



STATE OF PLANNING ANNUAL REPORT 2022

**FERGUSON TOWNSHIP
PLANNING & ZONING DEPARTMENT**

PREPARED DECEMBER 2022

2022 ANNUAL REPORT OF ACTIVITIES FOR:

Ferguson Township Planning Commission Ferguson Township Planning & Zoning Department

In 2022, the Planning Commission held 16 regular meetings and 1 joint meeting with the Ferguson Township Board of Supervisors to discuss community-wide planning issues.

PLANNING COMMISSION

- Jeremie Thompson, Chair
- Jerry Binney, Chair/Vice-Chair
- Rob Crassweller, Secretary
- Ralph Wheland
- William Keough
- Shannon Holliday
- Dr Ellen Taricani, Vice-Chair
- Qian Zhang - Alternate
- Lisa Rittenhouse - Alternate
- Lewis Steinberg - Alternate



PLANNING STAFF

- Jenna Wargo, AICP, Planning & Zoning Director
- Jeff Ressler, Zoning Administrator
- Kristina Bassett, Community Planner

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COMMUNITY PLANNING

Annual Activities

Each year, the Planning Commission completes a number of routine activities. In 2022, these activities included reviewing and preparing a 2022 Work Program and meeting schedule, providing reports and recommendations to Board of Supervisors, and commenting on the proposed Capital Improvements Program for 2023-2027.

2022 Work Program

The Board of Supervisors reviewed and approved the 2022 Planning Commission Work Program during their January 24, 2022 meeting. Key responsibilities of Planning Commission in 2022 were to:

- meet PA Municipalities Planning Code (MPC) requirements;
- perform mandated land development and subdivision review;
- review the Township's Zoning and Subdivision and Land Development ordinances;
- review the Township's Official Map amendments;
- Assist in the implementation of the Pine Grove Mills Small Area Plan and navigate a post-pandemic economy and the impacts on land use.

Other tasks performed by the Planning Commission:

- Reviewed the MP Machinery's Parking Analysis;
- Reviewed the Burkett Farm application for Agricultural Security Area
- participated in the Strategic Plan Survey
- reviewed an application for a text amendment to allow wireless communication facilities in the TTD;
- reviewed an application for a text amendment to allow home burials in the TSD and Source Water Protection Zone II;
- reviewed the mobile food truck ordinance;
- reviewed an ordinance amendment to wireless communication facilities in accordance to The Small Wireless Facilities Deployment Act (Act 50), Chapter 21-Streets and Sidewalks and Chapter 27-Zoning, Section 710-Wireless Communication Facilities, and Section 1102, Definitions were amended as a result;
- investigated elder cottages as a use in various zoning districts;
- examined design guidelines, the vision for the Terraced Streetscape District and develop a Request for Proposals (RFP) for professional services to rewrite the zoning district ordinance;
- participated in public meetings and a charrette with consultant for the Terraced Streetscape District rewrite;

2022 FERGUSON TOWNSHIP PLANNING COMMISSION WORK PROGRAM

Approved by Planning Commission on: December 7, 2021

Approved by Board of Supervisors on: December 13, 2021

Key: I= Initiate Planning, IP= In Progress

BOS=Refer to Board of Supervisors

R/C=Review and Comment, C=Complete

H = High, M = Medium, L = Low

ROUTINE ACTIVITIES								
	Priority	Board Goals	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Comments	
1	H	These activities vary greatly in their scope and support the Strategic Plan Goals	All routine items take place on an as needed basis.					Ferguson Township Long Range Growth Management Plan
2	H							
3	H							
4	H							
5	H							
6	H							
7	H							
ORDINANCE AMENDMENTS								
	Priority	Board Goals	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Comments	
8	H	Goal 3: Growth Management	—	—	—	→	RFP to be posted 1st quarter	
9	H	Goal 3: Growth Management	IP					
10	M	Goal 3: Growth Management			R/C	BOS	This will involve coordination with PGMAC and FTPW	
11	M	Goal 4: Environmental Stewardship		R/C				
12	H	Goal 3: Growth Management	IP					
13	M	Goal 3: Growth Management		R/C				
14	H	Goal 3: Growth Management	R/C					

