects that integrate both commercial and residential components shall locate the commercial uses on the ground floor level, so as to encourage direct interface with pedestrians. Office functions may occupy upper stories above the first floor. Residential uses in a vertical mixed-use structure however, may only occupy upper floors above the ground floor, and above any commercial uses.

§22-508A. Density.

- A. The issue of proper density and compactness can be measured in several ways. Standards of density derived from national guidelines established by the Congress for New Urbanism will be used as a basis for proposed projects in the Terraced Streetscape District. Nonresidential development should achieve a density whereby the floor area ratio (FAR) for the site is 1.0 or greater. Any residential development within a vertical mixed-use structure should achieve a minimum density of ten units/acre or higher. These recommended densities, when enhanced by proper attention to articulation and detail and integrated with the planned streetscape design, will lend themselves to a more urban and vibrant neighborhood along the West College Avenue corridor.

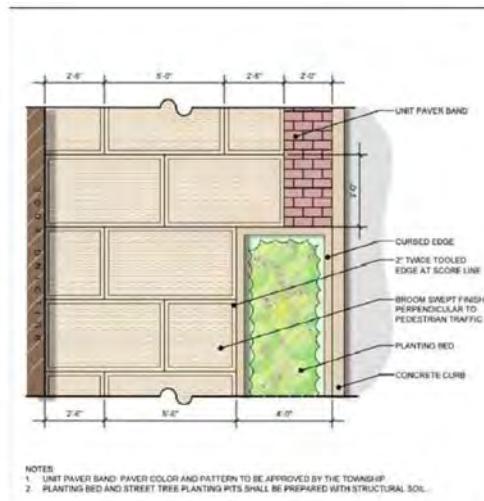
§22-509A. Streetscape Design Standards.

- A. The West College Avenue Corridor is intended to be the center and focal point of the district. The corridor is conducive to density and mixed-use development and is intended to be accompanied by streetscape treatment that is pedestrian friendly and consistent with the following design requirements or any officially adopted Streetscape Plan:
 1. Sidewalks shall be a minimum of 12 feet in depth from back of curb to building face along West College Avenue.
 - a) Sidewalks shall be scored in patterns that modulate the scale of the sidewalk and may include a variety of dimensional sizes including square, rectangular or diagonal patterns at

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the applicant's discretion and in keeping with the intent of the design standards.

- b) All score lines shall utilize a twice tooled troweled edge on all pattern joints including construction and expansion joints. In the case of stamped or colored concrete, this requirement may be modified at the discretion of the Board of Supervisors.
 - c) All curbs, sidewalks, handicapped ramps and crosswalks shall be designed and constructed in accordance with the latest official version of the Americans with Disabilities Act.
 - d) All proposed sidewalks, curbs, crosswalks shall be designed and constructed in accordance with the provisions and specifications established by the Township and specified herein or in an officially adopted Streetscape Plan.
2. A 2-foot wide minimum paver accent band shall be installed along the back of the curb line along all sidewalks on West College Avenue. The pavers shall be standard 4 inches x 8 inches brick size, red color. Pavers may be traditional clay brick or pressed concrete. Color and pattern of the paver field may include various size pavers and colors at the discretion of the applicant, subject to approval by the Board of Supervisors.
 - a) Decorative brick, concrete pavers or pavement treatments shall be considered as an integrated feature to properties on gateway corners in the Township, the main entrance of buildings, public plazas, pedestrian access areas and public roads as noted.
 - b) Street signs, regulatory signs, wayfinding signs, utility poles, street lighting, utility appurtenances and traffic signal poles are to be placed within the paver accent band unless otherwise required by ordinance or upon review by the Township Engineer.



3. Four-foot wide by 20-foot long minimum, planter beds shall be incorporated parallel to the curb line adjacent to West College Avenue. Construction of these beds to function as rain gardens, in accordance with Township Construction Standards, is encouraged. Measurement shall be from outside edge to outside edge of planting area.
 - a) Planters shall be spaced a minimum of 40 feet on center for the width of the proposed lot

or length of the unit block where the site is located. The spacing and location may be adjusted dependent on-site conditions, clear sight triangles and at the discretion of the Township Engineer and Board of Supervisors.

- b) Planters may intersect the 2-foot side accent paver bans as noted above.

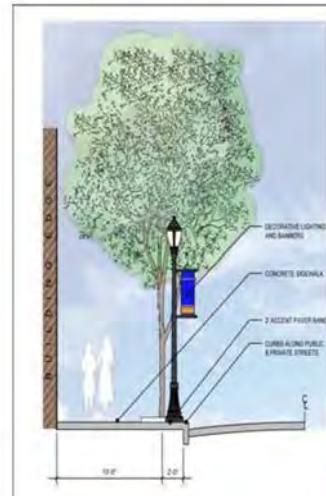


- c) Planters shall be curbed with brick or pavers to match adjacent paver accent band or other materials consistent with the architecture of the proposed project. In no case shall the width and height of the raised curb exceed 6 inches in either direction. Planter edge may include a decorative metal fencing garden edge to accent and highlight the planting area. The fencing may be part of the raised curb or independent thereof. In no case shall the fencing exceed 24 inches in height.
 - d) Planters shall be backfilled with CU-Structural Soil® or approved equal for the full length and width of the planter to a depth of 3 feet where feasible or otherwise directed by the Township Engineer.
 - e) Planter areas shall be planted with a perennial, semi or evergreen ground cover as a year-round base planting. Planters shall also incorporate seasonal plantings to provide four season visual interest. The applicant shall provide a list of proposed seasonal plantings to be provided and maintained by the property owner and/or tenant. These may include but are not limited to tulips, impatiens, petunias, mums and ornamental kale. The use of ornamental grasses, perennials, and ornamental shrubs is also encouraged.
 - f) The planting plan for the accent planting beds shall be prepared and sealed by a Pennsylvania registered landscape architect.
 - g) Where feasible, applicants are encouraged to utilize and incorporate planter areas into the project's overall storm water management strategy as bio retention/water quality filter areas. The use of planter areas as a stormwater best management practice (BMP) will be subject to review and approval by the Township Engineer and must be consistent with the Township's overall stormwater management plan and objectives for improving water quality and reducing runoff volumes.
4. Pedestrian scale, period style lighting standards shall be used along the West College Avenue street edge, immediately adjacent to the proposed project site. The horizontal spacing of the

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light fixtures shall be consistent with meeting required light levels established by Township ordinance.

- a) Streetlights shall utilize decorative, fluted or tapered poles with decorative base covers to match the style of pole.
- b) Poles shall be cast iron, steel or aluminum, painted black.
- c) Poles shall be located within the proposed paver accent band.
- d) Street light lamps shall Incorporate night sky friendly, energy efficient, full cut-off optics. The use of LED technology is encouraged.
- e) Poles along West College Avenue shall incorporate banner brackets for upper and lower banner arms, to hang one banner, perpendicular to the street edge.
- f) Poles along West College Avenue shall include provisions for two planter arms, one on each side of the pole, parallel to the street edge.
- g) Poles along West College Avenue shall include provisions for one exterior rated duplex electrical outlet located immediately below the point of attachment between luminaire and pole.

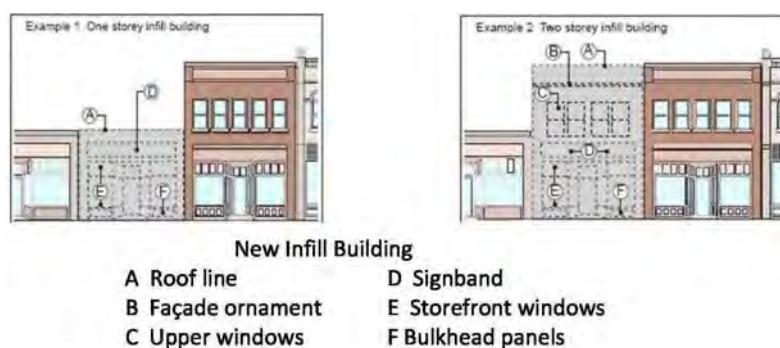


5. A minimum of one street tree shall be planted in the center of each 4-foot by 20-foot accent planting bed. The selected species of tree shall be in accordance with Chapter 25, "Trees." Shrub varieties shall be included in a landscaping and planting plan prepared and sealed by a Pennsylvania registered landscape architect and approved by the Township Tree Commission.
6. Each project with frontage on West College Avenue shall include the provision of site furnishings consistent with the intended creation of an inviting, safe and enjoyable pedestrian experience. These furnishings may include benches, trash and recycling receptacles, bike racks, bus shelters, and individual free-standing planters.
 - a) Site furnishings shall be constructed of non-biodegradable, vandal resistant materials such as cast iron, steel, aluminum, or recycled plastic components.

- b) Site furnishings shall be period style consistent with the overall character of the area or any officially adopted Streetscape Plan.
 - c) Site furnishings shall be from a coordinated family of furnishings by the same manufacturer unless otherwise approved by the Township.
 - d) Benches shall be a minimum of 6 feet in length and shall incorporate a center armrest.
 - e) Trash receptacles shall be a minimum of 32-gallon capacity and shall utilize the smallest possible semi-covered top opening to prevent the deposition of large trash bags or household debris.
 - f) Recycling receptacles shall be provided and incorporated consistent with Centre Region refuse and recycling requirements.
 - g) Benches and receptacles shall be grouped together along the street edge but not within the required accent paver band. Where feasible these groupings may occur between accent planting beds when two or more beds are included along the frontage of a project.
 - h) Bus shelters may be incorporated subject to the review and approval of CATA. The style of shelter shall be consistent with the overall site furnishings palette.
- B. Streets perpendicular to the West College Avenue Corridor will also provide for a variety of uses but at a slightly reduced scale. The sidewalks and streetscape treatment along these streets will be correspondingly reduced in scale, with fixtures and landscape features more conducive to a side street location.

§22-510A. Building Design and Facade Considerations.

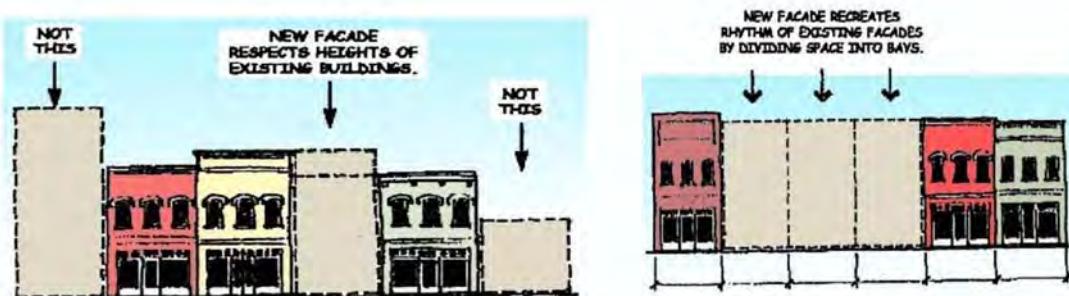
- A. Issues of character, aesthetic contribution, scale, proportion and material quality shall all be evenly considered along with the traditional measures of zoning and code compliance when evaluating building design. To minimize subjectivity in the consideration of these elements, the following guidelines shall be considered.



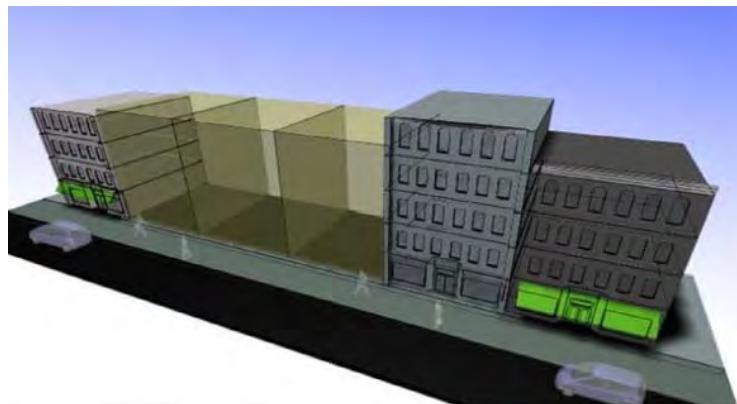
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§22-511A. Building Massing and Composition.

- A. Consideration toward scale and the transition of building height from one site to the next must be taken into account. While abrupt changes in scale between two adjacent properties are generally discouraged, articulation of the building to address relevant issues of scale combined with appropriate setbacks and landscaping can help soften these transitions. Graduated massing of building heights is preferred and should be accomplished in accordance with the provisions of the district as specified herein as well as in Chapter 27.



- B. Larger infill development that respects massing and articulation becomes a harmonious part of the block.



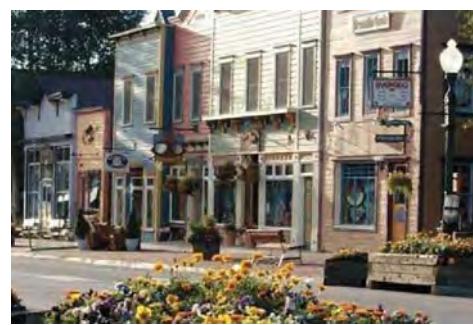
- C. Structures on West College Avenue are to be located on or near the street line as to engender a physical presence on the main thoroughfare and support a more pedestrian-centered focus. Parking areas in front of buildings are prohibited as are any other features that detract from pedestrian access to the front of the building. Building entrances shall be designed in such a manner as to be immediately recognizable, accessible and safe.
1. It is the intent of the district to create the greatest practical commercial density along the West College Avenue corridor. Commercial occupancies perform best when they are visible and easily accessible. Storefronts are to be designed to be as open and transparent as practical in accordance with the district regulations.

§22-512A. Articulation of Facades.

Development projects within the Terraced Streetscape District shall be mindful of the fact that well-

articulated building facades provide visual interest and enhance the experience of the neighborhood. Whereas large unarticulated building masses can negate any sense of human scale within the block, large buildings that are sensible in their composition and reverent to the scale of pedestrians are generally more successful and appealing.

- A. New buildings in the district shall observe some of the basic parameters of scale and proportion (see examples below). It is the intent of these regulations to ensure that no single building appear too diminutive as to defy the basic tenets of the district which requires that landowners maximize the volume and development potential of their site.
 1. Single-story building facades are required to convey a greater sense of height consistent with the scale of adjacent or surrounding multi-story structures through use of a parapet. All structures fronting on West College Avenue shall conform to the building height regulations of the district.
 2. All structures shall convey the greatest practical density and vibrancy by way of articulating multiple occupancy/tenancy through appropriate ground floor storefront design. This will enhance the pedestrian experience as well as improve the massing of larger commercial structures.



- B. Streetscapes and building facade design in the district are required to execute the rhythm created by many individual facades and storefronts that relate to the scale of the pedestrian. A building's massing shall contribute positively to a pedestrian-friendly public realm. Long, unbroken walls are overwhelming and must be divided into rhythmic blocks bringing the design of the facade closer to a human scale.



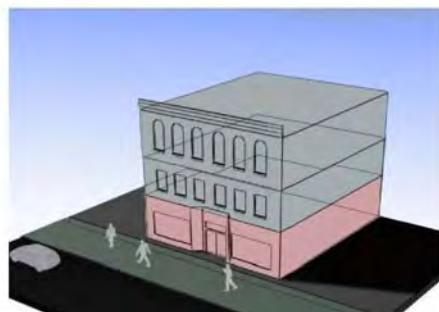
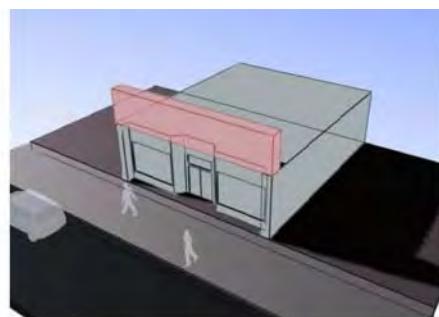
- C. Larger buildings are required to subdivide the appearance of their facades and storefronts, as to make them seem to be smaller, individual buildings. Articulation by means of material difference, color difference, and vertical/horizontal variation in alignment, recesses or projections are required to accomplish the appearance of individual facades.
 1. The upper floors of multi-story buildings are required to provide a differentiation of color or

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- material to break up the facade massing of the building exterior.
2. Storefronts and facade treatment at ground level must be differentiated every 40 feet or less, to provide proper articulation at street level.



- D. The ground floor of any multi-story building is required to be articulated from the stories above it. The appearance of a specialized and welcoming storefront, building entrance or any other pedestrian appropriate treatment is required to enhance the pedestrian street life generated in the district.



Ferguson Township

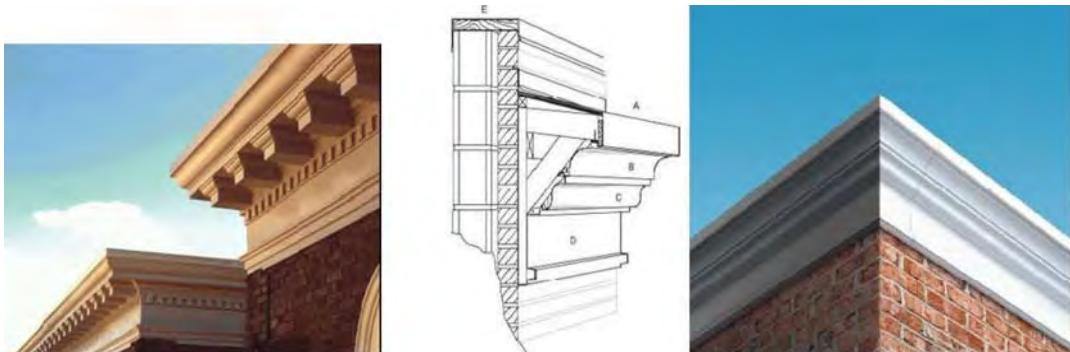
- E. Where buildings of 55 feet or higher are proposed, in addition to articulating their ground floor, articulation of their upper most floor(s) must occur as well.



- F. Facade treatment of multi-story buildings should also include appropriate consideration in the design of the top of the building. Roof lines for pitched roof structures should be articulated to subdivide the mass and appearance of the roof area toward the predominant facade. Strategies include the introduction of dormers, roofed vents, chimney stacks, or variation in finished rooflines.



- G. Facade treatment for flat roofed buildings shall include parapets, built-up cornices or both, as appropriate to the architectural style of the proposed building. Building tops shall be visually interesting, and compliment the character of the building, as well as contributing positively to the character of the district.



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- H. Multi-story buildings, due to their size and presence, are encouraged to be creative in their use of massing, articulation and design. Developers of multi-story buildings shall consider their appearance from multiple vantage points.

§22-513A. Storefront Design.

Commercial occupancies at ground floor level, especially spaces intended for retail or restaurant uses, are required to incorporate standards for successful storefront design. Good storefront design integrates means of maximizing transparency and openness with durability and energy efficiency.

- A. Storefronts need to be differentiated (every 40 feet max) from one another to create an attractive and visual interest for pedestrians. The surface area of storefronts in the district is required to be 50% (min) transparent (glass), to optimize public viewing. This will enhance the pedestrian experience.
- B. Storefronts shall be constructed with durable finishes consistent with the expected high traffic/pedestrian environment. Consideration must also be given to lighting strategies so that both the storefront and the interior space behind it are well lit, and easily seen.
- C. Avoid excessive visual clutter especially that produced by too much interior signage.
- D. Outdoor signage shall fit the character and proportion of the building and enhance the architecture. Signage shall be clearly visible without dominating the building facade or obscuring architectural details.
- E. Benches and other moveable objects such as bike racks or trash containers shall be coordinated with the building entrance so as not to obstruct sidewalk traffic or diminish the appearance of the facade.

- F. Awnings and/or vegetation may be utilized to add interest and aesthetic quality to the building and the streetscape. Awnings and canopies must be compatible with the building and windows in scale, proportion and color.



§22-514A. Corner Building Sites.

Corner buildings serve as landmarks within the district and, as a result, special consideration must be given to their design so that they address the intersection as well as complimenting other, adjacent buildings in the district.

- A. Proposed corner buildings need to address the intersection they front through the inclusion of accentuating features such as towers, turrets, chamfers, canopies or recessed areaways to highlight their corner-most facades.
 1. Building corners can be accentuated in a variety of ways. Employing novel geometries while utilizing the same color palette is a subtle approach while the introduction of more elaborate elements and accent materials and/or color result in a more predominant/more recognizable structure.
 2. A common approach is to differentiate the bay of the building that is closest to the corner through the use of offsets, additional height, and differences in roof line, color or material. This will help to delineate and symbolically mark the intersection and physically note its importance.
 3. The creation of additional “public space” on the corner can be achieved through the use of a recessed or chamfered entrance that broadens the common area and makes the space more usable. Porticos, colonnades, stoops, vegetation, and similar features fronting the corner further enhance the presence of the building and improve the visual character.

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§22-515A. Parking Structures and Incentives.

Parking structures and elevated parking decks within the district need to exhibit sensitivity to scale and massing. These structures also need to relate to pedestrian scale and attempt to integrate with other structures in the broader environment by way of articulation and material usage. A key objective shall be to disguise the structure's function as car storage through the use of screening elements, spandrel panels or glazing systems in conjunction with good facade design strategies.

- A. Design strategies that include locating stair wells and/or elevator towers on a corner or public access way improves the overall pedestrian interface with these structures while also improving their massing. These strategies also open the possibility of improved articulation, fenestration, and use of materials for facade enhancement. Lighting can also be employed to further enhance and accent the structure; providing a visual focal point at night.
 1. Material and/or color usage shall differentiate the ground and upper floors of the structure to improve the relationship with pedestrian scale and the streetscape.
 2. Facades shall avoid the appearance of support columns unless combined with a screening system. Use of masonry, composite panels or E.I.F.S. systems will lend a sense of permanence and evoke the image of a conventional building rather than an open deck.
 3. Metal or mesh screening systems can be used to obscure stored cars. These systems should also employ masonry or other suitable material so that the resulting facade does not appear out of character.



4. Glazing or curtain wall systems can also be used to screen cars and achieve the look of a more conventional building. Window walls or windows set in a backup wall can be detailed to create a more uniform and interesting appearance to the overall structure while concealing its use for parking.
5. Installation of green roofs can be used to:
 - a) Retain rainwater and, together with plants, return a portion of this water to the atmosphere through evaporation and transpiration (evapotranspiration).
 - b) Reduce and clean stormwater volume.
 - c) Retain and delay runoff to ease stress on stormwater infrastructure and sewers.



- B. Storefronts and leasable commercial space shall be incorporated into the ground floor plan of parking structures. The storefronts shall enhance the streetscape and conform to the design requirements of the Terraced Streetscape zoning.



- C. Parking Incentives. The parking requirements for nonresidential development, or nonresidential uses within vertical mixed-use structures as set forth herein, may be reduced by use of the following:

- a. Provide additional landscaping and/or open space that is 20% greater than that required by this Chapter. Reduce total required parking spaces by 10%.
- b. Provide and maintain at least 10% of the housing units as age-restricted units. Reduce total required parking spaces by 15%.
- c. Provide and maintain at least 10% of the housing units as owner occupied workforce housing units. Reduce total required parking spaces by 15%.

The incentives may be mixed or matched, but no incentive may be used to obtain multiple bonuses. For example: A green roof may count toward additional impervious on a lot, or an extra story of structured parking, but not both.

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§22-516A. Exterior Materials.

Buildings designed with authentic materials in a manner that evidences craftsmanship and detail lend a sense of authenticity and permanence to the buildings themselves. Authentic and permanent materials on building exteriors will provide visual continuity and discernable character to the zoning district.

- A. Authentic materials such as brick, cast stone, limestone, concrete block and other conventional masonry products should be used. Exterior finish systems and proprietary panel systems can be employed to the extent that they complement the material quality of the building and surrounding structures and are used in combination with more permanent/natural materials (a synthetic or EIFS. clad building with a masonry base detail for example).



§22-517A. Color Selection.

In general, it is recommended that the color palette selected for the building exterior not include exceptionally bright or overly colorful schemes. Subtle and complimentary color choices, such as more naturalistic or muted tones are suggested. However, vibrant colors can be used for accent and trim.

- A. Painted strips or pronounced patterns on wall surfaces or large surface areas of brilliant color are distracting and shall be avoided.

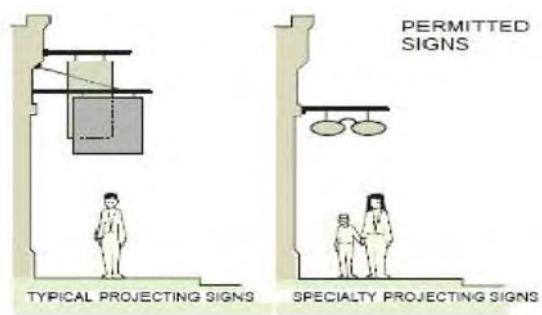


§22-518A. Signage.

It is important that the nature of the signage employed by a business does not conflict with the character or goals of the district. Good sign design can both enhance the business and add a dimension of vibrancy and visual interest.

A. The following recommendations shall be considered:

1. Signs hung parallel to the business shall not overwhelm the storefront or architectural detail of the building.
2. Lighting shall not produce glare and automated signage shall not be permitted.
3. Signs should be designed to draw the attention of the pedestrian rather than motorists within the district. Projecting signage, hung perpendicular to the building, is recommended.
4. Graphics should be clear and legible. Limited text or company colors/logos should be considered over a heavily stylized or cluttered and confusing sign face.



§22-519A. Lighting.

The lighting of buildings, entryways, building surfaces or landscape within the district is desirable. Exterior lighting will enliven the district and add a sense of vibrancy as well as enhancing the safety of the area. The use of energy efficient luminaires or LED lighting is encouraged.

- A. Commercial facades in the district should utilize lighting in a creative and innovative manner to highlight their business. However, visually distracting and automated signage or moving lighting shall not be permitted.
- B. Lighting that produces glare or impedes the vision of motorists or pedestrian traffic is prohibited. Surface mounted lighting must have fixtures that are aimed directly at the targeted facade or surface area and away from traffic.
- C. The surface up-lighting of a building is allowed however, light spillage or glare onto adjacent buildings or properties is not permitted.



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PART 5B

DESIGN STANDARDS FOR DEVELOPMENT IN THE TRADITIONAL TOWN DEVELOPMENT

§22-501B. Design Standards

A. Framework Plans.

1. Open-Space Network.

a. Standards.

- 1) Each applicant shall demonstrate the specific measures employed to achieve the design goals as enumerated in the TTD Design Manual through submission of an open space plan that depicts all proposed elements of open space including the design of any proposed public areas within the development which are intended to be included in the computation of required open space.
- 2) The following standards shall be applied to the open space network within a TTD.
 - (a) A minimum of 50% of the site proposed for development shall be devoted to useable common open space. Through the use of incentives offered in subsection .4.F, the amount of required useable common open space may be significantly reduced. However, in no case shall less than 25% of a site be devoted to the provision of usable common open space, including permitted percentages of public areas.
- b. All common open space reserved shall be designed for one or more of the following uses:
 - 1) Community green, square, or commons.
 - 2) Community garden or park.
 - 3) Streams, ponds and other natural or man-made bodies of water.
 - 4) Playground or tot-lot.
 - 5) Bikeway, greenway, trail or environmental corridor.
 - 6) Active recreational facility.
 - 7) Public space.
 - 8) Conservation area/protected natural area which may include: woodlands, wildlife corridor(s), meadow, horticulture, or wetland that is incorporated into the design for stormwater management.
- c. The regenerative percolation of stormwater runoff may, where appropriate, be permitted to be included in areas designated for open or public spaces. Additionally, facilities that are designed as permanent water features and are provided with associated walking or seating areas will be credited. However, stormwater management facilities such as detention basins and swales shall only be permitted to be included to the extent that the open space exceeds

the 25% required minimum, or through the use of one or more design incentives identified below.

- d. In addition to responding to the unique conditions and environmental resources of the parcel(s), the open space provided on each site shall be responsive to the needs of the community as expressed in the Ferguson Township Recreation, Parks, and Open Space Plan and, to the extent feasible, shall provide useable play or recreation areas, or equipment, that is conveniently accessible to residents throughout the community.
- e. The reservation of passive parkland which may include wooded sites, formal gardens, conservation areas, and open grass spaces may also be included. However, such facilities shall account for no more than 40% of the required common open space. Where the existence of adequate play or recreation areas within walking distance of a proposed TTD can be shown, the percentage of passive parkland permitted to be credited toward the total required common open space may be raised to as much as 55%.
- f. Public space shall serve as a focal point and may comprise up to 10% of the useable common open space provided. Such areas shall be subject to the same maintenance criteria as identified by §27- 904.D.3(d)(21).
- g. All common open space shall be publicly accessible either from a public street or public area, and/or from a pedestrian/bicycle network that links various playgrounds, parks, commons and greens to each other as well as to the developed portions of the site. Land designated as common open space shall be suitable for the purpose specified.
- h. Each Traditional Town Development site that includes 50 or more dwelling units shall include at least one public square or green with a minimum size of 20,000 square feet. Other squares, greens, commons, or public areas of not less than 10,000 square feet in area shall be dispersed throughout the development. Each dwelling unit shall be situated so as to be located no more than 1,000 feet from a commons, square, green, or trail.
 - 1) Existing wooded areas shall be protected to prevent unnecessary destruction. At least 40% of the number of trees (minimum trunk caliper of 5 inches at 6 inches above ground) that exist at the time of the plan submission shall be maintained or replaced immediately following construction. Invasive species shall however be removed upon identification in coordination with the Township Arborist. Replacement trees shall be a minimum trunk caliper of 2 inches at a height of 6 inches above finished grade. The location of replacement trees shall be detailed on the landscaping plan required by the specific implementation plan criteria.
 - 2) No development shall involve uses, activities or improvements that would entail encroachment into, the regrading of, or the placement of fill in wetlands in violation of State or Federal regulations. Applicants must submit evidence to the Township that demonstrates that the site has been evaluated for the presence of wetlands and that, if wetlands are present on the site, that DEP and the U.S. Army Corps of Engineers have been contacted to evaluate the applicability of State and Federal wetland regulations. Full compliance with these regulatory agencies is expected and will be a condition of any approval granted by the Township.
 - 3) Preservation of the required open space within the TTD shall be irrevocable. A metes and bounds description of the space to be preserved and limits on its use shall be recorded on the specific implementation plan, in any applicable homeowner covenants

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and on individual deeds when open space lands are not held entirely in common. Restriction on future development shall be established by a permanent and irrevocable instrument.

2. Transportation Network.

a. Standards.

1) Pattern and Hierarchy.

- (a) Street Pattern. Street patterns shall form a network, with variations as needed for topographic, environmental, and other design considerations specific to the site.
- (b) Cul-de-Sacs. The network shall allow for a variety of modes of transportation and create an interconnected system that limits the use of isolated cul-de-sacs. Streets with no vehicular outlet may be used only where connections are not possible due to topography, hydrology, or other special resource considerations.
 - i. Auto-courts, ‘T’ or ‘Y’ turnarounds and looped access roads shall be considered before determining that a cul-de-sac is the appropriate design solution.
 - ii. When a cul-de-sac is proposed to be incorporated into the design of a TTD, the application shall be accompanied by a written analysis of the merits of the design and evidence supporting why a network with through street connections is not a viable alternative.
- (c) Mobility. The resultant system of streets shall provide adequate traffic capacity and connected bicycle and pedestrian routes, control but not exclude through traffic, and require that lot access be accomplished from streets of lower classification in order to promote safe and efficient mobility through the site.
- (d) Public dedication. All streets shall be dedicated to the Township. Private streets are prohibited.
- (e) Organization. Streets shall be organized according to hierarchy based on function, size, capacity and design speed. Streets and rights-of-way are, therefore, expected to differ in dimension. A design proposal that does not adequately address the provision of a street hierarchy will not have sufficient diversity to merit approval. Therefore, design consultants are urged to give proper consideration to this element of the plan.
- (f) Design. The design of each street shall be tailored to function and anticipated capacity as measured by average daily trips (ADT). Each street shall be designed to meet the standards for one of the street types identified in Chapter 22. Changes in design along a corridor that are based on context shall be permitted. However, mid-block changes are not acceptable.
- (g) Distribution. The applicant shall demonstrate that the distribution of traffic to the proposed street system will not exceed the ADT thresholds indicated for any proposed street type for a design period of 10 years from the proposed date of completion and acceptance of the road.

- (h) Ingress/Egress. The Township may disapprove any point of ingress or egress to any lot, tract, parcel, or development from any street when the proposed ingress or egress would create unsafe conditions, reduce the capacity of the adjoining street, or result in substandard circulation and impaired vehicle movement. In addition, street systems that do not adequately distinguish a hierarchy of design will not be approved.
- (i) Motor Vehicle Connections.
 - (a) Interconnection. The design of streets within the Traditional Town Development shall foster interconnection to the greatest extent possible. This shall include connections to streets within the development, as well as to adjacent developed sites and to adjacent parcels that are zoned for development.
 - (b) Traffic Impact Study. All Traditional Town Development proposals shall submit a traffic impact study per the requirements of the Subdivision and Land Development Ordinance, and shall demonstrate conformance with the transit, pedestrian, and bicycle circulation provisions of this Chapter as well as the design requirements associated with hierarchy, connectivity, and the preservation of existing features of the site.
 - (c) Driveways. Driveway locations shall not interfere with the normal traffic movement or be inconsistent with the design, maintenance, and drainage of the street. Driveway access to lots shall always be provided to the street of lesser classification. The Township may require the joint or shared use of driveways to provide ingress and egress when such design would increase traffic and/or pedestrian safety by decreasing the potential for turning movements and associated conflicts.
 - (d) Curb Cuts. Curb cuts for access to residential lots shall be prohibited along collector and arterial streets. Curb cuts along these streets shall be limited to intersections with other streets or access to parking areas for commercial, civic, or multi-family residential uses.
 - (e) Alleys. The use of alleys in order to allow for an uninterrupted and pedestrian-friendly environment along public streets is permitted. Alleys shall provide appropriate space for rear access and shall be designed in accordance with Chapters 21 and 22.
 - (f) Townhouse Access. In general, townhouse dwelling units shall be access from the rear. However, in some instances, front entry garages may be provided for townhouse dwelling end units. No more than 50% of the overall number of townhouse dwelling units is permitted to utilize such front entry garages.

Other than as noted above, garages associated with townhouse or live/work units shall either be integral to the structure or oriented to the rear and accessed by a lane or alley.
 - (g) Three-way Intersections. Low volume streets may be designed to form three-way intersections. Such "T" 's are encouraged to be used for the creation of prominent focal points such as scenic views, important civic buildings, or public areas.

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- (h) Access to Existing Township Roads. All proposed development shall access an interior street network designed and constructed to serve development of the Traditional Town Development. No new lots shall be permitted direct access to existing Township or State roads.
- 2) Pedestrian/Bicycle Connections.
- (a) Circulation System. A convenient, continuous pedestrian circulation system that minimizes the opportunity for pedestrian- motor-vehicle conflicts shall be provided throughout the site.
- (b) Sidewalks. All public streets, except for alleys, shall be bordered by sidewalks on both sides. However, this shall not eliminate the need for consideration of greenways, trails, or other "off-street" pedestrian routes that would provide access and circulation through the site and to existing and proposed external development. Except for alleys, no case shall roadside shoulders or unpaved areas serve as pedestrian travel areas.
- (c) Walkways. Where pedestrian access is established in locations other than along a public street, the width and material of the walkway shall be consistent with the intended function. The design of such areas shall be included as part of the open space plan required by subsection .3.A(1)(a). The maintenance of such areas shall rest with the entity responsible for the common open space.
- (d) Pedestrian Travel Zone. Where serving predominantly retail or office uses, sidewalks may need to be wider than 5 feet. A pedestrian travel zone of at least 5 feet shall be provided in addition to areas of the sidewalk that serve as a building frontage zone and/or fixture/planting zone. See Design Manual (Appendix 27-A) for examples of acceptable design(s).
- (e) Design Drainage grates, manhole covers, tree wells, hatches, vaults and other utility coverings should be located outside of pedestrian areas. However, where they are present, they shall not have openings greater than required by ADA and shall be mounted flush with the level of the surrounding sidewalk/walkway surface.
- (f) Lighting. In mixed-use and/or multi-family residential areas, well-lit walkways shall connect building entrances to the adjacent public sidewalk and to associated parking areas. These walkways shall be a minimum of 5 feet in width.
- A. All light posts and fixtures shall be pedestrian friendly as measured by scale and harshness of the light source. The level of lighting provided shall range between 0.5 and 2.0 footcandles dependent on the volume of both pedestrian and vehicular traffic and the location of the intersection or walkway. Pole heights for fixtures shall not exceed 14 feet.
- (g) Vertical Clearance. All walkways shall include a minimum vertical clearance of eighty-four (84) inches.
- (h) Bicycle Circulation. Provisions for bicycle circulation shall be incorporated throughout each site. In addition, the connection and continuation of existing bicycle trails or existing bicycle routes through the site shall be required.

Where on-street bicycle circulation is to be provided, it shall be accommodated within the travel lane of all street classifications except Collector and Arterial. For Collector and Arterial streets, a separate Shared Use Path shall be constructed along one side of the street for use of pedestrians and bicycles. Where proposed, Shared Use Paths must be designed in accordance with AASHTO standards. Sidewalks shall not be designated as bicycle travel routes; however, Shared Use Paths may be used by pedestrians. Drainage grates along curbed streets shall be designed to be safe for crossing by bicycles.

