



**PATTON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

100 PATTON PLAZA – STATE COLLEGE, PENNSYLVANIA – 16803
PHONE: 814/234-0271 — FAX: 814/238-7790
EMAIL: zoning@twp.patton.pa.us — WEB SITE: <http://twp.patton.pa.us>

Zoning Hearing Board

**April 18, 2024
Board Meeting Room
Municipal Building
2:00 PM**

PLEASE NOTE:

- **This will be a hybrid meeting - some participants will be attending through video conferencing**
- **The Public is welcome to attend, but may also provide comments by email – zoning@twp.patton.pa.us (2 business days prior to the meeting) Phone – 814-234-0271 (before meeting – ask for the Engineering, Planning & Zoning Department)**

Join Zoom Meeting

<https://us02web.zoom.us/j/85293614813>

Meeting ID: 852 9361 4813

Call: 1 929 205 6099

1) CALL TO ORDER

The Township Zoning Officer will call the meeting to order to conduct the organization meeting for 2024 and election of officers. **The Chair will then lead the remainder of the meeting.**

a. Additions to the Posted Agenda

2) **VARIANCE REQUEST - JCP GROUP, LLC – 2781 BUFFALO RUN ROAD**

JCP Group, LLC has submitted a request for a variance from Article XV §425-67.A Nonconforming use regulations (formerly Article X §175-50.A)

A. Enlargement. No such nonconforming use shall be enlarged or increased upon ground not occupied at the time of the passage of the Zoning Ordinance nor upon that portion of said ground not devoted to the nonconforming use.

The parcel located at 2781 Buffalo Run Road, Tax Parcel 18-002-,021-,0000-, is a 3.66-acre parcel that is divided by Buffalo Run Road. The parcel is within the A-1 Rural District. The applicant would like to rebuild a retail/convenience store, without gas sales, that would also sell agricultural products. Rebuilding the store at its existing location is difficult due to floodplain and wetland restrictions. Traffic entrance limitations can be better served by moving the footprint.

Patton Township staff has met with the applicant regarding their proposal. Due to the constraints and environmental concerns with the present site, the proposed location would be a better option and would also allow for safer access to the proposed store.

The following items are included with the agenda:

- 1) Location Map
- 2) Zoning Variance Application, including Fillmore Market Concept Plan V.10
- 3) Article XV §425-67 – Nonconforming Use Regulations

3) **VARIANCE REQUEST – MICHAEL SKVARLA – 5963 WEST BUFFALO RUN ROAD**

Mr. Michael Skvarla has submitted a request for a variance from Chapter 425, Zoning §425-31 (formerly 175-26).

The parcel located at 5963 West Buffalo Run Road, Tax Parcel 18-301-,041-,0000-, is a 2.39-acre parcel located within the A-1 Rural District. The applicant would like to construct a 10' wide wrap-around porch onto the existing home. The residence is 33' from the property line and the proposed porch would extend into the front yard setback by 7'.

Per §425-31C, Table 1, Area and Bulk Regulations, the front yard setback within the A-1 District is 30'.

The applicant has noted that there was a previously existing stoop that extending into the 30' setback that was demolished in 2022 due to safety concerns.

Per Patton Township's definition of a structure, §425-6. **Definitions; interpretations of regulations:**

STRUCTURE *Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. Excluded from the definition of a structure are fences, storage sheds, any deck that is less than 18 inches above ground level, stairwells to basements, chimneys, heat pumps, air conditioning units, roof overhangs less than 18 inches from the wall of a structure, tree houses up to 75 square feet in area and*

pet houses up to 75 square feet in area. Excluded from this definition are gazebos under 150 square feet in area and under 12 feet in height, light poles, utility poles, retaining walls, decorative walls and awnings.

[Amended 9-11-1991 by Ord. No. 91-274; 9-24-1986 by Ord. No. 86-214; 4-23-1997 by Ord. No. 97-340]

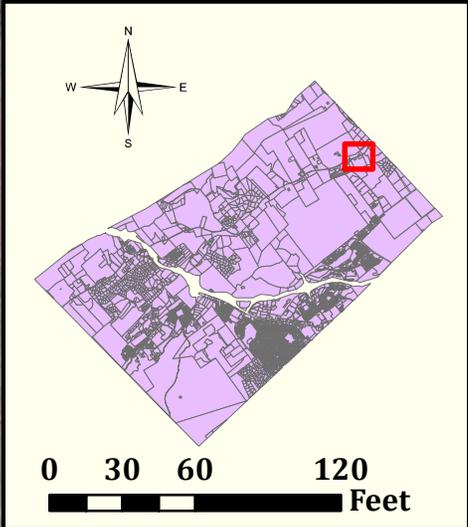
Although there was an existing stoop at the residence, the first step that would have been within the setbacks, would have measured less than 18” at grade, therefore would not be classified as a structure. The construction of a wrap-around porch however, would be a structure and per Patton Township regulations, no portion of a structure shall be placed within the setbacks.

The following items are included with the agenda:

- 1) Location Map
- 2) Zoning Variance Application, including photographs
- 3) §425-31 – A-1 Rural District Regulations

4) **ADJOURN**

2781 Buffalo Run Road



RECEIVED

MAR 14 2024



PATTON TOWNSHIP

Patton Township
Centre County, Pennsylvania
100 Patton Plaza – State College, PA 16803

Phone (814) 234-0271 Fax (814) 238-7790
Email: epz@twp.patton.pa.us
Website: <http://twp.patton.pa.us>

Application Tracker
(TOWNSHIP OFFICE ONLY)

Date Received: 3/14/24
Fee Received: 3/14/24
Receipt No. 52444

Application for Zoning Hearing Variance

The undersigned hereby applies to the Zoning Hearing Board for a hearing.