PLAN IMPLEMENTATION & REVISIONS								
	Priority	Board Goals	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Comments	
15	M	These activities vary greatly in their scope and support the Strategic Plan	As needed				Implementation of priority recommendations/items and identification of partnerships/resources needed.	
16	H	Goal 4: Environmental Stewardship	As needed				This will involve coordination with Ferguson Township Parks Committee	
ADDITIONAL DUTIES								
	Priority	Board Goals	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Comments	
17	L	Goal 3: Growth Management	—	—	—	→	This will involve coordination with FTPW	
18	L	Goal 2: Economic Development	R	—	—	→	This will involve coordination with PGMAC	
19	L	Goal 3: Growth Management	—	—	—	→		
20	L	Goal 4: Environmental Stewardship	As needed					

Capital Improvement Program

The Capital Improvement Program is a planning document used for the Township's budget process. The program identifies capital projects, provides a planning schedule and identifies options for financing the plan. It is the link between the Township's annual budget and the Comprehensive Plan and Strategic Plan.

The process for preparing the 2023-2027 Capital Improvements Program (CIP) kicked off May 2021. In order for staff to begin drafting the 2023-2027 CIP, staff requested Planning Commission to review the previous CIP, for feedback on the projects that were previously approved.

ZONING UPDATE

Ordinance Updates

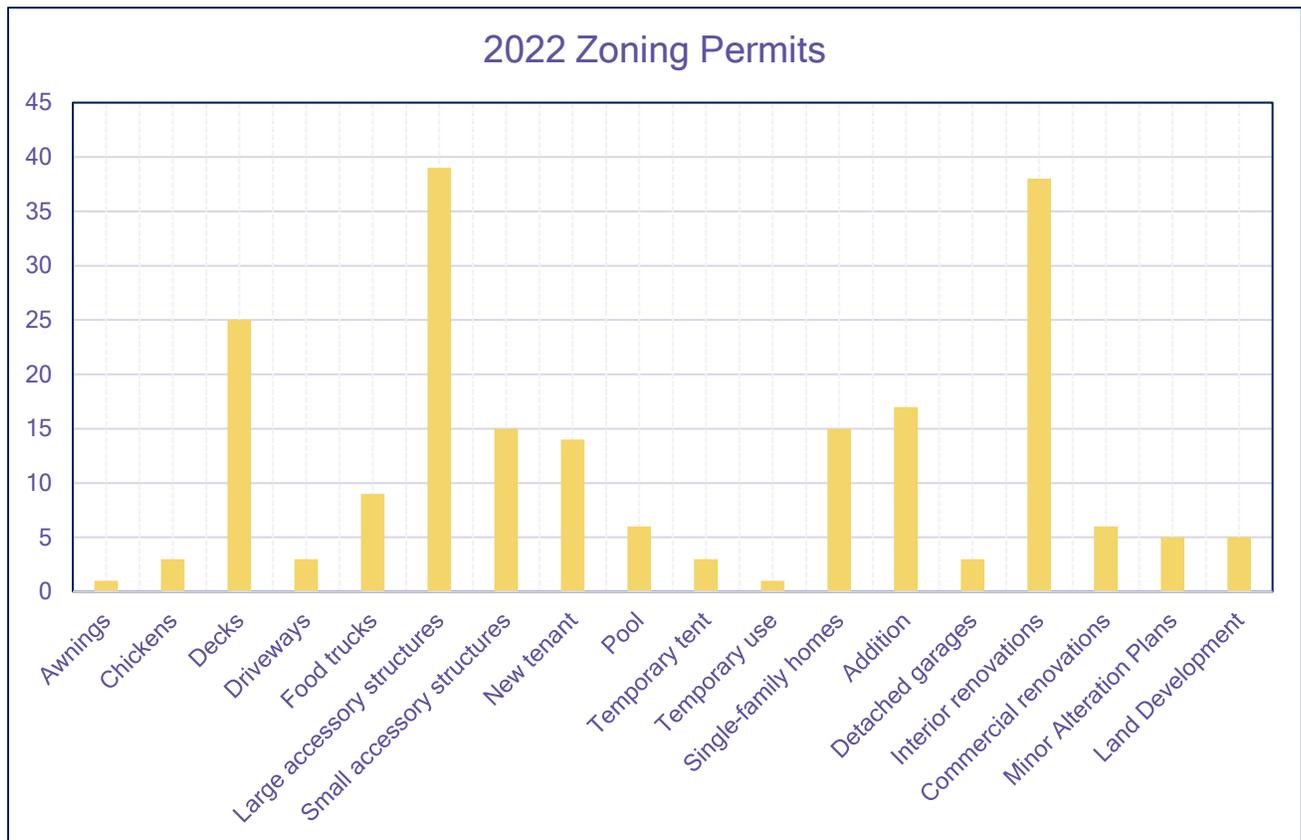
- Chapter 16, Parks and Recreation, Part 1, Section 106, Regulated Uses and 107, Centre Region Parks and Recreation Department. (Ordinance 1076 3/15/2022)
 - This part of the ordinance was amended to allow for Mobile Food Truck vendors in Parks.
- Chapter 22, Subdivision and Land Development, Section 202, Definitions, Section 301, General, Section 303, Review of Preliminary Plan, Section 304, Review of Final Plan, Section 306, Minor Subdivision and Minor Alteration Plan, Section 401, Preliminary Plan Contents and Review, Section 506, Water Supply, Section 5C01, General Regulations, Section 5C02, Bicycle Parking Regulations and Establishing Section 516, Landscaping. (Ordinance 1076 3/15/2022)
 - This part of the ordinance updated errors and omissions from the November 19, 2019 comprehensive update.
- Chapter 27, Zoning, District Regulations, Section 205.13, Rural Agriculture (RA) District Quick, Section 205.3 Agriculture Research (AR) District Quick, Section 209, Yard Requirements, Section 302, Planned Residential Development (PRD), Section 303, Traditional Town Development, Section 304, Terraces Street (TS) District, Section 401, Corridor Overlay District Requirements, Section 502, Standards for Specific Uses, Section 702, Slope Controls, Repealing 707, Landscaping, Amending 713, Solar Collectors and Solar-Related Equipment, Section 717, Bed and Breakfast, Section 718, Regional Parks and Outdoor Recreational Facilities, Section 719, Short-Term Rentals, Section 721, Home Occupation, Section 722, Temporary Used, Section 723, Food Trucks, Section 905, Occupancy Permits and Section 1102, Definitions. (Ordinance 1076 3/15/2022)
 - This part of the ordinance updated errors and omissions from the November 19, 2019 comprehensive update.



