



# ZONE STATE COLLEGE pennsylvania

## ZONING ORDINANCE ASSESSMENT

September 2017



CLARION

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SAMUELS

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# I) Introduction and Overview

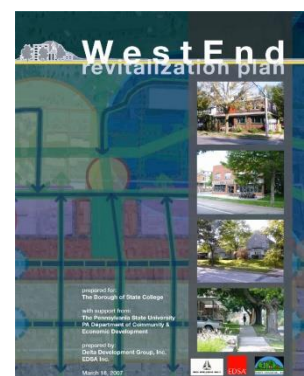
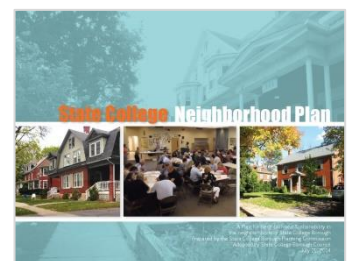
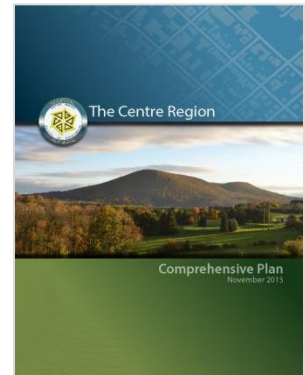
## Introduction

State College is conducting a comprehensive rewrite of its Zoning and Subdivision Ordinances. The project will transform the current regulations into more user-friendly and efficient documents, and establish regulations that incorporate the community's values for development form and quality in ways that are consistent with the Borough's plans and policies. This process, called *Zone State College*, is also necessary for several other reasons:

- The current regulations have not been comprehensively updated in 58 years.
- Over that time, the Ordinances were amended over 210 times to address specific issues – becoming complex and unclear. In some instances these cumulative changes have created obstacles to desired forms of development.
- The Borough has changed, affecting the community's vision and goals for growth and development. The economy is growing, especially as Penn State University's University Park campus continues to grow. At 47,261 students in 2016, Penn State's University Park campus student enrollment is up by nearly 5,000 students from 2006. The population has steadily increased, with the prospects of growth and development pressures increasing dramatically in the near future with the opening of Interstate 99.
- Plans outline new visions, goals, and policies for the Borough and Centre Region. The West End Revitalization Plan (March 2007), Downtown Master Plan (August 2013), Centre Region Comprehensive Plan (November 2013), and State College Neighborhood Plan (July 2014) have all been completed over the last decade.

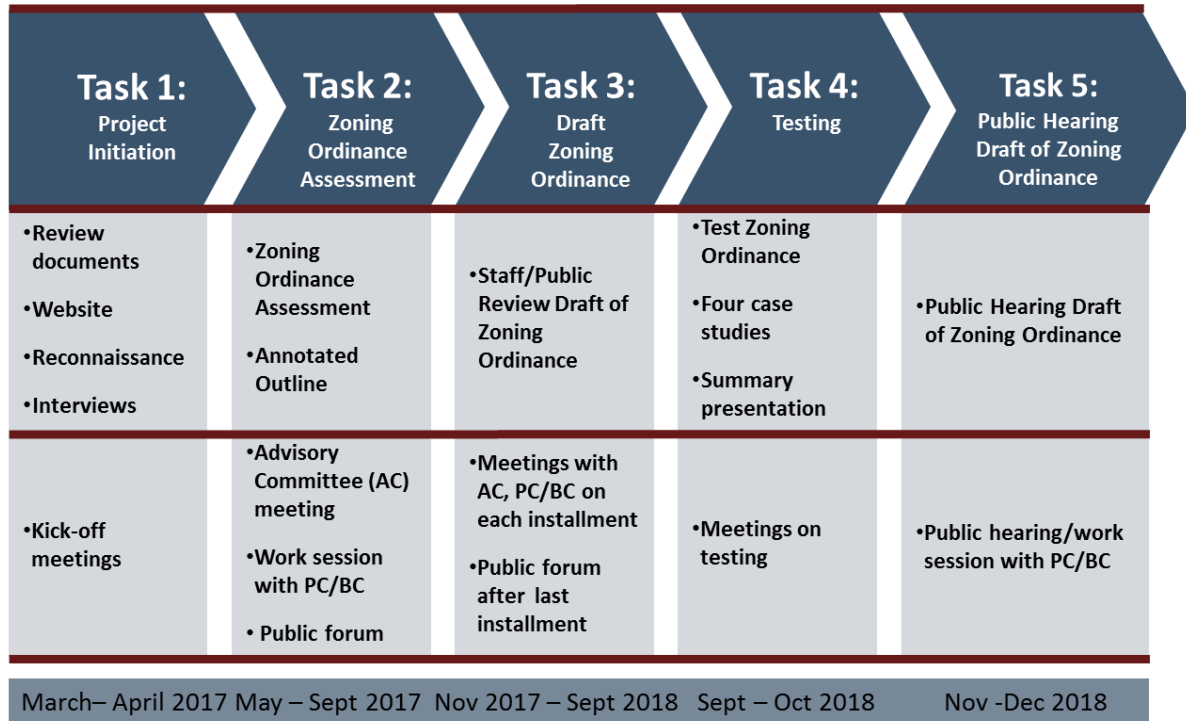
The current Zoning and Subdivision Ordinances do not have the proper tools in place to implement the goals and policy direction for future development, as identified by these plans. In addition, they do not include tools to implement other important goals identified by the community. This rewrite will do that, as well as introduce 21<sup>st</sup> century zoning and land development best practice tools to address community goals.

To assist with the process of rewriting the Zoning and Subdivision Ordinances, the Borough has retained a nationally recognized team of planning consultants, led by Clarion Associates, to work with the State College Planning Department staff on the project.

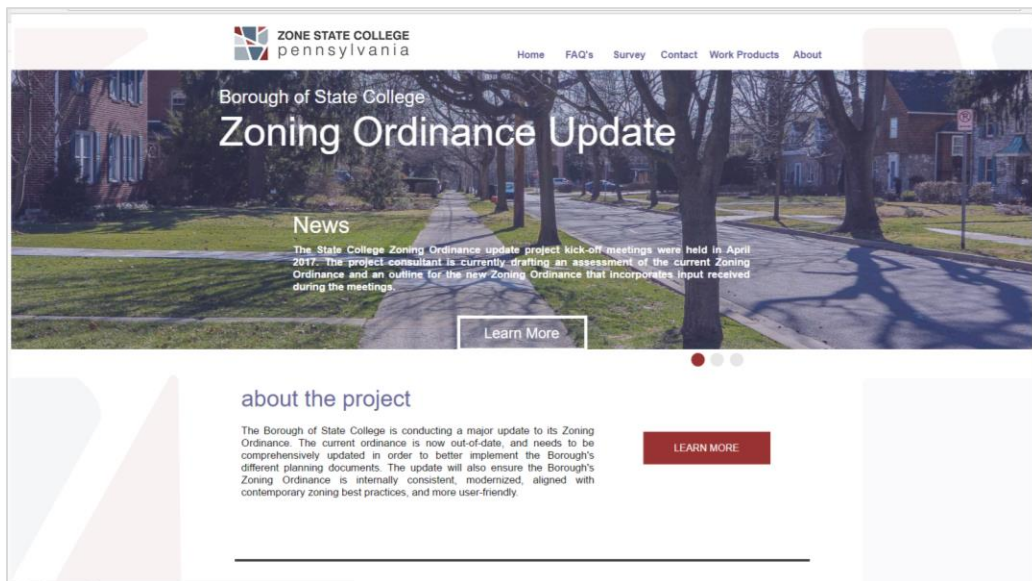




Rewriting the current regulations is a significant undertaking. The work is organized into five tasks, as shown below, and is expected to take several years to complete.



The Borough encourages all members of the public to participate in the project and provide input. To assist in the effort, a project website, [www.zonestatecollege.org](http://www.zonestatecollege.org), has been established. It includes information about the project, ways to get involved, and will provide notice about upcoming events, news, and contact information. When work products are completed they will be placed on the website.



## Overview of the Assessment

This Zoning Ordinance Assessment is intended to be a starting point for discussions that need to take place about changes to State College's Zoning and Subdivision Ordinances. The Assessment synthesizes the most important goals (key themes) included in the plans and identified by the community that need to be accomplished in the project, includes an evaluation of how the current regulatory system performs, and then suggests changes and zoning tools that need to be included in the rewritten Ordinances if the goals are addressed. The Assessment should not be read as a criticism of the current regulations, which have served the Borough well, but now need to be rewritten. Rather, it should be read as a report that, after evaluation of current policies and regulations, offers tools to help the Borough realize its vision and goals for the 21<sup>st</sup> century.

- I. Introduction and Overview
- II. Diagnosis
  - Theme 1: Create User-friendly Ordinances
  - Theme 2: Restructure and Modernize the Zone Districts to Implement the Local Plans
  - Theme 3: Modernize the Development Standards
  - Theme 4: Encourage and Support Green Building Practices
  - Theme 5: Modernize the Regulations to Encourage and Support Redevelopment
- III. Annotated Outline of the Rewritten Zoning Ordinance
- IV. Annotated Outline of the Rewritten Subdivision and Land Development Ordinance
- V. Appendices

The Assessment is organized into five parts and Appendices. See above. Part I is this introduction and overview. Part II is a Diagnosis, which discusses the key goals and themes for the rewrite effort, along with recommendations for how the key themes can be achieved in the rewrite. Parts III and IV, respectively, include Annotated Outlines for how the rewritten Zoning Ordinance and Subdivision and Land Development Ordinance would be restructured if the key themes identified in the Diagnosis are implemented as recommended. Appendices are included in Part V.

The rewrite of the Ordinances will help facilitate high quality development and support the community's vision for livable neighborhoods and a vibrant downtown and commercial corridors. This Assessment and the Annotated Outline will serve as the roadmap for the drafting of the rewritten regulations. With input from Borough staff, residents, students, business and property owners, the Advisory Committee, the Planning Commission, and direction from the Borough Council, the Assessment helps craft the framework for a rewritten Zoning Ordinance and Subdivision and Land Development Ordinance that will:

- Support compact, mixed use, walkable development in the downtown core and West End;
- Protect the quality and character of established neighborhoods;
- Support the redevelopment of the current commercial corridors to places with a greater mix of uses, more walkability, and higher density;
- Provide for new student housing in appropriate locations;
- Support the Borough's existing character;
- Increase connectivity and walkability generally;
- Support sustainable and green building practices; and
- Protect natural resources and environmentally valuable lands.

Residents, students, business and property owners, elected and appointed officials, and all other stakeholders in the community are invited to read this Assessment and note the areas you agree with—as well as the areas that should be changed—to help promote a vigorous and open exchange of ideas. We also ask that you read the Assessment with an open mind about different ways of collaborating in order to achieve the community's desired goals for future growth and development.



## II) Diagnosis

### Theme 1: Create User-Friendly Ordinances

One concern expressed by multiple stakeholder groups about the Borough's current Zoning and Subdivision Ordinances is that they are unclear and not user-friendly. Generally these concerns are valid. Specifically, the regulations:

- Are not intuitive and logically organized;
- Fail to integrate graphics, illustrations, photographs, tables, or flowcharts to explain complex zoning terms;
- Contain formatting that is difficult to navigate;
- Include different review standards in different places;
- Do not define a number of uses and some terms;
- Include imprecise and sometimes inconsistent review standards; and
- In some instances are not written in plain English.

For these reasons, an important project goal should be to make the regulations more understandable and user-friendly. User-friendly regulations are easy to use, rely on an intuitive and logical organization, and allow a reader to locate the desired information quickly. They use plain and precise language and graphics to illustrate complex zoning concepts. They are organized and presented in a logical way that helps readers understand relationships among different parts of the regulations. We suggest the current Zoning and Subdivision Ordinances can be made more user-friendly by:

- Reorganizing them in a logical and intuitive way;
- Incorporating graphics, illustrations, and tables to explain zoning concepts;
- Improving the document formatting and numbering system;
- Making the language more clear and precise, and addressing internal inconsistencies;
- Modernizing, refining, and updating the definitions;
- Using a Procedures Manual; and
- Streamlining the review procedures, where appropriate.

#### 1.1 Make the Structure More Logical and Intuitive

The Borough's Ordinances currently include 11 parts, which are further divided into sections and subsections. The current organization is not very logical or intuitive. Some parts focus on regulatory relief and enforcement (e.g., Part I – Remedies, Penalties, and Validity); other parts consist of specific development standards (e.g., Part K – Lighting), even though other development standards are found in other parts. Similarly, Part B includes Definitions, but additional definitions are scattered throughout the document. Several use-specific standards (XIX-D-R1.4. Bed and breakfast establishments, XIX-D-R1.5. Student Home, and XIX-D-R1.6 Chicken hens) are part of the zone districts standards.

Additionally, the Ordinance currently contains not just zoning regulations, but also subdivision and land development regulations, which is not standard in the State of Pennsylvania and has resulted in some procedural challenges.

Typically, modern ordinances address these problems by organizing the regulations in a hierarchy based on procedural and substantive relationships. This organization, which is shown in the sidebar in this section, is set out in more detail in III) Annotated Outline of the Rewritten Zoning Ordinance and IV) Annotated Outline of the Rewritten Subdivision and Land Development Ordinance. It separates the zoning and subdivision/land development regulations.

## Proposed Structure

Under the reorganized Zoning Ordinance structure, all procedures are proposed to be consolidated into one part (**Part B: Administration**), and the provisions common to all procedures are included in a standard procedures section. The zone districts (**Part C: Zone Districts**) and use regulations (**Part D: Use Regulations**) are consolidated into two integrated parts. Site development standards are consolidated and their applicability to different types of development is organized in **Part E: Zoning Standards**. Some development standards are relocated in the Subdivision and Land Development Ordinance, as appropriate. Nonconformity provisions are consolidated in a part on nonconformities (**Part F: Nonconformities**). Enforcement provisions are consolidated into one part (**Part G: Enforcement**). Finally, all definitions are consolidated into one part and located at the back of the regulations (**Part H: Definitions and Rules of Measurement**) since they typically serve as a supplementary reference tool rather than as a primary source of regulatory information.

### Chapter XIX: Zoning Ordinance

Part A: General Provisions

Part B: Administration

Part C: Zone Districts

Part D: Use Regulations

Part E: Zoning Standards

Part F: Nonconformities

Part G: Enforcement

Part H: Definitions and Rules of Measurement

### Chapter \_\_\_\_: Subdivision and Land Development Ordinance

Part A: General Provisions

Part B: Administration

Part C: Subdivision and Land Development Standards

Part D: Enforcement

Part E: Definitions and Rules of Measurement

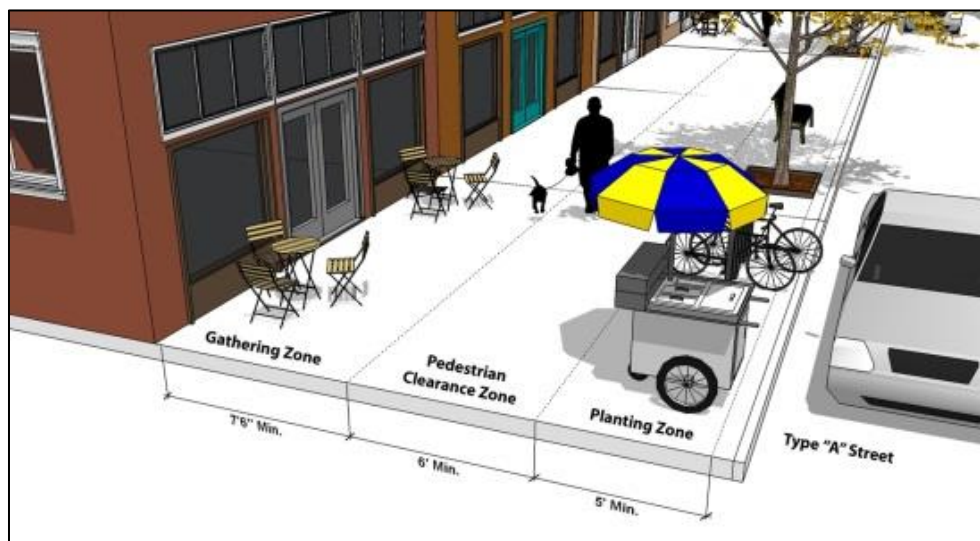
The provisions for subdivision and land development are removed from Part J of the existing Chapter XIX Ordinance and relocated into a separate ordinance. Under the reorganized Subdivision and Land Development Ordinance structure, all procedures are located in **Part B: Administration**, and the provisions common to all procedures are included in a standard procedures section. The land development and subdivision standards are consolidated into **Part C: Subdivision and Land Development Standards**. Enforcement provisions are consolidated into **Part D: Enforcement**. As with the Zoning Ordinance, definitions are located at the end of the document in **Part E: Definitions and Rules of Measurement**.

## 1.2 Use Graphics, Illustrations, and Flowcharts

One way to make regulations user-friendly is through the use of graphics, illustrations, photographs, flowcharts, and tables. They assist with communicating zoning concepts and improving the readability of the regulations. Tables, flowcharts, illustrations, graphics, and diagrams are also helpful in zoning regulations because they convey information concisely and, in many instances, more clearly—eliminating the need for lengthy, repetitive text. The current regulations do not take advantage of current graphic design concepts and tools, and recent thinking regarding how the use of clear illustrations and graphics can help explain or establish zoning requirements.

### 1.2.1 Graphics and Illustrations

The current regulations rely mainly on text to convey most regulatory concepts. Overall, the document's reliance on text misses an opportunity to visually communicate the desired intention behind various provisions. Increasing the number and type of graphics throughout the regulations to help illustrate procedures, zoning standards, and other zoning concepts (such as parking space dimensions, parking lot landscaping, and other landscaping and screening requirements) would make the regulations more user-friendly (see image). Use of photographs demonstrating both preferred and discouraged development forms and patterns would also make the regulations more user-friendly.





