

TOWNSHIP OF FERGUSON

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FERGUSON TOWNSHIP PLANNING COMMISSION REGULAR MEETING AGENDA Monday, July 27, 2020 6:00 PM

Zoom Meeting: <https://us02web.zoom.us/j/84175043798>
Meeting ID: 897 1934 8698

- I. Call To Order
- I. Approval of Regular Meeting Minutes—July 13, 2020
- II. Citizen Input
- III. Land Development Plans

A. Thistlewood Lot 19 Final Land Development Plan

This Land Development Plan, submitted by PennTerra Engineering, Inc. on behalf of the applicants, Eric Reischer, proposes the construction of a single-family home, approximately 3,925 square feet on Lot 19 (180 Treetops Drive, T.P. 24-746-,007-0000-) within the Thistlewood Development. As per the Thistlewood Record Subdivision Plan, dated September 24, 2004, revised March 16, 2005, select lots are required to have Land Development Plan because of the topography, conservation easements, soil types, potential sinkhole development, and wetlands. Lot 19 is situated in an area where sinkhole development, flooding and drainage problems may arise. Therefore, an indemnity or hold harmless agreement must be submitted along with the plans. The parcel is 1.816 acres and is zoned Rural Residential (RR). Due to the severe slope on this property, a modification waiver was submitted for relief from select erosion and grading controls to allow for construction of the home.

Staff Recommendation: *Staff recommends the Planning Commission recommend approval of Thistlewood Lot 19 Final Land Development Plan to the Board of Supervisors pending outstanding staff comments.*

IV. Community Planning

A. Affordable Housing Ordinance

The Workforce Housing Ordinance is codified under Supplemental Regulations in Chapter 27, Zoning and applies to zoning districts where the provisions of workforce housing units are required or incentivized. Currently, the Township requires a contingency of workforce housing to be built in the Traditional Town Development (TTD) Zoning District and it is incentivized in the Terraced Streetscape (TS) District. The original ordinance was adopted in 2015 and achieves a very specific objective of establishing a legacy workforce housing program through deed-restricted, owner-occupied units. Provided with the agenda is the draft amendment to the Workforce Housing Ordinance. This ordinance would be applicable to the development or rehabilitation of ten or more residential dwelling units; conversion of an existing residential structure to a multi-family dwelling that results in ten or more residential dwelling units; and conversion of a nonresidential property to a residential property that result in ten or more residential dwelling units within the TTD or TS Zoning Districts. It expands upon the legacy workforce program by allowing for rentals or owner-occupied units; and provides workforce housing units to be built off-site, designated off-site, land donation, land and building donation and fee-in-lieu.

Staff Recommendation: The Planning Commission review the draft and provide comments to staff.

V. Official Reports and Correspondences

A. Board of Supervisors

B. CRPC Report

C. Land Development Plans

D. Staff Updates

- i. Chapter 19. Signs and Billboards
- ii. Chapter 27-720 Domestic Chickens and Ducks

VI. Adjournment

**FERGUSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
MONDAY, JULY 13, 2020
6:00 PM**

ATTENDANCE

The Planning Commission held its regular meeting of the month on Monday, July 13, 2020, as a virtual meeting and as an in-person meeting. In attendance:

Commission:

Jeremie Thompson – Chair
Rob Crassweller – Secretary
Shannon Holliday
Ellen Taricani
Bill Keough
Ralph Wheland
Lisa Rittenhouse
Qian Zhang – Alternate

Staff:

Jenna Wargo, Planning & Zoning Director
Jeff Ressler, Zoning Administrator
Kristina Aneckstein, Community Planner

Others in attendance: Rhonda Demchak, Recording Secretary; Laura Dininni, Ferguson Township Supervisor; Troy Fruchtl, Penn Terra Engineering

Ms. Wargo took roll call and the Planning Commission had a quorum.

I. CALL TO ORDER

Mr. Thompson called the Ferguson Township Planning Commission's regular meeting to order on Monday, July 13, 2020 at 6:00 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES JUNE 22, 2020

Mr. Thompson called for a motion to approve the minutes from June 22, 2020. Mr. Crassweller noted that on page two under Community Planning – Covid-19 and Zoning that it should read 'Mixed' and not 'Mix'. Mr. Crassweller made a motion to approve the minutes. Mr. Wheland seconded the motion. Mr. Keough noted that a typo needs to be corrected on page one, the last sentence, under Community Planning – Covid-19 and Zoning, change 'shot' to the 'short'. The motion passed unanimously.

III. CITIZEN INPUT - NONE

IV. LAND DEVELOPMENT PLANS

A. Modification/Waiver application – Thistlewood Lot 19 Land Development Plan

Ms. Aneckstein introduced the request that was included in the agenda. PennTerra Engineering submitted the modification waiver on behalf of their client, Eric Reischer, property owner at Thistlewood Lot 19. PennTerra is requesting relief from section §22- 510.B.2a Erosion and Grading Control, §22-510.B.2b Erosion and Grading Control and §22-510.B.3 Erosion and Grading Control. The issue is the grading of the lot. The slope is greater than 3:1 ratio and makes excavation of the slope difficult. There is a conservation area located in the northeastern corner of the lot where grading is prohibited. Mr. Tony Fruchtl, Project Manager, from PennTerra Engineering, was in attendance and presented slides to give a better understanding of the issue. Mr. Keough asked if the modification will remain in affect after

construction. Mr. Fruchtl noted that it will remain in affect with slopes greater than 3:1 ratio and showed the Commission where they will be located. Ms. Taricani asked if the original plan was to build a house on the lot and asked where the runoff is going now. Mr. Fruchtl noted that it was always planned to be a single-family lot and the runoff is collected on site in an inlet on the street. The runoff goes into a pipe and into the stormwater system down to the basin. Mr. Keough made a motion to recommend to the Board of Supervisors that they approve the request for the Modification/Waiver request for Erosion Control. Mr. Wheland seconded the motion. The motion passed unanimously.

B. Thistlewood Lot 19 Land Development Plan

Ms. Aneckstein introduced the overall land development plan that was included in the agenda. The lot is currently undeveloped. The parcel is 1.816 acres and is zoned Rural Residential. Mr. Fruchtl presented slides to the Commission. Water, sewer, and electric is available on site. He noted that there were some concerns with the Township Engineer regarding storm water management due to some revisions. The detention basin is managed by the homeowner's association. Mr. Keough requested that a reference be placed on the land development plan to the fact that there is a separate storm water management system. Mr. Fruchtl noted that PennTerra will add the reference. Ms. Taricani made a motion to recommend to the Board of Supervisors that they approve the Land Development Plan. Mr. Wheland seconded the motion. The motion passed unanimously.

V. COMMUNITY PLANNING

A. Review of Chapter 19, Signs and Billboards Draft Ordinance Amendments

Ms. Wargo reviewed the Signs and Billboards Draft Ordinance Amendments. Staff has completed the draft ordinance amendments to update Chapter 19, Signs and Billboards. The intent of this chapter is to encourage the effective use of signs as a means of communication in the Township, to maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth; to improve pedestrian and traffic, to minimize the possible adverse effects of signs on nearby private property, to enable the fair and consistent enforcement of these restrictions, and protect the public health, safety, and general welfare. Ms. Wargo noted that this is the second time the Commission has seen this draft and incorporated comments via meetings and emails into the draft. Ms. Wargo also noted that Township worked with Happy Valley Adventure Bureau to ensure that their signs they were proposing would work with the ordinance. Also, in the ordinance are banners over Route 45. This can be achieved working with PennDot through a resolution by the Board of Supervisors. Ms. Holliday asked if there would be consequences if someone wasn't in compliance to any of the ordinances. Mr. Ressler referenced the enforcement section of the ordinance. He noted that they typically investigate the situation and then contact the person to fix the problem. Mr. Keough requested to change the word "district" on page 17 under 4.C of the ordinance to "lot". Mr. Ressler noted that he agreed, and it will be changed. Also, item #8 on page 18 regarding the removal of signs after the growing season. Mr. Keough suggested to change "growing season" to "harvest". **MR CRASSWELLER REQUESTED SOMETHING, BUT THE AUDIO WAS INTELLIGBLE.** Mr. Crassweller asked about the use of the term 'variety' versus crop. He stated that if he has a sign advertising a crop, it can stay up all year, but a 'variety', It will have to be removed. He wanted clarification on this wording. Mr. Ressler responded with the intent of the specific wording. Mr. Keough expressed concerns with item #17 on page 18 regarding

sponsors advertising on scoreboards may not exceed 25% of the surface area of the score board. He noted that they are paid for by advertising dollars that go to the organization that is sponsoring a league and it should be between the league and sponsor. Mr. Keough also noted that the word “youth” should be removed because adults will be utilizing these fields as well. **MR. RESSLER NOTED HE WOULD CHANGE SOMETHING HERE.** Mr. Keough noted that on page 19 item #23 that he had concerns with the two (2) square feet per face and suggested to have the size increased. Mr. Wheland suggested not placing a size limit but limit the time it is displayed. Mr. Keough requested to list a reference for customer directional signs on page 23 of the chart listing Automobile Service Station Signs. Ms. Wargo noted that they can do that for all the commercial entries. Ms. Dininni gave a synopsis of her request that was included on the [Township’s website](#). Ms. Dininni suggested to include the word “internal perimeter” with regards to the athletic fields. Ms. Dininni asked if we need #16 on page 18 regarding temporary signs such as Ag Progress Days. Ms. Dininni asked the Planning Commission about allowing a reasonable size projecting sign specifically in the Village Zoning District. Mr. Keough noted that if the Commission could reference the expansion of the signage in the Village District, he would be in favor of it being added to the ordinance. Mr. Keough noted that he would like to see flexibility with non-profit signage referenced in the ordinance and perhaps have a discussion in the future. Ms. Rittenhouse concurred with Mr. Keough. Ms. Wargo noted that most of the comments during the meeting will be added into the ordinance; however, with regards to the Village District, the Board of Supervisors just appointed an Advisory Committee. Ms. Wargo suggested receiving input from the Advisory Committee first. With regards to the height of wall signs, Ms. Dininni requested consideration to increase the height. Ms. Wargo noted that the height of signs has never been an issue. Mr. Keough suggested that Ms. Dininni present to the Board of Supervisors for their endorsement for the Planning Commission to examine a separate category for non-profit as they relate to the sign ordinance. Ms. Dininni agreed and will present to the Board of Supervisors. Mr. Crassweller made a motion to recommend approval to the Board of Supervisors. Ms. Holliday seconded the motion. The motion passed unanimously.

B. Review of Chapter 27-720, Domestic Chickens and Ducks Ordinance

Ms. Wargo reviewed the ordinance. On November 18, 2019, the Board of Supervisors discussed a request from a resident of Pine Grove Mills to allow for the domestic keeping of ducks in residential zoning districts. The consensus of the Board was to exclude the request from the adopted Zoning and SALDO Ordinances and refer this to staff for further research. Staff completed the research and drafted an ordinance amendment to update Chapter 27, Section 720, Domestic Chickens to §27-720, Domestic Chickens and Ducks. The Board reviewed the draft at the June 15, 2020 regular meeting and referred the draft amendment to the Planning Commission for review, comment and recommendation. The intent of this amendment is to allow the keeping of domestic ducks on residential lots in certain zoning districts. Staff is prepared to provide an overview to the updated ordinance and answer any questions the Planning Commission may have. Ms. Aneckstein highlighted in yellow the changes to the ordinance. Mr. Wheland noted that ducks are much louder than chickens and is concerned that the Township will receive complaints. Mr. Keough is concerned with #9 of the ordinance regarding the removal of waste and wanted to know how it relates to backyard gardens. Mr. Wheland noted that chicken waste is excellent fertilizer. Mr. Ressler noted that there haven’t been any complaints regarding chickens. Mr. Keough questioned why the use of scrap

and sheet metal are listed under #11.a. Mr. Ressler noted that they want to ensure people are not using scrap or waste board. Mr. Keough suggested under #11.b removing the period after the word “lines” and remove the rest of the sentence. Continued discussion ensued regarding temporary coops. Mr. Ressler noted that there is a one-time fee for the permit of \$25. Mr. Wheland made a motion to recommend approval to the Board of Supervisors the Chicken and Duck Ordinance. Ms. Taricani seconded the motion. Mr. Crassweller opposed due to H5N1 Virus. The motion passed. The Planning Commission supports the ordinance but expresses hesitation and concerns due to the H5N1 Virus.

VI. OFFICIAL REPORTS AND CORRESPONDENCES

A. BOARD OF SUPERVISORS

Ms. Wargo reported that the Board met on July 6, 2020 and passed the COVID-19 Flexible Business Support Resolution. The resolution was drafted based off comments and discussions from the last Planning Commission. The resolution will temporarily ease restrictions so businesses can safely operate during the pandemic. Ms. Wargo noted that the next steps for the rezoning process is to hold a Joint Board and Planning Commission meeting.

B. CRPC REPORT

Ms. Taricani noted that the Committee did not meet and there is no report.

C. LAND DEVELOPMENT PLANS

Ms. Aneckstein reported that the Thistlewood Lot #19 was presented tonight, July 13, 2020 and the only active Land Development Plan.

D. STAFF UPDATES

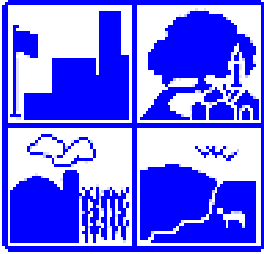
Ms. Wargo reported that staff reported to work last week at the Township Building and that the public is still not permitted entrance.

VII. ADJOURNMENT

Mr. Keough made a motion to adjourn the July 13, 2020 Planning Commission meeting at 8:15 p.m. Ms. Holliday seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Rob Crassweller, Secretary
For the Planning Commission



TOWNSHIP OF FERGUSON

3147 Research Drive, State College, Pennsylvania 16801

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TO: Ferguson Township Planning Commission

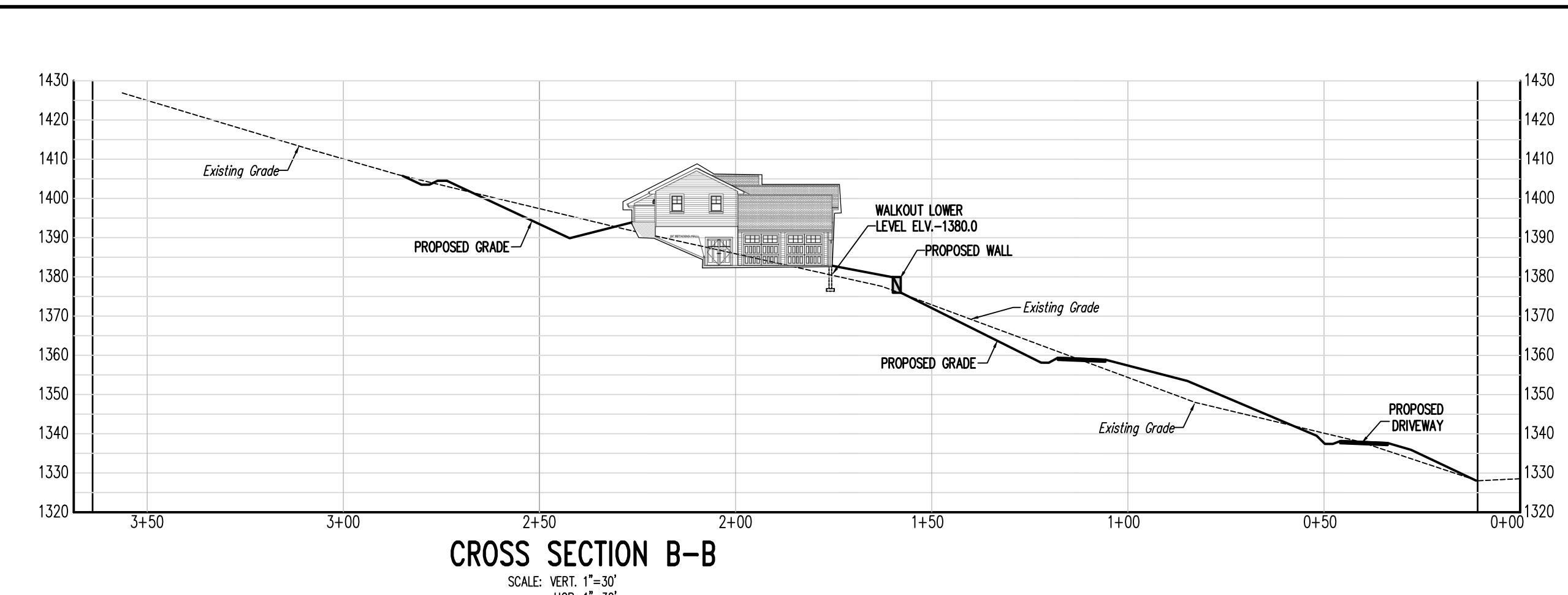
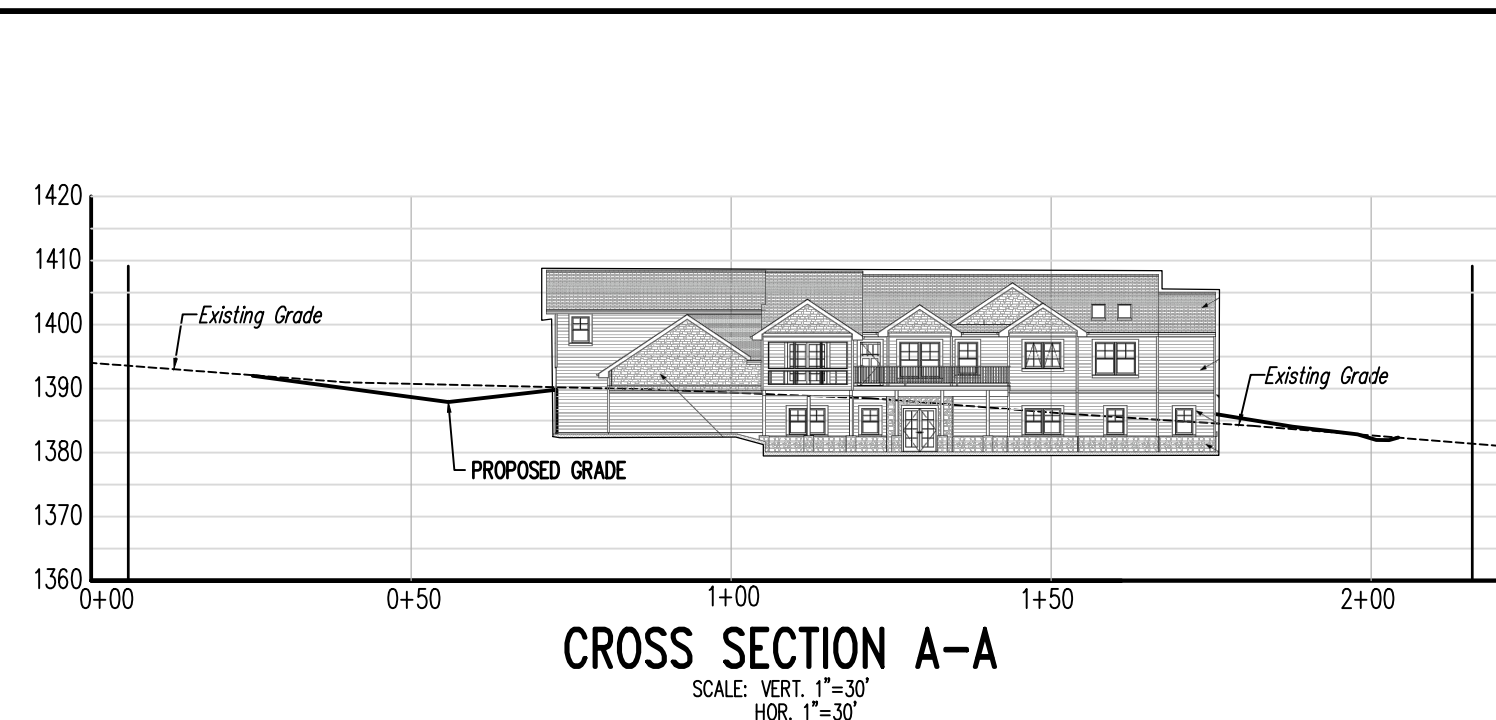
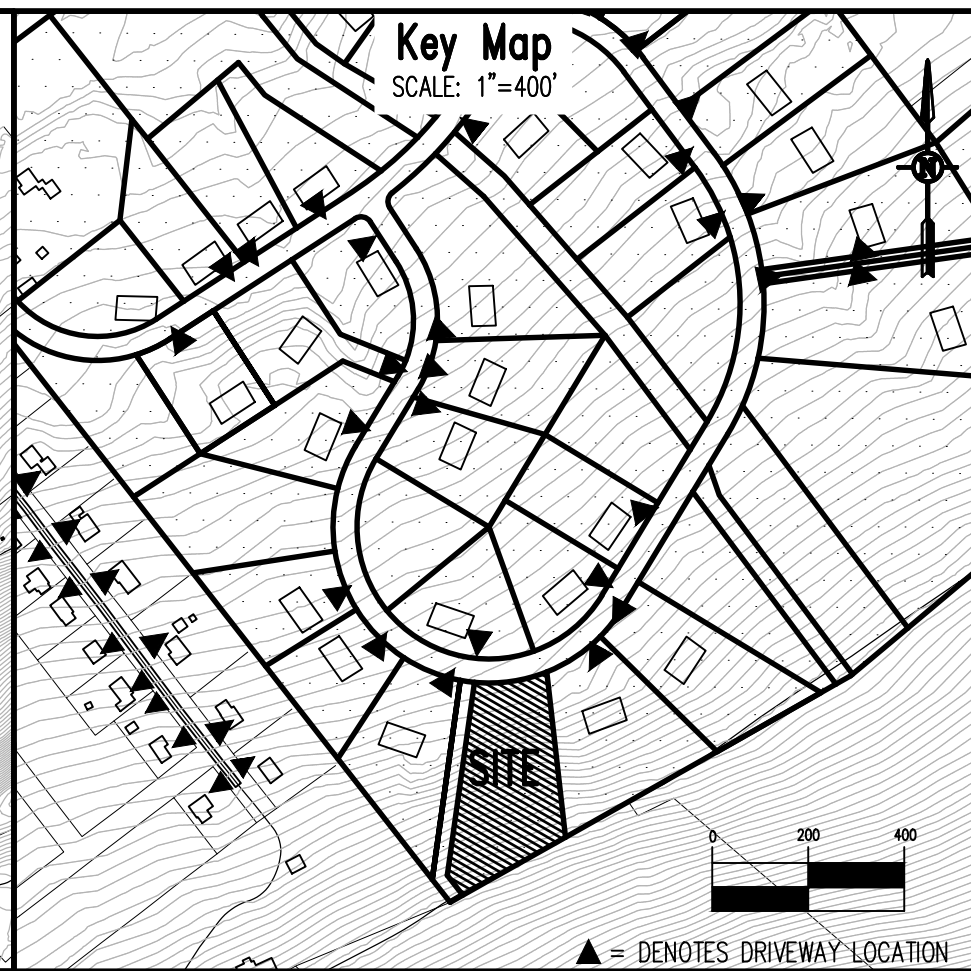
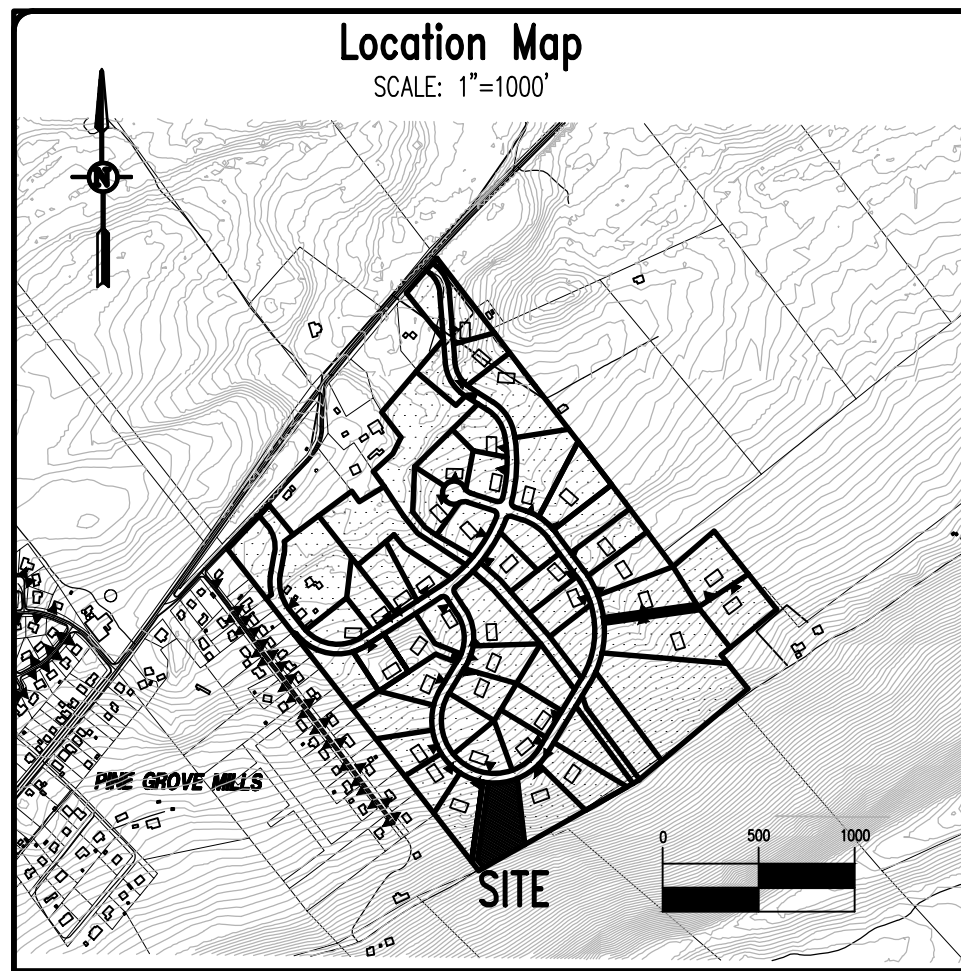
FROM: Kristina Aneckstein, Community Planner

DATE: June 22, 2020

SUBJECT: Request for Consideration of a Modification – Thistlewood Lot 19

Penn Terra Engineering, on behalf of their client, submitted a Land Development Plan for a 3,925 square foot single-family home on Thistlewood Lot 19, plan dated, January 28, 2020, revised July 21, 2020. Per the Thistlewood Record Subdivision Plan, dated September 24, 2044, revised March 16, 2005 certain individual lots require a land development plan approval. The Thistlewood Subdivision is situated in an area where sinkhole development, flooding and drainage problems may arise. Thus, the lot owners and developer have submitted an indemnity and hold harmless agreement. On July 20, 2020, The Board of Supervisors granted a modification to Chapter 22, Part 5, Section 510.B.2.a,.b and Section 510.B.3 Erosion and Grading Control. These sections of the Ferguson Township Subdivision and Land Development Ordinance preclude excavation of slopes 3:1 and grading that will occur within five feet of an adjoining property. This lot is in the Rural Residential Zoning District.

Staff Recommendation: The Planning Commission make a recommendation to the Board of Supervisors that the modification for Erosion and Grading Controls be approved.



Legal Owners Certification

Commonwealth of Pennsylvania County of Centre
 On this the _____ day of _____, 20____,

_____ personally appeared before me and certified that they were the owners of the properties shown on this plan and acknowledge the same to be their act and plan and designs, the same to be recorded as such, according to the law.