- (i) **Bicycle Parking.** Bicycle parking is required to be provided for all public or semi-public areas and for all non-residential or multifamily land uses. Bicycle parking spaces are to be located so as to be convenient to the structure or use for which they are provided and to be visible from at least one entrance. Lighting shall be provided for all such bicycle parking areas.

3) **Transit Connections.**

- (a) **Circulation Plan.** A plan for transit circulation within and to each site shall be coordinated with the local transit authority and the planned location of such stops shall be delineated on plans submitted for Township approval. Stops shall be conveniently located and, where appropriate, provided with a shelter, seating and lighting.

Where transit stops are provided or a new bus stop/pull-off is warranted, no parking zones shall be designated for a minimum of 80 feet to allow for loading and unloading. Where deemed appropriate, bus pull-offs or acceleration lanes shall also be provided.

3. **Utilities Network.**

- a. **Intent.** Compact development can be designed to use infrastructure more efficiently, resulting in lower costs per capita for the municipality. More users per linear foot of sewer and water main extensions, as well as lower costs for plowing, paving, and maintaining narrower, well-connected streets are intended to be achieved through the coordinated planning efforts required herein. Additionally, infrastructure that can be provided from a systems approach, without segregating design and regulation according to strict property boundaries improves connectivity and the overall function of streets, stormwater systems, open space, and other supporting infrastructure.

b. **Design Goals.**

- 1) To ensure the efficient extension of existing public infrastructure to serve Traditional Town Development in a coordinated and comprehensive manner.
- 2) To ensure the continued function of groundwater resources by coordinating drainage and stormwater management.
- 3) To guide the placement of utilities and other infrastructure in a manner that does not detract from the overall function and character of the community.

c. **Standards.**

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- 1) Location. All utilities, both main and service lines shall be provided underground either within private easements or located within an alley right-of-way or public street right-of-way.
- 2) Integration of Stormwater Management Facilities. Infrastructure necessary for the management of stormwater on the site shall be incorporated into the design in a manner that reduces its visibility as a functional element and increases its value as an integrated component of the open space and or public space areas.
 - (a) Open Space Credit. The drainage system shall, where feasible, be developed as a landscape amenity such as a planted swale, grass median, or, where appropriately located and visually screened, rock beds. Such design may receive credit for open space in accordance with the provisions found in incentives, subsection .4.F(10).
- 3) Sewer and Water Service. All portions of any Traditional Town Development shall be served by public sewer and public water. Notice of capacity and intent to serve shall be provided prior to approval of any specific implementation plans.
- 4) Easements. When outside of right-of-way areas, easements for sanitary sewer facilities, stormwater drainage facilities, public or private utilities, or pedestrian access shall meet the following standards:
 - (a) Location. To the fullest extent possible, easements shall be adjacent to property lines.
 - (b) Conflicts. Nothing shall be placed, planted, set or put within the area of an easement that would adversely affect the function of the easement or conflict with the required easement agreement.
- 5) Screening. Year-round screening of any utility apparatus appearing above the surface of the ground shall be required unless such apparatus is placed in a lane or alley. As a result, the placement of aboveground utility structures should be coordinated with the proposed landscape plans, to ensure that they are positioned away from key focal areas.

The visual impact of all rooftop mechanical equipment such as vents, exhaust hoods, and antennas (including satellite dishes and telecommunication facilities) shall be minimized by integrating or screening such appurtenances with the building design.

- 6) Ownership. The location of all existing and proposed utilities shall be delineated on the general master plan which shall be accompanied by a narrative designating which improvements are intended to be dedicated to and maintained by the Township, and which are to be owned and maintained by a property owner's association. In addition, any easements or restrictive covenants associated with such infrastructure shall be identified.

4. Blocks.

a. Standards.

- 1) Width. Block depth/width (houses back to back) shall range from 150 feet - 400 feet.
- 2) Length. Block length (intersection to intersection) shall range from 300 feet - 800 feet.
- 3) Perimeter. The maximum block perimeter shall be 2,000 linear feet. This will serve as the controlling dimension. No block shall exceed this dimension without an alley or pedestrian easement providing through access. Blocks above 1,500 linear feet shall also consider the inclusion of pedestrian easements or other non-vehicular elements to reduce the perceived walking distance between street intersections.

5. Parking, Parking Lots, Parking Structures.

a. Standards.

- 1) Separation Distance. On-street parking spaces shall not be located within 15 feet of a street, driveway, or access drive intersection. Additional separation distance may be necessary under certain circumstances to accommodate the required clear sight.
- 2) Off-Street Parking. Where necessary to meet the applicable standards or to provide shared parking arrangements, off-street parking compounds may be provided on the lot containing the principal use which necessitates such vehicle storage. No more than 60% of the required parking for residential or non-residential uses shall be accommodated in this fashion.
- 3) Distance. Where off-street parking is required, it may be located on-site or, if located within 1,500 feet of the use for which it is required, in off-street community or shared parking facilities/structures which are encouraged to be provided. Rear vehicular access to all parking facilities shall be provided in lieu of access from the primary street frontage.
- 4) Number of Spaces. The total amount of parking provided (on and off-street) shall not exceed the amount required by Part 5C. However, if all parking is accommodated with on-street spaces, this number may be reduced by 10%. Additionally, the provisions to reduce off-street parking spaces, as provided in Part 5C shall be applicable.
- 5) Dimensions. Parking space and associated aisle dimensions for off-street parking shall be as specified by Part 5C.
- 6) Location and Access. When proposed, off-street parking facilities shall be accessed by alley or mid-block drives with spaces located underneath, or to the side or rear of the structures they are intended to serve. Exceptions include those residential lots approved for front access consistent with the provisions of subsection .3.B(1)(b)5), where front-entry garages are permitted to accommodate off-street parking, and where off- site parking is accommodated in parking structures.
- 7) Screening. If design dictates that off-street parking is to be located to the side of a building, the entire parking perimeter that fronts a street or adjacent property shall be screened with a combination of a low architectural wall or fencing and a continuous shrub and tree row that adequately screens the parking and defines the street edge.

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- (a) Design. The design of such areas shall be included in the required landscape plan.
- (b) Bioretention. Designing such perimeter landscape areas to serve as bioretention facilities is encouraged.
- (c) Setback. The setback of an off-street parking area located to the side of a building shall be consistent with the adjacent buildings. In no instance shall the off-street parking area be located beyond the front building setback line of adjacent structures.
- 8) Size. The size and location of parking compounds shall not compromise the design or provision of pedestrian access.
- 9) Pedestrian Access. Parking areas shall include clearly defined and marked pedestrian walkways within (not simply around) the parking area, providing access to the entrances of establishments. Pedestrian access to the primary entrances of each structure shall be clearly distinguished from motor-vehicle entrances.
 - (a) Material. This walkway shall be distinguished from driving surfaces through the use of special pavers, bricks, scored concrete, stamped concrete, or a raised surface.
 - (b) Design. Parking area walkways shall be a minimum of 17 feet in width. This is to accommodate a 5-foot walkway bounded by two 6- foot planting strips planted with a continuous shrub or hedge row and shade trees planted alternately on each side of the sidewalk at a maximum ratio of 1 tree for every 45 feet.
 - (c) Landscaping. Landscaping that defines pedestrian access and/or separates it from automobile routes elsewhere within the site is strongly encouraged. The use of such areas to contribute to the on- site reduction of stormwater runoff is appropriate.
- 10) Multi-Use Parking Requirements. All non-residential and multifamily uses shall adequately accommodate both handicap parking and bicycle parking. See subsection .4.E(1)(s) and §27-601.B(3) for appropriate standards.
- 11) Siting Criteria. Parking lots or structured parking facilities shall not abut street intersections or civic buildings, be adjacent to squares or parks, or occupy lots which terminate a vista.
- 12) Access to Adjacent Areas. Parking facilities shall not be permitted within side or rear setbacks unless formal arrangements have been made for the establishment of a common parking facility as specified in §27- 809.A.2(a). However, both pedestrian and vehicular access between adjacent off-street parking areas shall be designed such that these areas, when located on adjacent parcels, are connected in a manner that minimizes the need to return to a main street. If the adjacent parcel is undeveloped or vacant, a connecting drive or street shall be extended to the lot line for access to future development.
- 13) Landscaping. Parking areas shall be suitably landscaped to minimize noise, glare, heat mitigation, and other nuisance characteristics as well as enhance the environment, stormwater management and ecology of the site and surrounding area. At a minimum,

all surface parking areas shall be landscaped in accordance with the provisions of §27-707.N.1 - .6.

- 14) Parking Structures. Parking structures provided for public or common use, and not affiliated with specific commercial or office uses in the TTD shall only be permitted where the ground floor is dedicated to commercial or office uses consistent with those permitted in the TTD.
 - (a) Size. Such structures shall not exceed 50% of any given block.
 - (b) Visibility. Parked vehicles shall not be visible from adjacent public space.
 - (c) Architectural Elements. Parking structures shall conform to guidelines pertaining to architectural scaling elements and building materials.
 - (d) Permitted Uses. Such structures may incorporate residential uses as well as retail development.
 - (e) Density Bonuses. Density bonuses may be available in return for the provision of parking structures as provided in subsection 4.F(11).
 - (f) Landscaping. Interior landscaping requirements are not applicable to structured parking whether underground or multi-story. However, exterior buffering or screening standards may be applicable to such facilities depending on their size, location, and proposed design.
- 15) Back-Up Area. All dead-end parking lots shall be designed to provide, when necessary, sufficient back-up area for all end stalls.
- 16) Circulation. Painted lines, arrows, and dividers shall be provided and maintained to control parking and, when necessary, to direct vehicular circulation.
- 17) Shared Parking. For mixed-use structures, a shared parking approach to the provision of off-street parking shall be permitted following the methodology described in the publication Shared Parking. (Urban Land Institute and Barton Aschman Associates, Inc., Urban Land Institute, 1984)
- 18) Bicycle Parking. Bicycle parking facilities shall be provided for all non-residential, mixed-use, and multi-family structures within the TTD in accordance with the following:
 - (a) Visibility. Bicycle parking devices shall be convenient to the structure for which they are provided. They shall be visible from at least one entrance to the structure and shall be appropriately illuminated.
 - (b) Location. Bicycle parking devices shall permit at least 2 feet of free space between any bicycle attached to the device and the edge of the curb or sidewalk. For areas where motor vehicles are permitted to park overhanging the curb or sidewalk, the distance shall be increased to 4 feet. Along driveways having no curb or sidewalk, the minimum clearance shall be 3 feet between any bicycles attached to a parking device and the outside edge of the roadway and shoulder.

**PART 5B– DESIGN STANDARDS FOR DEVELOPMENT IN THE TRADITIONAL
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(c) Number. For residential uses, one bicycle parking space is required for each dwelling unit; for all other uses, one bicycle parking space is required for every 15 motor vehicle required parking spaces.

6. Design Incentives.

- a. Intent. Designs which incorporate one or more of the following elements shall qualify for modifications of the design standards as specified herein. These may include reductions in open space dedication, increases in maximum lot size restrictions, reductions in landscaping, and/or increases in permitted lot coverage.
- b. Additional Workforce Housing. For each unit of workforce housing provided in excess of the required 1:10 ratio, two dwelling units may be placed on lots of between 15,000 and 20,000 square feet. To qualify, both the workforce housing and the larger residential lots must be distributed in a manner that permits their integration within the community.
- c. Rear Access. For every dwelling unit provided with rear access and/or a garage which is not oriented to the street, one required street tree may be eliminated. The total reduction shall not be permitted to result in an average of less than 1 tree for every 50 feet of road frontage.
- d. Passive Recreation Improvements. When an improvement to passive recreational areas within the dedicated open space and/or to public areas is provided, a 2% decrease in the percentage of required open space will be considered. Qualified improvements shall include fountains, benches, trail surfacing, educational signage and/or additional landscaping. Each amenity provided will be considered separately; however, this incentive shall have a maximum total reduction of 10% of the required total.
- e. Vertical Mixed-Use Structures. For each vertical mixed-use structure provided within the development, three dwelling units may be placed on lots between 20,000 and 43,560 square feet. This incentive is limited to allowing no more than 5% of the total number of residential lots to be increased in this manner. In addition, the larger residential lots must be distributed in a manner that permits their integration within the community.
- f. LID and BMP. For either the use of low impact development techniques (LID) or the implementation of best management practices (BMP) as specified in the Act 167 Watershed Stormwater Management Plan and the use of pervious paving for all surface parking provided within the development, the maximum lot coverage permitted will be increased to 65%. However, the maximum impervious coverage standard shall not be increased above 85%.
- g. Natural Building Techniques. The use of natural building techniques or materials for a minimum of 5% of the total dwelling units shall permit an increase in maximum lot coverage to 65%. However, the maximum impervious coverage standard shall not be increased above 85%.
- h. Off-Street Pedestrian Improvements. Every improved trail, greenway, or other off-street pedestrian way that connects residential development to an open space element such as a playground, conservation area, active recreation facility or a civic or institutional use shall be qualified to receive a 2% decrease in the percentage of open space required. Multiple connections may be considered separately; however, this incentive shall not permit an accumulated reduction in excess of 10% of the total.

- i. Stormwater Management Amenities. Where stormwater management facilities are designed as amenities to the development and aesthetically enhance the open space provided, a 5% reduction in the amount of required open space will be considered. Such enhancements might include the incorporation of walking paths, water features, and/or rain gardens. Such features can be considered separately; however, this incentive shall not permit an accumulated reduction in excess of 15% of the total.
- j. Structured Parking. The maximum building square footage of non-residential units within structures can be doubled when all parking associated with the use(s) is located either underground or in a parking structure designed to serve one or more uses within a TTD. The maximum footprint of any building approved shall, however, not exceed 30,000 square feet. The maximum square footage for grocery stores may not be doubled in this manner.
- k. On-Street Parking. Where the parking for a non-residential use is to be accommodated entirely on-street, the number of spaces required to be provided may be reduced by 10%.

PART 5C – OFF-STREET PARKING AND LOADING
Subdivision and Land Development

PART 5C

OFF-STREET PARKING AND LOADING

§22-501C. Off-Street Parking and Loading Regulations.

Off-street parking and loading space shall be provided and maintained for each use and structure hereafter established, erected, altered or extended in accordance with the provisions of this Section.

A. General Regulations.

1. Use. All required off-street parking spaces shall be used solely for the parking of motor vehicles by residents, visitors, patrons or employees.
2. Location
 - a. All required parking spaces shall be located on the same lot as the use they serve, except that:
 - 1) The owner of two or more abutting lots may locate the use on one lot and the parking space required for the use on another of his abutting lots.
 - 2) Two or more abutting property owners may locate the parking space required for their uses on any of their lots if:
 - (a) The lot(s) providing the parking space abuts the lot(s) containing the use(s) it serves.
 - (b) All of the affected lots are in the same zoning district.
 - (c) Means of pedestrian access is provided from the parking space to the uses so that pedestrians are not required to traverse property owned by other than said property owners, except where public sidewalks may provide the access.
 - (d) That a lease, easement or other form of agreement be executed among said property owners assuring use of the required parking spaces are located on the same lot as the use they serve and recorded in the office for the recording of deeds of Centre County.
 3. In all cases above, all parking shall be included in the application for a zoning permit.
 - a. All parking spaces and lots open to the sky (i.e., not in garages or carports) shall be located no closer than 2 feet from any property line, except for abutting property lines of two or more lots exercising the options for common parking stipulated in paragraph .A(1)(a) of this Section.
 - b. All covered parking spaces and lots, including garages and carports, shall not be located within any yard setback area, except when permitted as an accessory building.
 - c. No parking lots open to the sky shall be permitted within the front yard setback area, except in the General Commercial (C) District.

- d. Parking of self-propelled motor vehicles (not including recreational vehicles) is prohibited on the lawn or in yard or in yard areas for all residential uses in all districts. This does not include the incidental parking of vehicles for washing or cleaning.
 - 4. Existing Facilities. Parking spaces and lots serving structures and uses in existence at the date of the adoption of this Chapter shall not be subject to the requirements of this Section as long as the kind or extent of use is not changed; provided, that any parking facility now serving such structures or uses shall not in the future be reduced below such requirements, or if already below such requirements, be reduced further.
 - 5. Change in Requirements. Whenever there is an alteration or extension of a use or structure which increases the parking requirements according to paragraph B, below, the total additional parking required for the alteration or extension shall be provided in accordance with the requirements of that paragraph.
 - 6. Construction. All required off-street parking spaces and aisles shall be paved with an all-weather material. For spaces and aisles which are not part of a parking lot as herein defined, this may include gravel or other crushed stone. However, for parking lots, the paving material shall be limited to asphalt, concrete or similar hard surface material with all parking spaces designated with a 4-inch contrasting stripe painted the entire length of each space in accordance with the dimensional requirements stipulated in paragraph B, below. All required off-street parking spaces and aisles for private recreational areas shall be constructed with 6 inches of crushed and compacted stone. Private recreation areas shall be exempt from such other construction regulations.
- B. Required Off-Street Parking Spaces. All uses and structures shall provide off-street parking spaces in an amount equal to, or greater than, the number listed below. The total number of parking spaces necessary for two or more uses on the same lot shall be the sum of that required for each use unless a shared parking arrangement is provided in accordance with the provisions of paragraph E. Shared parking spaces that are accessible by neighboring properties or uses may be permitted when use of the spaces does not occur during the same daily time period.
- 1. Dimensions. Each required off-street parking space shall be at least 9 feet wide and 18 feet long if set at an angle to the access aisle or 8 feet wide and 24 feet long if parallel to the access aisle.
 - 2. Number of Computation. In computing the required number of spaces, all fractional numbers more than $\frac{1}{2}$ shall be increased to the next highest integer. When computation is based on the number of employees, the number employed during the largest work shift shall be used. For retail and service parking calculations the gross floor area is that portion of the total floor area relegated to use by the customer and employees to consummate retail sales and services, including display areas, but not including office space and storage areas.

PART 5C – OFF-STREET PARKING AND LOADING
Subdivision and Land Development

REQUIRED OFF-STREET PARKING SPACES

RESIDENTIAL LAND USES		Minimum Required Off-Street Parking
1	Single-Family Detached Dwellings	2 spaces per dwelling unit
2	Single-Family Semi-Detached Dwellings	1.5 spaces per dwelling unit
3	Single-Family Attached Dwellings	1.5 spaces per dwelling unit
4	Two-Family Dwellings	1.5 spaces per dwelling unit
5	Multi-Family Dwellings	1.5 spaces per dwelling unit
6	Mobile Home Parks	2 spaces per dwelling unit
7	Model Homes	2 spaces per dwelling unit
8	Seasonal Dwellings	2 spaces per dwelling unit
9	Retirement Communities	1.5 spaces per dwelling unit
10	Assisted Living Facilities	1 space per rooming unit
11	Nursing and Other Convalescent Homes	1 space per rooming unit
12	Personal Care Homes, Large/Small	1 space per rooming unit
13	Group Homes	1 space per rooming unit
14	Home-Based Businesses, No-Impact (including Farm-Based Businesses, No-Impact)	base requirement for the applicable dwelling
15	Home Occupations	1 space per employee

REQUIRED OFF-STREET PARKING SPACES

REQUIRED OFF-STREET PARKING SPACES

NON-RESIDENTIAL LAND USES		Minimum Required Off-Street Parking
1	Administrative Office Buildings (associated with other uses)	1 space per 250 square feet of net floor area
2	Adult Business Uses	1 space per 500 square feet of net floor area
3	Agriculture	n/a
4	Agriculture/Environmental Education Program	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office
5	Amusement Arcades	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office
6	Any Use Owned or Managed by the Pennsylvania Department of Conservation and Natural Resources (PA DCNR) or the State Game Commission	n/a
7	Archery and Shooting Ranges, Indoor/Outdoor	1 space per target stand or shooting station

NON-RESIDENTIAL LAND USES		Minimum Required Off-Street Parking
8	Archival Libraries	1 space per 750 square feet of net floor area
9	Auto Wrecking, Junk, and Scrap Establishments	1 space per 5,000 square feet of indoor/outdoor storage area + ratio associated with Administrative Office Buildings as applicable
10	Automobile Service Stations and Garages	1 space per pump + 6 spaces per repair/service bay + ratio associated with Convenience Food Stores as applicable
11	Banks and Financial Establishments	1 space per 250 square feet of net floor area
12	Bed and Breakfasts	1.2 spaces per rooming unit
13	Bird and Wildlife Sanctuaries/Fish Hatcheries	n/a
14	Bus Passenger Stations	1 space per 200 square feet of net floor area or lot area sufficient to support program
15	Business, Professional and Financial Offices	1 space per 250 square feet of net floor area
16	Camping Grounds	1 space per 2 campsites
17	Car Washes	4 stalls + 1 vacuum unit as applicable
18	Cideries	1 space per 250 square feet of net floor area
19	Cigar, Hookah, and/or Vapor Lounges	1 space per 50 square feet of net floor area
20	Cemeteries	1 space per 350 square feet of indoor gathering space
21	Child/Day Care Centers	1 space per 350 square feet of net floor area
22	Clinics and Medical and Dental Offices	1 space per 250 square feet of net floor area
23	Commercial Hunting Preserves	n/a
24	Communication Facilities	1 space per building
25	Communications Towers	1 space per tower
26	Community Gardens	1 space per 10 garden plots
27	Conservation Areas	1 space per full-time equivalent employee
28	Convenience Food Stores	1 space per 200 square feet of net floor area
29	Country Clubs	10 spaces per golf hole
30	Day and Overnight Camping	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office
31	Eating and Drinking Establishments, Sit-Down	1 space per 50 square feet of net indoor floor area plus 1 per 4 chairs of outdoor seating
32	Eating and Drinking Establishments, Takeout	1 space per 100 square feet of floor area for seating, standing, and waiting
33	Emergency Services	2 spaces per service vehicle + 1 space per 350 square feet of net floor area
34	Equestrian Facilities/Horse Riding Stables/Riding Academies	1 space per 2 stalls + 1 space per 4 persons based on max. design capacity as permitted

PART 5C – OFF-STREET PARKING AND LOADING
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NON-RESIDENTIAL LAND USES		Minimum Required Off-Street Parking
		by the Centre Region Code Office
35	Essential Services	1 space per employee + 1 space per 2,500 square feet of net floor area
36	Exhibit Halls and Museums	1 space per 500 square feet of gross floor area + 1 space for buses/vans of 10+ occupants per 2,000 square feet of net floor area
37	Farm Cafés	1 space per 50 square feet of net indoor floor area
38	Farm Markets	1 space per 200 square feet of sales area (indoor or outdoor)
39	Food Catering	1 space per 400 square feet of net floor area
40	Forestry	n/a
41	Freight and Trucking Terminals	1 space per 2,000 square feet of net floor area
42	General Natural Resource Research	1 space per 500 square feet of net floor area
43	General Storage to include Boats and RVs	n/a
44	General Weather, Radio and Satellite Research	1 space per 500 square feet of net floor area
45	Golf Courses	10 spaces per golf hole
46	Grocery Stores	1 space per 200 square feet of net floor area
47	Health and Athletic Clubs	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office
48	Hotels and Motels	1.2 spaces per rooming unit
49	Incinerators	1 space per work vehicle
50	Kennels	1 space per 250 square feet of net floor area of office area + 1 space per 4 animal holding areas
51	Landscape and Garden Centers, Non-Retail	1 space per 10,000 square feet of growing area
52	Landscape and Garden Centers, Retail	1 space per 250 square feet of indoor and/or outdoor sales area
53	Laundromats	1 space per 250 square feet of net floor area
54	Manufacturing, Processing or Bulk Storage of Natural Gas	1 space per work vehicle
55	Medical Marijuana Dispensaries	4 spaces per pharmacist or physician
56	Micro-Distilleries/Breweries (Beverage Production Facilities)	1 space per 50 square feet of brew pub or tap/tasting room
57	Mining and Quarrying	1 space per 250 square feet of net floor area of office area (for Administrative Office Buildings)
58	Mortuaries	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office

NON-RESIDENTIAL LAND USES		Minimum Required Off-Street Parking
59	Moving and Storage Parcel Delivery and Express Transfer Stations	1 space per 2,000 square feet of net floor area
60	Nature Education Centers	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office
61	Places of Assembly, Neighborhood/Community/Regional	1 space per 4 seats in the largest assembly room
62	Personal Service Establishments	1 space per 200 square feet of net floor area or 2 spaces per customer chair, whichever is greater
63	Pet Care Services	3.5 spaces per 1,000 square feet of net floor area
64	Pet Stores	1 space per 200 square feet of net floor area
65	Potable Water Pump Station Facilities	1 space per facility
66	Printing Establishments	1 space per peak-hour employee
67	Park and Outdoor Recreational Facilities, Private	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office
68	Park and Outdoor Recreational Facilities, Neighborhood/Community/Regional, Public	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office
69	Public or Private Parking Garages	1 space per 250 square feet of net floor area
70	Radio and Television Studios, Excluding Towers in Excess of District Max. Height	1 space per 250 square feet of net floor area
71	Recreation Facilities for Employees, Faculty and Students	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office
72	Retail Establishments, Agriculture Supported	1 space per 500 square feet of sales area (indoor or outdoor)
73	Retail Establishments, Value Added Agriculture	1 space per 500 square feet of sales area (indoor or outdoor)
74	Retail Establishments, General	1 space per 200 square feet of net floor area
75	School, Commercial	1 space per faculty member and/or employee + 1 space per 3 students (at full capacity scenario)
76	School, Public or Private	All schools: 1 space per faculty member and/or employee + 1 space for every 3 students in the eleventh and twelfth grades or 1 space for every three seats in the main auditorium, stadium or equivalent multi-purpose assembly space, whichever is the greater.
77	Self-Service Storage Facilities	1 space per 50 storage spaces + 1 space per full-time equivalent employee

PART 5C – OFF-STREET PARKING AND LOADING
Subdivision and Land Development

NON-RESIDENTIAL LAND USES		Minimum Required Off-Street Parking
78	Solar Energy Systems (PSES)	1 space per operating/control station
79	Sporting and Entertainment Arenas and Stadiums	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office
80	Sport and Field Complexes	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office
81	Storage of Passenger Vehicles and Light Trucks	n/a
82	Studios for Instruction in Music, Performing Arts and Visual Media	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office
83	Taxi and Limousine Services	2 spaces per vehicle + 1 spacer per 350 square feet of net floor area of office area (for Administrative Office Buildings)
84	Telecommunications Switching Facilities	1 space per 2,000 square feet of net floor area
85	Treatment Centers	1 space per 3 persons based on max. design capacity as permitted by the Centre Region Code Office
86	Tutoring and Study Centers	1 space per 200 square feet of net floor area
87	Veterinary Offices/Clinics	1 space per 250 square feet of net floor area
88	Water Production Facilities	1 space per work vehicle
89	Wholesale Distribution, Warehouses	1 space per 2,000 square feet of net floor area
90	Wind Energy Systems	1 space per operating/control station
91	Wineries/Tasting Facilities	1 space per 50 square feet of tasting room
92	All Other Commercial and Industrial Uses	shall be determined through a parking study provided by the applicant and as per recommendation by the Planning Commission

*Sufficient delivery and pick-up area is to be provided such that streets and private/public roads are not congested nor hazardous as a result of the above uses.

- 3. Handicapped Parking. The size and number of these spaces shall be required as specified in the Township Building Code. The signage for each space must contain the handicapped symbol, state that violators will be towed or fined and the minimum and maximum fine.

- C. Parking Lots. For the purposes of this Chapter, parking lots are defined as facilities providing off-street parking space for five or more motor vehicles. All parking lots shall meet the design and maintenance standards specified below. All applications for a zoning permit to use land, in whole or in part, as a parking lot as herein defined shall be accompanied by a land development plan as stipulated in this Chapter.

1. Dimensions. All parking spaces shall comply with the dimensions specified in this Chapter. The minimum dimensions of all aisles providing access to parking lot spaces shall be as follows:

<u>Angle of Parking Space to Aisle (in degrees)</u>	<u>Aisle Width (in feet)</u>	
	One Way	Two Way
Parallel	12	20
30 (150)	12	20
45 (135)	15	20
60 (120)	18	20
90	24	24

No portion of any parking space shall intrude into the required aisle width. For aisles providing access to parking spaces set at angles other than those specified above, the required aisle width shall be that of the nearest specified angle of parking. If equidistant from specified angles, the greatest aisle width of the two nearest angles shall apply.

2. Obstructions. Parking lots shall be designed to permit each motor vehicle to proceed to and from all unoccupied parking spaces without requiring the moving of any other parked motor vehicle.
3. Ingress and Egress. Entrance and exit driveways and aisles linking parking lots to public streets shall comply with the standards for motor vehicle access. Parking spaces shall be designed to prevent motor vehicles from backing onto a public street in order to leave the lot.
- D. Loading Regulations. Space for the loading and unloading of vehicles shall be provided when required below. Each required space shall be at least 12 feet in width, 45 feet in length and have a vertical clearance of at least 14 feet. Spaces shall be located no closer than 10 feet from a public right-of-way and 5 feet from any other lot line and shall be paved with an all-weather material.
 1. One off-street loading space is required for all nonresidential uses with a floor area of at least 5,000 square feet but less than 20,000 square feet or more, one additional space shall be provided for each additional 20,000 square feet or fraction thereof.
 2. Required off-street parking spaces shall not be used for loading and unloading purposes except during hours when business operations are suspended.
 3. All required loading and unloading spaces shall be located on the same property as the use they serve.
 4. The provisions of subsections above, pertaining to off-street parking space shall also pertain to all required off-street loading and unloading spaces.

PART 5C – OFF-STREET PARKING AND LOADING
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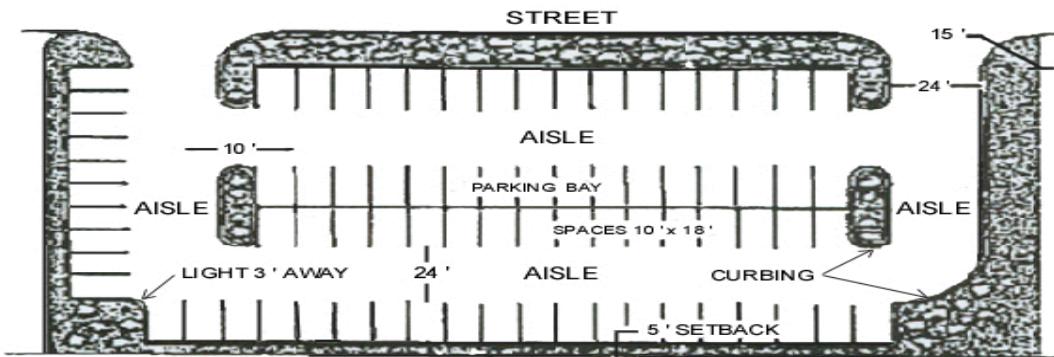
- E. Provisions to Reduce Required Off-Street Parking Spaces. In an effort to reduce impervious coverage, traffic congestion and allow an increase in landscaped green space area and/or building size, the following shall be considered:
1. Shared parking spaces that are accessible by neighboring properties or uses may be permitted when use of the spaces does not occur during the same daily time period. The applicant must provide justification showing calculations of the peak parking use for the spaces that would have overlapping users, during their respective hours of operation. The hours of operation must show that sufficient spaces would be available for the shared parking purpose. As a result, the number of parking spaces could be reduced no more than one half of the total required for the particular use(s) participating in shared parking. Should the use change in the future, and its associated off-street parking, the parking must be provided as required or shared additional parking be pursued.
 2. When increasing the passengers per vehicle to sites with high employment would decrease parking demand, relief in the required parking spaces may occur. The parking spaces may be reduced by a factor of 25% if the applicant for land development plan approval provides a transportation management program to utilize one or a combination of the following modes to reduce single occupant vehicles that is based on substantiated projections of reduction in demand:
 - a. Shared ride/carpooling.
 - b. Van pooling.
 - c. Subscription bus service(s); CATA bus.
 3. To qualify for the above, the applicant must provide evidence to the approval of the Board of Supervisors that:
 - a. The applicant shall establish an approved carpooling program.
 - b. Applicant will obtain or lease to qualified employees vans, buses or the high passenger-capacity vehicles, for the purpose of providing transportation of additional passengers (vanpooling).
 - c. Applicant will operate or hire vans, buses or other high passenger- capacity vehicles to provide exclusive or non-exclusive commuter transportation of employees from residential areas, other transit terminals, such as park and ride.
 - d. Applicant shall contribute to the public bus service to add routes, shelter, amenities or fare contribution that would be generated by those employees to utilize the bus service.
 4. Additionally, programs to increase vanpooling and carpooling, are examples that follow:
 - a. Applicant will employ working day policy known as flextime where employees are given some latitude on starting and quitting times.
 - b. Applicant will provide adequate lunch facilities on the site.
 - c. Applicant will provide preferential parking.

- d. As a part of the request to reduce parking spaces, the applicant shall show to the satisfaction of the Board of Supervisors that the actions proposed shall reduce the parking demand by the amount requested.
- 5. At the option of the approval by the Board of Supervisors, a reduction of off-street parking spaces may be considered as follows that would pertain only to parking at the site fronting arterial and/or highway roads:
 - a. The buffer yard in the front contains unique natural features as determined by the Board of Supervisors that may require an area to be wider than the minimum front buffer.
 - b. The buffer yard in the front contains features that contribute to the community character of the Township as determined by the Board of Supervisors that may require an area to be wider than the minimum front buffer.
 - c. The requirements of a corridor overlay zone that may provide for a wider than minimum buffer.
 - d. Opportunities to preserve stands of existing trees using creative landscaping designs would be helpful to enhance the appearance of pedestrian areas, as well as breaking up the monotony of a large lot.

The Planning Commission may recommend and the Board of Supervisors may approve the reduction in off-street parking spaces associated with increasing the front buffer yard. The area removed from parking must be sufficient to provide the required parking. The area removed from parking may be returned to parking at a future date should the operator of the use experience a parking shortage based on demand after the use has been in operation for a period exceeding two (2) years. The requirement of land development plan submission and approval must follow in order to return the area to parking.

- F. Parking for Vehicles for Sale or Rental and for Commercial Vehicle Storage. Motor vehicles, motorcycles, mobile homes, recreational vehicles, boats and marine craft, held for sale or rental, may be displayed or stored only in accordance with the terms of this subsection:
 - 1. Motor vehicles, motorcycles, mobile homes, recreational vehicles, boats and marine craft held for sale or rental may be displayed or stored only on the lot of the principal place of business of the owner of the sale or rental business or on a separate lot, but only if the separate lot is used for no other purpose than the display or storage of said items. In all cases, such activity and use may occur only in the General Commercial District.
 - 2. All areas used for such display or storage must be located in accordance with the setback requirements set forth in this Chapter for parking lots. All screening required of parking lots shall apply to display and storage parking areas.
 - 3. Areas used for commercial display or storage of said items must be constructed of an impervious surface, unless a pervious surface is approved by the Township Engineer and, in both cases, in accordance with the specifications of the Township Engineer.
 - 4. Areas used for commercial display or storage of said items may not be used in calculating required off-street parking.

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5. No motor vehicle, motorcycle, mobile home, recreational vehicle, boat or marine craft may be commercially displayed or stored in an area or manner other than set forth on an approved land development plan.

§22-502C. Bicycle Parking Regulations.

- A. Short-Term and Long-Term Bicycle Parking Spaces shall be required for all New Development and Major Renovations.

1. Bicycle Parking Spaces Required.

- a. Required Number of Bicycle Parking Spaces: All New Development and Major Renovations shall provide at least the number of Short-Term and Long-Term Bicycle Parking Spaces identified in the table in this subsection; however, the number shall not fall below a minimum of two (2) Short-Term and two (2) Long-Term Bicycle Parking Spaces, regardless of other provisions herein, except that multi-family dwellings that have private garages (or equivalent separate storage space for each unit) are not required to provide any Long-Term Bicycle Parking Spaces. Where the calculation of total required spaces results in a fractional number, the next highest whole number shall be used. Up to half of the required Short-Term Bicycle Parking Spaces may be replaced with Long-Term Bicycle Parking Spaces.