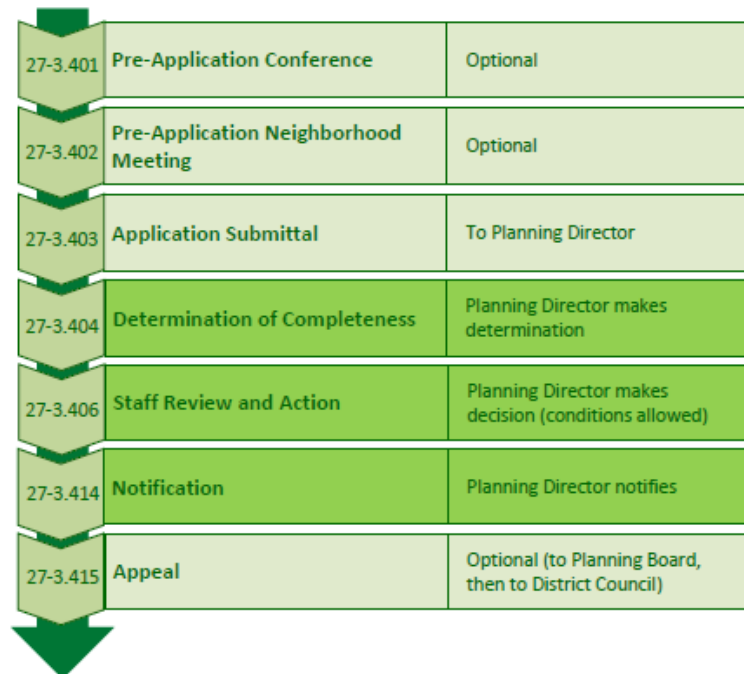
### 1.2.2 Flowcharts and Summary Tables

Flowcharts and summary tables are also helpful in presenting information succinctly and eliminating repetition or inconsistent terminology. For example, flowcharts can be used along with text in the procedures section of the regulations to graphically portray the process required for review of a specific type of development application—from the time of application submission to the final decision on the application (see example).

The current regulations use a minimal number of tables, and where they are used, they could generally be improved through better labeling and consistent styles. Adding tables for dimensional standards, landscaping, off-street parking, and exterior lighting will make the document easier to understand and use. We suggest the new regulations use tables where appropriate, consolidating as much information as practical. Consistent formatting of the tables will enhance the readability of the document.

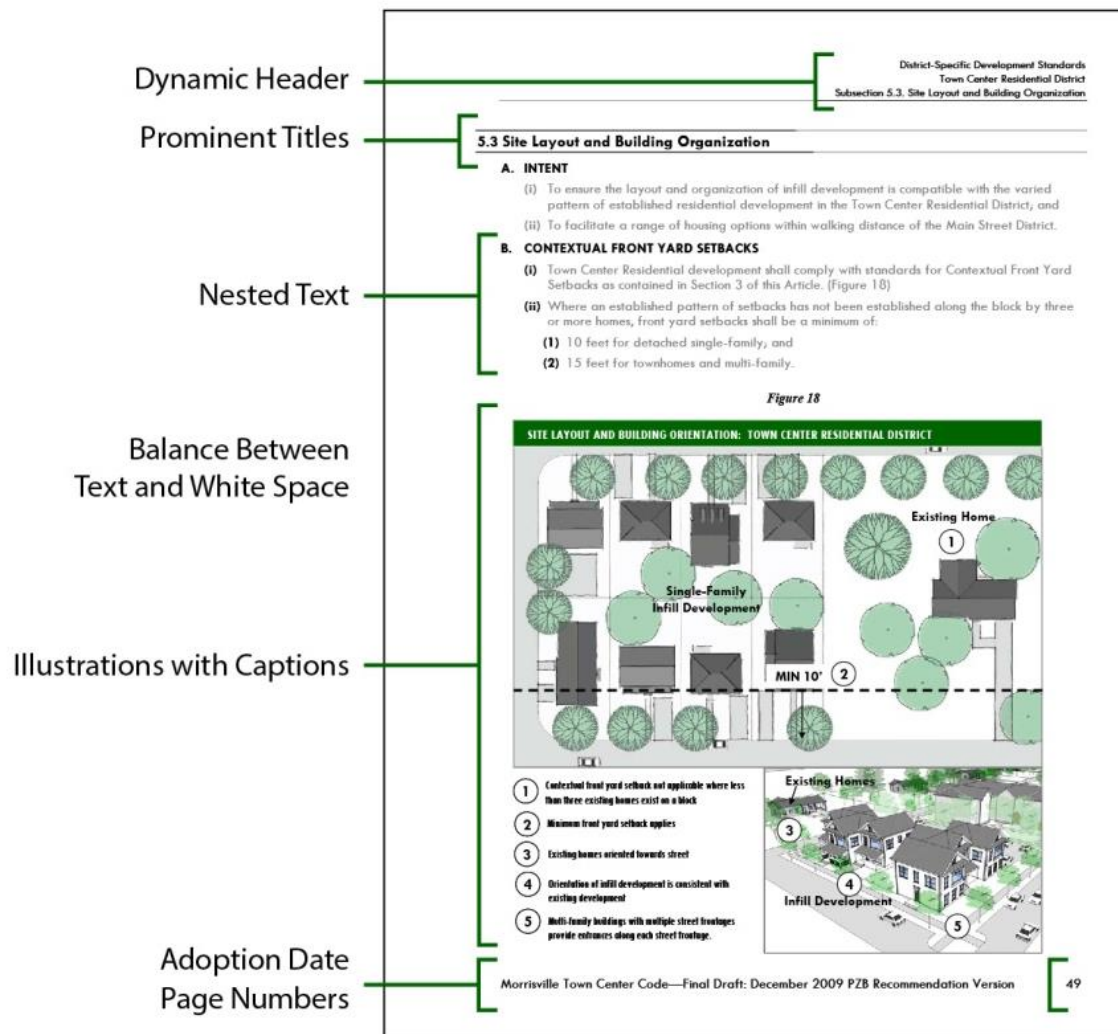
*Example flowchart from another community*

**Figure 27-3.508.D: Minor Detailed Site Plan Procedure**



### 1.3 Improve Document Formatting and Referencing

The format and page layout of the current regulations results in an Ordinance that is difficult to navigate and use. Fonts are varied between Parts, sections, and subsections, and paragraphs have inconsistent headers and indents. There could be better use of white space and paragraph alignment to help make a visual distinction between provisions. The document could also make use of clear section headings, referencing systems, and an index, as well as a glossary of abbreviations. A more detailed Table of Contents will make the document more clear and navigable. To improve readability, modern ordinances use distinctive heading font styles to more clearly distinguish various sections, subsections, paragraphs, and subparagraphs (see example page layout from another community's ordinance below).



When combined with better alignment, white space, tables, and graphics, the text becomes much easier to read and interpret. Additionally, modern ordinances use:

- An easy to understand referencing system;
- A detailed table of contents;
- Detailed headers and footers which highlight the section number and topic on each page, allowing a reader to navigate to desired locations;
- Numerous cross-references;
- An index of topics at the end of the document; and
- A glossary of abbreviations.

As illustrated in the example page layout, we suggest all of these techniques be used in the rewritten Zoning Ordinance and Subdivision and Land Development Ordinance to enhance user-friendliness.

Finally, we recommend the regulations establish a hierarchy of Parts and sections with a numbering system that is logical—one that anchors sections in the Part in which they are located.

The current regulations— Chapter XIX of the Borough Codification of Ordinances —is organized into 11 Parts, which are then divided into sections, whose numbering system continues through from Part to Part. The first section of most Parts is given to a general purpose or intent section, although this is inconsistent between Parts. For example, the first section of Part E is titled “Introduction.” Part F, “Provision for...” Part G, “Declaration of Legislative Intent.” Part H, “Intent and Applicability.”

To better organize the Ordinances, we recommend using a hierarchy of parts followed by section numbers. For example, the first section in the first Part (Part A: General Provisions) would be Part A.1, and so on. This hierarchy is shown in Part III: Annotated Outline of the Rewritten Zoning Ordinance and Part IV: Annotated Outline of the Rewritten Subdivision and Land Development Ordinance.

### 1.4 Make the Language Clearer and More Precise

Another way to make regulations user-friendly is to ensure language is clear and precise. Standards, other requirements, and procedures that are unclear invite different interpretations and create uncertainty for development applicants as well as review boards, the public, and staff. Although some regulations do not lend themselves to exact numbers, the use of numerical ranges and elimination of general or aspirational language can ensure the regulations are consistently interpreted. Using clear and objective standards helps ensure the regulations are consistently applied to each project that comes forward for review.

Finally, there are instances in the current regulations where language is general and imprecise. Additionally, there are conflicting provisions. During the rewrite, all procedures, standards, and all other ordinance language will be reviewed and where appropriate, modified with clear, precise, and measureable standards consistent with the Borough’s planning and development goals.



## 1.5 Modernize, Refine, and Update Definitions

Even though there is a definitions section in the current regulations (Part B), additional definitions are scattered throughout the document (see Sections 1202, 1802.g, and 2712). Additionally, some terms that need definition do not appear in the Ordinance at all, such as chicken coop, home occupation, hotel/motel, monopole, definitions related to renewable energy, and others. Still other definitions have the potential to cause confusion. Inclusionary Housing Development Agreement includes application requirements instead of a definition. Other terms are poorly defined or antiquated and need to be revised or deleted. Also, some of the existing definitions are too complex because they not only include a definition but a description of a use.

As noted earlier, definitions will be consolidated into a Definitions and Rules of Measurement part in the rewritten Ordinances. In addition, all definitions will be reviewed and where appropriate, modified, refined, and modernized. In addition, where needed, definitions will be added. The result will be development regulations that are easier to understand and more precise.

## 1.6 Use a Procedures Manual

The current Ordinance includes many specific details relating to application submittal requirements, most of which are located in Section 305. There are multiple provisions that are duplicative, such as provisions for submitting an application for a conditional use permit for a MVOB (see Section 1806.b) or the Signature Development (see 1809.d). We suggest in the rewritten Ordinance that submittal requirements be removed from the regulations and placed in a Procedures Manual that is authorized to be prepared by the Planning Department.

The Procedures Manual would include application content requirements, information about application fees, schedules for application processing, and information about nuts and bolts staff review processes. The manual might also include a summary or explanatory information on how to use the regulations or more effectively participate in application review processes, as well as checklists to ensure applicants address required issues up-front.

These detailed requirements are typically subject to changes as practices evolve and new technology becomes available. If they are included in the regulations, an Ordinance amendment is necessary every time the requirements change. Including them in a Procedures Manual referenced in the Ordinances avoids both cluttering the Ordinances and the necessity of amending the regulations every time a minor change is made to application requirements. Many modern ordinances use a Procedures Manual to assist in the efficient administration of regulations. We recommend this practice for State College.

Applicants can refer to the Procedures Manual to determine what materials and fees must be included in application submission.

## 1.7 Streamline Review Procedures

### 1.7.1 Overview of the Current Review Procedures

Development review procedures in the current Zoning Ordinance are fairly efficient and strike a balance between timeliness for application processing, and providing time for public input. However, some refinements can be made. The current review procedures are summarized in Table II-1: Current Development Review Procedures, Borough of State College. This table and our independent review of the procedures indicate that in the current regulations:

- There is no table that summarizes the procedures;
- There are no standard review procedures, and in several instances specific tools that are typically included in standard review procedures that make development review more efficient; and
- There is no procedure that provides for administrative approval of minor adjustments or modifications to specific dimensional or development standards.

**TABLE II-1.7.1: CURRENT DEVELOPMENT REVIEW PROCEDURES,  
BOROUGH OF STATE COLLEGE**

A: Appeal D: Decision R: Recommendation S: Staff Review IR: Informal Review <_> : Public Hearing or Meeting # : Official Comment or Report Required											
	Borough Council	Planning Commission	Zoning Hearing Board	Historic Resources Commission	Design Review Board	Zoning Officer	Centre Region Planning Agency	Planning Department Director	Fire Chief	Borough Arborist	Borough Engineer
Discretionary											
Comprehensive Plan Amendment	<D>	R					S#	R			
Zoning Ordinance Amendment (Text and Zoning Map)	<D>	R <sup>2</sup>		IR <sup>7</sup>	IR		S#	S <sup>2</sup>		IR	IR
Conditional Use	<D> <sup>1</sup>	R			IR	IR					
Special Exceptions			D <sup>1</sup>								
Site Development											
Development Plan											
Preliminary Review (Concept Plan) <sup>3</sup>		R		S# <sup>7</sup>	R#			D <sup>1/6</sup>	S#		
Final Review		R		S# <sup>7</sup>	R		S#	D <sup>1/6</sup>	S# <sup>4</sup>	S	
Subdivision and Land Development											
Subdivision and Resubdivision											
Pre-application		IR									
Preliminary Plan		D							S#		
Final Plat <sup>5</sup>	<D>	R							S# <sup>4</sup>		
Lot Consolidation						D <sup>5</sup>					S#
Permits											
Zoning Permit			A <sup>1</sup>			D					
Occupancy Permit			A <sup>1</sup>			D					
Temporary Use Permit			A <sup>1</sup>			D					
Driveway Permit			A <sup>1</sup>			D					
Relief											
Variance			D <sup>1</sup>								
Interpretations											
Interpretations			A <sup>1</sup>			D					
<b>Notes from Table:</b> ABC names may change (Design Review Board is now Design and Historic Review Board; the Historic Resources Commission no longer exists) <sup>1</sup> Appeal or further appeal to court, in accordance with Pennsylvania Municipalities Planning Code Article X-A, <i>Appeals to Court</i> <sup>2</sup> If prepared by someone other than the Planning Commission or Planning Department <sup>3</sup> Development plans for new buildings containing less than 800 square feet of gross floor area, additions that will not increase the gross floor area of an existing building by more than 800 square feet, or off-street parking areas containing less than 10 parking spaces are exempted from the requirement of a preliminary review <sup>4</sup> Review and comment of final plan only when concept plan not required <sup>5</sup> Must be recorded with the Centre County Recorder of Deeds within 90 days of approval or is void <sup>6</sup> Or other planning staff <sup>7</sup> If located in a National Register Historic District or listed in the Historic Resources of the Centre Region, prepared in 1982. Review by Historic Resources Commission conducted on Final Review if preliminary review of a concept plan was not conducted.											



### 1.7.2 Recommendations for Streamlining Procedures

To address these issues, we make the following recommendations for the Borough's consideration:

- Consolidate all development review procedures into one part, Part B: Administration, as shown in Part III: Annotated Outline of the Rewritten Zoning Ordinance and Part IV: Annotated Outline of the Rewritten Subdivision and Land Development Ordinance.
- Establish a summary table of procedures;
- Establish a set of standard procedures, that:
  - Locates in one place the development review procedures that apply to all development applications;
  - Requires neighborhood meetings for conditional use development applications and encourages them for other types of applications, as needed;
  - Clarifies when an application is complete, and when formal review timelines are initiated; and
- Add an administrative adjustment procedure in the Zoning Ordinance that allows for administrative approval of minor modifications or adjustments to specific dimensional and development standards upon compliance with specific and measureable criteria.

These recommendations are shown in Table II-1.7.2, Proposed Development Review Procedures, Borough of State College, and discussed in more detail after the table.

**TABLE II-1.7.2: PROPOSED DEVELOPMENT REVIEW PROCEDURES, BOROUGH OF STATE COLLEGE**

A: Appeal   D: Decision   R: Recommendation   S: Staff Review   IR: Informal Review <_> : Public Hearing or Meeting   # : Official Comment or Report Required										
	Borough Council	Planning Commission	Zoning Hearing Board	Historic Resources Commission	Design Review Board	Planning Department	Centre Region Planning Agency	Fire Chief	Borough Arborist	Borough Engineer
Discretionary										
Comprehensive Plan Amendment	<D>	R				R	S#			
Zoning Ordinance Amendment (Text and Zoning Map)	<D>	R <sup>2</sup>		IR <sup>7</sup>	IR	S <sup>2</sup>	S#		IR	IR
Conditional Use	<D> <sup>1</sup>	R			IR	S				
Special Exceptions			D <sup>1</sup>			IR				
Site Development										
Development Plan										
Preliminary Review (Concept Plan) <sup>3</sup>		R		S# <sup>6</sup>	R#	D <sup>1</sup>		S#		
Final Review		R		S# <sup>6</sup>	R	D <sup>1</sup>	S#	S# <sup>4</sup>	S	
Subdivision and Land Development										
Subdivision and Resubdivision										
Pre-application		IR								
Preliminary Plan		D						S#		
Final Plat <sup>5</sup>	<D>	R						S# <sup>4</sup>		
Lot Consolidation						D <sup>5</sup>				S#
Permits										
Zoning Permit			A <sup>1</sup>			D				
Occupancy Permit			A <sup>1</sup>			D				
Temporary Use Permit			A <sup>1</sup>			D				
Driveway Permit			A <sup>1</sup>			D				
Relief										
Variance			D <sup>1</sup>							
Administrative Adjustment			A <sup>1</sup>			D				
Interpretations										
Interpretations			A <sup>1</sup>			D				
<b>Notes from Table:</b> ABC names may change (Design Review Board is now Design and Historic Review Board; the Historic Resources Commission no longer exists) <sup>1</sup> Appeal or further appeal to court, in accordance with Pennsylvania Municipalities Planning Code Article X-A, <i>Appeals to Court</i> <sup>2</sup> If prepared by someone other than the Planning Commission or Planning Department <sup>3</sup> Development plans for new buildings containing less than 800 square feet of gross floor area, additions that will not increase the gross floor area of an existing building by more than 800 square feet, or off-street parking areas containing less than 10 parking spaces are exempted from the requirement of a preliminary review <sup>4</sup> Review and comment of final plan only when concept plan not required <sup>5</sup> Must be recorded with the Centre County Recorder of Deeds within 90 days of approval or is void <sup>6</sup> If located in a National Register Historic District or listed in the Historic Resources of the Centre Region, prepared in 1982. Review by Historic Resources Commission conducted on Final Review if preliminary review of a concept plan was not conducted.										

### 1.7.2 (A) Neighborhood Meetings

A neighborhood meeting is a tool that can help identify and resolve development-related issues early in the review process. These meetings provide a framework for a development applicant to meet on a more informal basis with neighbors and landowners surrounding a proposed development. The purpose of the neighborhood meeting is for the applicant to educate neighbors about the project and hear neighbors' concerns. In many instances, concerns might be resolved early in the process, and there is less conflict at the public review stages of the application.

