

ORDINANCE NO. 899

An Ordinance of the Township of Ferguson, Centre County, Pennsylvania, amending the Code of Ordinances, Chapter 27, Zoning, Part 3, Rural Districts, as follows: (1) Section 302, Rural Residential (RR) District, Subsection 2, District Regulations, by adding the following sentence at the end thereof: "Except as noted herein, lot sizes for uses permitted in the RA (Rural Agricultural Zoning District) shall be as specified in Table 301." and (2) by amending Table 302, Criteria and Standards for the Rural Residential (RR) District, by adding a maximum lot size for single-family dwellings, establishing the minimum size for all permitted uses of the Agricultural District as set forth in Table 301, providing that golf courses shall be subject to the requirements of Section 204.J, providing that churches and other places of worship, parish houses and covenants shall be subject to the requirements of Section 204.F with minimum lot size in accordance with Table 301, providing that convenience food stores shall be subject to the requirements of Section 204.G, deleting personal care boarding home as a primary use and adding large personal care homes subject to the requirements of Section 204.U, providing that child care center, bed and breakfast having one to three rooms and bed and breakfast having four to ten rooms shall be accessory uses and not primary uses, providing that mining and quarrying, shall be subject to the requirements of Section 204.M, and providing that private park and recreational areas, excluding the use of motorized recreational activities on the premises, shall be uses subject to the requirements of Section 204.Q.

The Board of Supervisors of the Township of Ferguson hereby ordains:

**Section 1.** Chapter 27, Zoning, Part 3, Rural Districts, Section 302, Rural Residential (RR) District, Subsection 2, District Regulations, is hereby amended by adding the following sentence: "Except as noted herein, lot sizes for uses permitted in the RA (Rural Agricultural Zoning District) shall be as specified in Table 301."

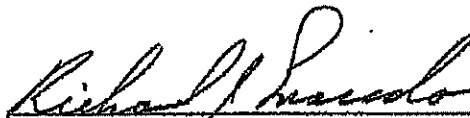
**Section 2.** Chapter 27, Zoning, Part 3, Rural Districts, Section 302, Rural Residential (RR) District, Table 302, Criteria and Standards for the Rural Residential (RR) District is hereby amended as follows:

- (1) The maximum lot size for single-family attached dwellings shall be three (3) acres.
- (2) The minimum lot size for all permitted uses of the Agricultural District shall be as set forth in Table 301.

- (3) Golf courses shall be subject to the requirements of Section 204.J.
- (4) Churches and other places of worship, parish houses and convents shall be subject to the requirements of Section 204.F and the minimum lot size shall be as set forth in table 301.
- (5) Convenience food stores shall be subject to the requirements of Section 204.G.
- (6) Personal care boarding homes shall be deleted as primary uses and large personal care homes subject to the requirements of Section 204.U shall be added.
- (7) Child care center, bed and breakfast having one to three rooms and bed and breakfast having four to ten rooms shall be accessory uses and not primary uses.
- (8) Mining and quarrying shall be subject to the requirements of Section 204.M.
- (9) Private park and recreational areas, excluding the use of motorized recreational activities on the premises, shall be subject to the requirements of Section 204.Q.

ORDAINED and ENACTED this 21st day of January, 2008.

**FERGUSON TOWNSHIP  
BOARD OF SUPERVISORS**

  
Richard J. Mascolo, Chairman

**ATTEST:**

  
Mark A. Kunkle, Secretary

Table 301  
Criteria and Standards for the Rural Agricultural (RA) District

PERMITTED USES Land and structures may be used for only the following	LOT REQUIREMENTS The following lot requirements shall be met for each primary use				YARD SETBACK REQUIREMENTS The following yard requirements shall be met				MAXIMUM HEIGHT	MAXIMUM BUILDING COVERAGE
	MAXIMUM SIZE	MINIMUM SIZE	MINIMUM WIDTH	MAXIMUM COVERAGE	FRONT YARD	SIDE YARD	REAR YARD			
<b>PRIMARY USES</b>										
1. The filling of the land, the raising and selling of crops, fruits and vegetables and the raising, keeping and selling of livestock and poultry.		50 acres	60 feet at street line and building setback line	10%	50 feet	100 feet	75 feet	40 feet		
2. Forestry uses		50 acres	60 feet at street line and building setback line	5%	50 feet	100 feet	75 feet	40 feet		
3. Usual farm structures, including barns, greenhouses and single and two family dwellings not to exceed three dwelling units on any single farm parcel.		50 acres	60 feet at street line and building setback line	10%	50 feet	100 feet	75 feet	40 feet		
4. Horticultural uses related to the raising, propagating and selling of trees, shrubs, flowers, fruits, vegetables and other plant materials.		50 acres	60 feet at street line and building setback line	10%	50 feet	100 feet	75 feet	40 feet		
5. Establishments for the raising, processing, storage, sales and/or service of farm products, supplies or commodities. (See additional requirements of §27-301.3).	5 acres	1 acre	60 feet at street line and building setback line	30%	50 feet	50 feet	50 feet	40 feet	30%	
6. One Single-family detached dwelling (for every 50 acres of a Primary Use - as determined and calculated before the subdivision).	2 acres	1 acre	60 feet at street line and building setback line	30%	20 feet on local and collector streets; 50 feet on arterial streets	50 feet	50 feet	40 feet	30%	