_____ Owner
 witness my hand and seal, this date _____

Notary Public Commission Expires _____

Project Notes:

- General Site Information:
 - Legal Owner: Eric M. Reischer, 127 Clemson Court, State College, PA 16803
 - Site Address: 180 Treetops Drive, State College, PA 16801
 - Record Book / Page: 2134/323
 - Tax Parcel: 24-746-7
 - Zoning: Rural Residential (RR)
 - Site Use: Vacant (Existing) Single Family Residential (Proposed)
 - Lot Size: 1.816 Acres (79,114 SF)
 - Building Setbacks: 20' (Front) 30' (Side) 30' (Rear)
- Site Information:
 - Building Heights: 30' 40' (Allowable)
 - Building Coverage: 3,925 S.F.
 - Impervious Areas: Proposed: 3,925 S.F. (Blg./Porches) 5,465 S.F. (Driveway) 405 S.F. (Walks/Patio) 9,795 (Total Sq. Ft.) 12.4 (Total % Allowable: 39,557 S.F. (50%))
- ACT 287 Utility Information:
 - All utility locations should be verified prior to any construction, utility information and locations should be considered approximate. Contractor shall notify PA One Call prior to any excavation.
 - Electric: West Penn Power, 2800 E. College Ave., State College, PA 16801 - Phone: 814-237-5821
 - Telephone: Verizon - Facility Management Center, 224 S. Allen Street, State College, PA 16801 - Phone: 814-231-6511
 - TV Cable: Comcast, 60 Decibel Road, State College, PA 16801 - Phone: 800-992-3575
 - Gas: Columbia Gas of Pennsylvania, Inc., 2550 Carolean Drive, State College, PA 16801 - Phone: 814-238-6775
 - Sanitary Sewer: University Area Joint Authority, 1576 Spring Valley Road, State College, PA 16801 - Phone: 814-238-5361
 - Water: State College Borough Water Authority, 1201 West Branch Road, State College, PA 16801 - Phone: 814-238-6766
- Project References:
 - Refer to "Thistlewood, Record Subdivision Plan" dated September 24, 2004, Revised March 16, 2005 prepared by PennTerra Engineering Inc. which was approved by Ferguson Township and recorded at the Centre County Recorder of Deeds office in Plat Book 74 / Pages 89-90.
 - Geotechnical Report for Thistlewood Residential Development as prepared by CMT Laboratories, (2701 Carolean Industrial Drive, State College, PA 16801).
 - Slope Analysis Report for Thistlewood Lot 19 as prepared by CMT Laboratories.
 - Public Offering Statement for Thistlewood Subdivision, which is on file with Thistlewood Associates.
 - Amended Declaration of Restrictive Covenants for Thistlewood Subdivision as recorded in Centre County Record Book 1846, Page 602.
 - By-Laws of the Thistlewood Homeowners Association, a Nonprofit Corporation, which is on file with Thistlewood Associates.
 - Refer to the "Thistlewood Lot 19 Stormwater Management Site Plan" Report, prepared by PennTerra Engineering Inc., dated January 28, 2020 and last revised June 5, 2020.
 - Refer to the Approved Preliminary Land Development Plan for Thistlewood Lot 19, prepared by PennTerra Engineering Inc., dated January 28, 2020 and last revised June 5, 2020.
- Contours shown are generated from an Aerial Topographic Survey and field verified by PennTerra Engineering, Inc. and are based on USGS Datum.
- Soil Limits and Descriptions have been taken from the Soil Survey of Centre County, dated: Aug. 1981. Soils on site consist of: AnC - Andover channery silt loam, 8 to 15 percent slopes. BMF - Berks and Weikert soils, steep.
- There is a 10' wide Shade Tree Easement and a 10' wide Utility Easement along the street frontage of each lot.
- Roof downspouts must not be connected to the foundation drain system. All foundation drains must daylight to grade.
- SITE AND HOUSE LIGHTING NOTES: (ALL EXTERIOR LIGHTING SHALL COMPLY WITH THE FERGUSON TOWNSHIP LIGHTING ORDINANCE)
 - Non-cut-off luminaires such as floodlights shall be equipped with glare shields, visors, bannooers, and other similar shielding accessories as required to meet the following criteria.
 - For area lighting applications, the candlepower distribution from all lighting installations is to be cut off at and above the horizontal (level).
 - For a spotlight or floodlight application, the candlepower distribution from all lighting installations shall be cut off at all angles beyond those required to achieve direct illumination within the area or surface being illuminated and within the property boundaries.
- The homeowner hereby acknowledges that the Thistlewood Subdivision is situated in an area where sinkhole development, flooding, and drainage problems may arise, and could cause adverse impacts to the homeowner and/or his heirs, successors, and assigns. The Homeowner and his heirs, successors, and assigns, including all future individual Thistlewood Subdivision lot owners, hereby agree to indemnify and hold harmless the Township of Ferguson, its Board of Supervisors, officers, employees, agents, heirs, successors, and assigns from and against, and to reimburse the Township of Ferguson with respect to, any and all claims, demands, causes of action, losses, damages, liabilities, costs and expenses, (including reasonable counsel fees, litigation costs, and costs of appeal) asserted against or incurred by the Township of Ferguson by reason of or arising out of any personal injury, property damage, or any other element of damage/loss sustained by the Homeowner, individual lot owners, and/or their tenants, guests, heirs, and assigns, caused by, arising from, incidental to, connected with or growing out of the occurrence of sinkhole development, flooding, or drainage problems within any portion of the Thistlewood Subdivision. All property owners will be required to sign this hold harmless agreement.
- The Thistlewood Final Subdivision Plan referenced in Project Note 4a did not identify Lot 19 as subject to floodplains. From visual inspection of the contour mapping, closed depressions were not observed on Lot 19.
- This lot cannot be further subdivided.
- A zoning permit application was submitted to the Township on February 20, 2020.
- 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. (Chapter 22, Section 403.0)
- Any welland areas are subject to regulation by the PA Department of Environmental Protection, any changes to them will require a permit.
- Any disturbance in an area defined as a Drainage or Conservation Easement will need to be approved by the Homeowner's Association and may require a permit from the Department of Environmental Protection.
- Ferguson Township shall have uninterrupted right to access the property to inspect the Stormwater Facilities. The Township is not responsible for the inspection associated with maintenance and upkeep of the stormwater facilities.
- A lighting inspection will be required prior to occupancy to confirm that all exterior light fixtures comply with Ferguson Township requirements.
- As is standard practice, the geotechnical engineer or designated representative shall be present during ground construction to visually evaluate stability and make subsequent engineering recommendations, as necessary. The geotechnical engineer's recommendations on the construction of the slopes steeper than 3:1 are as noted on plan sheet 3 and as per the Report referenced in Project Note 4.c.
- Notification of Ferguson Township is required as to when the geotechnical engineer or designated representative is present during the 2:1 slope construction.
- A 30' Access Easement exists through Lots 14 through 19 and is reserved for access into Tax Parcels 25-7-36 and 24-7-308. This access is not for the use of any lot in the Thistlewood Development or any adjacent tracts of land without approval of Ferguson Township. This is as per plan note 41 of the approved and recorded Thistlewood Final Subdivision Plans referenced in project note 4.a. above.
- Ferguson Township Highway Occupancy Permits will be required prior to any construction for the proposed driveway and the connection to the existing stormwater inlet within the public right-of-way of Treetops Lane.
- As-built plans of the stormwater facilities are to be submitted to the Township in accordance with §26 402.D.
- A preconstruction meeting between the Township Engineer, Owner and Owners Contractor is required prior to the start of construction.
- Plan Sheets 1-4 of this plan set make up the Stormwater Management Site Plan and shall be recorded.
- Ferguson Township Board of Supervisors on July 20, 2020 approved the Modification Request for Chapter 22 Sections 510.B.2.a., B.2.b, and B.3 Erosion Control and Grading.

Storm Water Facilities Acknowledgement

I, _____ the landowner, acknowledge the Stormwater Management System is to be maintained in accordance with the approved Ownership and Maintenance Program and shall remain a permanent fixture which can be altered only after approval of a revised plan by the Township of Ferguson.

Professional Land Surveyor Certification

I, Nevin L. Grove, a Professional Land Surveyor in the Commonwealth of Pennsylvania, do hereby certify that this plan correctly represents the tract of lands as shown.

Signature _____ Date _____

Design Engineer Certification

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.

Signature _____ Date _____

Storm Water Certification

I, _____ hereby certify that the Stormwater Management Plan meets all design standards and criteria of the Ferguson Township Stormwater Management Ordinance.

Fire Chief Certification

I have reviewed and hereby certify that the location of Fire Lines and Fire Hydrants shown on this plan are adequate.

Fire Chief _____ Date _____

Township Planning Commission

Ferguson Township Planning Commission Recommended Approval / Disapproval.

Chairman _____ Date _____

Secretary _____ Date _____

Township Supervisors

Ferguson Township Supervisors Approved

Chairman _____ Date _____

Secretary _____ Date _____

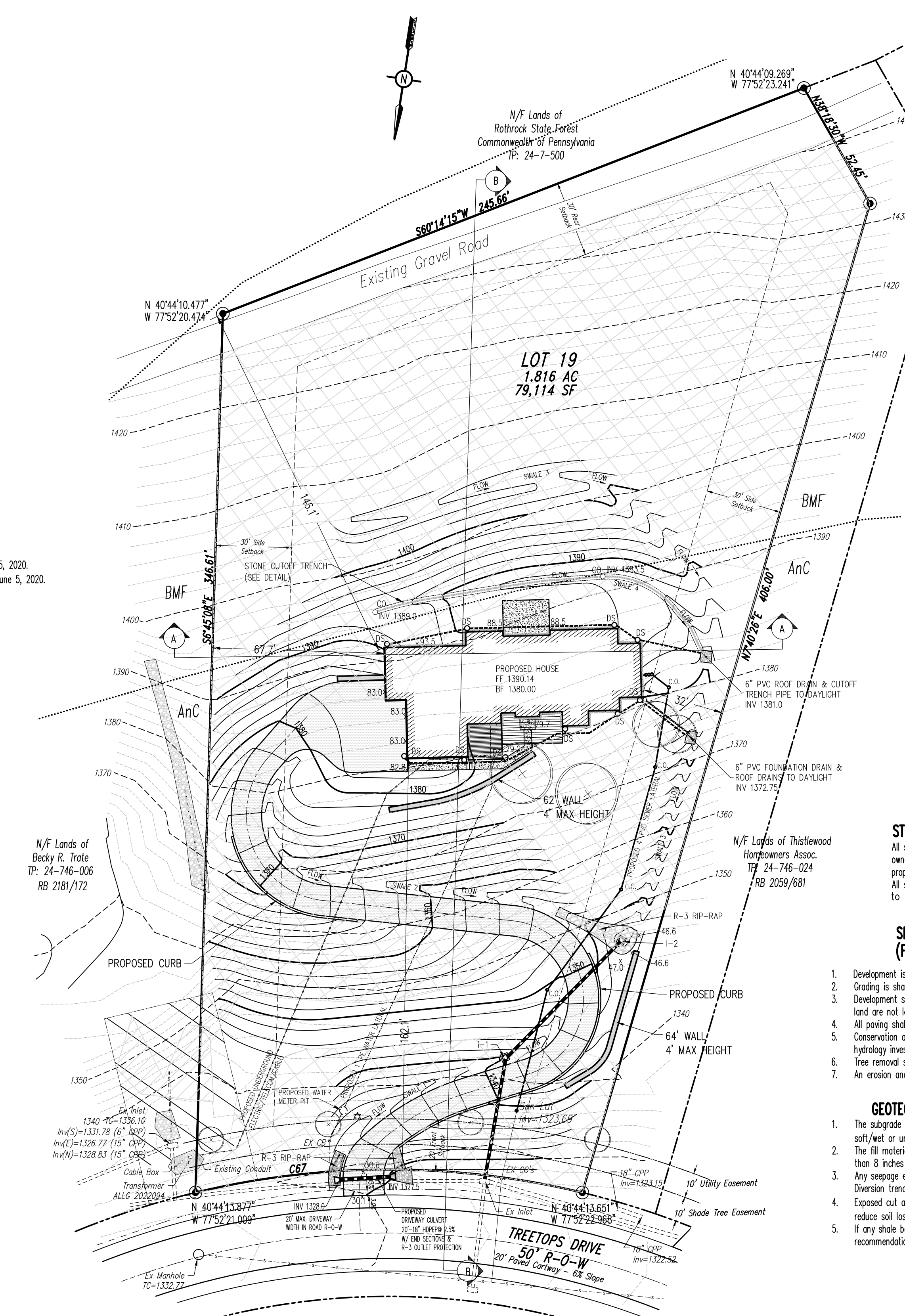
Township Engineer Certification

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

Municipal Storm Water Certification

I, _____ 20____ have reviewed the Stormwater Management Plan in accordance with the design standards and criteria of the Ferguson Township Stormwater Management Ordinance.

Recorder of Deeds



- LEGEND EXISTING FEATURES**
- Existing Property Lines
 - Existing Building Setbacks
 - Property Corner Pins
 - Existing Contours (2's)
 - Existing Contours (10's)
 - Easement Line (represents drainage easement area)
 - Conservation Easement Area
 - Existing Steep Slopes
 - 8" SDR 35 PVC Sanitary Sewer Main w/ Manhole
 - Existing Underground Electric
 - Existing 8" DIP Water Main
 - Existing Storm Sewer
 - Soil Boundary Line
 - Wetlands as per Approved Thistlewood Final Subdivision Plan

- LEGEND PROPOSED FEATURES**
- PROPOSED BUILDING
 - PROPOSED 4" PVC SANITARY SEWER LATERAL w/ CLEANOUT
 - PROPOSED CONTOURS w/ ELEVATION
 - PROPOSED 1" PE WATER SERVICE LATERAL
 - PROPOSED UNDERGROUND POWER
 - PROPOSED RETAINING WALL
 - PROPOSED SIDEWALK
 - PROPOSED DUSK TO DAWN POLE LIGHT
 - PROPOSED ASPHALT DRIVEWAY
 - PROPOSED DOWNSPOUT LOCATION
 - PROPOSED 6" PVC ROOF DRAIN TO DAYLIGHT
 - PROPOSED 6" PVC FOUNDATION DRAIN TO DAYLIGHT

PROPERTY CURVE TABLE

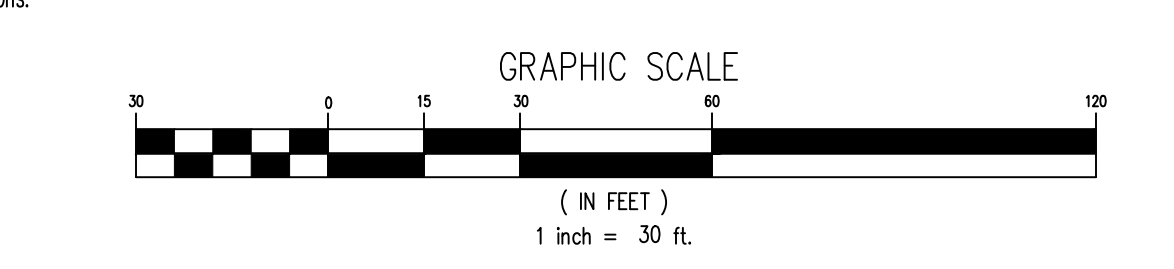
CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD DIR.	DELTA
C67	153.92'	325.00'	78.43'	152.49'	N81°27'38"E	27°08'10"

STORMWATER FACILITIES OWNERSHIP AND MAINTENANCE PROGRAM

All stormwater management facilities on Thistlewood Lot 19 not contained in a Ferguson Township Right-of-Way shall be owned and maintained by the Individual Lot Owner. Ferguson Township shall have the uninterrupted right to access the property to inspect the stormwater facilities. The facilities that will require maintenance are the swales, culverts and rip-rap areas. All stormwater facilities should be inspected monthly or after any rainfall producing runoff and maintained. The owner is responsible to keep records of all inspections and make them available to the Township upon request.

- SLOPE CONTROL REGULATIONS (FERGUSON TOWNSHIP CHAPTER 27, SECTION 702):**
- Development is oriented so that grading and other site preparations are kept to an absolute minimum as evidenced by the grading plan.
 - Grading is shaped to complement the natural land form.
 - Development shall 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 as stated in the Construction Notes on Sheet 2 of 5.
 - All paving shall be completed as rapidly as possible after grading as stated in the Construction Notes on Sheet 2 of 5.
 - Conservation areas have been established for those areas least suited for development, as evidenced by competent soils, geology, and hydrology investigations.
 - Tree removal shall be kept to a minimum to allow structures to blend in with the natural landscape.
 - An erosion and sedimentation plan is provided on Sheet 2 of 5 to limit increases in storm water natural landscape.

- GEOTECHNICAL ENGINEER RECOMMENDATIONS FOR SLOPE AND SITE CONSTRUCTION**
- The subgrade should be stripped of all organic matter and compacted with a sheeps-foot roller prior to placement of fill materials. Any soft/wet or unstable areas should be remediated prior to placement of fill.
 - The fill materials should be compacted in maximum 12 inch loose lifts, should be free of any organic matter and rock fragments greater than 8 inches in maximum dimension, and compacted with a minimum 5-ton sheeps-foot roller to a state of visual non-movement.
 - Any seepage encountered in the cut or fill slopes should be directed away from the driveway and into planned water diversion features. Diversion trenches, if required, should consist of geotextile separation fabric and AASHTO #1 stone.
 - Exposed cut and fill slopes should immediately be covered with erosion control measures (seeding and/or approved blankets) in order to reduce soil loss and short/long term instability.
 - If any shale bedrock is encountered during excavations, CMT should be notified immediately to provide possible expansion mitigation recommendations.



PennTerra ENGINEERING INC.

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REGISTERED PROFESSIONAL ENGINEER
 JOHN C. SEPP
 LICENSE NO. PA0003-E
 SEAL

REGISTERED PROFESSIONAL LAND SURVEYOR
 NEVIN L. GROVE
 LICENSE NO. PA000117-L
 SEAL

Designer: RJK
 Draftsman: JJA
 Proj. Manager: JCS
 Surveyor:
 Perimeter Ok:
 Book: Pg:
 Drive: P: Layout:
 Acad:

Date _____ Description _____

REVISIONS

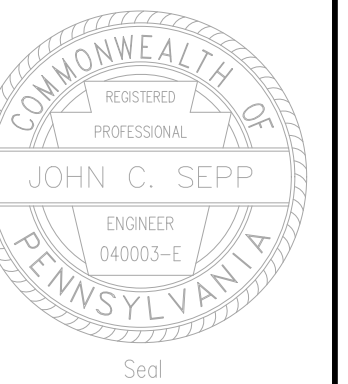
THISTLEWOOD LOT 19

FERGUSON TOWNSHIP
 CENTRE COUNTY
 PENNSYLVANIA

FINAL LAND DEVELOPMENT PLAN

SITE DESIGN

PROJECT NO. 15085
 DATE JULY 21, 2020
 SCALE 1" = 30'
 SHEET NO. 1 OF 4



Designer: RKK
 Draftsman: RKK
 Proj/Manager: JCS
 Surveyor:
 Perimeter Ok:
 Book: Pg
 Drive: P: Layout
 Acad:

Date: Description
 REVISIONS

THISTLEWOOD LOT 19
 FERUGSON TOWNSHIP
 CENTRE COUNTY
 PENNSYLVANIA

FINAL LAND DEVELOPMENT PLAN

SITE DESIGN AND EROSION & SEDIMENTATION CONTROL PLAN AND NARRATIVE

PROJECT NO. 15085
 DATE: JULY 21, 2020
 SCALE: 1"=20'
 SHEET NO. 2 OF 4

Construction Notes:

- Prior to any earth-moving, erosion control measures, must be installed per Pa Dep Chapter 102.
- Accomplish all paving as rapidly as possible after grading.
- Development shall 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.

Construction for the lot will proceed as follows:

- Place inlet protection within the existing inlet along Treetops Drive. The proposed driveway entrance culvert with rip-rap apron shall be installed, along with the rock construction entrance. The entire proposed silt sock shall be installed. Install the orange construction fence around the conservation area and the wet area, where shown.
- Strip any topsoil from the Swale 1 area and stockpile, where shown. Immediately construct Swale 1. Place rip-rap in the swale where shown, along with the rock filter. Stabilize the remaining area of the swale with topsoil, the permanent seeding mixture and appropriate erosion control lining. Apply the temporary seeding mixture to the topsoil stockpile.
- Strip topsoil from the remaining site area and stockpile, where shown. The stockpile shall be stabilized with the temporary seeding mixture.
- Continue with site driveway construction. Install the retaining wall west of the driveway, as appropriate with the grading.
- Install the storm sewer from the existing inlet up to I-2. Place inlet protection immediately on the new inlets. Bring the driveway to subgrade and stabilize with stone. Construct Swale 2 & 3. Place rock filters in the swales and immediately stabilize the remaining area of the swales with topsoil, the permanent seeding mixture and appropriate erosion control lining.
- Bring the building area to grade and complete remaining retaining wall. Construct Swale 4 with cutoff trench. Stabilize the swale with topsoil, the permanent seeding mixture and appropriate erosion control lining.
- Commence with the building foundation construction.
- Utilities will be installed. Any facilities crossing temporary erosion control facilities will be installed and completed in one day and the control facility must be restored that same day.
- As building construction proceeds, install all roof drains and rip-rap aprons where necessary. Complete and patios and sidewalks. Bring all lawn areas to grade and place topsoil. All lawn areas shall be seeded and mulched as per the rates shown in the section labeled "PERMANENT CONTROL MEASURES". All slopes 3:1 and steeper and areas shown shall be stabilized with Curtex 1 (or equal) erosion control lining.
- Remove the construction entrance and commence with the paving and curbing installation until complete.
- As construction proceeds, temporary erosion control facilities will be maintained as specified in the maintenance program included in this report. All areas abandoned for more than four (4) days are to be seeded with the temporary seeding mixture.
- When construction is complete and the area stabilized with pavement or a uniform 70% vegetative cover over the entire disturbed area, all temporary erosion and sediment control measures (inlet protection, rock filter, orange construction fence and silt sock) will be removed. Any vegetated areas disturbed by the removal of these controls shall be immediately stabilized with the permanent seeding mixture.

Temporary Control Measures

Temporary control measures will be implemented to ensure that erosion is minimized and that sediment is retained during construction. The construction entrance is to be installed to prevent tracking of soil from the site. Geotextile fence will be placed at the locations shown on the Erosion and Sedimentation Control Plan. topsoil stockpile will be provided for the proper storage and stabilization of the site's topsoil. Sediment buildup at any of the control locations will be removed as indicated in the "Maintenance Program."

If a disturbed area is to be abandoned or work has stopped, it will be seeded with a temporary seeding mixture that shall consist of the following:

Item	Rate
1. Agricultural grade limestone	1 ton / acre
2. Fertilizer 10-10-10	500 lbs. / acre
3. Annual ryegrass	40 lbs. / acre
4. Mulch (straw)	3 tons / acre

Permanent Control Measures

Permanent control measures include the culverts and seeding / landscaping. Permanent seeding on all disturbed areas may consist of the following:

Item	Rate
1. Agricultural grade limestone	4 tons / acre
2. Fertilizer 10-20-10	150 lbs. / acre
3. Kentucky Bluegrass (min. of two varieties in mix)	50 lbs. / acre
4. Mulch	3 tons / acre

For lawn areas, a suitable lawn mixture, such as Agway's Royal Green, shall be substituted for Item 3 of the permanent seeding mixture and applied at the rate directed by the manufacturer.

Maintenance Program

During construction, the contractor will be responsible for maintenance and repair of all erosion and sedimentation control facilities. These facilities should be inspected weekly and after every runoff event. The maintenance of the erosion control facilities will include the following:

Silt Sock Maintenance:

- The Contractor shall maintain the socks in a functional condition at all times and it shall be routinely inspected.
- Where the sock requires repair, it will be routinely repaired.
- The contractor shall remove sediment collected at the base of the sock when they reach 1/2 of the exposed height of the sock, or as directed by the Engineer. Alternatively, rather than create a soil disturbing activity, the engineer may call for additional sock to be added at areas of high sedimentation, placed immediately on top of the existing sediment laden sock. The sock will be dispersed on site when no longer required, as determined by the Engineer.

Inlet Protection:

- Inlet filter bags should be inspected on a weekly basis and after each runoff event. Needed repairs should be initiated immediately after the inspection.
- Filter bags should be cleaned and/or replaced when the bag is 1/2 full. Damaged bags should be replaced.

Topsoil Stockpiles:

- The topsoil stockpiles shall be seeded with the temporary seeding mixture to ensure proper stabilization. Any additional topsoil spread at these locations shall also be seeded with the temporary seeding

Spoil Materials:

- All sediment removed from erosion and sedimentation pollution control facilities shall be spread over the existing topsoil stockpiles with controls already in place. Stabilize the spoil material with the temporary seeding mixture.

Permanent Seeding:

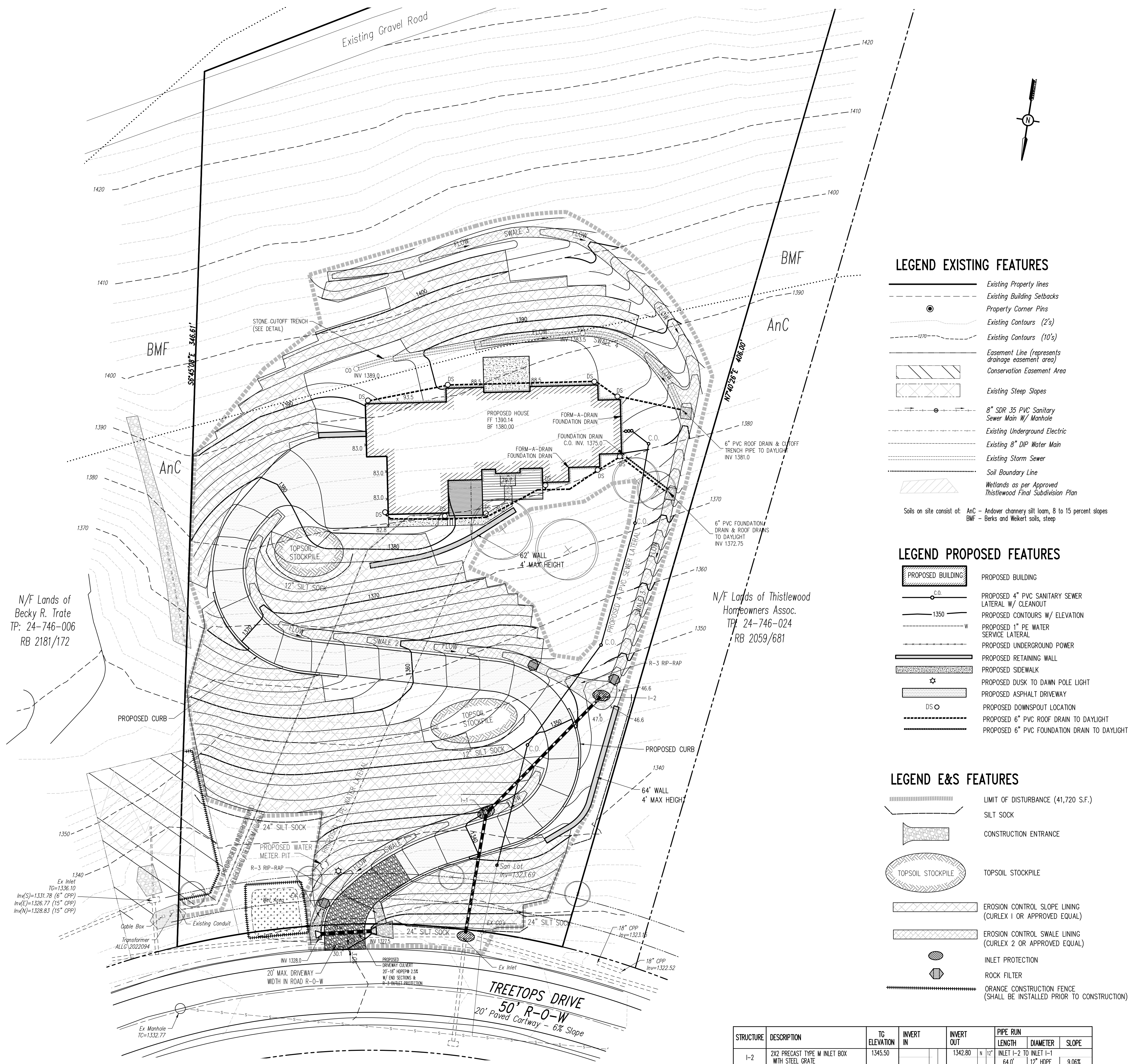
- If the vegetative cover is not established uniformly by the third mowing, the Contractor shall reapply topsoil, if necessary, and seed and mulch as needed, to provide adequate cover.

Rock Filter:

- The rock filter shall be maintained in a condition that will allow for adequate filtration of the runoff through them. If the stone becomes clogged, it should be removed. New stone should be added to the rock filter.

Recycling and Disposal of Materials

Wastes generated during the construction of this project shall be recycled if at all possible. Any materials that cannot be recycled or reused shall be disposed of at a Pennsylvania Department of Environmental Protection approved landfill. If soil and/or rock disposal areas are required, erosion and sedimentation controls shall be implemented at these areas.



LEGEND EXISTING FEATURES

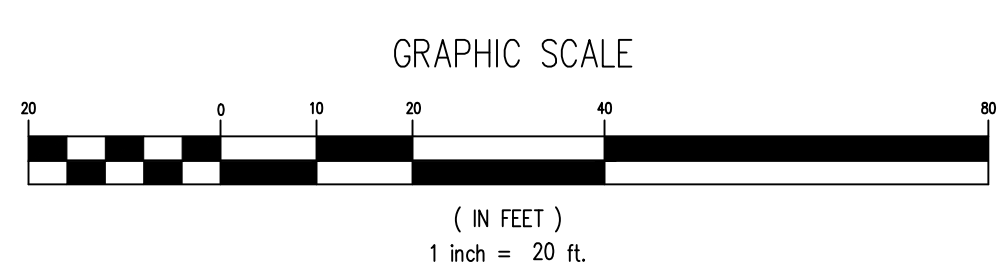
- Existing Property Lines
 - Existing Building Setbacks
 - Property Corner Pins
 - Existing Contours (2's)
 - Existing Contours (10's)
 - Easement Line (represents drainage easement area)
 - Conservation Easement Area
 - Existing Slopes
 - 8" SDR 35 PVC Sanitary Sewer Main w/ Manhole
 - Existing Underground Electric
 - Existing 8" DIP Water Main
 - Existing Storm Sewer
 - Soil Boundary Line
 - Wetlands as per Approved Thistlewood Final Subdivision Plan
- Soils on site consist of:
 AnC - Andover channery silt loam, 8 to 15 percent slopes
 BMF - Berks and Welkert soils, steep

LEGEND PROPOSED FEATURES

- PROPOSED BUILDING
- PROPOSED 4" PVC SANITARY SEWER LATERAL W/ CLEANOUT
- PROPOSED CONTOURS W/ ELEVATION
- PROPOSED 1" PE WATER SERVICE LATERAL
- PROPOSED UNDERGROUND POWER
- PROPOSED RETAINING WALL
- PROPOSED SIDEWALK
- PROPOSED DUSK TO DAWN POLE LIGHT
- PROPOSED ASPHALT DRIVEWAY
- PROPOSED DOWNSPOUT LOCATION
- PROPOSED 6" PVC ROOF DRAIN TO DAYLIGHT
- PROPOSED 6" PVC FOUNDATION DRAIN TO DAYLIGHT

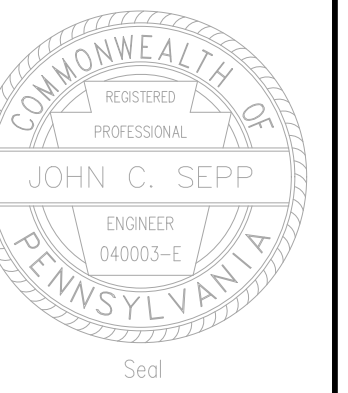
LEGEND E&S FEATURES

- LIMIT OF DISTURBANCE (41,720 S.F.)
- SILT SOCK
- CONSTRUCTION ENTRANCE
- TOPSOIL STOCKPILE
- EROSION CONTROL SLOPE LINING (CURLEX 1 OR APPROVED EQUAL)
- EROSION CONTROL SWALE LINING (CURLEX 2 OR APPROVED EQUAL)
- INLET PROTECTION
- ROCK FILTER
- ORANGE CONSTRUCTION FENCE (SHALL BE INSTALLED PRIOR TO CONSTRUCTION)



STRUCTURE	DESCRIPTION	TC ELEVATION	INVERT IN	INVERT OUT	PIPE RUN LENGTH	DIAMETER	SLOPE
I-2	2X2 PRECAST TYPE M INLET BOX WITH STEEL GRATE	1345.50		1342.80	N 10'	INLET I-2 TO INLET I-1 64.0"	12' HOPE 9.06%
I-1	2X2 PRECAST TYPE M INLET BOX WITH STEEL GRATE	1340.00	1337.00	1334.00	N 15'	INLET I-1 TO EX. INLET 48.0'	15' HOPE 23.96%
EX. INLET	EXISTING 24" PRECAST TYPE 'M' INLET BOX w/ A BICYCLE SAFE STEEL GRATE	1324.92 (EV) 1326.42	1322.50 1322.02 1322.00	1321.90 1321.90 1321.90	S 15' E 15' N 15'		

NOTE: ALL ROOF DRAINS ARE TO BE 6" PVC (SMOOTH LINED INTERIOR) AT A MINIMUM SLOPE OF 1.00% UNLESS OTHERWISE SPECIFIED.