The timing and requirements for neighborhood meetings vary across communities; however, the underlying goal of the meeting is to keep neighbors and applicants informed of one another's perspectives, have them talk about it, and resolve their differences. In some communities, the neighborhood meeting is optional, or encouraged. If the applicant decides to proceed with the neighborhood meeting, parameters are established in the regulations about how notice is to be given and how the meeting is conducted. In most ordinances, if neighborhood meetings are required, they are usually conducted either prior to submission of an application or prior to completion of the staff report on the application.

In other instances a neighborhood meetings might not be required, but the ordinance authorizes the Zoning Office to require an applicant to conduct a neighborhood meeting prior to completion of the staff report if the development proposal is anticipated to generate a certain level of impact on adjacent lands, roads, or public facilities.

We suggest the Borough consider requiring pre-submission neighborhood meetings for conditional use applications.

If included in the rewritten Ordinance, we also suggest establishing procedures for how the neighborhood meeting is conducted. The procedures would require:

- The applicant be responsible for conducting the meeting and notify affected land owners and organizations at least ten days in advance;
- The meeting be conducted before the application is submitted;
- The applicant explain the development proposal and provide attendees an opportunity to ask questions and voice any concerns; and
- Meeting(s) be held in close proximity to the project site and at a time when neighbors could reasonably attend (usually after 6:00 pm during the weekday).

Informal resolution of any outstanding issues would be encouraged. Typically where neighborhood meetings are required, the procedure also requires the applicant provide a written summary of the neighborhood meeting, and that the summary be included as part of the application. In instances where the applicant provides a written summary of the application, any person attending the meeting is also allowed to respond in writing to the summary, which also becomes part of the application.

### 1.7.2 (B) Application Completeness Determination

Although the Borough's current regulations include rules about what should be included in a development application, the regulations do not include a formal application completeness procedure (see Section 305.b(1), Preliminary Review, and Section 305.b(2), Final Review of the Zoning Ordinance). We recommend this become an express part of the review procedures that applies to all development applications.

What this means is the rewritten Zoning and Subdivision Ordinances would include a subsection in the standard procedures authorizing the Planning Department staff to review submitted applications to determine whether they are "complete." The provision would apply to all development applications and state that application processing does not begin until after a formal determination that the application is "complete." Completeness means all relevant and appropriate application submittal requirements are received and the appropriate fees are paid.

The provision would provide the Planning Department staff a specific number of working days to review and make a "completeness" determination (e.g., five business days). After this initial application determination period, the Planning Department staff notifies the applicant as to whether the application is "complete" or not, and only if the application is "complete" does processing of the application begin.

If an application is determined "incomplete," the Planning Department staff provides written notice of the deficiencies. The applicant is then given a specific amount of time within which to resubmit a revised application. If it is not submitted within that timeframe, the application is considered withdrawn.

The clock does not start running for staff review of an application until the application is determined "complete." Once accepted as "complete," there is an expectation that the review will progress at a reasonable pace. Application completeness requirements are important in ensuring the development review process operates efficiently.

### 1.7.3 Application-Specific Streamlining

Efficiency of development review procedures makes an ordinance more user-friendly. Typically, review of ordinance procedures reveals opportunities to improve procedural efficiency by streamlining several review procedures, deleting several procedures, and creating several new ones. Our review of State College's current procedures suggests that they are already efficient, with one exception – they do not include a procedure for an administrative adjustment – a procedure that allows for administrative approval of minor modifications or adjustments to specific dimensional and development standards. It is discussed below.

### 1.7.3 (A) Administrative Adjustments

There seems to be a general consensus that including a tool in the Zoning Ordinance that allows for administrative approval for minor modifications or adjustments to specific dimensional and development standards, subject to compliance with specific criteria, would improve the functioning of the Zoning Ordinance -- especially in the redevelopment context. A tool many communities use for this purpose is an administrative adjustment. The administrative adjustment allows minor modifications or adjustments ) from dimensional standards (like setbacks, lot area, or height—like to a setback by 10 or 15 percent to save a tree) or development standards (like the reduction of one or two parking spaces to save a tree or provide a sidewalk) ) if the adjustment does not detrimentally affect the character of the area or surrounding lands, does not have an adverse impact on surrounding lands, and results in development that conforms with the general intent of the zone district where the adjustment is proposed.

Administrative adjustments are typically used to adjust setbacks by a minor amount as a means of protecting resources, adjust height limits for greater compatibility, or preserve local development contexts like building façade rhythms. In addition to clear and specific thresholds and review standards, the procedure would also include specific expiration and amendment provisions to help ensure the provision is not abused.

These kinds of minor modifications or adjustments would be reviewed and approved administratively by the Planning Department staff based upon an established set of clear and measurable standards. They are accomplished outside of the variance process, and as such, do not require the applicant to demonstrate “hardship.”



## Theme 2: Restructure and Modernize the Zone Districts to Implement Local Plans

### 2.1 Introduction and Key Policies

The plans governing the growth and development of State College contain policy direction relevant to the rewrite. They include:

- The Centre Region Comprehensive Plan
- State College Neighborhood Plan
- State College Downtown Master Plan
- West End Revitalization Plan
- Borough of State College Strategic Plan
- Allen Street Civic District Redevelopment Plan
- State College Parking Master Plan

The various policies from the plans relevant to the rewrite are identified in Appendix 1: State College Policy Matrix. After the relevant policies were identified, they were analyzed to determine significant, common themes across plan documents. Eight themes related to land use and physical development were identified. Collectively, the policies in these plans direct the Borough to support:

- **Dense, mixed-use, walkable development** in the Downtown core and West End, with a greater variety of uses that includes office space and workforce housing.
- **Student housing located in appropriate places**, particularly within the Downtown and in close proximity to commercial/retail centers, public transit routes, and bicycle and pedestrian facilities. The plans also support high quality design for student housing, and suggest high quality design should be incentivized through increased density/ FAR in targeted areas, and other appropriate incentives. They also direct that, when located within existing neighborhoods, student housing should conform to the character of the neighborhood in terms of design, scale, and density.
- **New development and redevelopment** that is compatible with desired character, neighborhood context, and surrounding uses.
- **Reuse, redevelopment, and revitalization of underutilized properties**, particularly along corridors that could better accommodate bicycles and pedestrians.
- **Protection of the character of existing neighborhoods.**
- **Sustainable development practices** through green building standards, enhanced landscaping, and tree protection.

## 2.2 Restructure and Modernize the Current Zone Districts

Zone districts and allowable uses are fundamental components of a zoning ordinance. Based on the policy direction in the Borough's plans (outlined above), additional input received during the project kickoff meetings, and our independent review of the current Zoning Ordinance, we recommend a restructuring and modernization of the current zone districts to better align the districts with plan policy direction, incorporate best practice tools, and simplify and make the district structure more user-friendly. The key elements of the restructured districts include:

- An new I: Institutional district, that consolidates the current P: Public and PA: Public Activities districts;
- The current residential districts (R-1, R-2, R-3, R-3B, R-3H, and R-4), with refinements to better clarify their purpose;
- A RO: Residential-Office District, that consolidates the existing R-O and R-OA districts, since they generally serve the same purposes;
- Reorganized and reconfigured commercial and mixed-use districts, which would include the following:
  - A Downtown District that includes two subdistricts: the College and Allen Subdistrict, which will align with College Avenue, the 100 block of S. Allen St., and wherever else appropriate, and the Downtown Subdistrict, which will apply to the balance of the Downtown district. The College and Allen Subdistrict will require lower heights, and include standards that ensure more of a Main Street scale; it will also include standards that support infill development on small sites and redevelopment of existing buildings. The Downtown Subdistrict will allow greater densities and intensities, along with greater building height. It will also include some density bonuses where incentives above the base requirements are included. A much stronger emphasis on building form and design will be applied in both subdistricts, while modifying the dimensional standards and allowing more flexibility;
  - A GC: General Commercial District that builds on and modifies parts of the existing CP-1: Planned Commercial, CP-2: Planned Commercial, and CP-3: Planned Commercial districts. It would serve as the general commercial district in the Borough;
  - A NC: Neighborhood Commercial District that provides lands to accommodate neighborhood-serving, low intensity, personal service and retail development at a neighborhood-scale, in the residential neighborhoods. The district should typically be characterized by small pockets of walkable, context-sensitive nodes surrounded by primarily residential areas.
  - A MU: Mixed Use District that provides lands to accommodate moderate density, compact, pedestrian-oriented, high quality mixed-use development in appropriate locations within the Borough. This district can be used to foster new types of

development in locations outside of the downtown that the Borough currently considers underutilized, particularly in nodal locations like at key intersections.

- A WE: West End District, which will build on and revise the current the UV: Urban Village District. The general purpose of the WE district is to increase opportunities for redevelopment and development of new buildings in the West End area that accommodate a variety of uses and housing types using high quality design.
- The current UPD: University Planned District, with minor refinements;
- A LI: Light Industrial District, that consolidates and modifies the M and MP districts;
- A MUO: Mixed Use Overlay District that consolidates the existing mixed use overlay districts in the existing R-2 and R-3H districts; and
- The current FP: Flood Plain Conservation District that includes lands that are subject to periodic flooding, as defined by Flood Insurance Rate Maps;
- A new NCO-Neighborhood Conservation Overlay District that provides a framework allowing individual neighborhoods to request - and the Borough to tailor - specific form, dimensional, design, and use standards that will be applied to new development and redevelopment within a specific neighborhood to ensure the desired neighborhood character is protected. Establishment of an NCO district for a particular neighborhood would require staff and neighborhood involvement.



In considering how best to restructure the zone districts, a systematic evaluation was conducted. It involved:

- First, evaluation of the current zone district structure;
- Second, evaluation of land use policy direction and future land use classifications in the Borough's plans; and
- Third, consideration of the other key goals for the rewrite project, in particular the desire to make the current regulations more user-friendly and efficient

This analysis is summarized below in Section 2.2.1, Overview of Current Zone Districts. Based on these considerations, the proposed structure for the zone districts is outlined and discussed in Section 2.2.2, Proposed Zone District Structure. The section concludes with suggestions about how to reorganize and simplify the system for classifying and establishing uses and use-specific regulations (see Section 2.2.5, Identify and Classify Uses in a Simpler and More Flexible Way) and how to improve the organization of zoning regulations generally (see Section 2.2.3, Modernize Format of Zone Districts).

### 2.2.1 Overview of Current Zone Districts

The current Zoning Ordinance includes 27 zone districts (See Table II-2.2.1 (A): Current Base Zone Districts, Borough of State College, and Table II-2.2.1 (B): Current Overlay Zone Districts). There are 21 base districts and five overlay districts. While the districts are not organized into classifications in the current Ordinance, they can generally be organized into the following three classifications: Public and Open Space, Residential, and Commercial and Mixed Use.

#### 2.2.1 (A) Base Districts

Table II-2.2.1(A): Current Base Zone Districts, Borough of State College, identifies and describes the general purpose of each of the 22 base districts.

TABLE II-2.2.1 (A): CURRENT BASE ZONE DISTRICTS BOROUGH OF STATE COLLEGE	
Current Base Zone District	Purpose
Public and Open Space	
<b>P: Public District</b>	Provides land that accommodates development operated by the Borough that is used for municipal purposes.
<b>PA: Public Activities District</b>	Provides land that accommodates community-serving uses and activities.
<b>PARK: Park District</b>	Provides land that accommodates a wide variety of public and private recreation facilities to meet the needs of all age groups for passive and active recreation, in safe and convenient locations.
Residential	
<b>R-1: Residence District</b>	Provides land primarily for one-family development.
<b>R-2: Residence District</b>	Provides land primarily for one-family development.
<b>R-3: Residence District</b>	While allowing one-family development, also allows two and three story multiple dwellings, row dwellings, and two-family

**TABLE II-2.2.1 (A): CURRENT BASE ZONE DISTRICTS  
BOROUGH OF STATE COLLEGE**

Current Base Zone District	Purpose
	development.
<b>R-3H: Historic District</b>	Provides land that accommodates: <ul style="list-style-type: none"> <li>• The preservation and reuse of buildings that are contributing structures to a National Register Historic District;</li> <li>• A transition between higher-density and lower-density districts;</li> <li>• Opportunities for limited non-residential uses that are compatible with the surrounding residential development; and</li> <li>• Investment opportunities consistent with protecting and enhancing the character of residential neighborhoods.</li> </ul>
<b>R-3A: Residence District</b>	Provides land that accommodates one-family development, as well as two and three-story multiple dwellings, row dwellings, and two-family development. There is currently no land in State College where R-3A zoning applies.
<b>R-3B: Residence District</b>	Provides land that accommodates one and two family development, in addition to multiple dwelling developments of two and three stories.
<b>R-4: Residence 4</b>	Provides lands that accommodate more dense multifamily development, at greater heights, as well as office uses by special exception permit.
<b>Commercial and Mixed Use</b>	
<b>R-O: Residential-Office District</b>	Provides land that accommodates: <ul style="list-style-type: none"> <li>• A buffer or transition area between the downtown commercial districts and adjacent residential areas, in ways that achieve the following objectives: <ul style="list-style-type: none"> <li>○ Preserve and reuse the existing stock of buildings, many of which exemplify periods of the early development of State College;</li> <li>○ Include a mix of moderate-density residential and office uses;</li> <li>○ Locate office uses in areas served by arterial or collector streets to minimize the impact of traffic in residential areas; and</li> <li>○ Promote new construction that maintains the scale of surrounding development.</li> </ul> </li> </ul>
<b>R-OA: Residential-Office District</b>	Provides land that accommodates: <ul style="list-style-type: none"> <li>• A mixture of low-density residential and office uses in areas located between higher density and lower density districts;</li> </ul>



**TABLE II-2.2.1 (A): CURRENT BASE ZONE DISTRICTS  
BOROUGH OF STATE COLLEGE**

Current Base Zone District	Purpose
	<ul style="list-style-type: none"> <li>• The preservation and reuse of buildings that are contributing structures to a National Register Historic District;</li> <li>• Opportunities for non-residential uses that are compatible with surrounding residential development.</li> <li>• Investment opportunities consistent with maintaining or enhancing the character of the neighborhood.</li> </ul>
<b>C: General Commercial District</b>	Provides land that accommodates a mix of uses in a pedestrian-oriented format, with design elements that promote visual appeal and street-level vitality in the State College downtown.
<b>CID: Commercial Incentive District</b>	Provides land that accommodates pedestrian-friendly mixed-use development, through incentives that promote the provision of open space, green building, and underground parking in the State College downtown.
<b>CP-1: Planned Commercial District</b>	Provides land that accommodates commercial and industrial development in appropriate locations to minimize traffic hazards, provide adequate off-street parking, and protect the character of adjacent residential neighborhoods.
<b>CP-2: Planned Commercial District</b>	Provides land that accommodates commercial development along major roads and in designed shopping centers. The district is intended to promote lands that accommodate buildings arranged with large setbacks, open space, buffers, and greenery.
<b>CP-3: Planned Commercial District</b>	Provides land that accommodates neighborhood-scale commercial development and promotes new pedestrian-oriented, mixed-use commercial development in neighborhood centers. Commercial development in the district should be oriented along arterial and collector streets and accommodate the commercial needs of nearby residential neighborhoods, and accommodate all forms of transportation.
<b>P-O: Planned Office District</b>	Provides land that accommodates a variety of office-type uses.
<b>UV: Urban Village District</b>	<p>Provides land that accommodates:</p> <ul style="list-style-type: none"> <li>• The preservation and reuse of existing buildings, many of which exemplify periods of the early development of State College</li> <li>• A mix of moderate-density residential, commercial, and office uses</li> <li>• New construction that maintains the essential character of the district</li> </ul>

**TABLE II-2.2.1 (A): CURRENT BASE ZONE DISTRICTS  
BOROUGH OF STATE COLLEGE**

Current Base Zone District	Purpose
	<ul style="list-style-type: none"> <li>• A pleasing and safe pedestrian-friendly environment</li> <li>• Limited vehicular access to developments on arterial streets to minimize the impact on traffic safety.</li> </ul>
<b>UPD: University Planned District</b>	Provides land that accommodates flexibility within a single district for development of Penn State's missions of education, research and public services.
<b>MP: Planned Industrial District</b>	Provides land that accommodates a wide variety of nonresidential uses, especially industrial or employment uses. The dimensional standards are equivalent to those within the CP-1 District.
<b>M: Industrial District</b>	Provides land that accommodates a wide variety of nonresidential uses, especially industrial or employment uses. The dimensional standards are equivalent to the standards in the C District.

### Note: Residential Zone Densities

The following table describes the relative densities of the current residential zone districts (Minimum lot square footage)

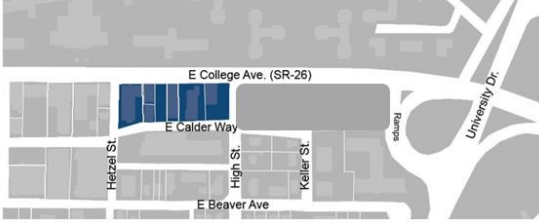
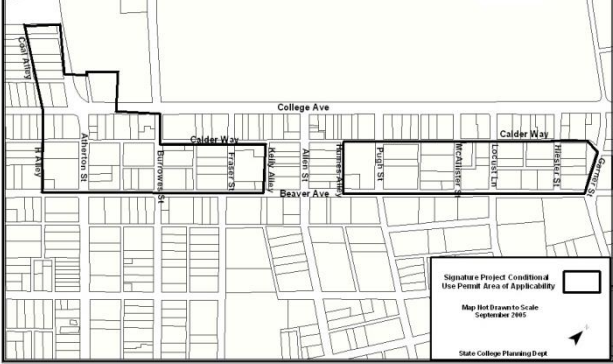
District	One Family	Two Family	Multifamily
<b>R-1</b>	12,000		
<b>R-2</b>	10,000	20,000	
<b>R-3</b>	6,000	9,000	2,000
<b>R-3H</b>	6,000	9,000	6,000
<b>R-3A</b>	8,000	10,000	1,400
<b>R-3B</b>	8,000	10,000	3,500
<b>R-4</b>	5,000	8,000	500
<b>R-O</b>	8,000	8,000	1,000
<b>R-OA</b>	5,000	8,000	6,000

## 2.2.1 (B) Overlay Districts

Table II-2.2.1(B): Current Overlay Zone Districts, Borough of State College, identifies and describes the general purpose of each of the six overlay districts.