APPLICANT (Name): JCP Group, LLC

Address: 4082 Buffalo Run Road, Port Matilda, PA 16870

Phone: (814) 954-2211 Email: haffnersteve4082@gmail.com

PROPERTY OWNER: (If different from Applicant)

Name: _____

Address: _____

Phone: _____ Email: _____

PROPERTY LOCATION:

Address: 2781 Buffalo Run Road, Bellefonte, PA 16823

Description (lot number or other, optional): See Exhibit A

Tax Parcel No. 18-002-021

PRESENT USE OF THE PROPERTY:

Nonconforming retail with gas

PROPOSED USE OF THE PROPERTY:

Nonconforming retail without gas

JURISDICTION OF ZONING HEARING BOARD:

The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

- §175-65.A (1) Substantive Validity Challenge
- §175-65.B (2) Procedural Validity Challenge
- §175-65.C (3) Appeal from Zoning Officer
- §175-65.D (4) Flood Plain or Flood Hazard Ordinance
- §175-65.E (5) Variance
- §175-65.F (6) Special Exception
- §175-65.G (7) Transfer Development Rights
- §175-65.H (8) Preliminary Opinion of Zoning Officer
- §175-65.I (9) Sedimentation, Erosion Control, Stormwater Management
- §175-65.J (10) Chapter 140 (Signs)

To view **Chapter 175-65 – Jurisdiction**, please click on the following link:

<https://ecode360.com/6634462>

Fill in the information requested to describe your appeal or request:

1. Identify the ordinance or section of the ordinance involved.

Article X 175-50 A

2. Describe the action you are appealing or the request you are making to the Board.

Requesting relief: permitting construction on portion of property not in
proximity to stream and wetlands

3. Describe what you desire to build or to do.

Rebuild and expand validly existing nonconforming use as retail, convenience
and agricultural products store

4. Describe the reasons for your appeal or request.

Rebuilding store at its existing location is problematic because of Township ordinances regulating floodplane and wetland restrictions. Traffic entrance limitations can be better served by moving the footprint as set forth on Exhibits A1-5

Attach all documents, plans, maps, correspondence or other materials relevant to your appeal.



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Centre County, Pennsylvania
100 Patton Plaza – State College, PA 16803

Phone (814) 234-0271 Fax (814) 238-7790

Email: epz@twp.patton.pa.us

Website: <http://twp.patton.pa.us>

ENTRY OF APPEARANCE

NAME OF CASE: JCP Group, LLC

PROPERTY ADDRESS OR LOCATION: 2781 Buffalo Run Rd., Bellefonte, PA 16823

I DESIRE TO BE CONSIDERED A FORMAL PARTY TO THESE PROCEEDINGS. PLEASE SEND ALL NOTICES TO ME OR TO MY ATTORNEY.

NAME: Terry J. Williams, Esquire

ADDRESS: Miller, Kistler & Campbell, 720 S. Atherton St., State College, PA 16801

I AM PRESENT ON BEHALF OF: JCP Group, LLC

EXPLANATION:

This form must be filled by every person or his attorney, including the applicant, who desires to be considered a formal party or attorney of record in these proceedings. It is not required to be signed by persons who are only present as witnesses.



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100 Patton Plaza – State College, PA 16803

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Email: epz@twp.patton.pa.us
Website: <http://twp.patton.pa.us>

WAIVER OF STENOGRAPHIC RECORD

I AGREE TO WAIVE THE REQUIREMENTS OF SECTION 908 OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, WHICH REQUIRES THAT A STENOGRAPHIC RECORD OF THE PROCEEDINGS BE MADE, AND I CONSENT THAT A RECORD OF THE PROCEEDINGS MAY BE MADE ON A TAPE RECORDER.