PERMITTED USES Land and structures may be used for only the following	LOT REQUIREMENTS The following lot requirements shall be met for each primary use			YARD SETBACK REQUIREMENTS The following yard requirements shall be met			MAXIMUM HEIGHT	MAXIMUM BUILDING COVERAGE	
	MAXIMUM SIZE	MINIMUM SIZE	MINIMUM WIDTH	MAXIMUM COVERAGE	FRONT YARD	SIDE YARD			REAR YARD
7. Communication Towers			60 feet at street line and building setback line		50 feet	100 feet	75 feet	200 feet	
8. [Reserved] [Ord. 888]									
9. Churches and other places of worship, parish houses and convents	5 acres	1 acre	60 feet at street line and building setback line	30%	50 feet	50 feet	75 feet	45 feet	30%
10. U.S. Post Office Subdivision for the purpose of providing a post office in the RA District shall not be considered a lot which counts towards the landowner's one single-family detached dwelling for every 50 acres of a primary use. For example, if a landowner owns 50 acres and subdivides a 3 acre parcel for a post office, the landowner would be permitted to subdivide off one additional 1 acre lot from the remaining 47 acres for a single-family detached dwelling.	3 acres		60 feet at street line and building setback line	30%	50 feet	50 feet	50 feet	40 feet	30%
10A. Kennels [Ord. 888]	3 acres [Ord. 888]								
10B. Pet Care Facilities [Ord. 888]		1 acre [Ord. 888]							
10C. Veterinary Office/Clinic [Ord. 888]		1 acre [Ord. 888]							
10D. Group Home [Ord. 908]									
ACCESSORY USES	See PRIMARY USES above to which it is accessory								
11. Home occupations									
12. No Impact Home Based Business									

PERMITTED USES	LOT REQUIREMENTS				YARD SETBACK REQUIREMENTS			MAXIMUM HEIGHT	MAXIMUM BUILDING COVERAGE
	The following lot requirements shall be met for each primary use				The following yard requirements shall be met				
	MAXIMUM SIZE	MINIMUM SIZE	MINIMUM WIDTH	MAXIMUM COVERAGE	FRONT YARD	SIDE YARD	REAR YARD		
13. Customary uses accessory to the above; essential									
14. Group child care homes as a conditional use accessory to a residence if the requirements of §27-204.E.2 are satisfied									
15. Child Care Center, accessory to an office building, a church or a structure which is part of the church facility if the requirements of §27-204.E(3) are satisfied.									
16. Bed and Breakfast having one to three rooms as an accessory use to an owner occupied single-family dwelling unit, subject to the requirements of §27-204.X.									
17. Bed and Breakfast having four to ten rooms as an accessory use to an owner-occupied single-family dwelling unit, subject to the requirements of §27-204.X.									
USES BY SPECIAL EXCEPTION									
18. Mining and Quarrying		10 acres	300 feet	10%	50 feet	300 feet	75 feet	40 feet	
CONDITIONAL USES									
19. Air Quality Learning Centers, in accordance with requirements of §27-204.AA	1 acre				50 feet	50 feet	50 feet	40 feet	
20. Public Recreation Areas [Ord. 898]	10 acres	5 acres	50 feet at street line and building setback line	30%	50 feet	50 feet	50 feet	40 feet	10%
21. Golf courses [Ord. 898]				10% (Maximum Impervious: None)	50 feet	100 feet	100 feet		