<b>TABLE II-2.2.1 (B): CURRENT OVERLAY ZONE DISTRICTS BOROUGH OF STATE COLLEGE</b>	
<b>Current Overlay Zone District</b>	<b>Purpose</b>
<b>Flood Plain Conservation District</b>	Intended to protect areas of the flood plain subject to and necessary for flood waters, and to permit and encourage the retention of open space.
<b>Mixed Use Overlay (Section 609 in R-2)</b>	Provides land that accommodates: <ul style="list-style-type: none"> <li>• Uses that can function well in busy urbanized areas</li> <li>• Adaptive re-use of existing structures without changing their character, physical appearance, or compatibility with adjoining residential uses</li> <li>• Buffer between residential neighborhoods and mixed use areas, protecting the character of the residential neighborhoods.</li> </ul>
<b>Mixed Use Overlay (Section 965 in R-3H)</b>	
<b>R-OO</b>	Provides lands that accommodates: <ul style="list-style-type: none"> <li>• Neighborhood-scale commercial development and promotes new pedestrian-oriented, mixed-use commercial development in neighborhood centers that are oriented along major streets and accommodate multiple types of mobility</li> <li>• Redevelopment of underutilized lots and nonconforming structures; or addresses the unique nature of lots that are adjacent to multi-family dwellings and fraternities; allowing for context sensitive new construction</li> <li>• Density bonuses for underground parking, green building, limiting of residential FAR, and mixed use development.</li> </ul>
<b>Collegiate Housing Overlay</b>	Allows for greater development densities and heights for development located in the downtown, subject to approval as a conditional use, when the following criteria are met: <ul style="list-style-type: none"> <li>• Street –level commercial with a ground floor height between 14 and 20 feet and minimum 50% minimum windows</li> <li>• Provides adequate bicycle parking facilities</li> <li>• Provides above ground floor commercial</li> <li>• Includes green-certified building construction</li> <li>• Provides underground parking or at least two levels of structure parking</li> <li>• Includes owner-occupied housing</li> </ul>

**TABLE II-2.2.1 (B): CURRENT OVERLAY ZONE DISTRICTS  
BOROUGH OF STATE COLLEGE**

Current Overlay Zone District	Purpose
	
<p><b>Signature Development</b></p>	<p>Allows for greater development densities and heights for development located within the Signature Project Conditional Use Permit Area of Applicability in the State College downtown, subject to approval as a conditional use, when the following criteria are met:</p> <ul style="list-style-type: none"> <li>• Located on a lot with a minimum 30,000 square foot lot area and minimum 100 foot lot width</li> <li>• Minimum 40% of Gross Floor Area is non-residential</li> <li>• Active ground floor use (no residential or parking) with 50% minimum transparency</li> <li>• 5% open space</li> <li>• Certain building design elements</li> </ul> 

## 2.2.2 Proposed Zone District Structure

Based on an evaluation of the current zone district structure and land use policy direction included in Borough of State College plans, and considering a key goal for the rewrite project is to make the current regulations more user-friendly and efficient, we suggest the district structure in the rewritten Zoning Ordinance be modified as outlined in Table II-2.2.2: Proposed Zone District Structure. The table organizes the districts into the following groups:

- Base Districts
  - Public and Open Space
  - Residential
  - Commercial and Mixed Use
- Overlay Districts

So that the reader can compare the current zone district structure to the proposed structure, the first column in the table outlines the current zone districts and the second column shows the proposed zone districts. Where current districts are proposed to be deleted or consolidated, that is noted; where new districts are proposed, that is also noted. The listing of the districts under each group generally starts with the least intense district, extending to the highest-intensity district.

The proposed changes to the current zone district structure are shown in Table II-2.2.2, Proposed Zone District Structure, and then are discussed in further detail following the table.

TABLE II-2.2.2: PROPOSED ZONE DISTRICT STRUCTURE, BOROUGH OF STATE COLLEGE	
Current Zone District	Proposed Zone District
Public and Open Space	
<b>P: Public District</b>	I: Institutional District
<b>PA: Public Activities District</b>	
PARK: Park District	PARK: Park District
Residential	
R-1: Residence District	R-1: Residence District
R-2: Residence District	R-2: Residence District
R-3: Residence District	R-3: Residence District
R-3A: Residence District	<b>DELETED</b>



**TABLE II-2.2.2: PROPOSED ZONE DISTRICT STRUCTURE,  
BOROUGH OF STATE COLLEGE**

Current Zone District	Proposed Zone District
R-3B: Residence District	R-3B: Residence District <sup>2</sup>
R-3H: Historic District	R-3H: Residence District <sup>3</sup>
R-4: Residence District	R-4: Residence District
<b>Commercial and Mixed Use</b>	
R-O: Residential-Office District	R-O: Residential-Office ( <b>CONSOLIDATED</b> )
R-0A: Residential-Office District	
C: General Commercial District	<b>DELETED</b> <sup>4</sup>
CID: Commercial Incentive District	
	D: Downtown District ( <b>NEW</b> )  Downtown subdistricts: <ul style="list-style-type: none"> <li>• College and Allen</li> <li>• Downtown</li> </ul>
CP-1: Planned Commercial District	<b>DELETED</b> <sup>5</sup>
CP-2: Planned Commercial District	
CP-3: Planned Commercial District	
P-O: Planned Office District	
	GC: General Commercial District ( <b>NEW</b> )
	NC: Neighborhood Commercial District ( <b>NEW</b> )
	MU: Mixed Use District ( <b>NEW</b> )

<sup>2</sup> : Should we rename the current R-3B to reflect the suburban-type character?

<sup>3</sup> : We suggest there are two paths forward with the R-3H District. The first path involves deleting it and remapping those areas into the new Downtown, R-O, West End, and R-2 Districts. The purpose of this is to consolidate districts that have overlapping provisions. The second option is to carry the R-3H District forward with slight modifications, including a new name that removes “Historic.”

<sup>4</sup> These commercial districts, located in the downtown, will be deleted and probably re-mapped as the Downtown District.

<sup>5</sup> These commercial and office districts would most likely be deleted and the lands in those districts would probably be re-mapped to one of the new commercial or mixed use districts.

**TABLE II-2.2.2: PROPOSED ZONE DISTRICT STRUCTURE,  
BOROUGH OF STATE COLLEGE**

Current Zone District	Proposed Zone District
UV: Urban Village District	WE: West End District
UPD: University Planned District	UPD: University Planned District
MP: Planned Industrial District	LI: Light Industrial District ( <b>CONSOLIDATED</b> )
M: Industrial District	
Overlay Districts	
Mixed Use Overlay (Section 609 in R-2)	MUO: Mixed Use Overlay ( <b>CONSOLIDATED</b> )
Mixed Use Overlay (Section 965 in R-3H)	
Flood Plain Conservation District	FP: Flood Plain Conservation District
R-OO Residential-Office Overlay	<b>DELETED</b>
CH: Collegiate Housing Overlay	<b>DELETED</b>
SD: Signature Development Projects <sup>6</sup>	<b>DELETED</b>
	NCO: Neighborhood Conservation Overlay District ( <b>NEW</b> )

### 2.2.2 (A) Base Districts

#### 2.2.2 (A)(1) Public and Open Space

The **I: Institutional District** consolidates the existing P: Public District and PA: Public Activities District. The existing P district allows government uses. The existing PA district allows a variety of institutional and commercial uses, including utility facilities, libraries, schools, performing arts centers, and some office and group home uses, which are subject to special exception permit requirements. The new I: institutional district will accommodate these uses with some modifications.

The **PARK: Park District** is carried forward with refinements. Its primary purpose is to provide lands that accommodate both public and private parks, signage, and accessory uses.

<sup>6</sup> Because Signature Development Projects go through a conditional use review, they are proposed to be treated as a conditional use instead of an overlay district. Student housing projects of a certain size and intensity would be placed in this category, and be required to gain conditional use approval.

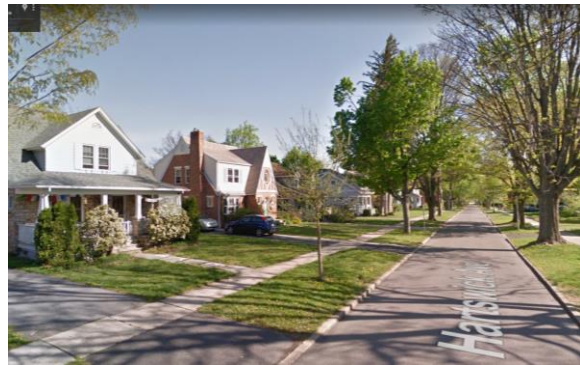
### 2.2.2 (A)(2) Residential Districts

The residential districts are primarily intended to provide lands that accommodate low and medium density residential development. This includes one-family as well as other housing options like two-family, three-family, row dwellings, cooperative housing, and multiple dwellings units of a variety of sizes that are compatible in bulk and character with the surrounding neighborhood. Because State College's existing residential neighborhoods are great places, and serve as important elements in defining the community's character, a key goal in the rewrite is to ensure their character is preserved and protected; for this reason, the current residential districts are generally proposed to be carried forward in the rewrite, with modest refinements.

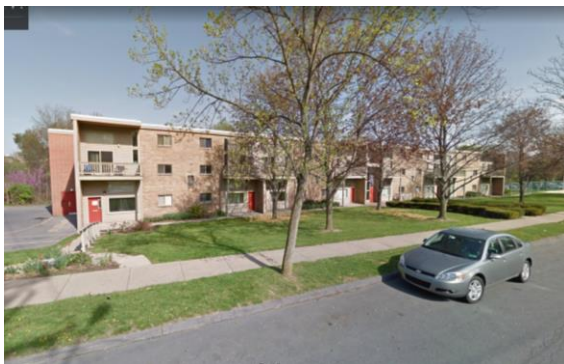
The R-1 and R-2 districts allow for primarily one-family development. The R-3 and R-3B districts, while allowing one-family development, also allows two and three story multiple dwellings, row dwellings, and two-family development. The R-3H district allows one-family, row dwelling, and two-family development. The R-3A district is not applied on the Borough of State College Zoning Map and is proposed to be deleted from the line-up of districts, since it is not used. The R-4 district allows more dense multifamily development, at greater heights, as well as office uses by special exception permit. The following images represent examples of existing development in these districts.



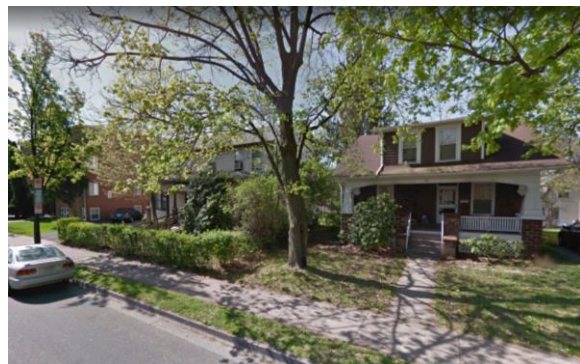
*R-1 Example: Nittany Hills*



*R-2 Example: College Heights*



*R-3 Example: University Terrace Apartments*



*R-3H Example: Highlands*



*R-3B Example: Orchard Park*



*R-4 Example: Parkway Plaza*

Finally, two refinements are recommended for the residential districts. First, the dimensional standards in each district should be evaluated in an effort to address any nonconformity issues. Some homes in the residential districts are currently located on nonconforming lots, or have other nonconforming dimensional standards (setbacks) – even though the homes are consistent with the character and context of the neighborhoods in which they are located. This is a circumstance that is creating obstacles to renovation and redevelopment. Second, consider allowing in limited instances, neighborhood-serving, pedestrian-oriented restaurant and personal services uses in specific locations (at key intersections) in several of the higher intensity residential districts (R-3, R-3H, R-3B, R-4) as special exception uses.

A summary of each residential district proposed for the rewritten Ordinance is outlined below.

The **R-1: Residence District** is proposed to be carried forward. The district consists of low density one-family dwellings located on the eastern edge of the Borough primarily abutting the Centre Hills golf course. The primary uses allowed are one-family dwellings. The minimum lot area of 12,000 square feet will be carried forward.

The **R-2: Residence District** is proposed to be carried forward. The district makes up the largest portion of the Borough land area outside of the UPD: University Planned District, and consists primarily of one-family dwellings with some two-family dwellings. The minimum lot area of 10,000 square feet for a one-family dwelling and 20,000 square feet for a two-family home will be carried forward.

The **R-3: Residence District** is proposed to be carried forward. The district primarily consists of one-family, two-family, and multiple dwelling residential uses. The minimum lot area of 6,000 square feet for a one-family home and 9,000 square feet for a two-family home will be carried forward. Although one- and two-family dwelling structures are permitted in this district, much of the land includes two- and three-story multiple-dwelling residential structures.



The **R-3A District** is proposed to be deleted because it is not being used today, and there appears to be no use for the district in the Borough in the future.

The **R-3H: Residence District** is proposed to be carried forward. The district primarily consists of one-family and two-family dwellings. The land included in this district, although not within a historic district, includes a variety of old and new structures. Many of the lots do not meet the current dimensional standards because they were platted prior to the adoption of the R-3H district. Presently, there are a number of multiple-dwelling structures, which are a nonconforming use in the district.



The **R-3B: Residence District** is proposed to be carried forward. The district primarily consists of one-family, two-family, and multiple-dwelling residential uses. The minimum lot area for one-family units is 8,000 square feet and for two-family units is 10,000 square feet. A greater amount of area is required for multifamily units than in the R-3 district (3,500 square feet for R-3B as compared to 2,000 feet for R-3). Although one- and two-family dwelling structures are permitted in this district, much of the land includes two- and three-story multiple-dwelling residential complexes arranged in a more automobile-oriented development context.

The **R-4: Residence District** is proposed to be carried forward. It allows high density multifamily housing that is distinct in its character and density, along with some group living uses, and office uses (with special exception approval). Even though the district makes up a small geographic area in the Borough (only three areas of the Borough are currently zoned R-4), the maximum height for new structures in R-4 is 35 feet, to a maximum of three stories – which is the same as the maximum allowable height in the R-3, R-3B, and R-3H districts; however, in one specific area identified in the current Ordinance and zoned R-4, the maximum allowable height is 85 feet, with special exception approval.

#### *2.2.2 A(3) Commercial and Mixed-Use Districts*

The purpose of the commercial and mixed-use districts is to provide lands that accommodate retail, restaurant, entertainment, lodging, office, light industrial, residential, and a mix of these types of uses. The districts are centers of commerce, employment, and entertainment, and destinations for people throughout the Borough of State College and region. The plan direction and general consensus in the community is that they should be pedestrian-friendly places of high quality form and design, be higher densities/intensities, support multiple modes of travel, provide active and vibrant civic spaces, and be consistent with the current development patterns and scale and character of development in the Borough.

In order to achieve these objectives, some of the commercial and mixed-use districts in the current Zoning Ordinance are proposed to be reorganized and reconfigured in the rewrite, and some carried

forward. Seven commercial and mixed use districts are proposed. They include the following zone districts:

- R-O: Residential-Office District
- D: Downtown District (with the College & Allen and Downtown subdistricts);
- GC: General Commercial District;
- NC: Neighborhood Commercial District;
- MU: Mixed-Use District;
- WE: West End District;
- UPD: University Planned District; and
- LI: Light Industrial District.

Each is discussed below.

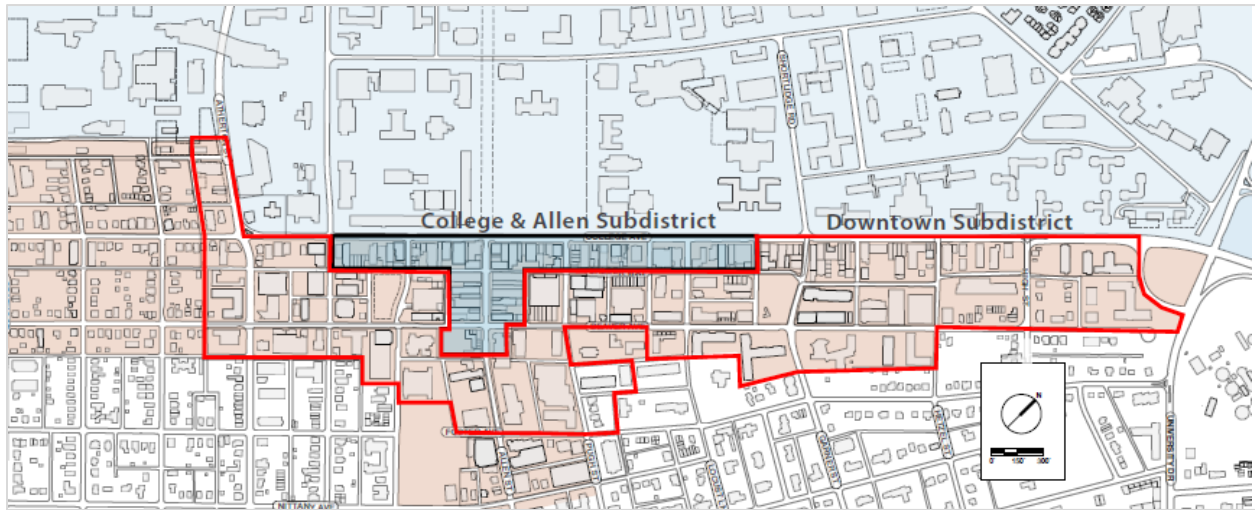
The **R-O: Residential-Office District** consolidates the existing R-O: Residential-Office District and R-OA: Residential-Office District, which are similar with regard to purpose, uses allowed, and dimensional standards. The district, which serves as a transition between the residential districts and more intense commercial and mixed use districts, will continue to allow offices, studios, off-street parking, group living, and one-, two-, three-, and multiple-dwelling uses. The existing R-OA district includes a number of contextual standards in place of specific setback requirements, and slightly modified contextual standards are proposed to be carried forward in the consolidated R-O District. The minimum lot area for the R-O district is proposed to reflect that of the existing R-OA District, which is 5,000 square feet for one-family and 8,000 square feet for two-family uses.