- Code of Ordinances, Appendix D, Official Map (Ordinance 1077 5/16/2022)
 - This amendment updated the Bike Facilities on the Official Map for consistency with the recently updated Regional Bike Plan.
- Chapter 16, Parks and Recreation, Section 101, Definitions, Section 102, Interpretation of Rules and Regulations, Section 103, Conduct Prohibited in Parks, Section 105, Traffic Control, Section 106, Regulated Uses, and Section 107, Centre Region Parks and Recreation Department (Ordinance 1078 8/16/2022)
 - This ordinance was amended for consistency with amendments made to Chapter 27, Section 723 - Mobile Food Vendors.
- Chapter 27, Zoning, Part 7, Supplemental Regulations, Section 710, Tower-Based Wireless Communications Facilities and Part 11, Definitions; Section 1102, Definitions. (Ordinance 1080 11/1/2022)
 - This amendment removed all Small Wireless Facilities regulations from Chapter 27, Zoning.
- Chapter 21, Streets and Sidewalks, Part 6, Non-Tower Small Cell Wireless Communication Facilities in the Right-of-Way (Ordinance 1080 11/1/2022)
 - This ordinance established regulations for Non-Tower Small Cell Wireless Communication Facilities in the Right-of-Way for compliance with Act 50.

Zoning Permits

In 2022, The Ferguson Township Zoning Administrator approved 208 zoning permits. \$10,870 were collected from permit fees. The most requested permit was for Large Accessory Structures Renovations with 39. Large accessory structures includes large sheds, solar installations, electric vehicle charging stations and antenna. Second most permits issued were for Interior Renovations (residential) with 38 permits.



Conditional Uses

A use permitted by right is a use expressly permitted in a zoning ordinance for which the zoning officer has authority to determine conformance with ordinance requirements and approve and issue a zoning permit. A use permitted by conditional use is also expressly permitted in a zoning ordinance, and subject to a hearing and decision of the governing body. The function of these public hearings is to determine whether the conditional use application is consistent with the public interest as expressed in specific standards and criteria established in the zoning ordinance. Planning Commission reviews and makes recommendations to the Board of Supervisors on Conditional Uses before the public hearing. In 2022, Planning Commission reviewed one conditional use application.