General Use Category	Specific Use	Number of Short-Term Bicycle Parking Spaces Required	Number of Long-Term Bicycle Parking Spaces Required
Residential	Multi-Family Dwelling with more than 4 units: (a) <i>without</i> private garage or equivalent separate storage space for each unit (b) <i>with</i> private garage or equivalent separate storage space for each unit	[.05] per bedroom <i>or</i> [1] per [20] units [.05] per bedroom <i>or</i> [1] per [20] units	[.5] per bedroom <i>or</i> [1-4] per [4] units None

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General Use Category	Specific Use	Number of Short-Term Bicycle Parking Spaces Required	Number of Long-Term Bicycle Parking Spaces Required
Commercial	Office Building	[1] per each [20,000] sq.ft. of floor area	[1-1.5] per [10,000] sq.ft. of floor area
	General Retail	[1] per each [5,000] sq.ft. of floor area	[1] per [10,000-12,000] sq.ft. of floor area
	Grocery	[1] per each [2,000] sq.ft. of floor area	[1] per [10,000-12,000] sq.ft. of floor area
	Restaurant	[1] per each [2,000] sq.ft. of floor area	[1] per [10,000-12,000] sq.ft. of floor area
	Parking Garage	[2] spaces	[1] per [20] motor vehicle spaces
	Outdoor Parking Lot	[1] per [20] motor vehicle spaces	[2] spaces
Civic	Non-assembly cultural (e.g., library, government buildings)	[1] per each [8,000 -10,000] sq. ft. of floor area	[1 -1.5] per each [10-20] employees
	Assembly (e.g., place of worship, theater, stadiums, parks)	Spaces for [2-5] per cent of maximum expected daily attendance	[1- 1.5] per each [20] employees
	Schools (K-12)	[1] per each [20] students of planned capacity	[1] per each [10-20] employees and [1] per each [20] students of planned capacity for grades 6-12
	Colleges and Universities	[1] per each [10] students of planned capacity	[1] per each [10-20] employees and [1] per each [10] students of planned capacity or [1] per each [20,000] sq. feet of floor area, whichever is greater
Industrial	Manufacturing and Production, Agriculture	[2] spaces (Can be increased at discretion of Planning/Zoning Administrator)	[1] per 20 employees

- b. If the New Development or Major Renovation is for a use not listed in the above table, the number of Bicycle Parking Spaces required shall be calculated on the basis of a similar use, as determined by the Township.
- c. If the Major Renovation has an estimated construction cost of between two hundred fifty thousand (\$250,000) and one million (\$1,000,000), excluding the cost of (1) compliance with accessibility requirements for individuals with disabilities under governing federal, state, or local law, and (2) seismic or other structural safety retrofit, the number of Bicycle Parking Spaces required by subsections §22-502.C.(A)-(B), shall be reduced by fifty percent (50%); however, the minimum requirement of two (2) short-term and two (20) long-term bicycle parking spaces shall still apply.

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2. Building Permits and Certificates of Occupancy.
 - a. Prior to issuance of a building permit for New Development or a Major Renovation, the submitted plans must include specific provisions for bicycle parking that are consistent with the requirements of this Ordinance. No certificate of occupancy for said building permit shall issue at the conclusion of the project until Ferguson Township finds that the applicable provisions of this Ordinance have been complied with.
3. Exiting Bicycle Parking Affected by Construction.
 - a. In the event that Ferguson Township has authorized a permit holder to remove existing bicycle parking in the public right-of-way due to construction, the permit holder shall replace such bicycle parking no later than the date of completion of the construction. At least seven (7) days prior to removal of such bicycle parking, the permit holder shall post, in the immediate vicinity of the bicycle parking area, a weather-proof notice, with a minimum type size of one (1) inch, specifying the date of removal. In the event that any bicycles remain parked on the date of the removal, such bicycles shall be stored for a reasonable period, not less than forty-five (45) days, and a conspicuous, weather-proof notice shall be placed as close as feasible to the site of the removed bicycle parking containing information as to how to retrieve a removed bicycle.
 - b. If bicycle parking is likely to be removed, pursuant to this section, for more than one hundred twenty (120) days, it shall, to the extent possible, be temporarily re-sited, in coordination with the Township Department of Planning and Zoning, to a location as close to the original site as feasible, pending completion of the construction. If the temporary site is not clearly visible from the original site, the permit holder shall post a conspicuous, weather-proof notice in the immediate vicinity of the original site informing bicyclists of the location of the temporary site.
4. Bicycle Parking Standards – General.
 - a. All Bicycle Parking Spaces shall be:
 - 1) Well lit if accessible to the public or bicyclists after dark;
 - 2) Located to ensure significant visibility by the public and building users, except in the case of Long-Term Bicycle Parking that is located in secured areas;
 - 3) Accessible without climbing more than one step or going up or down a slope in excess of twelve percent (12%) and via a route on the property that is designed to minimize conflicts with motor vehicles and pedestrians.
 - b. All In-Street Bicycle Parking and Bicycle Parking Spaces located in a parking facility shall be:
 - 1) Clearly marked; and
 - 2) Separated from motor vehicles by some form of physical barrier (such as bollards, concrete or rubber curbing or pads, reflective wands, a wall, or a combination thereof) designed to adequately protect the safety of bicyclists and bicycles.

- c. All Bike Racks shall be located at least thirty-six (36) inches in all directions from any obstruction, including but not limited to other Bike Racks, walls, doors, posts, columns, or exterior or interior landscaping.
 - d. Unless Bicycle Parking Spaces are clearly visible from an entrance, a sign indicating their location shall be prominently displayed outside the main entrance to the building or facility, and additional signs shall be provided as necessary to ensure easy way finding. A “Bicycle Parking” sign shall also be displayed on or adjacent to any indoor room or area designated for bicycle parking. All outdoor signs required by this section shall be no smaller than twelve (12) x eighteen (18) inches and utilize a type size of at least two (2) inches. All indoor signs required by this section shall be no smaller than eight (8) x ten (10) inches and utilize a type size of at least five-eighths (5/8) inch.
5. Additional Requirements Applicable to Short-Term Bicycle Parking Only.

All Short-Term Bicycle Parking Spaces shall contain Bike Racks and shall meet the following requirements, in addition to the associated requirements above:

- a. Location.
 - 1) Short-Term Bicycle Parking must be located either (a) within fifty (50) feet of the main public entrance of the building or facility, or (b) no further than the nearest motor vehicle parking space to the main public entrance (excluding parking for individuals with disabilities), whichever is closer. If the New Development or Major Renovation contains multiple buildings or facilities, the required Short-Term Bicycle Parking shall be distributed to maximize convenience and use.
 - 2) Short-Term Bicycle Parking Spaces may be located either (a) on-site or (b) in the public right-of-way (e.g., sidewalk or In-Street Bicycle Parking), provided that an encroachment permit is obtained for the installation and the installation meets all other requirements of encroachments on public rights-of-way. If Bike Racks are located on public sidewalks, they must provide at least five (5) feet of pedestrian clearance, and up to six (6) feet where available and be at least two (2) feet from the curb.

b. Bike Rack Requirements.

- 1) Bike Racks used for Short-Term Bicycle Parking must be securely attached to concrete footings, a concrete sidewalk, or another comparably secure concrete surface, and made to withstand severe weather and permanent exposure to the elements.

6. Additional Requirements Applicable to Long-Term Bicycle Parking Only.

Long-Term Bicycle Parking shall be provided in either (1) Bike Lockers or (2) indoor rooms or areas specifically designated for bicycle parking (including designated areas of an indoor parking facility), and shall satisfy the following requirements, in addition to the associated requirements above:

- a. Location: Long-Term Bicycle Parking may be located either on- or off-site. If located off-site, it shall be no more than three hundred (300) feet from the main public entrance.
- b. Requirements for Indoor Long-Term Bicycle Parking: Long-Term Bicycle Parking located in designated indoor rooms or areas shall contain Bike Racks or comparable devices. Such

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rooms shall be designed to maximize visibility of all portions of the room or designated area from the entrance. Supplemental security measures (such as limiting access to a designated indoor bike parking room to persons with a key, smart card, or code) are optional.

7. Motor Vehicle Parking Space Credits.

- a. For every six (6) Bicycle Parking Spaces provided, the number of required off-street motor vehicle parking spaces (excluding parking spaces for individuals with disabilities) on a site shall be reduced by one (1) space.
- b. To encourage the installation of showers at non-residential sites, the number of required off-street motor vehicle parking spaces for such sites shall be reduced as follows: A credit of one (1) space shall be provided for the first shower installed, with additional off-street motor vehicle parking credits available at a rate of one (1) space for each additional shower provided per twenty-five (25) required Bicycle Parking Spaces. In order to claim these credits, which shall be in addition to the bicycle parking credits provided for in [Section II, § 9(A)], shower facilities must be readily available for use by all employees of the New Development or Major Renovation.

B. Bicycle Parking Requirements for Parking Facilities.

1. Purpose:

- a. The purpose of this Section is to provide sufficient safe and convenient bicycle parking in parking facilities so as to encourage bicycling as a form of transportation, which in turn reduces traffic congestion, air pollution, wear and tear on roads, and use of fossil fuels, while fostering healthy physical activity.

2. Licensing Conditions.

- a. As a condition of the issuance or renewal of a license required by the Township for a parking facility, parking facilities shall provide one (1) Bicycle Parking Space per each twenty (20) vehicle parking spaces provided, with a minimum of six (6) Bicycle Parking Spaces. Where the calculation of total required spaces results in a fractional number, the next highest whole number shall be used.

3. Location.

- a. All Bicycle Parking Spaces required by this Section shall be located in an area, preferably on the ground floor, that (i) can be conveniently and safely accessed by bicycle and by foot in a way that minimizes conflicts with motor vehicles, (ii) is not isolated, and (iii) maximizes visibility by parking facility patrons and attendants. If the licensed parking facility has multiple entrances, the required Bicycle Parking Spaces may be spread out among the multiple entrances. Bicycle Parking Spaces shall be accessible without climbing more than one step or going up or down a slope in excess of twelve percent (12%).

4. Bike Racks.

- a. All Bicycle Parking Spaces required by this Section shall contain Bike Racks and shall be well lit if accessible to the public or bicyclists after dark or if in an interior or darkened location. All Bike Racks shall also provide a clearance of at least thirty-six (36) inches in all directions from any obstruction (including but not limited to other bike racks, walls,

doors, posts, columns or landscaping), and shall be separated from vehicles by some form of physical barrier (such as bollards, concrete or rubber curbing or pads, reflective wands, a wall, or a combination thereof) designed to adequately protect the safety of bicyclists and bicycles. All Bike Racks located outdoors shall also be securely attached to concrete footings and made to withstand severe weather and permanent exposure to the elements.

5. Signage.
 - a. Parking facilities shall also install prominent signs, no smaller than twelve (12) x eighteen (18) inches and utilizing a type size of at least two (2) inches, in or near each entrance that advertise the availability of bicycle parking, and the location, if it is not visible from the entrance.
6. Contractual Limits on Liability.
 - a. This Section shall not interfere with the rights of a parking facility owner (or designee) to enter into agreements with facility users or take other lawful measures to limit the parking facility's liability to users, including bicycle users, with respect to parking in the parking facility, provided that such agreements or measures are otherwise in accordance with the requirements of this Ordinance and the law.

C. Bicycle Parking Requirements for Special Events Involving Street Closures.

1. Purpose.
 - a. The purpose of this Section is to provide sufficient safe and convenient bicycle parking at special events involving street closures to encourage bicycling as a form of transportation, which in turn reduces traffic congestion, air pollution, wear and tear on roads, and use of fossil fuels, while fostering healthy physical activity.
2. Conditions on Street Closure Permits.
 - a. As a condition of a permit for the closure of a street for a special event in which the daily number of participants is projected to be one thousand (1,000) or more, monitored bicycle parking shall be provided by the event sponsor (or a designee) for at least one percent (1%) of expected daily participants beginning one-half ($\frac{1}{2}$) hour before and ending one-half ($\frac{1}{2}$) hour after the time of the event each day of the event.
3. Requirements for Monitored Parking.
 - a. Monitored bicycle parking shall include the presence, at all times, of one attendant, or more as needed, to receive bicycles, dispense claim checks, return bicycles, and provide security for all bicycles.
4. Location.
 - a. All monitored bicycle parking shall be located within five hundred (500) feet of at least one regular entrance or access point to the event.
5. Publicity and Signage.
 - a. All publicity, including signs, for the event shall state the availability of monitored bicycle parking, its location, and cost, if any. All event maps shall include the location of monitored bicycle parking. If monitored bicycle parking is not within eyeshot of each entrance, signs shall be provided to ensure easy way finding.

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6. Insurance Coverage and Fees.

- a. The event sponsor or designee must provide insurance coverage for the monitored bicycle parking in case of damaged or stolen bicycles and may charge users a fee to cover the cost of providing the monitored parking.

D. Removal of Abandoned Bicycles.

1. Purpose.

- a. The purpose of this Section is to ensure the reasonably prompt removal of bicycles abandoned in Bicycle Parking Spaces so as to encourage bicycling as a form of transportation, which in turn reduces traffic congestion, air pollution, wear and tear on roads, and use of fossil fuels, while fostering healthy physical activity.

2. Definitions.

- a. The definitions set forth in this Ordinance shall apply to this Section, unless the context clearly requires otherwise.

3. Removal Requirements.

- a. On [a quarterly basis], owners of property (or a designee) subject to §22-502C or §22-502D of this Ordinance shall remove, from all Bicycle Parking Spaces associated with their property, including those located on the public right-of-way, bicycles that have been abandoned. A bicycle shall be deemed to be abandoned if it has not been removed after having been tagged with a notice of removal for two (2) weeks for Short-Term Bicycle Parking Spaces or four (4) weeks for Long-Term Bicycle Parking Spaces. However, a bicycle shall not be deemed to be abandoned if the bicyclist and property owner (or designee) have a written agreement regarding provision of long-term storage covering the time period in question. Abandoned bicycles may be donated to non-profits that reuse bicycles or may be disposed of in any lawful manner.

PART 6

ADMINISTRATION AND ENFORCEMENT

§22-601. General Provisions.

The Township Board of Supervisors, or their duly appointed representatives, shall have the duty and authority for the administration and general enforcement of the provisions of this Chapter, as specified herein. Permits required by the Township for the erection or alteration of buildings, the installation of sewage disposal systems, or for other appurtenant improvements to, or use of, the land, shall not be issued by any municipal official unless in accordance with the procedures specified herein.

- A. Fees. The Board of Supervisors may establish by resolution a schedule of fees and a collection procedure for review and inspection of all applications for approval of a subdivision or land development plan.
 1. All such fees shall be payable to the Township.
 2. No plan shall be considered as having been filed or accepted for review, inspection, or approval unless and until all fees are first paid in full.
 3. No plan shall receive final signature until all outstanding fees have been paid in full.

§22-602. Penalties.

Any person, partnership, or corporation who or which being the owner or agent of any lot, tract or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plan of such subdivision or land development or erect any building thereon, unless and until a plan has been prepared and approved in full compliance with the provisions of this Chapter shall be subject to those penalties prescribed by the Pennsylvania Municipalities Planning Code, which penalties deem such misconduct a misdemeanor and provides for the imposition of fines and other penalties.

- A. The Township may initiate and maintain civil action:
 1. To obtain injunction relief against the owner or agency who attempts the improper sale or conveyance of land.
 2. To set aside and invalidate any conveyances of land made prior to plan approval of any subdivision.
 3. To enforce, at law or in equity, any of the provisions of this Chapter.
- B. Nothing herein shall prevent the Township from taking such other action necessary to prevent or remedy any violation.

§22-603. Amendments.

Provisions of this Chapter may, from time to time, be amended through action of the Board of Supervisors in the manner provided by Article V of the Pennsylvania Municipalities Planning Code, as amended.

PART 7 – OFFICIAL MAP ORDINANCE
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PART 7

OFFICIAL MAP ORDINANCE

§22-701. General Provisions.

- A. Short Title. This Part shall be known and may be cited as the "Ferguson Township Official Map Ordinance."
- B. Authority. This Part is enacted and ordained under the grant of powers by the General Assembly of the Commonwealth of Pennsylvania, the Pennsylvania Municipalities Planning Code, Act of 1968, July 31, P.L. 805, as amended, 53 P.S. §10101 et seq.
- C. Purpose. This Part is enacted for the purpose of serving and promoting the public health, safety, convenience and general welfare; to facilitate adequate provision of public streets and facilities; to improve traffic circulation; to provide for the recreational and open space needs of the community; to provide pedestrian ways and easements; to protect and enhance water resources; to provide for flood control basins, floodways and floodplains, stormwater management areas and drainage easements; and to facilitate the subdivision of land and the use of land and watercourses.

§22-702. Establishment of Controls.

- A. Provisions of the Official Map Ordinance.
 1. The Official Map, as enacted by this Part, and subsequently amended, shall identify the location of the lines of:
 - a) Existing and proposed public streets, well sites, watercourses and public grounds, including widenings, narrowings, extensions, diminutions, openings or closings of same.
 - b) Existing and proposed public parks, playgrounds and open space reservations.
 - c) Pedestrian ways and easements.
 - d) Railroad and transit rights-of-way and easements.
 - e) Flood control basins, floodways and floodplains, stormwater management areas and drainage easements.
 - f) Support facilities, easements and other properties held by public bodies undertaking the elements described in §301 of the Municipalities Planning Code.
 2. At the time of enactment of this Part, all existing surveys designating the exact location of the lines of existing public street rights-of-way, watercourses and public grounds, including surveys prepared by government agencies or incorporated as part of final, recorded, subdivision and land development plans duly approved by the Board of Supervisors shall, by reference, be deemed an attachment to the Official Map for the purpose of so designating the exact location of said existing lines.
 3. The Township, by amending ordinances, may make additions or modifications to the Official Map, or part thereof. For the purpose of initially preserving land on the Official Map, property records, aerial photography, photogrammetric mapping or other methods sufficient for identification, description and publication of the Official Map shall be sufficient. For the

acquisition of lands and easements, boundary descriptions by metes and bounds shall be made and sealed by a licensed surveyor. The Township may also vacate by ordinance any existing or proposed public street, watercourse or public ground contained in the Official Map, or part thereof.

4. Unless otherwise specified, all proposed public street rights-of-way and widening of existing public street rights-of-way shall meet the width requirements specified in the Subdivision and Land Development Ordinance, this Chapter, for the street classifications designated.
- B. Incorporation of the Official Map. The Official Map, including all notations, references and other data shown thereon, is hereby incorporated by reference into this Part as if it were fully described herein.
 1. Certification of the Official Map. The Official Map shall be identified by the signatures of the Board of Supervisors, attested by the Township Secretary, under the following words: "This is to certify that this is the Official Map of the Township of Ferguson referred to in §2 of Ordinance No. 456 of the Township of Ferguson, Centre County, Pennsylvania," together with the date of enactment of this Part. The Map shall be kept on file with the Township Manager. Following adoption of this Part and Official Map, or any amendment thereof, a copy of the same, verified by the Township Secretary, shall be submitted to the Recorder of Deeds of Centre County and shall be recorded within 60 days of the effective date of this Part or amendment thereof.
 2. Changes in Official Map. If, in accordance with the provisions of this Part, changes are made to the location of lines designated existing or proposed public streets, watercourses or public grounds, such changes shall be entered promptly on said Map. All changes, except those resulting from subdivision and land development plans, as specified in §704, below, shall be certified by initialing of the Map by the Chairman of the Board of Supervisors, together with the amending ordinance number and date of enactment. Following adoption of the Ordinance and Official Map, or any amendment thereof, a copy of the same, verified by the Township Secretary, shall be submitted to the Recorder of Deeds of Centre County and shall be recorded within 60 days of the effective date of the Ordinance or amendment thereof.
 3. Relationship with County Official Map. The adoption of an Official Map by the County shall not affect the Ferguson Township Official Map except that the County Official Map shall govern as to County streets and public grounds of the County in accordance with the Pennsylvania Municipalities Code.
 4. Relationship with Adjacent Municipalities. If the Official Map, or amendment thereto, shows any streets or public lands intended to lead into any adjacent municipalities, a copy of said Official Map or amendment shall be forwarded to such adjacent municipality. The comments of the adjacent municipality shall be made to the Board of Supervisors of Ferguson Township within 45 days of such forwarding, and the proposed action by the Board of Supervisors shall not be taken until such comments are received; provided, however, if the adjacent municipality fails to provide comments within 45 days, the Board of Supervisors may proceed without the comments of the adjacent municipality. Upon adoption of the Official Map, or any amendment thereof, in which any street or public lands are intended to lead into an adjacent municipality, a certified copy of the Map and ordinance adopting it shall be forwarded within 30 days after adoption to the adjacent municipality.

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§22-703. Effect of Controls.

- A. Construction Within Mapped Streets, Watercourses or Public Grounds. For the purpose of preserving the integrity of the Official Map of the Township, no permit shall be issued for any building within the lines of any street, watercourse or public ground shown or laid out on the Official Map. No person shall recover any damages for the taking for public use of building or improvements constructed within the lines of any street, any watercourse or public ground after the same shall have been included in the Official Map, and any such building or improvement shall be removed at the expense of the owner. However, when the property of which the reserved location forms a part cannot yield a reasonable return to the owner unless a permit shall be granted, the owner may apply to the Board of Supervisors for the grant of a permit to build. Before granting any permit authorized in this Section, the Board of Supervisors may submit the application for a special encroachment permit to the Planning Commission and allow the Planning Commission 30 days for review and comment and shall give public notice and hold a public hearing at which all parties in interest shall have an opportunity to be heard. A refusal by the Board of Supervisors to grant the special encroachment permit applied for may be appealed by the applicant to the Zoning Hearing Board in the same manner and within the same time limitation as is provided in Article IX of the Municipalities Planning Code.
 1. The Board of Supervisors may fix the time for which streets, watercourses and public grounds on the Official Map shall be deemed preserved for future taking or acquisition for public use.
 2. The reservation for public grounds shall lapse and become void 1 year after an owner of such property has submitted a written notice to the Board of Supervisors announcing his intention to build, subdivide or otherwise develop the land covered by the reservation or has made formal application for an official permit to build a structure for private use, unless the Board of Supervisors shall have acquired such property before the end of the year.
 3. The adoption of any street, street lines or other public lands pursuant to this Part, as part of the Official Map, shall not, in and of itself, constitute or be deemed to constitute the opening or establishment of any street nor the taking or acceptance of any land, nor shall it obligate the Township to improve or maintain any such street or land. The adoption of proposed watercourses or public grounds as part of the Official Map shall not, in and of itself, constitute or be deemed to constitute a taking or acceptance of any land by the Township.
- B. Release of Damage Claims or Compensation. The Board of Supervisors may designate any of its agencies to negotiate with the owner of land under the following circumstances:
 1. Whereon reservations are made.
 2. Whereon releases of claims for damages or compensation for such reservation are required.
 3. Whereon agreements indemnifying the Board of Supervisors or the Township from claims by others may be required.

Any releases or agreements when properly executed by the Board of Supervisors and the owner and recorded, shall be binding upon any successor in title.

§22-704. Adoption and Amendment.

- A. Procedure.
 1. Prior to the adoption of the Official Map or part thereof, or any amendments to the Official Map, the Board of Supervisors shall refer the proposed Official Map or part thereof, or amendment thereto, with an accompanying ordinance describing the proposed map, to the Planning Commission for review. The Planning Commission shall report its recommendations on said proposed Official Map and accompanying Ordinance, part thereof or amendment thereto, within forty-five (45) days unless an extension of time shall be agreed to by the Board of Supervisors. If, however, the Planning Commission fails to act within forty-five (45) days, the Board of Supervisors may proceed without its recommendations.
 2. The County and adjacent municipalities may offer comments and recommendations during said forty-five- (45-) day period in accordance with §408 of the Municipalities Planning Code. Local authorities, park boards, environmental boards and similar public bodies may also offer comments and recommendations to the Board of Supervisors or Planning Commission if required by same during said forty-five- (45-) day review period. Before voting on the enactment of the proposed ordinance and Official map, or part thereof or amendment thereto, the Board of Supervisors shall hold a public hearing pursuant to public notice.
- B. Amendment by Subdivision Plan. After adoption of the Official Map, or part thereof, all streets, watercourses and public grounds on final, recorded subdivision and land development plans which have been duly approved by the Board of Supervisors shall be deemed amendments to the Official Map. Notwithstanding any other terms of this Part, no public hearing need be held or notice given if the amendment of the Official Map is the result of the addition of a plan which has been duly approved by the Board of Supervisors.
- C. The Township shall review the Official Map a minimum of every other year.

§22-705. Violations, Sanctions and Appeals.

- A. Notice of Violation.
 1. Whenever any person, partnership or corporation shall have violated the terms of this Part, the Township Manager shall cause a written notice to be served upon the owner, applicant, developer, property manager or other person responsible for the property or the violation, directing him to comply with all the terms of this Part within thirty (30) days; and, further, the Manager shall give notice to the owner, applicant, developer, property manager or other person responsible for the property or the violation that if the violation is not corrected, the Township may correct the same and charge the landowner or other persons responsible and the cost thereof plus penalties, as specified herein, for failure to comply.
 2. Such notice shall be delivered by the United States Postal Service, first class, postage prepaid, or by certified or registered mail; or by personal service; or, if the property is occupied, by posting notice at a conspicuous place upon the affected property.
- B. Sanctions for Failure to Comply.
 1. The failure of any person, partnership or corporation to comply with this Part within the period stated in the notice by the Manager constitutes a violation with possible sanctions which may be as much as five hundred dollars (\$500) per day of each violation, plus court costs, including reasonable attorney's fees incurred by the Township as a result of prosecution of such violation.

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- Each and every day of continued violation shall constitute a separate violation.
2. In the event that the owner, developer, occupant, applicant, property manager or other person responsible fails to comply with the terms of this Part within the time specified by the Manager, the Township may take any actions necessary to correct the violation. The costs for correction of the violation shall be in addition to any penalties for violation for failure to comply.
 3. In addition to the sanctions, costs and penalties provided for by this Section, the Township may institute proceedings in courts of equity 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.
- C. Appeals. Any appeal from a decision or action of the Board of Supervisors or of any office or agency of the Township in matters pertaining to this Part shall be made in the same manner and within the same time limitation as is provided for zoning appeals in Article X of the Pennsylvania Municipalities Planning Code, as amended.

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PART 8

ENFORCEMENT REMEDIES

§22-801. Violations.

- A. No subdivision or land development of any lot, tract or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with this Ordinance. Per Pennsylvania Municipalities Planning Code Section 515.2 Jurisdiction, District Justices shall have initial jurisdiction in proceedings brought under this Section.
- B. Any person, partnership or corporation who or which has violated the provisions of any subdivision or land development ordinance enacted under this act or prior enabling laws shall, upon being found liable therefor in a civil enforcement proceeding commenced by Ferguson Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth (5th) day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.
- C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement.
- D. Any fines or judgments collected shall be deposited in the Township's General Fund.

§22-802. Preventative Remedies.

- A. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations or to prevent illegal occupancy of a building, structure or premises. A description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- B. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Chapter. This authority to deny such a permit or approval shall apply to any of the following Applicants:
 1. The landowner of record at the time of such violation.
 2. The vendee or lessee of the landowner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 3. The current landowner of record who acquired the property subsequent to the time of violation

without regard as to whether such current landowner had actual or constructive knowledge of the violation.

4. The vendee or lessee of the current landowner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the Applicant acquired an interest in such real property.

PART 9 – VALIDITY AND REPEALER
Subdivision and Land Development

PART 9

VALIDITY AND REPEALER

§22-901. Validity.

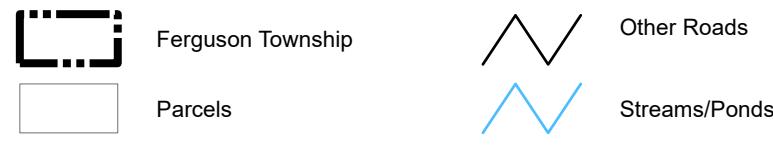
- A. Should any section, clause, provision or provision of this Chapter be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect or impair the validity of any other section, clause, provision or portion of this Chapter.
- B. It is hereby declared to be the intent of the Township Board of Supervisors that this Chapter would have been adopted by the Township had such invalid or unconstitutional provisions not been included herein, and the remaining portions of this Chapter shall remain in effect as though the portion declared invalid or unconstitutional had never been a part hereof.
- C. Continuation. The modification or repeal of any prior ordinance, resolution or regulation by this ordinance amendment shall not annul or otherwise relieve any party from any permit issued, condition imposed, approval granted, approval denied, order issued, or violation, penalty or other liability incurred pursuant to such affected ordinance, resolution or regulation.

§22-902. Repealer.

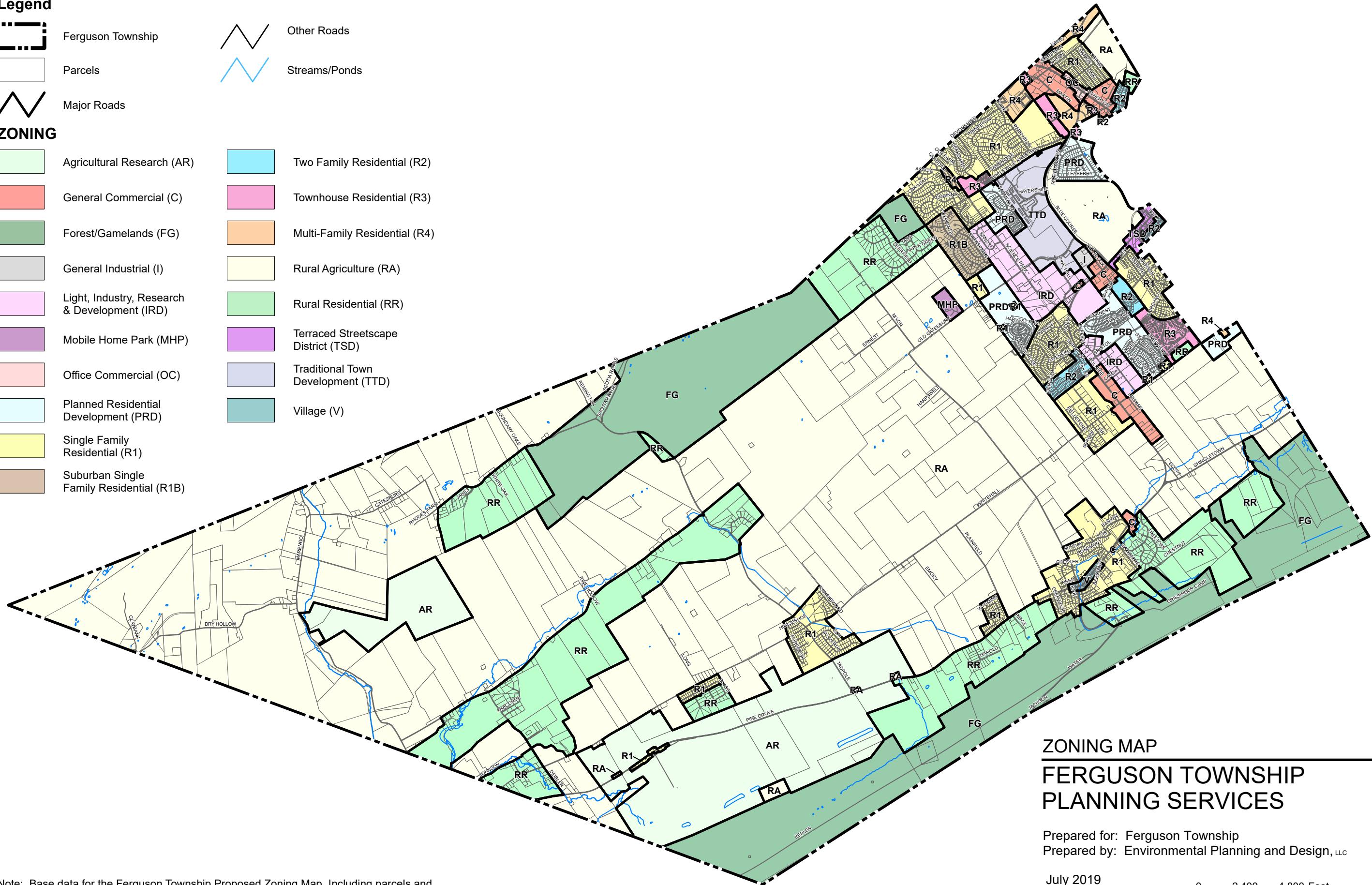
All resolutions, ordinances or amendments to ordinances, or parts of resolutions or ordinances inconsistent herewith, are hereby repealed as stated or deleted in their entirety in the prefatory paragraph of this ordinance amendment. Specifically, the prior subdivision and land development ordinance shall be repealed in its entirety.

§22-903. The Ferguson Township Zoning Ordinance.

Nothing herein contained shall be interpreted to permit any waiver or modification of the restrictions or requirements of the Township's Zoning Ordinance, as amended.

Legend**ZONING**

Agricultural Research (AR)	Two Family Residential (R2)
General Commercial (C)	Townhouse Residential (R3)
Forest/Gamelands (FG)	Multi-Family Residential (R4)
General Industrial (I)	Rural Agriculture (RA)
Light, Industry, Research & Development (IRD)	Rural Residential (RR)
Mobile Home Park (MHP)	Terraced Streetscape District (TSD)
Office Commercial (OC)	Traditional Town Development (TTD)
Planned Residential Development (PRD)	Village (V)
Single Family Residential (R1)	
Suburban Single Family Residential (R1B)	



ZONING MAP
FERGUSON TOWNSHIP
PLANNING SERVICES

Prepared for: Ferguson Township
Prepared by: Environmental Planning and Design, LLC

Note: Base data for the Ferguson Township Proposed Zoning Map, Including parcels and existing zoning boundaries, provided by Ferguson Township, August 2016.

July 2019
2167.18.01r5

0 2,400 4,800 Feet

NORTH



Cornerstone Wealth Advisory & Insurance Services, LLC

www.cornerstonewealthadvisoryandinsurance.com

Patrick Geary, AIF®
Managing Director

Mr. David Pribulka
Township Manager
Ferguson Township
3147 Research Dr.
State College, Pa

February 11, 2019

RE: Fiduciary Oversight of the defined contribution plans

I would like to thank you for taking the time to review how an independent 3(21) fiduciaries can improve your plans overall performance while simultaneously reduce potential liability coming from fiduciary oversight related issues. While acting as a 3(21) fiduciary for the Ferguson Township's defined contribution plans, I will break the process down into four distinct aspects, the first being the organizational stage. This stage will consist of creating an oversight committee for the plans, educating the members of the committee in the proper roles as a fiduciary and understanding the laws regarding the defined contribution plan. This stage will also teach the committee how to identify conflicts of interest and address those conflicts in a manner consistent with the duty of loyalty.

The second stage of the process is the formalization stage. This stage focuses on guiding the committee through the process of creating an investment policy statement. From the investment policy statement, we address issues like determining the appropriate level of risk for the investments, identify time horizons, selection of asset classes and their expected returns for each asset class.

The third stage of the process is the implementation phase. This stage is where we implement the process and procedures created by the IPS. This stage also ensures a reasonable due diligence process is followed in the selection of the service providers, whether the township utilizes a turn key provider or an open architecture platform. Document the decision-making process on the selection of investment strategies as well as types of investments.

The fourth stage is the ongoing monitoring process and most laborious of the four stages. During this stage, we establish reporting mechanisms to compare investment performance against the appropriate index, peer group, and investment policy objectives. We also periodically review qualitative and/or organizational changes of the investments and service providers. We will also periodically review the investment related fees, compensation and expenses to ensure they are fair and reasonable for the services provided. Finally, in the monitoring stage we will periodically review the plans Stewards, the committee, to ensure our effectiveness in meeting our fiduciary responsibilities.



VOYA FINANCIAL ADVISORS

Securities and investment advisory services are offered through Voya Financial Advisors, Inc., Member SIPC

Cornerstone Wealth Advisory and Insurance Services, LLC is not a subsidiary of nor controlled by Voya Financial Advisors, Inc.

Cornerstone Wealth Advisory and Insurance Services, LLC is not a broker/dealer nor a registered investment advisor.

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Cornerstone Wealth Advisory & Insurance Services, LLC

www.cornerstonewealthadvisoryandinsurance.com

Patrick Geary, AIF®
Managing Director

With most employers we find the first two stages taking about two to three months with the third stage taking anywhere from an additional 2 to 4 months depending on availability of committee members. Once we have completed the first three components the fourth component, monitoring, takes different shapes depending on what the employer chooses, most often the monitoring takes the shape of either quarterly monitoring meetings or semi-annual monitoring meetings complimented with supplemental reports from me on the off quarters.

Regarding cost, in most cases my compensation is set as a percent of the assets in the plan. The current assets of the two plans is approximately 4.4 million. The Townships assets place it in the middle of whether you want to look at an asset-based fee or a flat quarterly dollar amount. The asset-based fee paid as a part of the plan assets would be .25% or a quarterly flat fee would be \$3,000. When using a flat dollar fee, we ask the employer to incorporate an inflation factor for future years.

Respectfully,

Patrick M Geary AIF®

Accepted:

Ferguson Township

David Pribulka, Township manager

Date



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Ferguson Township

DRAFT Discrimination Ordinance

Chapter 6, Conduct; Part II, Discrimination

Section 201 – Intent and Policy.

- A. This ordinance is enacted to ensure that all persons regardless of race, color, religion, ancestry, age, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a support animal, pregnancy, marital or familial status or family responsibility enjoy the full benefits of citizenship and are afforded equal opportunities, unburdened by unjust discrimination, for housing, employment, and use of public accommodation. In order to achieve this purpose, legislation must be enacted with appropriate oversight and enforcement remedies for founded violations of the provisions contained herein.
- B. It is the policy of the Township to prohibit discrimination in employment, housing, public accommodations, and residential real estate-related transactions because of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a support animal, pregnancy, family responsibility, marital or familial status, and to provide for the resolution of housing, public accommodation and residential real estate-related transaction discrimination disputes at the local level in a timely, cost-efficient and effective manner. Finally, to obtain substantial equivalency with the state and federal governments' housing and anti-discrimination enforcement efforts.
- C. It is the policy of the Township to ensure that employment of all individuals is considered in accordance with their fullest capacities, and to safeguard their right to obtain all employment without discrimination regardless of race, color, religion, ancestry, age, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a support animal, pregnancy, marital or familial status or family responsibility.