(Ord. 224, 3/15/1982, §301.2.1; as amended by Ord. 400, 7/25/1989, §§1.2; by Ord. 555, 6/7/1993, §1; by Ord. 560, 6/7/1993 §§3,4,5; by Ord. 595, 9/19/1994, §2; by Ord. 600, 12/5/1994, §§1-4; by Ord. 656, 6/17/1996, §3; by Ord. 680, 8/4/1997, §3; by Ord. 702, 7/6/1998, §2; by Ord. 718, 10/19/1998, §1; by Ord. 744, 11/1/1999, §1; by Ord. 797, 8/5/2002, §2; by Ord. 820, 12/8/2003, §2; by Ord. 821, 12/8/2003, §2; by Ord. 852, 8/1/2005, §2; by Ord. 865, 8/7/2006, §2; by Ord. 888, 7/2/2007, §1; by Ord. 898, 1/7/2008, §§1, 2; and by Ord. 908, 8/18/2008, §1)

**§27-302. Rural Residential (RR) District.**

1. *Intent.* It is the intent of the Rural Residential District to promote the following:

- A. To retain the pastoral nature of the district.
- B. To encourage the preservation of agriculture as a suitable use in rural areas.
- C. To limit development to those uses compatible with the rural environment.
- D. To limit the extension across farmland of public utilities with costly use fees.
- E. To preserve the quality of the soil for crop and pasture use.
- F. To protect prime cropland from its conversion to uses incompatible with agriculture.
- G. To buffer housing from farm activities.
- H. To permit limited commercial uses and community facilities which are compatible with the rural environment or which would create serious nuisances or hazards if located within populous areas.

2. *District Regulations.* Only the uses listed below shall be permitted in the Rural Residential District. All uses must conform to the lot, yard setback and maximum height regulations stipulated herein, as well as other appropriate requirements of this Chapter. Except as noted herein, lot sizes for uses permitted in the RA (Rural Agricultural Zoning District) shall be as specified in Table 301. [Ord. 899]

(Ord. 224, 3/15/1981, §302; as amended by Ord. 463, 9/4/1990, §1; and by Ord. 899, 1/21/2008, §1)

Table 302  
Criteria and Standards for the Rural Residential (RR) District

PERMITTED USES Land and structures may be used for only the following	LOT REQUIREMENTS The following lot requirements shall be met for each primary use				YARD SETBACK REQUIREMENTS The following yard requirements shall be met			MAXIMUM HEIGHT
	MINIMUM SIZE	MINIMUM WIDTH	MAXIMUM COVERAGE	MAXIMUM IMPERVIOUS COVERAGE	FRONT YARD	SIDE YARD	REAR YARD	
<b>PRIMARY USES</b>								
1. Single-family detached dwellings	1 acre (3 acres maximum) [Ord. 899]	100 feet at the street line; 150 feet at the building setback line	30%	50% for the first 5 acres and 30% for the remainder	20 feet on local streets; 50 feet on arterial streets	30 feet	30 feet	40 feet
2. All permitted uses of the Agricultural District	As set forth in Table 301 [Ord. 899]	300 feet at street line and building setback line [Ord. 655, 6/17/1996, §4]	10%	None	50 feet [Ord. 820]	100 feet	100 feet [Ord. 820]	40 feet [Ord. 820]
3. Golf courses (subject to the requirements of §27-204-J) [Ord. 899]	10 acres	300 feet at street line and building setback line [Ord. 656, 6/17/1996, §4]	10%	50% for the first 5 acres and 30% for the remainder	50 feet [Ord. 820]	100 feet	100 feet [Ord. 820]	40 feet [Ord. 820]
4. Horse riding stables academies	10 acres	300 feet at street line and building setback line [Ord. 655, 6/17/1996, §4]	10%	50% for the first 5 acres and 30% for the remainder	50 feet [Ord. 820]	100 feet	100 feet [Ord. 820]	40 feet [Ord. 820]
5. Reserved [Ord. 888]								
6. Reserved [Ord. 888]								
7. Commercial cemeteries	1 acre	150 feet at the building setback line and at street line [Ord. 656, 6/17/1996, §4]	30%	50% for the first 5 acres and 30% for the remainder	50 feet	50 feet	75 feet	40 feet