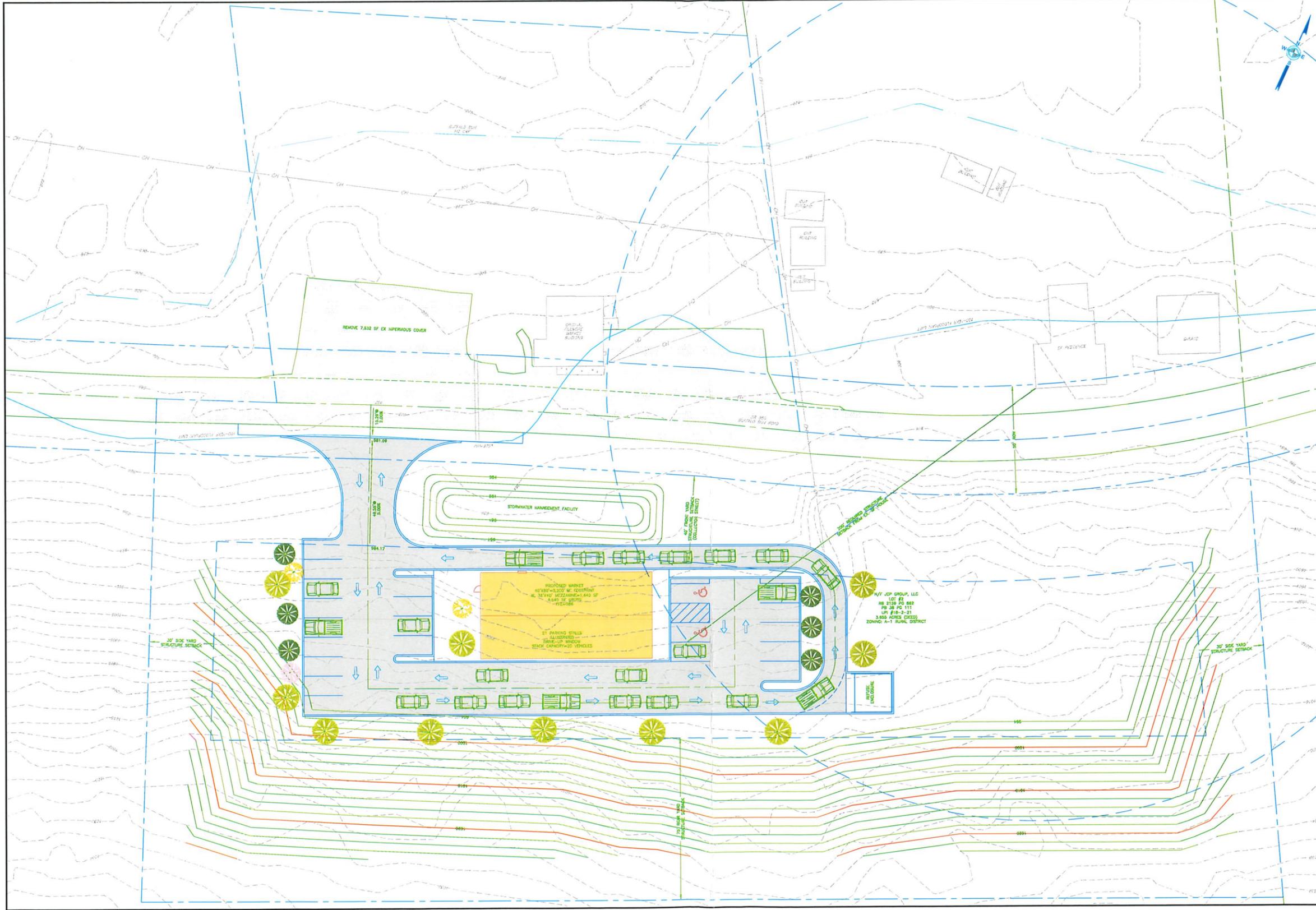
DATE: March 6, 2014

St w Haffner
SIGNATURE

Steven w Haffner
PRINT NAME

EXPLANATION:

Parties have a right under Section 908 of the Municipalities Planning Code to have a stenographic record made of the hearing. This usually requires that a court reporter be called in. If the parties waive the requirement of a stenographic record, the record of the hearing shall be kept on the municipality's sound recording system. If a party does not desire to waive this taking of the record by a stenographer, they shall so advise the Board prior to the hearing so that a stenographer can be arranged to be present.



PROJECT NO.: 2024-03-12
 FILE NAME: 2024-03-12
 DATED: 03/12/24
 DRAWN BY: [Redacted]
 CHECKED BY: [Redacted]

KELLER ENGINEERS, INC.
 EXPRESSLY RESERVES ITS
 OWNERSHIP OF ALL RIGHTS
 AND OTHER RIGHTS
 IN THIS DESIGN. THIS DESIGN
 IS NOT TO BE REPRODUCED,
 COPIED, OR TRANSMITTED IN
 ANY FORM OR BY ANY MEANS
 WITHOUT THE WRITTEN PERMISSION AND
 CONSENT OF KELLER ENGINEERS, INC.

01

FILLMORE MARKET
CONCEPT PLAN V.10
 PATTON TOWNSHIP, CENTRE COUNTY
 PENNSYLVANIA

DATE & INITIALS	REVISION DESCRIPTION



KELLER ENGINEERS
 CIVIL, MECHANICAL, ELECTRICAL
 3500 E. College Avenue
 Suite 1100
 State College, PA 16801
 P: (814) 231-2925
 www.keller-engineers.com

EXHIBIT
A

§ 425-67. Nonconforming use regulations.

Lawful uses, located either within a building or other structure, or part thereof or on the land or in combination of both, which at the effective date of this chapter or subsequent amendment thereto became nonconforming, may be continued so long as they remain otherwise lawful, including subsequent sales of the property, subject to the following regulations:

- A. Enlargement. No such nonconforming use shall be enlarged or increased upon ground not occupied at the time of the passage of the Zoning Ordinance nor upon that portion of said ground not devoted to the nonconforming use.
- B. Damage or destruction.
 - (1) In the event that a manufacturing nonconforming use, in a residential district, is destroyed or partially destroyed by fire, explosion or other disasters or otherwise damaged to the extent of 75% or more of the assessed valuation of all buildings, structures and other improvements on the lot, as determined from the assessment rolls effective at the date of the damage or destruction, such nonconforming uses shall terminate and the lot shall thereafter be used only for conforming uses.
 - (2) In the event that any nonconforming use, in any district, is destroyed or partially destroyed by fire, explosion or other disaster or otherwise damaged to the extent of 75% or more of the assessed valuation (as defined above), such nonconforming use shall terminate and the lot shall thereafter be used only for conforming uses.
- C. Discontinuance. If a nonconforming use of land ceases operations for a period of more than one year after which the owner of such property does not file a certification of intention to maintain such use, then this shall be deemed to be an intent to abandon such use and any subsequent use of the land shall conform to the regulations of this chapter.

5963 West Buffalo Run Road



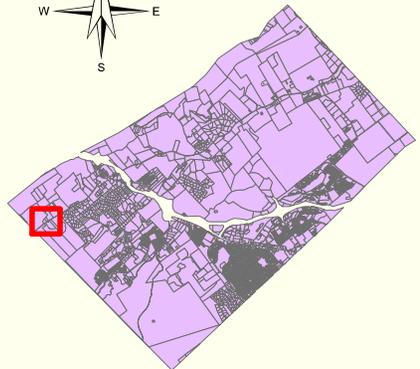
Eagle Field Rd

W. Buffalo Run Rd

Marion Way

5963

5934



0 35 70 140 Feet

RECEIVED

MAR 14 2024



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<u>Application Tracker</u> (TOWNSHIP OFFICE ONLY)	
Date Received:	<u>3/14/24</u>
Fee Received:	<u>3/14/24</u>
Receipt No.	<u>52445</u>

Application for Zoning Hearing Variance

The undersigned hereby applies to the Zoning Hearing Board for a hearing.