Section 202 – Definitions.

- A. AGE — Persons of those ages specified in Section 4 of the Pennsylvania Human Relations Act, Act of 1955, P.L. 744, No. 222, as amended by Act 51 of 1991, or any successor amendments to the Pennsylvania Human Relations Act or successor Act.
- B. AGGRIEVED PERSON — Any person who claims to have been injured by a discriminatory practice as defined in Part E.
- C. DISABILITY OR HANDICAP — With respect to a person, means:
 - a. A physical or mental impairment which substantially limits one or more of such person's major life activities;
 - b. A record of having such an impairment; or

- c. Being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance, as defined in Section 102 of the Controlled Substances Act (Public Law 91-513, 21 U.S.C. § 802).
- D. DISCRIMINATE AND DISCRIMINATION — Includes any difference in treatment based on race, color, religion, age, ancestry, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a service animal, support animal (housing and real estate-related transactions), pregnancy, marital or familial status or family responsibility.

Housing discrimination pertaining to people with a disability or handicap includes a refusal to permit, at the expense of the person with a disability or handicap, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premise; a refusal to make reasonable accommodations in rules, policies, practices or services when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling.

Nothing in this Ordinance requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

- E. EMPLOYEE — Does not include any of the following:
 - a. Any Individuals who, as a part of their employment, reside in the personal residence of their employer;
 - b. Any Individuals employed in agriculture or in the domestic service of any person;
 - c. Any individuals employed by said individuals' parents, spouses, or children.
- F. EMPLOYER — Any person who employs four or more employees, including the Township; its departments; authorities, boards, and commissions; and any other government agency within its jurisdiction.
- G. ELDERLY — A person who is at least 62 years of age or a family whose head or spouse is 62 years of age.
- H. FAMILIAL STATUS —
 - a. One or more individuals (who have not attained the age of 18 years) being domiciled with a parent or another person having legal custody of such individual or individuals; or
 - b. The designee of such parent or other person having such custody, with the written permission of such parent or other person.

Any protection afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

- I. FAMILY RESPONSIBILITY – Being a provider of care, or being perceived to be a provider of care, for a family member of any age, whether in the past, present, or future.
- J. GENDER IDENTITY OR EXPRESSION — Self-perception, or perception by others, as male or female, and shall include a person's appearance, behavior, or physical characteristics, that may be in accord with, or opposed to, one's physical anatomy, chromosomal sex, or sex assigned at birth, and shall include, but is not limited to, persons who are undergoing or have completed sex reassignment.
- K. GENETIC INFORMATION - Any information relating to genes, gene products and inherited characteristics that may derive from an individual or a family member. This term includes, but is not limited to:
 - a. Information regarding carrier status and increased likelihood of future disease or increased sensitivity to any substance; or
 - b. Information derived from laboratory tests that identify mutations in specific genes or chromosomes; physical medical examinations; family histories; inquiries; tests of gene products; direct analysis of genes or chromosomes.
- L. HOUSING FOR OLDER PERSONS —
 - a. Provided under any Federal, State or local program that the Township determines is specifically designed and operated to assist elderly persons as defined in the Federal, State or local program;
 - b. Is intended for and solely occupied by persons 62 years of age or older; or
 - c. Is intended and operated for occupancy by at least one person 55 years of age or older per unit.
- M. LIVE-IN AIDE — A person who resides with the elderly person or a person with a disability or handicap and who:
 - a. Is determined to be essential to the care and well-being of the elderly person or person with a disability or handicap;
 - b. Is not obligated for the support of the elderly person or person with a disability or handicap; and
 - c. Would not be living in the unit except to provide the necessary supportive services.

- N. MARITAL STATUS — The state of being married, unmarried, divorced, separated or widowed.
- O. OWNER — Includes any person, agent, operator, firm or corporation, having a legal or equitable interest in the property, or recorded in the official records of the State, county or Township as holding title to the property.
- P. PERSON — Any person, fraternal, civic or other membership organization or association including those acting in a fiduciary or representative capacity, proprietorship, partnership, corporation, limited liability company, or other for profit or nonprofit organizations, including the Township, its departments, boards and commissions.
- Q. PUBLIC ACCOMMODATION — Any accommodation, resort or amusement which is open to, accepts or solicits the patronage of the general public, including but not limited to inns, taverns, roadhouses, hotels, motels, whether conducted for the entertainment of transient guests or for the accommodation of those seeking health, recreation or rest, or restaurants or eating houses, or any place where food is sold for consumption on the premises, buffets, saloons, barrooms or any store, park or enclosure where spirituous or malt liquors are sold, ice cream parlors, confectioneries, soda fountains and all stores where ice cream, ice and fruit preparations or their derivatives, or where beverages of any kind are retailed for consumption on the premises, drugstores, dispensaries, clinics, hospitals, bathhouses, swimming pools, barber shops, beauty parlors, retail stores and establishments, theaters, motion picture houses, air domes, roof gardens, music halls, race courses, skating rinks, amusement and recreation parks, fairs, bowling alleys, gymnasiums, shooting galleries, billiard and pool parlors, public libraries, kindergartens, primary and secondary schools, high schools, academies, colleges and universities, extension courses and all educational institutions, nonsectarian cemeteries, garages and all public conveyances operated on land or water or in the air as well as the stations, terminals and airports, financial institutions and all Township facilities and services, but not any accommodations which are in their nature distinctly private.
- R. REAL ESTATE BROKER — Any person, partnership, corporation or other association which, for a fee or other valuable consideration, manages, sells, purchases, exchanges, or rents or negotiates, or offers or attempts to negotiate the sale, purchase, exchange or rental of the real property of another, or holds itself out as one engaged in the business of managing, selling, purchasing, exchanging or renting the real property of another and includes those engaging in real estate sales or any other person employed by a real estate broker to perform or to assist in the performance of his or her business.
- S. RESIDENTIAL REAL ESTATE-RELATED TRANSACTIONS — The making of loans or providing other financial assistance for purchasing, constructing, improving, repairing or maintaining a dwelling, or the selling, brokering or appraising of residential real property.
- T. SERVICE ANIMAL — Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or

other mental disability. The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

- U. SEXUAL ORIENTATION — Actual or perceived homosexuality, heterosexuality and/or bisexuality.
- V. SOURCE OF INCOME — Income received through any legal means including, but not limited to, wages, salaries, interest, dividends, child support, alimony, public assistance, pensions or other retirement benefits, social security or other documentation of ability to pay.
- W. SUPPORT ANIMAL — Animals that work, provide assistance, or perform tasks for the benefit of a person with a disability, or animals that provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. Support animals perform many disability-related functions, including but not limited to guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing minimal protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support.

Section 203 – Exceptions and Exclusions

- A. Notwithstanding any other provision of this Ordinance, it shall not be an unlawful employment practice for a religious corporation or association, not supported in whole or in part by government appropriations, to refuse to hire or employ an individual on the basis of the religion of the religious organization.
- B. Nothing in this Ordinance shall be interpreted to prohibit a religious organization that is exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code, or any organization affiliated with that religious organization from engaging in any conduct or activity that is required by, or that implements or expresses its religious beliefs or tenets of faith. Further, nothing in this Chapter shall be interpreted to require any such religious organization to engage in any conduct or activity that is prohibited by its religious beliefs or tenets of faith.
- C. Nothing in this Ordinance shall be interpreted as applying to any state or federal agencies.
- D. Nothing in this Ordinance shall be interpreted as requiring or prohibiting the provision of benefits based on marital status. Further, the provisions regarding familial and marital status

and family responsibility in this ordinance shall not apply to housing provided by educational institutions which is restricted to occupancy by students of such institution who:

- a. Reside with the student's spouse; or
 - b. Reside with children under the age of 18 years of age; or
 - c. Reside with the student's spouse and children under the age of 18 years of age; and
 - d. The relationship of the student to the children must be biological or adoptive parent or legal guardian.
- E. Age-Restricted Housing. The provisions of this Ordinance regarding familial status and age in this ordinance shall not apply to housing for older persons if it meets the conditions in this section. In determining whether housing qualifies as housing for older persons under this clause, the Municipality's requirements shall include, but not be limited to, the following:
- a. At least 80% of the units are occupied by at least one person 55 years of age or older per unit;
 - b. There is publication of, and adherence to, policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older;
 - c. The housing complies with regulations promulgated by the Pennsylvania Human Relations Commission for verification of occupancy. Regulations under this paragraph shall do all of the following:
 - i. Provide for verification by reliable surveys and affidavits. Surveys and affidavits under this subparagraph shall be admissible in administrative and judicial proceedings for the purpose of verification under this paragraph; and
 - ii. Include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of Paragraph C.

Housing shall not fail to meet the requirements for housing for older persons by reason of unoccupied units provided that such units are reserved for occupancy by persons who meet the age requirements of this clause.

- F. Local Limits on Maximum Occupancy of a Dwelling. Nothing in this ordinance shall limit the applicability of any local, state or federal or any reasonable private land use restrictions, condominium articles or by-laws regarding the maximum number of occupants permitted to occupy a dwelling.

- G. Controlled Substances. Nothing in this ordinance with respect to housing shall prohibit conduct against a person because such person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance, as defined in Section 102 of the Controlled Substances Act (21 USC 802).
- H. Owner-Occupied Dwellings. This ordinance shall not apply to owner-occupied dwellings containing four units or less, providing the landlord occupies one of the units as his/her primary residence.
- I. Subleasing a Dwelling Unit. This ordinance shall not apply to the subleasing of a dwelling unit where one or more of the tenants named on the lease in effect at the time of the subleasing will continue to reside in the unit.
- J. Nothing herein shall be construed to mean a landlord must rent to someone who does not have the ability to pay.

Section 204 – Powers and Duties.

As more fully described in Section 211, the Ferguson Township Human Relations Commission or the authorized agent to act as the Ferguson Township Human Relations Commission shall be authorized to:

- A. Investigate complaints of discrimination in a timely and objective manner by:
 - a. Determining the existence of probable cause regarding discrimination complaints based on evidence; making decisions based on the evidence, including evidence presented by the plaintiff(s) and respondent(s); and
 - b. Attempting to resolve disagreement of the parties through conciliation and mediation. In this process, the Township may enlist or employ the services of mediators, counselors, or others to assist the parties in reconciling differences.
- B. In the performance of its duties, the Ferguson Township Human Relations Commission or the authorized agent to act as the Ferguson Township Human Relations Commission may:
 - a. Cooperate with interested citizens, private agencies, and agencies of the Federal, State, and Local Governments;
 - b. Request other departments of the Ferguson Township Human Relations Commission or the authorized agent to act as the Ferguson Township Human Relations Commission to assist, and such other departments shall cooperate fully with the Township Manager's office; and
 - c. Adopt such regulations and procedures as may be necessary to carry out the purposes and provisions of this ordinance.

Section 205 – Unlawful Housing Practices.

It shall be an unlawful housing practice, except as otherwise provided in this ordinance:

- A. For any owner, real estate broker or any other person to refuse to discuss or confer with a view to reaching an agreement for a sale, lease, sublease, rental, assignment or other transfer of the title, leasehold or other interest in any dwelling to any person, or to represent that any dwelling is not available for any inspection, sale, lease, sublease, rental, assignment or other transfer when, in fact, it is so available, or otherwise to deny or withhold any dwelling from any person because of race, color, religion, ancestry, age, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of support animal, pregnancy, marital or familial status or family responsibility or to discriminate against, segregate or assign quotas to any person or group of persons in connection with the sale, lease, sublease, rental, assignment or other transfer of title, leasehold or other interest in any dwelling or dwellings.
- B. For any person, including any owner or real estate broker, to include in the terms, conditions or privileges of any sale, lease, sublease, rental, assignment or other transfer of any dwelling any clause, condition or restriction discriminating against or requiring any other person to discriminate against any person in the use or occupancy of such dwelling because of race, color, religion, ancestry, age, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a support animal, pregnancy, marital or familial status or family responsibility.
- C. For any person, including any owner or real estate broker, to refuse to permit, at the expense of the person with a disability or handicap, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises. In the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the condition of the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted. Where it is necessary in order to ensure, with reasonable certainty, that funds will be available to pay for the restorations at the end of the tenancy, the landlord may negotiate as part of such restoration agreement a provision requiring that the tenant pay into an interest bearing escrow, over a reasonable period, a reasonable amount of money not to exceed the cost of the restorations. The interest in any such account shall accrue to the benefit of the tenant.

The application of Paragraph C of this section may be illustrated by the following examples:

Example 1. A tenant with a disability or handicap asks his or her landlord for permission to install grab bars in the bathroom at his or her own expense. It is necessary to reinforce the walls with blocking between studs in order to affix the grab bars. It is unlawful for the landlord to refuse to permit the tenant at the tenant's own expense, from making the modifications necessary to add the grab bars. However, the landlord may condition permission for the modification on the tenant agreeing to restore the bathroom to the condition that existed before the modification, reasonable wear and tear excepted. It would be reasonable for the landlord to require the tenant to remove the grab bars at the end of the tenancy. The landlord may also reasonably require that the wall to which the grab bars are to be attached be repaired and restored to its

original condition, reasonable wear and tear excepted. However, it would be unreasonable for the landlord to require the tenant to remove the blocking, since the reinforced walls will not interfere in any way with the landlord's or the next tenant's use and enjoyment of the premises and may be needed by some future tenant.

Example 2. An applicant for rental housing has a child who uses a wheelchair. The bathroom door in the dwelling unit is too narrow to permit the wheelchair to pass. The applicant asks the landlord for permission to widen the doorway at the applicant's own expense. It is unlawful for the landlord to refuse to permit the applicant to make the modification. Further, the landlord may not, in usual circumstances, condition permission for the modification on the applicant paying for the doorway to be narrowed at the end of the lease because a wider doorway will not interfere with the landlord's or the next tenant's use and enjoyment of the premises.

- D. For any person, including any owner or real estate broker, to refuse to make reasonable accommodations in rules, policies, practices or services (except for federally-regulated lending institutions) when such accommodations may be necessary to afford a person with a disability or handicap the opportunity to use and enjoy a dwelling.

The application of Paragraph D of this section may be illustrated by the following examples:

Example 1: An applicant with a vision impairment for rental housing wants to live in a dwelling unit with a seeing-eye dog. The building has a policy that prohibits tenants from keeping pets. It is a violation for the owner or manager of the apartment complex to refuse to permit the applicant to live in the apartment with a seeing eye dog because, without the seeing eye dog, the person with a vision impairment will not have an equal opportunity to use and enjoy a dwelling.

Example 2: An applicant for an apartment dwelling that does not typically reserve spaces for tenants has a disability that precludes him or her from walking more than a short distance. It is a violation for the owner or manager of the apartment dwelling to refuse to reserve a space for him or her within a short walking distance to the dwelling. Because the applicant may not be able to live in the dwelling without this accommodation, it is necessary to provide the accommodation to provide the applicant equal opportunity to use and enjoy the dwelling. This is considered a reasonable accommodation because it is feasible and practical considering the circumstances.

- E. For any person, including any owner or real estate broker, to discriminate in the providing of any facilities or services (except for federally-funded lending institutions) for any dwelling because of race, color, religion, ancestry, age, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a support animal, pregnancy, marital or familial status or family responsibility.
- F. For any person, including any owner or real estate broker, to publish, circulate, issue or display, or cause to be published, circulated, or displayed, any communication, notice, advertisement, or sign of any kind relating to the sale, rental, lease, sublease, assignment, transfer or listing of a dwelling or dwellings which indicates any orientation, limitation, specification or discrimination based on race, color, religion, ancestry, age, national origin, , sex, sexual orientation, gender

identity or expression, source of income, disability or handicap, presence a support animal, pregnancy, marital or familial status or family responsibility.

- G. For any person, including any owner or real estate broker or associate, or any other person for business or economic purposes, to induce directly or indirectly, or to attempt to induce directly or indirectly, the sale or rental or the listing for sale or rental of a dwelling by representing that a change has occurred or will or may occur with respect to the race, color, religion, ancestry, age, national origin, , sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a support animal, pregnancy, marital or familial status or family responsibility composition of the street, block, neighborhood or area in which said dwelling is located.
- H. For any person, including any real estate broker or associate, to deny a person access to membership or participation in a multiple listing service, real estate brokers' organization or other service because of race, color, religion, ancestry, age, national origin, , sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a support animal, pregnancy, marital or familial status or family responsibility.
- I. For any person, including any real estate broker or associate, to aid, incite, compel, coerce or participate in the doing of any act declared to be an unlawful housing practice under this ordinance, to obstruct or prevent enforcement or compliance with the provisions of this ordinance or any rule or regulation, or to attempt directly or indirectly to commit any act declared by this ordinance to be an unlawful housing practice.
- J. For any person or entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction or in the terms or conditions of such a transaction because of race, color, religion, ancestry, age, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence a support animal, pregnancy, marital or familial status or family responsibility.
- K. The notice provided to the respondent as referenced in Section 211(B.) will advise the respondent that retaliation against any person because he or she made a complaint or testified, assisted or participated in an investigation or mediation under this ordinance is a discriminatory practice that is prohibited by this ordinance.

Section 206 – Unlawful Public Accommodations Practices.

It shall be an unlawful public accommodations practice, except as otherwise provided in this ordinance for any person being the owner, lessee, proprietor, manager, superintendent, agent or employee of any public accommodation to:

- A. Refuse, withhold from, or deny to any person because of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a service animal, pregnancy, marital or familial status or family

responsibility either directly or indirectly, any of the accommodations, advantages, facilities or privileges of such public accommodation.

- B. Publish, circulate, issue, display, post or mail, either directly or indirectly, any written or printed communication, notice or advertisement to the effect that any of the accommodations, advantages, facilities and privileges of any such place shall be refused, withheld from or denied to any person on account race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a service animal, pregnancy, marital or familial status or family responsibility, or that the patronage or custom thereat of any person, belonging to or purporting to be of any particular race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a service animal, pregnancy, marital or familial status or family responsibility, is unwelcome, objectionable or not acceptable, desired or solicited.
- C. Exclude or otherwise deny equal goods, services, facilities, privileges, advantages, accommodations or other opportunities to a person because of the disability or handicap of an individual with whom the person is known to have a relationship or association.
- D. Construct such place of public accommodation which is not accessible.
- E. Refuse to remove any barrier to accessibility to such existing place of public accommodation, where barrier removal is readily achievable, meaning easily accomplishable and able to be carried out without much difficulty or expense. Where barrier removal is not readily achievable, it shall be unlawful to refuse to take any readily achievable alternative steps to make such public accommodation accessible.
- L. The notice provided to the respondent as referenced in Section 211(B.) will advise the respondent that retaliation against any person because he or she made a complaint or testified, assisted or participated in an investigation or mediation under this ordinance is a discriminatory practice that is prohibited by this ordinance.

Section 207 – Unlawful Residential Real Estate Transactions.

- A. It shall be unlawful for any person or entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available loans or other financial assistance for a dwelling, or which is or is to be secured by a dwelling, because of race, color, religion, ancestry, age, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a support animal, pregnancy, marital or familial status or family responsibility.
- B. It shall be unlawful for any person or entity engaged in the making of loans or in the provision of other financial assistance relating to the purchase, construction, improvement, repair or maintenance of dwellings or which are secured by residential real estate to impose different

terms or conditions for the availability of such loans or other financial assistance because of race, color, religion, ancestry, age, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a support animal, pregnancy, marital or familial status or family responsibility.

- C. The notice provided to the respondent as referenced in Section 211(B.) will advise the respondent that retaliation against any person because he or she made a complaint or testified, assisted or participated in an investigation or mediation under this ordinance is a discriminatory practice that is prohibited by this ordinance.

Section 208 – Unlawful Employment Practices.

- A. It shall be unlawful for any Employer to discriminate against any employee or prospective employee in employment practices because of race, color, religion, ancestry, age, national origin, sex, sexual orientation, gender identity or expression, source of income, disability or handicap, presence of a support animal, pregnancy, marital or familial status or family responsibility.
- B. Retaliation against any person, either directly or by aiding, inciting, compelling, coercing or participating, because such person has opposed any practice forbidden by this Ordinance, or because such person has made a charge, testified or assisted in any manner in any investigation, proceeding or hearing authorized by this Ordinance is prohibited.

Section 209 – Obstruction of Fair Practices.

It shall be unlawful for any person, whether or not within the named classifications set forth in this Ordinance, to aid, incite, compel, coerce or participate in the doing of any act declared to be an unlawful practice under this ordinance, or to obstruct or prevent enforcement of compliance with the provisions of this ordinance or any rule, regulation or order of the Township to be an unlawful practice.

Section 210 – Establishment of a Human Relations Commission.

- A. Pursuant to Section 12.1 of the Pennsylvania Human Relations Act, the Board of Supervisors may establish a Human Relations Commission (hereinafter referred to as, "Commission"), the form and structure of which shall be defined in Chapter One, Administration and Government, Section 450 of the Ferguson Township Code of Ordinances, in and for the Township for the purposes of carrying out the powers and duties established by this ordinance.
- B. In place of establishing a local Human Relations Commission, the Board of Supervisors may choose to execute a Memorandum of Understanding with the Pennsylvania Human Relations Commission for the purposes of carrying out the powers and duties established by this ordinance.
- C. The Township Manager or his or her designee shall serve as the investigator of complaints involving discriminatory acts under this ordinance. The investigator shall present his or her findings to the Human Relations Commission for their adjudication as described in Section 210, subsections A and B.

Section 211 – Procedures.

A. Filing a Complaint.

- a. Any person(s) claiming to be aggrieved by an unlawful practice may make, sign and file a verified complaint alleging violations of this Ordinance, which shall include the following information:
 - i. The name and address of the aggrieved person(s);
 - ii. The name and address of the person(s) alleged to have committed the discriminatory acts;
 - iii. A concise statement of the particulars, including pertinent dates, constituting the alleged discriminatory acts;
 - iv. If applicable, the address and a description of the dwelling or commercial property which is involved; and
 - v. Such other information as may be required by the Human Relations Commission.
- b. Complaints may be filed in person at the Township Manager's office or by mailing such complaints to the Township Manager's office. All complaints must be received by the Township Manager's office within the timeframe specified under Section 212 in order to be considered timely.
- c. The Township Manager's office shall convey all original complaints received by that office to the Chairperson of the Human Relations Commission within 10 days of the office's receipt of such complaints.

B. Notification and Answer.

- a. Within 30 days of the Township Manager's receipt of a complaint, the Human Relations Commission, if established under Section 210(A.) of this ordinance, shall determine if the alleged act(s) are prohibited by the Pennsylvania Human Relations Act, or any other state or federal law for which a deferral agency has enforcement powers and, if so, the Commission shall advise the complainant in writing that the Commission will not accept the complaint for filing but that the complainant has the right to file with the Pennsylvania Human Relations Commission or any other state or federal referral agency within 180 days of notice of the prohibited act. If the Commission determines that it does not have jurisdiction hereunder to hear the complaint, it shall dismiss the complaint and notify the aggrieved party in writing of such fact. If the Commission determines that it has jurisdiction to hear the complaint, it shall proceed as follows:

- i. Send a copy of the complaint to the person(s) or entity (entities) charged with an unlawful practice (the "Respondent") with notice that they have thirty (30) days to file a verified answer to said complaint.
- ii. The notice provided to the respondent will advise the respondent that retaliation against any person because he or she made a complaint or testified, assisted or participated in an investigation or mediation under this ordinance is a discriminatory practice that is prohibited by this ordinance.

- b. The respondent shall file with the Township Manager's office a written verified answer to the complaint within thirty (30) days of Respondent's receipt of the complaint from the Commission and further shall send a copy of said answer to the complainant.

C. Mediation.

- a. After the answer has been received, the Commission shall, within fifteen (15) days, invite the parties to voluntarily participate in the mediation of their dispute. The parties shall respond to the invitation to mediate within fifteen (15) days of being invited to mediate. Mediation shall be conducted in accordance with procedures promulgated by the Commission.
- b. If the mediation has successfully resolved the complaint, the Commission shall promptly notify the parties that it has dismissed the complaint.
- c. If the mediation has not successfully resolved the complaint, and only if the complaint alleges a violation of this ordinance which is not otherwise prescribed under the Pennsylvania Human Relations Act and over which the Pennsylvania Human Relations Commission does not have jurisdiction, the Commission shall proceed to investigation.

D. Investigation.

- a. The Commission shall, in a timely fashion, investigate the allegations of an unlawful practice set forth in the complaint. The Township Manager or his or her designee shall serve as the investigator. The Commission may, in the conduct of such investigation and upon review and approval by the Township Solicitor, issue subpoenas to any person who may be of interest in the investigation, commanding such person to furnish information, records, or other documents, as necessary to assist in the Commission's investigation.

E. Finding of No Cause.

- a. If it shall be determined by the Human Relations Commission, after the Commission's investigation, that there is no probable cause for crediting the allegations of the

complaint, the Commission shall cause to be issued and served upon the parties written notice of such determination and dismissal of the complaint. This notice shall inform the aggrieved that he/she has the right to pursue the matter in court within thirty (30) days of the date of the decision.

F. Conciliation.

- a. If the Commission, after investigation, determines that probable cause exists for crediting the allegations of the complaint, the Commission shall immediately endeavor to eliminate the unlawful practice complained of by persuasion, conference and conciliation. If the Commission determines that conciliation may be a useful approach, the Commission shall designate one of its members as conciliator, who shall undertake conciliation following approved procedures developed and approved by the Commission.

G. Public Hearing.

- a. If the Commission finds it is not possible to eliminate the unlawful practice by persuasion, conference, and conciliation, the Commission shall cause to be issued and served a written notice scheduling a hearing before the Commission at a time and place to be specified in such notice.
 - i. The Commission may designate one or more of its members who are not conflicted as defined in this paragraph to preside at such a public hearing. Any Commission member who acted as a mediator or conciliator or any Commission member otherwise conflicted due to an association with a party or individual in the case shall not participate in such public hearing except as a witness to present the results of the investigation or to testify to other facts relevant to the case.
 - ii. At the public hearing, both the complainant and respondent shall be given the opportunity to appear, with or without counsel, to provide testimony and submit evidence. Formal rules of evidence shall not apply, but irrelevant or unduly repetitious evidence may be excluded by the Commission in its discretion.
 - iii. A transcription shall be kept of the proceedings unless waived by all parties. Additionally, minutes shall be kept of the proceedings.

H. Findings.

- a. If upon all the evidence at the hearing the Commission shall find that a respondent has engaged in or is engaging in any unlawful practice as defined in this Ordinance, the Commission shall state its findings of fact and shall issue and cause to be served on such

a respondent an order requiring such respondent to cease and desist from such unlawful practice and to take such additional action as the Commission deems appropriate. The Commission shall have the authority to order any remedies available to the Pennsylvania Human Relations Commission under the Pennsylvania Human Relations Act. Those remedies which may be ordered include, but are not limited to, reimbursement of certifiable travel expenses in matters involving the complaint; reimbursement of any other verifiable, reasonable out-of-pocket expenses caused by such unlawful discriminatory practice; compensation for loss of work in matters involving the complaint; hiring, reinstatement or upgrading of employees, with or without back pay; admission or restoration to membership in any respondent labor organization; the making of reasonable accommodations; the selling or leasing of specified housing accommodations or commercial property upon equal terms and conditions and with equal facilities, services and privileges; or the lending of money for the acquisition, construction, rehabilitation, repair or maintenance of housing accommodations or commercial property, upon such equal terms and conditions to any person discriminated against.

Section 212 – Statute of Limitations

A complaint must be filed with the Township Manager's Office within 180 days of the alleged act of discrimination. The Complainant may choose to file his/her complaint with the Commonwealth of Pennsylvania concurrently with the filing under this ordinance.

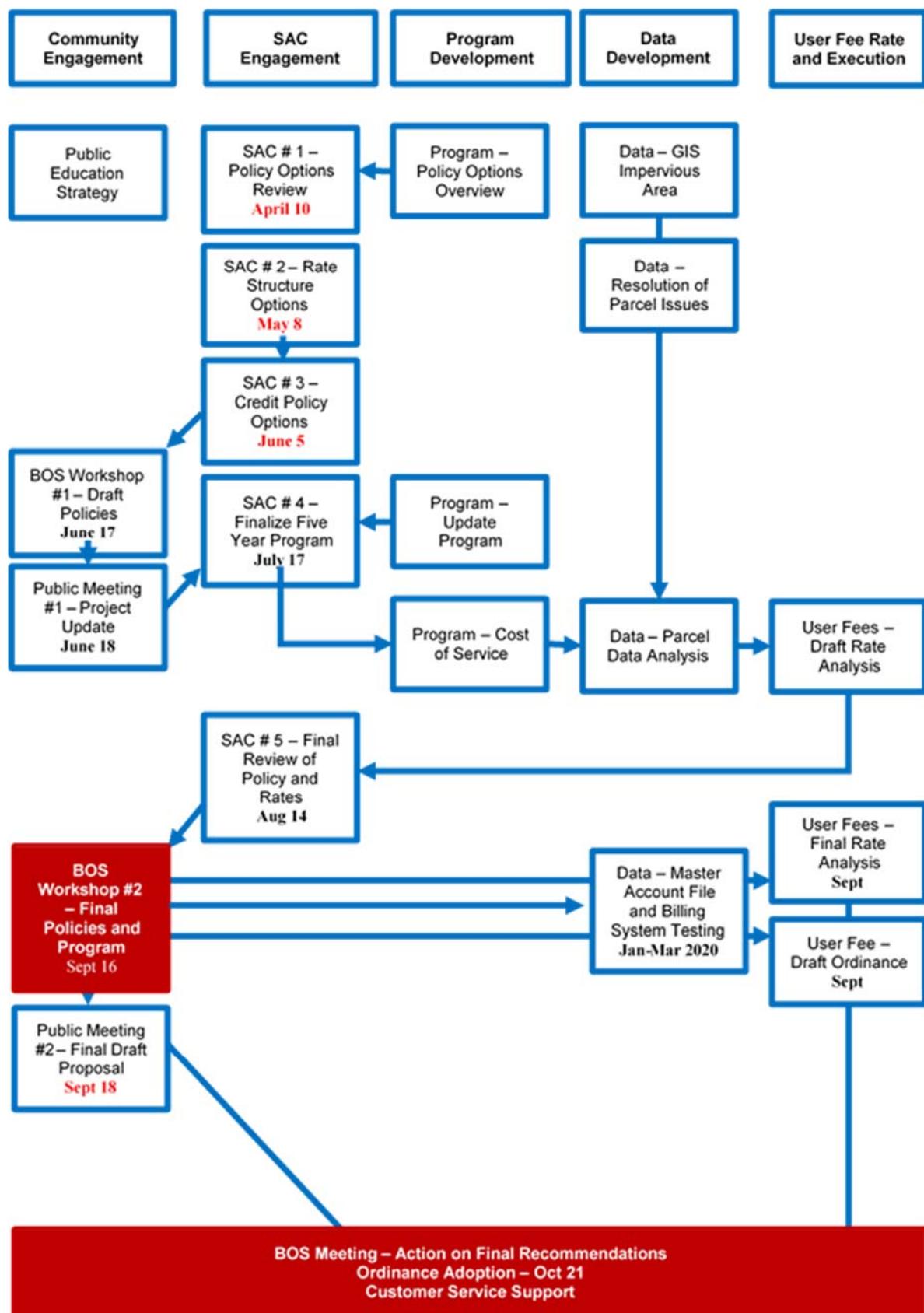
Section 213 – Penalties

Any person who shall violate any provision of this ordinance or who resists or interferes with any authorized representative of the Township in the performance of his or her duties shall, upon conviction thereof before any District Justice, be guilty of a misdemeanor and sentenced to pay a fine, not less than \$100 nor more than \$500 and the costs of prosecution and, in default of payment of any such fine and costs, may be committed to a term of imprisonment not to exceed 30 days. Each time that a violation occurs shall constitute a separate offense.

Section 214 – Multiple Filings

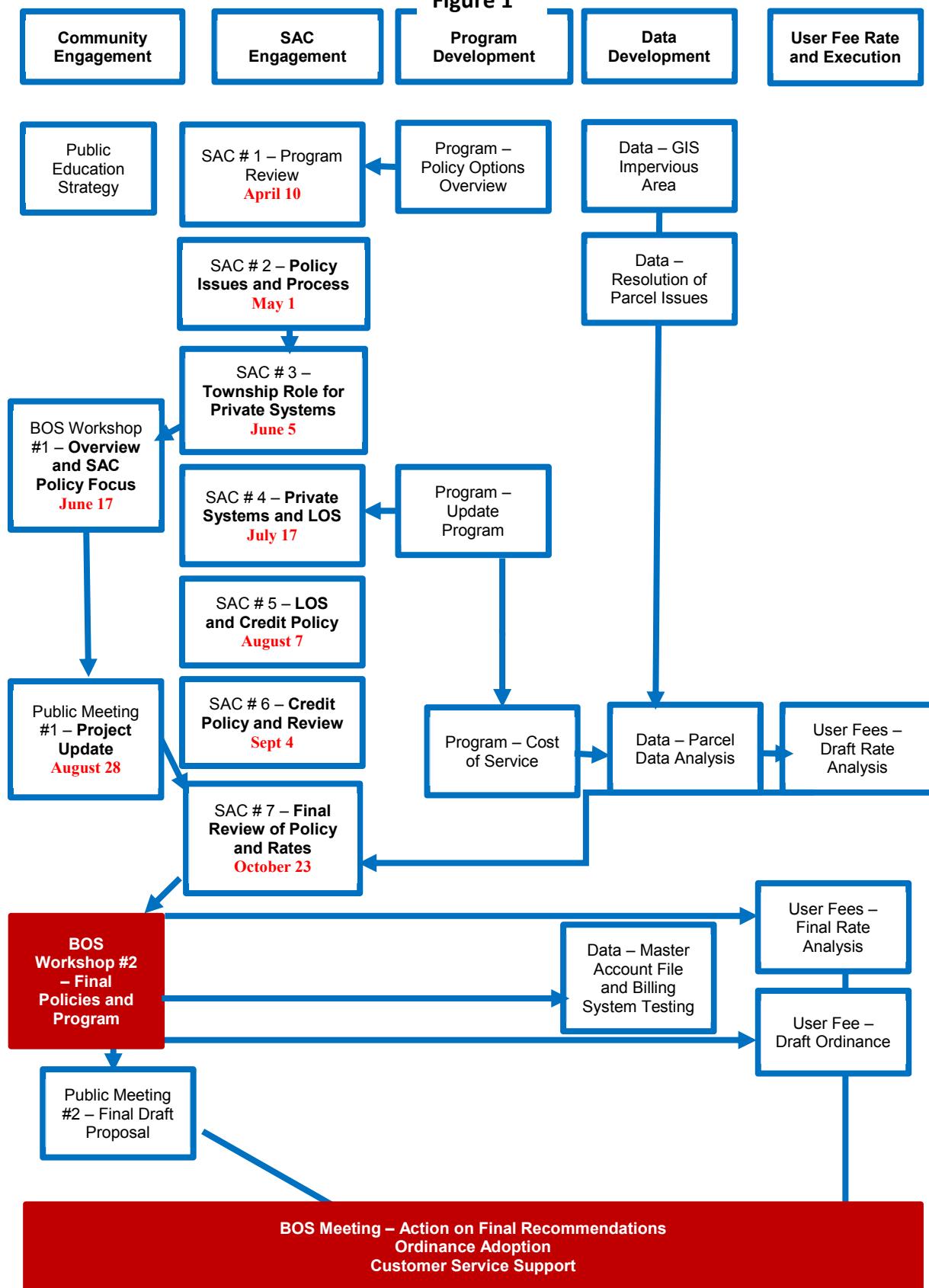
This ordinance shall have no jurisdiction over matters which are the subject of pending or prior filings made by an aggrieved person before any state or federal court or agency of competent jurisdiction. Nothing contained herein shall prohibit any aggrieved person from pursuing any civil, state or federal remedy available following completion of proceedings under this ordinance.