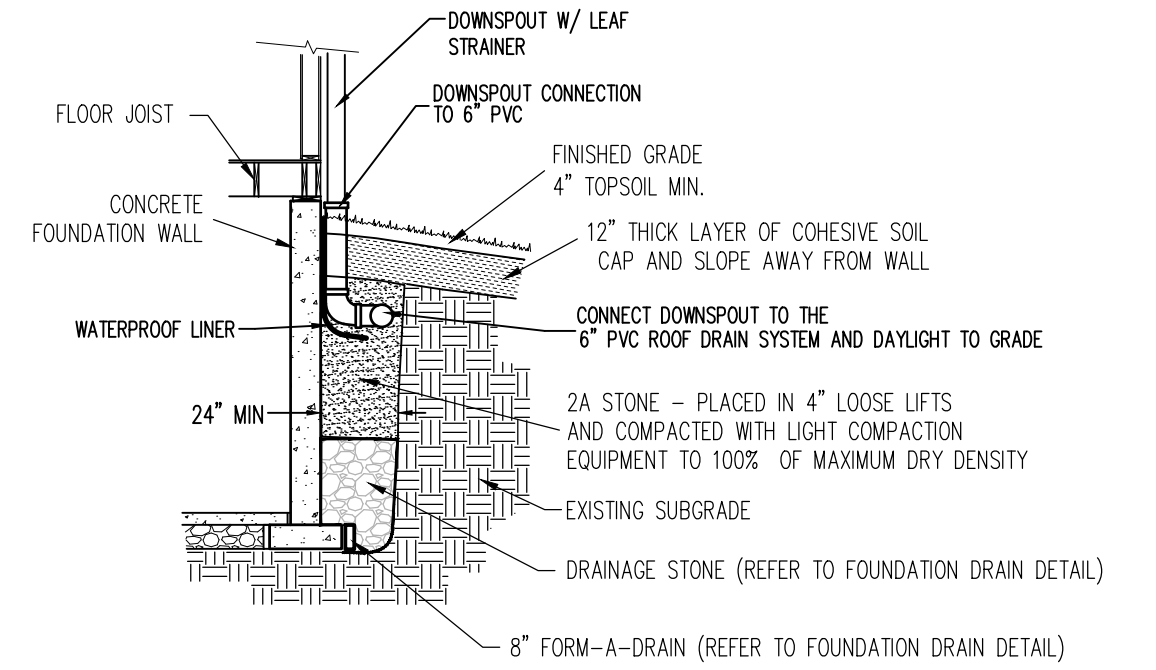
Designer	RRK
Draftsman	JJA
Proj Manager	JCS
Surveyor	
Perimeter Ok	
Book	Pg
Drawn P: Layout	
Acad	

THISTLEWOOD LOT 19
FERGUSON TOWNSHIP
CENTRE COUNTY
PENNSYLVANIA

FINAL LAND DEVELOPMENT PLAN

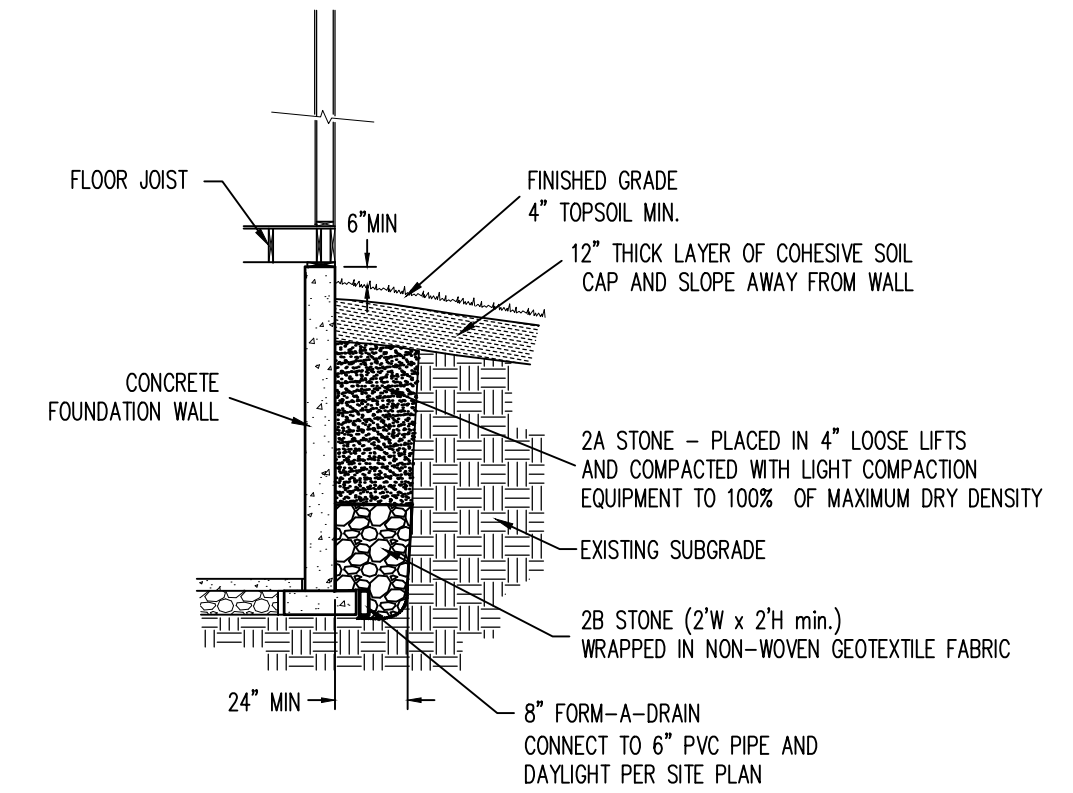
EROSION & SEDIMENTATION CONTROL PLAN DETAILS

PROJECT NO.	15085
DATE	JULY 21, 2020
SCALE	AS SHOWN
SHEET NO.	3 of 4



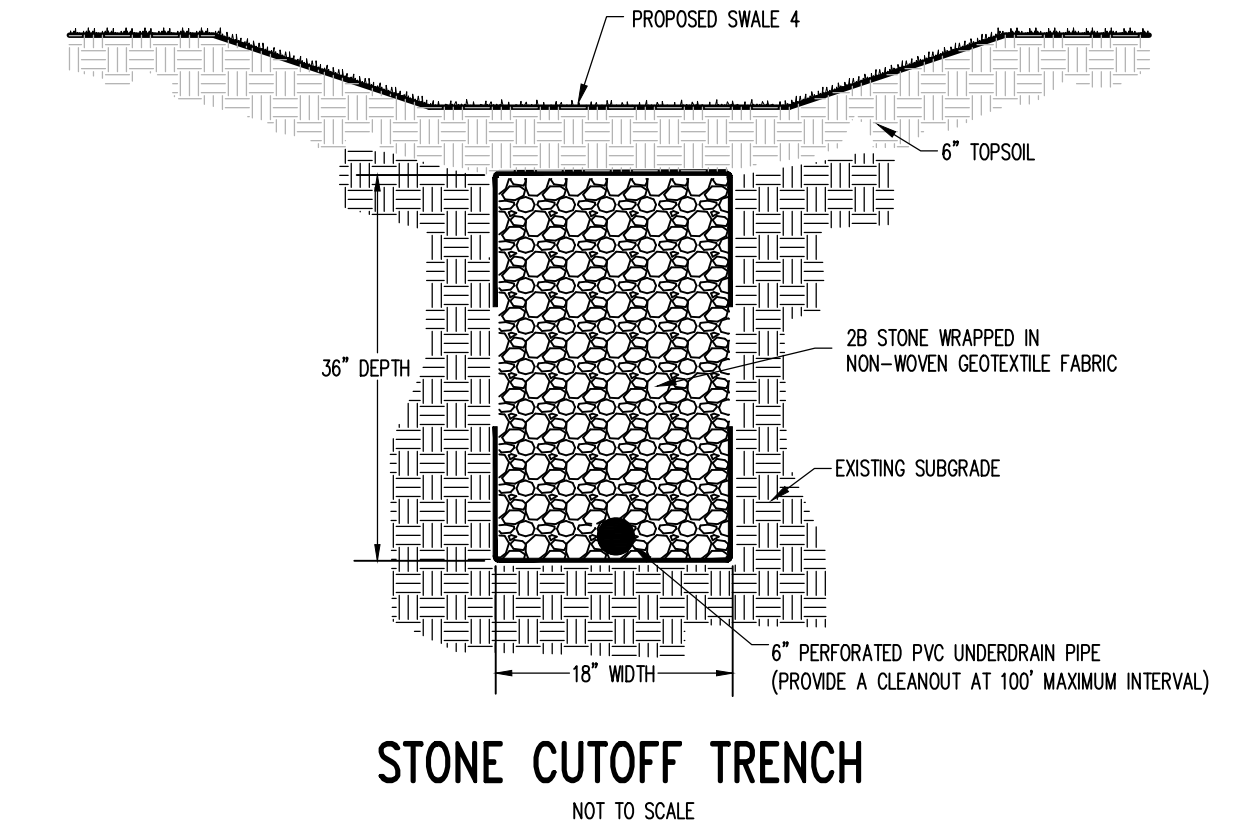
- NOTES:
1. ROOF DRAIN PIPES FOR ROOF RUNOFF ARE NOT PERMITTED TO CONNECT TO THE FOUNDATION DRAIN SYSTEM.
 2. ROOF DRAIN PIPES FOR ROOF RUNOFF ARE TO HAVE A MINIMUM SLOPE OF 1.0%.
 3. ROOF DRAIN PIPES FOR ROOF RUNOFF ARE TO BE SMOOTH-LINED PVC.

ROOF DRAIN DETAIL
NOT TO SCALE

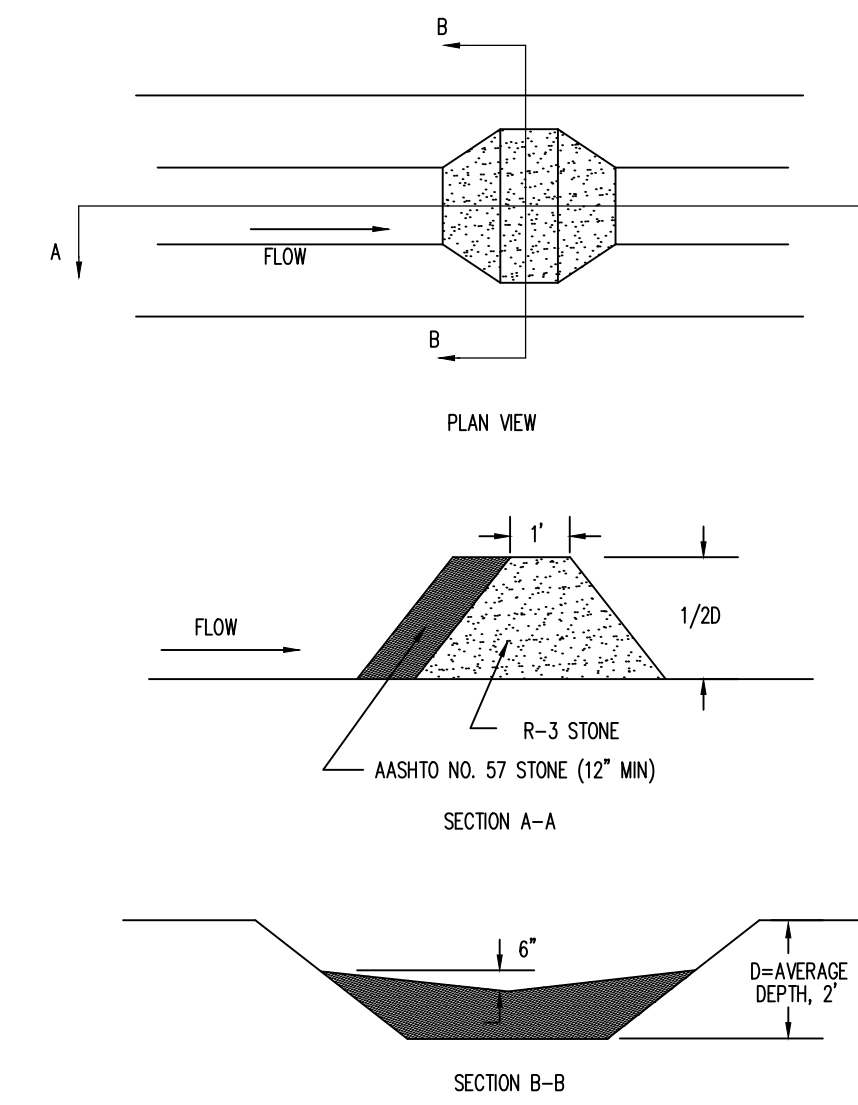


- NOTE: ROOF DRAIN PIPES FOR ROOF RUNOFF ARE NOT PERMITTED TO CONNECT TO THE FOUNDATION DRAIN SYSTEM.

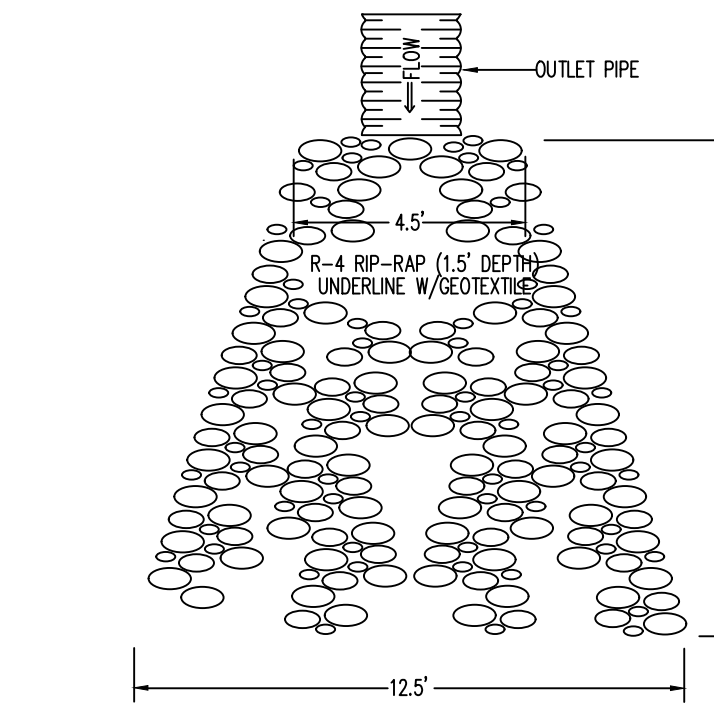
FOUNDATION DRAIN DETAIL
NOT TO SCALE



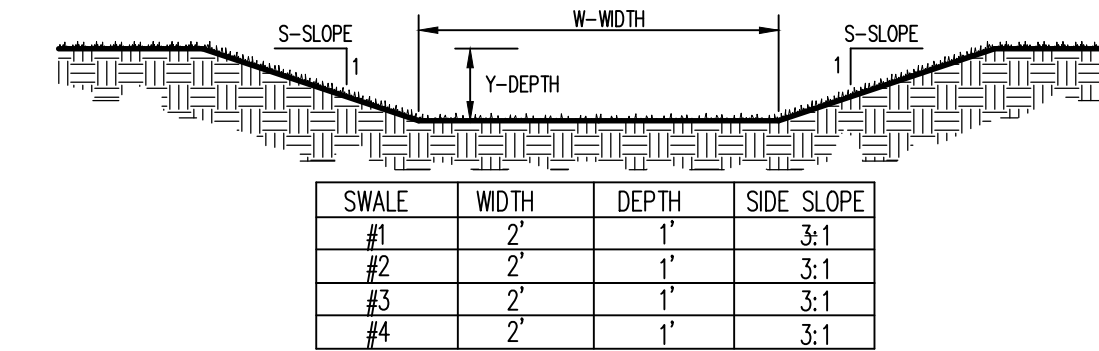
STONE CUTOFF TRENCH
NOT TO SCALE



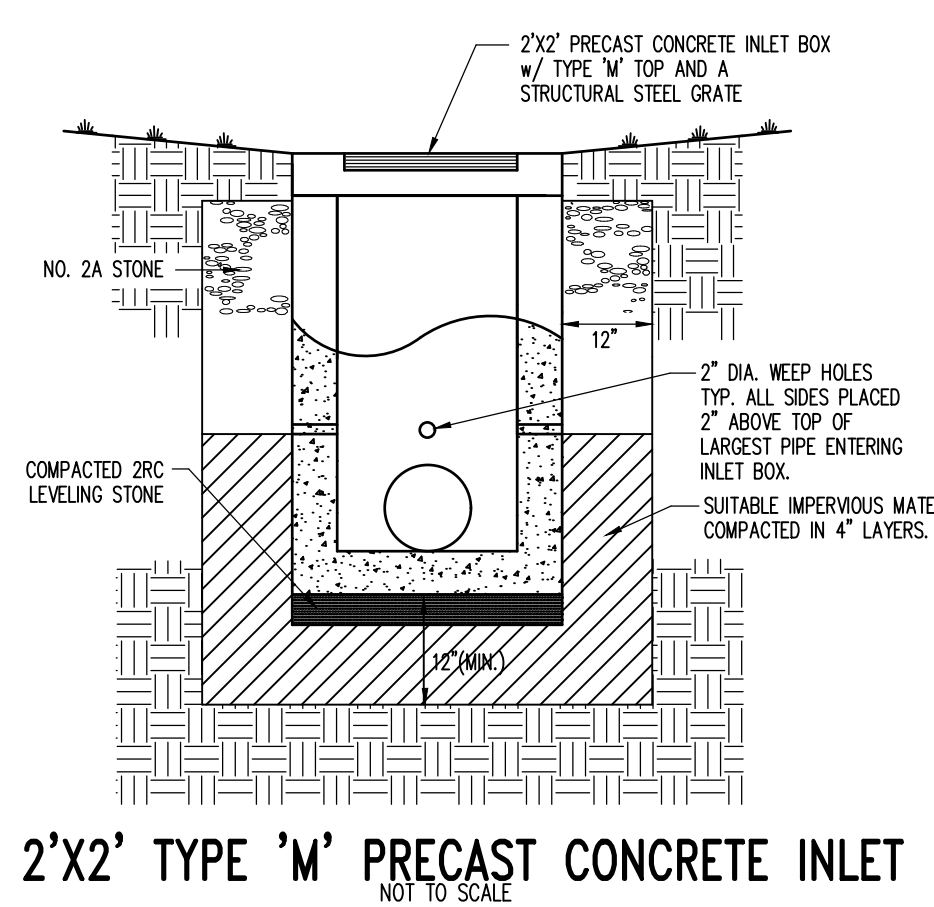
ROCK FILTER
NOT TO SCALE



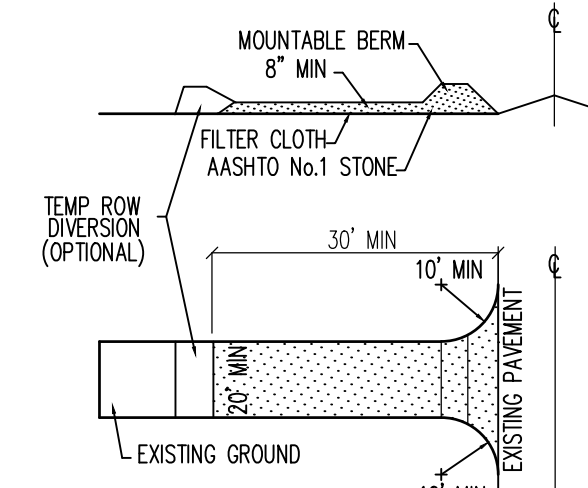
GEOTEXTILE LINED RIP-RAP APRON
NOT TO SCALE



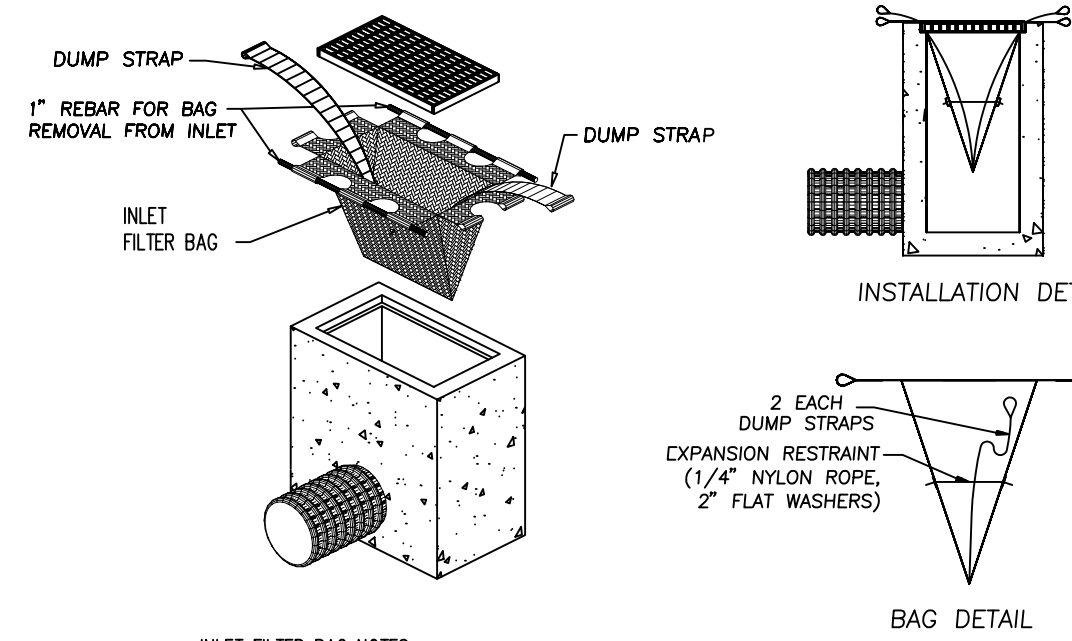
SWALE SECTION
NOT TO SCALE



2'X2' TYPE 'M' PRECAST CONCRETE INLET
NOT TO SCALE

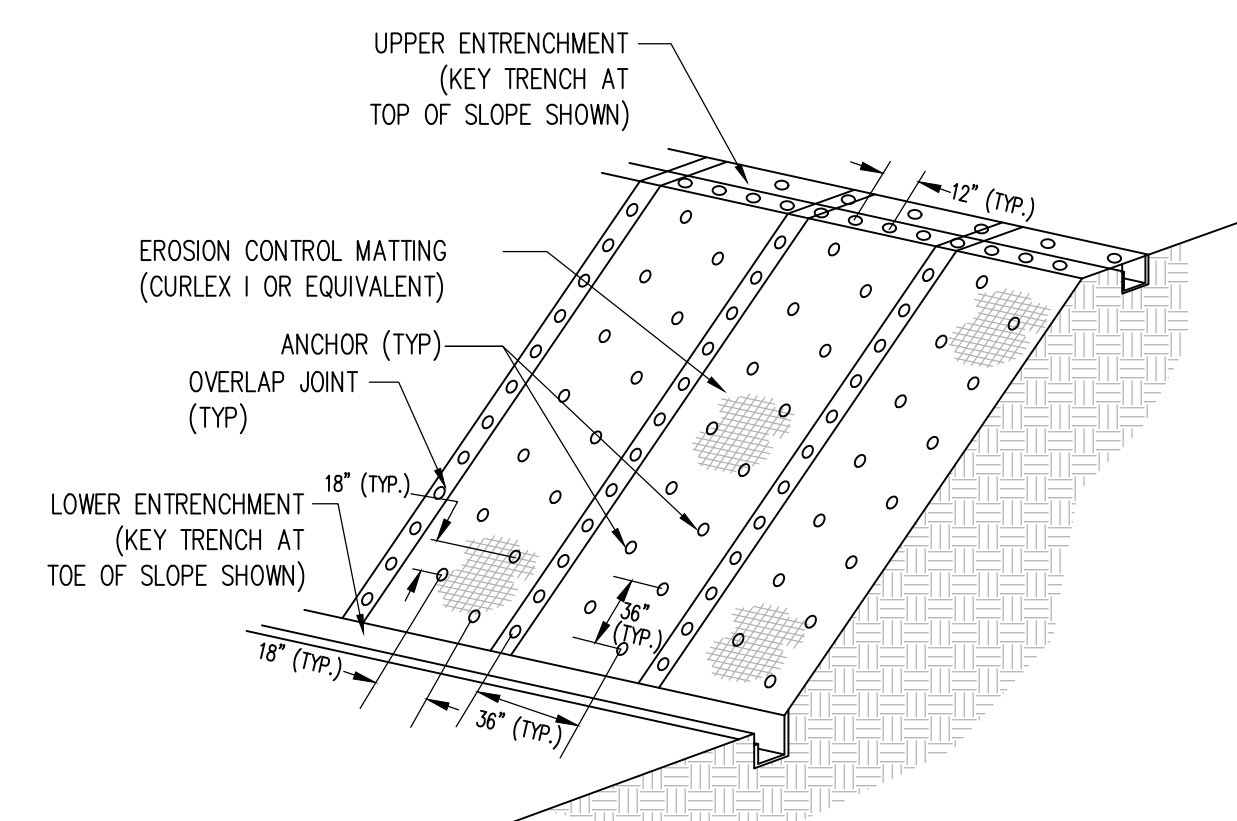


CONSTRUCTION ENTRANCE
NOT TO SCALE



- INLET FILTER BAG NOTES:**
1. FILTER BAG SHOULD TRAP PARTICLES LARGER THAN 150 MICRONS.
 2. WHEREVER FILTER BAGS ARE USED THEY SHOULD BE INSTALLED ACCORDING TO MANUFACTURERS SPECIFICATIONS.
 3. INLET FILTER BAGS SHOULD BE INSPECTED ON A WEEKLY BASIS AND AFTER EACH RUNOFF EVENT.
 4. FILTER BAGS SHOULD BE CLEANED AND/OR REPLACED WHEN BAG IS 1/2 FULL.
 5. DAMAGED FILTER BAGS SHOULD BE REPLACED.
 6. NEEDED REPAIRS SHOULD BE INITIATED IMMEDIATELY AFTER THE INSPECTION.

INLET FILTER BAG (TYPE M)
NOT TO SCALE



ON SLOPES 3:1 AND STEEPER

SWALE LININGS	CURLEX 1	CURLEX 2
SWALES	X	X
SLOPES	X	

- INSTALLATION NOTES:**
1. PRIOR TO EROSION CONTROL LINING INSTALLATION STABILIZATION SHALL BE AS FOLLOWS:
A. SPREAD TOPSOIL.
B. SEED SLOPE WITH THE PERMANENT SEEDING MIXTURE.
C. BEGIN APPROPRIATE SLOPE MATTING INSTALLATION AS FOLLOWS BELOW.
 2. BURY TOP END OF THE STRIPS IN A TRENCH 12" DEEP (MIN.) X 6" WIDE (MIN.).
 3. TAMP TRENCH FULL OF SOIL. SECURE WITH ROW OF STAPLES 12" SPACING -- 4" AWAY FROM TRENCH.
 4. OVERLAP AND BURY UPPER END OF LOWER STRIP. OVERLAP END OF TOP STRIP 4" AND STAPLE.
 5. INSTALL DOUBLE ROW OF STAPLES AT EACH STRIP END (1" ABOVE AND 1" BELOW TRENCH).
 6. OVERLAP STRIPS AND STAPLE EVERY 18" O.C. ALONG OVERLAP IF MULTIPLE STRIPS ARE REQUIRED ALONG WIDTH OF SLOPE.