The **D: Downtown District** establishes a district for the Borough's downtown. It is contemplated that the boundaries of the district would be similar to the boundaries of the Traditional Downtown and Collegiate Districts as described in the Downtown Master Plan. The plan envisions an area that consists of short walkable blocks and a compact human-scale development pattern containing a vertical and horizontal mix of uses that stimulates activity on the street. Like the current Commercial and Commercial Incentive districts, which now apply in this area, the Downtown district would allow for a variety of retail, restaurant, entertainment, lodging, office, and residential uses, and encourage vertical mixed use development.

While the downtown is distinct from the rest of the Borough, it also consists of two distinct areas. Some streets, like College Avenue between Fraser Street and Locust Lane, are lined with smaller-scale buildings with a variety of small-format retail uses. The rest of downtown includes larger buildings. In order to reflect those different characters, the Downtown District is proposed to consist of two subdistricts: the **College and Allen Subdistrict**, which will align with College Avenue, the 100 block of S. Allen St., and wherever else appropriate, and the **Downtown Subdistrict**, which will apply to the balance of the Downtown district.



*Map showing potential downtown subdistricts (boundaries are general and subject to refinements)*



The College and Allen Subdistrict will require lower heights and include standards that ensure more of a Main Street scale. It will also include standards that support infill development on small sites and redevelopment of existing buildings. The Downtown Subdistrict will allow greater densities and intensities, along with greater building height of up to six stories, by right. A much stronger emphasis on building form and design will be applied in both subdistricts to raise the bar on development quality generally. Dimensional standards will be modified and provisions for flexibility added consistent with the development goals for the downtown.

The building form and design standards, in conjunction with the changes to the dimensional standards, will also address the development issues currently being addressed by R-OO: Residential-Office Overlay along E. Beaver Avenue, and the CHO: Collegiate Housing Overlay along College Avenue. Student housing up to seven stories in height would be allowed “by right” in the Downtown Subdistrict, subject to design and form standards. Student housing up to 12 stories would be allowed in the Downtown Subdistrict through the Signature Development Project conditional use process. In addition, applicants could request additional building height (up to 12 stories) through the Signature Development Project conditional use process.<sup>8</sup> Auto-oriented uses would generally be discouraged or prohibited in the Downtown District.

The **GC: General Commercial District** builds on and modifies parts of the existing CP-1: Planned Commercial, CP-2: Planned Commercial, and CP-3: Planned Commercial districts. It would serve as the general commercial district in the Borough, and would be applied in places like S. Atherton Street, east of S. Pugh Street. It would accommodate stand-alone commercial and office uses and also allow for some residential development, but only in a mixed-use format. Lands in the GC district would generally be areas that are automobile-oriented. In order to improve development quality and form

<sup>8</sup> Because Signature Development Projects go through a conditional use review, they are proposed to be treated as a conditional use instead of an overlay district.

over time, the rewritten Ordinance would include basic development and form standards that would apply to commercial (including big box), office, and multifamily development in the district.

The purpose of the **NC: Neighborhood Commercial District** is to provide lands to accommodate neighborhood-serving, low intensity, personal service and retail development at a neighborhood-scale, to the residential neighborhoods. The district should typically be characterized by small pockets of walkable context-sensitive nodes surrounded by primarily residential areas. The district may apply to portions of blocks and consist of a few storefronts with limited off-street parking. Development in these districts will be subject to basic form standards to ensure they maintain a scale and character that is consistent with the surrounding residential neighborhood.

The purpose of the **MU: Mixed Use District** is to provide lands to accommodate moderate density, compact, pedestrian-oriented, high quality mixed-use development in appropriate locations within the Borough. This district can be used to foster new types of development in locations outside of the downtown that the Borough currently considers underutilized, particularly in nodal locations like at key intersections.

The UV: Urban Village District will be renamed **WE: West End District** and revised, based on recommendations in prior completed plans and input from current landowners and other members of the community. The general purpose of the WE district is to increase opportunities for redevelopment and development of new buildings in the West End area that accommodate a variety of uses and housing types using high quality design. Prior planning in the West End (a market assessment (2005), the West End Revitalization Plan (2007), the Downtown Master Plan (2013), and the West End TND District (which was not adopted)), which will be drawn upon as part of the Ordinance rewrite effort for the district. The general goal of the revised district will be to remove any current obstacles that are discouraging redevelopment in ways that support a quality pedestrian-oriented environment, emphasize existing architectural vernacular, and allow a range of uses, including student housing, workforce housing, offices, flex space, light industrial uses, and ground floor retail activity. Cooperative housing is an affordable workforce/student housing solution common in university towns. The rewrite of the Zoning Ordinance will explore options available for allowing this type of housing in certain parts of the Borough, including the WE District.

The **UPD: University Planned District** applies to development on the Penn State campus, and has worked well over the years. It will be carried forward with minor refinements based on discussions with Penn State representatives.

Finally, the existing MP: Planned Industrial District and M: Industrial Districts will be consolidated, and in their place, a new **LI: Light Industrial District** will be established. This change will better align the Borough's industrial district with the type of light industrial and flex space uses the Borough would want, and expects to attract in the future.<sup>9</sup> The district will include a variety of light industrial, assembly, and flex space uses.<sup>10/11</sup>

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<sup>9</sup> Even though the existing MP: Planned Industrial District and M: Industrial District allow heavier industrial uses, the districts currently apply to a relatively small amount of land which contains a restaurant, hotel, small stand-

### 2.2.2 (B) Overlay Districts

The **MUO: Mixed Use Overlay**, proposes to consolidate the two existing Mixed Use Overlay districts which currently apply within a neighborhood classified R-2 district and a neighborhood classified R-3H district, since the standards in each overlay district are similar (the standards allow office uses and apply specific design standards).

The **Flood Plain Conservation District** is proposed to be carried forward. This district includes lands, as defined by Flood Insurance Rate Maps that are subject to periodic flooding. Some uses are permitted, including some agricultural, recreational, and utility uses. The district also protects the width of the riparian buffer in its natural state.

The new **NCO: Neighborhood Conservation Overlay**, provides a framework that allows individual neighborhoods to request and the Borough to tailor specific form, dimensional, design, and use standards to development to ensure the desired neighborhood character is protected (see discussion in Section 3.8.2, Neighborhood Conservation Overlay District).

### 2.2.3 Modernize Format of Zoning

In addition to restructuring and revising the zone districts, we also recommend the rewritten Zoning Ordinance also modernize the format and graphical layout of the districts. For example, several stakeholders identified the zone districts as difficult to understand because they almost all build off of the Residence 1 District. Both staff and technical users are burdened with needing to look in multiple locations within the current ordinance in order to find the applicable regulations. Uses, dimensional standards, and even procedures are generally scattered throughout the districts. Redundancies increase the likelihood for inconsistencies, especially as amendments occur over time. In sum, as currently presented, the districts are difficult to navigate and are not user-friendly.

Modern approaches to laying out zone district regulations include a user-friendly layout that makes effective use of tables and graphics. We recommend each district in the rewritten Zoning Ordinance include a purpose statement, a reference to the use table and use-specific standards, the intensity and dimensional standards applicable in the district, and form standards, where appropriate. In addition, graphics and photos should depict the desired character of development within the district, typical lot patterns, and explain how dimensional standards are applied. An example of this suggested zone district layout is shown in the following graphics.

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alone office building, and parking – not industrial uses. Furthermore, given that the Borough is almost entirely built out, there are few if any appropriate locations for heavy industrial uses that are typically included in industrial zone districts.

<sup>10</sup> It should be noted that while light industrial uses, including tech, will be allowed in the Light Industrial district, some light industrial uses will probably also be allowed in the Downtown, GC, and WE districts.

<sup>11</sup> Additionally, and in accordance with the MPC, “each municipality shall provide for reasonable coal mining activities in its Zoning Ordinance,” .... Consequently, the LI district will permit this use.

*Example of a simple and streamlined zone district format*

Article 3: Zoning Districts  
3.3 Commercial Base Zoning Districts  
3.3.4 C-C: Community Commercial

**3.3.4. C-C: COMMUNITY COMMERCIAL**

**A. PURPOSE**

The purpose of the Community Commercial (C-C) district is to provide lands that accommodate community-serving commercial development primarily along heavily traveled arterial corridors. Community-serving mixed-use, commercial, and office development is allowed at a moderate scale, consistent with district character.



**B. PERFORMANCE STANDARDS**

See performance standards in Article 4: Performance Standards.

**C. INTENSITY AND DIMENSIONAL STANDARDS**

Standard			
	Traditional Character District	Suburban Character District	Coastal Character District
	All Uses	All Uses	All Uses
Lot Area, min. (sf.)	5,000	5,000	5,000
1 Lot Width, min. (ft.)	50	50	50
Front Yard Setback, (ft.)	3 Minimum	10	10
	4 Maximum	[1]	[1]
Side Yard Setback, min. (ft.)	0 [2]	0 [2]	0 [2]
3 Corner Side Yard Setback, min. (ft.)	5	5	5
Rear Yard Setback, min. (ft.)	0 [2]	0 [2]	0 [2]
4 Building Height, max. (ft.)	60	60	60

Notes sf. = square feet; ft. = feet

[1] Maximum setback cannot exceed 110 percent of the average setback of properties on the same block face.

[2] A 10 foot transitional buffer is required on properties adjacent to residential districts.

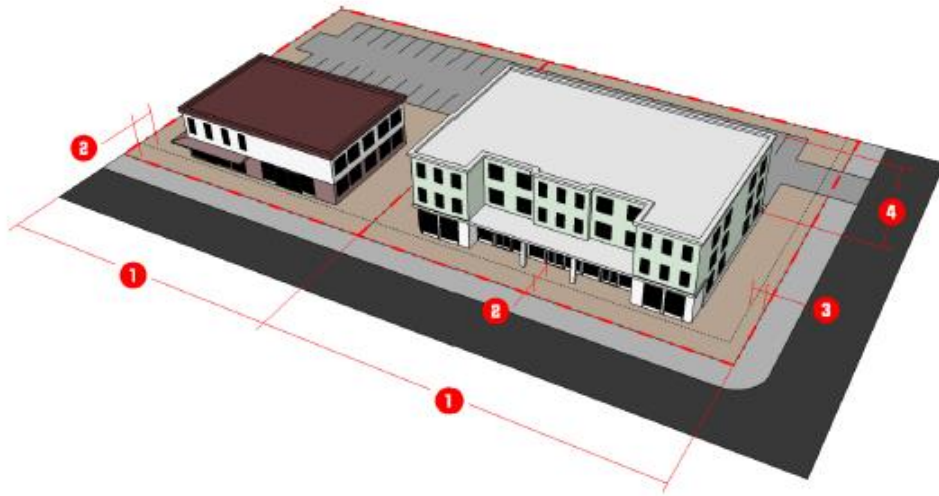
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*Example of a simple and streamlined zone district format*

Article 3: Zoning Districts  
3.3 Commercial Base Zoning Districts  
3.3.4 C-C: Community Commercial



**D. REFERENCE TO OTHER STANDARDS**

Sec. 5.1 Parking, Loading, and Bicycle Standards	Sec. 5.8 Exterior Lighting
Sec. 5.2 Landscaping Standards	Sec. 5.9 Form Standards
Sec. 5.3 Perimeter Buffers	Sec. 5.10 Neighborhood Protection
Sec. 5.4 Screening	Sec. 5.11 Accessory Structures
Sec. 5.5 Open Space Set-Asides	Sec. 5.12 Resiliency Standards
Sec. 5.6 Tree Protection	Article 6 Nonconformities
Sec. 5.7 Signs	Article 8 Definitions and Rules of Measurement

## 2.3 Address Adaptive Reuse of Fraternity Houses

The presence of fraternity and sorority houses is common in university towns around the country. In State College, some of the fraternity houses are privately owned,<sup>13</sup> and located off-campus in the Borough's neighborhoods. Many of the buildings that house fraternities off-campus contribute to the general character of the Borough's neighborhoods; therefore, their continued use and maintenance is important. Under the current zoning ordinance, all fraternity uses are required to be recognized by Penn State to be considered a fraternity use. They are only allowed in zoning districts that permit fraternity uses,<sup>14</sup> and there are a number (the R-3, R-3B, and R-3H residential districts, and the C, CID, UV, CP-1, CP-2, CP-3 commercial districts, and the UPD). If a fraternity chapter is suspended by the university or the ownership entity, the fraternity is no longer considered to meet the definition of fraternity, and is prohibited in the district.



The current regulations are silent about what can occur with these properties under such circumstances, with several exceptions. Section 2002, Temporary Use Provision for Fraternities, allows fraternities to be converted to rooming houses on a temporary basis (for two years, at which time the building will be re-occupied as a fraternity).<sup>15</sup> Additionally, the R-2 Residence District permits the conversion by special exception permit of existing fraternity houses to a variety of uses, including a club or community center, day care center for children, home for elderly persons, nursing home, offices, or a private school if the building (1) is a contributing building to the underlying historic district and (2) the fraternity use is nonconforming – but these are very limiting circumstances.

<sup>13</sup> Typically by the chapter's alumni board.

<sup>14</sup> Or are allowed to continue as a nonconforming use if they were originally conforming but are nonconforming under the current regulations.

<sup>15</sup> This provision was adopted as temporary relief in cases where a fraternity was suspended for the university for less than two years, but will be re-occupied as a fraternity within two years.

The rewritten zoning ordinance needs to address the question of what type of adaptive reuse of fraternities will be allowed in case they are a permanently abandoned as fraternity use. It should also include provisions for how buildings that currently house fraternities can be occupied by alternative uses that advance the goals of the community and are compatible with the surrounding area.

## 2.4 Address Issue of Single and Two-Family Uses Operating as Small Hotels in Residential Districts

One concern expressed by some members of the public and other stakeholders was the conversion of single-family and two-family homes to essentially a hotel use (with short term rentals) in the residential districts. According to these sources, some property owners are finding ways to manipulate the current regulations and essentially operate small hotels in the residential districts. (The current tourist home use was included in the 1959 zoning ordinance, and has not been significantly changed over the years. It defines a tourist home as ...“a dwelling in which sleeping accommodations in less than 10 rooms are provided or offered for transient guests as a generally continuous practice for compensation.” It is a permitted use in the current R-4, R-O, R-OA, C, CID, UV, CP2, CP3, and R-OO districts.) During the rewrite, we will further explore this issue, and as appropriate, make changes in the zone district and use regulations to ensure small hotel types uses are not allowed in the residential districts.

## 2.5 Modernize and Streamline the Current Uses

### 2.5.1 Where Appropriate, Evaluate and Reduce Special Exception Uses

Some uses in the current Zoning Ordinance are treated as special exceptions, meaning they are subject to a public hearing and decision by the Zoning Hearing Board. During the kick-off meetings, we heard that too many uses are currently classified as special exceptions, resulting in some developments being required to undergo a lengthy and uncertain public hearing review process.

Some of the current special exception uses might potentially be treated as “by-right” uses, either because development conditions have changed, or because supplemental and measurable use-specific standards can be required administratively to address potential off-site impacts. During the drafting process we suggest evaluating and potentially reducing the number of special exception uses, if appropriate, especially where:

- They are not necessary because the use is antiquated or irrelevant;
- Development conditions have otherwise changed; or
- Precise, measurable, supplemental use specific standards can be added that address the potential off-site impacts of a use in a zone district.



## 2.5.2 Identify and Classify Uses in a Simpler and More Streamlined Way

As noted in Section 2.2.3, Modernize Format of Zone Districts, use regulations are currently established within the district standards. Information is provided in text, which makes the zone district and use regulations difficult to navigate. The current framework does not allow for a simple comparison of allowed uses by zone district. In addition, use-specific standards are generally scattered and ill-defined, making it challenging to understand what is allowed where, and subject to what standards.

We suggest that use regulations be organized into master use tables, which show the list of allowed uses by zone district. It is best to consolidate the list into as few tables as possible, for example a table for principal, a table for accessory, and a table for temporary uses.

The new tables should identify permitted, special exception, conditional, and prohibited uses. They should also include a cross-reference to any applicable use-specific standards, which would be located after the table. An example of a use table that is included in another community's development code is shown below. A table of the uses allowed in the current Zoning Ordinance has also been prepared, and is included as Appendix 2: Current Use Table, Borough of State College.

*Example of a comprehensive use table from another community*

Table 27-5.202.D: Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																		
P = Permitted by Right SE = Allowed only with approval of a Special Exception Blank cell = Prohibited																		
Principal Use Category	Principal Use Type	Nonresidential Base Zones					NAC	Transit-Oriented/Activity Center Base Zones								Other Base Zones RMH	Use-Specific Standards	
		CN	CS	CGO	IE	IH		TAC		LTO		RTO-L		RTO-H				
								Core	Edge	Core	Edge	Core	Edge	Core	Edge			
Rural and Agricultural Uses																		
Agriculture/Forestry Uses	Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5.203.B.1.a	
	Medical cannabis grower and/or processor				P	P											27-5.203.B.1.b	
	Other agriculture/forestry uses				P	P											27-5.203.B.1	
Agriculture/ Forestry Related Uses	Agriculture research facility				P	P												
	Farm distribution hub		P	P	P	P												
	Farm supply sales or farm machinery/implement sales, rental, or repair		P	P	P	P												
	Farm winery				P	P											27-5.203.B.2.a	
	Sawmill					P											27-5.203.B.2.c	
Open Space Uses	Arboretum or botanical garden, park or greenway, or public beach and public water-oriented recreational and educational area	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5.203.B.3.a	
	Cemetery		SE	SE	SE	SE												
Residential Uses																		
Household Living Uses	Artists' residential studios	P	P	P	P	SE	P	P	P	P	P	P	P	P	P	P	27-5.203.C.1.a	
	Dwelling, live-work	P	P	P	P	SE	P	P	P	P	P		P		P		27-5.203.C.1.b	
	Dwelling, manufactured home															P	27-5.203.C.1.c	
	Dwelling, multifamily	P	P	P	P	SE	P	P	P	P	P	P	P	P	P			
	Dwelling, single-family detached	P																
	Dwelling, three-family						P	P	P	P	P		P		P			
	Dwelling, townhouse	P		P			P	P	P	P	P		P		P			
	Dwelling, two-family	P																
	Manufactured home park															P	27-5.203.C.1.d	
Group Living Uses	Assisted living facility		P	P	P		P	P	P	P	P	P	P	P	P	P	27-5.203.C.2.a	
	> 8 elderly or handicapped residents		P	P	P		P	P	P	P	P	P	P	P	P			
	Boarding or rooming house		P	P			P		P		P		P		P			
	Continuing care retirement community		P	P					P		P		P		P		27-5.203.C.2.b	
	Convent or monastery		P	P	P	P												
	Private Dormitory			P			P	P	P	P	P	P	P	P	P		27-5.203.C.2.c	

We also suggest the rewritten ordinance incorporate a three-tiered use classification system in organizing the uses that adds text descriptions to clarify use groups at three different levels:

- **Use Classifications** (broad general classifications such as Public and Open Space, Residential, Commercial and Mixed Use, and Industrial);
- **Use Categories** (major subgroups within Use Classifications that are based on common characteristics, such as “Group Living” and “Household Living” under the Residential classification); and
- **Uses** (specific uses within the Use Categories, such as “one-family detached dwellings,” and “two-family dwellings” under the Household Living category and Residential classification).