PERMITTED USES  Land and structures may be used for only the following	LOT REQUIREMENTS  The following lot requirements shall be met for each primary use				YARD SETBACK REQUIREMENTS  The following yard requirements shall be met				MAXIMUM HEIGHT
	MINIMUM SIZE	MINIMUM WIDTH	MAXIMUM COVERAGE	MAXIMUM IMPERVIOUS COVERAGE	FRONT YARD	SIDE YARD	REAR YARD		
8. Public and private nursery, kindergarten, elementary and secondary schools	1 acre	150 feet at the building setback line and at street line [Ord. 656, 6/17/1996,§4]	30%	50% for the first 5 acres and 30% for the remainder	50 feet	50 feet	75 feet	40 feet	
9. Public or private conservation areas for the conservation of open space, water, soil and wildlife resources.	1 acre	150 feet at the building setback line and at street line [Ord. 656, 6/17/1996,§4]	30%	50% for the first 5 acres and 30% for the remainder	50 feet	50 feet	75 feet	40 feet	
10. Public park and recreational areas, excluding the use of motorized recreational activities on the premises [Ord. 827]	1 acre	150 feet at the building setback line and at street line [Ord. 656]	30%	50% for the first 5 acres and 30% for the remainder	50 feet	50 feet	75 feet	40 feet	
11. Churches and other places of worship, parish houses and convents (subject to the requirements of §27-204.F) [Ord. 899]	As set forth in Table 301 [Ord. 899]	150 feet at the building setback line and at street line [Ord. 656, 6/17/1996,§4]	30%	50% for the first 5 acres and 30% for the remainder	50 feet	50 feet	75 feet	40 feet	
12. Communication Towers [Ord. 820]		150 feet at the building setback line and at street line [Ord. 820]			50 feet [Ord. 820]	50 feet [Ord. 820]	75 feet [Ord. 820]	200 feet [Ord. 820]	
13. Convenience Food Stores (subject to the requirements of §27-204.G) [Ord. 899]	1 acre	150 feet at the building setback line and at street line [Ord. 656]	30%	50% for the first 5 acres and 30% for the remainder	50 feet	50 feet	75 feet	40 feet	
14. Large Personal Care Homes (subject to the requirements of §27-204.U) [Ord. 899]	1 acre [Ord. 820]	150 feet at the building setback line and 100 feet at street line	30% [Ord. 820]	50% for the first 5 acres and 30% for the remainder	20 feet on local and collector streets; 50 feet on arterial streets	50 feet [Ord. 820]	75 feet [Ord. 820]	40 feet [Ord. 820]	

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	MINIMUM SIZE	MINIMUM WIDTH	MAXIMUM COVERAGE	MAXIMUM IMPERVIOUS COVERAGE	FRONT YARD	SIDE YARD	REAR YARD			
15. Administrative offices and maintenance buildings for companies which operate potable water well systems within Ferguson Township. [Ord. 733, 8/16/1999, §3]	1 acre	150 feet at the building setback line and at street line [Ord. 666, 6/17/1996, §4]	30%	50%	50 feet	50 feet	75 feet		40 feet	
16. U.S. Post Office on a maximum lot size of 3 acres. [Ord. 820]	1 acre [Ord. 820]	150 feet at the building setback line and 100 feet at street line [Ord. 820]	30% [Ord. 820]	50% [Ord. 820]	20 feet on local and collector streets; 50 feet on arterial streets [Ord. 820]	30 feet [Ord. 820]	30 feet [Ord. 820]		40 feet [Ord. 820]	
17. Forestry Uses [Ord. 820]	10 acres [Ord. 820]	300 feet [Ord. 820]	5% [Ord. 820]	10% [Ord. 820]	50 feet [Ord. 820]	100 feet [Ord. 820]	100 feet [Ord. 820]		40 feet [Ord. 820]	
17A. Kennel [Ord. 888]	3 acres [Ord. 888]									
17B. Pet Care Facility [Ord. 888]	1 acre [Ord. 888]									
17C. Veterinary Office/Clinic [Ord. 888]	1 acre [Ord. 888]									
18D. Group Home [Ord. 908]										
ACCESSORY USES	see PRIMARY USE above to which it is accessory									
18. Home Occupations										
19. No Impact Home Based Business [Ord. 820]										
20. Customary uses accessory to the above; essential services										
21. Group child care homes as a conditional use accessory to a residence if the requirements of §27-204.E(2) are satisfied. [Ord. 680]										

PERMITTED USES	LOT REQUIREMENTS The following lot requirements shall be met for each primary use			YARD SETBACK REQUIREMENTS The following yard requirements shall be met			MAXIMUM HEIGHT
	MINIMUM SIZE	MINIMUM WIDTH	MAXIMUM COVERAGE	MAXIMUM IMPERVIOUS COVERAGE	FRONT YARD	SIDE YARD	
Land and structures may be used for only the following							
22. Child Care Center, accessory to an office building, a church or a structure which is part of the church facility if the requirements of §27-204.E(3) are satisfied. [Ord. 820]							
23. Bed and Breakfast having one to three rooms as an accessory use to an owner occupied single-family dwelling unit, subject to the requirements of §27-204.X. [Ord. 682]							
24. Bed and Breakfast having four to ten rooms as an accessory use to an owner-occupied single-family dwelling unit, subject to the requirements of §27-204.X. [Ord. 682]							
USES BY SPECIAL EXCEPTION							
25. Mining and quarrying (subject to the requirements of §27-204.M) [Ord. 899]	10 acres	300 feet	10%	50% for the first 5 acres and 30% for the remainder	50 feet	100 feet	75 feet
CONDITIONAL USES							
1. Private park and recreational areas, excluding the use of motorized recreational activities on the premises (subject to the requirements of §27-204.O) [Ord. 899]	1 acre	150 feet at the building setback line and at street line [Ord. 656]	30%	50% for the first 5 acres and 30% for the remainder	50 feet	50 feet	75 feet