APPLICANT (Name): Michael Skvarla

Address: 5963 W Buffalo Run Rd, Port Matilda, PA, 16870

Phone: 724-493-9524 Email: mskvarla36@gmail.com

PROPERTY OWNER: (If different from Applicant)

Name: _____

Address: _____

Phone: _____ Email: _____

PROPERTY LOCATION:

Address: 5963 W Buffalo Run Rd, Port Matilda, PA, 16870

Description (lot number or other, optional): _____

Tax Parcel No. 18-301-041-0000 - 321-09

PRESENT USE OF THE PROPERTY:

Private residence

PROPOSED USE OF THE PROPERTY:

Private residence

JURISDICTION OF ZONING HEARING BOARD:

The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

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- §175-65.B (2) Procedural Validity Challenge
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- §175-65.H (8) Preliminary Opinion of Zoning Officer
- §175-65.I (9) Sedimentation, Erosion Control, Stormwater Management
- §175-65.J (10) Chapter 140 (Signs)

To view **Chapter 175-65 – Jurisdiction**, please click on the following link:

<https://ecode360.com/6634462>

Fill in the information requested to describe your appeal or request:

1. Identify the ordinance or section of the ordinance involved.

175-10C - Minimum setbacks

2. Describe the action you are appealing or the request you are making to the Board.

Variance request to build within the 30' setback ~~on~~ along the front of the property.

3. Describe what you desire to build or to do.

We would like to build a 10' wide wraparound porch onto our house. The front of the house is 33'

from the property line, so the porch on the front of the house would extend into the 30'

setback by 7'. We are waiting to submit plans for permitting until we know if we can build in the setback

or not.

4. Describe the reasons for your appeal or request.

A previously existing stoop already extended into the 30' setback. I demolishd in in 2022 due to safety concerns. I could replace the stoop as it was, but allowing the poch to wrap around the front of the house into the setback would be a better option for aesthetic and safety reasons.

Attach all documents, plans, maps, correspondence or other materials relevant to your appeal.



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Phone (814) 234-0271 Fax (814) 238-7790
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ENTRY OF APPEARANCE

NAME OF CASE: _____

PROPERTY ADDRESS OR LOCATION: 5963 W Buffalo Run Rd, Port Matilda, Pa, 16870

I DESIRE TO BE CONSIDERED A FORMAL PARTY TO THESE PROCEEDINGS. PLEASE SEND ALL NOTICES TO ME OR TO MY ATTORNEY.

NAME: Michael Skvarla

ADDRESS: 5963 w. Buffalo Run Rd, Port Matilda, PA, 16870

I AM PRESENT ON BEHALF OF: _____

EXPLANATION:

This form must be filled by every person or his attorney, including the applicant, who desires to be considered a formal party or attorney of record in these proceedings. It is not required to be signed by persons who are only present as witnesses.



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DATE: 13 March 2024


SIGNATURE

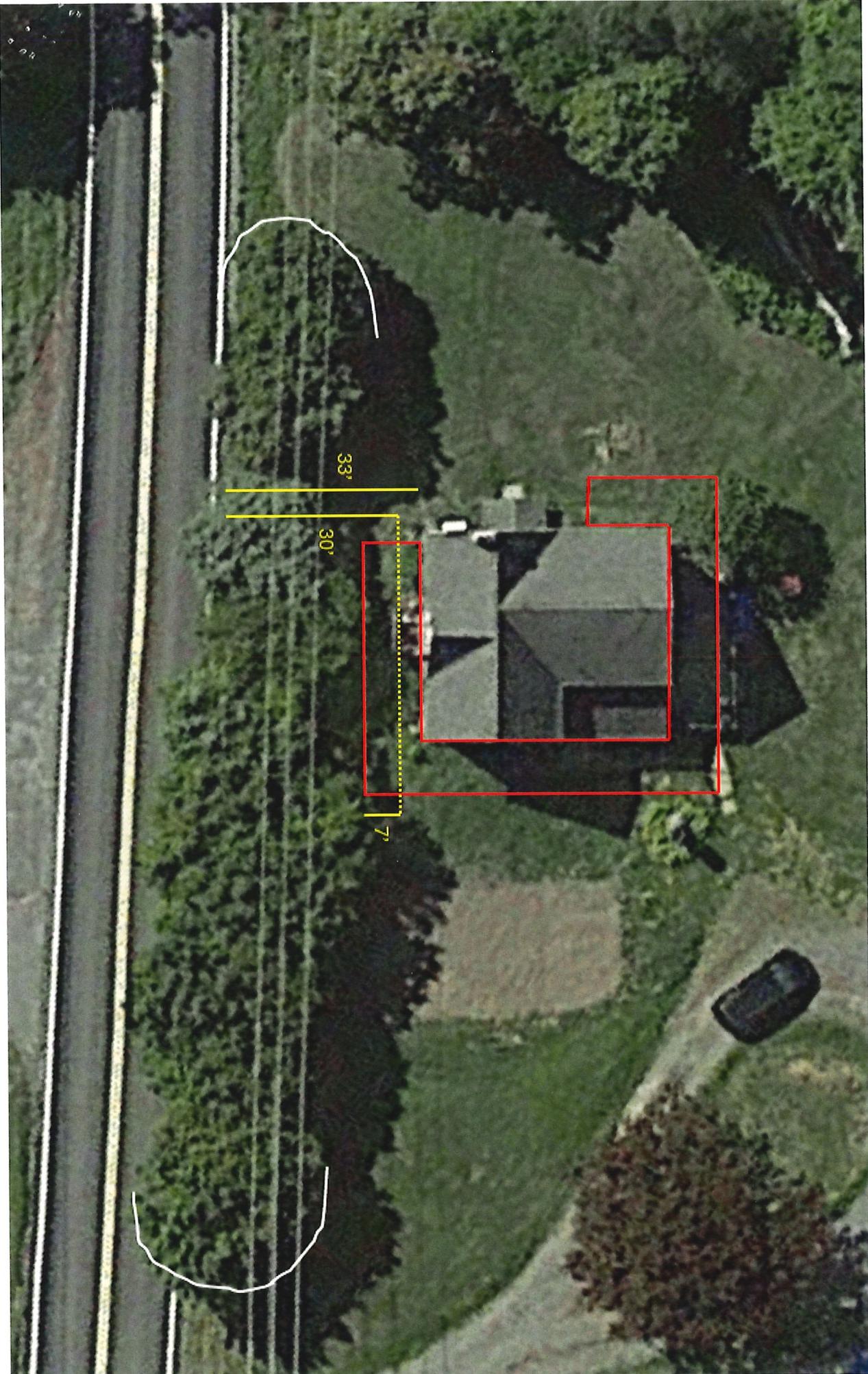
Michael Skvarla
PRINT NAME

EXPLANATION:

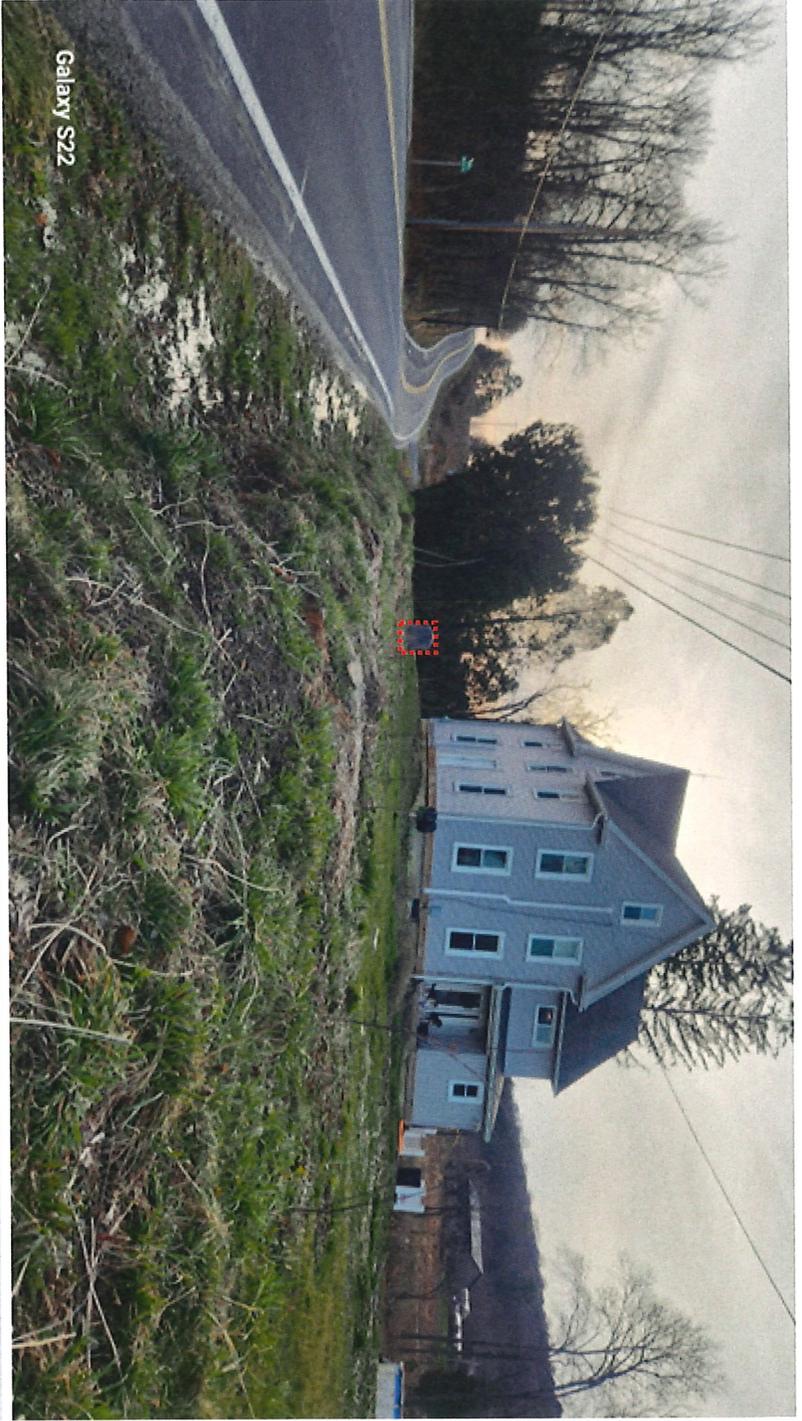
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— Outline of proposed porch. Architectural drawings are being designed and will be submitted for permitting pending acceptance or dismissal of the variance request.

The large trees bracketed in white have been removed since these satellite images were taken.



A steep embankment 3' in height runs along the front of the property where the variance is being requested. It serves as a barrier against vehicle traffic and accidents. If the variance is granted, the porch would end approximately 23' from the top edge of the embankment. The red box outlines a compost bin for scale.









§ 425-31. A-1 Rural District. [Amended 8-12-1975 by Ord. No. 139 ; 12-16-1975 by Ord. No. 143 ; 9-11-1991 by Ord. No. 91-274 ; 1-13-1993 by Ord. No. 93-297 ; 12-11-1996 by Ord. No. 96-334 ; 12-10-1997 by Ord. No. 97-354 ; 6-16-1999 by Ord. No. 99-368 ; 1-2-2001 by Ord. No. 2001-384 ; 10-24-2007 by Ord. No. 2007-486 ; 5-28-2008 by Ord. No. 2008-496 ; 3-10-2010 by Ord. No. 2010-518 ; 9-28-2011 by Ord. No. 2011-531 ; 1-6-2014 by Ord. No. 2014-551]