EROSION CONTROL LINING INSTALLATION
NOT TO SCALE

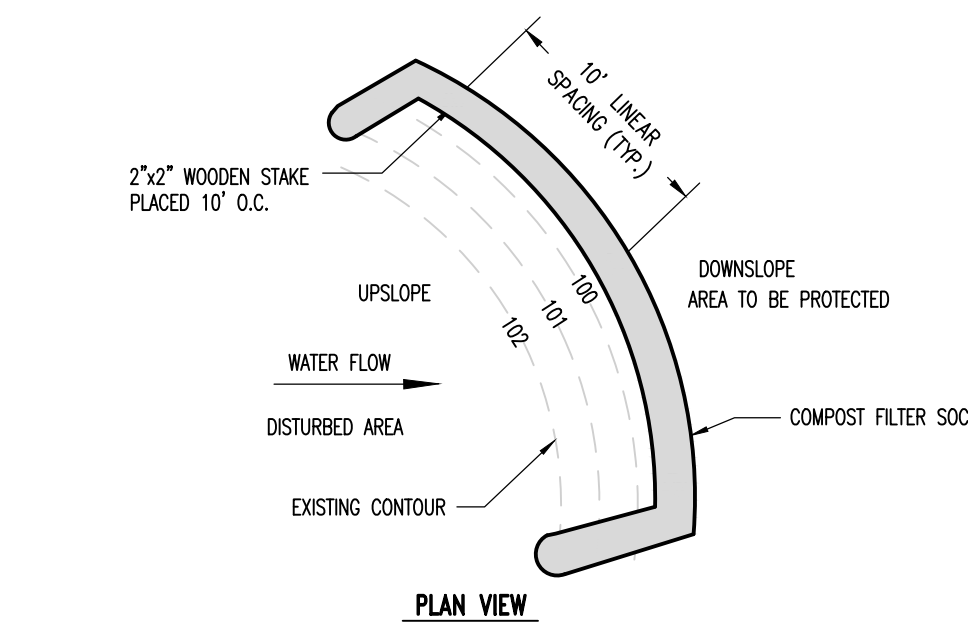


TABLE 4.1
Compost Sock Fabric Minimum Specifications

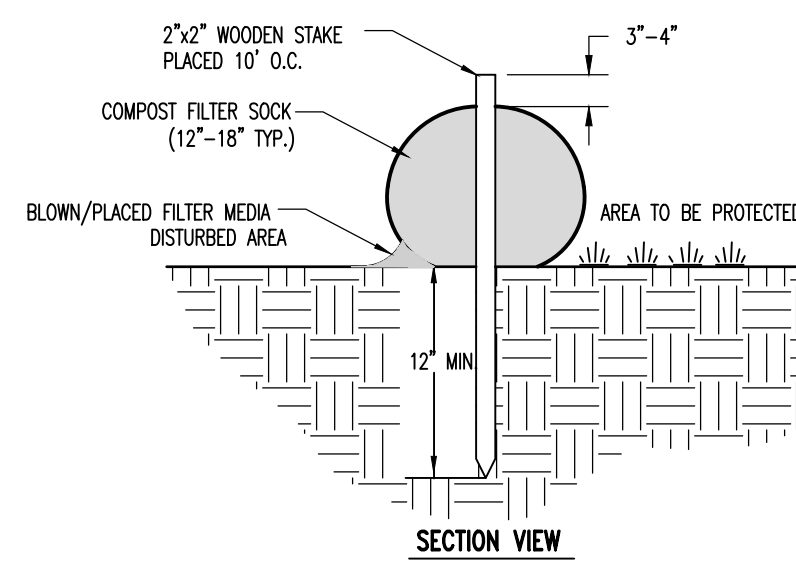
Material Type	3 mil HDPE	5 mil HDPE	5 mil HDPE	Multi-Filament Polypropylene (MFPP)	Heavy Duty Multi-Filament Polypropylene (HDMFPP)
Material Characteristics	Photo-degradable	Photo-degradable	Biodegradable	Photo-degradable	Photo-degradable
Sock Diameters	12" 18"	12" 18" 24" 32"	12" 18" 24" 32"	12" 18" 24" 32"	12" 18" 24" 32"
Mesh Opening	3/8"	3/8"	3/8"	3/8"	1/8"
Tensile Strength		26 psi	26 psi	44 psi	202 psi
Ultimate Stability % Original Strength (ASTM G-155)	23% at 1000 hr.	23% at 1000 hr.		100% at 1000 hr.	100% at 1000 hr.
Minimum Functional Longevity	6 months	9 months	6 months	1 year	2 years

Two-Ply Systems

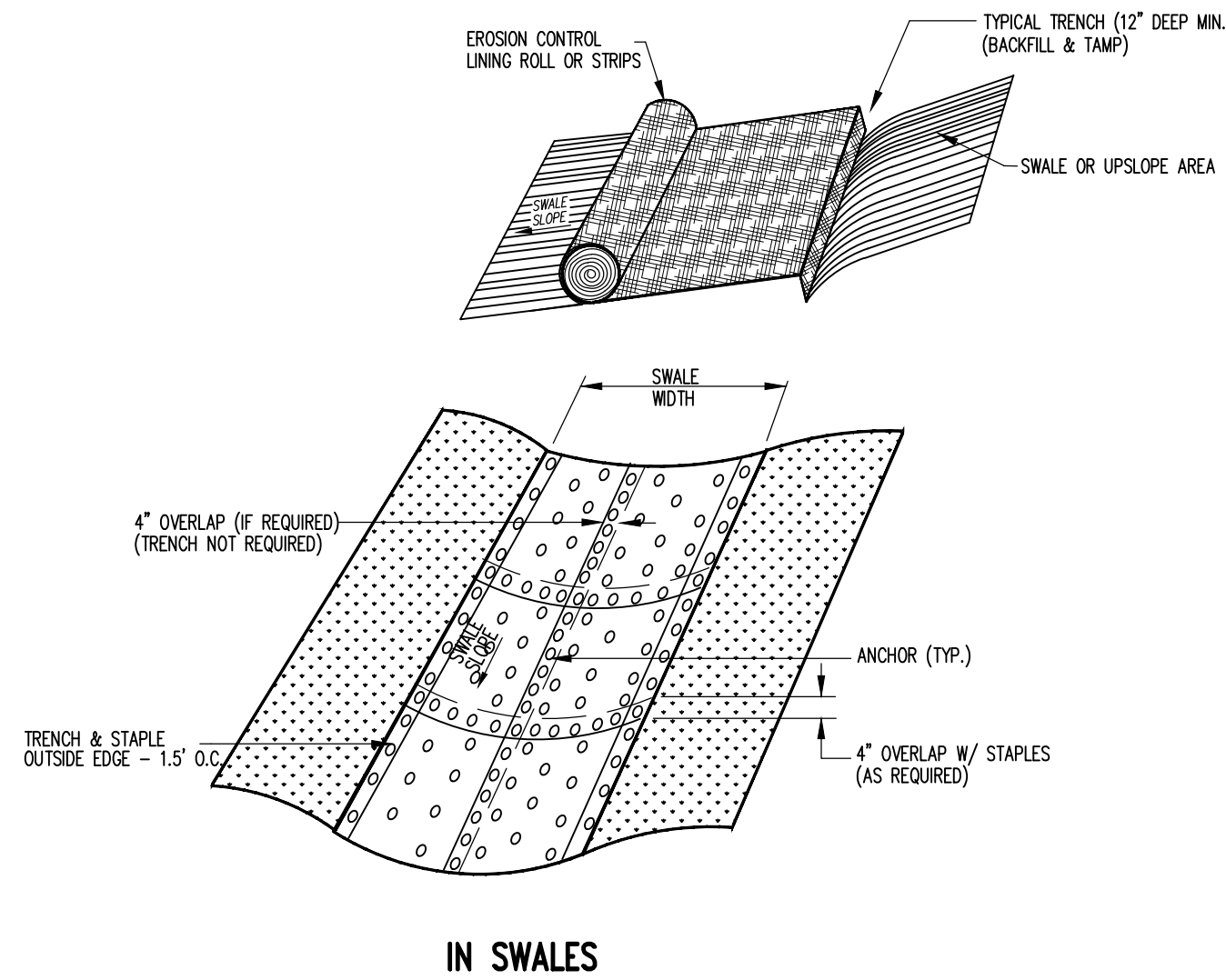
Inner Containment Netting	Outer Filtration Mesh
HDPE biobased net Continuously wound Fusion-welded junctures 3/4"x3/4" Max. aperture size	Composite Polypropylene Fabric (Woven layer and non-woven fleece mechanically fused via needle punch)
	3/16" Max. aperture size

Sock fabrics composed of burlap may be used on projects lasting 6 months or less.

COMPOST FILTER SOCK DETAIL
NOT TO SCALE



- NOTES:**
1. ALL MATERIAL TO MEET EPA COMPOST FILTER SOCK SPECIFICATIONS.
 2. SILT SOCK COMPOST/SOIL/ROCK/SEED FILL TO MEET APPLICATION REQUIREMENTS.
 3. SILT SOCKS DEPICTED ARE FOR USE ON MINIMAL SLOPES. GREATER SLOPES MAY REQUIRE LARGER SILT SOCKS PER THE ENGINEER.
 4. COMPOST MATERIAL TO BE DISPERSED ON SITE, AS DETERMINED BY ENGINEER.



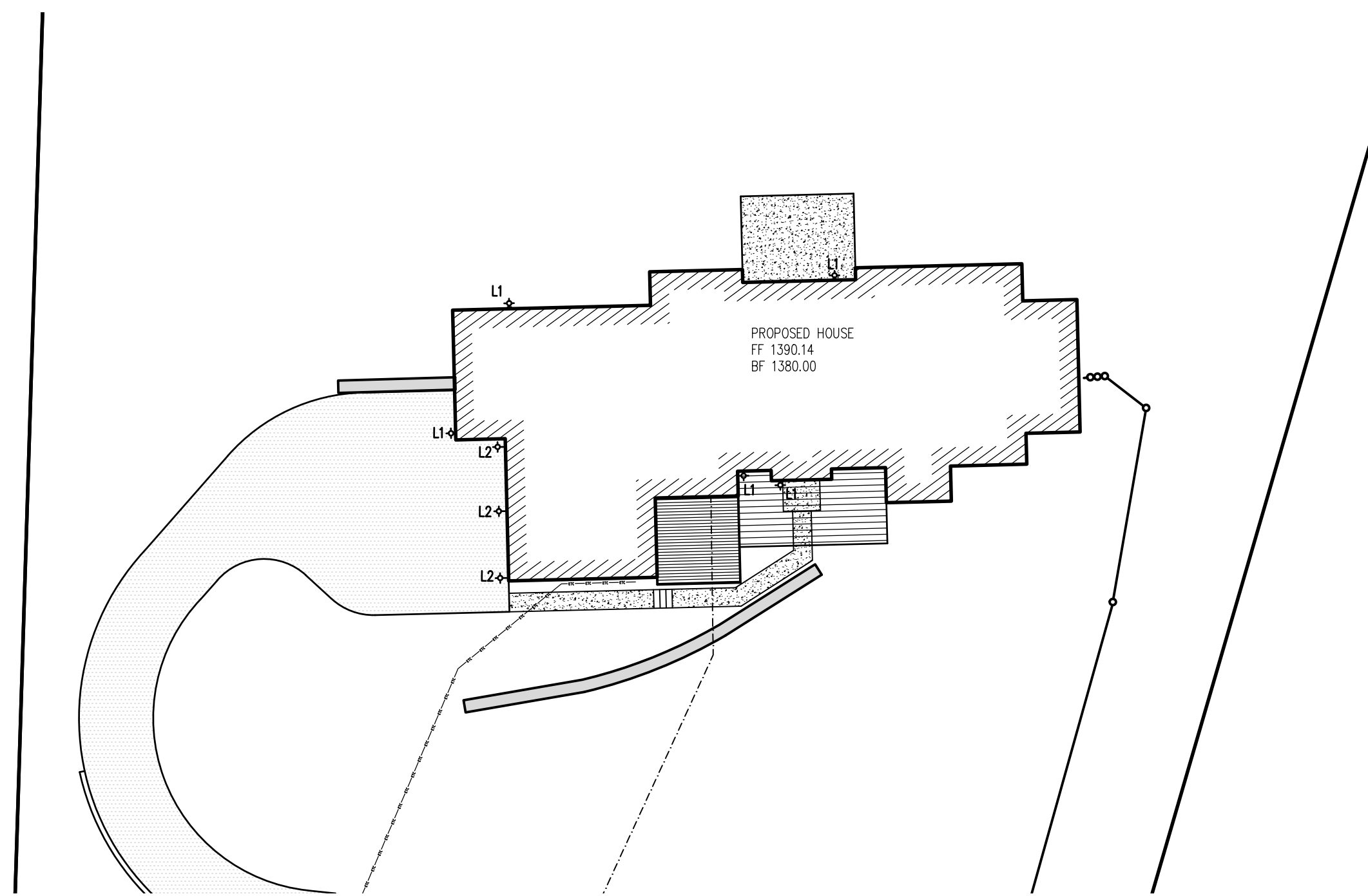
TYPICAL ANCHORING PATTERN

- INSTALLATION NOTES:**
1. PRIOR TO EROSION CONTROL LINING INSTALLATION STABILIZATION SHALL BE AS FOLLOWS:
A. SPREAD TOPSOIL.
B. SEED SLOPE WITH THE PERMANENT SEEDING MIXTURE.
C. BEGIN APPROPRIATE SLOPE MATTING INSTALLATION AS FOLLOWS BELOW.
 2. BURY TOP END OF THE STRIPS IN A TRENCH 12" DEEP (MIN.) X 6" WIDE (MIN.).
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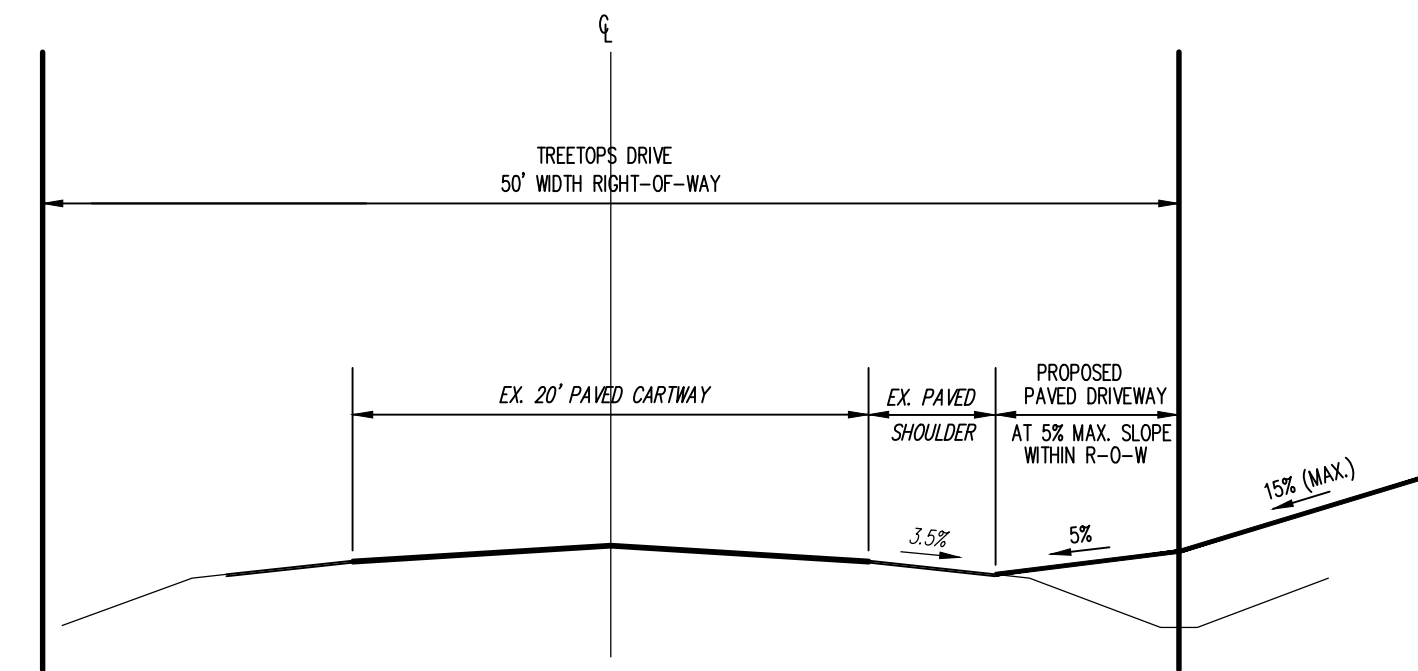
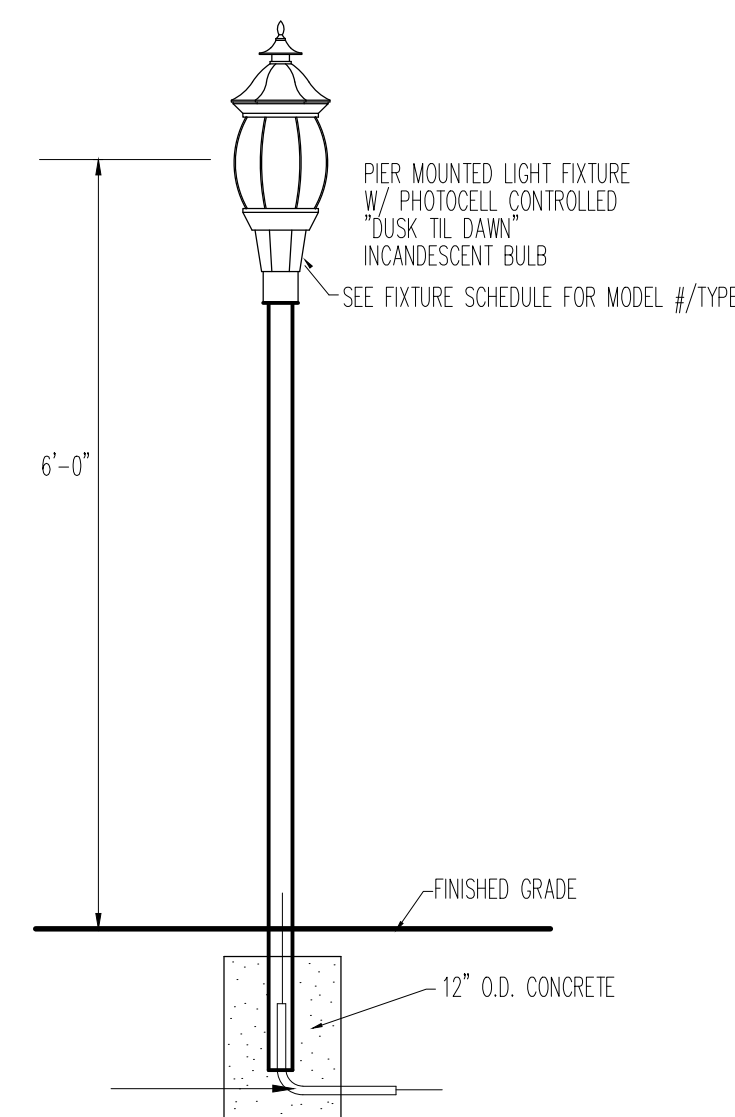
EROSION CONTROL LINING INSTALLATION
NOT TO SCALE

LIGHT FIXTURE SCHEDULE									
FIXTURE	DESCRIPTION	MANUFACTURER	MODEL NO.	MOUNTING	LAMPS	WATTS	VOLTS	HEIGHT	QUANTITY
L1	ENTRANCE LIGHT	WESTINGHOUSE	6697200	WALL	BULB	40	VERIFY	5'-6"	5
L2	GARAGE LIGHT	OSTWIN	OW-OLCL-01RW-1N930	WALL	LED	9	VERIFY	5'-6"	3
L3	POLE LIGHT	PORTFOLIO	FY12-001	POLE	BULB	40	VERIFY	6'-0"	1

NOTES: 1. LOT OWNER MAY CHOOSE DIFFERENT LIGHT FIXTURE SO LONG AS REQUIREMENTS OF PROJECT NOTE 9 ON SHEET 1 OF 4 ARE MET.
2. THE POLE LIGHT FIXTURE L3 IS TO BE "DUSK TO DAWN."

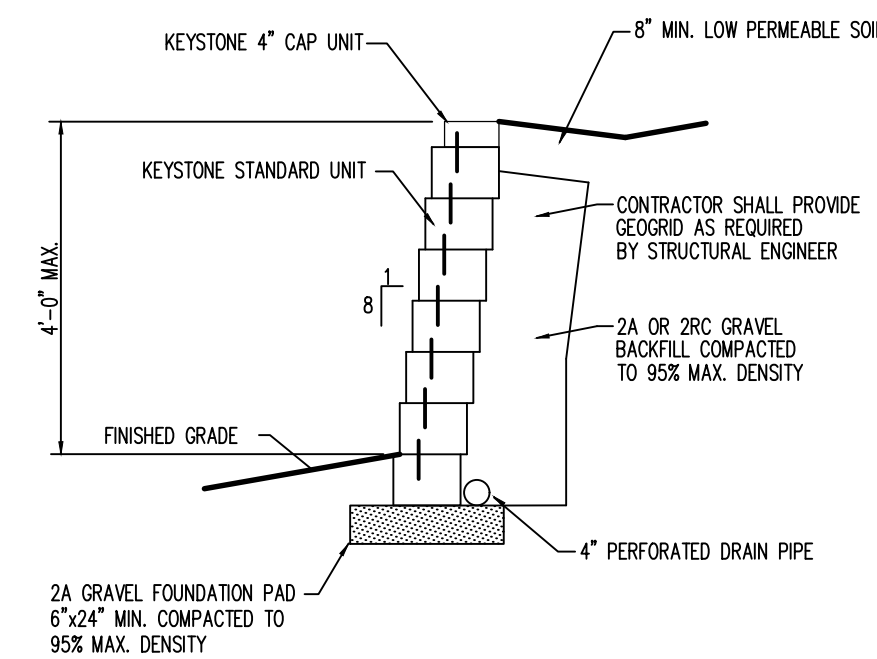


LIGHTING DETAIL
SCALE: 1"=20'



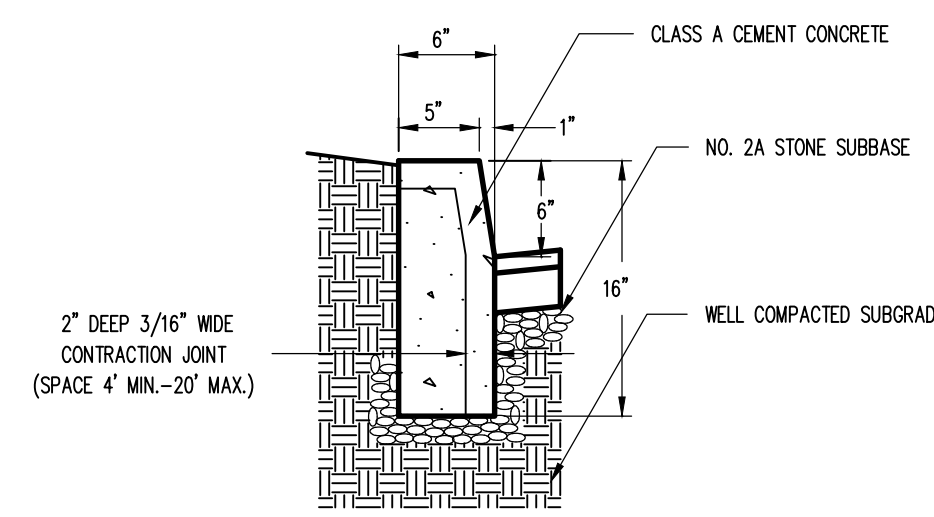
NOTES: 1. MAXIMUM DRIVEWAY SLOPE WITHIN FERGUSON TOWNSHIP RIGHT-OF-WAY IS 5%.
2. MAXIMUM DRIVEWAY SLOPE OUTSIDE THE RIGHT-OF-WAY IS 15%.

PROPOSED DRIVEWAY SLOPE
NOT TO SCALE

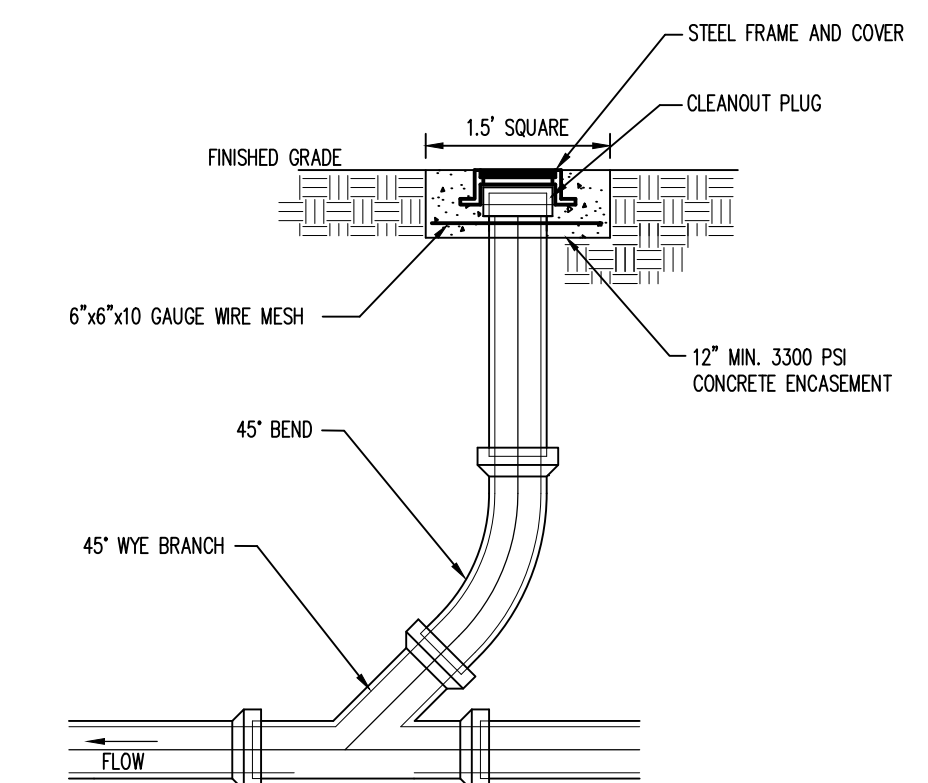


DESIGN BASED ON KEYSTONE STANDARD UNITS AS MANUFACTURED BY KEYSTONE RETAINING WALL SYSTEMS, INC. (FOR SUBSTITUTION, PROVIDE COMPARABLE DESIGN)

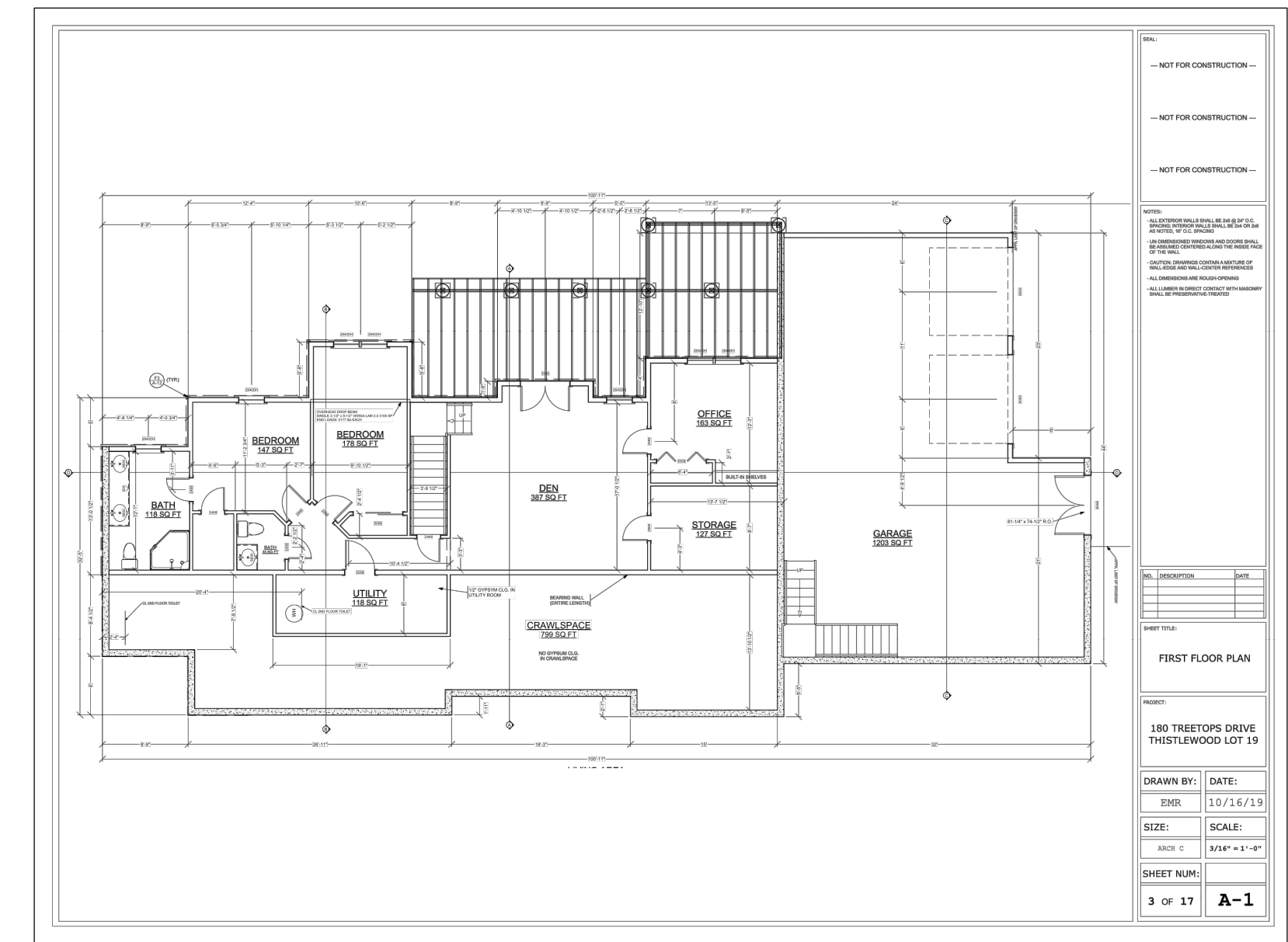
WALL SECTION
NOT TO SCALE



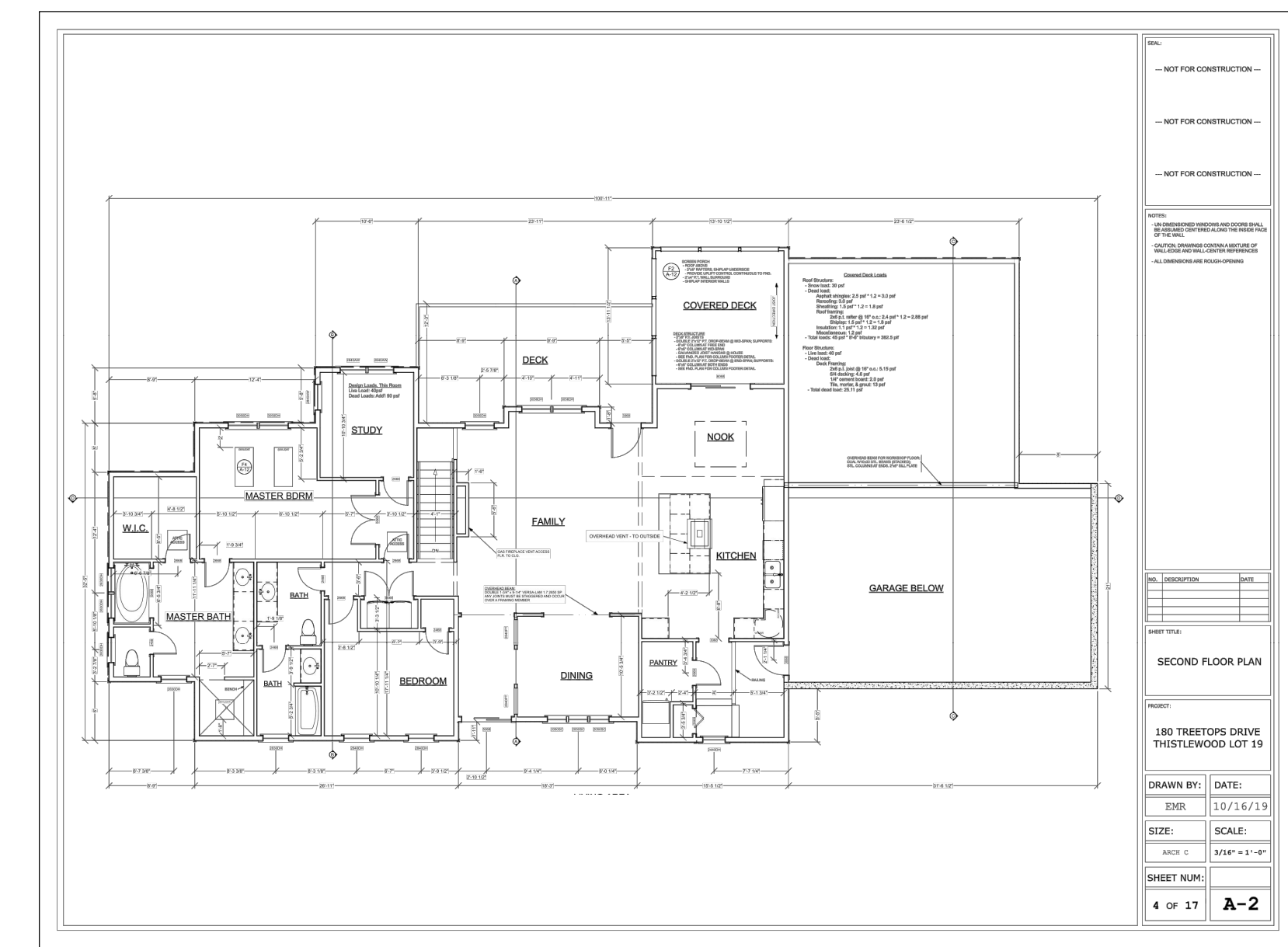
CONCRETE CURB
NOT TO SCALE



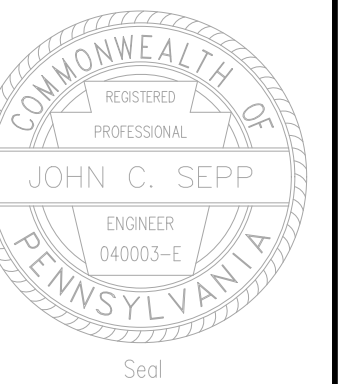
SANITARY SEWER CLEAN-OUT DETAIL
NOT TO SCALE



FIRST FLOOR PLAN
SCALE: AS NOTED



SECOND FLOOR PLAN
SCALE: AS NOTED



Designer	RRK
Draftsman	JJA
Proj/Manager	JCS
Surveyor	
Perimeter Ok.	
Book	Pg
Drive	P: Layout
Acad	

Date	Description
	REVISIONS

THISTLEWOOD LOT 19
FERGUSON TOWNSHIP
CENTRE COUNTY
PENNSYLVANIA

FINAL LAND DEVELOPMENT PLAN

FLOOR PLANS & DETAILS

PROJECT NO.	15085
DATE	JULY 21, 2020
SCALE	AS SHOWN
SHEET NO.	4 OF 4

FERGUSON TOWNSHIP
AFFORDABLE HOUSING ORDINANCE

1) Purpose.