(Ord. 224, 3/15/1982, §302.2.1; as amended by Ord. 232, 7/13/1982, §2; by Ord. 237, 9/7/1982, §1; by Ord. 400, 7/25/1989, §3; by Ord. 463, 9/4/1990, §§1,2; by Ord. 538, 11/16/1992, §1; by Ord. 595, 9/19/1994, §2; by Ord. 656, 6/17/1996, §4; by Ord. 680, 8/4/1997, §3; by Ord. 682, 10/20/1997, §§3, 4; by Ord. 702, 7/6/1988, §2; by Ord. 718, 10/19/1998, §2; by Ord. 733, 8/16/1999, §2; by Ord. 820, 12/8/2003; by Ord. 821, 12/8/2003, §2; by Ord. 888, 7/2/2007, §2; by Ord. 899, 1/21/2008, §2; and by Ord. 908, 8/18/2008, §2)

ORDINANCE NO. 973

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF FERGUSON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA CHAPTER 27, ZONING AS FOLLOWS: (1) PART 2 DISTRICT REGULATIONS, SECTION 204, USE REGULATIONS; (2) PART 3 RURAL DISTRICTS, SECTION 301 RURAL AGRICULTURAL DISTRICT, TABLE 301; SECTION 302, RURAL RESIDENTIAL DISTRICT, TABLE 302; SECTION 303 AGRICULTURAL RESEARCH DISTRICT, TABLE 303; (3) PART 4, RESIDENTIAL DISTRICTS, SECTION 401 SINGLE FAMILY RESIDENTIAL DISTRICT, TABLE 401; SECTION 401A SUBURBAN SINGLE FAMILY RESIDENTIAL DISTRICT, TABLE 401A; SECTION 402 TWO-FAMILY RESIDENTIAL DISTRICT, TABLE 402; SECTION 403 TOWNHOUSE RESIDENTIAL DISTRICT, TABLE 403; SECTION 404 MULTI-FAMILY RESIDENTIAL DISTRICT, TABLE 404; SECTION 405 VILLAGE DISTRICT, TABLE 405; SECTION 407 PLANNED RESIDENTIAL DISTRICT; (4) PART 5 COMMERCIAL DISTRICTS, SECTION 501 OFFICE COMMERCIAL DISTRICT, TABLE 501; SECTION 502 GENERAL COMMERCIAL DISTRICT, TABLE 502; (5) PART 6 INDUSTRIAL DISTRICT, SECTION 601 GENERAL INDUSTRIAL DISTRICT, TABLE 601; SECTION 602 LIGHT INDUSTRY RESEARCH AND DEVELOPMENT, TABLE 602; (6) PART 8 SUPPLEMENTAL REGULATIONS, SECTION 801 FLOOD PLAIN CONSERVATION AND SECTION 809 OFF-STREET PARKING AND LOADING REGULATIONS; AND (7) PART 12 DEFINITIONS SECTION 1202 DEFINITIONS

The Board of Supervisors of the Township of Ferguson hereby ordains:

Section 1. Chapter 27, Zoning, is hereby amended as follows:

§27-204. Use Regulations.

The use of land and structures shall be limited to only the primary, adjunct and accessory uses permitted in each zoning district, unless specifically permitted, exempted or otherwise modified by this or other Sections of this Chapter. All other uses not expressly permitted are prohibited. In addition to the regulations stipulated for each use in Part 3 through Part 8, the following use regulations shall apply:

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 (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 O Districts may include dwelling units as permitted in Tables 501 and 502, 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 subsection 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.

A-2. *Adjunct Use.* 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.

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.

Landscaping and parking requirements will be applicable in accordance with the primary principle use of the site.

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.