A. Statement of intent.

- (1) Specific intent. In addition to the general goals listed in § 425-2, it is the purpose of this section to encourage the pursuance of existing agricultural uses and to maintain the rural character of the area. In this manner, sufficient open land will be retained for future use as stream, valley, parks and watershed control, conservation and natural wilderness areas or game preserves. Areas within the Regional Growth Boundary and Sewer Service Area can provide transitional residential areas between higher-density zoning and lower-density development outside the Sewer Service Area.
- (2) Furthermore, the rural preservation design standards established herein are intended to achieve the following:
 - (a) To encourage innovative residential development and design resulting in a coherent overall development pattern and streetscape.
 - (b) To create neighborhoods with direct visual access to open land.
 - (c) To conserve and efficiently use open land in rural areas by maintaining permanent open land through the use of rural preservation techniques and ensuring that this open land is incorporated as an integral component of community and neighborhood design.
 - (d) To encourage new woodlands through natural succession, reforestation and landscaping, where appropriate, and encourage the preservation and improvement of habitat for various forms of wildlife.
 - (e) To preserve and enhance the rural appearance and serenity of outlying portions of the Township.
 - (f) To preserve environmentally sensitive features and historically significant elements.
 - (g) To implement the environmental protection policies of the Centre Region Comprehensive Plan by requiring open land.
 - (h) To promote land development beneficial to maintaining the High Quality Cold Water Fishery designation for Buffalo Run and the related watershed areas.
 - (i) To provide sufficient space in appropriate locations for the pursuits of limited agricultural, horticulture and forestry activities.
 - (j) Within the Regional Growth Boundary, to provide for the efficient utilization of public water and sewer services.

B. Use regulations. Uses by right. Land, buildings and premises shall be used by right for the uses shown in Table 425-31B(1).

(1) Uses permitted as a conditional use. The uses shown in Table 1 shall be permitted as a conditional use subject to meeting the procedures and criteria for conditional uses contained in § 425-57 and in conjunction with the specific requirements of each use as identified in Table 425-31B(2) If a conditional use approval is granted for any of these uses by the Board of Supervisors, the buffer yard requirements of § 425-46A must be addressed for all uses within this district. **[Amended 5-28-2014 by Ord. No. 2014-557]**

(a) Community-supported agriculture. Developments within the A-1 District that propose to incorporate within them a community-supported agriculture (CSA) enterprise shall be permitted as a conditional use. In addition to meeting the procedures and criteria for conditional uses contained in § 425-57 and the buffer yard requirements of § 425-46A, the following conditions shall also apply.

[1] All CSA developments shall be subject to all of the following conditions:

[a] The developer must demonstrate, to the satisfaction of the Township, that the on-site soils to be utilized in the CSA are suitable to sustain an agricultural operation.

[b] At least 35% of the open land shall be utilized as a CSA enterprise that produces consumer-ready crops which are made available to the residents of the development and to other community residents on a subscription basis.

[c] A homeowners' association (HOA) shall be created in accordance with terms and conditions to be determined during the plan review process.

[d] Lands dedicated to the CSA shall be controlled by a conservation easement to be held by the Township. The conservation easement may include, but shall not be limited to:

[i] Restrictions and/or conditions of use placed upon the subject lands.

[ii] Protections for and the preservation of agricultural lands, streams, wetlands, riparian buffers, steep slopes, woodlands, wildlife habitat and scenic resources.

[2] In addition to the conditions set forth in § 425-31B(1)(a)[1] above, all CSA developments must meet the conditions of one or more of the following development options and may exercise any benefits permitted by the option(s) chosen.

[a] Option 1: development on steep slopes. Steep slopes may be developed in conformance with the following conditions:

[i] The CSA may be operated as a for-profit enterprise.

- [ii] The CSA or HOA shall reimburse the Township for costs associated with monitoring the conservation easement.
 - [iii] Development shall not be allowed on slopes averaging greater than 25% except upon submission of a report by a professional engineer certifying that the steep slopes may be safely developed. When a professional engineer has submitted such a report, no more than 5% of the total slope area averaging greater than 25% may be developed. In addition, the following conditions shall apply:
 - [A] The owner and/or developer shall agree to hold the municipality harmless from and against any and all claims or damages associated with any improvements or construction completed in accordance with an approved development plan.
 - [iv] Forested open lands situated on slopes exceeding 15% shall be included in a forest stewardship plan prepared under the guidelines of the PA DCNR.
- [b] Option 2: As part of a CSA, a retail operation may be conducted in conformance with the following conditions:
- [i] The CSA may be operated as a for-profit enterprise.
 - [ii] The CSA or HOA shall reimburse the Township for costs associated with monitoring the conservation easement.
 - [iii] In addition to subscription sales, the CSA may include a retail use. The retail use shall not exceed 2,500 square feet in size and shall be limited to:
 - [A] Sale of goods produced by the CSA;
 - [B] Other consumer-ready crops produced within Pennsylvania;
 - [C] Food products produced by Pennsylvania producers; and
 - [D] Other products not to exceed 20% of the total sales of the retail operation.
- (b) Farm cafes. Farm cafes shall be permitted as a conditional use in the A-1 District. In addition to meeting the procedures and criteria for conditional uses contained in § 425-57, the following conditions shall also apply. **[Added 11-2-2016 by Ord. No. 2016-573]**
- [1] The farm associated with the farm cafe must operate as an active agricultural use, as defined in § 425-6, Definitions; interpretations of regulations.
 - [2] The site must comply with Chapter 310, Stormwater Management, and meet the following additional regulations:
 - [a] The use of innovative best management practices (BMP) and low-impact

development (LID) techniques are required to reduce the generation of stormwater runoff and effectively treat pollutants transported in stormwater.