The purpose of this Chapter is:

- a) Provide a wide range of quality, affordable housing for households with an income of 60% to 120% of Area Median Income (AMI) in high opportunity neighborhoods, those with superior access to quality schools, services, amenities and transportation;
- b) To support the Centre Region Comprehensive Plan's goal to provide a wide range of sound, affordable and accessible housing consistent with the fair share needs of each municipality in the Centre Region;
- c) Provide criteria for affordable housing including, but not limited to, design, construction, phasing, and location within a development;
- d) To facilitate and encourage development and redevelopment that includes a range of housing opportunities through a variety of residential types, forms of ownership, home sale prices and rental rates;
- e) To mitigate the impacts of large-scale real estate development on the available supply of low and moderate income housing and increase the availability of such housing;
- f) To work in partnership and support programs like Centre County Affordable Housing Coalition, Centre County Housing and Land Trust, and Housing Transitions, Inc. to create additional housing opportunities;
- g) Responsibly allocate resources to increase housing opportunities for families and individuals facing the greatest disparities;
- h) Ensure the opportunity of affordable housing for employees of businesses that are located in or will be located in the Township;
- i) To ensure that affordable homeownership which is, a mortgage payment and housing expenses (principal, interest, taxes and insurance) is no greater than 30% of a family's gross month income, per the HUD definition; and
- j) Effectively enforce and administer the provisions of the affordable housing program.

2) Authority. Provisions for the Affordable Housing Chapter are intended to comply with the following articles of the Pennsylvania Municipal Planning Code.

(1) Article VI Zoning.

Section 603. Ordinance Provisions where:

(a) Zoning Ordinances should reflect the policy goals of the statement of the community development objectives and give consideration to the character of the municipality, the needs of the citizens and the suitabilities and special nature of particular parts of the municipality.

(c) Zoning Ordinances may contain:

(5) Provisions to encourage innovations and to promote flexibility, economy and ingenuity in development, including subdivisions and land developments as defined in this act;

(6) Provisions authorizing increases in the permissible density of population or intensity of a particular use based upon expressed standards and criteria set forth in the zoning ordinance;

Commented [KA1]: From Workforce Housing to Affordable Housing

Commented [KA2]: Changed from Intent to Purpose

Commented [KA3]: Changed from "affordable housing units for qualified buyers in the Township "

Commented [KA4]: Changed from "workforce"

Commented [KA5]: Changed from "workforce"

(j) Zoning Ordinances adopted by municipalities shall be generally consistent with the municipal or multi-municipal Comprehensive Plan or, where none exists, with the municipal statement of community development objectives and the county Comprehensive Plan.

Section 604. Zoning Purposes. The provisions of zoning ordinances shall be designed:

(1) To promote coordinated and practical community development and proper density of population.

Section 605. Classifications.

(3) For the purpose of encouraging innovation and the promotion of flexibility, economy and ingenuity in development, including subdivisions and land developments as defined in this act, and for the purpose of authorizing increases in the permissible density of population or intensity of a particular use based upon expressed standards and criteria set forth in the zoning ordinance.

(2) These regulations are enacted under the authority of the Pennsylvania Human Relations Act (Act of October 27, 1995, P.L. 744, as amended), which guarantees fair housing.

(3) Posting of the Fair Housing Practices Notice is required pursuant to the Pennsylvania Human Relations Act.

3) **Definitions.** As used in this chapter, the following words and terms shall have the meanings specified herein:

AFFORDABLE HOUSING—Housing with a sales price or rental amount within the means of a household that may occupy moderate- and low-income housing. In the case of dwelling units for sale, affordable means housing in which mortgage, amortization, taxes insurance, and condominium or association fees, if any, constitute no more than thirty (30) percent of such gross annual household income for a household of the size that may occupy the unit in question. In the case of dwelling units for rent, affordable means housing for which the rent and utilities constitute no more than thirty (30) percent of such gross annual household income for a household of the size that may occupy the unit in question.

AFFORDABLE HOUSING DEVELOPMENT AGREEMENT— A written agreement duly executed between the applicant for a development, the Township, and the designated third-party administrator of the affordable housing program. Said agreement shall include, at minimum, all of the provisions established in §27-215, Subsection 6.

AFFORDABLE HOUSING DWELLING UNIT—Means any affordable housing subject to covenants or restrictions requiring such dwelling units to be sold or rented at prices preserving them as affordable housing for a period of at least fifty (50) years.

AFFORDABLE HOUSING DEVELOPMENT—Any housing subsidized by the federal or state government, or any housing development in which at least ten (10) percent of the housing units are affordable dwelling units.

Commented [KA6]: None of these definitions are in the current Zoning ordinance

AFFORDABLE HOUSING DEVELOPMENT PLAN—A plan prepared by an applicant for an Affordable Housing Development under this chapter that outlines and specifies the development's compliance with the applicable requirements of this chapter.

AFFORDABLE HOUSING TRUST FUND—The fund created by Ferguson Township pursuant to Section §27-716.7.b. of this chapter.

AFFORDABLE HOUSING UNIT—Either a housing unit subsidized by the federal or state government or subject to covenants and deed restrictions that ensure its continued affordability or an affordable dwelling unit documented in a development's Affordable Housing Agreement. When calculating the required percentage of Affordable Units in a development, any fractional result between 0.1 and 0.4 will be rounded down to the number immediately preceding it numerically, and any fractional result between 0.5 and 0.9 will be rounded up to the next consecutive whole number. However, the total Affordable Unit percentage cannot exceed ten (10) percent of the total units in the development.

CONVERSION—A change in a residential rental development or a mixed-use development that includes rental dwelling units to a development that contains only owner-occupied individual dwelling units or a change in a development that contains owner-occupied individual units to a residential rental development or mixed-use development.

DENSITY BONUS—An increase in the number of market-rate units on the site in order to provide an incentive for the construction of affordable housing pursuant to this chapter.

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.

FEE-IN-LIEU FACTOR—The factor used to calculate the fee-in-lieu which may not exceed the maximum justifiable cap determined annually by Ferguson Township based on the difference in the capitalized market value between market-rate buildings and buildings with ten (10) percent of the units affordable to households earning eighty (80) percent or less of the area AMI as determined annually by U.S. Department of Housing and Urban Development.

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.

LOW-INCOME HOUSING—Housing that is affordable, according to the U.S. Department of Housing and Urban Development, for either home ownership or rental, and that is occupied, reserved, or marketed for occupancy by households with a gross household income that does not exceed fifty (5) percent of the median gross household income for households of the same size within the State College, PA Metropolitan Statistical Area (MSA) in which the housing is located.

MEDIAN GROSS HOUSEHOLD INCOME—The median income level for the State College, PA Metropolitan Statistical Area (MSA), as established and defined in the annual schedule published by

the Secretary of the U.S. Department of Housing and Urban Development, adjusted for household size.

MODERATE-INCOME HOUSING—Housing that is affordable, according to the federal Department of Housing and Urban Development, for either home ownership or rental, and that is occupied, reserved, or marketed for occupancy by households with a gross household income that is greater than fifty (50) percent but does not exceed eighty (80) percent of the median gross household income for households of the same size within the State College, PA Metropolitan Statistical Area (MSA) in which the housing is located.

RENOVATION—The physical improvement that adds to the value of real property, but that excludes painting, ordinary repairs, and normal maintenance.

- 4) **Applicability.** All of the following land developments and minor alterations within the Terraced Streetscape (TS) Zoning District and the Traditional Town Development (TTD) Zoning District that results in or contains:
 - a) Ten or more residential dwelling units;
 - b) Renovation of a multi-family dwelling that increases the number of residential units from the number of units in the original structure;
 - c) Conversion of an existing residential structure regardless of dwelling type to a multi-family dwelling that results in ten or more residential dwelling units; and
 - d) Conversion of a nonresidential property to a residential property;
- 5) **General Requirements for Affordable Units.** For all applicable land developments listed in Section 4. Applicability, within the Terraced Streetscape (TS) Zoning District and the Traditional Town Development (TTD) Zoning District, projects must comply with the following requirements.
 - a) The permit application must include an Affordable Housing Program option selection. Planning and Zoning Staff will be available at the Ferguson Township Municipal Building to assist applicants throughout the permitting intake and application process to explain and clarify the Affordable Housing Program requirements.
 - b) Calculation of Affordable Units. To calculate the minimum number of affordable units required in any land development listed in Section 4. Applicability, the total number of proposed units shall be multiplied by 10 percent.
 - i) When calculating the required percentage of Affordable Units in a development, any fractional result between 0.1 and 0.4 will be rounded down to the number immediately preceding it numerically, and any fractional result between 0.5 and 0.9 will be rounded up to the next consecutive whole number. However, the total Affordable Unit percentage cannot exceed ten percent of the total units in the development.
- 6) **Standards.** Affordable dwelling units must be provided as follows, or a fee-in-lieu of providing affordable units must be paid. Adjustments are prohibited.
 - a) Affordable units may be provided on-site, fee-in-lieu, built off-site, designated off-site or land and/or building donation.
 - i) Off-street parking may be provided but is not required for any affordable unit built or designated;

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- ii) Developments that provide built affordable units, either on-site or off-site, will have the option to add one additional equivalent unit (bonus unit) for each affordable unit provided as part of the land development plan, not to exceed (XX) bonus units;
- iii) Diversity Standards as outlined in §27-303.C.2.a. may be modified to the extent needed to accommodate all required affordable units and allowable bonus units;
- iv) The overall height for all developments of multi-family units cannot exceed one additional story over and above the underlying zoning;
- v) Affordable housing shall not be segregated or clustered within a development;
- vi) Affordable housing units shall be like market rate units with regard to number of bedrooms, amenities, and access to amenities, but may not be permitted to differ from market-rate units in a development with regard to interior amenities, provided that:
 - (1) These differences, excluding differences related to size differentials, are not apparent in the general interior and exterior appearance of the development's units; and
 - (2) 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) Affordable units may be up to 10 percent smaller than the market-rate units;
- vii) No more than two adjacent lots shall contain affordable housing units;
- viii) No more than four lots along any block width or block length may contain such units;
- ix) Affordable units required under this chapter shall be offered for sale or lease to a qualified household to be used for its own primary residence, except for units purchased by the Township or its designee;
 - (1) The applicant will provide to the Township data justifying the needs for fee simple units or units for lease;
- x) If the development plan, for which affordable units are required, contains a phasing plan, the phasing plan shall provide for the development of affordable units concurrently with the market-rate units. No phasing plan shall provide that the affordable units built are the last units constructed.
- xi) In order to ensure an adequate distribution of affordable units by household size, the bedroom mix of affordable units in any project shall be in the same ratio as the bedroom mix of the market-rate units of the project.
- xii) The sale or lease of affordable units shall be limited to qualified households earning up to 120% Area Median Income (AMI), adjusted for household size. See the following table for the percentage of affordable units to be provided for specific qualified households.

Commented [WJ7]: Do we want to include a number not to exceed?

Commented [WJ8]: By not requiring the applicant to provide X amount of rental units and X amount of owner-occupied units, the Township is allowing for flexibility (based on market demand and need).

Population to be Served	Percentage of Affordable Units for the Development	
	For Sale Units	Rental Units
60%-90% Area Median Income (AMI)	50%	50%
91%-120% AMI	50%	50%
TOTAL	100%	100%

Commented [WJ9]: Staff believes, that in order to provide equitable housing, this Ordinance amendment should include 30% AMI to 120% AMI.

In instances where there are less than two affordable units for rent or sale, a minimum of one unit must be provided at a commensurate price for the 60%-90% Area Median Income (AMI).

- xiii) Owners of property subject to the Affordable Housing Program are required to sign a Regulatory Agreement to be recorded with the property where the affordable units are located;
- b) Ferguson Township's Option to Purchase. The following provisions apply to the initial offering of affordable units for sale or rent:
 - i) As a condition of land development approval, the applicant shall notify the Township or its designee of the prospective availability of any affordable units at the time the design and pricing are being established for such units.
 - ii) From the time of building permit issuance, the Township or its designee shall have an exclusive option for 120 days to enter into a purchase and sales agreement at or below the affordable unit pricing for each affordable unit offered for sale by the applicant. The Township may waive or assign this option.
 - iii) If the Township or its designee fails to exercise its option for the affordable units, or if the Township or its designee declares its intent not to exercise its option, the applicant shall offer the units for purchase or rent to households per §27-716.6.a.xii. If requested, by the applicant, the Township or its designee shall execute documents that may be recorded with the Centre County Office of Recorder of Deeds to evidence said waiver of option.
 - iv) Closing on affordable units purchased by the Township or its designee occurs on or after the time of issuance of the certificate of occupancy. If the Township or its designee fails to close on these affordable units, the applicant shall offer the unit for purchase or rent to households per §27-716.6.a.xii.
 - v) The Township may assign its options under this section, in which event it shall notify the applicant of the agency to which it has assigned the option, which agency shall deal directly with the applicant, and shall have all of the authority of the Township as provided under this section.
 - vi) At any point after the initial option period, ii) above, the applicant may offer the affordable units to the Township or its designee for purchase at or below the affordable unit pricing. The Township or its designee then shall have 30 days to enter into a purchase and sales agreement.
- c) Continued Affordability.
 - i) The continuity of affordable units in the affordable housing program shall be ensured for a period of 50 years commencing the date of the approved certificate of occupancy for the unit. To provide for the continuity of affordable 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 50 years from its initial date of sale for persons earning between 60 percent and 90 percent or 91 percent and 120 percent of the Area Median Income (AMI) for State College, PA Metropolitan Statistical Area (MSA) 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."
 - ii) Prospective buyers shall enter into a legally binding agreement with the designated administrator of the Affordable Housing Program that will stipulate the process for certifying subsequent buyers of affordable housing units for the applicable 50 year period, and the

Commented [WJ10]: We need to include how to calculate rents and sales prices.

Commented [KA11]: Was "workforce Housing"

Commented [KA12]: Was 99 years

Commented [WJ13R12]: I would like to check with the Township Solicitor on this one. I believe that a 99-year restriction only works if we have a ground lease situation (Land Trust).

Commented [KA14]: Was 80% to 120%

amount of equity able to be recouped by the homeowner upon sale of the affordable housing unit. The designated administrator of the affordable 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.

iii) The Township shall require resale conditions in order to maintain the availability of affordable units in perpetuity be specified in the Affordability Instrument, including resale calculations.

(1) At the time of purchase, the owners of any affordable unit shall execute a Resale Restriction Agreement and Option to Purchase provided by the Township, stating the restrictions imposed pursuant to this Resale Restrictions section, including but not limited to all applicable resale controls and occupancy restrictions. This Resale Restriction Agreement and Option to Purchase shall be recorded in the Centre County Office of Recorder of Deeds and shall afford the Township or its assignee the right to enforce the declaration of restrictions.

(2) The Township or its designee shall be responsible for monitoring and facilitating the resale of affordable units. Any abuse in the resale provisions shall be referred to the Township for action.

iv) Provisions for continued affordability of affordable rental units shall limit annual rent increases to the percentage increase in the median household income within the State College Metropolitan Statistical Area (MSA), except to the extent that further increases are made necessary by hardship or other unusual conditions, as defined in the Policies and Procedures Manual, and shall provide that no rent increase may take effect until it has received approval from the Township in writing. Any owner who charges rent in violation of this provision shall refund excess to tenant.

v) Provisions for continued affordability of affordable units shall provide that the Township or its designee shall have an exclusive option to purchase any affordable unit when it is offered for resale. The purchase option period and process shall be detailed in the Affordability Instrument.

d) Limitations.

i) Priority will be given to residents of Centre County for a minimum of one year or employed by a business located in Centre County. Must be a United State citizen or have permanent resident alien status;

ii) The affordable unit must be used as a principal place of residence;

e) Except for household income, asset limitations and the primary residency requirement as set forth herein, occupancy of any affordable unit shall not be limited by any conditions that are not otherwise applicable to all units within the covered project;

f) No zoning permit shall be issued to a development in which affordable housing units are required unless the applicant without having first duly executed an Affordable Housing Development Agreement; and

g) Final number of Units and Pricing shall be determined as outlined in this chapter and the Policy and Procedures Manual;

7) **Affordable Housing Development Agreement.**

For developments required by this Section to include affordable housing units, no zoning permit shall be issued for said development without having first duly executed an Affordable Housing Development Agreement. Ferguson Township, Township designee, and the applicant for the

development, 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 Affordable Housing Program that the affordable housing units are consistent with the definition of affordable housing units in §27-216.3, above;
 - b) The location(s), zoning designation(s) and ownership of the project(s);
 - c) The number and type of affordable 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 affordable housing units or additional affordable housing units provided to reduce or relieve the requirement of another provision of the Zoning Ordinance, where applicable;
 - d) Description(s) of the development(s) proposed, including the name of the development project and marketing name, if different from the name submitted to the Township, and site plan(s) or preliminary subdivision(s) or land development plan(s) of the project(s);
 - e) The exact location of affordable housing units within the proposed development(s) including lot number;
 - f) A schedule, binding on the applicant or property owner, for the construction of the affordable housing units. For phased developments, a phasing plan for the construction of the affordable housing units and market-rate units that are consistent with the preliminary subdivision and land development plan of the proposed development;
 - g) The proposed sale prices and affordability restrictions for each affordable housing unit and a copy of the applicable affordability deed restrictions and covenants;
 - h) Indication of which, if any, of the affordable 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 applicant or a third party will be constructing the affordable housing units. If a third party is to construct the housing units, a separate development agreement or other binding legal document between the applicant and the third party must be submitted with the affordable housing development agreement;
 - j) Acknowledgement that the certificates of occupancy for the last 10 percent of the market-rate units shall be withheld until the certificates of occupancy for all of the affordable housing units have been issued;
 - k) Acknowledgement that the designated affordable housing administrator of the Township's affordable housing program shall have full authority to administer the provisions of the affordable housing development agreement.
 - l) The Affordable Housing Development Agreement shall be reviewed by the Township Solicitor and included as a condition of approval of the subdivision or land development plan.
- 8) **Affordable Housing options.** Affordable Housing Program requirements will depend on the applicant's selection from one of the following options:
- a) **On-Site construction of Affordable Units.**
 - i) **General Requirements for On-Site construction of Affordable Units.** When the proposed development will include 10 percent of the units built on-site, Township Staff and/or designee will calculate the minimum number of required Affordable Units; and
 - ii) **Determine any land use incentives provided in §27-716.5.d for the project.**

Commented [WJ15]: Do we want to allow applicants to take advantage of one or more options to fulfill their affordability requirements?

- iii) Phasing of Affordable Units. Units shall be made available for occupancy on approximately the same schedule as the covered project's market rate units, except that certificates of occupancy for the last 10% of the market rate units shall be withheld until certificates of occupancy have been issued for all of the affordable units. Where the Township determines that completion of affordable units has been delayed for extraordinary reasons beyond the reasonable control of the Applicant, the Township may, in its discretion, permit the Applicant to post a monetary bond and release one or more market-rate units. The amount of the bond shall be sufficient in the determination of the Township Planning Department to assure completion of the affordable units.
- b) Fee-In-Lieu Affordable Housing.
 - i) An applicant may pay a fee-in-lieu of constructing a portion of the required minimum number of affordable units in any development listed in §27-716.4 above;
 - (1) Up to 40 percent of the Affordable Housing requirement can be paid in fee-in-lieu;
 - ii) Board of Supervisors shall establish by resolution the amount of the fee-in-lieu payment per unit following written recommendation by the Township Manager and adopt it as part of the Township's Schedule of fees. The per-unit amount shall be based on an estimate of the actual cost of providing an affordable unit using actual construction cost data, which shall include a consideration of land purchase costs. The per-unit amount shall be provided in accordance with the policy and procedure manual for administration of the program.
 - iii) All fee-in-lieu payments received pursuant to this chapter shall be paid directly to the Township and be used to further the Township's mission of providing affordable housing opportunities to income qualified households and/or first-time homebuyers. The Township shall create and administer an Affordable Housing Fund for such payments.
 - iv) To determine the total fee-in-lieu payment, the per-unit amount established by the Township shall be multiplied by at least 10 percent of the number of proposed units in the development pursuant to paragraph §27-716.4 above. For the purposes of such calculation, if 10 percent of the number of proposed units results in a fraction, the fraction shall not be round up or down. If the fee-in-lieu payment is made to substitute providing one or more of the required units, the calculation shall be prorated as appropriate.
 - v) Upon payment of the fee-in-lieu amount, the applicant has no additional Affordable Housing Program requirements relative to the proposed development.
- c) Build off-site Affordable Units.
 - i) Affordable units otherwise required to be constructed as specified under paragraph §27-716.4, above, may be constructed off-site in a separate development (Receiving Development) within Ferguson Township from the new development (Sending Development) that is subject to the Affordable Housing Program requirements.
 - ii) To determine the total number of off-site units, multiply the number of proposed units in the Sending Development by 10 percent.
 - iii) The applicant must obtain an off-site land development plan approval from the Township at the same time the applicant obtains plan approval for the proposed market-rate units within the Sending Development.
 - iv) The Sending Development may retain all bonus units.
 - v) The Receiving Development must be identified and approved by Township Staff and/or designee prior to zoning permit issuance for the Sending Development, specifying the following information:

Commented [WJ16]: When is this paid?

Commented [WJ17]: Do we want to allow applicants to pay the whole fee-in-lieu?

- (1) Location;
- (2) Proof of ownership;
- (3) Number of affordable units and total units proposed; and
- (4) Development schedule.
- vi) The Receiving Development must be located within the Regional Growth Boundary (RGB) as adopted by the Centre Regional Council of Governments.
- vii) The Receiving Development cannot be supported by any additional subsidy from Ferguson Township.
- viii) The Receiving Development remains subject to any additional Affordable Housing Program requirements.
- ix) The Receiving Development must receive a Certificate of Occupancy within three years of the Sending Development's first issued zoning permit or be subject to financial penalties.
- x) A penalty to the Sending Development will be due to Ferguson Township if the Affordable Units in the Receiving Development are not made available as set forth in the Affordable Housing Development Agreement.
- d) Designate Existing Units (DEU).
 - i) Affordable units otherwise required to be constructed as specified under paragraph §27-716.4, above, may be designated in an existing development (Receiving Site) within Ferguson Township from the new development (Sending Development) that is subject to the Affordable Housing Program requirements.
 - ii) To determine the total number of off-site units, multiply the number of proposed units in the Sending Development by 10 percent.
 - iii) Township Staff and/or designee will determine whether the proposed existing building is compatible with the Affordable Housing Program requirements. If the proposed Receiving Site is determined to be incompatible, the applicant must choose one of the remaining Affordable Housing Program Options.
 - iv) The Sending Development may retain all bonus units.
 - v) The Receiving Site must be identified and approved by Township Staff and/or designee prior to zoning permit issuance for the Sending Development, specifying the following information:
 - (1) Location;
 - (2) Proof of Ownership? Or Agreement from Owner?
 - (3) Number of affordable units and total units proposed; and
 - (4) Leasing schedule.
 - vi) The Receiving Site must be located within Ferguson Township and the Regional Growth Boundary (RGB) as adopted by the Centre Regional Council of Governments.
 - vii) The affordable units designated on the Receiving Site must be reasonably equivalent in size, quality, and bedroom count to the units on the Sending Development.
 - viii) The Receiving Site cannot be supported by any additional subsidy from Ferguson Township.
 - ix) The Receiving Site remains subject to any additional Affordable Housing Program requirements.
 - x) The Receiving Site must receive a Certificate of Occupancy within three years of the Sending Development's first issued zoning permit or be subject to financial penalties.
 - xi) A penalty to the Sending Development will be due to Ferguson Township if the Affordable Units in the Receiving Site are not made available as set forth in the Affordable Housing Development Agreement.

Commented [WJ18]: If units are being designated in an existing building, do we want to require ownership of the applicant? Or an agreement with the property owner?

e) Land and/or Building Donation

i) Land Donation. Affordable units otherwise required to be constructed as specified under paragraph §27-716.4, above, land may be donated to the Township or its designee with the Township's approval.

ii) The land value must be equal to or greater than the value of the fee-in-lieu payment, calculated in paragraph §27-716.7.b. The value of the land will be determined by an appraisal completed by a certified appraiser and shall be submitted to the Township. If the submitted appraisal is in question, the value of the land will be determined as outlined in the policy and procedures manual.

(1) The land to be donated must be located within Ferguson Township and the Regional Growth Boundary (RGB) as adopted by the Centre Regional Council of Governments.

(2) The land to be donated must meet all applicable zoning and land development standards to construct the required units.

(3) The land donation must occur prior to the completion of the market-rate units.

iii) Land and Building Donation. Affordable units otherwise required to be constructed as specified under paragraph §27-716.4, above, land and building(s) may be donated to the Township or its designee with the Township's approval.

iv) The building and land value must be equal to or greater than the value of the fee-in-lieu payment, calculated in paragraph §27-716.7.b. The value of the land will be determined by an appraisal completed by a certified appraiser and shall be submitted to the Township. If the submitted appraisal is in question, the value of the building and land will be determined as outlined in the policy and procedures manual.

(1) The land to be donated must be located within the Regional Growth Boundary (RGB) as adopted by the Centre Regional Council of Governments.

(2) The land and building to be donated must meet all applicable zoning and land development standards to construct the required units.

(3) The land donation must occur prior to the completion of the market-rate units.

9) **Policy and Procedures Manuals for Administration and Marketing of Affordable Units for Sale and Rent.** Ferguson Township Planning Department shall provide an administrative manual for the execution of the Affordable Housing Chapter. This manual shall be followed by the applicant to provide the affordable units.

a) The Marketing for Sales and Rents Manual shall also be provided to establish requirements for this aspect of the program. Applicants and their agents are expected to work closely and in cooperation with Township Staff or designee to make the affordable marketing and sales process as efficient and equitable as possible.

b) These documents will include clarifying information and procedures when requested by the Township. These procedures may be updated from time to time to increase the effectiveness of the affordable housing program.

10) **Inability to Rent or Sell Affordable Housing Units to Qualified Households.** If the applicant meets or exceeds the marketing requirements, referenced in section §27-716.9. above, for a period of one year from final certificates of occupancy issuance, and is still unable to lease or sell affordable units to qualified households, the applicant shall offer the affordable unit to the Township or its designee for purchase per §27-716.6.b.vi. If the Township or its designee does not purchase the affordable units, the applicant may pay the fee-in-lieu for the number of available affordable units. If the applicant has

Commented [WJ19]: Is one year enough? Should this be more?

met all other requirements for this chapter, this payment shall release the affordable units to market-rate units.

- 11) **Administration.** The Ferguson Township Planning and Zoning Department and/or designee shall administer and monitor activity under this chapter and shall report periodically to the Board of Supervisors, setting forth its findings, conclusions and recommendations for changes that will render the program more effective.
- 12) **Fees.** Fees to administer the program such as a monitoring fee, refinance fee, or resale fee, may be established by resolution by the Board of Supervisors, following written recommendation by the Township Manager and adopted as part of the Township's schedule of fees.