G. *Child/Day Care.* Child/day Care shall be permitted as a primary use in the R3, R4, V, PRD, OC, C and IRD Districts as long as the following requirements are met:

- (1) All district regulations as specified shall be followed.
- (2) Child/day care (as an adjunct or primary use) shall be located only on lots with direct motor vehicle access onto a public street.
- (3) All outdoor play areas shall be completely enclosed by a fence or wall with a minimum height of 4 feet and screened by an evergreen planting which shall reach a height of at least 6 feet within 5 years of planting.
- (4) All child/day care shall comply with all licensing requirements of the Commonwealth of Pennsylvania.
- (5) A land development plan must be filed to obtain approval from the Ferguson Township Board of Supervisors.

Child/day Care may be permitted as an adjunct use to any Place of Assembly as long as such use is in accordance with the provisions that regulate such Place of Assembly.

II. *Neighborhood Place of Assembly.* In all districts where a **Neighborhood Place of Assembly** is permitted, the use must meet the following criteria:

- a. Maximum square footage of all primary, adjunct and accessory uses on the site less than or equal to 15,000 square feet.
- b. Direct access to a collector street.
- c. Maximum seating capacity of the largest assembly space [present or planned] is less than or equal to 250.
- d. Maximum lot size less than or equal to five (5) acres.

When such use is to be located within a building that is in existence at the time of adoption of this amendment, criteria (a), (b), (c) above will continue to apply.

No public sewer or water service will be available to any Neighborhood Place of Assembly that is located outside of the adopted RGB/SSA.

**JJ. Community Place of Assembly.** In all districts where a Community Place of Assembly is permitted, the use must meet the following criteria:

- a. Maximum square footage of all primary, adjunct and accessory uses on the site is less than or equal to 40,000 square feet.
- b. Direct access to a collector or arterial street
- c. Maximum seating capacity of the largest assembly space [present or planned] is less than or equal to 750
- d. Maximum lot size is less than or equal to twelve (12) acres.
- e. The project must connect to public sewer and water service.

When such use is to be located within a building that is in existence at the time of adoption of this amendment, criteria (a), (b), (c), (e) above will continue to apply.

**KK. Regional Place of Assembly.** In all districts where a Regional Place of Assembly is permitted, the use must meet the following criteria:

- a. Maximum square footage of all primary, adjunct and accessory uses on the site is less than or equal to 100,000 square feet.
- b. Direct access to an arterial street
- c. Maximum seating capacity of the largest assembly space [present or planned] is equal to or greater than 750
- d. Lot size is greater than or equal to fifteen (15) acres.
- e. The project must connect to public sewer and water service.

When such use is to be located within a building that is in existence at the time of adoption of this amendment, the use may occupy the entire existing structure even if that exceeds 100,000 square feet. However, criteria (b) and (e) will continue to apply.

The criteria for conditional approval of a Regional Civic or Faith-Based Place of Assembly when located on RA zoned land within the RGB/SSA are as follows:

- a. Submission and approval of a Land Development Plan and Traffic Impact Study per the requirements established in Chapter 22.
- 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.
- e. Impervious coverage limited to 30%.
  - i. Use of impervious material for parking is encouraged. Material must be approved by the Township Engineer
  - ii. The design of permanent stormwater facilities to allow for recreational activities must be approved by the Township Engineer
- f. All structures associated with primary or adjunct uses on the site shall not exceed 40' in height.
- g. 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.
- h. All signs, other than directional signage shall be located on site. The use of temporary event signage must be approved by the Zoning Administrator.

- i. Any requests for on-site signage beyond that which identifies the primary 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.
- i. Any other conditions that the Board determines are necessary to address the impacts associated with the specific use or the specific site.

The criteria for conditional approval of a Regional Civic, Business or Faith-Based Place of Assembly when located in the (C) General Commercial zoning district within the RGB/SSA are as follows:

- a. Submission and approval of a Land Development Plan and Traffic Impact Study per the requirements established in Chapter 22.
- 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. Impervious coverage is limited to 85%
  - i. Maximum amount of parking on impervious surface is limited to 500 spaces.
  - ii. Use of impervious material for all parking is encouraged. Material must be approved by the Township Engineer.
- e. 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 per Section 807 shall be provided.
- f. No form of drive-through service permitted.
- g. Primary or adjunct uses that are not enclosed shall not be permitted to operate between midnight and 7a.m.
- h. Any other conditions that the Board determines are necessary to address the impacts associated with the specific use or the specific site.

**Section 2.** Chapter 27, Zoning, Part 3, Rural Districts, is hereby amended by deleting existing Tables 301, 302 and 303 and adding Tables 301, 302 and 303 attached hereto and made a part hereof as Exhibits "A", "B" and "C" respectively.