- [b] The use of curbing with inlets and piping shall be avoided. Stormwater flow from parking areas shall be conveyed to LID BMPs.
 - [c] Downspouts shall either be directed to sumps or disconnected from storm pipes and encouraged to flow to LID BMPs.
- [3] The farm cafe need not be subordinate to the active agricultural use in terms of revenue, but shall be subordinate in terms of overall land use (e.g., land area, structures utilized) in order to maintain the intent of the farm cafe, which is to augment, support, and highlight local agriculture.
 - [4] The total gross floor area specific to the farm cafe use shall not exceed 3% of the total lot area. This provision shall apply to the entirety of the farm cafe in the case of a freestanding structure or, in the case of an attached structure, the portion of the structure that shall be used for the farm cafe.
 - [5] The property shall adhere to the open land requirements specified in Table 425-31B(3) (§ 350-36D, rural preservation design standards) and shall be controlled by a conservation easement to be held by the Township.
 - [6] To reduce traffic impacts, only on-site dining and takeout ordering is permitted. No drive-through service is allowed.
 - [7] Farm cafes shall be limited to a maximum of 150 seats.
 - [8] Adequate parking shall be provided on site according to the standards for eating and drinking establishments as specified in § 350-49, Off-street parking regulations. In addition, all driveways and parking areas must be constructed of a material that will maintain a mud-free surface.
 - [9] Retail sales of agricultural products shall be limited to those produced in whole or in part within Pennsylvania, and the sale of merchandise shall be limited to items that promote the farm cafe. Retail sales shall only be permitted in conjunction with an eating establishment that meets the principal objective of farm cafe, as defined in § 425-6, Definitions; interpretations of regulations.
- C. Area and bulk regulations. The regulations shown in Table 425-31B(1) shall be observed.
 - D. Developments within the Regional Growth Boundary and Sewer Service Area using public sewer and water. In addition to the use and area/bulk regulations contained in § 425-31B, Table 425-31B(1) and Table 425-31B(2), the design standards in Chapter 350, Subdivision and Land Development, apply.
 - E. Rural preservation design standards. In addition to the use and area/bulk regulations contained in § 425-31B and C, the design standards in Chapter 350, Table 425-31B(1) and Table 425-31B(2), Subdivision and Land Development, apply to rural preservation

developments.

- F. Exemptions for one or two lots. All parcels that are 10 acres or larger in area at the time of enactment of this chapter will be entitled to subdivide up to two lots from the parent tract without having to comply with rural preservation design standards. Each subdivided lot shall meet the applicable use regulations contained in § 425-31B, Table 425-31B(1), and the applicable area and bulk regulations contained in Table 425-31B(2).
- G. Ownership and maintenance of rural preservation open land.
- (1) At the time an application is made to the Township for preliminary plan approval, the applicant shall supply a written agreement to the Township, in a manner and form acceptable for recording by the Recorder of Deeds, Centre County, Pennsylvania, stipulating the means by which said open land shall be preserved for the uses permitted by this subsection. Such means shall be determined according to the following provisions or other acceptable provision that creates a permanent easement. All open land shall be permanently restricted from future development.
 - (a) Retention of land by the owner or its successor at the time of rural preservation development with covenants that the open land portion of the tract shall be limited to the uses allowed in § 425-31D, in perpetuity;
 - (b) Establishments of a corporate ownership of the open land by the homeowners (homeowners' association or condominium association) of the developed portion of the tract; incorporating into the deeds of the homeowners any interest in such open land;
 - (c) Disposition of such open land to a private or nonprofit corporation chartered under the laws of Pennsylvania to administer and maintain the facilities, subject to an acceptable deed restriction limiting eventual disposition of said open land for one or more of the uses permitted above and stated in the Articles of Incorporation. Maintenance and other responsibilities for land reserved for open land intended to be between private ownership shall be set forth in an agreement between the owners or, where land is to be retained by a single owner, shall be set forth in a formal, written document which shall be binding to the owner(s), referenced by note on the subdivision plan, and recorded with Centre County; or
 - (d) Estate lot ownership for private use but restricted from further subdivision by permanent deed restriction.
 - (2) The open land may be dedicated to the Township or other public entity if the Board of Supervisors determines that such dedication is in the best interests of the Township and that none of the provisions in Subsection G(1)(a) through (d) are possible.
- H. Telecommunications facilities shall comply with the specific provisions of § 425-64.

Table 425-31B(1) A-1 Uses [Amended 11-2-2016 by Ord. No. 2016-573; 7-19-2017 by Ord. No. 2017-586; at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]				
Permitted Uses	Accessory Uses	Conditional Uses	Special Exceptions ¹	Prohibited Uses ¹
Essential services Single-family Group homes Telecommunication facilities	Customary related accessory uses ³ Swimming pools ^{2,4} Private greenhouses Residential wind energy facilities (RWEFs)	Churches* Sanitariums* Cemeteries Schools, public or private* Public recreational* Public uses* Sawmills* Greenhouses, commercial* Fish hatcheries* Solar energy systems Commercial wind energy facilities (CWEFs)		
On parcels of 10 acres or more	On parcels of 10 acres or more	On parcels of 10 acres or more		
Agricultural uses Agricultural farm buildings and structures	Customary agricultural accessory storage and sale of farm products produced on the farm 1 additional single-family dwelling, or 1 additional dwelling unit within or attached to principal structure	Penal or corrective institutions* Golf courses Game reserves* Private hunting lodges* Community-supported agriculture** Farm cafes**		

NOTES:

* See Table 1.1 for area and bulk regulations.

** See full text of § 425-31A.

NOTES:

¹ There are no special exceptions or specifically prohibited uses in this zoning district.

² See full text of § 425-31A.

³ Accessory structures are permitted in the rear yard setback area provided they are a minimum of 40 feet from the rear property line.

⁴ A swimming pool may be located in the rear yard setback area provided that the water’s edge is a minimum of 25 feet from the rear property line.