**CHAPTER 19
SIGNS AND BILLBOARDS**

**PART 1
SIGN REGULATIONS**

- §19-101. **Applicability.**
- §19-102. **Purpose and Findings.**
- §19-103. **Definitions.**
- §19-104. **General Provisions.**
- §19-105. **Construction Specifications.**
- §19-106. **Prohibited Signs.**
- §19-107. **Exempt Signs.**
- §19-108. **Temporary Signs.**
- §19-109. **Permanent Sign Types By Use Table.**
- §19-110. **Residential Uses.**
- §19-111. **Commercial Uses.**
- §19-112. **Office, Industrial and Institutional Use Signs.**
- §19-113. **Permits.**
- §19-114. **Review of Existing Permanent Signs.**
- §19-115. **Nonconforming Signs.**
- §19-116. **Removal of Certain Signs.**
- §19-117. **Administration and Enforcement.**
- §19-118. **Violations and Penalties.**
- §19-119. **Severability.**

§19-101. Applicability.

Any sign erected, altered, or maintained after the effective date of this part shall conform to the following regulations.

§19-102. Findings and Purpose.

The purpose of this chapter is to encourage the effective use of signs as a means of communication in the Township, to maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety, to minimize the possible adverse effect of signs on nearby private property, to enable the fair and consistent enforcement of these sign restrictions, and protect the public health, safety, and general welfare by:

1. **Findings.** The Board of Supervisors finds:
 - a. Signs provide a vital function for the convenience of the public and for the efficient communication of commercial and noncommercial speech.
 - b. Unlike oral speech, signs may cause harm by virtue of the physical space they occupy by obstructing views, distracting motorists, displacing alternative uses of land, and endangering the safety of person or property. The Township has a substantial and compelling interest in all of the purposes set forth below and has a substantial and compelling interest in regulating signs in such a way that the harms caused by signs might be reduced and mitigated.
 - c. Signs are essential to the health and economic well-being of the Township by:
 - i. Facilitating consumer transactions and other commercial and industrial activities that allow businesses to be successful, which in turn provides employment and supports a stable tax base; and
 - ii. Providing information and directions for the safe and efficient travel of motor vehicles, bicycles, and pedestrians.
 - d. Signs have a strong visual impact on the character and aesthetic appearance of the Township.
 - i. They are a prominent part of the Township and, as such, can enhance or detract from the Township's image and character and facilitate or impede the creation of an attractive and harmonious environment in the Township.
 - ii. Their suitability or appropriateness helps to define the way in which the Township and neighborhoods within the Townships are perceived.
 - e. The visual environment and character of the Township are important factors for economic well-being because they influence the Township's appearance and land values.
 - f. The visual environment and character of the Township, as well as the orderly flow of traffic and safety of travel, are diminished when visual clutter results and the vision of motorists, bicyclists, and pedestrians is obstructed by the unrestricted proliferation and placement of signs, or from the improper maintenance of signs.
 - g. Regulation of the size, height, number, and spacing of signs throughout the Township is necessary to protect the public safety, to assure compatibility of signs with surrounding land uses, to enhance the business and economy of the Township, to protect the public

investment in the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blights, to provide an aesthetically appealing environment, to provide ample, meaningful opportunities for persons who desire to display information by means of a sign to have their information seen and understood, and to provide for the orderly and reasonable display of advertising and other messages for the benefit of all persons in the Township.

- h. For these reasons, the needs of individual citizens, property owners, and businesses to convey their commercial and noncommercial messages must be balanced against the goals of the Township to ensure the safety of its roads and pedestrian-ways, maintain its desired character, and preserve and enhance the property values of property owners and businesses. The provisions of this Chapter do not entirely eliminate all of the harm that may be created by the installation of display of signs. Instead, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harm caused by signs.
 - i. The provisions of this Chapter do not apply to every form and instance of visual speech that may be displayed within the Township. They are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth below.
 - j. The provisions this Chapter are neither intended nor designed to restrict or control signs for the purpose of promoting or stifling any messages and content that might appear on them.
2. **Purpose.** The purpose of this Chapter is to:
- a. Promote and protect the public health, safety, and welfare of those within the Township;
 - b. Promote the efficient use of signs as a means of communication;
 - c. Ensure that the right to free speech is protected;
 - d. Maintain and enhance a visual environment that allows the Township to attract sources of economic development and supports the economic well-being of the Township's businesses;
 - e. Protect and enhance the character, quality, and viability of the Township's development and neighborhoods;
 - f. Protect scenic views and avoid sign clutter;
 - g. Reduce the distractions, obstructions, and hazards to pedestrian, bicycle, and auto mobile traffic caused by the excessive number, size, height, illumination, movement, indiscriminate placement, overconcentration, or unsafe construction or maintenance of signs;
 - h. Reasonably accommodate:
 - i. The identification and advertising needs of businesses, institutions, and other entities; and
 - ii. The needs of persons moving through the public spaces of the Township to identify and locate destinations and find desired products and services;
 - i. Ensure signs are compatible with their surroundings, and minimize potential adverse effects on nearby properties;

- j. Enhance property values and business opportunities; and
- k. Enable efficient and consistent permitting and enforcement.

§19-103. Definitions.

Words and terms used in this part shall have the meanings given herein. Unless expressly stated otherwise, any pertinent word or term not part of this part but vital to the interpretation of this part shall be construed to have their legal definition, or in absence of a legal definition, their meaning as commonly accepted.

1. Words used in the present tense shall include the future tense;
2. Words used in the plural number shall include the singular and plural number, and the plural number shall include the singular number;
3. The words "shall" and "will" are mandatory and are not discretionary;
4. The word "may" is permissive;
5. The word "lot" shall include the words "place," "parcel," and "premises";
6. The word "building" means a structure, including any part thereof having a roof and used for shelter or enclosure for persons or property;
7. The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," or any other legal activity;
8. The word "person" shall include the words "individual," "corporation," "governmental agency," "trust," "estate," "partnership," "association," "venture," "joint venture," "participant," or any other legal activity;
9. As used in this part, the following terms shall have the meanings indicated;

ABANDONED SIGN—A sign which has not identified or advertised a current business, service, owner, product, or activity for a period of at least 90 days.

ADDRESS SIGN—A sign that designates the street number and/or street name for identification purposes, as designated by the United States Postal Service. (Also known as a "nameplate sign.")

AGRICULTURAL COMMODITY AND PRODUCT SIGN/FARMER'S MARKET SIGNS—Signs for items sold from an agricultural activity.

ANIMATED SIGN—A sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical, or electronic means. Animated signs, which are differentiated from changeable signs as defined and regulated by this part, include the following types:

- A. **ENVIRONMENTALLY ACTIVATED**—Animated signs or devices motivated by wind, thermal changes, or other natural environmental input.
- B. **MECHANICALLY ACTIVATED**—Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.

C. **ELECTRICALLY ACTIVATED**—Animated signs producing the illusion of movement by means of electronic, electrical, or electromechanical input and/or illumination capable of stimulating movement through employment of the characteristics of one or both of the classifications noted below:

- 1) **FLASHING**—Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination.
- 2) **PATTERNED ILLUSIONARY MOVEMENT**—Animated signs or animated portions of signs whose illumination is characterized by stimulated movement through alternate illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

ATTRACTION-BOARD SIGN—A permanent sign on which the information is changed periodically and identifies special, unique, limited activities, services, products, or sales of limited duration. Also included in this definition are “digital display signs,” “message center sign,” and “changeable-copy sign.”

AWNING—A cloth, plastic, or other nonstructural covering that projects from a wall for the purpose of shielding a doorway or window. An awning is either permanently attached to a building or can be raised or retracted to a position against the building when not in use.

AWNING SIGN—Any sign that is part of or attached to the surface of an awning.

BALLOON—A rubber sac inflated with air or helium and then sealed at the neck, used as a child’s toy or as a decoration.

BALLOON SIGN—A lighter-than-air, gas-filled balloon, tethered in a fixed location, which contains an advertisement message on its surface or attached to the balloon in any manner. This includes inflatable tube-like signs with forced air.

BANDIT SIGN—A sign tacked, nailed, posted, pasted, glued, or otherwise attached to objects such as, but not limited to, trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public right-of-way or on any private property without the permission of the property owner. (Also known as a “snipe sign.”)

BANNER—Any cloth, bunting, plastic, paper, or similar nonrigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners. Banners are temporary in nature and do not include flags.

BEACON LIGHTING—Any course of electric light, whether portable or fixed, the primary purpose of which is to cast a concentrated beam of light generally skyward as a means of attracting attention to its location rather than to illuminate any particular sign, structure, or other object.

BUILDING FRONTAGE—The portion of a lot boundary abutting a street.

CANOPY—A structure other than an awning made of fabric, metal, or other material that is supported by columns or posts affixed to the ground and may also be connected to a building.

CANOPY SIGN—Any sign that is part of or attached to a canopy.

CHANGEABLE-COPY SIGN—A sign or portion thereof on which the copy or symbols change, either automatically through electrical or electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system. The two types of changeable-copy signs are manual changeable-copy signs and electronic changeable-copy signs, which include: message center signs, digital displays, and tri-version boards.

CHANNEL-LETTER SIGN—A sign consisting of fabricated or formed three-dimensional letters, individually applied to a wall, which may accommodate a light source.

CLEARANCE—The distance above the walkway, or other surface, if specified, to the bottom edge of a sign. This term can also refer to a horizontal distance between two objects.

DIGITAL DISPLAY—The portion of a sign message made up of internally illuminated components capable of changing the message periodically. Digital displays may include, but are not limited to, LCD, LED, or plasma displays.

DIRECTIONAL SIGN—Signs designed to provide direction to pedestrian and vehicular traffic into and out of, or within, a site.

EAVELINE—The line formed by the intersection of the wall and the roof of a building.



Example eaveline.
Rendering for illustrative purposes only.

ELECTRONIC MESSAGE CENTER—An electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. Also known as an EMC. EMCs typically use light emitting diodes (LEDs) as a lighting source.

EXTERNAL ILLUMINATION—See “illumination.”

FADE—A mode of message transition of an electronic message sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

FESTOON LIGHTING—A type of illumination comprised of either a group of incandescent light bulbs hung or strung overhead or on a building or other structure, or light bulbs not shaded, hooded, or otherwise screened to prevent direct rays of light from shining on adjacent properties or rights-of-way.

FLAG—Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only on edge or supported or anchored at only two corners.

FLASHING SIGN—A sign whose artificial illumination is not kept constant in intensity at all times when in use and which exhibits changes in light, color, direction, or animation. This definition does not include electronic message center signs or digital displays that meet the requirements set forth herein.

FREESTANDING SIGN—A sign installed upon the ground directly or through a structure designed for the exclusive purpose of supporting the sign, and not attached to a building or other structure. The following are subtypes of freestanding signs:

- A. **GROUND SIGN**—A sign permanently affixed to the ground at its base, supported entirely by a base structure and not mounted on a pole or attached to any part of a building. (Also known as a "monument sign.")
- B. **POLE SIGN**—A freestanding sign permanently affixed to one or more masts, poles, or open braces that are secured permanently to the ground and have as their principal purpose support of the sign, such that there is a minimum of two vertical feet of open air under any portion of the bottom of the sign.

GAS ISLAND CANOPY SIGNS (WITH OR WITHOUT KIOSK)—Signs for canopies over gas islands which may advertise corporate logos, names, letters, and symbols.

GAS STATION CANOPY—A freestanding, open-air structure constructed for the purpose of shielding service station islands from the elements.

GOVERNMENT/REGULATORY SIGN—Any sign for the control of traffic, for identification purposes, street signs, warning signs, railroad crossing signs, and signs of public service companies indicating danger or construction which are erected by or at the order of a public officer, employee, or agent thereof in the discharge of official duties.

GROSS SURFACE AREA—The area of a sign face shall be computed by means of the smallest square, circle, rectangle, or triangle which encompasses the extreme limits of characters, lettering, illustrations, logos, ornamentations, or other figures, together with any material or color forming an integral part of the background of the display, that is used to differentiate the sign from the backdrop or structure against which it is placed. Where the sign has two or more faces, the area of all faces shall be included in determining the gross surface area. Where the sign consists of individual letters or symbols attached to a building or wall, the area shall be considered to be that of the smallest square, circle, rectangle or triangle which encompasses all of the letters and symbols. The gross surface area shall not include any supporting structures, framing, pole, covers or bracing which is incidental to the display/sign itself and does not bear any advertising copy.

GROUND SIGN—See "freestanding sign."

HALO ILLUMINATION—See "illumination."

HOLIDAY DECORATIONS—Signs or displays, including lighting, which are a nonpermanent installation celebrating national, state, and local holidays, religious or cultural holidays, or other holiday seasons. (Also known as "seasonal decorations.")

ILLUMINATED SIGN—A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign, or externally illuminated by a light source aimed at its surface.

ILLUMINATION—A source of any artificial or reflected light, either directly from a source of light incorporated into an object, structure, or sign, or indirectly from an artificial source.

- A. **EXTERNAL ILLUMINATION**—Artificial light located away from the sign, which lights the sign, the source of which may or may not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.
- B. **INTERNAL ILLUMINATION**—A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Message center signs, digital displays, and signs incorporating neon lighting shall not be considered internal illumination for the purposes of this part.
- C. **HALO ILLUMINATION**—A sign using a three-dimensional message, logo, etc., which is lit in such a way as to produce a halo effect. (Also known as "back-lit illumination.")

INCIDENTAL SIGN—A sign that displays general site information, instructions, directives, or restrictions that are primarily oriented to pedestrians and motor vehicle operators who have entered a property from a public street. These signs shall not contain any commercial advertising.

INCIDENTAL WINDOW SIGN—Signs displayed in the window displaying information such as the business's hours of operation, credit institutions accepted, commercial and civic affiliations, and similar information. These signs shall be informational only and shall not contain a commercial message.

INFLATABLE SIGN—A sign that requires air pressure to maintain its shape, made of flexible fabric, tethered to the ground or structure.

INTERACTIVE SIGN—An electronic or animated sign that reacts to the behavior or electronic signals of motor vehicle drivers.

INTERNAL ILLUMINATION—See "illumination."

LEGIBILITY—The physical attributes of a sign that allow for an observer's differentiation of its letters, words, numbers, or graphics.

LOT—A designated parcel, tract, or area of land established by plat, subdivision, or otherwise permitted by law to be used, developed, or built upon as a single unit under single ownership or control.

MANUAL CHANGEABLE-COPY SIGN—A sign or portion thereof on which the copy or symbols are changed manually through placement or drawing of letters or symbols on a sign face.

MARQUEE—A permanent roof-like shelter constructed of durable material that is supported solely by the building to which it is attached, and projects from the building face. A marquee is

generally located at the main entrance to a building. This term does not include a canopy or an awning.

MARQUEE SIGN—A sign attached to or hung from a marquee.

MECHANICAL MOVEMENT SIGN—A sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or by another means but shall not include wind-activated movement such as is used for banners or flags. Mechanical movement signs do not include digital signs that have changeable, programmable displays.

MEMORIAL SIGN—A memorial plaque or tablet, including grave markers or other remembrances of persons or events, which is not used for a commercial message.

MENU SIGN—A permanent sign attached to a building or structure for displaying the bill of fare available at a restaurant, or other use serving food, or beverages.

MESSAGE CENTER SIGN—A type of illuminated, changeable copy sign that consists of electronically changing alphanumeric text often used for gas price display signs and athletic scoreboards.

MESSAGE SEQUENCING—The spreading of one message across more than one sign structure.

MULTI-TENANT SIGN—A freestanding sign used to advertise businesses that occupy a shopping center or complex with multiple tenants.

MURAL—A hand-produced work of visual art which is tiled or painted by hand directly upon, or affixed to an exterior wall of a building, that otherwise doesn't meet the definition of "sign".

NEON SIGN—A sign illuminated by a neon tube, or other visible light-emitting gas tube, that is bent to form letters, symbols, or other graphics.

NIT—A photometric unit of measurement referring to luminance. One nit is equal to one cd/m² (candlepower per meter squared).

NONCONFORMING SIGN—A sign that was legally erected and maintained before the effective date of this part, or amendment thereto, that does not currently comply with sign regulations of the district in which it is located.

OFF-PREMISES SIGN—An outdoor sign whose message directs attention to a specific business, product, service, event/activity, commercial/noncommercial activity, or contains a noncommercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located. (Also known as a "third-party sign," "billboard," or "outdoor advertising.")

OFFICIAL TRAFFIC SIGN—Official highway route number signs, street name signs, directional signs, and other traffic signs erected and maintained on public highways and roads in the interest of public safety or for the regulation of traffic.

ON-PREMISES SIGN—A sign whose message and design relate to an individual business, profession, product, service, event, point of view, or other commercial or noncommercial activity sold, offered, or conducted on the same property where the sign is located.

PENNANT—A triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

PERMANENT SIGN—A sign attached or affixed to a building, window or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

POLE SIGN—See "freestanding sign."

PORTABLE SIGN—A sign which is movable by a person without aid of a motor vehicle or other mechanical equipment.

- A. **SANDWICH-BOARD SIGN**—A type of freestanding, portable, temporary sign consisting of two faces connected and hinged and whose message is targeted to pedestrians. (Also known as an "A-frame sign.")
- B. **VEHICULAR SIGN**—A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits or is otherwise not incidental to the vehicle's primary purpose.

PRIVATE DRIVE SIGN—A sign indicating a street or drive which is not publicly owned and maintained to be used only for access by the occupants of the development and their guests.

PROJECTING SIGN—A building-mounted double-sided sign with the two faces generally perpendicular to the building wall, not to include signs located on a canopy, awning, or marquee. (Also known as "blade sign.")

PUBLIC SIGN—A sign erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification signs for public facilities.

REFLECTIVE SIGN—A sign containing any material or device which has the effect of intensifying reflected light.

REVOLVING SIGN—A sign which revolves in a circular motion rather than remaining stationary on its supporting structure.

RIGHT-OF-WAY—A corridor of land set aside for use, in whole or in part, by a street or other public purpose.

ROOF SIGN—A building-mounted sign erected upon, against, or over the roof of a building.

SANDWICH-BOARD SIGN—See "portable sign."

SCOREBOARD—A sign contained within an athletic venue and intended solely to provide information to the attendees of an athletic event.

SCROLL—A mode of message transition on an electronic message sign in which the message appears to move vertically or horizontally across the display surface.

SECURITY SIGN—An on-premises sign regulating the use of the premises, such as a "no trespassing," "no hunting," or "no soliciting" sign. (Also known as a "warning sign.")

SHIELDED—The description of a luminaire from which no direct glare is visible at normal viewing angles by virtue of its being properly aimed, oriented, or located which is properly fitted with devices such as shields, barn doors, baffles, louvers, skirts, or visors.

SIGN—Any device, fixture, placard, or structure which uses any color, form, graphic, logo, illumination, symbol, or writing which advertises, announces the purpose of or identifies the purpose of a product, service, place, activity, person, institution, business, or solicitation to the public. Also included are any emblems, painting, flags, banners, pennants, or placards designed to advertise, identify, or convey information and any permanently installed or situated sign merchandise.

SIGN AREA—See "gross sign area."

SIGN HEIGHT—The distance from the existing ground elevation at the base of or immediately below the sign to the highest point of the sign structure.

SIGN OFFICER—The Sign Officer shall be the Ferguson Township Zoning Administrator.

SIGN SUPPORTING STRUCTURE—Poles, posts, walls, frames, brackets, or other supports holding a sign in place.

STOREFRONT—The exterior facade of a building housing a commercial use that is visible from a street, sidewalk, or other pedestrian way accessible to the public and containing the primary entrance to the commercial establishment.

STREAMERS—A display made of lightweight, flexible materials consisting of long, narrow, wavy strips, hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind.

STREET POLE BANNER—A banner suspended above a public sidewalk and attached to a single street pole. These signs shall not contain any commercial advertising.

TEMPORARY SIGN—A temporary sign or display that is intended or constructed for display and generally constructed of lightweight materials and installed in a manner so as to be easily removed.

TOURIST-ORIENTED DIRECTIONAL SIGN (TOD), STATE RIGHT-OF-WAY—A 24-inch-by-72-inch or 16-inch-by-48-inch directional sign on blue or brown background that indicates the name of and gives directional guidance to the participant's location. These signs are located for individual participants, following PennDOT's TODs signage policy and are not part of a larger sign system. TOD signs are permitted in the state right-of-way.

TOURIST-ORIENTED DIRECTIONAL SIGN (TOD), TOWNSHIP RIGHT-OF-WAY—A sign that may include text, a symbol and directional arrow, not to exceed a total of six square feet. These smaller TOD signs are permitted within the Township right-of-way.

TRANSITION—A visual effect used on an electronic message sign to change from one message to another.

TRI-VISION BOARDS—An outdoor unit with a slatted face that allows three different copy messages to revolve at intermittent intervals.

VEHICULAR SIGN—See "portable sign."

VENDING MACHINE SIGN—A sign displayed on a vending machine indicating the name of the product being sold and/or the price of such product.

WALL SIGN—A building-mounted sign which is either attached to, displayed on, or painted on an exterior wall in a manner parallel with the wall surface which projects not more than 12 inches from that wall or surface. A sign installed on a false or mansard roof is also considered a wall sign. (Also known as: "fascia sign," "parallel wall sign," or "band sign.")

WARNING SIGN—See "security sign."

WINDOW SIGN—A sign which is painted on, applied to, or affixed to a window or door, or located within three feet of the interior of the window or door, and is legible and intended to be read from the exterior of the building.

YARD SIGN—A lightweight, temporary, freestanding sign that is generally installed in the ground on a wooden post or a thin frame made of metal.

ZONING HEARING BOARD—The Zoning Hearing Board of Ferguson Township.

ZONING ORDINANCE—The Zoning Ordinance of Ferguson Township (Chapter 27).

§19-104. General Provisions.

1. Basis on Which Signs Are Regulated. The display of signs in Ferguson Township is hereby regulated on the basis of the following factors:
 - A. Type of sign;
 - B. Area of the sign;
 - C. Height of the sign;
 - D. Location of the sign;
 - E. Number of signs permitted on a property.
2. Sign Illumination.

All sign illumination will comply with Ferguson Township's Lighting Ordinance §4-111.

 - A. Illumination. Signs may be illuminated, unless specified otherwise herein, consistent with the following standards:

- 1) Light Sources. Light sources to illuminate signs shall neither be visible from any street right-of-way, nor cause glare hazardous or distracting to pedestrians, vehicle drivers, or abutting properties.
 - 2) Detectable Light. No more than 0.2 footcandle of light shall be detectable at the boundary of any abutting property.
- B.** Message Duration. The length of time each message may be displayed on an attraction-board sign shall be no less than 10 seconds.
- C.** Types of Illumination. Where permitted, illumination may be:
- 1) External. Externally illuminated signs, where permitted, are subject to the following regulations:
 - a) The source of the light must be concealed by translucent covers.
 - b) External illumination shall be by a steady, stationary light source, shielded and directed solely at the sign. The light source must be static in color.
 - 2) Internal. Internally illuminated signs, where permitted, are subject to the following regulations:
 - a) Internal illumination, including neon lighting, must be static in intensity and color.
 - b) Attraction-board signs are permitted in accordance with the regulations contained in Table 1:

**Table 1
PERMITTED TYPES OF ILLUMINATION BY USE.**

Use	Illumination Type				Brightness Limitation for Digital Displays and Message Centers	Motion Limitation	Site Limitation	
	Internal	Message Center Sign	External	Digital Display			Digital Display Signs as a Max % of Total Sign Area on Site	Message Center Signs as a Max % of Sign Area
Residential Agriculture and Rural	N	N ^{2*}	N ¹	N	N/A	N/A	N/A	N/A
Office and General Commercial	Y	Y	Y	Y	Daytime: 5,000 nits **Nighttime: 750 nits	10 Seconds	N/A	50%
Industrial/ IRD	Y	N*	Y	N	Daytime: 5,000 nits **Nighttime: 750 nits	10 Seconds	N/A	N/A
Off-premises ¹	N	N	Y	N	N/A	N/A	N/A	N/A
Temporary signs ¹	N	N	N	N	N/A	N/A	N/A	N/A
Portable signs ¹	N	N	N	N	N/A	N/A	N/A	N/A

- 1 Off-premises, temporary and portable signs are subject to the illumination regulations governing off-premises, temporary and portable signs, rather than the illumination standards governing the specific district where the sign is located.
- 2 Excludes signs located in parks or recreational facilities.
- 3 Excludes scoreboards located in parks or recreational facilities.
- * Place of assembly sign permitted.
- ** United States Sign Council: 2016.

3. Attraction Boards. Subject to the following regulations, in addition to all other illumination requirements established in this section.
 - A. Sign Type. Attraction boards shall be attached to the freestanding sign.
 - B. Height. If the attraction board is separated from the main freestanding pole sign, the attraction board may not project higher than 15 feet as measured from grade level directly below the base of the sign or grade of the nearest adjacent roadway, whichever is higher. If the attraction board is separated from the main freestanding sign, it shall be serrated by a minimum of 12 inches from the main freestanding pole sign.
 - C. Area. Ten square feet per face.
 - D. Maximum Number. One sign per freestanding sign.
 - E. Message Display.
 - 1) No attraction-board sign may contain text which flashes, pulsates, moves, or scrolls. Each complete message must fit on one screen.
 - 2) The content of an attraction-board sign must transition by changing instantly (e.g., no fade-out or fade-in).
 - 3) Default Design. The sign shall contain a default design which shall freeze the sign message in one position if a malfunction should occur.
 - 4) No attraction-board sign shall contain red electronic lettering.
 - F. Daylight Hours. During daylight hours between sunrise and sunset, luminance shall be no greater than 5,000 nits.
 - G. Other Times. At all other times, luminance shall be no greater than 750 nits.
 - H. Light-Sensing Device. Each sign must have a light-sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change to comply with the limits set here within.
 - I. Public Service Announcements. The owner of every attraction-board sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public, including, but not limited to, Amber alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.
 - J. The owner of any attraction board shall arrange for a certification showing compliance with the brightness standards set forth herein by an independent contractor and provide the certification documentation to Ferguson Township as a condition precedent to the issuance of a sign permit.
4. Electrical Standards.
 - A. The electrical, solar, or battery supply to all exterior signs, whether to the sign itself or to lighting fixtures positioned to illuminate the sign, shall be provided by means of concealed cables. Electrical, solar, or battery supply to freestanding signs shall be provided by means of underground cables.

§19-105. Construction Specifications.

All permanent signs permitted by this part shall be constructed in accordance with the provisions of this section. When applicable, a building permit shall be obtained for sign construction.

1. Compliance with Applicable Codes. In addition to complying with the provisions of this part, all signs shall be constructed in accordance with the provisions of the International Building Code (Chapter 5, Part 1) and Electrical Code-of the Township of Ferguson (Chapter 5, Part 2), latest adopted edition.

§19-106. Prohibited Signs.

The following signs are unlawful and prohibited:

1. Signs within the Township right-of-way, except for governmental signs/regulatory signs and official traffic signs.
2. Abandoned signs.
3. Bandit signs. Signs shall only be attached to utility poles in conformance with state and utility regulations and the requirements of this chapter.
4. Signs placed on or painted on a vehicle parked with the primary purpose of providing signage not otherwise allowed in this part.
5. Mechanical movement signs, including revolving signs.
6. Pennant strings and streamers, balloons and other gas-filled figures, except as a temporary sign.
7. Any signs that imitate, resemble, interfere with, or obstruct official traffic lights, signs, or signals.
8. A-frame, or sandwich board, and sidewalk, or curb signs, except as a temporary sign.
9. Signs which emit smoke, visible vapors, particulate matter, sound, odor, or contain open flames.
10. Interactive signs.
11. Signs incorporating beacon or festoon lighting.
12. Roof signs.
13. Signs erected without the permission of the property owner, with the exception of those authorized or required by local, state, or federal government.
14. Signs which are attached or otherwise affixed to trees or other living vegetation, except for security and warning signs.
15. Signs which are attached or otherwise affixed to a building and project more than 16 inches beyond the wall surface of such building to which the sign is attached or otherwise affixed.
16. Portable and Wheeled Signs, except as a temporary sign.

§19-107. Exempt Signs.

The following signs shall be allowed without a sign permit and shall not be included in the determination of the type, number, or area of permanent signs allowed within a zoning district, provided such signs comply with the regulations in this section, and shall not be permitted in the right-of-way, except where noted in the section below.

1. For each roadway frontage on a parcel of land that is actively marketed for sale, lease, or rent.
 - A. Residential Uses.
 - i. Unlighted sign that does not exceed three (3) feet in height and four (4) square feet per face.

- ii. Signs shall be located on the property that is actively marketed and shall be removed within ten (10) days upon completion of the sale, letting or hiring, lease or rental of the subject property.
 - B. Commercial Uses.
 - i. Unlighted sign that does not exceed thirty two (32) square feet per face.
 - ii. Signs shall be located on the lot and shall be removed within ten (10) days upon completion of the sale, letting or hiring, lease or rental of the subject property.
- 2. Up to two signs stating address, number, and/or name of occupants of the premises and do not include any commercial advertising or other identification.
 - A. Residential Uses. Signs not to exceed three square feet per face.
 - B. Commercial Uses. Signs not to exceed five square feet per face.
- 3. Non-illuminated "No Trespassing" or other signs serving as notice from an owner or tenant to persons not on the premises that entry to the premises is prohibited or restricted in accordance with Title 75, Pa.C.S.A., the Pennsylvania Vehicle Code and its regulations, as set forth in Title 18, Pa.C.S.A., the Pennsylvania Crimes Code and its regulations.
 - A. Residential Uses. Signs not to exceed two square feet per face.
 - B. Commercial Uses. Maximum of one large sign per property, not to exceed five square feet per face. All other posted security and warning signs may not exceed two square feet per face.
- 4. Flags.
 - A. Location. Flags and flagpoles shall not be located within any right-of-way.
 - B. Height. Flags shall have a maximum height of 30 feet.
 - C. Number. No more than two flags per lot on residential lots, no more than three flags per lot on all other lots.
 - D. Size. Maximum flag size is 24 square feet per face in residential districts, 35 square feet per face in all other districts.
 - E. Flags Containing Commercial Messages. Flags containing commercial messages may be used as permitted freestanding or projecting signs, within districts that have commercial uses.
 - F. Noncommercial Messages. Flags up to three square feet per face containing noncommercial messages.
 - G. Noncommercial Signs. Flags, emblems, and insignia of political, professional, religious, educational, or fraternal organizations, providing that such flags, emblems, and insignia are displayed for noncommercial purposes.
- 5. Any sign required to be erected by Township, state or federal law.
- 6. Any sign consisting of a solid plate of bronze or similar corrosion-resistant metal and does not exceed four square feet per face.
 - A. Attached. A sign that is permanently attached to a building.
 - B. Freestanding. Installed in the ground below a tree, not to exceed two feet in height and the placement is not endangering the safety of person or property.
- 7. Any sign carved into masonry that is integral to a structure.