Ferguson Township Work Flow – with Projected Dates



Ferguson Township Adjusted Work Flow - with Additional SAC Dates

Figure 1



Accounts Payable

Checks by Date - Detail by Check Number

User: eendresen
 Printed: 7/11/2019 3:48 PM



Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
ACH	10870 061419	PNC INSTITUTIONAL INVESTMENTS POLICE PENSION WITHHELD	06/15/2019		3,283.87
		Total for this ACH Check for Vendor 10870:		0.00	3,283.87
ACH	11216 061419	VANTAGEPOINT TRANSFER AGENTS ✓ 401	06/15/2019		8,053.98
		Total for this ACH Check for Vendor 11216:		0.00	8,053.98
ACH	11218 061419	VANTAGEPOINT TRANSFER AGENTS ✓ 457	06/15/2019		6,130.07
		Total for this ACH Check for Vendor 11218:		0.00	6,130.07
ACH	11381 061419	VANTAGEPOINT TRANSFER AGENTS ✓ ROTH IRA	06/15/2019		136.87
		Total for this ACH Check for Vendor 11381:		0.00	136.87
ACH	10870 062819	PNC INSTITUTIONAL INVESTMENTS POLICE PENSION WITHHELD	06/28/2019		3,286.11
		Total for this ACH Check for Vendor 10870:		0.00	3,286.11
ACH	11216 062819	VANTAGEPOINT TRANSFER AGENTS ✓ 401	06/28/2019		8,053.98
		Total for this ACH Check for Vendor 11216:		0.00	8,053.98
ACH	11218 062819	VANTAGEPOINT TRANSFER AGENTS ✓ 457	06/28/2019		6,130.07
		Total for this ACH Check for Vendor 11218:		0.00	6,130.07
ACH	11381 062819	VANTAGEPOINT TRANSFER AGENTS ✓ ROTH IRA	06/28/2019		136.87
		Total for this ACH Check for Vendor 11381:		0.00	136.87
2	11809 19053	NEXGEN AUTOMATION INC. TO REPLACE HVAC CONTROL SYSTEM PE	06/15/2019		23,000.00
		Total for Check Number 2:		0.00	23,000.00
3	11809 2	NEXGEN AUTOMATION INC. TO REPLACE HVAC CONTROL SYSTEM PE	06/28/2019		4,100.00
		Total for Check Number 3:		0.00	4,100.00
4	10918 766315	R H MARCON INC REPAIRED BRIDGED WALL FLASHING	06/28/2019		4,500.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
			Total for Check Number 4:	0.00	4,500.00
12	11629 2019-099	TRI-STAR MOTORS NEW 2019 FORD F550 SUPER CAB AND CH.	06/15/2019		42,075.00
			Total for Check Number 12:	0.00	42,075.00
25	11035 063019	STATE COLLEGE BOROUGH WATER A FIRE HYDRANTS	06/28/2019		20,349.00
			Total for Check Number 25:	0.00	20,349.00
104	11192 1424-JUN19 3057-JUN19 3639-JUN19	WEST PENN POWER STREET LIGHTS STREET LIGHTS HAVASHIRE LIGHTING	06/28/2019 01.433.036 01.433.036 01.433.036		349.31 794.17 175.77
			Total for Check Number 104:	0.00	1,319.25
283	10034 53140	ALPHA SPACE CONTROL COMPANY I 2019 TRAFFIC MARKINGS	06/15/2019		34,301.53
			Total for Check Number 283:	0.00	34,301.53
284	11830 INV1043587	GEMSEAL 1190 OIL JACKET-RIGHT POINTE	06/15/2019		1,890.00
			Total for Check Number 284:	0.00	1,890.00
285	10475 36734	HANSON AGGREGATES PA INC 3500A-STANDARD	06/15/2019		718.75
			Total for Check Number 285:	0.00	718.75
286	10916 7056 7080	R C BOWMAN INC TRIAKLE LOAD SCREENED TOPSOIL TRIAKLE LOAD SCREENED TOPSOIL	06/15/2019		491.25 325.00
			Total for Check Number 286:	0.00	816.25
287	11650 2712 2713	WOLYNIEC CONSTRUCTION, INC. CURB RAMPS CURB RAMPS	06/15/2019		49,082.15 2,059.94
			Total for Check Number 287:	0.00	51,142.09
288	10436 730912	GLENN O HAWBAKER INC 9.5MM I 64-22 0-3	06/28/2019		943.41
			Total for Check Number 288:	0.00	943.41
289	10475 37604	HANSON AGGREGATES PA INC CONCRETE	06/28/2019		382.50
			Total for Check Number 289:	0.00	382.50
290	10509 1514377	HRI INC STONE FOR TADPOLE MICRO PREP	06/28/2019		451.82
			Total for Check Number 290:	0.00	451.82
597	11361	APPALACHIAN SUPPLY CO LLC	06/15/2019		

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
	1175	90 EA 2 HOLE ROUNDSPLIT RAIL LINE POS			2,072.50
			Total for Check Number 597:	0.00	2,072.50
598	10184 120729	CENTRE COMMUNICATIONS INC RADIO FOR GRAPPLER	06/15/2019		1,803.78
			Total for Check Number 598:	0.00	1,803.78
599	11376 053119	COLONIAL AUTO SUPPLY OIL FILTER/FILTERS/BATTERY	06/15/2019		355.15
			Total for Check Number 599:	0.00	355.15
600	10396 053119	FISHER AUTO PARTS TRICO	06/15/2019		49.38
			Total for Check Number 600:	0.00	49.38
601	11332 8519 8549	NTM ENGINEERING INC FERGUSON TOWNSHIP PUBLIC WORKS BU PARK HILLS DRAINAGEWAY RESTORATIO	06/15/2019		551.25 17,031.61
			Total for Check Number 601:	0.00	17,582.86
602	11037 052819	STATE COLLEGE FORD LINCOLN INC TWO TONE BODY	06/15/2019		1,300.00
			Total for Check Number 602:	0.00	1,300.00
603	11774 6045	YSM SUBURBAN PARK MP	06/15/2019		1,236.05
			Total for Check Number 603:	0.00	1,236.05
604	10362 060719	ENVIRONMENTAL PLANNING & DES UPDATE ZONING ORDINANCE, ZONING M	06/28/2019		2,608.84
			Total for Check Number 604:	0.00	2,608.84
605	11518 PC0000031283 PC0000031283	GENERAL CODE (1) LASERFICHE FORMS MODULE, WEB PC (1) LASERFICHE FORMS MODULE, WEB PC	06/28/2019		4,000.00 1,291.33
			Total for Check Number 605:	0.00	5,291.33
606	10487 7970	HERITAGE ELECTRIC ELECTRICAL WORK AT BALLFIELD PULLI	06/28/2019		1,025.00
			Total for Check Number 606:	0.00	1,025.00
607	11253 INFQ10019	INFRADAPT LLC EQUIPMENT & SOFTWARE/DIGIUM VOICE	06/28/2019		1,333.00
			Total for Check Number 607:	0.00	1,333.00
608	11832 063019	TRI-STAR CHEVROLET 2019 CHEVY BOLT EV LT - GM SUBSIDY IS	06/28/2019		33,071.06
			Total for Check Number 608:	0.00	33,071.06
8729	10031 143543	ALLIED MECHANICAL & ELECTRICA COMMERCIAL MAINTENANCE	06/15/2019		750.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
			Total for Check Number 8729:	0.00	750.00
8730	10047 18448806 RI 18448806 RI	AMSOIL INC SYNTHETIC FUEL SYNTHETIC TORQUE DRIVE ATF/FREIGHT	06/15/2019		128.55 176.79
			Total for Check Number 8730:	0.00	305.34
8731	11390 BT1430716	BAKER TILLY VIRCHOW KRAUSE, LL PROGRESS BILLING ON 2018 AUDIT	06/15/2019		5,000.00
			Total for Check Number 8731:	0.00	5,000.00
8732	10122 7790	BOROUGH OF STATE COLLEGE RMS SUPPORT	06/15/2019		7,496.25
			Total for Check Number 8732:	0.00	7,496.25
8733	10197 1180709	CENTRE COUNTY RECYLING & REFU TIRES	06/15/2019		28.50
			Total for Check Number 8733:	0.00	28.50
8734	10203 4235442 4238850 4239883	CENTRE DAILY TIMES BOS MTG CANCELLED JUNE 3RD BOS MTG JUNE 11TH PLANNING COMMISSION MTG JUNE 3RD	06/15/2019		48.59 64.03 50.52
			Total for Check Number 8734:	0.00	163.14
8735	10232 052119	CLEARWATER CONSERVANCY MS4 OUTREACH AND EDUCATION ASSIST.	06/15/2019		869.95
			Total for Check Number 8735:	0.00	869.95
8736	11376 053119 053119 053119 053119	COLONIAL AUTO SUPPLY BATTERY/FUEL PUMP/SENSOR/BRAKE PA FILTER FLUID OIL	06/15/2019		1,147.75 15.63 14.58 90.02
			Total for Check Number 8736:	0.00	1,267.98
8737	10244 83202344	COMCAST BUSINESS ETHERNET DEDICATED INTERNET	06/15/2019		1,050.00
			Total for Check Number 8737:	0.00	1,050.00
8738	11219 1098494	COMMONWEALTH OF PENNSYLVANI MS4 INDIVIDUAL PERMIT	06/15/2019		500.00
			Total for Check Number 8738:	0.00	500.00
8739	10281 061019	CROSS RADIATOR & AIR CONDITION A/C REPAIR	06/15/2019		195.00
			Total for Check Number 8739:	0.00	195.00
8740	10282 2C276328	CUMBERLAND TRUCK EQUIPMENT C CAT ELC PRE-MIX GALLON	06/15/2019		92.28

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
			Total for Check Number 8740:	0.00	92.28
8741	10297 21679	DAVIDHEISERS INC STOP WATCH/VASCAR TESTED/SPEED CHI	06/15/2019		326.00
			Total for Check Number 8741:	0.00	326.00
8742	10354 052419	WALTER EMBSER MILEAGE EMBSER	06/15/2019		32.48
			Total for Check Number 8742:	0.00	32.48
8743	10373 053119 053119	FAYETTE PARTS SERVICE INC PINTLE HOOK/AIR PUMP/POWERATED BE WINDOW DEFLECTOR	06/15/2019		693.52 58.58
			Total for Check Number 8743:	0.00	752.10
8744	11217 061419	FERGUSON TOWNSHIP POLICE ASSOC POLICE UNION DUES	06/15/2019		420.00
			Total for Check Number 8744:	0.00	420.00
8745	10396 053119 053119 053119	FISHER AUTO PARTS STARTER/TAIL LIGHT/OIL DRY/OIL FILTER WASHER FLUID TRICO	06/15/2019		89.86 26.88 9.83
			Total for Check Number 8745:	0.00	126.57
8746	10409 56277	FRED CARSON DISPOSAL INC. COMMERCIAL WASTE SERV/RECYCLING/	06/15/2019		217.00
			Total for Check Number 8746:	0.00	217.00
8747	11497 061519	ICMA MEMBERSHIP RENEWALS ICMA MEMBERSHIP RENEWAL MARTIN/C	06/15/2019		175.00
			Total for Check Number 8747:	0.00	175.00
8748	10590 100955	KISTLER OBIEN SEMIANNUAL SUPPRESSION SYSTEM INS	06/15/2019		360.00
			Total for Check Number 8748:	0.00	360.00
8749	10644 053119 053119 053119 053119 053119 053119 053119 053119	LOWES COMPANIES INC CHAIN LINK/SHACKLE/HOOK BOARDS MEN BATHROOM SIGN SIGNAL INSPECTION BULBS SMALL TOOL/LATCHING BOARDS WINDOW FILM	06/15/2019		23.22 12.68 4.74 219.82 18.20 36.09 27.12 16.13
			Total for Check Number 8749:	0.00	358.00
8750	10762 24498044 24860696	MARCO TECHNOLOGIES COPIER LEASE 3252CI COPIER LEASE 3252CI	06/15/2019		385.67 406.60

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
			Total for Check Number 8750:	0.00	792.27
8751	10692 482210963	MIDSTATE TOOL & SUPPLY INC DISCONNECT LOW PROFILE JIFFY TITE SE	06/15/2019		71.39
			Total for Check Number 8751:	0.00	71.39
8752	10701 061319	MILLER WELDING SERVICE 1" ROUND 9"	06/15/2019		10.00
			Total for Check Number 8752:	0.00	10.00
8753	10755 714589-0 714589-0	NITTANY OFFICE EQUIP C O HON PAPER PAPER	06/15/2019		145.20 108.90
			Total for Check Number 8753:	0.00	254.10
8754	10756 714798-0	NITTANY OFFICE EQUIPMENT PAPER	06/15/2019		254.66
			Total for Check Number 8754:	0.00	254.66
8755	10760 050919 050919	NOERRS GARAGE FIX ENGINE CODES GASKET/SENSOR MANIFOLD/VALVE KIT/I	06/15/2019		1,319.10 518.71
			Total for Check Number 8755:	0.00	1,837.81
8756	11332 8519 8519 8519 8519 8519 8519 8519 8519 8519 8519 8519 8519 8519 8519 8519 8519	NTM ENGINEERING INC ES-380 ES-372 ES-387 ES-374 ES-388 ES-389 ES-389 ES-382 ES-400	06/15/2019		2.90 967.58 78.75 31.47 5.22 5.80 2,225.22 2,588.12 157.50
			Total for Check Number 8756:	0.00	6,062.56
8757	11829 061519	FRANCES NUHFER FLOWERS FOR WELCOME SIGNS	06/15/2019		70.98
			Total for Check Number 8757:	0.00	70.98
8758	11616 053119	PA MEDIA GROUP AD FOR PLANNING AND ZONING DIRECT	06/15/2019		584.22
			Total for Check Number 8758:	0.00	584.22
8759	10798 815931	PA ONE CALL SYSTEM MONTHLY ACTIVITY FEE/SUPP MESSAGE	06/15/2019		535.19
			Total for Check Number 8759:	0.00	535.19
8760	10816 17575	PATCTECH PATCTECH SERVICES MAY HOURS	06/15/2019		400.00
			Total for Check Number 8760:	0.00	400.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
8761	10830	PENN PRIME TRUST	06/15/2019		
	10264	Property Insurance			14,480.71
	10264	Police Liability			7,138.02
	10264	Public Officials			5,931.91
	10264	Vehicle Insurance			8,640.18
	10264	Crime Insurance			358.18
			Total for Check Number 8761:	0.00	36,549.00
8762	10831	PENN PRIME WORKERS COMPENSATION	06/15/2019		
	10201	AUDIT REFUND 2018			-576.00
	10228	WORKERS COMP			32,208.00
			Total for Check Number 8762:	0.00	31,632.00
8763	10845	PENNSYLVANIA MUNICIPAL HEALTH	06/15/2019		
	060119	HEALTHCARE INS JULY 19			79,153.20
	060119	EYECARE INS JULY 19			671.46
	060119	DENTAL INS JULY 19			3,471.03
			Total for Check Number 8763:	0.00	83,295.69
8764	11344	PETERSON INDUSTRIES INC.	06/15/2019		
	160048	BUCKET/BOLT/NUT			349.28
			Total for Check Number 8764:	0.00	349.28
8765	10864	PITNEY BOWES GLOBAL FINANCIAL	06/15/2019		
	062919	POSTAGE RENTAL			122.01
			Total for Check Number 8765:	0.00	122.01
8766	11825	PITTSBURGH POST-GAZETTE	06/15/2019		
	23827	AD FOR PLANNING & ZONING DIRECTOR			802.00
			Total for Check Number 8766:	0.00	802.00
8767	10911	PURCHASE POWER	06/15/2019		
	052619	POSTAGE BY PHONE			58.05
			Total for Check Number 8767:	0.00	58.05
8768	10927	REDLINE SPEED SHINE	06/15/2019		
	2193	FLEET MEMBERSHIP			280.33
			Total for Check Number 8768:	0.00	280.33
8769	11257	SHARE CORPORATION	06/15/2019		
	93636	HDIC-RTU-QT			136.84
			Total for Check Number 8769:	0.00	136.84
8770	10997	SIGNAL CONTROL PRODUCTS INC	06/15/2019		
	20191147	RENO FLASHER			115.07
			Total for Check Number 8770:	0.00	115.07
8771	11476	SITE ONE LANDSCAPE SUPPLY	06/15/2019		
	91756254-001	SEED MIX			129.39
			Total for Check Number 8771:	0.00	129.39
8772	11037	STATE COLLEGE FORD LINCOLN INC	06/15/2019		

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
Invoice No		Description	Reference		
	052819	ANTI FREEZE			20.11
	052819	KEYS			276.88
			Total for Check Number 8772:	0.00	296.99
8773	11045	STEPHENSON EQUIPMENT INC	06/15/2019		
	10142737	TOOTH KIT STEEL			237.07
			Total for Check Number 8773:	0.00	237.07
8774	11050	STOCKER CHEVROLET INC	06/15/2019		
	220-96432	RADIATORS			795.98
			Total for Check Number 8774:	0.00	795.98
8775	10481	THE HARTMAN GROUP	06/15/2019		
	110508	2019 WORKERS COMP CONSULTING			1,875.00
	110508	2019 PROP/LIAB CONSULTING FEE			2,375.00
			Total for Check Number 8775:	0.00	4,250.00
8776	11824	THE PENNSYLVANIA STATE UNIVERS	06/15/2019		
	127404	FTO TRAINING			900.00
			Total for Check Number 8776:	0.00	900.00
8777	11828	THE PHILADELPHAI INQUIRER, LLC	06/15/2019		
	600046110	AD FOR PLANNING & ZONING DIRECTOR			960.05
			Total for Check Number 8777:	0.00	960.05
8778	11822	ELLEN M. TRUMBO	06/15/2019		
	053019	DRIVEWAY PERMIT REFUND			50.00
			Total for Check Number 8778:	0.00	50.00
8779	11159	VERIZON WIRELESS	06/15/2019		
	060119	AIRTIME CARD JUN 19			37.20
			Total for Check Number 8779:	0.00	37.20
8780	11551	WELLS FARGO	06/15/2019		
	69667911	COPIER LEASE 3010I			131.33
			Total for Check Number 8780:	0.00	131.33
8781	11190	WESCO RECEIVABLES CORP	06/15/2019		
	834957	BALLAST			24.04
			Total for Check Number 8781:	0.00	24.04
8782	11201	WINDSTREAM	06/15/2019		
	060519	LONG DIST MAY 19			53.91
	060519	LONG DIST MAY 19			20.97
	060519	LINE/BASIC SERV MAY 19			145.67
	060519	LINE/BASIC SERV MAY 19			291.37
	060519	LINE/BASIC SERV MAY 19			291.37
			Total for Check Number 8782:	0.00	803.29
8783	11203	WITMER PUBLIC SAFETY GROUP INC	06/15/2019		
	1935439.005	BELT/HAND STRAP			75.00
	1947236.001	HSCI MULTI-ACESS COMM TACO MOLLE/I			232.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
			Total for Check Number 8783:	0.00	307.00
8784	11205 666023	WOODRINGS FLORAL GARDENS FLOWERS FOR HOCKENBERRY/PAULA	06/15/2019		48.95
			Total for Check Number 8784:	0.00	48.95
8785	11831 062519	MEYER DAIRY FARMS LLC BOOM ICE CREAM SOCIAL	06/25/2019		84.00
			Total for Check Number 8785:	0.00	84.00
8786	11816	BELDING & MULL 223/5.56 FMJ AMMO 45 ACP 230 GRAIN FMJ AMMO BLACK HILLS GOLD 308 168GR H.P. PER A'	06/27/2019		1,350.00 1,200.00 318.00
			Total for Check Number 8786:	0.00	2,868.00
8787	10004 CNYYYY	A & H EQUIPMENT COMPANY FILTER/O-RING/HYD FLUID/FILTERS/ELEM	06/28/2019		1,073.56
			Total for Check Number 8787:	0.00	1,073.56
8788	10016 191483	AFLAC INSURANCE WITHHELD	06/28/2019		176.77
			Total for Check Number 8788:	0.00	176.77
8789	11242 16HT-KYNV-KHKN 19T4-HRKD-HPT3 1DGW-9JJY-4117 1KW9-NL41-XTNL 1KW9-NL41-XYMJ 1KW9-NL41-XYMJ 1QNQ-HDTL-WNWI	AMAZON CAPITAL SERVICES INC CUSTOM NAME PLATES IP PHONE CALCULATOR PAPER BELT & HOLSTER PENS LASER PRESENTER MONITOR CABLE	06/28/2019		17.50 169.99 14.99 84.17 21.09 29.98 14.98
			Total for Check Number 8789:	0.00	352.70
8790	10047 1857336 RI	AMSOIL INC GEAR OIL	06/28/2019		184.99
			Total for Check Number 8790:	0.00	184.99
8791	10085 158894	BASTIAN TIRE & AUTO CENTERS TIRES	06/28/2019		1,017.20
			Total for Check Number 8791:	0.00	1,017.20
8792	11702 063019	BLUE KNOB AUTO UNDERCOVER VEHICLE	06/28/2019		300.00
			Total for Check Number 8792:	0.00	300.00
8793	11595 062419	CENTRAL PA CHAPTER APWA APWA WINTER MAINT OPERATOR CERT/A	06/28/2019		275.00
			Total for Check Number 8793:	0.00	275.00
8794	11755 FTPД	CENTRE COUNTY GOVERNMENT ANNUAL INVOICE FOR CONTINUATION O	06/28/2019		3,094.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
			Total for Check Number 8794:	0.00	3,094.00
8795	10197 1180709	CENTRE COUNTY RECYLING & REFU TIRES	06/28/2019		28.06
			Total for Check Number 8795:	0.00	28.06
8796	10201 062819	CENTRE COUNTY UNITED WAY U-WAY	06/28/2019		76.00
			Total for Check Number 8796:	0.00	76.00
8797	10203 4212169 4242935 4258905 4263012	CENTRE DAILY TIMES AD FOR PLANNING & ZONING DIRECTOR ZHB MTG JUNE 25 BOS MTG JUNE 17TH BOS MTG 6/25	06/28/2019		590.40 323.30 121.93 71.75
			Total for Check Number 8797:	0.00	1,107.38
8798	10231 469885	CLEARFIELD WHOLESALE PAPER CO CLEANER/DEGREASER SPRAY NINE/WIPE	06/28/2019		137.56
			Total for Check Number 8798:	0.00	137.56
8799	10240 138742	COLLEGIATE PRIDE INC POLOS 4EA EMBROIDERED	06/28/2019		171.92
			Total for Check Number 8799:	0.00	171.92
8800	10241 44859	COLONIAL PRESS 500 CASE JACKETS	06/28/2019		130.00
			Total for Check Number 8800:	0.00	130.00
8801	10243 10006-JUL19 10007-JUL19	COLUMBIA GAS OF PA INC OFFICE GAS GARAGE GAS	06/28/2019		46.03 65.91
			Total for Check Number 8801:	0.00	111.94
8802	10372 PASTA165961 PASTA166257	FASTENAL COMPANY BOLTS/WASHER/NUTS 5/16-18X3 TRX FLOOR	06/28/2019		219.48 6.82
			Total for Check Number 8802:	0.00	226.30
8803	11217 062819	FERGUSON TOWNSHIP POLICE ASSOC POLICE UNION DUES	06/28/2019		420.00
			Total for Check Number 8803:	0.00	420.00
8804	11518 PC0000031283 PC0000031283	GENERAL CODE (1) LASERFICHE FORMS MODULE, WEB PC (1) LASERFICHE FORMS MODULE, WEB PC	06/28/2019		2,225.00 500.00
			Total for Check Number 8804:	0.00	2,725.00
8805	11635 24980466	GREAT AMERICA FINANCIAL SERVIC COPIER LEASE TASKALFA 5052CI	06/28/2019		217.64

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
			Total for Check Number 8805:	0.00	217.64
8806	10493 25053565	HITE COMPANY THE 120 V 2000W 1/2 STEM MNT PHOTOCO	06/28/2019		11.71
			Total for Check Number 8806:	0.00	11.71
8807	11253 INFQ10019 INFQ10019 INFQ10019	INFRADAPT LLC INFRADAPT CARRIER SERV/SET UP/LNP& INFRADAPT CARRIER SERV/SET UP/LNP& INFRADAPT CARRIER SERV/SET UP/LNP&	06/28/2019		744.99 744.99 744.98
			Total for Check Number 8807:	0.00	2,234.96
8808	11833 BSGY877 BSGY877	IRON MOUNTAIN ON-SITE SHREDDING ON-SITE SHREDDING	06/28/2019		32.50 32.50
			Total for Check Number 8808:	0.00	65.00
8809	10554 25598	JARU ASSOCIATES INC PRINTS	06/28/2019		494.40
			Total for Check Number 8809:	0.00	494.40
8810	10568 130394 130394	K & S DISTRIBUTION OIL/CLEANER/LUB HEAVY DUTY OIL	06/28/2019		424.71 422.80
			Total for Check Number 8810:	0.00	847.51
8811	11704 063019 063019 063019 063019	MADISON NATIONAL LIFE LTD INS VOL LIFE INS BASIC LIFE AD&D STD INS	06/28/2019		699.08 447.13 603.92 668.50
			Total for Check Number 8811:	0.00	2,418.63
8812	10762 24975599 INV6442443 INV6481497	MARCO TECHNOLOGIES COPIER LEASE M3550IDN COPIER LEASE 1102P82USO COPIER LEASE 1102P82USO	06/28/2019		242.69 134.48 465.55
			Total for Check Number 8812:	0.00	842.72
8813	10667 19895957	MATHESON TRI GAS INC DBA OXYGEN	06/28/2019		121.35
			Total for Check Number 8813:	0.00	121.35
8814	10674 6	MCCORMICK TAYLOR INC ES-382	06/28/2019		4,590.00
			Total for Check Number 8814:	0.00	4,590.00
8815	10701 061719	MILLER WELDING SERVICE 8' 2"X2" X3/16 ANGLE	06/28/2019		22.00
			Total for Check Number 8815:	0.00	22.00
8816	10712	MONARCH CLEANERS	06/28/2019	VOID	

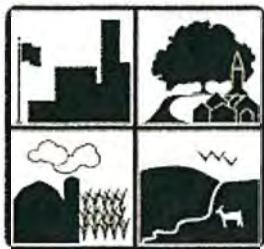
Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
	060319	PW UNIF CLN MAY 19			601.05
			Total for Check Number 8816:	601.05	0.00
8817	10755 714589-0 714589-0	NITTANY OFFICE EQUIP C O HON PAPER PAPER	06/28/2019		145.20 108.90
			Total for Check Number 8817:	0.00	254.10
8818	10757 062719 062719 062719	NITTANY OIL COMPANY POLICE FUEL PW FUEL DIESEL FUEL	06/28/2019		6,608.00 1,617.00 8,593.85
			Total for Check Number 8818:	0.00	16,818.85
8819	11829 061519	FRANCES NUHFER FLOWERS AT WELCOME SIGNS	06/28/2019		66.96
			Total for Check Number 8819:	0.00	66.96
8820	10816 ALC 17575	PATCTECH PATCTECH SERVICES: MAY HOURS	06/28/2019		400.00
			Total for Check Number 8820:	0.00	400.00
8821	10836 GS00057889	PENN STATE UNIVERSITY 50% OF GLOBAL SATELITE PHONE 2018	06/28/2019		837.89
			Total for Check Number 8821:	0.00	837.89
8822	10990 15354	SHARERS AUTOMOTIVE EVAC & RECHARGE WITH DYE/REFRIGER	06/28/2019		333.00
			Total for Check Number 8822:	0.00	333.00
8823	10992 1143-6	SHERWIN WILLIAMS PAINT	06/28/2019		38.37
			Total for Check Number 8823:	0.00	38.37
8824	11614 ARV/40301261 ARV/40303990	SNAP ON INDUSTRIAL WORK LIGHT ORANGE SOCKET SET	06/28/2019		239.42 367.19
			Total for Check Number 8824:	0.00	606.61
8825	11017 1377046	SOSMETAL PRODUCTS INC WIRE TIES/BATTERY CLEANER/TIRE & TU	06/28/2019		86.62
			Total for Check Number 8825:	0.00	86.62
8826	11029 063019 18-324-2 18-324-4REV 18-324-5 18-324-6	STAHL SHEAFFER ENGINEERING LL TOLL BROTHERS MUNICIPAL IMPROVEMI TOLL BROTHERS MUNICIPAL IMPROVEMI TOLL BROTHERS MUNICIPAL IMPROVEMI TOLL BROTHERS MUNICIPAL IMPROVEMI TOLL BROTHERS MUNICIPAL IMPROVEMI	06/28/2019		-3,239.00 1,680.84 3,513.70 6,459.90 8,355.90
			Total for Check Number 8826:	0.00	16,771.34
8827	11744	STARR UNIFORM	06/28/2019		

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
	Invoice No	Description	Reference		
			Total for Check Number 2017053:	0.00	236,917.50
2017054	10690 19CT007-001	MID STATE PAVING LLC KANSA AVE	06/28/2019		75,630.58
			Total for Check Number 2017054:	0.00	75,630.58
20190338	11827 062019	CENTRE FOUNDATION TRANSFER FUNDS TO CENTRE FOUNDATI	06/15/2019		10,000.00
			Total for Check Number 20190338:	0.00	10,000.00
20190339	11192 6563-JUN19	WEST PENN POWER 425 PARK CREST LANE	06/28/2019 93,454.249		9.20
			Total for Check Number 20190339:	0.00	9.20
			Report Total (143 checks):	601.05	871,567.70



My only concern is the group crossing at West College Ave. I do not believe it is necessary to post an officer at the intersection. I can have an officer, if available, monitor the crossing.

Chris



FERGUSON TOWNSHIP APPLICATION FOR SPECIAL EVENTS PERMIT

Use of this Form:

Complete this application if the proposed assemblage, procession, or other special event will require the closure of Township roads, sidewalks, and/or bikeways. Each application must be completed by an authorized agent of the sponsoring organization. Please complete this form in its entirety and submit it to Ferguson Township staff in accordance with the conditions enumerated in this application. For your convenience, this application also includes instructions and timelines for securing Pennsylvania Department of Transportation (PennDOT) and Centre Region Parks and Recreation (CRPR) Department approval should the event require closure of state roads and/or use of municipal/regional parks. Nothing in this application or associated policy shall supersede or override PennDOT or CRPR permit requirements.

Timeline:

<u>Step</u>	<u>Timeline</u>
Notify Ferguson Township Police Department of the intent to host an event and provide a general description of the event	10 – 12 weeks prior to the event if the event will require a Ferguson Township Special Events Permit <u>OR</u> 3 weeks prior <i>IF</i> no closures are required
Preliminary event planning with the Centre Region Parks and Recreation Department, if necessary	At least 45 days prior to the event* ✓
If food will be served, notify the Department of Health and Neighborhood Services at the Borough of State College	10 – 12 weeks prior to hosting an event ✓
Complete Ferguson Township Special Events Application	10 – 12 weeks prior to hosting an event* <i>June 21st</i>
Remit application permit fee and escrow payments to township	Due when application is submitted <i>n/a</i>
Submit Certificate of Insurance, proposed map of procession, a copy of the "Registration for a Food Event on Public Property Form" signed by the Dept. of Health and Neighborhood Services, and a completed application checklist	6 – 8 weeks prior to hosting an event <i>July 21st</i>

If denied a permit and applicant wishes to appeal, notify Township Manager in writing of intent to do so	Within 7 days of receiving a denial
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*Note: Plan to apply for a permit from CRPR **at least** 10 – 12 weeks prior to events that will also require a Ferguson Township Special Events Permit ~~CRPR sponsor / partner for event~~

Definitions:

Assemblage – An organized group of people without vehicles, or with vehicles that are stationary, which encroaches onto a street or highway and interferes with the movement of pedestrian or vehicular traffic. The term includes, but is not limited to, street fairs, block parties, organized demonstrations, and other recreational activities. An assemblage is a special event.

Authorized Agent – An individual or legal entity that has obtained authorization to act on behalf of the organization responsible for conducting the assemblage, procession, or special event for the purposes of completing all required parts of this application.

Procession – An organized group of individuals, or individuals with vehicles, animals, or objects, moving along a roadway, or the berm or shoulder of a roadway in a manner that interferes with the normal movement of traffic. The term includes, but is not limited to walks, foot races, parades, and marches. A procession shall not include a funeral caravan, military convoy or emergency service convoy. Other processions shall be considered a special event.

Special Event – A procession, assemblage, or special activity held within the right-of-way of a public right-of-way.

State Road – A highway or bridge on the system of highways and bridges over which the Pennsylvania Department of Transportation has assumed or has been legislatively given jurisdiction.

Any change in this application, regardless of progress in the approval process, must be resubmitted and routed through the same channels as if it were a new application.

Applicant Information:

Name of Applicant/Authorized Agent:	Jasmine Fields State College Borough	Date:
Address of Sponsor or Organization:	243 S. Allen St STATE COLLEGE, PA 16801	Phone: 814 278 4705
Email Address:	jfields@statecollege.pa.us	Cell:
Primary Contact:	Jasmine Fields	Fax:
		Phone: above

Secondary Contact: Trish Meek Phone: 814 231 3085

Date and time of Activity: Sept. 21st, 2019 From: 10:00 AM To: 12:00pm

Rain Date (if applicable): _____ From: _____ To: _____

Activity Detail:

Describe your event in detail using additional sheets, if necessary: Family Fun Ride

convening at orchard park. After brief remarks, participants will proceed
to an 8-mile ride, primarily on bike paths. led by Mayor Hahn. we
will end at orchard park.

Will this event be held solely on sidewalks
and/or bikeways? No Yes

Does your event require a street closure?
(Please consult Ferguson Township Police Dept.
to help determine.) No Yes

If yes, select the type of road that will be closed: (For more information, see attached map and list)

- State Road(s) Only (Additional Form Required: PennDOT TE-300 Form)
 Local Road(s) Only
 State Road(s) and Local Road(s) (Additional Form Required: PennDOT TE-300 Form) not closure, usage requested.

Listed in order of route, what street(s) would you like closed for this event? (Use additional sheets, if necessary)

see attached map and eve sheet.

How long will the street closure be in effect? From: _____ To: _____

Will the event cross any municipal or state roads? Yes No

If yes, please indicate which roads the procession will cross:

26 - college Ave at blue course drive
322 - North Atherton street by 1ST building

Will the event procession cross any state roads? Yes No

(If yes, submit PennDOT TE-300 Form)

* Will submit after Penn Twp. approval*

Municipal/Regional Park Usage:

If this event includes the use of a municipal/regional park, please contact the Centre Region Parks and Recreation (CRPR) Department by phone at (814) 231-3071 or by email at crpr@crcog.net prior submitting this form (see attached timeline). Special park permits and conditions may also apply. Once the approval is secured from the Centre Region Parks and Recreation Department, please have an authorized official complete the fields below.

Name: (Print) James J. Salivaggio Title of Official: Director

Signature: Sal J. Salivaggio Date of Approval: May 31, 2019

Charitable Cause:

Is the Sponsor an organization with 501(c)(3) tax exempt status? Yes No

If this event is to benefit a charitable organization, please identify that organization:

Centre BIKE , Centre MOVES, STATE college BN.

Health Considerations:

Will there be food and drink provided to the public at this event? Yes No

If yes, have you made arrangements for approval/inspections with the Department of Ordinance Enforcement and Public Health?

Yes

No

If no, please complete the form that is attached to this application and obtain approval prior to submission of this application.

The Applicant recognizes and AGREES that Ferguson Township requires the proposed event to be conducted in such a manner that minimizes disruption to township residents and be within the limits established by existing ordinances. By signing below, the Applicant AGREES to protect, defend, indemnify and hold Ferguson Township and its officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs or other expenses or liabilities of every kind and character arising directly or indirectly from this event. The Applicant further AGREES to investigate, handle, respond to, provide defense for and defend any such claims, etc., at the Applicant's sole expense and AGREES to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.

Signature: Jasmine K. Quilds Date: 5/24/2019

OFFICE USE ONLY: ROUTING FOR APPROVAL

Police Dept. _____ Public Works Dept. _____
Health Dept. _____ Township Manager _____

THIS SERVES AS YOUR PERMIT

The Ferguson Township Board of Supervisors **approved** your application on:

Conditions (if any) are as follows: _____

Signature of Chairperson or
authorized representative: _____

Checklist:

- Notify the Ferguson Township Police Department of your intent to host a special event regardless of whether or not the event will require the use of Township roads, bikeways, or sidewalks.
- Contact the Centre Region Parks and Recreation Department (CRPR) at 814-231-3071 *if* the event will include the use of a municipal/regional park.
- If food will be served on public property, contact the Department of Health and Neighborhood Services at the Borough of State College by phone at 814-234-7191 or by email at healthdept@statecollegepa.us.
- Complete the Ferguson Township Special Events Application.
- Pay required application and escrow fees.
- Submit Certificate of Insurance and any other necessary documents.
- If denied a permit at any point in the process and you wish to appeal the decision, notify the Township Manager in writing of your request to do so.

Checklist for Hosting a Special Event on State Roads:

- Complete PennDOT's [TE-300: Special Event Permit Application](#).
(must be done after approval is secured from Ferguson Township)
- Review PennDOT [Title 67, Chapter 212.701 Subchapter H, Special Events](#).
- Event Insurance Certificate
(must meet Ferguson Township requirements above, **and** list the Commonwealth of Pennsylvania as an additional insured)
- Notify Pennsylvania State Police (PSP) of special event
(please contact Station Commander at [Local PSP Barracks](#)).
- PennDOT requirements for notification and/or approval letter(s) for special events. If the Special Event occurs on:
 - State Road(s) Only
 - Sponsor is required to send notification letter(s) to each municipality for special event involvement on state road.
 - Sponsor is required to submit a copy of the municipality notification letter(s) to the Pennsylvania Department of Transportation along with the TE-300: Special Events Permit Application.
 - State Road(s) and Local Road(s)
 - Sponsor is required to send notification letter to each municipality for special event involvement on state road.
 - Sponsor is required to obtain approval letter from each municipality for special event involvement on a local road.
 - Sponsor is required to submit a copy of each municipality notification and approval letter to the Pennsylvania Department of Transportation along with the TE-300: Special Events Permit Application
- Submit completed and signed permit application and the required documents to the appropriate Pennsylvania Department of Transportation District Engineering Office **eight (8) weeks prior to the date of the special event**.