In addition, we suggest the rewritten use regulations define use categories broadly and list specific uses only if they sufficiently differ from similar broad use categories to justify allowing them in different zone districts. This allows staff more flexibility in determining whether a proposed use is allowed.

## Theme 3: Modernize the Development Standards

### 3.1 Add Mobility, Circulation and Connectivity Standards

Today, many communities across the country are modifying their transportation and development policies to support and require an approach that calls for a connected network of complete streets. The result is streets designed to enable safe, convenient, and comfortable travel for users of all ages and abilities, regardless of whether their mode of transportation is by walking, bicycling, driving, or transit. The approach acknowledges the use of streets as destinations (e.g., for sidewalk dining and social gathering) as well as links between places. It also considers streets in the context of the surrounding development and the zone districts in which they are located. The following summarizes the characteristics of complete streets:

- Pedestrian infrastructure such as sidewalks, textured crosswalks, median crossing islands, Americans with Disabilities Act of 1990 compliant facilities, and sidewalk bulb-outs;
- Traffic calming measures to lower speeds of automobiles and define the edges of automobile travel lanes—including road diets, center medians, shorter curb corner radii, elimination of free-flow right-turn lanes, on-street parking, street trees, planter strips, and ground cover;
- Bicycle accommodations, such as bicycle parking, neighborhood greenways, wide paved shoulders, and protected or dedicated bicycle lanes 6' in width with buffers and barriers between moving vehicles; and
- Public transit accommodations, such as bus pullouts, bus shelters, and dedicated bus lanes.

The current regulations include few of these kind of provisions. Section 2605 includes standards for cul-de-sac lengths; however standards for right-of-way width, curb radii, and block lengths are outdated and should be modernized to reflect best practices. Additionally, there are no current standards addressing bikeways, bicycle parking requirements, or other relevant pedestrian-oriented elements.

Given these circumstances, and understanding that there are clear limits on what can be achieved in the community given that State College is primarily a built-out place, we recommend the Borough consider including standards that address some of these complete street elements and principles. They include:

- **Multimodal (pedestrian, bicycle, transit, vehicle) access and circulation.** Access and circulation standards that expressly encourage new development and redevelopment, where appropriate, to provide integrated multimodal access and circulation that addresses anticipated vehicular, transit, bicycle, and pedestrian demands. This might include provisions for bikeways, sidewalks, and transit facilities (e.g., bus pullouts and bus stops).
- **Sidewalk and related pedestrianway standards.** Requirements that new development and certain redevelopment continue to place sidewalks and street trees on both sides of a street.

- **Connected access and circulation systems.** Connectivity standards to require extensions of streets, and sidewalks from developments to adjoining undeveloped land, where appropriate, and cross-access requirements between the internal access and circulation systems of adjoining commercial developments outside the downtown. Additionally, block standards that would encourage areas being redeveloped to dedicate additional connections between existing streets, where appropriate.

### 3.2 Modernize Off-Street Parking and Loading, and Add Bicycle Standards

The current off-street parking standards are located in Part H of the current regulations. The part lists requirements for off-street parking and loading areas. It establishes a “one size fits all” set of minimum off-street parking space standards, design and maintenance standards for off-street parking areas, loading space standards, standards for curb cuts and driveways, and shared parking provisions. There are no bicycle parking requirements, except in the CP-3 District and the Collegiate Overlay (which provides incentives for indoor bicycle parking). The provisions in the Collegiate Overlay also allow applicants, through the conditional use permit process, to request up to a 50 percent reduction in the parking space requirements.<sup>16</sup>

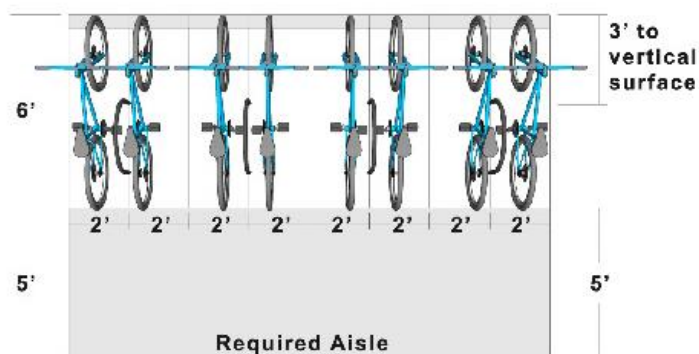
The current parking standards are relatively straightforward. However, they have not been updated in many years and are in need of modernization, given recent parking studies that show changes in parking demand nationally. They also provide limited flexibility to adjust parking requirements based on technical analysis that justifies the need for adjustments – an important component for parking standards in built, mature, communities like the Borough. Finally, like many older zoning ordinances, the standards use a “one size fits all” approach to parking, even though there are several different development contexts in the Borough that most likely support more context sensitive standards.

For these reasons, we recommend the off-street parking standards be modernized in the rewrite in the following ways:

- First, the minimum parking space standards should be reviewed and modernized to bring them into conformance with best practices, using the Institute of Transportation Engineers' Parking Generation Manual, other national standards, and recent standards adopted by other local governments to determine the appropriate quantity of required parking spaces for various uses.

<sup>16</sup> The request, like all requests for conditional uses, must be reviewed at a public hearing and decided by the Borough Council, based on a showing that indoor protected bicycle parking is provided (a 10 percent reduction), the development is green certified (20 percent reduction), underground parking is used (each underground space equal 1.5 required surface or above-ground spaces), or the development includes owner-occupied housing.

- Second, while regulations require provision of a minimum number of parking spaces a cap should be considered (a maximum allowable number of spaces), to ensure the Borough is not over parked.<sup>17</sup>
- Third, different parking standards should be established for several different areas in the Borough. The areas characterized by compact, mixed use, and walkable development patterns where strong pedestrian elements (like sidewalks and bike lanes) and compact development form increases the viability of walking and biking and reduces the need for automobile parking, versus areas that are currently more automobile-oriented This will move the parking standards away from the “one size fits all” approach.
- Fourth, the parking space standards should be placed in a unified parking table that sets out the parking requirements for all allowable uses based on the uses in the permitted use table, along with provisions for uses with parking demands that vary depending size and the mix of uses.
- Fifth, surface parking in selected areas of the community (e.g., in the Downtown and other areas where a mixed use walkable character is desired) should be required to be located to the rear of buildings.
- Sixth, bicycle parking standards should be required for new development and some redevelopment in most districts, requiring bicycle parking on-site. These basic requirements should also specify acceptable types of bicycle storage, consistent with standards recommended by the Association of Pedestrian and Bicycle Professionals.
- Seventh, surface parking lots of a certain size (100 spaces or more) should be required to be broken up into sections and incorporate pedestrian-friendly features such as sidewalks to the principal entrance of buildings, and landscaping that provides shade for pedestrians and collects and filters stormwater runoff.
- Finally, a number of parking flexibility provisions should be added, and reviewed and decided by the Zoning Officer. They should include:
  - Shared parking provisions, subject to limitations on distance from the site and requirements for good pedestrian access from the off-site parking location to the site;
  - Off-site parking provisions, subject to limitations on distance from the site and requirements for good pedestrian access from the off-site parking location to the site;
  - Deferred parking provisions, to the extent allowed by state law;
  - Provisions that allow reductions based on the provision of valet or tandem parking;



<sup>17</sup> Most communities who include such provisions, also include a procedure that allows individual development applicants to request an increase above the parking cap, if they can provide technical analysis that supports increased parking requirements.

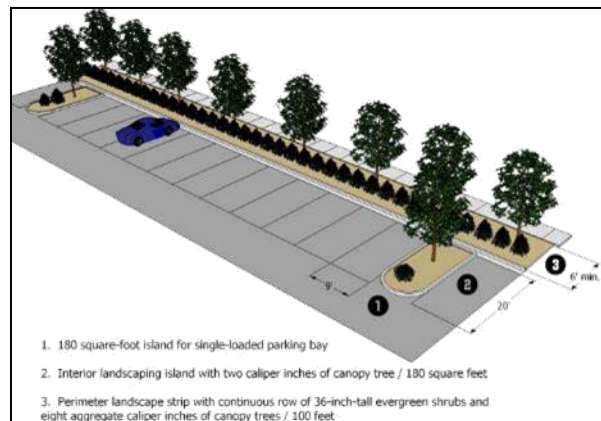
- A fee in lieu of parking option for redevelopment of small commercial and mixed-use lots in and around the Downtown, which is based on the cost to provide parking in close proximity to the site (since many of these lots are unsuitable for on-site parking).
- Provisions that allow an applicant to submit an alternative parking plan demonstrating how parking requirements can be met for a development through alternatives different than those spelled out in the regulations.

### 3.3 Modernize Landscaping and Buffer Standards

The primary landscaping standards in the current ordinance are the parking lot landscaping requirements found in Section 2404 a.(3), which require planting strips to separate parking bays, as well as perimeter landscaping strips<sup>18</sup> to be located along the perimeter of parking lots. In addition to parking lot landscaping, bufferyard requirements are applied to mitigate against compatibility issues where certain uses (e.g., elderly housing development, boarding houses, day cares, and neighborhood centers) are proposed to be located adjacent to the R-1, R-2, R-3, and R-3B residential districts. Additional landscaping requirements are also found in some of the districts (e.g., the CP districts, the UV: Urban Village District (Section 1927.b, Buffer Yards), the Public Activities District (Section 1311.a(3), Buffer Yards), and the University Planned District (1218, Landscaping and Buffering).

We suggest the rewritten Zoning Ordinance, consolidate all requirements (with limited exceptions) into a section on landscaping standards. This would include:

- Parking lot landscaping; and
- Bufferyards (to address compatibility issues), which would first specifically clarify where bufferyards apply, and then focus on the use of performance buffers based on opacity, designed in ways that are sensitive to the different contexts in the Borough (by approving a menu of options).



In addition, we also suggest the standards include:

- Species diversity requirements and requirements for the planting of non-invasive plants as approved by the Borough Arborist; and.
- Additional requirements for large parking lots (over 100 parking spaces) to ensure they incorporate elements to break the lot into pods, and provide pedestrian features to improve access to the building's entrance and include provisions for swales and rain-gardens to control runoff.

<sup>18</sup> The perimeter strips are required to be five or seven feet in width (seven feet if the parking lot is adjacent to a public street).

### 3.4 Revise Fence and Wall Standards

Fencing requirements can impact a community's safety and aesthetics. Generally, regulations governing fencing are located throughout the current Zoning Ordinance. They:

- Require fences at pet grooming establishments (Section 501 l.(4)j.v.);
- Establish height limits in front yards and permit fences within setback areas (Section 502.f.(8)d);
- Establish setbacks for fences in certain areas of State College (Section 502.f.(8)d);
- Encourage natural materials for all fence construction (Section 502.f.(8)d);
- Prohibit the construction of fences within utility easements (Section 502.f.(8)d);
- Require fencing or other screening around day care homes, elderly homes, and other uses (Section 706.a)

While these current provisions are stronger than fence and wall standards in many development codes, the Borough might want to consider refining these standards. Table II.3.5, Potential Fence and Wall Standards, provides a sample of the types of standards that the Borough might consider.

Table II-3.4: Potential Fence and Wall Standards	
Standard	Potential Requirements
<b>Height</b>	Broaden the application of height restrictions for fences and walls, to include requirements in the commercial and mixed use districts. Revisit, and potentially refine the height limits in the Residential and Office districts, for certain locations (front, side, and rear yard)
<b>Alleys</b>	Establish standards for fences and walls adjacent to alleys
<b>Landscaping</b>	Continue to require fences over a certain height and within a certain distance of a public street right of way to undertake modest landscaping to help prevent "fence canyons" along public streets
<b>Customary Materials</b>	Broaden the list of uses where decorative ornamental materials must be used for fencing (for example, to include the new mixed use district); broaden the list of materials that constitute decorative ornamental materials (to include, for example, treated wood posts and planks (rot-resistant wood, such as cypress)), wrought iron, brick, stone, masonry materials, or products designed to resemble these materials.

### 3.5 Refine Exterior Lighting Standards

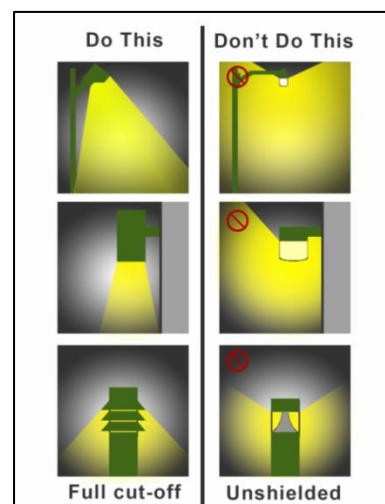
The exterior lighting regulations in the current Zoning Ordinance are found in Part K, Lighting. Generally the provisions require cut-off luminaries for most exterior lighting, include height requirements, and illumination standards. Section 2706, Specific Situational Requirements, also includes specific requirements for: outdoor area lighting; outdoor canopy lighting; exterior display and sales area lighting; outdoor facility and event lighting; security lighting; and building façade and



landscape lighting. In some instances, the regulations are quite technical, and in some instances could be modernized.

We suggest the exterior lighting standards in the rewritten Zoning Ordinance build on the existing exterior lighting standards, while modernizing and simplifying the current standards, where possible, based on best practices. In the rewritten provisions, we suggest the standards be more broadly applied, and include the following requirements (some new requirements, and many carried forward requirements with refinements):

- Mandatory use of full cutoff light fixtures to prevent light overflow and glare on adjacent lands;
- Minimum energy efficiency standards, all of which are achievable through off-the-shelf products;
- Minimum and maximum foot-candle limits to ensure adequate lighting of public and parking areas, and to prevent glare;
- Maximum light fixture pole or mounting heights that vary by zone district;
- Requirements for canopy lighting;
- Requirements for outdoor area lighting;
- Requirements for exterior display and sales area lighting;
- Requirements for outdoor facility and event lighting;
- Requirements for security lighting;
- Requirements for building façade and landscape lighting;
- Requirements for sign lighting;
- Prohibitions on full floodlighting of uniquely colored or designed façades (which turns an entire building façade into a form of signage);
- Light uniformity standards, to ensure that parking areas and pedestrian areas do not create edges where brightly lit areas are adjacent to dark areas (which provide opportunities, or the perception of opportunities, for crime); and
- A provision that would allow modifications to the requirements for safety reasons; and
- A requirement that a lighting plan be prepared to demonstrate compliance with the standards.



### 3.6 Add Form and Design Standards

Even though the current regulations support higher quality form and design in limited instances, either in targeted districts or through incentives, in most cases where development is permitted “by right,” the regulations lack the basic requirements to establish a strong sense of place, pedestrian-friendliness, and a minimum design quality. Both the plans and many of the interviewees during the kickoff meetings supported raising the bar generally for better development form and higher quality development throughout the Borough.

To address this goal and improve development form and quality generally where new or substantial amounts of redevelopment occur, we recommend the Borough consider including in the rewrite a set of design and form standards that would be generally applicable to the following types of development outside the Downtown District:

- Multi-family; and
- Mixed-Use and Nonresidential (commercial, office, and light industrial).



### 3.6.1 Multifamily Form and Design Standards

One of the primary purposes of the multifamily form and design standards would be to ensure multifamily development contributes to greater form and livability and achieves a minimum development quality. Table II-3.6.1, Potential Multi-family Form and Design Standards, provides a sampling of the types of multi-family form and design standards that could be included.

Table II-3.6.1: Potential Multifamily Form and Design Standards	
Standard	Potential Requirements
<b>Building Orientation and Configuration</b>	Orient primary building entrance to a street or open space area (e.g., courtyard) rather than a parking area, where practicable
<b>Building Size</b>	Limit through requirements the length and footprint area of individual buildings
<b>Building Facades</b>	Require wall offsets and other articulation features (recessed entrance, covered porch, pillars and columns, bay windows, eaves, integrated planters) along long building facades
<b>Roofs</b>	Regulate the pitch of sloped roofs
	Conceal flat roofs with parapets
	Locate and configure roof-based mechanical equipment to minimize view from street
<b>Materials</b>	Provide changes in building material where building forms meet

Table II-3.6.1: Potential Multifamily Form and Design Standards	
Standard	Potential Requirements
	Locate heavier façade materials below lighter materials
<b>Parking Placement and Configuration</b>	Limit or prohibit parking areas between buildings and the streets they face (e.g., require parking areas to the side or rear of buildings)
	Limit frontage taken up by parking located to the sides of buildings
	Locate detached garages to the side or rear of buildings
<b>Storage and Service Areas</b>	Locate storage buildings, garbage and recycling facilities, and other service areas to be conveniently accessible to residents, yet minimize noise and odor impacts on the residents and on adjacent residential development

### 3.6.2 Nonresidential and Mixed Use Form and Design Standards

Table II-3.6.2, Potential Nonresidential and Mixed Use Form and Design Standards, provides a sampling of the types of standards that could be included for commercial, office, light industrial, and mixed use development.