- Farmstead View Flag Lot

An application for a conditional use permit for property located at 139 Farmstead Lane (TP: 24-022-306-0000) requesting to subdivide the lot and create a flag lot. A flag lot is permitted through the Conditional Use process.

Decision: The Board of Supervisor's granted the Applicant's request for a Conditional Use as a flag lot on **April 19, 2022**.

Modification/Waivers

A use permitted in a subdivision and land use ordinance (SALDO) for which the Board of Supervisors has the authority to grant a modification or waiver from a provision of said ordinance due to a hardship to the applicant because of peculiar conditions pertaining to the particular property. The Board of Supervisors may impose conditions when granting any modification and/or waiver. The Planning Commission shall review all modifications and/or waivers to determine compliance with the requirements of the ordinance and shall provide its recommendation for action, along with any conditions to be imposed upon approval, to the Board of Supervisors.

- Rogan/264 Sycamore Drive Land Development Plan - Requested a modification/waiver from Chapter 22.401.C.1.g - General, landscaping plan and lighting plan. The Subdivision was a minor subdivision.

Planning Commission recommended approval to the Board of Supervisors with no additional conditions. Approval was received at the March 15, 2022 Regular Board of Supervisors Meeting.

- Centre Animal Veterinary Hospital (Tussey Tracks, LLC) - Requested a modification/waiver from Chapter 22.5A09 - Streetscape Design Standards. The plan was located in the Terraced Streetscape Zoning District. Section 22-5A09 of the Ferguson Township Code of Ordinances requires a specific set of design standards for the zoning district. The TSD design guidelines were to be reviewed in an upcoming rewrite, applicant requested to maintain current 6' sidewalks along property.

Planning Commission recommended approval to the Board of Supervisors with no additional conditions. Approval was received at the April 5, 2022 Regular Board of Supervisors Meeting.

- Farmstead View Subdivision - Requested a modification/waiver from Chapter 22.515.3.D.2–Tree Preservation and Protection. This section of the ordinance requires the applicant to preserve 20% of the existing tree canopy in good condition, non-invasive species and in line with the Zoning Ordinance Regulations. The proposed plan showed 17.3% of existing tree canopy being saved and remediation of the remaining 2.7%.

Planning Commission recommended approval (with a 5-2 vote) to the Board of Supervisors and recommended to the developer to save the Red Pine Tree. The Board of Supervisors unanimously denied the modification/waiver request at the April 19, 2022 meeting.

- Nittany Dental - Requested a modification/waiver from Chapter 22.301–General. This section of the ordinance defines the subdivision and land development review process. The request was to have the plan proceed as a Minor Alteration Plan. Staff recommended the plan to proceed as a Minor Land Development Plan as it did not meet the criteria for a Minor Alteration Plan.

Planning Commission recommended denial of the modification/waiver as submitted but recommended approval of the plan to proceed as a Minor Land Development Plan to the Board of Supervisors. The Board of Supervisors unanimously approved the modification/waiver request to proceed as a Minor Land Development Plan at the April 19, 2022 meeting.

- Aaron Plaza (500 West Aaron Drive, Building 1, Suite1) - Requested a modification/waiver from Chapter 22.306.1&2–Minor Alteration Plan. This section of the ordinance permits any change in use that doesn't result in additional parking on-site to proceed as a minor alteration plan. The applicant requested to proceed with only a zoning permit as only interior renovations were proposed.

Planning Commission recommended approval of the modification/waiver request to the Board of Supervisors with the condition the applicant supplies the net square foot interior calculation to be a part of the zoning permit.

- Centre Volunteers in Medicine @ 2026 Sandy Drive - Requested a modification/waiver from Chapter 22.301–General. This section of the ordinance defines the subdivision and land development review process and requires certain proposals to proceed as a preliminary and then final land development plan. Preliminary/final land development plan or a minor alteration plan. The request was to have the plan proceed as a Minor Land Development Plan.

Planning Commission recommended approval of the modification/waiver request to the Board of Supervisors. The Board of Supervisors unanimously approved the modification/waiver request to proceed as a Minor Land Development Plan at the May 3, 2022 meeting.