TOWNSHIP OF FERGUSON

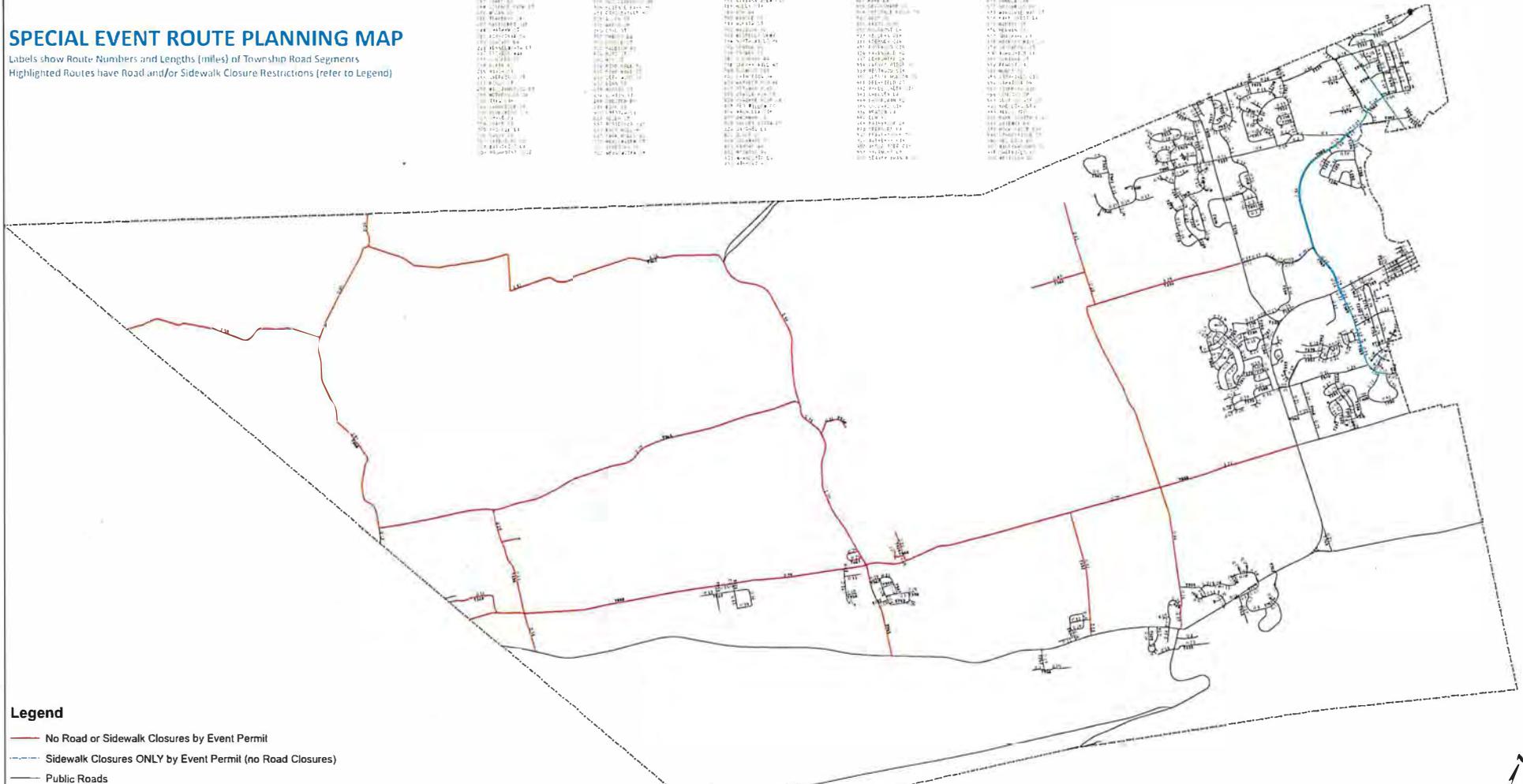
3147 Research Drive • State College, PA • 16801

Phone: (814) 238-4651 • **Fax:** (814) 238-3454

SPECIAL EVENT ROUTE PLANNING MAP

Labels show Route Numbers and Lengths (miles) of Township Road Segments

Highlighted Routes have Road and/or Sidewalk Closure Restrictions (refer to Legend)

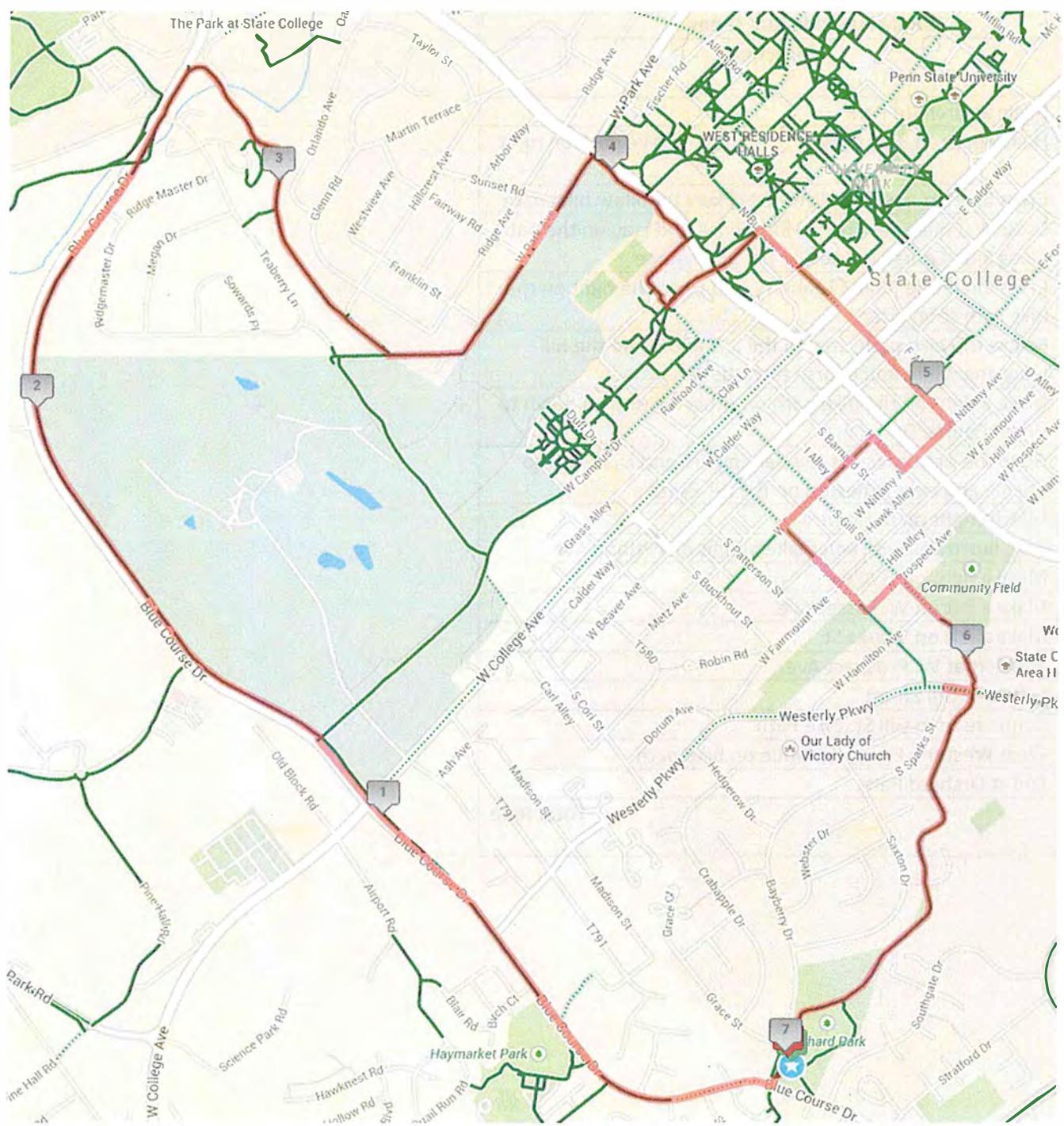


Legend

- No Road or Sidewalk Closures by Event Permit
 - - - Sidewalk Closures ONLY by Event Permit (no Road Closures)
 - Public Roads
 - [] Ferguson Township Boundary



Map Scale at Full Size: (24x36", ARCH D)	1:24,000 1 Inch = 2,000 feet
---	---------------------------------



Family Fun Ride Cue Sheet	
Miles	Direction
0.0	Begin at Orchard Park
2.6 (total)	Head north on Blue Course Drive, follow bike path on right
0.7	Cross Blue Course Dr at Westerly Pkwy to follow bike path
1.9	Cross W. College at The Waffle House and stay on the path along Blue Course Dr. beside the golf course.
0.3	Cross Circleville Road/ Teaberry and go to the right on the bike path soon after.
0.65	Follow the bike path, stay to the left and go up the hill along the white golf course towards Atherton.
	Make a right on the bike path on Atherton and go down to White Course Dr.
0.5	Go to the right towards the parking lot, and circle left to ride up and over Atherton on the IST Bridge.
	Make a right on Burrowes
0.4	Take Burrowes until you make a right on Nittany Ave.
0.1	Make a right on H Alley
0.1	Make a left on W. Foster Ave.
0.2	Make a left on Sparks St.
	Turn left at W. Prospect Ave.
0.3	Left on S. Gill Street
0.6	Continue onto Gill St. Bike Path
1.0	Cross Westerly Pkwy; continue on bike path
	End at Orchard Park
7.27 miles	Total Ride

ALPHA SPACE CONTROL CO., INC.

INVOICE

Visit Us @ www.alphaspacecontrol.com
 Phone: 717-263-0182 Fax: 717-263-1193
 1580 GABLER ROAD
 CHAMBERSBURG, PA 17201

DATE	INVOICE #
6/17/2019	53234

NAME / ADDRESS TOWNSHIP OF FERGUSON 3147 RESEARCH DRIVE STATE COLLEGE, PA 16801 ATTN: RYAN SCANLAN
--

JOB: 2019 TRAFFIC MARKINGS 19-812 ADDRESS: CITY/ST: CENTRE COUNTY, PA.
--

QTY	DESCRIPTION	DUE DATE	CUSTOMER P.O. NO.	ALPHA P/SO #	SALES REP:
		7/17/2019		19-811	RICH PRYOR
834	ROAD STRIPING:				
672	LF OF 4" SINGLE YELLOW LINE			0.051	42.53
4,582	LF OF 4" SINGLE WHITE LINE			0.051	34.27
263	LF OF 24" STOP BAR(S) /GORE			1.90	8,705.80
648	LF OF 24" GORE BAR(S) YELLOW			1.90	499.70
5,209	L F 8" CROSSWALKS / VASCAR			1.55	1,004.40
1,062	LF OF 6"WHT LINE CROSS WALKS			1.50	7,813.50
3,294	LF OF 12" WHITE LINE			1.60	1,699.20
334	LF OF 4" PARKING LINE			0.20	658.80
4	EA PENN DOT ARROWAS			40.00	13,360.00
7	EA PENN DOT COMBO ARROWS			75.00	300.00
6	8' ONLY LEGEND(S)			65.00	455.00
4	8' STOP LEGEND(S)			75.00	450.00
0	8' AHEAD LEGENDS			75.00	300.00
16	EA BIKE LEGENDS			65.00	
2	EA BICYCLE SYMBOLS			25.00	400.00
18	EA PED LEGENDS			65.00	130.00
8	8' X-ING LEGENDS			65.00	1,170.00
66	8' SLOW LEGENDS			65.00	520.00
4	12 X 18 YIELD TRIANGLES			2.00	132.00
5	INTERSECTION SYMBOLS			85.00	340.00
PENNSYLVANIA SALES TAX				25.00	125.00
				6.00%	0.00

TERMS: NET 30 DAYS 1.5% INTEREST AFTER DUE DATE.

VISA & MASTERCARD NOW BEING ACCEPTED.
 THANK YOU FOR YOUR PATRONAGE.

TOTAL

\$38,140.20

Pay PTS

PROJECT: 2019-C8 PAY APP#2

ACCT: 35.433.610

PAY: \$38,140.20

Ryan T. Scanlan

ALPHA SPACE CONTROL CO., INC.

INVOICE

Visit Us @ www.alphaspacespacecontrol.com
 Phone: 717-263-0182 Fax: 717-263-1193
 1580 GABLER ROAD
 CHAMBERSBURG, PA 17201

DATE	INVOICE #
7/9/2019	53331

NAME / ADDRESS TOWNSHIP OF FERGUSON 3147 RESEARCH DRIVE STATE COLLEGE, PA 16801 ATTN: RYAN SCANLAN
--

JOB: 2019 TRAFFIC MARKINGS 19-812 ADDRESS: CITY/ST: CENTRE COUNTY, PA.
--

QTY	DESCRIPTION	DUE DATE	CUSTOMER P.O. NO.	ALPHA P/SO #	SALES REP:
		8/8/2019		19-811	RICH PRYOR
0	ROAD STRIPING:				0.00
0	LF OF 4" SINGLE YELLOW LINE				0.00
0	LF OF 4" SINGLE WHITE LINE				0.00
0	LF OF 24" STOP BAR(S) /GORE				0.00
0	LF OF 24" GORE BAR(S) YELLOW				0.00
0	L F 8" CROSSWALKS				0.00
0	LF OF 6"WHT LINE CROSS WALKS				0.00
0	LF OF 12" WHITE LINE				0.00
0	LF OF 4" PARKING LINE				0.00
0	EA PENN DOT ARROWAS				0.00
0	EA PENN DOT COMBO ARROWS				0.00
0	8' ONLY LEGEND(S)				0.00
0	8' STOP LEGEND(S)				0.00
0	8' AHEAD LEGENDS				0.00
0	EA BIKE LEGENDS				0.00
0	EA BICYCLE SYMBOLS				0.00
0	EA PED LEGENDS				0.00
0	8' X-ING LEGENDS				0.00
0	8' SLOW LEGENDS				0.00
0	12 X 18 YIELD TRIANGLES				0.00
0	INTERSECTION SYMBOLS				0.00
0	H C SYMBOLS				0.00
23,791	SF OF LINE REMOVAL VIA GRINDING METHOD PENNSYLVANIA SALES TAX			0.75 6.00%	17,843.25 0.00

TERMS: NET 30 DAYS 1.5% INTEREST AFTER DUE DATE.

VISA & MASTERCARD NOW BEING ACCEPTED.
 THANK YOU FOR YOUR PATRONAGE.

TOTAL

\$17,843.25

PAY PTS

PAY App#3
 Acct #: 32439.610
 PAY: \$17,843.25

D. J. R.

2019-C8 Pavement Markings

Summary of Quantities in Ferguson Twp. from GIS

FERG TWP QTYS

NO.	ITEM	UNIT	BID QTY	UNIT PRICE	BID TOTAL	Pay App 1 QTY	Pay App 1 TOTAL	Pay App 2 QTY	Pay App 2 TOTAL	Pay App 3 QTY	Pay App 3 TOTAL
1	4" YELLOW LONG LINE	LF	420,744	\$0.051	\$21,457.94	353,954	\$18,051.65	834	\$42.53		\$0.00
2	4" or 6" WHITE LONG LINE	LF	353,170	\$0.051	\$18,011.67	318,625	\$16,249.88	672	\$34.27		\$0.00
3	24" WHITE (STOP / CROSS WALK / HATCHING)	LF	3,580	\$1.90	\$6,802.00	0	\$0.00	4,582	\$8,705.80		\$0.00
4	24" YELLOW (HATCHING)	LF	340	\$1.90	\$646.00	0	\$0.00	263	\$499.70		\$0.00
5	18" WHITE HATCHING (BIKE CROSSING)	LF	0	\$1.85	\$0.00	0	\$0.00		\$0.00		\$0.00
6	12" WHITE (VASCAR / HATCH)	LF	184	\$1.60	\$294.40	0	\$0.00	1,062	\$1,699.20		\$0.00
7	8" WHITE CROSS WALK	LF	0	\$1.55	\$0.00	0	\$0.00	648	\$1,004.40		\$0.00
8	6" WHITE CROSSWALK	LF	7,644	\$1.50	\$11,466.00	0	\$0.00	5,209	\$7,813.50		\$0.00
9	4" WHITE PARKING STALL	LF	112	\$0.20	\$22.40	0	\$0.00	3,294	\$658.80		\$0.00
10	SINGLE ARROW	EA	284	\$40.00	\$11,360.00	0	\$0.00	334	\$13,360.00		\$0.00
11	COMBINATION ARROW	EA	0	\$75.00	\$0.00	0	\$0.00	4	\$300.00		\$0.00
12	"ONLY" LEGEND	EA	0	\$65.00	\$0.00	0	\$0.00	7	\$455.00		\$0.00
13	"STOP" LEGEND	EA	1	\$75.00	\$75.00	0	\$0.00	6	\$450.00		\$0.00
14	"AHEAD" LEGEND	EA	5	\$75.00	\$375.00	0	\$0.00	4	\$300.00		\$0.00
15	"BIKE" LEGEND	EA	6	\$65.00	\$390.00	0	\$0.00		\$0.00		\$0.00
16	"PED" LEGEND	EA	2	\$65.00	\$130.00	0	\$0.00	2	\$130.00		\$0.00
17	"X-ING" LEGEND	EA	4	\$65.00	\$260.00	0	\$0.00	18	\$1,170.00		\$0.00
18	"R X R" CROSSBUCK LEGEND	EA	0	\$150.00	\$0.00	0	\$0.00		\$0.00		\$0.00
19	"SLOW"	EA	6	\$65.00	\$390.00	0	\$0.00	8	\$520.00		\$0.00
20	LARGE CURVE ARROW	EA	6	\$65.00	\$390.00	0	\$0.00		\$0.00		\$0.00
21	BIKE SYMBOL	EA	6	\$25.00	\$150.00	0	\$0.00	16	\$400.00		\$0.00
22	WRONG WAY ARROW	EA	2	\$50.00	\$100.00	0	\$0.00		\$0.00		\$0.00
23	LANE MERGE ARROW	EA	0	\$0.00	\$0.00	0	\$0.00	0	\$0.00		\$0.00
24	12"X18" YIELD TRIANGLES	EA	48	\$2.00	\$96.00	0	\$0.00	66	\$132.00		\$0.00
25	"+" INTERSECTION SYMBOL (12'X6")	EA	2	\$85.00	\$170.00	0	\$0.00	4	\$340.00		\$0.00
26	"XX MPH" LEGENG (8')	EA	2	\$85.00	\$170.00	0	\$0.00	0	\$0.00		\$0.00
27	PAVEMENT MARKING REMOVAL	SF	26,369	\$0.75	\$19,777.00	0	\$0.00		\$0.00	23,791	\$17,843.25
28	SCHOOL SLOW	EA	0	\$95.00	\$0.00	0	\$0.00		\$0.00		\$0.00
	HC SYMBOLS	EA	0	\$25.00	\$0.00	0	\$0.00	5	\$125.00		\$0.00
	TOTAL AMOUNT				\$92,533.41		\$34,301.53		\$38,140.21		\$17,843.25



3500 E. College Avenue, Ste. 1100
State College, PA 16801
Phone: 814.231.2925
Fax: 814.231.2926
www.keller-engineers.com

July 12, 2019

3809-1

Lindsay Schoch
Ferguson Township Municipal Building
3147 Research Drive
State College, PA 16801

RE: FERGUSON TOWNSHIP PUBLIC WORKS FACILITY
CONDITIONALLY APPROVED – RECORDING EXTENSION REQUEST

Dear Ms. Schoch:

We are respectfully requesting a 45-day time extension to fulfill the conditions and have the land development plan recorded.

Once all of the conditions of approval are met, the plan will be recorded. It is understood there will be no fee for the extension since the project owner/developer is Ferguson Township.

Please contact me at 814-696-7430 or along@keller-engineers.com if you have any questions or would like additional information.

Sincerely,

Adam J. Long, RLA
Land Development Division

cc: file



Corporate Office:
3075 Enterprise Drive
State College, PA 16801
814-231-8285
www.pennterra.com

July 8, 2019

Ferguson Township
3147 Research Drive, State College, PA 16801

Attn: Ms. Lindsay K. Schoch, Community Planner

RE: Hummel Subdivision Time Extension

Dear Ms. Schoch,

On behalf of my client, I grant the Board of Supervisors of Ferguson Township a time extension until November 26, 2019, in order to sign the above-referenced plan as conditionally approved on June 17, 2019. The Time Extension is granted since there are ‘conditional approval’ items that are time taking and we may not be able to resolve before the Supervisors July or August 2019 Meetings.

The conditions remain and are accepted by the Subdivider to be as follows.

- Complete Signature Blocks
- Time Extension (which is this letter)
- Digital Copy of Final Plan
- The Private Street Agreement Updated and Complete- currently submitted but awaiting concurrence by the Township Solicitor.
- Surety Estimate for Sewage has been accepted by the Township Engineer. The Subdivider MUST provide the Township the appropriate Surety in appropriate form to the Township.

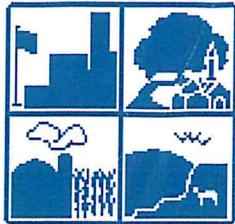
Please let me know if you need additional information.

Regards,

A blue ink signature of the name "Chad D. Stafford".

Chad D. Stafford, P.E.

cc: 15102



TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801
Telephone: 814-238-4651 • Fax: 814-238-3454
www.twp.ferguson.pa.us



CONDITIONAL USE APPLICATION REQUEST FOR FERGUSON TOWNSHIP

Submittal Date: June 27, 2019

A fee of **\$300.00** is required at the time of submitting this application.

Applicant Information

State College Borough Water Authority

Name

1201 West Branch Road
Street Address

State College
City

PA
State

16801
Zip

814-238-0885
Phone Number

Property Information

24-003-007F-000
Tax Parcel Number

18.05
Lot Size

Rural Agricultural (RA)
Zoning District

3062 Ernest Lane
Property Location (Address)

State College
City

PA
State

16801
Zip

Is this a changed use? Yes

What do you propose to do on the lot? (please include details)
Construct a New Water Treatment Plant

Are there existing buildings on the lot? If so, how many?

Yes No # of Buildings: Three existing Well Buildings.

What size(s) are the existing buildings (square feet)?

All three buildings total approx. 2,080 SF.

If proposing a building, please state the size (square feet).

19,883 SF

If proposing a parking lot, please state the size, how many cars can be parked in the parking lot (including handicap accessible), and how many employees you hope to employ.

Plan proposes 5 standard spaces, 1 ADA space, 1 loading space and will employ 4 people.

Please explain how the proposed project will not subsequently alter or change the character of the neighborhood.

The property currently houses 2 ex. well houses and 1 ex. well/chlorine house.

The prop. building will have similar architecture and be located <1,000' from nearest residential structure and be surrounded by natural landscape buffer, a proposed landscape buffer and a fence line with privacy slats.

Additional Comments (attach additional sheets if necessary)

I hereby certify that all of the above statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief. I understand that other permits may be required and made separately from this application.

Brian C Neissi

Owner/Applicant Name

June 27, 2019

Date

-For Office Use Only-

Date Received: _____ By: _____

Date Paid: _____ Check No.: _____ Amount: _____

Advertisement Dates: _____ Planning Commission Review Date: _____

Board of Supervisors Meeting Date: _____



CCEDP - Evaluative Approach to Retention/Expansion Opportunities

Each contemplated consideration of support for growing and expanding projects shall be reviewed against the following measures to determine the project/opportunity meets the necessary level(s) of extraordinary performance needed to warrant CCEDP support:

- 1.) Field of achievement
 - Company is in a recognized/developing sector in Center County/region
- 2.) Stellar *within* their field/category/sector
- 3.) Exemplary as a business (including, but not limited to)
 - Hiring practices
 - Emphasis on Local/Regional talent
 - Longevity/Durability of positions
 - Above County/category (SIC) average wage
- 4.) Growth Factor(s)
 - 36-48 month metrics regarding:
 - Investment
 - Job retention
 - Job growth
 - Space addition(s)/new leases/new construction involved
 - Time/Urgency
 - Longevity/Durability
- 5.) Critical Factor(s)
 - Discern if there are urgent/critical factors relative to the decision to invest/expand
 - Look to CCEDP (public and private) sources/resources to devise needed solutions
- 6.) Evaluate opportunities on “but for” basis... i.e. “but for” the commitment of support, the project in question would not be able to happen at all, and/or in a timely manner.
- 7.) Utilize a “performance based” agreement with the company/project in question to assure clarity of any/all support measures, including the performance obligations inuring to the company **and** to the community/CCEDP. All such agreements shall have clawback/return provisions, and shall require annual compliance reporting.

Note: The CCEDP reserves the right to consider additional information beyond those outlined in this document and deviate from any step above.

CENTRE REGION COUNCIL OF GOVERNMENTS

2643 Gateway Drive, Suite #3

State College, PA 16801

Phone: (814) 231-3077 • Fax: (814) 231-3088 • Website: www.crcog.net

AD HOC FACILITIES COMMITTEE

COG Forum Room

Tuesday, July 2, 2019

8:30 AM

AGENDA

1. CALL TO ORDER

Mr. Harden will convene the meeting.

2. CITIZEN COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minute per person time limit, please). Comments relating to specific items on the agenda should be deferred until that point in the meeting.

3. APPROVAL OF MINUTES

A copy of the minutes of the June 4, 2019 Ad Hoc Facilities Committee meeting is **enclosed**.

4. RELOCATION OF THE PARKS OFFICE

The Ad Hoc Facilities Committee should review the information below and decide whether to make a recommendation to the General Forum to approve a lease for 2040 Sandy Drive at their July 29, 2019 meeting.

At its June 4, 2019 meeting, the Ad Hoc Facilities Committee received a report from staff about a potential rental location for the Parks Administrative offices at 2040 Sandy Drive. Mr. Mick Trombley was in attendance and provided information about the location and answered questions from the Committee. *Committee members should review the June 4, 2019 minutes for more details.*

At the June 4th meeting the Ad Hoc Facilities Committee members requested that Mr. Trombley return with multiple lease options for the July 2, 2019 Facilities Committee meeting. **Enclosed** is a base draft lease document and four potential draft lease options that are subject to change:

- 1) A 10 year lease with a 7 year out, no interior improvements
- 2) A 10 year lease with a 7 year out, interior improvements
- 3) A 7 year lease with a 5 year out, no interior improvements
- 4) A 7 year lease with a 5 year out, interior improvements

Staff will send out a draft cost analysis that summarizes the current expenses and the proposed new expenses should one of four lease options be approved for the 2040 Sandy Drive location prior to Tuesday's meeting. The information in this cost analysis is being finalized and will still be subject to change due to final lease negotiations. The **draft** lease document has been delivered to the solicitor for legal review and has been submitted to the agent for comment.

Staff inquired of its solicitor if Halfmoon Township needs to vote on the lease and he determined that they need to vote on the lease. This requirement means a quorum of all the municipalities will be necessary to approve the lease at the July 29 General Forum meeting.

Recognizing that Halfmoon Township needs to vote on the lease but that it does not participate in Centre Region Parks and Recreation, the suggested motion could be as follows:

"That the Ad Hoc Facilities Committee recommends the General Forum approve the lease for 2040 Sandy Drive and that the funding for the lease expenses be paid from the Centre Region Parks and Recreation's Operating Budget to which Halfmoon Township does not contribute."

5. ASSESSING THE MAINTENANCE FUNCTION & RETRO-COMMISSIONING

PLEASE REMEMBER TO BRING YOUR BLACK BINDER – FACILITIES PERM FILE

Mr. Don Francke will provide an update as to his activities since the June meeting.

Mr. Francke has toured all of COG's facilities assessing their condition and COG's facilities maintenance function. During his tours he has been given full access to all facilities and to the personnel responsible for maintaining the facilities.

Based on the information gleaned from these assessments, Mr. Francke will share his thoughts as they pertain to the Facilities Coordinator position that is proposed in the 2020 Program Plan. The primary duties associated with that position are becoming clearer after touring all of COG's facilities. Defining the duties that the Facilities Coordinator position will be responsible for will be instrumental in the development of a job description for the position.

In addition, Mr. Francke will provide an update regarding his assessment of the COG Building.

The Committee should listen to Mr. Francke's report, ask questions and/or share comments related to Mr. Francke's findings.

6. PLANNING GUIDE FOR MAINTAINING SCHOOL FACILITIES – CHAPTER 2

At its December 4, 2018 meeting the Chair requested that the members of the Committee review Chapter Two of the Planning Guide for Maintaining School Facilities. The link to the document is <https://nces.ed.gov/pubs2003/2003347.pdf>.

At its March meeting, the Committee stated their opinion was that the COG was going to stagnate on Chapter 2 until more staff time and specialized knowledge was available. The consensus of the Committee was to go ahead and finish Chapter 2 and decide at that point how to proceed.

The Committee members should continue discussing the chapter and provide comments and direction for the Committee. Specifically the questions are:

- Is there a facilities maintenance plan? *Per the March 12 Facilities Committee meeting, no.*
- Is the facilities maintenance plan a component of overall organizational planning? *Per the March 12 Facilities Committee meeting, no.*
- Does the facilities maintenance plan include long-term and short-term objectives, budgets, and timelines? *Per the March 12 Facilities Committee meeting, no.*
- Have potential stakeholders in the facilities maintenance planning process been identified? *Per the March 12 Facilities Committee meeting, no.*
- Have appropriate avenues for publicizing the facilities maintenance planning process to staff and community stakeholders been investigated and undertaken? NEW
- Have representative members of stakeholder groups been invited to participate in the facilities maintenance planning process? NEW
- Have representative members of stakeholder groups been selected fairly for participation in the facilities maintenance planning process? NEW
- Have individual views and opinions been a welcomed aspect of the consensus-building process? NEW

The Committee members should discuss each question, placing a value on its importance to the plan on how COG should maintain its facilities. From there the Committee should decide if and who the person assigned to the task should be and whether or not it has been accomplished already. If the task has not been accomplished, the Committee members should discuss and define parameters they deem important for the person assigned to follow in accomplishing the task.

This agenda item is for discussion only and does not require Committee action.

7. FINANCE COMMITTEE REPORT

Mr. Rich Francke will report on the Finance Committee meeting held on June 13, 2019 where the Committee received presentations from Schlow Library about its parking system and relationship with the Schlow Library Foundation.

8. ADJOURNMENT

CENTRE REGION COUNCIL OF GOVERNMENTS

2643 Gateway Drive, Suite #3

State College, PA 16801

Phone: (814) 231-3077 • Fax: (814) 231-3088 • Website: www.crcog.net

FINANCE COMMITTEE

COG Forum Room

Thursday, July 11, 2019

8:30 AM

AGENDA

1. CALL TO ORDER

Mr. Graham will convene the meeting.

2. PUBLIC COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minute per person time limit, please). Comments relating to specific items on the agenda should be deferred until that point in the meeting.

3. APPROVAL OF MINUTES

A copy of the minutes of the June 13, 2019 Finance Committee meeting is **enclosed**.

4. 2020 COG PROGRAM PLAN

The COG Agency Directors will present the draft 2020 COG Program Plan. The Program Plan is intended to provide municipal officials and the public with an understanding of:

- The mission statement and history of each COG budget fund.
- The ongoing services that COG Agencies provide.
- Unexpected budgetary occurrences during 2019.
- Significant Agency issues or initiatives under the “Of Particular Note” section.
- Tentative programmatic and budgetary changes being proposed by COG Agencies for the upcoming year in the “Where are We Going” section.

The Finance Committee should review the draft 2020 Program Plan and note areas of concern. The document opens with the Executive Director’s transmittal letter that identifies: 2019 budget highlights for the first six months, longer term trends affecting future budgets, where are we now with the 2019 budget, and preliminary 2020 COG Budget changes proposed by the Agency Directors for the upcoming year. The Agency Directors will be in attendance to present and respond to their Program Plan proposals.

The Committee's comments are welcomed and encouraged. The recommendations offered by the Committee will be included in the next version of the Program Plan that will be distributed to the General Forum. At the closure of the Committee's discussion, consideration should be given to the following motion that begins the municipal review process for the Program Plan:

"That the General Forum receive the 2020 Program Plan for the Centre Region COG and refer it to the Centre Region municipalities for review; and, further, that comments be referred to the COG Executive Director by 8:00 AM, August 16, 2019 to be considered during the preparation of the draft 2020 COG Budget."

COG staff understands that this timeline will not allow Patton Township's board to approve comments due to the fact they will not be meeting between July 17 and August 21. Staff recommends the board finalize their comments at their August 21st meeting and that COG staff distribute those comments once received.

COG staff will distribute copies of a sample matrix that the managers can use to record their Board's/Council's comments on the 2020 Program Plan and return that information to the COG. It is believed that a prototype document will save time for both the COG and municipal staff.

Please remember to bring your draft 2020 Program Plan to the meeting. An electronic copy is also available on the [COG website](#).

5. 2020 TO 2024 COG CIP

Mr. Viglione will present the **enclosed** 2020 to 2024 draft COG Capital Improvement Plan (CIP) and discuss the major changes from the current CIP. The recommendations in the CIP have been included in the draft 2020 COG Program Plan.

The Finance Committee should review the CIP, note areas of concern, and decide whether it should be referred to the General Forum and the Centre Region municipalities for comment.

The Committee's comments are welcomed and encouraged. The recommendations offered by the Committee will be included in the next version of the CIP that will be distributed to the General Forum. At the closure of the Committee's discussion, consideration should be given to the following motion that begins the municipal review process for the CIP:

"That the General Forum receive the 2020-2024 Capital Improvement Plan for the Centre Region COG and refer it to the Centre Region municipalities for review; and, further, that comments be referred to the COG Executive Director by 8:00 AM, Thursday, August 15, 2019 to be considered during the preparation of the draft 2020 COG Budget."

6. AUGUST MEETING DATE

Staff recommends moving the August meeting date for the Finance Committee from Thursday, August 8 to Friday, August 16 at 8:30 AM to allow more time for the various municipal boards to meet. Between August 1 and August 15 five of the six municipalities will meet with Patton Township not meeting until August 21, the day after the August 26 General Forum agenda is to be set by the Executive Committee.

The Committee should bring their calendars and determine if they are able to meet at this time. A location has yet to be determined.

7. RELOCATION OF THE PARKS OFFICE

The Finance Committee should review the information below and decide whether to endorse the Ad Hoc Facilities Committee recommendation to the General Forum to approve a lease for 2040 Sandy Drive at their July 29, 2019 meeting.

At its June 4, 2019 meeting, the Ad Hoc Facilities Committee received a report from staff about a potential rental location for the Parks Administrative offices at 2040 Sandy Drive. At that meeting the Ad Hoc Facilities Committee members requested that Mr. Trombley return with multiple lease options for the July 2, 2019 Facilities Committee meeting. The Ad Hoc Facilities Committee received the **enclosed** base draft lease document and four potential draft lease options that are subject to change:

- 1) A 7-year lease with a 5 year out, no interior improvements
- 2) A 7-year lease with a 5 year out, interior improvements
- 3) A 10-year lease with a 7 year out, no interior improvements
- 4) A 10-year lease with a 7 year out, interior improvements

Also **enclosed** is a draft cost analysis from staff that summarizes the current expenses and the proposed new expenses should one of four lease options be approved for the 2040 Sandy Drive location. The information in this cost analysis is still being finalized and will still be subject to change due to final lease negotiations. The **draft** lease document has been delivered to the solicitor for legal review and has been submitted to the agent for comment.

At its July 2, 2019 meeting the Facilities Committee approved the following motion:

“That the Ad Hoc Facilities Committee recommends the General Forum approve a 7-year lease with renovations for the 2040 Sandy Drive suite pending the resolution of Committee and Solicitor comments and that the funding for the lease expenses be paid from the Centre Region Parks and Recreation’s Operating Budget to which Halfmoon Township does not contribute.”

Staff inquired of its solicitor if Halfmoon Township needs to vote on the lease and he determined that they need to vote on the lease. This requirement means a quorum of all the municipalities will be necessary to approve the lease at the July 29 General Forum meeting.

If the Finance determines that an endorsement to the General Forum is appropriate, a potential motion could be:

“That the Finance Committee endorses the Ad Hoc Facilities Committee recommendation to the General Forum to approve a 7-year lease with renovations for the 2040 Sandy Drive suite pending the resolution of Committee and Solicitor comments and that the funding for the lease expenses be paid from the Centre Region Parks and Recreation’s Operating Budget to which Halfmoon Township does not contribute.”

8. FACILITIES COMMITTEE UPDATE

This is an informational agenda item and does not require action from the Finance Committee.

Mr. Francke will report on the Committee’s July 2, 2019 meeting.

The Committee should receive this report and comment as it deems appropriate.

9. MONTHLY REPORTS

The June 2019 voucher report is **enclosed** (electronically only). To proceed, the Committee should consider the following motion:

“That the Finance Committee approves the June 2019 voucher report for the Centre Region COG.”

Each month paper copies of the **financial** and **voucher** reports will be available at the meeting to folks who have requested paper agenda packets. If the Committee has any questions about any of the items in these reports, please let Finance Director Joe Viglione (jviglione@crcog.net or 231-3062) know as soon as possible, so that the information can be researched prior to the next Committee meeting.