Table 1 (continued)			
A-1 Area and Bulk Regulations			
(§ 425-31C)			
Minimum Lot Size		Minimum Lot Width At	
		Building Line (feet)	Street Line (feet)
When meeting RPD standards: 1/3 acre	For property on which agricultural uses, farm buildings and farm structures are located	300	200
For preexisting parcels less than 10 acres not to be developed under RPD standards: 1 acre	For rural preservation developments	80	50
For lots created under 175-26E: 1 acre	For other developments	150	100
For developments within RGB/SSA using public water/sewer			
11,000 square feet minimum; 33,000 square feet maximum	80 feet at building line	50 feet: frontage on interior street	
Maximum density: 1.6 dwelling units per acre			

Maximum Lot Coverage	Maximum Impervious Area	Maximum Height (feet)	
		Building	Structure
20% in all areas	40%	35	100

Minimum Setbacks				
Development Type	Front (feet)	Front on Collector (feet)	Side (feet)	Rear (feet)
For property on which agricultural uses, farm buildings and farm structures are located	75	100	75	75
Rural preservation/lot accessed by interior public street	30		10	25
Rural preservation/lot accessed by shared driveway	20		20	20
Other	30	40	30	75
Within RGB/SSA using public water/sewer	30		10	25
	Tract boundaries		Adjacent to existing public right-of-way	
Rural preservation	75 feet		100 feet	
Within RGB/SSA using public water/sewer	Greatest of:		75 feet	
	1)	Track boundary setback of adjacent development or zoning district		
	2)	Rear yard setback of adjacent property or zoning if no tract boundary setback is required		
	3)	50 feet		

Additional Setbacks

No new single-family dwelling shall be located closer than 200 feet to any existing barn on a separate lot or parcel of land.

Minimum Setbacks				
Development Type	Front (feet)	Front on Collector (feet)	Side (feet)	Rear (feet)
No new farm building or structure shall be located within 200 feet of an existing residence on a separate lot or parcel of land.				

**Table 425-31B(3)
Other Design Standards**

Rural Preservation Design Standards

The rural preservation design standards are contained in § 350-36. The information provided in this table is not a complete set of design standards. These standards contain those with specific parameters. Section 350-36 contains other general standards pertaining to site design. See § 350-36 for full text.

(§ 350-36; See also § 425-31)

Open Land

Section	Description	See Also
§ 350-36D	50% of tract must remain as open land	§ 425-6, Definitions

Allowable Uses of Open Land

1. Agricultural uses on a minimum area of 10 acres.
2. The conservation of water, soil, forest and wildlife resources, areas for potable water well use and areas for treatment/disposal for wastewater discharges. Protection easements with required separation distances as required by the PADEP shall be provided for water wells and wastewater discharge areas.
3. An estate lot for one single-family dwelling. The estate lot shall be restricted from further subdivision by permanent deed restriction. An estate lot of 10 acres or more is entitled to accessory uses and additional uses by right as described in § 425-31B.
4. Parks and recreational uses.
5. Stormwater management areas.

Stream, Wetland and Environmental Buffers

Section	Streams (feet)	Wetlands (feet)	Surface Waters (feet)	Planting Requirement
§ 350-36H	100	100	100	n/a (existing natural vegetation)
§ 350-36P, alternate standards	50, with plantings	50, with stormwater BMPs	50, with plantings	For streams, surface waters

Stream, Wetland and Environmental Buffers				
Section	Streams (feet)	Wetlands (feet)	Surface Waters (feet)	Planting Requirement
See § 350-36P for full regulations of the alternate standards.				

Riparian Buffers (§ 350-43)		
See also § 350-36H, P: The stricter standard applies where conflict exists between these regulations.		
	Buffer Width	Planting Requirements
Streams	The greater of 65 feet or extent of 100-year floodplain	Plantings to be installed in first 35 feet of buffer, each side
Wetlands	a) Greater than or equal to 5,000 square feet: 50 feet b) Greater than 2,500 square feet but less than 5,000: 25 feet	No plantings required. Existing vegetation to be preserved.
For full requirements pertaining to riparian buffers, see § 350-43.		

Table 425-31B(3) Conditional Uses; Area and Bulk Requirements [Amended 11-2-2016 by Ord. No. 2016-573]	
Unless otherwise specifically identified, the following area and bulk regulations will pertain to conditional uses.	
Lot size	1 acre minimum
Lot width at building setback line	150 feet, minimum
Lot Coverage (impervious surface)	20% maximum
Setback	30 foot minimum, 40 feet on collector streets
Side yards	30 feet minimum per side
Rear yards	75 feet minimum
Maximum building heights	35 feet building, 50 feet structure
Lot width at street line	100 feet minimum

Conditional Use	Minimum Lot Size (aces)	Minimum Setback (feet)	Other
Churches	5	75, all sides	
Sanitariums	5	75, all sides	

Conditional Use	Minimum Lot Size (aces)	Minimum Setback (feet)	Other
Penal or corrective institutions	10	100, all sides	Cannot be adjacent to a property where a residence is the primary use
Golf Courses	150		Maximum impervious coverage of 5%
Schools, public or private	5	75, all sides	No more than 50 students may be enrolled at any one time
Public recreation	5		Maximum impervious coverage of 5%
Private recreation	10	100, all sides	Hours of operation shall be between 7:00 a.m. and 1/2 hour after sunset
Public Uses	5		
Sawmills	5	75, all sides	(a) All operations must occur inside of a structure or structures (b) Hours of operation shall be between 7:00 a.m. and 8:00 p.m.
Greenhouses, commercial	5	75, all sides	Hours of operation shall be between 7:00 a.m. and 8:00 p.m.
Fish hatcheries	5	75, all sides	Retail sales are prohibited on-site
Game reserves	100	100, all sides	Maximum impervious coverage of 5%
Private hunting lodges	50 acres; also see "Other" column	100, all sides	If located directly adjacent to public hunting lands such as State Gamelands or State Forest; then minimum lot size shall be 5 acres

Conditional Use	Minimum Lot Size (aces)	Minimum Setback (feet)	Other
Farm cafes	10	75, all sides	Hours of operation shall be between 6:00 a.m. and 10:00 p.m.