PLAN REVIEWS

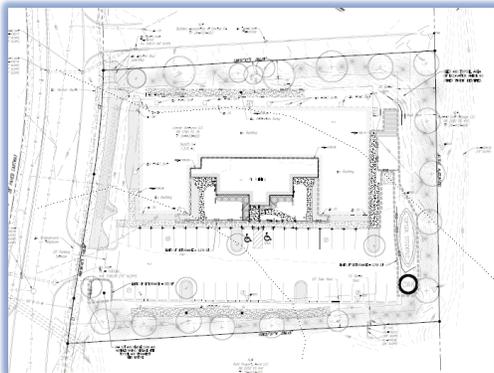
Land Development Plans

264 Sycamore Drive Preliminary/Final LDP

This land development plan proposed to construct a single-family home located at 264 Sycamore Drive. The 7.57-acre lot contains slopes that are greater than 25%, therefore a land development plan is required.

The plan was approved by the Board of Supervisors on March 16, 2022.

Centre Volunteers in Medicine Land Development Plan



This land development plan proposed the expansion of the existing building. The building will be expanded in the front by enclosing two alcoves bringing the footprint of the building to 13,107 square feet. Accessibility to the building from the parking lot will be improved as well.

The plan was approved by the Board of Supervisors on May 3, 2022.

Orchard Square Final Land Development Plan

The land development plan proposed the construction of a 19,856 square foot Commercial/retail shopping center with associated parking and utilities. As proposed, there will be 3 retail store fronts and 119 parking spaces, including 5 ADA handicap spaces provided. The retail spaces are proposed to be 10,722 square feet, 6,483 square feet and 2,566 square feet.



The final plan was approved by the Board of Supervisors on April 5, 2022.

Centre Animal Hospital Final Land Development Plan

This land development plan proposed the construction the addition of 620 square feet to the existing 5,551 square foot building. Also proposed was the reconfiguration and expansion of the parking lot for better flow.

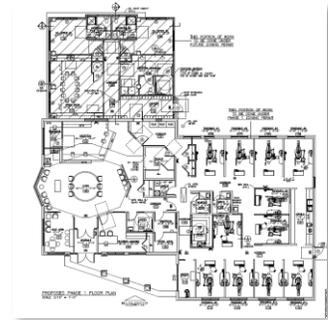
The plan was conditionally approved by the Board of Supervisors on July 19, 2022



Nittany Dental Minor Land Development Plan

The minor land development plan proposed a 1,603 square foot addition to the existing building enclosing the drive-thru canopy for additional office space.

The plan was conditionally approved by the Board of Supervisors on July 19, 2022.



165 Volos Lane Minor Land Development Plan

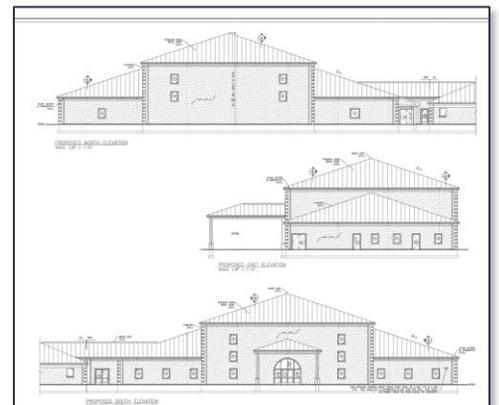
The land development plan proposed to construct a second residential home on the lot. The Board of Supervisors will determined that sidewalks are required.

The final plan was conditionally approved by the Board of Supervisors on September 20, 2022.

Salvation Baptist Church Preliminary Land Development Plan

The land development plan proposed a fellowship hall and garage adjacent to the existing church. The fellowship hall and garage were on the original 2004 Church LDP but was never constructed.

The preliminary plan was conditionally approved by the Board of Supervisors on November 1, 2022.