Table II-3.6.2: Potential Nonresidential and Mixed Use Form and Design Standards	
Standard	Potential Requirements
<b>Building Orientation and Configuration</b>	Orient buildings to front streets, not parking areas
	Orient around a central spine street or accessway (for multi-building developments)
	Locate and configure outparcels and their buildings to define street edges, development entry points, and gathering spaces
	Use design features (canopies, recesses, arcades, raised parapets, roof forms, adjacent display windows) to establish clearly defined, highly visible, primary building entrances

**Table II-3.6.2: Potential Nonresidential and Mixed Use Form and Design Standards**

Standard	Potential Requirements
<b>Building Facades</b>	Use design features to configure tall buildings with a clearly recognizable base, middle, and top
	Provide wall offsets and other articulation features (changes in color, recessed entrance, awnings, pillars and columns, bay windows, eaves, integrated planters) along a long front building facade and along facades facing residential development
<b>Transparency</b>	Incorporate windows and doors along the front building facade to cover a certain percentage of the façade area (with separate standards for ground floors and upper floors)
	Ensure ground-level windows that are transparent, allowing views into the building
<b>Roofs</b>	Provide a variety of sloping roof planes
	Incorporate roof line changes reflecting the required façade massing changes
	Locate and configure roof-based mechanical equipment to minimize view from street
<b>Parking Placement and Configuration</b>	Locate surface parking areas to the side or rear of buildings or limit parking areas between buildings and the street
	Limit frontage taken up by parking located to the sides of buildings
	Organize large surface parking lots into a series of parking bays surrounded by buildings, landscaped medians, or accessways designed to look like streets
<b>Storage and Service Areas</b>	Locate storage buildings, garbage and recycling facilities, and other service areas to be conveniently accessible to occupants, yet minimize noise and odor impacts on the occupants and on adjacent residential development
	Enclose, incorporate into overall building design, or otherwise fully screen outdoor storage, garbage and recycling facilities, and other service areas from view from the street and adjacent residential development
<b>Open Spaces</b>	Encourage provision of outdoor gathering spaces such as courtyards, plazas, pocket parks

**Table II-3.6.2: Potential Nonresidential and Mixed Use Form and Design Standards**

Standard	Potential Requirements
	Provide pedestrian amenities such as plazas, seating areas, or gathering spaces between buildings
<b>Transition</b>	Limit the size of nonresidential structures within a specified distance of one and two family homes; also establish rules governing roof treatment, transparency, and façade treatment in the edge areas adjacent to one and two family development.

### 3.7 Add Provisions to Protect the Character of Existing Neighborhoods

State College has great residential neighborhoods - and the Borough's plans and residents understand the importance of protecting and maintaining the character of these neighborhoods. It is an important goal in the rewrite. As is the case in many communities, preservation of the Borough's neighborhoods does not come without conflict, especially regarding student homes and development at the edges of the neighborhoods. The growing student population at Penn State is amplifying the need for affordable student housing options, especially those that are accessible to the Penn State campus. To protect the character of the existing residential neighborhoods, the current Zoning Ordinance has a "student home"<sup>20</sup> provision, which regulates the location, number, context, and character of homes occupied by students in the neighborhoods. It is a provision the large majority of stakeholders living in the neighborhoods believe is important to maintain. Specifically, the provision allows a student home in all districts that allow residential uses, upon approval of a zoning permit that limits:

- The number of unrelated persons living in the student home;
- The distance between each student home;
- The size of the home; and
- The amount of parking at the home.

<sup>20</sup> The regulation defines a student home as any living arrangement within a one-family dwelling, one-family dwelling with an apartment, or two-family dwelling by persons who are unrelated by blood, marriage or legal adoption and are attending undergraduate or graduate programs offered by colleges or universities or are on semester break or summer break from studies at colleges or universities, or any combination of such persons. The residents of a student home share living expenses and may live and cook as a single housekeeping unit. Student homes include living arrangements where the landowner(s) or landowner's family members are residents of the dwelling unit. Student homes do not include fraternities, sororities, rooming houses, townhomes, or multiple-family dwellings. Part B, Definitions, Zoning Ordinance.

The student home provision will be carried forward.

Another important issue with respect to protection of neighborhood character involves how to ensure development at the edges of the neighborhoods is compatible. The current Zoning Ordinance has established several zone districts (Mixed Use Overlay (R-2 and R-3H), R-O: Residential-Office District, R-OA: Residential-Office District, R-3H: Residence) that attempt to establish predictable transitions and compatibility between the residential neighborhoods and development along its edges. These regulations work to some extent, but do not completely solve the problem, and conflicts continue to arise. The result is that sometimes, the Borough's review of development proposals in these edge areas can sometimes be controversial and frustrating to the neighbors, the developer, and the review boards.

Based on best practices, we suggest the Borough consider adding two specific tools to the rewritten Ordinance, to further address these concerns:

- Neighborhood compatibility standards; and
- A framework for application of a Neighborhood Conservation Overlay (NCO) District.

### 3.7.1 Neighborhood Compatibility Standards

An increasing number of communities across the nation have included neighborhood compatibility standards in their regulations to protect the character of established residential neighborhoods. If included in the rewritten regulations, they would typically apply to any new nonresidential development, mixed-use development, and multi-family development above a certain density that is adjacent to, across the street from, or within a certain distance from one-family residential development or a one-family residential zone district. Table II-3.7.1: Potential Neighborhood Compatibility Standards includes a sampling of the types of neighborhood compatibility standards the Borough should consider including in the rewritten Ordinance.

Table II-3.7.1: Potential Neighborhood Compatibility Standards	
Site Layout	Requires structures to maintain consistent façade directions and building orientations as existing homes along the same block face.
	Requires the primary entrance of a new building to face the street from which the building obtains its street address or mailing address.
Building Façade Standards	Requires construction of a similar roof type as one-family development in terms of slope and arrangement to prevent abrupt changes in roof form.
	Requires porches, balconies, outdoor space, and other site attributes such as vending machines associated with multi-family and nonresidential development to be oriented away from adjacent one-

**Table II-3.7.1: Potential Neighborhood Compatibility Standards**

	family development.
	Requires adjacent development to use similarly sized and patterned architectural features such as windows, doors, awnings, arcades, pilasters, cornices, wall offsets, building materials, and other building articulations as that included on adjacent one-family development.
Building Dimension Standards	Requires that no building be higher than ____ feet within 100 or 150 feet of a one-family development, and that buildings over ____ feet in height be stepped back in height, so that the tallest part of the structure is the furthest from the one-family development.
	Requires massing standards for building facades visible from one-family development - that include articulation of the façade in the form of projections or recesses with a minimum depth so that no single wall plane extends for more than 40 linear feet without some form of projection or recess. Covered porches, building wings, bay windows, pilasters, masonry chimneys, and cantilevered bump-outs would meet these requirements.
Site Design Standards	Requires when dealing with multi-building development, a continuum be established of use intensity, where uses of lowest-intensity are located closest to the one-family development, and the moderate intensity uses are sited between high-intensity uses and the lowest intensity uses.
Location of Drive-thrus and Outdoor Dining	Requires drive-thru facilities and outdoor dining areas be located a minimum distance from one-family development.
Parking and Driveway Area Standards	Requires parking spaces be oriented away from one-family development.
	Requires a fully-opaque vegetated buffer or fence, or a comparable buffer between one-family development and nonresidential and multi-family development.
	Requires parking structure facades adjacent to one-family development receive enhanced design treatment to soften their visual impact.
Loading and Refuse Storage Area Standards	Requires loading and refuse storage areas be located beyond a certain distance from one-family development.



**Table II-3.7.1: Potential Neighborhood Compatibility Standards**

	Requires loading and refuse storage areas be screened from view of one-family development using materials that are the same as, or of equal quality to, the materials used for the principal building.
Lighting Standards	Requires reduction of foot-candle values by 1/3 at lot lines.
Signage Standards	Limits the sign area and maximum height of all signs by certain amount of that normally allowed.
Open Space Set-Aside Standards	One-family development, to the maximum extent practicable.

### 3.7.2 Neighborhood Conservation Overlay (NCO) District

Another regulatory tool many local governments use is Neighborhood Conservation Overlay (NCO) districts. NCOs are primarily used to ensure the desired character of a neighborhood is protected and can be an appropriate tool in both stable traditional neighborhoods and at risk neighborhoods to improve, re-build, preserve, and protect desired neighborhood character. NCO standards typically require infill and redevelopment to comply with additional modest development standards to protect neighborhood character. A framework for the establishment of an NCO district is proposed to be included in the zone district regulations so that the community can tailor and adopt individual NCO standards for different neighborhoods, based on a pre-approved area or neighborhood plan.

## 3.8 Revise the Sign Regulations

Sign regulations are found in Chapter 15 of the Borough's Code of Ordinances. While the provisions address many issues related to the regulation of signs, they are difficult to understand and, in some instances interpret, because they are not well organized. Definitions, sign specific regulations, district specific regulations, and procedures are mingled together. For example, Sections 119-121 establish sign standards for specific residential districts. They are followed by Sections 122-124, which establish procedures for variances, enforcement, and licensing. Those sections are followed by Section 126, which establishes standards for decorative panels, which is followed by Sections 127-128, which establish sign standards for the UV and UPD districts, respectively.

The regulations would be easier to use and more effective if they were organized in a way that grouped like provisions together (e.g., general standards, standards for specific sign types, and district-specific standards), and if they included a precise and comprehensive set of definitions for sign types that could be applied consistently. In some cases, the distinctions between different types of signs in the current regulations are difficult to understand. For example, the relationship between wall signs, decorative displays, and awning signs is not clearly laid out. In addition, the current regulations

do not address a number of common sign types, such as monument signs, changeable message signs, or feather signs. Sign technology is evolving, and there are a number of technologies (e.g. digital displays) that are simply not mentioned in the regulations. The sign definitions should cover a broader range of common sign types.

In the rewrite, to address these concerns and to ensure the regulations conform to recent court decisions, we suggest the following be done:

- The community reach consensus on the type of substantive changes that are needed to the sign regulations, and then revise the purpose and intent section to support this policy direction.
- Reorganize the sign regulations so there is consistency in where information and standards related to signage are consolidated, and exclude provisions unrelated to signage;
- Develop a precise and comprehensive set of definitions for sign types that can be applied consistently. The definitions should distinguish between permanent signs and temporary signs. They should address common sign types that are currently not defined, such as monument signs, changeable message signs, and feather signs. Care should be taken to avoid defining sign types based on the content of the sign.
- Revise or delete sign standards to remove content-based requirements from the regulations.<sup>21</sup> Speaker-based distinctions, including those based on the type of use (e.g., church or dentist office), should be looked at closely.
- Include a provision that states that commercial content may be substituted by non-commercial content on any sign allowed under the regulations, to ensure that commercial speech is not given preference over non-commercial speech.
- Include a severability provision specifically for the sign regulations.
- Review the sign regulations for installation outside the property line or in the public right-of-way.
- Develop standards for window signs in the pedestrian oriented zones that have an emphasis on clear window space to view inside and outside the store.
- Review recent zoning hearing board cases on the sign ordinance.
- To the extent appropriate, refine and clarify the procedures.

### 3.9 Refine the Inclusionary Housing Provisions to Better Address the Adjustments Made for Bonuses

Sections 1950-1952 of the zoning ordinance currently includes an inclusionary housing provision requiring that 10 percent of the residential units built by development subject to its requirements be affordable to households earning 120 percent or less of AMI. Mitigation may occur either through

<sup>21</sup> Several of the standards for specific sign types (e.g., real estate development signs) identify the type of content allowed on the signs. Additionally, district-specific standards are based on sign content in some cases (e.g., limited to professional occupation signs).

construction of the units on-site or off-site, payment of an in-lieu fee in an amount commensurate to meet the affordable housing need, the dedication of land for affordable housing, or a combination of housing construction and land dedication. In addition, Section 1952 provides a bonus density that allows those building affordable units on-site to add one additional market unit for each affordable unit built. To account for needed adjustments to lot size and widths, setbacks, and parking so that the bonus units can be constructed, the provisions also include adjustments to those standards.

With changes suggested for the districts in the rewrite, and to ensure the bonus units can be built, these provisions will be reviewed and refined as appropriate in the update.

## Theme 4 Encourage and Support Green Building Practices

While the current Zoning Ordinance includes some standards for green building, including incentives for greater densities in certain districts in exchange for LEED certification, this rewrite represents an opportunity to enhance and expand the number of green building requirements and incentives throughout the community. Green development involves much more than the design of individual buildings. In fact, by the time specific buildings are being designed, many opportunities to improve energy conservation (e.g., through ground-mounted solar facilities) or stormwater management (e.g. through low impact development or environmental site design) or to reduce vehicle miles traveled through better site design will have been lost unless tools to promote those results are included in the Zoning Ordinance. Not only can green development tools reduce the cost of development—both initially and in the longer run—but they can help achieve significant community goals.



*A green roof, like one shown in this example from San Diego, helps to reduce energy costs and stormwater runoff.*

Plan policies and the general consensus expressed during the kick-off meetings was for implementation of green building techniques in the Zoning Ordinance to reduce energy usage, increase the use of alternative energy (if possible), reduce water consumption, increase the protection and saving of trees and vegetation, increase opportunities for urban agriculture, increase opportunities for housing options and the opportunities for people to live in place as they get older, increase opportunities for reuse and recycling of construction materials, and reduce construction waste.

The current Zoning Ordinance treatment of this important topic is limited to the following:

- Green building standards currently exist under the C: General Commercial District, the CID: Commercial Incentive District, and the R-OO: Residential Office Overlay as an incentive for additional FAR for residential use and a reduction in parking when a building is constructed that attains LEED Silver status or higher.
- Part G: Flood Plain Conservation District includes provisions to protect areas subject to flooding and encourages open space and forests within the riparian buffers of streams.

The current regulations lack standards and incentives to support many modern green building practices and the procedures needed to implement them. For example:

- Alternative energy systems like solar and wind are not mentioned or defined;
- Low impact development, rain gardens, and bioswales are not mentioned or defined;
- Rain gardens, bio-retention areas, and green roofs are each only mentioned within the CP-3: Commercial District;
- Universal design<sup>22</sup> is not mentioned or defined;
- Environmental site design, community gardens, and produce stands are not mentioned;
- The protections for trees are modest relative to tree protection standards included in an increasing number of modern development ordinances; and
- While Certification for Leadership in Energy and Environmental Design (LEED) is part of the ordinance, programs like Green Globe, National Green Building Standard (NGBS), Energy Star, and Envision, are not mentioned.

This cursory treatment is a far cry from the emphasis on green building practices the community seems to want. Our understanding of what we heard is that the Zoning Ordinance rewrite needs to not only reflect this important goal, but to make the Borough a leader in encouraging and requiring green development in efficient and predictable ways. Throughout our interviews and meetings we heard a strong consensus to incorporate green building practices in the rewritten regulations. We also heard strong requests for predictable and objective development standards. Green development is one area where this can be done. In over two decades of practice, we have learned several important lessons about how to promote green development in land use regulations. These key lessons are summarized below:

- First, include the tools for green development in the Zoning Ordinance. This means explicitly defining key terms like wind, geothermal, universal design, connectivity, bioswales, rain gardens, rain barrels, electric vehicle charging stations, alternative fuel filling stations, and recycling collection, transfer, treatment, and disposal facilities in the Ordinance.
- Second, remove barriers to market driven innovations in these areas. Explicitly address where on residential, commercial, and mixed-use developments, geothermal and/or wind energy systems may be installed – both as accessories to another primary use of the land, and as primary uses of the land. Do not require variances or approvals for installing smaller and accessory devices, and remove the requirements for building permits for those devices where possible. For larger and primary devices, establish objective standards and allow by right development subject to those standards, wherever possible. Ensure that site design and landscaping standards do not



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<sup>22</sup> Universal design is the design and composition of a residential home environment so that it can be accessed, understood and used to the greatest extent possible by people as they age, or people with disabilities.

prohibit bioswales, rain gardens, and other tools of low impact development, but instead allow them to be counted towards required open space set-asides and landscaped areas.

- Third, create meaningful incentives for those features that are most expensive and hardest to achieve. Resist the temptation to write an incentive for each desired site feature, because most of them will be ignored. Resist the temptation to give token incentives that do not begin to offset the added cost of installing the facility just to say that the regulations include an incentive. Development incentives must be designed strategically, and must be balanced with incentives needed to achieve other important goals.
- Fourth, write reasonable, objective, and enforceable standards for the green building features, if possible, during early phases of site or building design. There are a variety of energy and water conserving features that can be included at low cost, where the additional cost is offset by the savings in time and expense by avoiding a variance procedure. Sometimes, these are the “tipping point” issues – areas where efficient market driven solutions are easily available, and the role of the development regulations is to strongly encourage their use through reasonable standards and procedural efficiencies.
- Finally, be sure to coordinate the standards and incentives in the development regulations with related provisions of the building code. Generally, if the topic is adequately addressed in other codes, they should not be repeated in the development regulations, because repetition often leads to inconsistencies over time. On the other hand, site design features can and should be addressed in the development regulations with little worry that those provisions will become inconsistent with other code provisions over time.

We recommend that the rewritten Zoning Ordinance define terms, remove barriers, and adopt reasonable regulations following the principles above, for the following types of green building practices:

- Alternative energy systems that would include, but are not be limited to, wind energy conversion systems (WECs), other wind energy systems, geothermal systems, electric vehicle charging stations, and alternative fuel filling stations;
- Energy conservation techniques and devices including, but not limited to, green roofs, roof gardens, cool roofs, and green walls;
- Water conservation techniques and devices;
- Low impact development/environmental site design standards for stormwater management;
- Conservation of green infrastructure including, but not limited to, more stringent tree protection requirements and the provision of open space-set-asides;
- Urban agriculture activities including, but not limited to, community gardens, produce stands, farmers markets, and vegetable gardens and the raising of a limited number of animals (like chickens, ducks, and rabbits) in specified residential zone districts;
- Compact, walkable urbanism that supports market driven and higher development densities with a mix of uses in key places, together with requirements for pedestrian and bicycle connectivity and a strong focus on the quality of the streetscape; and
- Housing diversity by increasing the housing options available to residents in close proximity to services, by right or subject to use specific standards. These types of housing might include



small-scale forms of attached dwellings (two-family, three-family, four-family, mansion apartments, courtyard apartments, senior housing, and ECHO housing) that not only promote affordability but limit the impact of new development on the land.