**Section 3.** Chapter 27, Zoning, Part 4, Residential Districts, is hereby amended by deleting existing Tables 401, 401A, 402, 403, 404 and 405 and adding Tables 401, 401A, 402, 403, 404 and 405 attached hereto and made a part hereof as Exhibits "D", "E", "F", "G", "H" and "I" respectively.

**Section 4.** Chapter 27, Zoning, Part 4, Residential Districts, Section 407, Planned Residential Development District, Subsections 3.B (2) and (4) by deleting the existing subsections and adding 3.B (2) and (4) as set forth in Exhibit "J" attached hereto and made a part hereof.

**Section 5.** Chapter 27, Zoning, Part 5, Commercial Districts, is hereby amended by deleting existing Tables 501 and 502 and adding Tables 501 and 502, attached hereto and made a part hereof as Exhibits "K" and "L" respectively.

**Section 6.** Chapter 27, Zoning, Part 6, Industrial District, is hereby amended by deleting existing Tables 601 and 602 and adding Tables 601 and 602, attached hereto and made a part hereof as Exhibits "M" and "N" respectively.

**Section 7.** Chapter 27, Zoning, Part 8, Supplemental Regulations, Section 801, Flood Plain Conservation and Section 809, Off-Street Parking and Loading Regulations, are hereby amended as set forth in Exhibits "O" and "P" attached hereto and made a part hereof.

**Section 8.** Chapter 27, Zoning, Part 12, Definitions, is hereby amended as set forth in Exhibit "Q" attached hereto and made a part hereof.

ORDAINED and ENACTED this 10th day of December, 2012.

TOWNSHIP OF FERGUSON

By: \_\_\_\_\_

*George Pyle*  
George Pyle, Chairman  
Board of Supervisors

[SEAL]

ATTEST:

*Mark A. Kunkle*  
Mark A. Kunkle, Secretary



Part 3  
Rural Districts

\$27-301. Rural Agricultural (RA) District.

Table 301  
Criteria and Standards for the Rural Agricultural (RA) District.

PERMITTED USES Land and structures may be used for only the following	LOT REQUIREMENTS The following lot requirements shall be met for each primary use.		YARD-SETBACK REQUIREMENTS The following yard requirements shall be met			MAXIMUM BUILDING COVERAGE	MAXIMUM HEIGHT	
	MAXIMUM SIZE	MINIMUM SIZE	MINIMUM WIDTH	MAXIMUM COVERAGE	FRONT YARD			SIDE YARD
<b>PRIMARY USES</b>								
1. The filling of the land for raising and selling of crops, fruits and vegetables and the raising, keeping and selling of livestock and poultry.		50 acres	60 feet at street line and building setback line	10%	50 feet	100 feet	75 feet	40 feet
2. Forestry uses		50 acres	60 feet at street line and building setback line	5%	50 feet	100 feet	75 feet	40 feet
3. Usual farm structures, including barns, greenhouses and single and two family dwellings not to exceed three dwelling units on any single farm parcel.		50 acres	80 feet at street line and building setback line	10%	50 feet	100 feet	75 feet	48 feet
4. Horticultural uses related to the raising, propagating and selling of trees, shrubs, flowers, fruits, vegetables and other plant materials.		50 acres	60 feet at street line and building setback line	10%	50 feet	100 feet	75 feet	40 feet
5. Establishments for the raising, processing, storage, sales and/or service of farm products, supplies or commodities. (See additional requirements of §27-301-2).	5 acres	1 acre	60 feet at street line and building setback line	30%	50 feet	50 feet	50 feet	40 feet
6. One Single-family detached dwelling (for every 50 acres of a Primary Use - as determined and calculated before the subdivision).	2 acres	1 acre	60 feet at street line and building setback line	30%	20 feet on local and collector streets; 50 feet on arterial streets	50 feet	50 feet	40 feet

Exhibit "A"

PERMITTED USES Land and structures may be used for only the following	LOT REQUIREMENTS The following lot requirements shall be met for each primary use			YARD-SETBACK REQUIREMENTS The following yard requirements shall be met			MAXIMUM HEIGHT	MAXIMUM BUILDING COVERAGE
	MAXIMUM SIZE	MINIMUM SIZE	MINIMUM WIDTH 60 feet at street line and Building setback line	FRONT YARD	SIDE YARD	REAR YARD		
7. Communication Towers.				50 feet	100 feet	75 feet	200 feet	
8. [Reserved] [Ord. 888]								
9. Neighborhood Civic or Faith Based Places Assembly [See Section 244.11]				20'	30'	50'		
10A. Kennels [Ord. 888]	3 acres [Ord. 888]							
10B. Pet Care Facilities [Ord. 888]	1 acre [Ord. 888]							
10C. Veterinary Office/Clinic [Ord. 888]	1 acre [Ord. 888]							
10D. Group Home [Ord. 908]								
ACCESSORY USES								
11. Customary uses accessory to the above, essential services	See PRIMARY USES above in which it is accessory							
12. Home occupations								
13. No Impact Home Based Business								
14. Group child care homes; accessory to a residence if the requirements of §27-204.E.2 are satisfied								
15. Bed and Breakfast having one to three rooms as an accessory use to an owner occupied single-family dwelling unit; subject to the requirements of §27-204.X.								
16. Bed and Breakfast having four to ten rooms as an accessory use to an owner occupied single-family dwelling unit; subject to the requirements of §27-204.X.								