10. OTHER BUSINESS

- A. Matter of Record - The calculation of the 2020 COG Formula is **enclosed**. This formula will be used to allocate municipal shares in the 2020 budget. If you have any questions, please contact the Finance Director.
- B. Matter of Record - The Consumer Price Index for All Urban Consumers (CPI-U) is currently estimated to be 2.1% based upon the July 1, 2018 to May 31, 2019 CPI-U reading. Based upon recent trends, the Finance Director is predicting it will be 2.1% at the end of the measurement year. The COG compensation plan provides for the 12-month average CPI-U for all items from July 1 to June 30 be used in budget preparation in determining a cost of living adjustment for the 2020 budget year for all employees meeting the expectations of their job performance.
- C. Matter of Record - On July 2nd, existing cracks on seven concrete columns on the ground level of the Schlow Library building were determined to be in need of immediate

attention. The Centre Region Code Director, Mr. Walt Schneider, went to Schlow to assess the issue/damage and recommended a process to repair the concrete. Because of the damage to the concrete support columns for the library building, this repair was deemed to be an emergency repair by the COG Executive Director upon advice from Mr. Schneider and an emergency purchase order was approved to Allegheny Restoration, Inc. in the amount of \$7,192. This amount is only phase 1 of the correction and a second emergency purchase order will be authorized once the final corrective design is completed.

- D. Matter of Record – The following is an update of the status of planning and evaluation studies currently underway at the COG.

	Planning Activity	Status
1	Update Personnel Policy Handbook	This project is complete.
2	Parks and Recreation Regional Plan	This project is well underway – a community wide randomized survey was mailed to 3,000 Centre Region residents with a return rate of 22-25%. The results are being compiled and should be made available to the Steering Committee at its next meeting. Over 750 residents responded to an electronic version of the survey. A second public meeting is scheduled for Tuesday, September 10 at High School. The consultants have been providing reports throughout the process and the timeline is on schedule for a November approval.
3	Study of Regional Fire Protection Program	The working group has met twice: June 6 and June 27. A draft scope of work is complete and will be presented to the Public Safety Committee in August.
4	IT Study	Due to staff limitations this project will not go forward in 2019 but will be carried into 2020.
5	Code Software Study	The Project Management Consultant, Peter Marshall Associates, held its first and second meetings of the stakeholders (seven municipalities, State College Borough IT Department, Code and Planning agencies and Centre County).
6	COG Facilities Evaluation	The Facilities Volunteer/Intern has begun the process of defining the outcomes desires for the facilities evaluation. This project should move forward during the second half of 2019.

7	Executive Director Recruitment and Screening Committee	This Committee is being formed. There will be one representative from each Centre Region municipality plus the Executive Director as a non-voting member.
8	Solar Power Purchase Agreement Working Group	This twelve entity Committee has been formed and held its first meeting on Wednesday, June 26 at the State College Area High School. Peter Buckland was named Chair and Gretchen Brandt Vice Chair of the Committee.

- D. Matter of Record - *Enclosed* are the timelines for the 2020 COG Program Plan and budget process.

11. ADJOURNMENT

CENTRE REGION COUNCIL OF GOVERNMENTS

Centre Region Parks and Recreation
2643 Gateway Drive, Suite #1
State College, PA 16801
Phone: (814) 231-3071 Fax: (814) 235-7832

JOINT MEETING OF THE PARKS CAPITAL COMMITTEE AND THE CENTRE REGION PARKS AND RECREATION AUTHORITY

COG General Forum Room
Thursday, July 11, 2019
12:15pm

AGENDA

1. CALL TO ORDER

Chair Bruce Lord will convene the meeting.

2. PUBLIC COMMENTS

Members of the public are invited to comment on any items not already on the agenda (five minutes per person time limit, please). Comments relating to specific items on the agenda should be deferred to that point in the meeting.

3. APPROVAL OF MINUTES

A copy of the minutes from the April 11, 2019 joint meeting of the COG Parks Capital Committee and Centre Region Parks and Recreation Authority is **enclosed** (attachment #1).

4. MUSSER GAP TO VALLEYLANDS PROJECT (Charima Young and Deb Nardone)

This is an informational agenda item and does not require action.

Ms. Charima Young, Penn State University, and Ms. Deb Nardone, ClearWater Conservancy, have been invited to provide a short presentation on the Musser Gap To Valleylands Project. In April, the final public meeting was held to present the **enclosed** five results (attachment #2) of the student work over the course of the spring semester. The students' work was continued from research that was completed during the fall 2018 semester.

Since Ms. Salokangas could not attend the final public meeting, she invited Ms. Young and Ms. Nardone to provide an update to both groups. The relationship of the Whitehall Road Regional Park to the Musser Gap To Valleylands project is an important one, especially since the Land Development Plan is moving forward with Ferguson Township Planning Commission.

5. PARKS AND RECREATION REGIONAL COMPREHENSIVE STUDY UPDATE (Bruce Lord)

This is an informational agenda item and does not require action.

Since the April Joint Meeting, the Comprehensive Study has moved forward on several fronts. On May 9, the online public survey closed with 763 responses; the results of that survey were presented to the Steering Committee to discuss at the June 4 meeting. The mailed survey was distributed to 2,000 homeowners and 1,000 renters in the Centre Region; additionally, reminder cards were distributed, and

return results were very similar to the online public survey. **Enclosed** (attachment #3) are some of the online survey results along with some of the comments received (attachment #4). Ms. Ann Yost also presented the results of the parks tours that she conducted with CRPR staff in December and her individual tours; the **enclosed** Power Point slides (attachment #5) include her viewpoints and some recommendations.

Results of the mailed survey should be ready soon, and Agency staff will soon be awarding the prizes for participating in the mailed surveys.

The tentative date of the final public meeting is set for Tuesday, September 10 at 7:00 PM in the State College Area High School Cafeteria. The Agency will advertise this meeting via several methods, and advertising will begin approx. one month in advance. Over 150 people attended the first meeting, so we hopeful for that same attendance in September.

6. **WHITEHALL ROAD REGIONAL PARK UPDATE** (Pam Salokangas)

This is an informational agenda item and does not require action.

The following bullets provide an update on the progress of the Whitehall Road Regional Park since the April Joint Meeting:

- On April 8, the Centre Region Parks and Recreation Authority submitted a \$300,000 grant request for LED Sports Field Lighting at Whitehall Road Regional Park to PA Department of Conservation and Natural Resources (DCNR), and Ms. Salokangas provided a matching funding update to DCNR on May 23, 2019.
- On April 22, Stahl Sheaffer Engineering, Inc. and Centre Region Parks and Recreation Authority presented an informal pre-application for Whitehall Road Regional Park to the Ferguson Township Planning
- On May 2, the Agency staff met with the park's landscape architect to refine the tree-planting plan and tree selections, and staff made some final edits at the end of May so that the plan is ready to be included with the Land Development Plan as well as the variance request.
- On May 13, notification was provided to the Authority that their Letter of Intent for the PA Tree Vitalize program was approved and the Authority was invited to move forward and submit a full grant application. On June 3, the Agency staff met to work on this grant application as well as the Remembrance Tree, My Veteran/My Hero, and Gift Benches programs to coincide with this grant opportunity. After the June 3 meeting and careful consideration of the park's construction timeline and planting seasons, the Agency staff opted to withdraw from this year's grant cycle and intends to reapply in 2020 for a 2021 planting.
- On May 22, the Centre Region Parks and Recreation Authority submitted a \$250,000 grant request for LED Sports Field Lighting at Whitehall Road Regional Park to PA Department of Community and Economic Development. The required matching funds are in place.
- The Land Development Plan was submitted to Ferguson Township the week on Friday, June 7.
- A Variance Hearing Request was submitted to Ferguson Township on June 21; the Agency believes that there will be a hearing with the Ferguson Township Planning Commission in late July.
- Agency staff continue to fundraise and write grants to generate additional funding for park projects.

7. **MILLBROOK MARSH NATURE CENTER LEASE**

The Millbrook Marsh Nature Center lease with Penn State University has been executed as of June 12, and copies are on file in the Centre Region Parks and Recreation office as well as with Penn State's Real Estate Division.

After several months of discussion and committee reviews to include the Millbrook Marsh Nature Center Advisory Committee, the COG Parks Capital Committee, the Centre Region Parks and Recreation Authority, and the COG Finance and Executive Committees, the final lease draft was approved at the April 18, 2019 Authority meeting and endorsed at the April 22, 2019 General Forum meeting. Signatures were collected in May at the Authority meeting and the document was forwarded to Penn State for their signatures.

The contingent term (40 years) that begins once the Authority receives a Certificate of Occupancy for the Spring Creek Education Building's Phase II completion does have a timeline. In addition, the lease requires that the Phase II project be completed by December 31, 2023. At this time, fundraising and grant writing continue for this project as it is hoped that the project will break ground in 2021.

8. **OTHER BUSINESS**

A. **Matter of Record** -The next Joint Meeting of the Parks Capital Committee and the CRPR Authority will be October 10, 2019 at the COG Building's Forum Room. Ms. Amber Merrell will handle distributing the agenda packet for this meeting and will preside in Ms. Salokangas' place.

9. **ADJOURNMENT**

Attachments:

- Attachment #1 – April 11, 2019 Meeting Summary
- Attachment #2 – Five Student Designs for the MG2V Project
- Attachment #3 – Some initial data results from the Online Public Survey
- Attachment #4 – Open-Ended Question Responses
- Attachment #5 – Power Point Slides-Parks Tour Results



Manager's Report

July 15, 2019

1. Provided with my report is a letter of appreciation from the Centre County Housing and Land Trust for the Township's financial commitment of \$5,000 to assist in their administration of the Township's Workforce Housing Program. This is the third year of the commitment.
2. Kristina Aneckstein assumed the position of Community Planner with the Township effective July 8th. Ms. Aneckstein was formerly the Township's GIS Technician since 2017. She will be replacing Lindsay Schoch who has accepted a position as College Township's Principal Planner.
3. The first round of interviews has concluded for the Director of Planning & Zoning position. A second round of interviews is planned to be scheduled for the finalists in the coming weeks, and a recommendation from the Manager to the Board for approval of an appointment is anticipated to be made in August.
4. The Manager attended the recent COG Ad Hoc Facilities Committee meeting with Mr. Stryker.
5. A community engagement event was held on July 10th on Owens Drive next to Songbird Sanctuary to discuss the draft Park Master Plan. The event was well-attended with good participation from nearby residents. A second community engagement event is scheduled for July 20th at noon in the same location.
6. The Manager attended meetings of the Centre County Housing and Land Trust and the Pine Grove Mills Small Area Plan Steering Committee on July 11th.



Centre County Housing & Land Trust

July 1, 2019

Ferguson Township Board of Supervisors
3147 Research Drive
State College, PA 16801

Dear Ferguson Township Supervisors,

The Centre County Housing and Land Trust (CCHLT) was established in 2007 with the mission of developing and managing affordable housing projects within the County. Over the past twelve years, CCHLT, with the assistance of a variety of public and private partners has developed fourteen owner-occupied affordable homes to Centre County residents.

Thank you for being a partner in our efforts to provide housing opportunities for our friends and neighbors. We are in receipt of your \$5,000 contribution to CCHLT to assist us in our works to promote, create and steward affordable housing units in our community. This contribution represents Ferguson Township's third year of support, under your original three-year-pledge. To be very frank, the CCHLT could not continue in our works without your generous support and commitment to assist the people in Centre County to secure affordable homes for their families. Thank you.

The need for affordable housing has not yet diminished since the establishment of CCHLT. We are thankful for the opportunity to work alongside Ferguson Township leaders and staff in the implementation of your workforce housing ordinance. This effort to address this continually growing concern for our friends and neighbors will prove to be a blessing for families. We are committed to assist all municipalities in Centre County achieve their goals to promote and develop affordable housing options for their residents. Because we have no dedicated funding source, we rely on donations, annual fundraising efforts and in-kind contributions from the Centre County Commissioners to sustain the organization. As the need for more affordable housing continues to grow, our need for continued partnership with supporters like Ferguson Township continues as well.

We appreciate your commitment to partnering with the CCHLT, and look forward to working with you in the future. Together, we can make a difference in our community!

Sincerely,

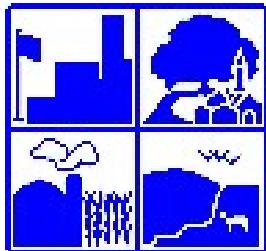
Missy Schoonover, Executive Director

Centre County Housing and Land Trust is a 501(c)(3) organization. Your contribution is tax deductible to the extent allowed by law. No goods or services were provided in exchange for your generous donation.

1155 Zion Rd. Bellefonte, PA 16823 | 814-571-1179 | cchlt.org

Mailing: P.O. Box 141, State College, PA 16804 |
info@cchlt.org





TOWNSHIP OF FERGUSON

3147 Research Drive, State College, Pennsylvania 16801
Telephone: 814-238-4651 Fax: 814-238-3454

TO: Ferguson Township Board of Supervisors
FROM: Lindsay K. Schoch, Interim Planning and Zoning Director
DATE: July 15, 2019
SUBJECT: Active Development Projects & Interim Planning and Zoning Department Update

In an effort to keep the Planning Commission and Board of Supervisors up-to-date on pending proposals and applications, staff is providing a list of Active Plans and other Projects in the Township.

Currently, the Township has seven (7) Active Plans and two (2) conditionally approved plan.

1. **Preliminary/Final Re-Plot of Lands for the State College Borough Water Authority and Gary E. and Carol J. Myers:** Gwin Dobson & Foreman submitted a Preliminary/Final Re-Plot of Lands on behalf of their client, the State College Borough Water Authority. Tax parcel 24-003-007F, owned by the State College Borough Water Authority is currently 15.071 acres and the proposed acreage is 18.047 acres. Mr. and Mrs. Myers own tax parcel 24-003-007K and is currently 45.673 acres, in which 2.974 acres is being transferred to the SCBWA. The land is zoned Rural Agricultural and the current use is a well field property and the proposed use is an addition to well field property. This project was granted seven variances; Variance to encroach upon the fifty foot riparian buffer, Variance to waive requirements of independent hydrologic and hydraulic study, Variance to allow improvements within the flood plain, Variance to allow construction activities and improvements within the flood way, Variance to minimum lot area (50 acres), and Nonconforming use in Rural Agricultural zoning district. Plan Expiration is August 10, 2019
2. **Preliminary Land Development Plan for Nixon-Kocher Water Treatment Facility:** Gwin Dobson & Foreman submitted a Preliminary Land Development Plan for the Nixon-Kocher Water Treatment Facility on behalf of the State College Borough Water Authority. Tax Parcel 24-003-007F-0000 is 18.047 acres. The existing land use is forested land/agricultural, the proposed land use is a water treatment facility. We have received a conditional use application; a water treatment facility is a conditional use in the rural agriculture zoning district. Plan Expiration is August 10, 2019
3. **Whitehall Road Regional Park Phase 1:** Stahl Sheaffer Engineering submitted the final land development plan for the proposed Whitehall Road Regional Park Phase 1 on behalf of Centre Region Parks and Recreation Authority. This is located off the future Blue Course Drive extension, south of the intersection of Blue Course Drive and Whitehall Road. The

proposed Phase 1 development involves the development of approximately 55 acres of the 100 acre park property. The property will include: two lighted grass fields (alternate to synthetic turf), two unlighted grass fields, two grass practice/open space areas, accessible walking trail, All-Ability and Universally-Accessible Playground, All-Season Pavilion with attached concession stand and restrooms, and a three-bay park operations storage building. The required park infrastructure includes a paved entrance road, paved parking lots (just under 500 spaces), accessible connector sidewalks and trails, public water and sanitary sewer service, and natural gas service. There will be green stormwater management facilities such as bioswales, stormwater infiltration basins, and rain gardens, all of which connect to the storm water system. A solar installation on the All-Season Pavilion will support the building's energy needs, and there is a proposed landscaping buffer system to include trees, shrubs, and native grasses. **Plan Expiration is September 9, 2019. Comments are back to Stahl Schaeffer**

4. **Orchard View Land Development Plan:** This land development plan, submitted by Penn Terra Engineering on behalf of the applicants, Aspen Whitehall Partners, LLC proposed a 36 lot subdivision on tax parcel yet to be determined by the approval of the Subdivision & Replot Plan for the Harner Farm (Tax Parcel 24-4-67/C). The land is located in the single-family residential zoning district with corridor overlay. The Plans were submitted to staff on Tuesday, May 14 and will be sent to reviewers. Plan Expiration is Tuesday, August 16, 2019. **Plan Review Comments sent to Penn Terra for their review and consideration.**
5. **Preliminary/Final Land Development Plan – State College, PA (Whitehall Road) Sheetz:** Penn Terra Engineering, Inc. on behalf of the applicant, Aspen Whitehall Partners LLC submitted a Preliminary/Final Land Development Plan for the State College, PA (Whitehall Road) Sheetz. Prior to the submission of this land development plan, a pre-application conference was held with the Ferguson Township Planning Commission as per the optional section 22.302 of the Ferguson Township Subdivision and Land Development Ordinance. The overall concept plan for Harner Farm was discussed at the pre-application conference, including the proposed Sheetz Convenience Store and the subdivision of land as part of the project. The proposed Sheetz Convenience store will be developed on 5.7 acres at the southwest corner of Whitehall Road and West College Avenue. The building will be 6,077 square feet, the site will also have a car wash, stormwater management basins and required access points. A Traffic Impact Study, Stormwater Management Plan and Lighting Plan have been submitted for review. Construction is scheduled to begin in the fall of 2019 and last a year to eighteen months. Prior to the proposed development, the land was actively farmed for the past fifty years. A plan to subdivide tax parcel 24-4-67 and replot of tax parcel 24-4-67C is also being considered concurrently with the review of the land development plan. The Plan is currently being reviewed by staff and other required agencies with comments due back to the Community Planner on May 8, 2019. **Plan Expiration is October 1, 2019. Plans have been resubmitted and staff is currently reviewing the Plans.**
6. **Harner Farm Subdivision Plan – Subdivision of Tax Parcel 24-4-67 and Replot of Tax Parcel 24-4-67C:** Penn Terra Engineering, Inc. on behalf of the applicant, Aspen Whitehall Partners LLC submitted a Plan for the subdivision of tax parcel 24-4-67 and replot of tax parcel 24-4-67C. The purpose of this plan is to subdivide Tax Parcel 24-4-67 into four (4) lots, replot Tax Parcel 24-4-67C and dedicate land from Tax Parcel 24-4-67 to Ferguson Township Right of Way. In conjunction with this Subdivision/Replot Plan is a Land Development Plan for the State College, PA Whitehall Road Sheetz. The Plan is currently being reviewed by staff and other required agencies with comments due back to the Community Planner on May 8, 2019. **Plan Expiration is October 1, 2019. Plans have been resubmitted and staff is currently reviewing the Plans.**
7. **Pine Hall Traditional Town Development General Master Plan:** Staff is currently working with the developer and have come up with the following schedule: July 22, staff will ask the Planning Commission for a recommendation. On August 5, the Board of Supervisors

will hold a Public Hearing. On August 19, the Board of Supervisors will take action on the Plan. **Plan Expiration is August 30, 2019.**

Conditionally Approved Plans:

1. **Hummel Subdivision: Plan shall be recorded by November 26, 2019 (2nd Time Extension)**
2. **Ferguson Township Public Works Facility: Plan shall be recorded by August 2, 2019**

Tentative Schedule moving forward with the Zoning and SALDO Update:

June 24	Planning Commission to reviewed changes and had comments. Staff has gathered all remaining comments and sent to the consultant with the hopes we will receive a memo from EPD outlining where these changes have been made, satisfying staff and the Planning Commission	
July 8, 2019	Planning Commission to review the memo from EPD and the changes, then make a recommendation to the BOS.	
July 15, 2019	BOS Authorizes Advertisement of the Zoning Ordinance, SALDO and Map.	
July 16, 2019	45 day Public Review Period begins	Ordinances go to CRPC, CRPA, County Planning and Community Development Office
August 1, 2019	Centre Regional Planning Commission	Prepare presentation for CRPC
September 14, 2019	End of 45 Day Public Review Period.	
September 16, 2019	Public Hearing of Board of Supervisors	Can hold Public Hearing any time after September 14.



TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801

Telephone: 814-238-4651 • Fax: 814-238-3454

Public Works Director's Report to the Board of Supervisors for the regular meeting on July 15, 2019

1. **Proposed Public Works Maintenance Facility**—The project will be out to bid in August for a bid opening on October 1, 2019. Subject to satisfactory bids, a recommendation for award will be made in 2019 for a planned start of construction in March 2020.
2. **Stormwater Fee Study Phase 2** – The fourth meeting of the Stormwater Advisory Committee is scheduled for July 17, 2019. Topics to be discussed include a policy for the level of stormwater service provided to areas of the Township and a continued discussion of handling private systems that serve a public purpose.
3. **Arborist and Ferguson Township Tree Commission** – The next FTTC meeting, planned for July 15, 2019 includes a tour of trees planned for removal. Recent topics of discussion have included the FTTC involvement in the land development review process, work on a potential tree preservation ordinance and a tree canopy survey.
4. **Maintenance Section:** Work activities for the 2 week period starting July 15th include road repairs in advance of microsurfacing, street sweeping, and inlet repairs. Vehicle and fleet maintenance is ongoing as well as completion of various work orders.
5. **Engineering Section:** Engineering staff continues to work on land development plan reviews, administer the MS4 program including conducting stormwater inspections, administer the 2019 construction contracts and conducting capital project inspections. GIS technicians continue work on developing the impervious layer for the stormwater fee study and supporting the needs of all departments. Staff is evaluating work order systems and asset management systems.
6. **Contract 2017-C1 Kansa Avenue:** Work is complete. Punch list items remain.
7. **Contract 2018-C20 Park Hills Drainageway Design:** This project team led by NTM is designing “naturalistic” improvements to this eroded drainageway being sensitive to the mature tree canopy, nearby residents, DEP requirements for working in a “stream”, and utility and right of way concerns. A pre-application meeting with PaDEP and other agencies was held on May 13, 2019. The design team completed a preliminary estimate of construction cost which exceeds estimated CIP projected budget costs. Staff will review the scope and projected cost of the project with the Board during review of the CIP.
8. **Contract 2019-C1 Street Improvement Projects (North):** This contract was awarded to Glenn O Hawbaker and includes work on Appletree Circle, Avebury Circle, Dogwood Circle,

Park Lane, and Princeton Drive. Work is in progress. Base repair will exceed the estimated amount however work will still be within budget.

9. **Contract 2019-C2 Street Improvement Projects (West):** Work by Grannas Bros. including paving and improvements to West Blade (turn around), Brooklawn Drive, Goddard Circle, Ramblewood Road, Timothy Lane cul-de-sac, and a portion of Tadpole Road is complete. [Punchlist items remain.](#)
10. **Contract 2019-C5 Pipe video assessment:** A request for quotes is being prepared for pipe video and assessment for the Chestnut Ridge neighborhood that was not already done, and pipes in advance of next year's paving projects.
11. **Contract 2019-C8 Pavement Marking:** This work was awarded to Alpha Space Control and work planned for this spring/summer is complete. Other municipalities piggyback on this contract. The contractor will return in the fall after road projects are completed to finish the contract. The intersection restriping at Bristol and West College Avenue was completed.
12. **Contract 2019-C9 Microsurfacing:** This work was awarded to Asphalt Paving Systems. A pre-construction meeting was held on July 10, 2019. College, Benner, and Harris Townships are piggybacking on this contract. [The Notice to Proceed was issued and work could start as soon as July 22, 2019 in Ferguson Township.](#) Notices will be sent to affected property owners. Work is planned for the following streets:

Road Name	From Street	To Street
Tadpole Rd	Marengo Rd	Gatesburg Rd
Gardner Ln	Whitehall Rd	End
Timothy Ln	Whitehall Rd	cul-de-sac
W Blade Dr	End	Timothy Ln
W Blade Dr	Timothy Ln	Gardner Ln
E Blade Dr	Gardner Ln	Gardner Ln
Pine Cliff Rd	Autumnwood Dr	Science Park Ct.
Pine Hall Rd	S. Foxpointe Dr	Science Park Ct.
Farmstead Ln	Circleville Rd	Birkshire
Harris St	E Aaron Dr	North Hills Pl
Harris St	North Hills Pl	Clinton Ave
Curtain St	E Aaron Dr	North Hills Pl
Curtain St	North Hills Pl	Clinton Ave
North Hills Pl	Atherton St	End
Clinton Ave	Atherton St	End
Sandy Dr	Science Park Rd	Science Park Rd

Stonebridge Dr	Sheffield Dr	Bristol Ave
Stonebridge Dr (West side split)	Whitehall Rd	Sheffield Dr
Westover Dr	Sheffield Dr	Sheffield
Manor Ct	Westover Dr	Westover Dr
Shieffield Dr	Stonebridge Dr	Stonebridge Dr
Shieffield Ct	Sheffield Dr	Sheffield Dr
Raleigh Ave	Sheffield Dr	Shellers Bend

13. Contract 2019-C10 Sealcoating Bikepaths and Parking Lots: This contract was awarded to Crilon Corporation. Work is planned for July or August.

14. Contract 2019-C11 Sidewalk Repairs: Bids for this project were opened on June 11, 2019. Notices to repair sidewalks will be mailed to property owners this week. Residents that receive a repair notice will also be provided our contract unit prices to repair the sidewalk and asked to inform us if they choose to repair the sidewalks themselves. Property owners are billed for the cost to repair sidewalks.

15. Contract 2019-C27 Radar Detection: Utilizing Green Light Go grant round 4 funds, a contract will be advertised on July 15th for a bid opening on July 30th to install radar detection at the following 3 intersections: Blue Course Drive/Havershire Boulevard, Blue Course Drive/Westerly Parkway, West College Avenue/Science Park Road.



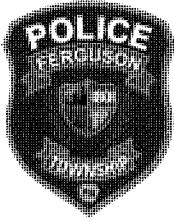
FERGUSON TOWNSHIP POLICE DEPARTMENT

June 2019 Calls for Service

Part I Crimes Summary	Previous	Current	Previous	Current
	Month	Month	YTD	YTD
	June 2018	June 2019	June 2018	June 2019
Homicide	0	0	0	0
Rape	0	1	1	3
Robbery	0	0	1	0
Assault	0	2	6	29
Burglary	0	1	11	28
Theft	5	5	30	28
Auto Theft	1	0	3	0
Arson	0	0	0	0
Total	6	9	52	88

Part II Crimes Summary	Previous	Current	Previous	Current
	Month	Month	YTD	YTD
	June 2018	June 2019	June 2018	June 2019
Forgery	0	1	2	3
Fraud	7	4	38	37
Embezzlement	0	0	0	0
Receiving Stolen Property	0	0	0	1
Criminal Mischief	1	2	15	21
Weapons Violation	0	0	1	1
Prostitution and Commercialized Vice	0	0	0	0
Sex Offense	0	0	8	4
Drug Violation	1	2	9	11
Offenses Against Family	0	0	0	0
DUI	4	2	13	15
Liquor Laws (minors law, furnishing, false ID)	0	0	3	5
Public Intoxication	3	1	16	15
Disorderly Conduct	18	13	155	89
Vagrancy	0	0	1	0
All Other Criminal	6	0	18	15
Total	40	25	279	217

	Previous	Current	Previous	Current
	Month	Month	YTD	YTD
	June 2018	June 2019	June 2018	June 2019
Total Crimes				
Part I Crimes	6	9	52	88
Part II Crimes	40	25	279	217
Total	46	34	331	305



FERGUSON TOWNSHIP POLICE DEPARTMENT

June 2019 Calls for Service

Other Calls for Service	Previous Month June 2018	Current Month June 2019	Previous YTD June 2018	Current YTD June 2019
Vehicle Code - Crashes	15	24	141	146
Vehicle Code - Other Traffic Incidents	41	31	307	291
Health and Safety – EMS Assist	59	51	356	344
Health and Safety – Fire Assist	4	8	57	48
Other Health and Safety Incidents	17	18	118	103
Alarms	17	21	112	102
Suspicious Activity	29	37	172	145
Unsecure Property	0	1	8	4
Found Property	7	9	32	27
Lost Property	2	1	27	19
Community Relations/ Crime Prevention	5	5	28	36
Car Seat Check	0	1	8	7
School Check	1	9	112	143
Township Ordinances	7	7	26	54
Request for Assistance – Attempt to locate	3	2	24	17
Request for Assistance – Can-Help	0	0	5	4
Request for Assistance – Civil Matter	9	5	50	50
Request for Assistance - Other	40	54	272	286
Missing Persons/ Runaways	1	0	5	11
Animal Complaints	23	22	107	91
Department Information	8	1	36	19
Assist Other Agencies	8	12	68	101
Total	296	319	2071	2048

Total Calls for Service	Previous Month June 2018	Current Month June 2019	Previous YTD June 2018	Current YTD June 2019
Part I Crimes	6	9	52	88
Part II Crimes	40	25	279	217
Other Calls for Service	296	319	2071	2048
Total	342	353	2402	2353



FERGUSON TOWNSHIP POLICE DEPARTMENT

June 2019

	2018	2019	Previous YTD	Current YTD	Notes:
Traffic Citations	40	30	407	345	
Parking Tickets	66	57	339	679	
Traffic Stops	162	173	1006	942	
Criminal Arrests	12	11	78	89	
Supplements	173	148	1111	1037	
Hearings	6	12	118	102	
Med Return	42.68	18.79	150.98	191.72	

Note:

- *Traffic Stops may not include pre scheduled selective enforcement details where two or more police vehicles are assigned for specific enforcement purposes (such as Aggressive Driving Grant details).*
- *Criminal Arrests are the number of people arrested, not the number of charges, counts or cases cleared. These include arrests made at the time of the incident as well as those filed after an extended investigation.*

Department Notes:

- A 19-year-old New Enterprise man fled the scene of a crash after hitting a 66-year-old bicyclist. The driver was charged with Aggravated Assault by Vehicle, Accidents, Involving Death or Personal Injury and other crimes. The bicyclist is recovering from her injuries.
- After fleeing the crash, the 19-year-old New Enterprise man broke into two hunting camps. He was charged with Burglary and Criminal Trespass.
- A 58-year-old Tyrone man was charged with Home Improvement Fraud. The man received payment but failed to start the project as specified in the terms of the contract. He was given the opportunity to remedy the situation.

- A 16-year-old male was charged with Simple Assault after he assaulted a former friend.

Active Investigations

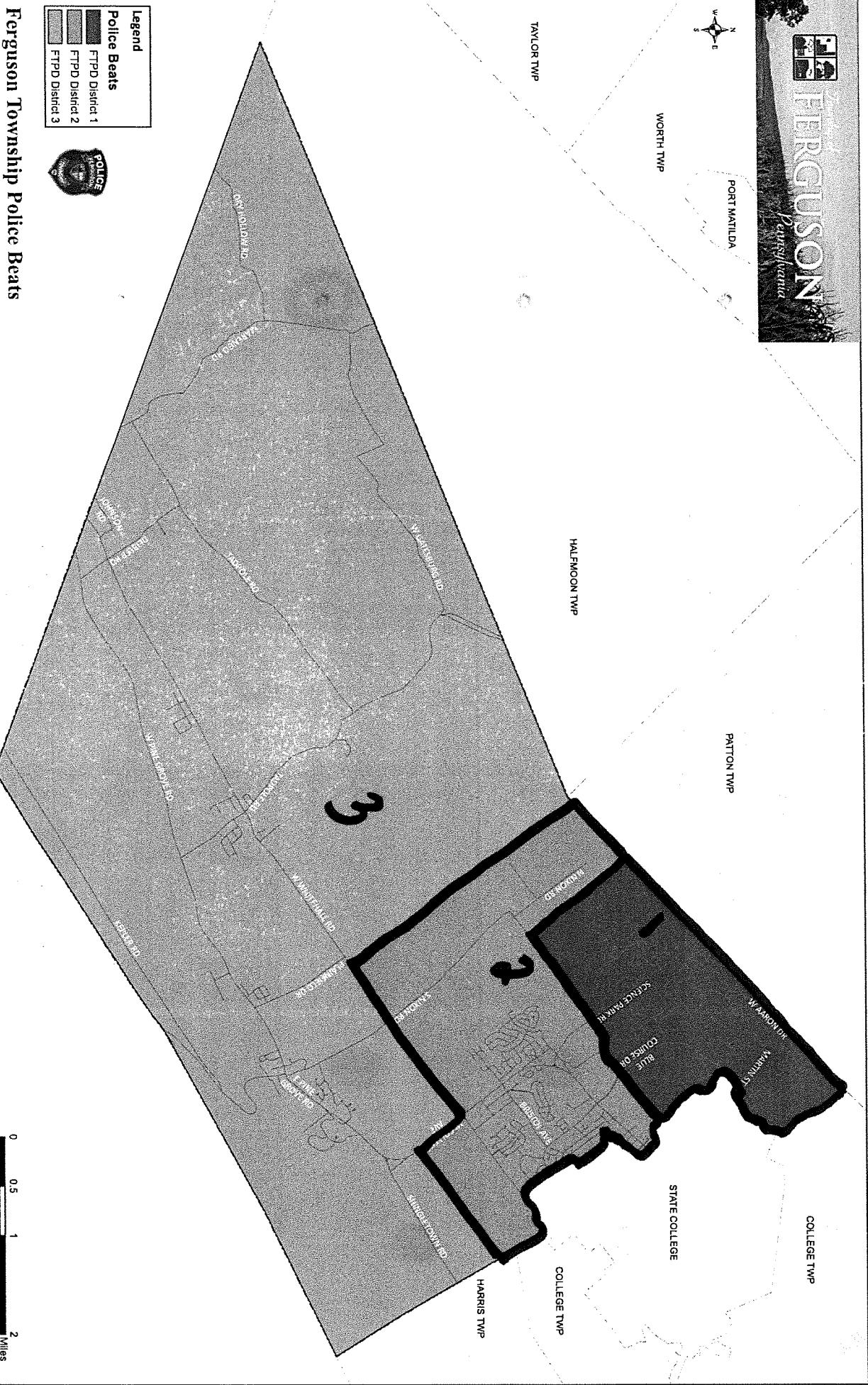
- A homeowner was approached by an individual claiming to represent a paving company doing work locally. The man quoted \$1500 but later charged the homeowner \$7,000. Under the Pennsylvania Home Improvement Consumer Protection Act, the actual cost cannot exceed 10% above the quoted amount without a written change order.
- Detectives are actively investigating two sexual assaults.

Community Relations:

- The department hosted the annual bike rodeo.
- Several officers participated in the Special Olympics Torch Run.
- An officer helped with the Hometown Heroes event at Medlar Field.
- Officers hosted a Run Hide Fight presentation.