8. Signs advertising the variety of crop growing in a field. Such signs shall be removed after the harvest season.
9. Incidental signs, including incidental window signs.
10. Parking lot directional and instructional signs.
 - A. Directional signs designating parking area entrances and exits limited to one sign for each entrance and/or exit and not exceeding four square feet per face for each exposed face. Parking lot directional signs shall not project higher than five feet in height, as measured from the established grade of the parking area to which such signs are accessory. These signs are limited to the name and logo of the business being directed to.
 - B. Instructional signs designating the conditions of use or identity of parking areas and not exceeding eight square feet per face for each exposed face nor exceeding an aggregate gross surface area of 16 square feet. Parking lot instruction signs shall not project higher than 10 feet for wall signs and seven feet for freestanding signs, as measured from the established grade of the parking area(s) to which such signs are accessory.
11. A mural or work of visual art that conforms with the following standards shall be exempt from regulation.
 - A. Mural of work of art that meets all of the following criteria:
 - i. Does not exceed 300 square feet,
 - ii. Contains less than three percent (3%) text,
 - iii. Be located on a commercial building at least fifty feet from an arterial street, and
 - iv. Remain intact for a minimum of two years.
12. Temporary signs in accordance with §19-108.
13. Farms may have a total of three signs: farm name, century farm sign, and preserved farm sign. The signs may not exceed 20 square feet per face or 40 square feet total. The farm may have duplicate signs posted once along the frontage of every street abutting the property.
14. Signs placed on or affixed to the side of vehicles and/or trailers where the sign is incidental to the primary use of the vehicle or trailer. However, this is not in any way intended to permit signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property, with the exception of self-propelled, licensed vehicles with no more than two axles where the vehicles are parked in the parking lot for the use which the vehicles serves. A sign affixed to the side of a vehicle may not exceed the limits of the side of the vehicle that it is affixed to. Signs affixed to or wrapped around public transportation vehicles are included.
15. Awning, canopy and marquee signs. Signs not exceeding an aggregate gross surface area of four square feet.
16. Signs erected for the limited time period of two weeks during a year in the AR Zoning District and on the grounds commonly used for the Agricultural Progress Days.
17. Signs erected on the internal and external perimeter of an organizational sponsored athletic field. Signs shall be one-sided.

The following exempt signs are permitted within the Township right-of-way:

18. Official traffic signs.
19. Government/regulatory, Public signs. Signs erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossings, and identification or directional signs for public facilities.
20. Private drive signs. One sign per driveway entrance, not to exceed two square feet per face.
21. Tourist-orientated directional signs within Township right-of-way. TOD signs are not to exceed three signs per attraction/destination. A TOD sign may include text, symbol, and directional arrow; the total sign area of all three signs combined shall not exceed six square feet per face.
22. Tourist-orientated directional signs within state right-of-way. A 24-inch-by-72-inch or 16-inch-by-48-inch directional sign following PennDOT's TODs signage policy.
23. A sign advertising the sale of miscellaneous household goods, often held in the garage or yard of a residential dwelling. The sign may not be posted for more than 10 consecutive days.

§19-108. Temporary Sign Standards.

1. Temporary signs may be erected based upon the Temporary Signs Allowed by Use Type table. The types of temporary signs allowed for each use are identified in **Table 2: Temporary Signs Allowed by Use Type**. For each type of sign, the right-most column in Table 2 references the specific standards that apply to that type of sign.

**Table 2
TEMPORARY SIGNS ALLOWED BY USE TYPE.**

TYPE OF SIGN PERMITTED	NUMBER OF SIGNS PER BUSINESS	STANDARDS
ATTACHED COMMERCIAL USE SIGNS		
Banner	One (1)	§ 19-108.3.A.
Banner Sign across a State Highway		§ 19-108.3.B.
Wall	One (1)*	§ 19-108.3.C.
Window	20% of façade area comprised of windows	§ 19-108.3.D.
* If a property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional wall sign may be permitted so long as there is a minimum spacing of 200 feet between the two wall signs.		
FREESTANDING COMMERCIAL USE SIGNS		
Inflatable and Balloon	N/A	§ 19-108.4.A.
Freestanding	One (1)**	§ 19-108.4.B.
Portable	Two (2)	§ 19-108.4.C.
** If a property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional wall sign may be permitted so long as there is a minimum spacing of 200 feet between the two wall signs.		
TYPE OF SIGN PERMITTED	NUMBER OF SIGNS PER LOT	STANDARDS
ATTACHED RESIDENTIAL USE SIGNS		
Wall	One (1)***	§ 19-108.5.A.
*** One large temporary sign is permitted per residential use so long as the property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area.		
FREESTANDING RESIDENTIAL USE SIGNS		
Portable	Three (3)	§ 19-108.6.A.

- A. Temporary signs are non-illuminated and constructed from materials that do not degrade over the life of the sign.
- B. Temporary signs must be safely and securely fastened, mounted, and/or affixed to the ground to prevent damage to the sign, surrounding structures, and people, especially considering potentially adverse weather conditions.
- C. The placement of temporary signs must not interfere with pedestrian traffic, curb ramps, or access to buildings, driveways, fire escapes, or otherwise restrict access to, any parking spaces necessary to fulfill the requirements of §22-501C. Off-Street Parking and Loading Regulations.
- D. Temporary Construction Signs. All temporary construction signs are permitted at issuance of a Zoning Permit. All temporary construction signs will be removed from the construction site, no more than 30 days after an Occupancy Permit has been issued.

2. Removal

- A. Ferguson Township and/or the property owner may confiscate signs installed in violation of this chapter. Neither Ferguson Township nor the property owner are responsible for notifying sign owners of confiscation of an illegal sign.
 - B. Permission. The party posting the temporary sign is solely responsible for obtaining the permission of the property owner before posting their temporary sign.
 - C. Installation and Maintenance.
 - i. Temporary signs that are frayed, torn, broken, or that are no long legible will be deemed unmaintained and will be required to be removed by a Township official.
3. Standards for Temporary Attached Signs for Commercial Uses
- A. Banner Sign
 - i. One large temporary banner sign is permitted per business for all commercial uses. If a property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional banner sign may be permitted so long as there is a minimum spacing of 200 feet between the two banner signs.
 - ii. The temporary banner sign shall have a maximum area of 32 square feet per face.
 - iii. The temporary banner sign shall hang at a height no greater than 20 feet.
 - iv. A temporary banner sign shall be displayed no more than four times a year per business, for a period of time not to exceed 30 days.
 - B. Banner Sign across a State Highway
 - i. No banner sign shall be attached to any utility pole.
 - ii. No banner sign shall be erected in such a manner as to create an unsafe condition for motor vehicles, bicycles or pedestrian traffic.
 - iii. A banner across a State Highway is authorized by Title 67, Chapter 212, Section 212.7 only after obtaining written consent from the Pennsylvania Department of Transportation. The Traffic Engineering Manual (Pub 46) provides banner requirements, process and guidance for the Pennsylvania Department of Transportation when considering requests to install banners across State Highways.
 - C. Wall Sign
 - i. One large temporary wall sign is permitted per business for all commercial uses. If a property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional wall sign may be permitted so long as there is a minimum spacing of 200 feet between the two wall signs.
 - ii. The temporary wall sign shall have a maximum area of 16 square feet per face.
 - iii. A temporary wall sign shall be displayed no more than once a year per business, for a period of time not to exceed 30 days.
 - D. Window Sign
 - i. Each story of a building may have one window sign, not exceeding 20 percent of the total window area for the story the sign is being installed on.

- ii. A window sign shall not be illuminated by any source other than a source external to the sign.
- 4. Standards for Temporary Freestanding Signs for Commercial Uses
 - A. Inflatable and Balloon Signs.
 - i. Not project above the roof line or top of the building structure;
 - ii. Not to be designed to generate animation or movement;
 - iii. The placement must not interfere with pedestrian traffic, curb ramps, or access to buildings, driveways, or fire escapes; and
 - iv. Be displayed no more than four times a year per lot, for a period of time not to exceed seven days.
 - B. Freestanding Sign
 - i. One large temporary freestanding sign is permitted per business for all commercial uses. If a property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one additional freestanding sign may be permitted so long as there is a minimum spacing of 200 feet between the two freestanding signs.
 - ii. The temporary freestanding sign shall have a maximum area of 16 square feet per face.
 - iii. Large temporary signs that are freestanding shall have a maximum height of eight feet.
 - C. Portable Sign
 - i. Two signs are permitted per establishment/business.
 - ii. Sign area shall not exceed 9 square feet per face.
 - iii. The placement of the sign must not interfere with pedestrian traffic, curb ramps, or access to buildings, driveways, or fire escapes.
 - iv. The sign shall not be affixed, chained, anchored, or otherwise secured to any pole, tree, tree grate, fire hydrant, railing, or other structure.
 - v. The sign shall be permitted to be displayed during business hours and removed at close of business daily.
- 5. Standards for Temporary Attached Signs for Residential Uses
 - A. Wall Sign
 - i. One large temporary wall sign is permitted per residential use so long as the property is greater than two acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area.
 - ii. The temporary wall sign shall have a maximum area of 32 square feet per face.
- 6. Standards for Temporary Freestanding Signs for Residential Uses
 - A. Portable Sign
 - i. Up to three portable signs having a sign area not exceeding 3 square feet per face are permitted per residential lot.
 - ii. A portable sign shall not exceed six feet in height.

§19-109. Permanent Sign Types By Use Table.

Table 3
PERMANENT SIGN TYPES BY USE.

TYPE OF SIGN PERMITTED	ATTACHED (A) / FREESTANDING (F)	STANDARDS
RESIDENTIAL USE SIGNS		
RESIDENTIAL		
Building Name & Address	A/F	§19-110.1.
Residential Development	F	§19-110.2.
Home Occupation	F	§19-110.3.
COMMERCIAL USE SIGNS		
COMMERCIAL		
Wall	A	§ 19-111.1.A.
Freestanding	F	§ 19-111.1.B.
Projecting	A	§ 19-111.1.C.
Awning, Canopy & Marquee	A	§ 19-111.1.D.
Attraction Board	A to F	§ 19-111.1.E.
Billboards & Off-Premises	F	§ 19-111.1.F.
Window	A	§ 19-111.1.G.
SHOPPING CENTER SIGNS		
Wall	A	§ 19-111.2.A.
Freestanding	F	§ 19-111.2.B.
Awning, Canopy & Marquee	A	§ 19-111.2.C.
Attraction Board	F	§ 19-111.2.D.
AUTOMOBILE SERVICE STATION SIGNS		
Wall	A	§ 19-111.3.A.
Freestanding	F	§ 19-111.3.B.
Awning, Canopy & Marquee	A	§ 19-111.3.C.
Service Bay Identification	A	§ 19-111.3.D.
Service Island Identification	A/F	§ 19-111.3.E.
Convenience Store	A	§ 19-111.1./ § 19-111.3.E.
Gas Island Canopy	A	§ 19-111.3.G.
OFF-PREMISES DIRECTIONAL/DIRECTORY SIGNS	A/F	§ 19-111.4.
ADULT BUSINESS SIGNS		
Wall	A	§ 19-111.7.A.
AUTOMOBILE DEALERSHIP SIGNS		
Wall	A	§ 19-111.8.A.
Freestanding	F	§ 19-111.8.B.
Awning, Canopy & Marquee	A	§ 19-111.8.C.
Service Bay Identification	A	§ 19-111.8.D.

OFFICE, INDUSTRIAL AND INSTITUTIONAL USE SIGNS		
OFFICE, INDUSTRIAL AND INSTITUTIONAL SIGNS		
Wall	A	§ 19-112.1.A.
Freestanding	F	§ 19-112.1.B.
Projecting	A	§ 19-112.1.C.
Awning, Canopy, & Marquee	A	§ 19-112.1.D.
Landscaped Ground	F	§ 19-112.1.E.
OFFICE & INDUSTRIAL PARK SIGNS	F	§ 19-112.2.
DIRECTORY SIGNS	A/F	§ 19-112.3.
OFF-PREMISES DIRECTIONAL/DIRECTORY SIGNS	A/F	§ 19-112.4.
INSTITUTIONAL ATTRACTION BOARDS	A/F	§ 19-112.5.
<i>For Commercial Uses: Please see §19-107.10. Parking lot directional and instructional signs.</i>		

§19-110. Residential Uses.

For all residential uses, only the following signs are hereby permitted and then only accessory and incidental to a permitted or special use: (It shall be noted that all residential address labeling should be referred to Chapter 11, Housing, of the Ferguson Township Code.)

1. Building Name and Address Signs. Name and address signs of buildings containing six or more residential units indicating only the name of the building, the name of the development in which it is located, the management thereof and/or address of the premises shall be subject to the following:
 - A. Type. Building name and address signs may be either wall signs or freestanding signs.
 - B. Number. There shall not be more than one name and address sign for each building, except that, where a building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
 - C. Area. Building name and address signs shall not exceed four square feet per face, nor exceed an aggregate gross surface of eight feet.
 - D. Location. Building name and address signs shall not be located closer than 1/2 the minimum setback required for the zoning district in which the sign is to be erected or within 15 feet of any point of vehicular access from zoning lot to a public roadway, whichever is greater. The location and arrangement of all building name and address signs shall be subject to the review and approval of the Sign Officer.
 - E. Height. Building name and address signs shall not project higher than 15 feet for wall signs and seven feet for freestanding signs as measured from base of sign or building to which the sign is to be affixed or grade of the nearest adjacent roadway, whichever is higher.
2. Residential Development Signs. Residential development signs indicating only the name of the development and/or the address or location of the development shall be subject to the following:
 - A. Type. The residential development signs shall be freestanding signs.

- B. Number. There shall not be more than two residential development signs for each point of vehicular access to a development.
 - C. Area. Residential development signs shall not exceed 20 square feet per face. The total aggregate surface area shall not exceed 40 square feet for each point of vehicular access to a development.
 - D. Location. Residential development signs may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway. The location and arrangement of all residential development signs shall be subject to the review and approval of the Sign Officer.
 - E. Height. Residential development signs shall not project higher than seven feet as measured from the base of the sign or grade of the nearest adjacent roadway, whichever is higher.
3. Home Occupation Sign. Signs which indicate the name and address of a home occupation shall be subject to the following:
- A. Type. The home occupation sign shall be a freestanding sign.
 - B. Number. There shall not be more than one home occupation sign per house.
 - C. Area. The home occupation sign shall not exceed 5 square feet per face or 10 square feet gross aggregate sign area.
 - D. Location. The home occupation sign may be located on the lot but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway. The location of all home occupation signs shall be subject to the review and approval of the Sign Officer.
 - E. Height. Home occupation signs shall not project higher than five feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher.
 - F. Exempt Signs. Exempt signs as specified in § 19-107.
 - G. Temporary Signs. Temporary signs as specified in § 19-108.

§ 19-111. Commercial Uses.

For all commercial uses, only the following signs are hereby permitted and then only if accessory and incidental to a permitted or special use:

- 1. Commercial Use Signs. Commercial use signs, other than those subject to special conditions in later subsections of this section, shall be subject to the following:
 - A. Wall Signs.
 - 1. Number. There shall not be more than one wall sign for each principal building, except that, where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
 - 2. Area. The gross surface area of a wall sign shall not exceed 10% of the area of the building wall, including doors and windows, to which the sign is to be affixed or 64 square feet per face, whichever is smaller. The gross surface area of a wall

sign may be increased by 20%, except that the gross surface of the sign shall not exceed 64 square feet per face if such wall sign:

- a) Consists only of individual, outlined alphabetic, numeric and/or characters without background, except that provided by the building surface to which the sign is to be affixed.
 - b) If illuminated, such illumination is achieved through shielded spot lighting, but not any lighting where the light source is visible or exposed on the face or sides of the characters.
3. Location. A wall sign may be located on the outermost wall on any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed. The location and arrangement of all wall signs shall be subject to the review and approval of the Sign Officer.
 4. Height. A wall sign shall have a maximum height no greater than twenty-five (25) feet or the eaveline.
 5. Special Conditions. Where a principal building is devoted to two or more permitted uses, the following chart shall determine the size of the sign permitted per business:

Number of Businesses in Buildings	Maximum Square Feet Per Face Permitted per Business
1	64
2	32
3	24
4 or more	20

In this case, where there are two or more permitted uses within a building, it shall be the responsibility of the building owner to apply for and sign for the sign permit.

B. Freestanding Signs.

1. Number. There shall not be more than one freestanding sign for each lot, with the exception of a commercial property where the entrances are along an arterial street and two or more principal buildings exist on the lot. For a lot with two or more buildings on the lot, no more than two freestanding signs shall be permitted.
2. Corridor Overlay. If a parcel is located within the corridor overlay, two freestanding signs are permitted if the parcel has two or more principal buildings and where entrances are along an arterial street.
3. Area. The gross surface area of a freestanding sign shall not exceed 32 square feet per face, nor exceed an aggregate gross surface area of 64 square feet.
4. Location. A freestanding sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.

5. Height. A freestanding sign shall not project higher than 25 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay Ordinance.

C. Projecting Signs.

1. Number. There shall not be more than one projecting sign per business.
2. Projecting signs may project over public rights-of-way only where front yards of less than five feet in depth are provided, subject to the following regulations:
 - a) Such signs shall not extend more than half of the distance between the building and the curblineline or nearest edge of the street surface, whichever is least;
 - b) No portion of any such sign shall be less than eight feet above the grade directly below the sign;
 - c) May not exceed six square feet per face; and
 - d) May not be illuminated.

D. Awning, Canopy and Marquee Signs.

1. Number. There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of four square feet for each principal building. Awning, canopy and marquee signs which are four square feet or less in aggregate gross surface area are exempt from the provisions of this part, as specified in § 19-107.
2. Area. The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet or not more than 50% of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is affixed.
3. Height. Any awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed.

E. Attraction Boards.

1. Type. Attraction boards shall be attached to the main freestanding sign.
2. Number. Each lot with a retail/wholesale commercial use (except automobile dealerships and automobile service stations) may erect a single attraction board identifying special, unique, limited activities, services, products or sale of limited duration occurring on the retail/wholesale commercial lot or where the attraction board is to be located.
3. Area. The gross surface area of a retail/wholesale commercial lot attraction board shall not exceed 10 square feet per face, nor exceed 20 square feet in aggregate gross surface area.
4. Location. A retail/wholesale commercial premises attraction board may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
5. Height. If the attraction board is separated from the main freestanding pole sign, the attraction board may not project higher than 15 feet as measured from grade level directly below the base of the sign or grade of the nearest adjacent

roadway, whichever is higher. If the attraction board is separated from the main freestanding sign, it shall be separated by a minimum of 12 inches from the main freestanding pole sign.

F. Billboards and Off-Premises Signs.

1. Number. One billboard or off-premises sign may be erected, constructed or maintained on any premises in a General Commercial Zoning District, provided the proposed billboard or off-premises sign shall meet the following criteria and be required to adhere to the following regulations. Any special exception granted shall meet the following criteria and be required to adhere to the following regulations.
2. Area. An off-premises sign or billboard shall not exceed 300 square feet per face, and each such sign shall have only one exposed face.
3. Spacing. An off-premises sign or billboard shall not be closer than 1,000 feet to another off-premises sign or billboard along the same side of any street or highway.
4. Spacing at Intersections. An off-premises sign or billboard shall not be located within 150 feet of any street intersection.
5. Location. An off-premises sign or billboard shall only be permitted in the General Commercial Zoning District only on lots which do not have a freestanding sign. The sign shall be located in accordance with the yard setbacks for structures in the General Commercial Zoning District. If a billboard is erected, no freestanding sign will be permitted.
6. Height. An off-premises sign or billboard shall not project higher than 22 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower.
7. Engineering Certification. Any applications for an off-premises sign or billboard shall be accompanied by certification under seal by a professional engineer that the existence of the off-premises sign or billboard, as proposed, shall not present a safety hazard

G. Window Sign

1. On any story of a building, the total sign area of window signs shall not exceed 20 percent of the façade area comprised of windows.
2. A window sign shall not be illuminated by any source other than a source external to the sign.

2. Shopping Center Signs.

A. Wall Signs.

1. Number. There shall not be more than one wall sign for each principal tenant or use contained in a shopping center, except that, where a tenant or use abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.

2. Area. The gross surface area of a wall sign shall not exceed 10% of the tenant's or user's proportionate share of the building wall to which the sign is to be affixed or 50 square feet, whichever is smaller.
3. Location. A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed.
4. Height. A wall sign shall have a maximum height no greater than twenty-five (25) feet or the eaveline.

B. Freestanding Signs.

1. Number. There shall not be more than one freestanding sign for each shopping center.
2. Area. The gross surface area of a freestanding sign shall not exceed a maximum of one square foot of gross aggregate surface area for each 1 1/2 linear feet of front footage of the lot, not to exceed 100 square feet per face, nor exceed 200 square feet of gross aggregate surface area.
3. Location. A freestanding sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.
4. Height. A freestanding sign shall not project higher than 25 feet as measured from grade level directly below the base of the sign or grade of the nearest adjacent roadway, whichever is lower. If the lot is located in the Corridor Overlay District, the height shall be controlled by the Corridor Overlay Ordinance and the regulations of the underlying zone.
5. Directory Signs. Each shopping center freestanding sign may include affixed directly to it a directory indicating only the names of the tenants of the shopping center in which the sign is to be located. The gross surface area of a directory shall not exceed 10 square feet per face, nor exceed an aggregate gross surface area of 20 square feet for each tenant located in the shopping center in which the sign is to be located.

C. Awning, Canopy and Marquee Signs.

1. Number. There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of 24 square feet for each principal building. Awning, canopy and marquee signs which are four square feet or less in aggregate gross surface area are exempt from the provisions of this part as specified in § 19-107.
2. Area. The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, but be limited to not more than 50% of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is to be affixed.
3. Height. An awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed.

D. Attraction Board.

1. Type. Shopping center attraction boards shall be freestanding signs.
 2. Number. Each shopping center may erect a single attraction board identifying special, unique, limited activities, services, products or sale of a limited duration occurring within the shopping center in which the attraction board is to be located.
 3. Area. The gross surface area of a shopping center attraction board shall not exceed 50 square feet per face, nor exceed an aggregate gross surface area of 100 square feet.
 4. Location. A shopping center attraction board may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
 5. Height. If the sign is separate from the main freestanding pole sign, a shopping center attraction board shall not project higher than 15 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher. If the attraction board is part of and mounted on the main freestanding pole sign, the attraction sign shall be separated by a minimum of 12 inches from the main shopping center sign. If the lot is located in the Corridor Overlay District, the height shall be controlled by the Corridor Overlay Ordinance and the regulations of the underlying zoning district.
3. Automobile Service Station Signs. Automobile service station signs shall be subject to the following:
- A. Wall Signs.
 1. Number. There shall not be more than one wall sign for each principal building, except that, where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
 2. Area. The gross surface area of a wall sign shall not exceed 10% of the area of the building wall to which it is to be affixed or 64 square feet per face, whichever is smaller. The gross surface area of a wall sign may be increased by 20%, except that the gross surface area of the sign shall not exceed 64 square feet per face, if such wall sign:
 - a) Consists only of individual, outlined alphabetic, numeric and/or symbolic characters without background except that provided by the building surface to which the sign is to be affixed.
 - b) If illuminated, such illumination is achieved through shielded illumination, shielded silhouette lighting or shielded spot lighting, but not any lighting where the light source is visible or exposed on the face or sides of the characters.
 - c) Location. A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed.
 - d) Height. A wall sign shall have a maximum height no greater than twenty-five (25) feet or the eaveline.

- B. Freestanding Signs.
 - 1. Number. There shall not be more than one freestanding sign for each lot.
 - 2. Area. The gross surface area of a freestanding sign shall not exceed 32 square feet per face, nor exceed an aggregate gross surface area of 64 square feet.
 - 3. Location. A freestanding sign may be located in any required yard but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.
 - 4. Height. A freestanding sign shall not project higher than 25 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay District and the regulations of the underlying zone.
- C. Awning, Canopy and Marquee Signs.
 - 1. Number. There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of four square feet for each principal building. Awning, canopy and marquee signs which are four square feet or less in aggregate gross surface area are exempt from the provisions of this part, as specified in § 19-107.
 - 2. Area. The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, but be limited to not more than 50% of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is to be affixed.
 - 3. Height. An awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed or 20 feet as measured from the base of the building wall to which the awning, canopy or marquee is to be affixed, whichever is lower.
- D. Service Bay Identification Signs. Service bay identification signs providing direction or instruction to:
 - 1. Type. All service bay identification signs shall be wall signs.
 - 2. Number. There shall not be more than one service bay identification sign for each service bay located on the premises.
 - 3. Area. The area of a service bay identification sign shall not exceed 10 square feet per face.
 - 4. Location. A service bay identification sign may be located on the outermost wall of any principal building adjacent to a service bay entrance, but shall not project more than 16 inches from the wall to which the sign is to be affixed.
 - 5. Height. A service bay identification sign shall have a maximum height no greater than twenty-five (25) feet or the eaveline.
- E. Service Island Identification Signs. Service island identification signs indicating the type of service offered, the price of gasoline and other relevant information or direction to persons using the facility, but containing no advertising material of any kind, shall be subject to the following:

1. Type. Service island identification signs may be either wall signs or freestanding signs.
 2. Number. There shall not be more than one service island or identification sign for each service or pump island on the premises.
 3. Location. Service island identification signs may be located on the outermost wall of any principal building, on the pumps or within the area of a service island.
 4. Area. The gross surface of a service island identification sign shall not exceed six (6) square feet per face, nor exceed an aggregate gross surface of 12 square feet.
 5. Height. A service island identification sign shall not project higher than 15 feet, as measured from grade level directly below the face of the sign or building to which the sign is to be affixed or grade of the nearest adjacent roadway, whichever is lower.
- F. Convenience Store Signs. Convenience store signs shall be subject to the following:
1. A convenience store will be regulated by § 19-111.1 except that each convenience store with one or more service islands shall be regulated by the provisions of § 19-111.3.E and such election shall be included as part of this sign permit for that store.
- G. Gas Island Canopy Sign:
1. Sign copy, corporate logos, graphics, etc., may be a maximum of 15% of one face of the canopy;
 2. Individual letters, logos or symbols may not exceed four feet in height and may not project out from the surface of canopy more than 18 inches, or project above or below the canopy. Digital gas prices are permitted.
4. Off-Premises Directional/Directory Signs. Off-premises directional/directory signs shall be subject to the following:
- A. Type. Off-premises directional/directory signs may be either wall or freestanding signs.
 - B. Number. There shall not be more than one sign per permitted area. When two or more businesses require an off-premises directional/directory sign, all information shall be combined into one sign.
 - C. Area. The gross surface area of an off-premises directional/directory sign shall not exceed five square feet per face nor exceed an aggregate gross surface area of 10 square feet.
 - D. Location. An off-premises directional/directory sign shall be located at the roadway leading to the occupant's premises but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
 - E. Height. If the off-premises directional/directory sign is a freestanding sign, then it shall not project higher than 10 feet as measured from grade level directly below the face of the sign or building to which the sign is to be affixed or the grade of the nearest adjacent roadway, whichever is higher. If the off-premises directional/directory sign is a wall sign, then it shall not project higher than the parapet line of the wall to which the sign is to be affixed, whichever is lower.
 - F. Special Conditions. Off-premises directional/directory signs are to be utilized only by businesses whose properties do not abut a public street.

5. Exempt Signs. Exempt signs as specified in § 19-107.
6. Temporary Signs. Temporary signs as specified in § 19-108.
7. Adult Business Signs.
 - A. Wall Signs.
 1. Number. There shall not be more than one wall sign for an adult business use.
 2. Area. The area of a wall sign shall not exceed 20 square feet per face.
 3. Location. A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed.
 4. Height. A wall sign shall have a maximum height no greater than twenty-five (25) feet or the eaveline.
 - B. Adult businesses are not permitted to have freestanding, canopy, marquee, awning or directional signs.
8. Automobile Dealership Signs. Automobile dealership signs shall be subject to the following:
 - A. Wall Signs.
 1. Number. There shall be no more than one wall sign for each principal building, except that, where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
 2. Area. The gross surface area of a wall sign shall not exceed 10% of the area of the building wall, including doors and windows, to which the sign is to be affixed or 64 square feet per face, whichever is smaller.
 3. Location. A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed. The location and arrangement of all wall signs shall be subject to the review and approval of the Sign Officer.
 4. Height. A wall sign shall have a maximum height no greater than twenty-five (25) feet or the eaveline, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay Ordinance and the regulations of the underlying zoning district.
 - B. Freestanding Signs.
 1. Number.
 - a) Primary Freestanding Signs. There shall not be more than one principal freestanding sign for each automobile dealership.
 - b) Secondary Freestanding Signs. Secondary freestanding signs shall be permitted only if used for preowned automobiles and/or if two or more automotive product lines (automobiles makes) are offered for sale on the premises. No more than two secondary freestanding signs shall be permitted.
 2. Area.
 - a) Primary Freestanding Signs. The gross surface area of primary freestanding signs shall not exceed 32 square feet per face, nor exceed an aggregate gross surface area of 64 square feet.