Exhibit "A"									
PERMITTED USES	LOT REQUIREMENTS			YARD SETBACK REQUIREMENTS			MAXIMUM HEIGHT	MAXIMUM BUILDING COVERAGE	
Land and structures may be used for only the following:	The following lot requirements shall be met for each primary use:			The following yard requirements shall be met:					
	MAXIMUM SIZE	MINIMUM WIDTH	MAXIMUM COVERAGE	FRONT YARD	SIDE YARD	REAR YARD			
USES BY SPECIAL EXCEPTION	See PRIMARY USES above to which it is necessary								
17. Mining and Quarrying									
CONDITIONAL USES									
18. Regional Civic or Faith-Based Place of Assembly									

§27-302. Rural Residential (RR) District.

Table 302  
Criteria and Standards for the Rural Residential (RR) District

PERMITTED USES Land and structures may be used for only the following	LOT REQUIREMENTS The following lot requirements shall be met for each primary use			YARD-SETBACK REQUIREMENTS The following yard requirements shall be met			MAXIMUM HEIGHT	
	MINIMUM SIZE	MINIMUM WIDTH	MAXIMUM COVERAGE	MAXIMUM IMPERVIOUS COVERAGE	FRONT YARD	SIDE YARD		REAR YARD
<b>PRIMARY USES</b>								
1. Single-family detached dwellings	1 acre (3 acres maximum) [Ord. 888]	100 feet at the street line; 150 feet at the building setback line	30%	50% for the first 5 acres and 30% for the remainder	20 feet on local and collector streets; 50 feet on arterial streets	30 feet	30 feet	40 feet
As set forth in Table 301 [Ord. 899]								
2. All permitted uses of the Agricultural District								
3. Reserved [Ord. 888]								
4. Reserved [Ord. 888]								
5. Commercial cemeteries	1 acre	150 feet at the building setback line and at street line [Ord. 856, 6/7/1996, §4]	30%	50% for the first 5 acres and 30% for the remainder	50 feet	50 feet	75 feet	40 feet
6. Public or private conservation areas for the conservation of open spaces, water, soil and wildlife resources.	1 acre	150 feet at the building setback line and at street line [Ord. 856, 6/7/1996, §4]	30%	50% for the first 5 acres and 30% for the remainder	50 feet	50 feet	75 feet	40 feet
7. Communication Towers [Ord. 820]		150 feet at the building setback line and at street line [Ord. 820]			50 feet [Ord. 820]	50 feet [Ord. 820]	75 feet [Ord. 820]	200 feet [Ord. 820]
8. Convenience Food Stores (subject to the requirements of §27-204(G)) [Ord. 899]	1 acre	150 feet at the building setback line and at street line [Ord. 652]	30%	50% for the first 5 acres and 30% for the remainder	50 feet	50 feet	75 feet	40 feet



Exhibit "B"

<b>PERMITTED USES</b> Land and structures may be used for only the following	<b>LOT REQUIREMENTS</b> The following lot requirements shall be met for each primary use:			<b>YARD SETBACK REQUIREMENTS</b> The following yard requirements shall be met:			<b>MAXIMUM HEIGHT</b>
	<b>MINIMUM SIZE</b>	<b>MINIMUM WIDTH</b>	<b>MAXIMUM COVERAGE</b>	<b>MAXIMUM IMPERVIOUS COVERAGE</b>	<b>FRONT YARD</b>	<b>SIDE YARD</b>	
see PRIMARY USE above to which it is necessary							
<b>USES BY SPECIAL EXCEPTION</b>							
1B. Minimum and quantity (subject to the requirements of §27-204.10) (Ord. 899)							
<b>CONDITIONAL USES:</b>							
1. Group child-care homes accessory to a residence if the requirements of §27-204.E(2) are satisfied. (Ord. 690)							