FERGUSON
Pennsylvania



Record List - Total:341

Contact or caller	Nature	Area	Reported	Incident
911CELLNOVOICE (1)				
911 no voice	911CELLNOVOICE	FT1E1	14:04:25 06/20/19	19FT03223
911NOVOICE (1)				
Accidental activation of emergency call box	911NOVOICE	FT1F2	19:29:17 06/30/19	19FT03400
ABANDVEHICL (3)				
Abandoned vehicles	ABANDVEHICL	FT2G1	12:56:48 06/29/19	19FT03379
unauthorized vehicle in lot	ABANDVEHICL	FT1B1	11:20:05 06/10/19	19FT03045
Abandoned vehicle	ABANDVEHICL	FT2G1	11:50:34 06/08/19	19FT03014
ALARM BURGLAR (16)				
Residential burglar Alarm	ALARM BURGLAR	FT1E1	16:42:12 06/28/19	19FT03366
Interior motion alarm	ALARM BURGLAR	FT2E1	07:40:55 06/27/19	19FT03345
Burglar alarm in master bedroom of home.	ALARM BURGLAR	FT1D1	19:37:38 06/26/19	19FT03339
Commercial burglar alarm	ALARM BURGLAR	FT1E1	08:01:58 06/25/19	19FT03299
Alarm	ALARM BURGLAR	FT1E1	07:23:05 06/24/19	19FT03285
Commercial burglar alarm	ALARM BURGLAR	FT1E1	03:55:47 06/24/19	19FT03283
Commercial burglar alarm	ALARM BURGLAR	FT1A1	17:07:05 06/22/19	19FT03260
Motion sensor alarm. Exterior secure. No keyholder	ALARM BURGLAR	FT3O1	09:56:44 06/19/19	19FT03199
Residential alarm, canceled	ALARM BURGLAR	FT2G1	08:53:03 06/18/19	19FT03172
Residential burglar alarm, canceled	ALARM BURGLAR	FT2G1	22:30:57 06/17/19	19FT03166
Residential burglar alarm	ALARM BURGLAR	FT2G1	15:38:32 06/14/19	19FT03118
Commercial burglar alarm - Employee Error	ALARM BURGLAR	FT1A1	06:20:41 06/14/19	19FT03113
Commercial burglar alarm	ALARM BURGLAR	FT2F1	06:51:28 06/13/19	19FT03102
Residential burglar alarm, canceled	ALARM BURGLAR	FT1D1	01:49:37 06/11/19	19FT03053
Burglar Alarm- Cancelled	ALARM BURGLAR	FT1B1	02:55:27 06/10/19	19FT03040
Commercial burglar alarm with open door	ALARM BURGLAR	FT1B1	02:58:53 06/02/19	19FT02907
ALARMCAR/VEHICL (1)				
Car alarm, owner located and silenced alarm	ALARMCAR/VEHICL	FT1B1	04:19:23 06/02/19	19FT02909
ALARMFIREPDONLY (1)				
Fire alarm in a house	ALARMFIREPDONLY	FT3J1	12:11:30 06/17/19	19FT03155
ALARMHOLDUP (1)				
Bank hold up alarm, false alarm	ALARMHOLDUP	FT1B1	14:10:59 06/10/19	19FT03048
ALARMPANIC (1)				
Residential panic alarm-Accidental	ALARMPANIC	FT1E1	23:57:25 06/01/19	19FT02904
ALARUNKTYPE (1)				
CO2 alarm, all good	ALARUNKTYPE		13:10:47 06/23/19	19FT03270
ALCOHOL (3)				
50 yom, alcohol overdose	ALCOHOL	FT1B5	21:12:55 06/08/19	19FT03025
DUI Crash	ALCOHOL	FT3J1	04:51:05 06/07/19	19FT02995
DUI CRASH	ALCOHOL	FT3Q1	00:14:27 06/02/19	19FT02905
ANIMAL (22)				
Dog at large	ANIMAL	FT1E1	19:31:54 06/30/19	19FT03401
Snake in apartment	ANIMAL		09:52:25 06/30/19	19FT03395
Two dogs at large	ANIMAL	FT2G1	14:10:31 06/29/19	19FT03380
Skunk in front yard	ANIMAL	FT1C1	11:47:06 06/24/19	19FT03289
Fox out during the day	ANIMAL	FT2F1	18:14:36 06/23/19	19FT03272
Dog found	ANIMAL	FT1E1	13:07:02 06/23/19	19FT03271
Dog at large	ANIMAL	FT1A1	10:31:43 06/23/19	19FT03268
Fawn hit and still alive	ANIMAL	FT3T1	12:41:42 06/20/19	19FT03221
Two dogs captured	ANIMAL	FT2G1	21:13:38 06/19/19	19FT03212
Two dogs at large	ANIMAL	FT2G1	18:43:42 06/19/19	19FT03211
dog charged the complainants dogs	ANIMAL	FT2H1	16:33:05 06/18/19	19FT03185
dog at large	ANIMAL	FT3J2	16:04:22 06/18/19	19FT03183
Complaint of a dog at large.	ANIMAL	FT3J2	18:35:00 06/17/19	19FT03163
Skunk stuck in window well, it was helped out	ANIMAL	FT1C1	16:11:30 06/17/19	19FT03158
Dog at large	ANIMAL	FT1C1	10:02:03 06/12/19	19FT03083

Dog at large-GOA	ANIMAL	FT1A1	12:34:59 06/11/19	19FT03065
2 dogs in vehicle, the dogs were ok	ANIMAL	FT1B1	10:07:26 06/08/19	19FT03013
Bat in house	ANIMAL	FT2G1	21:00:37 06/07/19	19FT03008
Dog at large, GOA	ANIMAL	FT2G1	16:26:31 06/07/19	19FT03004
Dog scratched complainant	ANIMAL	FT1F2	11:06:00 06/06/19	19FT02975
Dog at large	ANIMAL	FT1C1	13:04:24 06/03/19	19FT02933
dog at large	ANIMAL	FT1C1	18:11:50 06/02/19	19FT02913

ASSAULTEARLIER (3)

Sexual Assault occurred in 2007	ASSAULTEARLIER	FT1B4	08:45:00 06/20/19	19FT03237
Male assaulted by female paramour.	ASSAULTEARLIER	FT1B2	16:22:50 06/18/19	19FT03182
juvenile assaulted by another juvenile	ASSAULTEARLIER	FT3J2	18:33:51 06/15/19	19FT03134

BURGLARY (1)

Camp broken into in Huntingdon County , connected to BURGLARY hit and run			12:06:05 06/05/19	19FT02961
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CHILDCARSEATCHK (1)

Child safety seat check	CHILDCARSEATCHK	FT2H1	15:08:04 06/24/19	19FT03294
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COMMRELATIONS (5)

Home town Heroes night at State College Spikes	COMMRELATIONS	SC39A	16:55:23 06/30/19	19FT03399
Run/Hide/Fight presentation @ COG	COMMRELATIONS	FT2H1	11:40:45 06/25/19	19FT03304
Assist BFPD with annual car cruise	COMMRELATIONS		16:34:35 06/14/19	19FT03121
Special Olympic Torch Run	COMMRELATIONS	FT2H1	15:53:53 06/06/19	19FT02983
Bike Rodeo	COMMRELATIONS	FT1B1	10:27:03 06/01/19	19FT02885

CRIMMISCHIEF (2)

Damaged screen door	CRIMMISCHIEF	FT2H1	15:59:01 06/20/19	19FT03226
Couple arguing outside; broke iphone	CRIMMISCHIEF	FT2H1	00:59:47 06/05/19	19FT02956

DEPTINFO (1)

25 yom was looking for a place to stay tonight	DEPTINFO	FT2G1	23:18:39 06/18/19	19FT03192
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DISORDERLYCOND (7)

Caller said people setting off fireworks too close to them.	DISORDERLYCOND	FT1C1	21:37:27 06/25/19	19FT03312
D/C - Loud Music/Voices	DISORDERLYCOND	FT2H1	00:48:41 06/16/19	19FT03137
Noise complaint, unfounded	DISORDERLYCOND	FT1C1	20:35:25 06/15/19	19FT03135
D/C - Loud Music	DISORDERLYCOND	FT1B1	03:33:06 06/15/19	19FT03125
report of a disorderly person.	DISORDERLYCOND	FT2G1	00:15:44 06/13/19	19FT03099
Loud Party	DISORDERLYCOND	FT1C1	00:09:28 06/09/19	19FT03029
complaint of a loud party	DISORDERLYCOND	FT1C1	22:38:18 06/05/19	19FT02971

DOMESTICDISPUTE (6)

Male / Female verbal domestic over daughter	DOMESTICDISPUTE	FT2H1	17:56:47 06/29/19	19FT03388
Domestic dispute girlfriend/boyfriend	DOMESTICDISPUTE	FT1B5	22:23:24 06/28/19	19FT03374
Verbal Domestic	DOMESTICDISPUTE	FT1B5	21:36:22 06/28/19	19FT03373
Caller saw a female exit a vehicle and walk off fast.	DOMESTICDISPUTE	FT1B1	13:59:16 06/26/19	19FT03330
Two brothers yelling at each other over a bar of soap.	DOMESTICDISPUTE	FT1A1	18:13:41 06/19/19	19FT03210
Verbal dispute between husband and wife.	DOMESTICDISPUTE	FT2H1	19:08:33 06/10/19	19FT03051

DRUGLAW (2)

Small amount of marijuana	DRUGLAW	FT1A1	00:35:55 06/28/19	19FT03354
Teenagers in the park after dark, with marijuana	DRUGLAW	FT2G1	23:46:23 06/01/19	19FT02903

FORGERY (1)

Check forged	FORGERY	FT1B1	16:00:07 06/28/19	19FT03365
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FRAUD (4)

Paving scam	FRAUD	FT3K1	16:01:46 06/20/19	19FT03228
possible fraud	FRAUD	FT2H1	20:57:54 06/17/19	19FT03164
Caller paid a contractor last Sept. and has not had any real work completed yet.	FRAUD	FT3J1	15:24:43 06/17/19	19FT03157
estranged wife opened accounts and debt	FRAUD		09:48:47 06/10/19	19FT03044

HARASSMENT (6)

Unwanted contact by a known person	HARASSMENT	FT3N1	22:44:00 06/27/19	19FT03353
Male/Female Domestic	HARASSMENT	PSPR	04:15:25 06/22/19	19FT03253
Worker was kicked by another worker	HARASSMENT	FT1C1	13:14:42 06/19/19	19FT03208
Two people harassing each other	HARASSMENT	FT2G1	23:29:11 06/18/19	19FT03193

unknown male yelling and cursing at complainant Caller being harassed on Face Book	HARASSMENT HARASSMENT	FT2M1 FT1D1	20:41:49 06/08/19 13:47:39 06/01/19	19FT03024 19FT02890
HLTHSFTY (16)				
Concern about an individual driving male riding a skateboard	HLTHSFTY	FT1B1	17:41:02 06/29/19	19FT03387
check on 65 yof, she was ok	HLTHSFTY	FT1D1	18:58:55 06/27/19	19FT03351
Juvenile pointing object at cars going by	HLTHSFTY	FT2H1	08:15:12 06/26/19	19FT03318
25 yom, taken to hospital on 302 warrant	HLTHSFTY	FT1D1	09:53:53 06/24/19	19FT03286
check welfare of 42 yom, he was ok	HLTHSFTY	SC39B	17:08:23 06/18/19	19FT03188
22 yof, shoulder pain	HLTHSFTY	FT3N1	10:49:20 06/18/19	19FT03175
Power lines down, power company notified	HLTHSFTY	FT1B1	18:15:21 06/16/19	19FT03141
individual having suicidal thoughts	HLTHSFTY	FT1A1	16:50:13 06/16/19	19FT03140
Concerns about uninspected vehicle	HLTHSFTY	FT3J2	14:49:39 06/15/19	19FT03129
Male sleeping in grass	HLTHSFTY	FT1A1	10:49:56 06/14/19	19FT03116
Man in traffic	HLTHSFTY	FT2G1	09:27:54 06/12/19	19FT03082
welfare check, 22 yof taken to ER for voluntary MH eval	HLTHSFTY	FT2H1	13:10:00 06/11/19	19FT03068
Welfare check	HLTHSFTY	FT1B2	19:59:55 06/10/19	19FT03052
20 yom, violent and suicidal, 302	HLTHSFTY	FT1A1	21:27:00 06/07/19	19FT03009
Elderly male lying in grass. GOA	HLTHSFTY	FT3Q1	14:44:37 06/03/19	19FT02935
	HLTHSFTY	FT2G1	11:51:24 06/01/19	19FT02887
HLTHSFTYELEVATR (1)				
Dispatched to an elevator alarm.	HLTHSFTYELEVATR	FT1E1	13:35:41 06/28/19	19FT03360
HLTHSFTYEMSASST (51)				
29 yom - bicycle accident	HLTHSFTYEMSASST	FT1B1	00:35:32 06/30/19	19FT03391
37 yof with knee pain	HLTHSFTYEMSASST	FT1C1	18:44:51 06/29/19	19FT03389
85 yof, chest pains	HLTHSFTYEMSASST	FT1C1	02:52:11 06/29/19	19FT03376
26 yom, stomach illness	HLTHSFTYEMSASST	FT2H1	19:51:44 06/28/19	19FT03370
67 yof, hip injury	HLTHSFTYEMSASST	FT3P1	18:30:53 06/28/19	19FT03368
97 yof with chest pain	HLTHSFTYEMSASST	FT1C1	20:55:53 06/27/19	19FT03352
63 yof, cardiac issues	HLTHSFTYEMSASST	FT2G2	03:16:06 06/27/19	19FT03341
78 yom with breathing trouble.	HLTHSFTYEMSASST	FT2M1	18:47:39 06/26/19	19FT03338
20 yof, seizures	HLTHSFTYEMSASST	UUP01	17:53:04 06/26/19	19FT03336
68 yom, trouble breathing	HLTHSFTYEMSASST	FT3J2	15:28:48 06/26/19	19FT03334
79 yof, cardiac arrest	HLTHSFTYEMSASST	FT2F1	15:07:55 06/26/19	19FT03332
81 yof, irregular heart beat	HLTHSFTYEMSASST	FT1E1	13:36:46 06/26/19	19FT03329
94 yof fell and hit her head.	HLTHSFTYEMSASST	FT2H1	18:27:37 06/25/19	19FT03308
80 yof, head and neck pain	HLTHSFTYEMSASST	FT1B1	00:52:46 06/25/19	19FT03297
36 yof, shortness of breath	HLTHSFTYEMSASST	FT1A1	14:26:02 06/24/19	19FT03293
83 YOF with shoulder pain	HLTHSFTYEMSASST	FT1C1	13:25:57 06/24/19	19FT03292
76 yof, fainting	HLTHSFTYEMSASST	FT1A1	18:42:03 06/23/19	19FT03274
64 YOM rapid heart rate	HLTHSFTYEMSASST	FT1E1	12:47:05 06/23/19	19FT03269
27 yof, general illness	HLTHSFTYEMSASST	FT1B1	19:01:10 06/20/19	19FT03232
82 yof, breathing issues	HLTHSFTYEMSASST	FT1C1	11:50:34 06/20/19	19FT03219
78 yom, trouble breathing	HLTHSFTYEMSASST	FT2M1	09:59:29 06/19/19	19FT03200
68 YOM with hip pain	HLTHSFTYEMSASST	FT2G1	07:25:20 06/19/19	19FT03196
54 yof, fell and struck her head	HLTHSFTYEMSASST	FT1B5	12:20:36 06/18/19	19FT03179
54 yom, hip pain	HLTHSFTYEMSASST	FT1B1	11:59:12 06/18/19	19FT03177
62 yom, trouble breathing	HLTHSFTYEMSASST	FT1B1	11:25:21 06/18/19	19FT03176
70 yom, general illness	HLTHSFTYEMSASST	FT1B1	09:30:58 06/18/19	19FT03173
70 yof medical pendant activation	HLTHSFTYEMSASST	FT1B1	04:59:47 06/18/19	19FT03169
70 yof pendant activation	HLTHSFTYEMSASST	FT1B1	23:23:29 06/17/19	19FT03168
Medical alert accidental	HLTHSFTYEMSASST	FT1B1	22:36:04 06/17/19	19FT03167
45 yom, elbow pain	HLTHSFTYEMSASST	FT2G1	16:43:17 06/17/19	19FT03161
36 yof, head injury from car trunk lid	HLTHSFTYEMSASST	FT1A1	10:29:32 06/17/19	19FT03151
62 yof, low blood sugar	HLTHSFTYEMSASST	FT2G2	03:33:55 06/17/19	19FT03143
65 yof, knee pain	HLTHSFTYEMSASST	FT2H1	18:04:14 06/15/19	19FT03133
62 yom with dizziness	HLTHSFTYEMSASST	FT2H1	17:09:41 06/15/19	19FT03131
91 yof, unresponsive	HLTHSFTYEMSASST	FT1E1	14:37:44 06/15/19	19FT03128
44 yof - dog bite	HLTHSFTYEMSASST	FT3J1	22:49:44 06/13/19	19FT03111
52 yof, trouble breathing	HLTHSFTYEMSASST	FT1A1	10:35:39 06/13/19	19FT03105
87 YOF fell and hurt side	HLTHSFTYEMSASST	FT1E1	08:50:38 06/13/19	19FT03103
60 yom - blood in urine	HLTHSFTYEMSASST	FT2H1	01:51:51 06/13/19	19FT03100

71 YOF feeling faint	HLTHSFTYEMSASST	FT1B1	10:07:27 06/12/19	19FT03084
40 yof, patient released upon PD arrival	HLTHSFTYEMSASST	FT1B3	18:38:52 06/08/19	19FT03021
64 yom, dizzy and lightheaded	HLTHSFTYEMSASST	FT3T1	16:47:29 06/08/19	19FT03019
Medical alarm activation, accident	HLTHSFTYEMSASST	FT2H3	11:53:06 06/07/19	19FT03002
72 yom fell	HLTHSFTYEMSASST		20:34:24 06/04/19	19FT02954
63 yof, falll patient	HLTHSFTYEMSASST	FT1A1	14:53:33 06/03/19	19FT02936
59 yof, unresponsive, intoxicated	HLTHSFTYEMSASST	FT2H1	20:01:03 06/02/19	19FT02914
60 yom, cancer patient	HLTHSFTYEMSASST	FT1B5	22:50:08 06/01/19	19FT02901
22 yom, shortness of breath / chest pain	HLTHSFTYEMSASST	FT1F2	18:03:02 06/01/19	19FT02894
72 YOF lighted headed and fell	HLTHSFTYEMSASST	FT2H1	13:21:41 06/01/19	19FT02889
83 yof, medical alarm, fell in bathroom	HLTHSFTYEMSASST	FT3N1	13:01:37 06/01/19	19FT02888
60 YOM with possible stroke	HLTHSFTYEMSASST	FT3J1	07:11:49 06/01/19	19FT02884

HLTHSFTYFIREAST (8)

CO2 alarm activation	HLTHSFTYFIREAST	FT1B2	07:59:18 06/19/19	19FT03197
gas leak	HLTHSFTYFIREAST	FT1B1	16:50:21 06/18/19	19FT03186
Duct sensor fire activation. Cancelled	HLTHSFTYFIREAST	FT1E1	06:03:22 06/13/19	19FT03101
Active structure fire	HLTHSFTYFIREAST	FT3J1	09:02:15 06/12/19	19FT03079
Fire alarm	HLTHSFTYFIREAST	FT1E1	22:09:33 06/09/19	19FT03038
Power Lines Sparking	HLTHSFTYFIREAST	FT1C1	20:34:13 06/08/19	19FT03023
Emergency button in elevator activated. Accidental smoke alarm	HLTHSFTYFIREAST	FT3J1	11:31:46 06/03/19	19FT02927
	HLTHSFTYFIREAST	FT1A1	16:06:17 06/02/19	19FT02911

ORDVIOL (2)

Alarm sounding / high grass / unsecure property	ORDVIOL	FT3J2	18:57:24 06/20/19	19FT03231
Illegal Dumping	ORDVIOL	FT3J1	12:48:08 06/03/19	19FT02930

OUTAGNCYASST (12)

Check residence for SCPD	OUTAGNCYASST	SC37A	11:40:30 06/29/19	19FT03378
Assist PTPD with commercial burglar alarm	OUTAGNCYASST	PTPD	00:26:06 06/27/19	19FT03340
Attempt to locate wanted woman for PTPD	OUTAGNCYASST	PTPD	08:00:31 06/25/19	19FT03301
ORFA for a PTPD incident	OUTAGNCYASST	FT2G1	12:29:21 06/24/19	19FT03291
Assist PTPD	OUTAGNCYASST	PTPD	10:27:16 06/24/19	19FT03287
PSP Rockview	OUTAGNCYASST	FT1A1	22:28:34 06/21/19	19FT03252
Call referred to PSP	OUTAGNCYASST	FT1B1	14:03:23 06/18/19	19FT03181
CYS initiating investigation	OUTAGNCYASST	FT2H1	09:03:20 06/18/19	19FT03174
Assist PTPD w/ suicidal male	OUTAGNCYASST	PTPD	01:05:20 06/16/19	19FT03138
Peakskill PD, NY asked we check an address for a car	OUTAGNCYASST	FT2H3	11:49:17 06/11/19	19FT03066
Assisted SCPD	OUTAGNCYASST	SB2E8	02:22:18 06/07/19	19FT02993
PTPD Assist with vehicle crash	OUTAGNCYASST	PTPD	10:09:56 06/03/19	19FT02926

PARKING (5)

Vehicles effecting flow of traffic	PARKING	FT2G1	11:25:28 06/24/19	19FT03288
Questions about parking	PARKING	FT1D1	12:18:44 06/21/19	19FT03238
Handi Cap parking ticket	PARKING	FT1B1	13:16:06 06/11/19	19FT03069
Parking complaint, ticket issued	PARKING	FT2G1	16:10:01 06/08/19	19FT03018
Parking Complaint, parties moved their vehicles	PARKING	FT1C1	17:40:36 06/04/19	19FT02951

PFA RECEIVED (3)

PFA received	PFA RECEIVED	FT1C1	08:10:40 06/28/19	19FT03355
Notice of PFA Hearing	PFA RECEIVED	FT1A1	08:23:37 06/21/19	19FT03235
PFA Notice of Hearing	PFA RECEIVED	FT3J2	08:23:03 06/21/19	19FT03234

PROFOUND (9)

Found wallet returned to owner	PROFOUND	FT1B1	15:29:25 06/30/19	19FT03398
found wallet	PROFOUND	FT2H1	07:39:37 06/27/19	19FT03343
Construction worker found wallet	PROFOUND	FT1B1	07:38:10 06/27/19	19FT03342
Needle found in mulch	PROFOUND	FT1B5	08:59:37 06/25/19	19FT03302
found wallet	PROFOUND	FT1A1	15:25:40 06/24/19	19FT03295
new lawn chairs found on roadway	PROFOUND	FT2E1	13:42:27 06/22/19	19FT03257
Caller found wallet while running, returned to owner	PROFOUND	FT2E1	16:32:05 06/12/19	19FT03095
Found wallet/notebook in roadway, returned to owner	PROFOUND	FT1B1	12:28:14 06/10/19	19FT03047
Found backpack and contents , returned to owner	PROFOUND	FT1E1	10:42:38 06/01/19	19FT02886

PROPLOST (1)

Lost Registration Plate	PROPLOST	FT2G1	15:04:58 06/04/19	19FT02950
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RFACIVILDISP (5)

7/10/2019 11:44:57 AM				
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Customer upset with business.	RFACIVILDISP	FT2G1	13:52:01 06/28/19	19FT03362
Partial payment for work done to vehicle	RFACIVILDISP	FT3J1	08:18:26 06/19/19	19FT03198
Civil dispute - gas not paid for.	RFACIVILDISP	FT3J1	18:06:27 06/09/19	19FT03037
Land dispute	RFACIVILDISP	FT3T1	16:59:28 06/07/19	19FT03005
Caller not happy with the work done on his car	RFACIVILDISP	FT2G1	09:29:34 06/03/19	19FT02925

RFAKEYVHCL (1)

2 YOM locked in vehicle - PTPD opened car	RFAKEYVHCL	FT1B1	18:17:26 06/08/19	19FT03020
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RFALOCATECONT (2)

Triage nurse received open line call from patient, caller was OK	RFALOCATECONT	FT1B3	03:17:45 06/23/19	19FT03267
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called to locate her son, he was located, safe	RFALOCATECONT	FT1B4	18:53:53 06/03/19	19FT02938
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RFAOTHER (35)

Complainant wanted to collect items from residence	RFAOTHER	FT1A1	15:08:08 06/30/19	19FT03397
PSU PD thought a crime occurred at Best Buy when it occurred over the internet	RFAOTHER	FT1B1	13:42:23 06/30/19	19FT03396
caller asked if we handled incident with male she knows	RFAOTHER	FT2H1	09:26:53 06/30/19	19FT03394
Call mistakenly sent to FTPD	RFAOTHER	FT2H1	18:39:51 06/28/19	19FT03369
MDJ requested assistance serving a PFA	RFAOTHER	FT1C1	23:21:06 06/25/19	19FT03315
complainant states she is being harassed at the minit mart	RFAOTHER	PSPR	21:31:20 06/25/19	19FT03313
Water leak, SCWA notified	RFAOTHER	FT1A1	19:35:47 06/25/19	19FT03309
Individual practicing driving in a parking lot	RFAOTHER	FT1B1	20:55:54 06/22/19	19FT03261
14 yom-upset with parents	RFAOTHER	FT1D1	23:33:39 06/21/19	19FT03250
Report of possible scam found to be false	RFAOTHER	FT1B2	15:08:04 06/20/19	19FT03225
Caller said an older male was walking around near CVS.	RFAOTHER		21:32:07 06/18/19	19FT03190
Caller said a past patient was upset and may have taken pic's of computer screens	RFAOTHER	FT1B1	16:13:16 06/18/19	19FT03187
Caller said small Toyota speeding through development.	RFAOTHER	FT2G1	15:12:02 06/18/19	19FT03180
Caller thought she hit a car in a parking lot	RFAOTHER	FT1B2	16:05:21 06/13/19	19FT03108
MHID wants to file PFA against mother	RFAOTHER	FT2G1	14:51:27 06/13/19	19FT03107
police report number needed for attempted purchases	RFAOTHER	FT1A1	11:39:39 06/12/19	19FT03087
Beeping coming from smoke detector	RFAOTHER	FT1C1	01:15:27 06/12/19	19FT03075
Questions about car title	RFAOTHER	FT3O1	17:35:40 06/11/19	19FT03071
Misc. questions	RFAOTHER	FT1B2	08:54:14 06/11/19	19FT03060
Comp.'s internet is being hacked again.	RFAOTHER	FT1B2	03:10:22 06/11/19	19FT03055
Suspicious vehicle, worker related to pollinator garden	RFAOTHER	FT2G2	14:16:59 06/08/19	19FT03017
Questions about parking on the lawn	RFAOTHER	FT1A1	13:36:27 06/08/19	19FT03016
VIN request for IN DMV	RFAOTHER	FT1F2	12:34:38 06/08/19	19FT03015
Pedestrian crossing signal not working	RFAOTHER	FT1B1	03:16:08 06/07/19	19FT02994
Request by parent to speak with their son about possible harassment.	RFAOTHER	FT2H1	19:16:10 06/06/19	19FT02987
Caller thinks YELP account was hacked	RFAOTHER	FT1B2	20:53:46 06/05/19	19FT02968
Workers asked for help catching dog.	RFAOTHER	FT1A1	13:58:16 06/05/19	19FT02964
Subject was asking about caller at a class reunion in Schuylkill County	RFAOTHER	FT2G1	12:26:33 06/05/19	19FT02962
Motel wanted assistance removing customer, canceled	RFAOTHER	FT1B1	12:18:31 06/05/19	19FT02960
Parent asking another parent for address of kids so he can address them	RFAOTHER	FT2G1	08:46:59 06/05/19	19FT02957
Student brought in cough syrup	RFAOTHER	FT2G1	11:46:58 06/04/19	19FT02947
PFA notice of hearing	RFAOTHER	FT1A1	07:49:43 06/04/19	19FT02943
Callers clothes were stuck in washing machine.	RFAOTHER	FT1B1	18:52:18 06/03/19	19FT02939
Question about brush collection	RFAOTHER	FT1D1	15:16:06 06/03/19	19FT02937
Youths playing with electronic scoreboard / music . no game	RFAOTHER	FT2H1	19:51:05 06/01/19	19FT02895

SUSPACTY (35)

Suspicious vehicle	SUSPACTY	FT1B1	21:07:16 06/28/19	19FT03372
Someone attempted to change callers address with social security	SUSPACTY	FT3T1	13:49:19 06/28/19	19FT03361
Someone called the caller and said they were her grandson.	SUSPACTY	FT1B3	12:34:56 06/28/19	19FT03359
Credit card opened in callers name	SUSPACTY	FT1E1	10:37:17 06/28/19	19FT03358
Caller received a robo call from IRS	SUSPACTY	FT3J2	11:27:44 06/27/19	19FT03346

Someone opened a credit card with the callers information.	SUSPACTY	FT2H1	15:16:24 06/26/19	19FT03333
A man brought what appears to be a fake perscription to be filled at CVS.	SUSPACTY	FT1A1	20:58:33 06/25/19	19FT03310
Part of vehicle dash dislodged	SUSPACTY	FT1C1	08:22:36 06/25/19	19FT03300
complainant advises possible drug deals taking place	SUSPACTY	FT1B5	20:19:23 06/24/19	19FT03296
2 vehicles doing donuts in parking lot	SUSPACTY	FT1E1	22:38:53 06/23/19	19FT03275
Employee acting strange	SUSPACTY	FT1B1	23:56:26 06/22/19	19FT03265
Caller heard loud bang - fireworks	SUSPACTY	FT1C1	21:39:41 06/22/19	19FT03264
Attempted credit card opened in callers name	SUSPACTY	FT3K1	08:39:41 06/21/19	19FT03236
Report of short term foot traffic at hotel - caller refused info	SUSPACTY	FT1B5	20:35:09 06/20/19	19FT03233
Scam check	SUSPACTY	FT1B1	18:18:11 06/20/19	19FT03230
Caller gave her bank information out to subject on e-harmony	SUSPACTY	FT2G2	12:20:41 06/20/19	19FT03220
Scam phone call	SUSPACTY	FT1A1	12:50:23 06/19/19	19FT03207
Person hanging around office building	SUSPACTY	FT2G1	06:24:28 06/18/19	19FT03170
Caller received letter from Social Security requesting a change of address	SUSPACTY	FT1D1	12:52:46 06/17/19	19FT03156
Male in driveway	SUSPACTY	FT2G1	22:48:47 06/16/19	19FT03142
Person threatened to come assault person during church tomorrow	SUSPACTY	FT2G1	09:31:18 06/15/19	19FT03126
Unkown male called claiming he was being harassed.	SUSPACTY	FT2H1	07:58:15 06/14/19	19FT03114
Possible driveway paving scam	SUSPACTY	FT3T1	11:30:53 06/13/19	19FT03106
Caller believes someone is entering her home.	SUSPACTY	FT2G1	21:46:53 06/12/19	19FT03098
garbage bag taken off of lawn mower	SUSPACTY	FT1C1	15:30:00 06/12/19	19FT03094
Possible Job Scam	SUSPACTY	FT2G2	14:38:23 06/12/19	19FT03089
Check an open window	SUSPACTY	FT1C1	23:21:32 06/07/19	19FT03010
suspicious drone	SUSPACTY	FT3J2	20:37:08 06/06/19	19FT02988
scam/complainant did not lose any money	SUSPACTY	FT3J1	17:07:15 06/06/19	19FT02986
Person got a ticket for a vehicle they no longer own	SUSPACTY	FT1A1	11:22:33 06/06/19	19FT02977
Strange E-mail	SUSPACTY	FT2H1	14:38:16 06/05/19	19FT02965
Counterfeit \$20	SUSPACTY	FT1E1	10:23:51 06/05/19	19FT02959
Report of a possible argument in a vehicle	SUSPACTY	FT1B1	19:25:44 06/04/19	19FT02952
Suspicious phone call	SUSPACTY	FT2H1	00:27:26 06/04/19	19FT02942
fireworks , GOA	SUSPACTY	FT1C1	21:20:23 06/02/19	19FT02917

THEFT (5)

lovers quarrel / took boyfriends keys	THEFT	FT1B1	21:15:59 06/25/19	19FT03311
Theft of cash and access card	THEFT	FT2H1	08:21:11 06/12/19	19FT03078
Toys stolen by housecleaner	THEFT	FT3P1	08:44:54 06/07/19	19FT03000
Theft of small Sephora box	THEFT	FT2H1	11:21:12 06/06/19	19FT02976
theft of a \$1.00 polo shirt	THEFT	FT1B1	20:19:11 06/01/19	19FT02896

TRAFFIC (28)

Debris on the road, officers removed hazard	TRAFFIC	FT1B1	07:06:48 06/30/19	19FT03393
Manhole cover dislodged, officer repositioned the cover	TRAFFIC	FT1B1	17:39:15 06/28/19	19FT03367
MCSAP Detail	TRAFFIC	FT2F1	10:10:18 06/28/19	19FT03357
Disabled truck, provided traffic control until vehicle was towed	TRAFFIC	FT3L1	08:21:43 06/28/19	19FT03356
Complaint about height of Stop sign	TRAFFIC	FT1A1	11:30:26 06/27/19	19FT03347
talked to road workers about moving truck blocking stop sign.	TRAFFIC		16:20:57 06/26/19	19FT03335
Minor fender bender. No MVC report requested	TRAFFIC	FT1B1	13:59:07 06/26/19	19FT03331
Speeding vehicles in residential area	TRAFFIC	FT1A1	10:49:01 06/26/19	19FT03319
Vehicle speeding through residential area	TRAFFIC	FT1C1	14:39:53 06/25/19	19FT03306
Tree down onto windstream line	TRAFFIC	FT3S1	07:03:56 06/25/19	19FT03298
Debris in roadwar	TRAFFIC	FT2G1	14:55:00 06/22/19	19FT03258
Report of car crossing double yellow	TRAFFIC		16:34:23 06/20/19	19FT03229
Lost semi-truck	TRAFFIC	FT3T1	10:46:17 06/19/19	19FT03201
Reckless driver, no description of vehicle	TRAFFIC	FT1A1	20:20:44 06/18/19	19FT03189
person slumped over wheel, GOA	TRAFFIC	FT2G1	12:23:48 06/18/19	19FT03178
Reckless vehicle, speeding, GOA	TRAFFIC	FT1A1	16:20:27 06/17/19	19FT03159
Semi became stuck turning off roadway	TRAFFIC	FT3Q1	09:41:26 06/17/19	19FT03150

Reckless driver, vehicle GOA	TRAFFIC	FT1A1	17:27:34 06/15/19	19FT03132
truck with hanging mud flap	TRAFFIC	FT3L1	16:39:05 06/12/19	19FT03096
MCSAP detail	TRAFFIC	FT2F1	06:45:14 06/12/19	19FT03076
disabed vehicle	TRAFFIC	FT1F1	19:39:45 06/11/19	19FT03072
Disabled vehicle	TRAFFIC	PTPD	07:42:53 06/11/19	19FT03056
Disabled vehicle	TRAFFIC	FT2G1	10:10:09 06/08/19	19FT03012
Disabled Vehicle	TRAFFIC	FT2G1	19:43:23 06/07/19	19FT03007
Slow moving log trucks	TRAFFIC	SB2C3	10:32:01 06/07/19	19FT03001
Cardboard in travel lane	TRAFFIC	FT1B1	07:17:31 06/07/19	19FT02997
Reckless operation	TRAFFIC	FT2G1	20:22:26 06/04/19	19FT02953
Concerns about line painting crew	TRAFFIC	FT2E1	00:11:39 06/04/19	19FT02941

TRAFFIC STOP (3)

Suspended tag	TRAFFIC STOP	FT1B1	08:37:16 06/22/19	19FT03255
Suspended tag and driver	TRAFFIC STOP	FT2H1	08:34:15 06/20/19	19FT03215
Vehicle stop for suspended registration	TRAFFIC STOP	FT2G1	16:00:27 06/19/19	19FT03209

UNSECPROP (1)

Garage door and interior door found open	UNSECPROP	FT2H1	21:49:16 06/12/19	19FT03097
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UNTITLEDPOLICE (1)

Incident pulled in error	UNTITLEDPOLICE	FT2H1	09:05:31 06/05/19	19FT02958
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VACHOMECHK (3)

Vacation home check	VACHOMECHK	FT2H1	12:12:54 06/22/19	19FT03256
Vacation home check	VACHOMECHK	FT1D1	09:46:30 06/20/19	19FT03216
Vacation Home Check	VACHOMECHK	FT2G1	17:11:50 06/13/19	19FT03109

VHCLCRSHHITRUN (5)

Hit/Run - Car vs Dog	VHCLCRSHHITRUN	FT3J1	00:05:46 06/29/19	19FT03375
Vehicle struck in parking lot	VHCLCRSHHITRUN	FT1E1	17:36:19 06/27/19	19FT03350
Black SUV changed lanes and struck callers work car	VHCLCRSHHITRUN	FT2H1	08:47:23 06/10/19	19FT03042
Someone hit the callers parked vehicle and then left scene	VHCLCRSHHITRUN	FT2H1	17:07:27 06/05/19	19FT02967
Bicycle v. Car crash. Driver fled the scene on foot.	VHCLCRSHHITRUN	FT3T1	13:17:39 06/03/19	19FT02934

VHCLCRSHNOINJ (16)

Non-reportable minor crash.	VHCLCRSHNOINJ	FT1B1	11:02:26 06/26/19	19FT03320
Two car minor accident	VHCLCRSHNOINJ	FT1B1	12:48:36 06/24/19	19FT03290
2 vehicle reportable crash, no injuries	VHCLCRSHNOINJ	FT1B1	21:28:01 06/22/19	19FT03263
Two car reportable crash - no injuries	VHCLCRSHNOINJ	FT1B1	16:04:16 06/20/19	19FT03227
two vehicle non reportable 10-45A	VHCLCRSHNOINJ	FT2H1	07:49:58 06/17/19	19FT03144
1 vehicle crash, construction equipment vs. truck.	VHCLCRSHNOINJ	FT2G1	16:00:33 06/14/19	19FT03119
Vehicle pulled into side of vehicle	VHCLCRSHNOINJ	FT2G1	10:20:04 06/13/19	19FT03104
Non reportable commerical accident	VHCLCRSHNOINJ	FT1B1	11:10:26 06/12/19	19FT03086
Two vehicle rear end reportable accident. No injuries.	VHCLCRSHNOINJ	FT2H1	09:22:47 06/12/19	19FT03080
two vehicle non reportable crash	VHCLCRSHNOINJ	FT2H1	15:15:56 06/10/19	19FT03049
Car backed into passing vehicle	VHCLCRSHNOINJ	FT1B2	12:14:39 06/07/19	19FT03003
one vehicle reportable 10-45A	VHCLCRSHNOINJ	FT2E1	06:36:51 06/06/19	19FT02973
Vehicle struck the caller and fled	VHCLCRSHNOINJ	FT2G1	13:11:06 06/05/19	19FT02963
Minor crash	VHCLCRSHNOINJ	FT1D1	08:19:07 06/04/19	19FT02944
Vehicle crashed into parked car	VHCLCRSHNOINJ	FT1A1	23:31:21 06/03/19	19FT02940
Vehicle v. deer crash	VHCLCRSHNOINJ	FT1F1	10:16:14 06/02/19	19FT02910

VHCLCRSHWINJ (2)

Rear end accident	VHCLCRSHWINJ	FT1B1	07:41:14 06/27/19	19FT03344
Pedestrian got foot run over and fell down	VHCLCRSHWINJ	FT1B3	17:32:08 06/21/19	19FT03246

WARRANTSERVICE (1)

Arrested 36 yof for retail theft warrant	WARRANTSERVICE	FT1B1	20:53:56 06/01/19	19FT02897
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