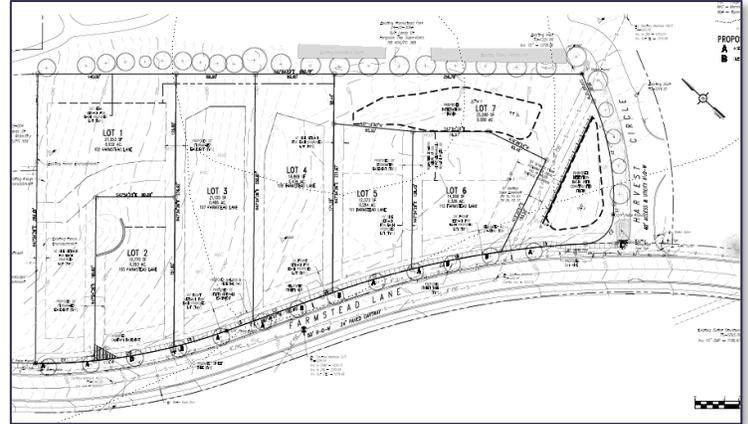


Subdivision/Replot Plan Reviews

Farmstead Lane Preliminary Subdivision

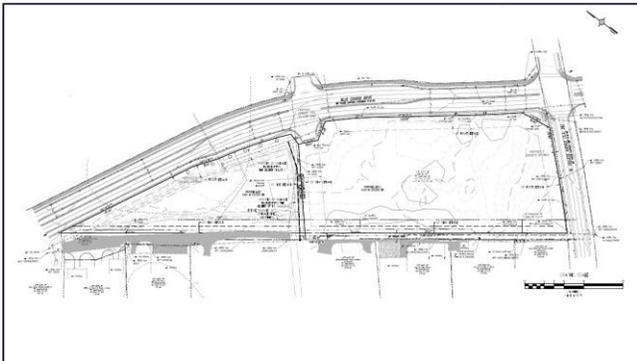
This subdivision plan proposed to subdivide the lot at 137 Farmstead Lane into seven lots, six lots for single-family homes and one stormwater retention lot.

The plan was conditionally approved by the Board of Supervisors on June 21, 2022.



Imbt Preliminary Subdivision

This subdivision plan proposed to subdivide Tax Parcel 24-004-,017A,0000- into one Commercial lot and one stormwater management lot. Located on the northwest corner of Blue Course Drive and West College Avenue. The current lot is approximately 9.25 acres and is zone General Commercial (C). Proposed Lot 1 will be 6.313 acres and proposed Lot 2 will be 2.921 acres.

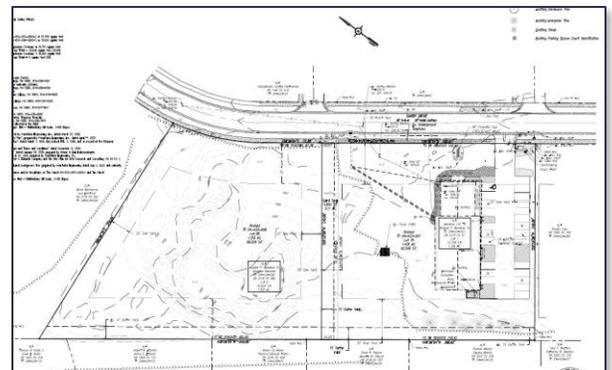


The preliminary plan was approved by the Board of Supervisors on September 6, 2022.

2151 Sandy Drive and 2161 Sandy Drive Replot (MP Machinery)

This minor subdivision plan proposed to expand Lot 7 (TP 24-433-7) by 20 feet in width, increasing Lot 7's area by 4,800 square feet. Lot 8 conveyed the land width and area to lot 7. This replot will allow MP Machinery to expand their building and add an additional driveway.

The plan was conditionally approved by the Board of Supervisors at their October 4, 2022 meeting.



Minor Alterations

All applications for approval of a minor alteration plan shall be reviewed and approved by the Township Zoning Administrator.

- **Northland Center - Metro T-Mobile**
 - Change of use for Metro T-Mobile
- **PSU Golf Course - Walker Clubhouse**
 - Parking lot changes and interior renovations
- **The Cottages at State College**
 - Post Final changes for landscaping
- **Little Bears Daycare (Greenleaf Lot 23R)**
 - Change of use from Office to Daycare
- **1510 Martin Street (2 Minor Alterations)**
 - Addition and subdividing building space for additional tenants
- **Penn State University Applied Research Lab @3011 Research Drive**
 - Added a 20.5' x 5.02' concrete pad for air cooled condensing units
- **3510 West College Avenue**
 - Landscaping, parking, removal of street median and lighting
- **West Cherry Lane Multi-Use Building**
 - Landscaping changes

Other Plans Reviewed

This is a list of plans that are still under review as of January 4, 2022 but have yet to receive a recommendation to be put before the Board of Supervisors.

- The Peace Center and Cemetery
- 1004 West College Ave Mixed-Use Building
- MP Machinery Preliminary Land Development Plan
- All Washed Up Auto Spa Preliminary Land Development Plan
- 125 East Pine Grove Road Preliminary Land Development Plan
- LeCrone Minor Subdivision Plan