- b) Secondary Freestanding Signs. The gross surface area of a secondary freestanding sign shall not exceed 24 square feet per face, nor exceed an aggregate gross surface area of 48 square feet.
 - 3. Location. Primary and secondary freestanding signs may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.
 - 4. Height.
 - a) Primary Freestanding Signs. A primary freestanding sign shall not project higher than 25 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay District and the regulations of the underlying zoning district.
 - b) Secondary Freestanding Signs. A secondary freestanding sign shall not project higher than 15 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay District and the regulations of the underlying zoning district.
- C. Awning, Canopy and Marquee Signs.
- 1. Number. There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of four feet for each principal building. Awning, canopy or marquee signs which are four square feet or less in aggregate gross surface area are exempt from the provisions of this part.
 - 2. Area. The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, but be limited to not more than 50% of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is to be affixed.
 - 3. Height. An awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed.
- D. Service Bay Identification Signs. Service bay identification signs providing direction or instruction to persons using the facility and containing no advertising material of any kind shall be subject to the following:
- 1. Type. All service bay identification signs shall be wall signs.
 - 2. Number. There shall not be more than one service bay identification sign for each service bay located on the premises.
 - 3. Area. The area of a service bay identification sign shall not exceed 10 square feet per face.
 - 4. Location. A service bay identification sign may be located on the outermost wall of any principal building adjacent to a service bay entrance, but shall not project more than 16 inches from the wall to which the sign is to be affixed.

5. Height. A service bay identification sign shall have a maximum height no greater than twenty-five (25) feet or the eaveline.

§19-112. Office, Industrial and Institutional Use Signs.

For all office, industrial and institutional uses, only the following signs are hereby permitted and then only if accessory and incidental to a permitted or special use:

1. Office, Industrial, and Institutional Use Signs. Office, industrial and institutional use signs shall be subject to the following:
 - A. Wall Signs.
 1. Number. There shall not be more than one wall sign for each principal building, except where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.
 2. Area. The gross surface area of a wall sign shall not exceed 10% of the area of the building wall, including doors and windows, to which the sign is to be affixed or 64 square feet per face, whichever is smaller. The gross surface area of a wall sign may be increased by 20%, except that the gross surface area of the sign shall not exceed 64 square feet, if such wall sign:
 - a) Consists only of individual, outlined, alphabetic, numeric and/or symbolic characters without background, except provided by the building surface to which the sign is affixed.
 - b) If illuminated, such illumination is achieved through shielded illumination, shielded silhouette lighting or shielded spot lighting, but not any lighting where the light source is visible or exposed on the face or sides of the characters.
 3. Location. A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed.
 4. Height. A wall sign shall have a maximum height no greater than twenty-five (25) feet or the eaveline.
 5. Special Conditions. Where a principal building is devoted to two or more permitted uses, the operator of each such use may install a wall sign upon his/her proportionate share of the building wall to which the sign is to be affixed. The maximum gross surface area of each such wall sign shall be not more than 24 square feet per face. The proportionate share is determined by calculating the area of the building wall, including doors and windows to which the sign is to be affixed, and applying such proportion to the total permitted wall sign aggregate gross surface area of the building.
 - B. Freestanding Signs.
 1. Number. There shall not be more than one freestanding sign for each lot.
 2. Area. The gross surface area of a freestanding sign shall not exceed 32 square feet per face, nor exceed an aggregate gross surface area of 64 square feet.

3. Location. A freestanding sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
 4. Height. A freestanding sign shall not project higher than 25 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay District and the regulations of the underlying zoning district.
- C. Projecting Signs.
1. Number. There shall not be more than one projecting sign per business.
 2. Projecting signs may project over public rights-of-way only where front yards of less than five feet in depth are provided, subject to the following regulations:
 - a) Such signs shall not extend more than half of the distance between the building and the curblin e or nearest edge of the street surface, whichever is least;
 - b) No portion of any such sign shall be less than eight feet above the grade directly below the sign;
 - c) May not exceed six square feet per face; and
 - d) May not be illuminated.
- D. Awning, Canopy and Marquee Signs.
1. Number. There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of four square feet for each principal building. Awning, canopy and marquee signs which are four square feet or less in aggregate gross surface area are exempt from the provisions of this part as specified in § 19-107.
 2. Area. The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, but be limited to not more than 50% of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is to be affixed.
 3. Location. A sign may be affixed to or located upon any awning, canopy or marquee.
 4. Height. An awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed.
- E. Landscaped Ground Sign.
1. Number. There shall not be more than one landscaped ground sign for each lot.
 2. Area. The minimum nonbuildable front yard area required for placement of a landscaped ground sign is 1/4 acre (10,890 square feet). The area of a landscaped freestanding sign shall not exceed 1,500 square feet per face. The front yard area is defined as the area between the two side lot lines, the road right-of-way, and the building front or parking lot, whichever is closer, extending the full length of the front lot line.

3. Location. A landscaped ground sign shall be located in the required front yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway. In addition, the landscaped ground sign shall not block the sight distance of persons ingressing or egressing from the site. The landscaped sign shall be located on a slope of not greater than three to one.
 4. Height. Any material which is part of a landscaped ground sign (i.e., the name, logo or primary identifying feature) shall not project higher than three feet, as measured from average grade below the landscaped materials which make up the sign.
 5. Grading. Proposed grading and/or mounding shall not be sloped greater than three to one and shall not extend higher than three feet from adjacent finished grades.
 6. Materials. The landscaped ground sign shall be constructed of plant material and related natural landscaping materials such as stone, mulch and landscape timbers. The landscaped ground sign shall be property maintained. Any plant material that is 25% dead or more shall be considered dead and must be replaced. Deciduous material shall be guaranteed to break dormancy if planted in the dormant season. Replacements shall be made during the first spring or fall planting season following the death of the plants. Replacements shall be of the same size and species as the original.
2. Office and Industrial Park Signs. Office and industrial park signs indicating only the name of the park and/or the address or location of the park shall be subject to the following:
 - A. Type. All office and industrial park signs shall be freestanding signs.
 - B. Number. There shall not be more than one office or industrial park sign for each point of vehicular access to an office or industrial park from an intersecting public roadway.
 - C. Area. The area of an office or industrial park sign shall not exceed 32 square feet per face, nor exceed an aggregate gross surface area of 64 square feet. Directory signs may not be attached to the office or industrial park freestanding sign.
 - D. Location. An office or industrial park sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
 - E. Height. An office or industrial park sign shall not project higher than seven feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher.
 3. Directory Signs. Directory signs, which are in addition to the principal freestanding or wall signs, indicating only the name of the occupants of the premises on which the sign is to be located, but containing no advertising material of any kind, shall be subject to the following:
 - A. Type. Directory signs may be either wall signs or part of the primary freestanding sign for the lot.
 - B. Number. There shall not be more than one directory sign for each office, industrial and institutional building or complex under unified control consisting of two or more

occupants. Directory signs shall not be permitted for single occupant office, industrial and institutional buildings and complexes.

- C. Area. The area of a directory sign shall not exceed five square feet per face for each occupant located in the building or complex.
 - D. Location. A directory sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
 - E. Height. A directory sign shall not project higher than 10 feet as measured from grade level directly below the face of the sign or building to which the sign is to be affixed or the grade of the nearest adjacent roadway, whichever is higher.
4. Off-Premises Directional/Directory Signs. Off-premises directional/directory signs shall be subject to the following:
- A. Type. Off-premises directional/directory signs may be either wall signs or freestanding signs.
 - B. Number. There shall not be more than one sign per business which does not have access to a public street. When two or more businesses require an off-premises directional/directory sign, all information shall be combined into one sign.
 - C. Area. The gross surface area of an off-premises directional/directory sign shall not exceed five square feet per face per business nor exceed an aggregate gross surface area for all businesses of 32 square feet per face or an aggregate gross surface area of 64 square feet.
 - D. Location. An off-premises directional/directory sign shall be located at the roadway leading to the occupant's premises but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway. The sign may be located within the private access right-of-way provided that all parties within interest in the private right-of-way waive their private interest in the encroachment of the sign. Further, if the private right-of-way ever becomes public, the off-premises directional sign shall be removed prior to the Township accepting the street.
 - E. Height. If the off-premises directional/directory sign is a freestanding sign, then it shall not project higher than 10 feet as measured from grade level directly below the face of the sign to the grade of the nearest adjacent roadway, whichever is higher. If the off-premises directional/directory sign is a wall sign, then it shall not project higher than the parapet line of the wall to which the sign is to be affixed, whichever is lower.
 - F. Special Conditions. Off-premises directional/directory signs are to be utilized only by a business whose property does not abut a public street.
5. Institutional Attraction Boards. Attraction boards displayed by civic, philanthropic, educational and religious organizations identifying activities, events and services involving the organization occupying the premises on which the attraction board is to be erected, but containing no commercial advertising material of any kind, shall be subject to the following:
- A. Type. Institutional attraction boards may be either wall signs or freestanding signs. If it is a freestanding sign, it must be attached to the primary freestanding sign.

- B. Number. There shall not be more than one institutional attraction board for each principal building.
 - C. Area. The gross surface area of an institutional attraction board shall not exceed 15 square feet per face, nor exceed an aggregate gross surface area of 30 square feet.
 - D. Location. An institutional attraction board may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.
 - E. Height. An institutional attraction board shall not project higher than 15 feet as measured from grade level directly below the face of the sign or building to which the sign is to be affixed or the grade of the nearest adjacent roadway, whichever is higher.
 - F. Exempt Signs. Exempt signs as specified in § 19-107.
 - G. Temporary Signs. Temporary signs as specified in § 19-108.
- 6. Exempt Signs. Exempt signs as specified in § 19-107.
 - 7. Temporary Signs. Temporary signs as specified in § 19-108

§19-113. Permits.

- 1. Unless exempted in accordance with this section, any installation, erection, construction, alteration, or maintenance of a sign within Ferguson Township without first obtaining a sign permit from the Sign Officer and paying the required fee:
 - A. Exempt signs as specified in § 19-107.
 - B. Routine maintenance or changing of the parts or copy of a sign, provided that the maintenance or change of parts or copy does not alter the surface area, height, or otherwise render the sign nonconforming.
- 2. Permit Application. Applications for sign permits shall be submitted to the Sign Officer and shall contain or have attached thereto the following information:
 - A. The names, addresses and telephone numbers of the applicant, the owner of the property on which the sign is to be erected or affixed, the owner of the sign, and the person to be erecting or affixing the sign.
 - B. The location of the building, structure, or zoning lot on which the sign is to be erected or affixed.
 - C. A sketch plan of the property involved, showing accurate placement thereon of the proposed sign.
 - D. Two drawings of the plans and specifications of the sign to be erected or affixed and the method of construction and attachment to the building or in the ground. Such plans and specifications shall include details of dimensions, color, materials, and weight.
 - E. The written consent of the owner of the building, structure, or property on which the sign is to be erected or affixed.
 - F. Such other information as the Sign Officer may require to determine full compliance with this and other applicable ordinances of the Township of Ferguson.
- 3. Issuance of Permits. Upon filing of an application for a sign permit, the Sign Officer shall examine the plans, specifications, and other submitted data, and the premises upon which the sign is proposed to be erected or affixed. If it appears that the proposed sign is in compliance with all

the requirements of this part and in conformance with the Zoning Ordinance (Chapter 27) and other applicable ordinances of the Township of Ferguson and if the appropriate permit fee has been paid, the Sign Officer shall issue a permit for the proposed sign.

- A. 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 Sign Officer within 30 days from the date of receipt of the application and fees for such. The Sign Officer shall notify the applicant in writing of all action taken on the application for a zoning permit within said thirty-day period. If the application is denied, such notification shall specify the provisions of this part.
 - B. If the work authorized under a sign permit has not been completed within 24 months after the date of issuance, the permit shall become null and void, unless otherwise extended by the Sign Officer for a single additional ninety-day period.
4. Permit Fees. Each sign required by this part requiring a sign permit shall pay a fee established by resolution by the Board of Supervisors of Ferguson Township.
5. Annual License Fee. An annual license fee for all signs, except exempt signs and residential development signs, shall be paid in accordance with a resolution setting forth the Township fee schedule. The Township fee schedule shall be adopted by resolution of the Ferguson Township Board of Supervisors.
 - A. Upon the submission of an annual license, the Sign Officer will review the sign at the time of renewal and determine if the sign is conforming. If the sign is deemed to be nonconforming, the Sign Officer shall file a certificate of nonconformity and provide it to the owner and maintain a copy at the Township.
6. Penalty Fee. If an annual sign permit renewal fee is paid later than 60 days of the date of the invoice requesting such payment, a penalty fee equal to 50% of the cost of the permit renewal fee shall be assessed.
7. Revocation of Permit. All rights and privileges acquired under the provisions of this part are mere licenses and, as such, are at any time revocable for just cause by the Ferguson Township Board of Supervisors. All permits issued pursuant to this section are hereby subject to this provision.

§19-114. Review of Existing Permanent Signs.

1. Annual Inspection. The Sign Officer, or his/her authorized representative, shall conduct, at a minimum, an annual inspection of all permanent signs being displayed in the Township of Ferguson on and after the effective date of this part (which signs are hereinafter called "existing permanent signs" for the purpose of identifying those existing permanent signs which are not in compliance with this part).
2. Requests for Inspection. Any person may file a written request with the Sign Officer requesting an inspection of one or more existing permanent signs as identified in the request. In each such instance, the Sign Officer shall promptly inspect such sign(s) to determine compliance with the provisions of this part. However, no existing permanent sign need be inspected more than two times annually. The Sign Officer shall make a written report indicating the findings of the inspection to both the owner of the inspected sign and to the person filing the request for inspection.

3. Complaints. Complaints filed with the Planning and Zoning Department will be acted on by the Sign Officer.
4. Notices of Violation. The Sign Officer shall notify, in writing, each owner of an existing permanent sign found to be in violation of any provision of this part pursuant to the inspections made under Subsections 1, 2 and 3. The notice shall specifically refer to each section of this part under which a violation has been found to exist and thereupon describe the features of the inspected sign found to be deficient. The notice shall specify whether the sign is a legal nonconforming sign or a nonconforming sign, as described in § 19-115 of this part.
5. Appeals. The owner of an existing permanent sign which has been the subject of the notice of violation as specified in Subsection 3 may appeal the notice by filing an appeal pursuant to § 19-117 of this part no later than 30 days after receipt of such notice of violation.

§ 19-115. Nonconforming Signs.

1. Nonconforming Signs. Any sign lawfully existing or any sign application submitted to the Township on the effective date of this part, which does not conform to one or more of the provisions of this part, may be continued in operation and maintained indefinitely as a legal nonconforming sign subject to compliance with the requirements of Subsection 2 of this section.
2. Maintenance and Repair of Nonconforming Signs. Normal maintenance of nonconforming signs include, and are not limited to, copying, incidental copy alterations due to change in ownership, replacement of certain portions of the sign, or the entire sign if necessary, to repair damage from collision, natural causes such as windstorm or fire, or from intentional damage such as vandalism, which does not extend or intensify the nonconforming features of the sign, shall be permitted.
 - A. No nonconforming sign shall be enlarged or dimensionally altered or moved from one location to another, unless it will result in the elimination of the nonconforming features of the sign.
 - B. Any changes to pre-existing nonconforming signs or sign structures may not be rebuilt to its original condition and must comply with the provisions of this title. Changes include change of location, orientation, size, height or illumination.
 - C. If there is an abandonment or nonuse, of a licensed nonconforming sign or sign location for a period of at least one year, such nonconforming sign shall be deemed to be abandoned and the right to maintain such nonconforming sign shall terminate.

§19-116. Removal of Certain Signs.

1. Signs in Violation. If the Sign Officer shall find that any sign, displayed in violation of the Ordinance, he/she shall give written notice to the owner, agent, or person having the beneficial interest in the building or the premises on which such sign is located.
2. Abandoned Signs. Any sign, whether existing on or erected after the effective date of this part, which advertises a business no longer being conducted or a product no longer being offered for sale in or from the premises on which the sign is located, shall be removed within 90 days upon the cessation of such business or sale of such product by the owner, agent or person having beneficial interest in the building or premises on which such sign is located. If the Sign Officer shall find that any such sign advertising a business no longer being conducted or a product no

longer being offered for sale in or from the premises on which the sign is located has not been removed from the premises on which the sign is located within 90 days upon the cessation of such business or sale of such product, he/she shall give written notice to the owner, agent or person having the beneficial interest in the building or premises on which such sign is located.

3. **Unsafe Signs.** Ferguson Township may remove or cause to be removed the sign at the expense of the owner and/or lessee in the event of the owner or the person or firm maintaining the sign has not complied with the terms of the notice within 30 days of the date of the notice. In the event of immediate danger, the Township may remove the sign immediately upon the issuance of notice to the owner, person, or firm maintaining the sign.

§19-117. Administration and Enforcement.

1. **Enforcement Officer.** The Sign Officer is hereby designated as the enforcement officer for this part. In furtherance of his/her authority as such enforcement officer, the Sign Officer shall have the following duties and powers:
 - A. **Review and Issue Permits.** Review all applications for sign permits and issue permits for those signs found to be in compliance with the provisions of this part.
 - B. **Conduct Inspections.** Conduct an annual or more frequent inspection of all permanent signs displayed in the Township of Ferguson to ensure compliance with the provisions of this part.
 - C. **Issue Notices of Violations.** Issue notices of violation to the owner, agent or person having the beneficial interest in the building or the premises on which a sign is located which is found to be in violation of this part.
 - D. **Cause Removal of Certain Signs.** After due notice, cause the removal of certain signs which are found to be in noncompliance with one or more of the provisions of this part.
 - E. **Administrative Interpretations.** Render, when called to do so, administrative interpretations regarding the provisions of this part and their effect on the display of any sign located or to be located in the Township of Ferguson.
 - F. **Maintenance of Records.** Maintain all records necessary to the appropriate administration and enforcement of this part, including applications for variances and appeals.
 - G. **Public Information.** Provide and maintain a source of public information relative to all matters arising out of this part.
2. **Zoning Hearing Board of Ferguson Township.**
 - A. **Jurisdiction.** The Zoning Hearing Board is hereby vested with the following jurisdiction and authority:
 1. **Appeals.** Hear all appeals from any order, requirement, decision, determination, or interpretation of the Sign Officer acting with the authority vested from this part and make written decisions for the disposition of such appeals.
 2. **Variances.** Hear all requests for variances from the provisions of this part and make written decisions for the granting or denial of such requests.
 - B. **Appeals.** An appeal may be taken to the Zoning Hearing Board by any person aggrieved by an order, requirement, decision, determination or interpretation by the Sign Officer acting within the authority of this part.

3. Petition for Appeal.
 - A. Standing. An appeal shall be filed within 30 days after the alleged erroneous order, requirement, decision, determination, or interpretation.
 - B. Filing. An appeal shall be filed on the official Township sign variance appeal application form which includes the following:
 1. The name(s), address(es), and telephone number(s) of the petitioner(s), the owner(s) of the property on which the sign is to be erected or affixed, the owner(s) of the sign, and the person affixing the sign.
 2. A description of the appeal.
 3. Justification of the appeal.
 4. The location of the building, structure, or zoning lot on which the sign is to be erected or affixed.
 5. A site plan on the property involved, showing accurate placement thereon of the proposed sign.
 6. A drawing of the plans and specifications of the sign to be erected or affixed and method of construction and attachment of the building or in the ground. Such plans and specifications shall include details of dimensions, materials, color, and weight.
 7. The written consent of the owner of the building, structure, or property on which the sign is to be erected or affixed.
 8. Such other information as the Sign Officer may require to determine full compliance with this and other applicable ordinances of the Township of Ferguson.
 - C. Fees. Each appeal to the Zoning Hearing Board shall be accompanied by a fee as set by resolution of the Ferguson Township Board of Supervisors.
4. Transmittal of Record. The Sign Officer shall, at the time of filing an appeal, forthwith transmit to the Zoning Hearing Board all of the documents constituting a record upon which the action appealed was taken.
5. Effect of Appeal. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Sign Officer certifies to the Zoning Hearing Board, after the appeal has been filed with the Sign Officer, that by reason of the facts stated in the application, a stay would in his/her opinion cause imminent peril to life or property. In such case, the proceeding shall not be stayed unless a restraining order is issued by a court of record, and then only if due cause can be conclusively shown.
6. Zoning Hearing Board.
 - A. Timing. The Zoning Hearing Board shall hold a public hearing on an appeal within 60 days of its completed written form and hearing fee.
 - B. Attendance. The petitioner and Sign Officer and/or their authorized representative shall attend those meetings of the Zoning Hearing Board at which an appeal is to be heard.
7. Zoning Hearing Board Decision. Within 45 days after the close of the required public hearing of an appeal, the Zoning Hearing Board shall prepare and submit written findings of fact and

conclusions of law to grant, deny, wholly or in part, or modify said appeal to the Board of Supervisors for final determination.

8. Effect of Zoning Hearing Board Denial. No appeal which has been denied, wholly or in part, by the Zoning Hearing Board, in accordance with the provisions established herein, may be resubmitted for a period of one year from date of said denial, except on grounds of new evidence or proof of changed conditions found to be valid by the Zoning Hearing Board.
9. Maintenance of Records. The Sign Officer shall maintain complete records of all findings of fact and conclusions of law of the Zoning Hearing Board relative to an appeal. All such records shall be open to the public for inspection.
10. Variances. It is the intent of this part to use variances only to relieve hardship. Specifically, variances are to be used to overcome some exceptional condition which poses practical difficulty or particular hardship in such a way as to prevent an owner from displaying his/her sign as intended by this part. Such practical difficulty must be clearly exhibited and must be a result of an external influence; it may not be self-imposed.

A. Petition for Variance.

1. Standing. A petition for a variance from any provisions of this part may be made by any person having a proprietary interest in the sign for which such variance is requested.
2. Filing. A variance request shall be filed in writing with the Sign Officer and shall include the following information:
 - a) The name(s), address(es), and telephone number(s) of the petitioner(s), the owner(s) of the property on which the sign is to be erected or affixed, the owner(s) of the sign, and the person affixing the sign.
 - b) A description of the requested variance.
 - c) Justification of the requested variance.
 - d) The location of the building, structure, or zoning lot on which the sign is to be erected or affixed.
 - e) A site plan of the property involved, showing accurate placement thereon of the proposed sign.
 - f) A drawing of the plans and specifications of the sign to be erected or affixed and method of construction and attachment of the building or in the ground. Such plans and specifications shall include details of dimensions, materials, color, and weight.
 - g) The written consent of the owner of the building, structure, or property on which the sign is to be erected or affixed.
 - h) Such other information as the Sign Officer may require to determine full compliance with this and other applicable ordinances of the Township of Ferguson.

- B. Fees.** Each variance request to the Zoning Hearing Board shall be accompanied by a fee as set forth by the Board of Supervisors, which fee is to be paid at the time of filing of the variance request.

C. Zoning Hearing Board.

1. Timing. The Zoning Hearing Board shall hold a public hearing on a variance request within 60 days of its completed written filing.
 2. Attendance. The petitioner and Sign Officer and/or their authorized representative shall attend those meetings of the Zoning Hearing Board at which a variance is to be heard.
- D. Standards for Variances. The Zoning Hearing Board may determine that a variance be granted when it shall be determined from evidence presented to the Zoning Hearing Board that the variance will not merely serve as a convenience to the petitioner, but is necessary to alleviate some demonstrable hardship or unusual practical difficulty and that the granting of the variance will not in any way be inconsistent with the intent, purpose, and objectives of this part.
- E. The Zoning Hearing Board's Decision. Within 30 days after the close of the required public hearing of a requested variance from one or more of the provisions of this part, the Zoning Hearing Board shall prepare and submit written findings of fact and conclusions of law to grant, deny, wholly or in part, or modify said variance request.

§19-118. Violations and Penalties.

1. Failure to Obtain or Renew Sign Permit. Any person who erects, alters, or relocates within the Township of Ferguson any sign without first obtaining a sign permit or fails to renew such permit for an existing sign as specified in § 19-113 of this part shall be, upon conviction thereof in a proceeding commenced before a district justice pursuant to the Pennsylvania Rules of Criminal Procedures, sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day's continuance of a violation shall constitute a separate offense.
2. Display of Illegal Signs. Any person who displays a sign in the Township of Ferguson found to be in violation of one more of the provisions of this part, except for those legal nonconforming signs as specified in § 19-115, after receipt of written notice of such violation(s), shall, upon conviction thereof in a proceeding commenced before a district justice pursuant to the Pennsylvania Rules of Criminal Procedures, be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day's continuance of a violation shall constitute a separate offense.
3. Other Remedies. In addition to all other remedies, the Township of Ferguson may institute any appropriate action or proceeding to prevent, restrain, correct, or abate any violation of this part.

§ 19-119 Severability.

If any word, sentence, section, chapter or any other provision or portion of this part or rules adopted hereunder is invalidated by any court in competent jurisdiction, the remaining words, sentences, sections, chapters, provisions, or portions will not be affected and will continue in full force and effect.

FERGUSON TOWNSHIP
§27-720 DOMESTIC CHICKENS AND DUCKS

Purpose.

The purpose of this section is to establish regulations for the keeping of chickens and ducks on residentially zoned properties of Ferguson Township. This section establishes standards and enforcement authority that ensure that domesticated chickens/or ducks do not adversely impact the neighborhood surrounding the property on which the chickens and/or ducks are kept

Definitions.

The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Chicken—Common domestic fowl (*Gallus domesticus*) or its young.

Chicken Coop—Any fully enclosed and covered henhouse providing a predator-resistant shelter that is thoroughly ventilated, provides adequate sun and shade and all-season protection from the elements, designed to be easily accessed and cleaned where poultry and/or chickens live.

Chicken run—A covered, secure enclosure that allows chicken hens access to the outdoors.

Chicken tractor—A movable fully enclosed structure commonly used for pastured chicken hens that graze on fresh grass daily. The chicken tractor is moved every day or week as needed for the chicken hens to have fresh grass underneath them. Chicken tractors can be used as permanent or temporary housing for chicken hens and are considered a type of chicken coop.

Duck—Any breed of domestic duck of the Anatidae family, excluding swans and geese.

Hen—A female adult chicken.

Rooster—A male adult chicken.

Chicken runway—means a fully enclosed, fenced area connected to the coop.

Water source—A clean supply of water in a pond, wading pool, tub or other container that is large enough for a duck to fit its entire body in and deep enough to submerge its head.

Standards.

The keeping and raising of chickens and ducks shall be allowed on single family properties zoned, Rural Residential (RR), Single Family Residential (R1), Suburban Single Family Residential (R1B), Two Family Residential (R2), Planned Residential Development (PRD), Traditional Town Development (TTD), and Village (V). This Ordinance does not supersede restrictions or prohibitions within Home Owner Association (HOA) covenants.

1. Normal "agriculture" and/or "farming" practices found in the AR, RA or RR Zoning Districts shall be exempt from this section.
2. Chicken hens are permitted.
3. Roosters are prohibited.
4. Only non-flying duck species, such as Pekins and Khaki Campbells, are permitted.
5. Male and female ducks are permitted.

6. There may be no more than four (4) ducks on a lot. Chickens and ducks may be kept on the same lot, not to exceed a maximum number of six (6) total birds per lot, regardless of the number of dwelling units on the lot.
7. Chickens and ducks shall be confined at all times within a coop, pen or chicken run with access to an outside area.
8. The chicken and duck enclosures must be clean, dry, and odor free, and kept in a neat and sanitary condition such that the facility, chickens or ducks do not produce noise or odor that creates a nuisance for adjacent properties. The enclosures must provide adequate sun and shade, and be impermeable to rodents, wild birds, and predators, including dogs and cats. The enclosure must be covered with wire, aviary netting, or solid roofing.
9. All animal byproducts and waste must be collected and removed on a regular basis, allowing the storage of one sealed 20-gallon container. Chicken or duck manure and/or used bedding may be composted on the property, however it is unlawful to spread or deposit waste upon any ground or premise within the Township any chicken or duck manure and or used bedding. All animal and byproducts that enter the Township's storm sewer is considered an illicit discharge by the Township's Stormwater Ordinance and the Township's Municipal Separate Storm Sewer Systems (MS4) Permit.
10. Chickens and ducks shall be kept for personal use only. No sales of eggs, chickens, chicks, slaughtered chicks or chickens, or fertilizer are allowed.
11. Ducks must be provided with a clean water source large enough for the duck to fit its entire body and deep enough to submerge its head.
 - a. Chickens and ducks shall be within a coop or pen during non-daylight hours. The structure shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird proof wire of less than one-inch openings. The coop and or pen must be watertight and well maintained.
 - b. Henhouses, coops, chicken tractors, pens, fenced areas or chicken runs shall not be calculated toward the allowed amount of accessory structures as may be defined by this ordinance.
 - c. Henhouses, chicken and duck coops, chicken, tractors, fenced areas or runs shall be not allowed within 10 feet of both side and rear property lines and are not allowed in front yards.
 - d. Only one installation which can consist of a chicken or duck coop, fenced area and or run as a unit shall be allowed on each property. A chicken tractor may be temporarily relocated from the permanently installed unit. Provision must be made for the removal of chicken and duck waste.
 - e. The minimum chicken and duck coop size is three square feet per chicken or duck. The maximum structure shall be 144 sq. ft.
12. Chickens and ducks must be provided with access to feed and clean water at all times; such feed and water shall be unavailable to rodents and wild birds. All feed, and water and other items associated with domestic fowl shall be protected from infestation by rodents, wild birds and predators. Failure to keep water, feed and other items associated with domestic fowl in a clean and sanitary condition will constitute a violation of this section.
13. In addition, the henhouse or duck house, chicken coop, chicken tractor, fenced area or run and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

14. It shall be unlawful for the owner or owners of any domestic fowl to let the same run at large upon any of the common thoroughfares, sidewalks, passageways, play areas, parks, streets alleys or public highways, or any place where people congregate or walk, or upon any public or private property. Any domestic fowl not contained in a coop or pen shall be considered to be "at large".
15. Slaughtering or butchering of domestic fowl for personal consumption shall be permitted, provided that it is done wholly on the property where the domestic fowl are kept. Slaughtering or butchering shall be conducted only in an indoor location and any waste created from slaughtering or butchering shall be disposed of in a proper and sanitary manner. Commercial slaughtering or butchering is prohibited unless it is done under the operation of an approved facility for the slaughtering of animals as regulated by the Pennsylvania Department of Agriculture.
16. A Zoning Permit and fee is required.
17. If a property owner abandons or vacates a domestic fowl coop, henhouse, chicken tractor, fenced area or run, the Township shall require the removal of the structure within 30 days.
18. Chickens or ducks not kept in compliance with this section shall be deemed a public nuisance. If the owner or custodian has not rectified the conditions by the date provided in any violation notice provided by the Township, the enforcement procedures of Chapter 27.906.C will be followed.