This will require changes to at least the following sections of the regulations:

- Definitions.
- Permitted uses—to better address some of these uses (both principal and accessory).
- Use-specific standards— for example, to better establish where on a site accessory renewable energy facilities can be located.
- Dimensional standards— to establish maximum heights and setbacks facilities and low impact development features.
- Parking standards—to accommodate electric vehicle charging stations and improved van and carpool provisions.
- Open space set-aside standards—to refine the open space set-aside requirements for the protection of green infrastructure in appropriate locations.
- Tree protection standards—to increase the protection of tree canopy.

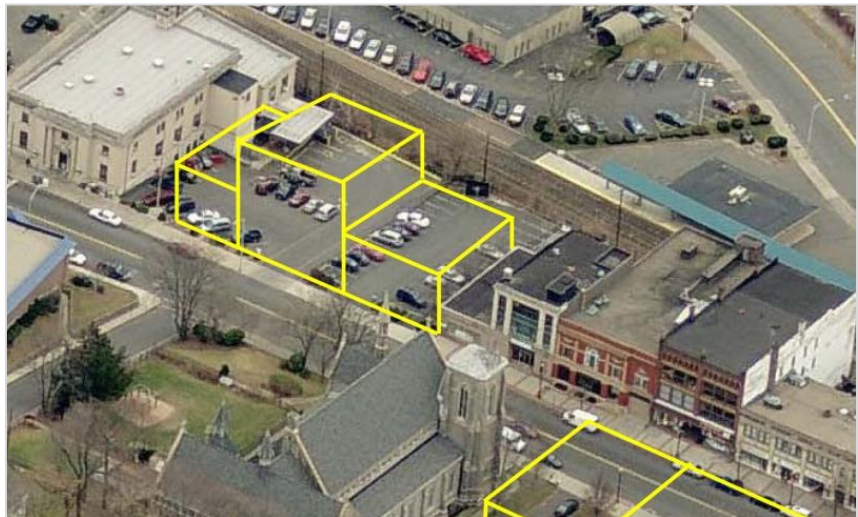
We also recommend that the new regulations include meaningful incentives for these or similar types of green building practices like the construction of high-rated buildings under LEED.

Finally, we recommend coordinating the new standards and incentives with related provisions of the building code, to ensure there are no conflicts and that the provisions are mutually supportive.

## Theme 5 Modernize the Regulations to Encourage and Support Redevelopment

Many modern development codes employ flexibility provisions and incentives to support and encourage redevelopment. There are, however, challenges. Many times redevelopment sites are “passed over” sites (usually for a reason), or sites where buildings have become antiquated or are no longer attractive to modern market preferences. In most instances this makes them more expensive to develop, meaning the economics of development are more difficult, which generally reduces the number of developers willing to take on the challenge.

Another potential obstacle is that, by definition, redevelopment sites have neighbors, and neighbors often object to change. Whereas a “greenfield” site approval may face little opposition – because either there are few neighbors or those neighbors are themselves interested in subdividing their land in the future – the areas surrounding a redevelopment site often forms a line of “Not In My Back Yard” (NIMBY) objectors to redevelopment. Instead of seeing an opportunity to improve the character of the area, many people see an erosion of character. Because of general opposition to change, it is often more difficult to obtain development approval for these sites.



The current development regulations have in some instances resulted in additional obstacles for redevelopment (even though there appears to be a genuine effort by the Borough to support redevelopment). Some of the zone districts, especially some of the residential districts, have resulted in nonconformities, making it more difficult for redevelopment or expansion of sites to occur. In other instances, “one size fits all” standards (e.g., for parking) present obstacles to redevelopment (e.g., due to parking space requirements), even though alternative approaches could be used that would remove obstacles without necessarily undercutting the purposes of the regulations.

The rewritten regulations need to reverse this situation, and make redevelopment in desired locations the preferred and easier form of development. Achieving a system that promotes good redevelopment, while somewhat challenging technically, is possible because zoning tools are available. In considering the appropriate tools for State College, it is important to keep in mind there are generally two regulatory components that are key in ensuring that zoning supports desired redevelopment. First, the regulations need to make sure redevelopment “fits into” either the existing

context or the planned context for the area. At a minimum, that means redevelopment does not overwhelm the general character of the area or neighborhood where it is located. This can be accomplished by providing objective development standards (zone district regulations and other relevant standards) and making sure that the standards are consistent with the desired character. That way when new redevelopment occurs, the standards ensure it “fits in.” The second key component is to ensure the procedural path to the desired type of redevelopment is streamlined, making it procedurally easy to occur. Experience teaches this means not only establishing streamlined development review procedures, but also including flexibility provisions in the regulations that allow for minor variations to the objective standards, as long as the variations do not undermine the desired character of the area.<sup>23</sup>

With these considerations in mind, we recommend the Borough consider including the following changes in the rewritten regulations to better support and encourage redevelopment at desired locations:

- As discussed in Section 3.2, Modernize Off-Street Parking and Loading and Add Bicycle Standards, revise standards to respond to the different development contexts in the Borough (the Downtown and the other areas);
- Evaluate and modify where appropriate, the zone district regulations, to ensure the standards are consistent with the desired character in different places in the community.
- Include contextual compatibility standards in selected zone districts to stimulate redevelopment by minimizing nonconformities.
- Add an administrative adjustment procedure to allow administrative approval of minor adjustments to dimensional and certain development and design standards to allow for more flexibility, especially for redevelopment sites.
- Add alternative compliance provisions for parking and consider broadening their application to other standards.

Each recommendation is discussed on the following pages.

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<sup>23</sup> The reason for this, as discussed above, is that many times redevelopment sites are “difficult” sites to redevelop; flexibility provisions allow the redevelopment to happen, while ensuring the desired character is maintained.

### 5.1 Revise the Off-Street Parking Standards to Recognize the Different Development Contexts in the Borough

For parking purposes, it appears the Borough has at least two distinct areas - the downtown and the other areas in the community. The downtown is more urban in character - with a grid street pattern, sidewalks, buildings with consistent setbacks, and generally higher-densities and some mixed use development. The lands outside this area are more suburban in nature. Many times, when development standards apply a “one size fits all” standard, especially when most development in the community is going to be redevelopment, they create obstacles to redevelopment. In some respects, that is probably the case with some of the current parking standards in the downtown. These problems are avoided when development standards recognize the different contexts in a community, and are not designed in a “one size fits all” way.

We suggest in the rewrite, we explore establishing two different sets of parking standards in the regulations – one for the Downtown District, and one for the balance of the Borough.

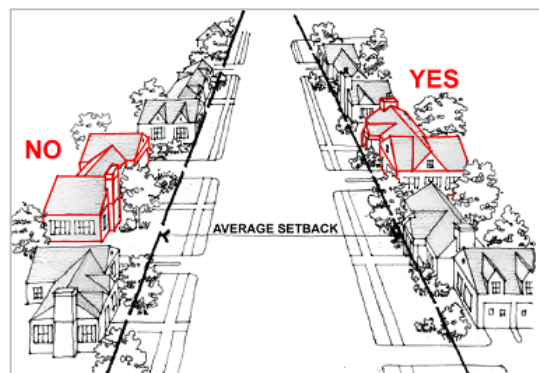
### 5.2 Evaluate and Modify Zone District Regulations to Address Nonconformities and Align Them with Desired Character

Today there are a number of lots and buildings in the Borough that do not conform with the minimum lot area or setback requirements, for a variety of reasons, particularly in some of the residential neighborhoods. These nonconforming situations create obstacles to expansion and redevelopment of these sites, even though in most instances the redevelopment would be consistent with the existing development “fabric” and is something the community would support. In part, this situation has been created by some of the current zone district regulations.

To address this problem, we suggest that in the rewrite we evaluate these districts and their dimensional and other standards, and refine them to address the nonconformities while at the same time ensuring they will result in the community’s desired character.

### 5.3 Include Contextual Compatibility Standards in Selected Zone Districts

To assist in addressing the nonconformity situation created by some of the current zone districts, we also suggest we explore applying additional contextual compatibility standards in some of the zone districts. Contextual compatibility standards are used in a limited way in several of the current zone districts, and have been successfully used in a number of modern codes to address nonconformity situations. They supersede the dimensional standards in the base zone district in order to allow expansions and redevelopment consistent



with the existing “fabric” of the area, even if that fabric does not comply with the zone district standards. They, for example, might establish a rule (superseding the dimensional standards in the zone district) that requires the lot area, setback, and height standards in the zone be between 115 - 120 percent of the average setbacks, lot area, and height of the lots and development on the same block face. Under this type of rule, as long as development is consistent with the existing development context on the block (or within a certain number of feet of the development), it is considered conforming and could be redeveloped under the regulations.

#### 5.4 Add Administrative Adjustment Procedure

Section 1.7.3(A), Administrative Adjustment, discusses adding an administrative adjustment procedure in the rewrite. It is one tool that many communities use to allow greater flexibility, especially for redevelopment sites. The administrative adjustment allows a minor departure from a dimensional standard (like a setback) or development standards (like the amount of required parking) in cases where such adjustment better serves the intent of the regulations. These kinds of minor departures from standards are reviewed and approved administratively (by the Zoning Officer) based upon an established set of clear and measurable standards. They are accomplished outside of the variance process, and as such, do not rely on demonstration of a “hardship.”

We recommend that an administrative adjustment procedure be added to better support redevelopment in the Borough.

#### 5.5 Add Alternative Compliance Provisions and Consider a Broad Application

One trend in modern development codes is to allow alternative forms of compliance for one or more development standards. This procedure involves the submittal of an alternative plan that describes the alternative form of compliance and how it meets or exceeds the minimum standards in the ordinance. We suggest the Borough include such a provision for off-street parking and landscaping, and possibly consider it for other development standards.

## III) Annotated Outline of the Rewritten Zoning Ordinance

This part of the Assessment provides an overview of the proposed structure and general substance of the Rewritten Zoning Ordinance if the issues identified in Part II are addressed as suggested. As part of the review and discussion of the Assessment, the Borough can provide more detailed direction about the nature and scope of the rewritten Zoning Ordinance and specific provisions. When this process is completed, the Clarion team will undertake the actual drafting of the rewritten Ordinance.

The following pages are a general outline of the rewritten chapter. We view the annotated outline and the previous parts of the Assessment as vehicles for helping to define expectations about what is to be accomplished in the rewritten Ordinance before beginning the detailed drafting work. In addition to providing a road map for drafting the ordinance, the outline provides an organizing framework for continued conversations with the Borough about key Ordinance issues.

The proposed new structure is outlined below. It includes eight parts.

### **Chapter XIX: Zoning Ordinance**

Part A: General Provisions

Part B: Administration

Part C: Zone Districts

Part D: Use Regulations

Part E: Zoning Standards

Part F: Nonconformities

Part G: Enforcement

Part H: Definitions and Rules of Measurement



## Part A: General Provisions

**Part A: General Provisions**, includes overarching principles and establishes a clear basis for the authority by which the Zoning Ordinance is adopted and administered. These “boilerplate” sections will state the title of the document, the legal authority by which the Borough regulates zoning, and the general purposes for the regulations. The sections will clarify who is subject to the regulations, establish transitional provisions, address the severability of individual provisions, and establish a date when the rewritten Ordinance becomes effective.

### Section A.1. Title

This section carries forward and builds on the Introduction of the current Zoning and Subdivision Ordinances. It will set forth the official name by which the regulations may be cited (e.g., “The Borough of State College Zoning Ordinance”) as well as any acceptable shortened references (e.g., “the ZO” or “this Ordinance”).

### Section A.2. Authority

This section will contain references to the authority by which the Borough has to adopt the Zoning Ordinance in accordance with the Pennsylvania Municipalities Planning Code (MPC). It will also include a provision stating that if the regulations cite a provision of the MPC or federal law that is amended or superseded, the regulations will be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

### Section A.3. General Purpose and Intent

A general purpose and intent section can inform decision-makers and the courts in future years about the intent of the Borough Council when it adopted the rewritten Zoning Ordinance. This section will build on Part A in the current Ordinance, as well as the Community Development Objectives and Section 604, Zoning Purposes, in the MPC. It will include statements of intent, as appropriate, to reflect the goals, objectives, and policies in the Borough’s plans, as well as other Ordinance purposes. Purpose statements related to the zone districts, the development standards, and the procedures will be located in those specific sections.

### Part A: General Provisions

Section A.1: Title

Section A.2: Authority

Section A.3: General Purpose and Intent

Section A.4: Applicability

Section A.5: Conformance with Plans

Section A.6: Relationship with Other Laws,  
Covenants or Deeds

Section A.7: Official Zone District Map

Section A.8: Transitional Provisions

Section A.9: Severability

Section A.10: Effective Date

### Section A.4. Applicability

This section makes clear who is subject to the requirements of the Zoning Ordinance. It relocates provisions related to applicability to this new section. It will state that unless stated otherwise or exempted, the standards and requirements of the regulations apply to all development within the corporate limits of the Borough. It will also include a section on exemptions.

### Section A.5. Conformance with Plans

This section states that one purpose of the Ordinance is to ensure Ordinance provisions implement and are in conformance with adopted plans.

### Section A.6. Relationship with Other Laws, Covenants, or Deeds

This section will provide that in case of conflict between the Zoning Ordinance and other legislative enactments of the federal government, the state, or Borough, the stricter provision shall apply, to the extent allowed by law. The section will also express that it is not the intent of the regulations to annul private covenants, easements, or other agreements, but if the regulations establish stricter requirements, they control.

### Section A.7. Official Zone District Map

This section incorporates by reference the Official Zone District Map as well as any related maps. It will provide for amendment of the Official Zone District Map upon the approval of a rezoning application. It will clarify that the Official Zone District Map is now maintained in a digital format. It will also:

- Incorporate and refine the provisions in the existing regulations that relate to boundary interpretations; and
- Identify the Zoning Officer as the person authorized to interpret the Official Zone District Map and determine where the boundaries of the different zone districts fall, if in dispute. It will also provide that appeals from the Zoning Officer's interpretations may be made to the Zoning Hearing Board.

### Section A.8. Transitional Provisions

This is a new section that does two things. First, it establishes a zone district translation table that shows the translation of the zone districts in the current regulations to the zone districts in the rewritten Ordinance. This is done by including a table of the current zone districts along with the corresponding new districts and overlays being adopted by the rewritten Zoning Ordinance. Table II-2.2.2: Proposed Zone District Structure (in Part C: Zone Districts, of the Annotated Outline) shows the current zone districts and how they would be translated in the rewritten Zoning Ordinance. It would serve as the basis for the zone district translation table.

Second, the section establishes rules governing continuing violations of the regulations, pending development applications at the time of adoption, and existing development approvals. More specifically, subsections would provide the following:

- Violations of the current regulations continue to be violations under the new regulations (unless they are no longer considered violations), and are subject to the penalties and enforcement provisions set forth in Part G: Enforcement.
- Completed applications that are already in the development approval pipeline at the time the regulations become effective, may be processed under the prior regulations. If an applicant seeks to proceed under the new regulations (instead of the regulations in place at the time the application was originally submitted), the applicant may do so, but will need to withdraw the application and resubmit it.
- Existing development approvals and permits will be recognized as valid. These approvals and permits may proceed with development, as long as they comply with the terms and conditions of their approvals, and the rules in existence at the time of their approval. Substantial amendments to the approvals will subject the development to the new regulations.
- Applications submitted after the effective date of the new regulations are subject to the procedures and standards of the new regulations.

### Section A.9. Severability

This standard provision states that if any part of the rewritten Zoning Ordinance is ruled invalid, the remainder of the Ordinance is not affected and continues to apply, and that if application of an Ordinance provision to a particular circumstance is ruled invalid, that decision does not affect its application to other circumstances.

### Section A.10. Effective Date

This section establishes the effective date of the rewritten Zoning Ordinance.

## Part B: Administration

For regulations to be effective, it is important that development review processes are efficient and that the community's substantive planning and development goals are embedded in the development review standards. An efficient process is achieved when the general framework for review is not redundant, the procedures used and the review standards included result in a reasonable degree of certainty, and the review process for each type of development application is streamlined to the greatest extent possible without sacrificing assurance that the relevant substantive planning and development goals are used in making development decisions.

### Part B: Administration

Section B.1: Advisory and Decision-Making  
Bodies and Persons

Section B.2: Standard Application Requirements  
and Review Procedures

Section B.3: Specific Standards for Applications

To achieve these goals, all provisions related to the procedural review of development application is included in this part, and organized into the following three sections:

- **Section B.1. Advisory and Decision-Making Bodies and Persons**, which summarizes the development review responsibilities of the review boards and staff;
- **Section B.2. Standard Application Requirements and Procedures**, which establishes a standard set of review procedures for the review of all development applications; and
- **Section B.3. Specific Standards for Applications**, which includes the specific review standards and any unique procedural review requirements for each individual application.

### Section B.1. Advisory and Decision-Making Bodies and Persons

The first section in Part B of the rewritten Ordinance identifies the advisory and decision-making bodies and staff responsible for the review and administration of development applications under the Zoning Ordinance. It will be done both through a summary table of procedures, and text. Provisions like these help to establish clear lines of authority in the decision-making procedures. This section will identify the specific responsibilities of review boards and staff. Table II-1.7.2, Proposed Review Procedures, Borough of State College, of the Assessment, provides an overview of the proposed review procedures for both the Zoning Ordinance and Subdivision and Land Development Ordinance. The table on the next page shows the proposed procedures under the rewritten Zoning Ordinance.

TABLE II-1.7.2: PROPOSED DEVELOPMENT REVIEW PROCEDURES, BOROUGH OF STATE COLLEGE										
A: Appeal D: Decision R: Recommendation S: Staff Review IR: Informal Review <_> : Public Hearing or Meeting # : Official Comment or Report Required										
	Borough Council	Planning Commission	Zoning Hearing Board	Historic Resources Commission	Design Review Board	Planning Department	Centre Region Planning Agency	Fire Chief	Borough Arborist	Borough Engineer
Discretionary										
Comprehensive Plan Amendment	<D>	R				R	S#			
Zoning Ordinance Amendment (Text and Zoning Map)	<D>	R <sup>2</sup>		IR <sup>3</sup>	IR	S <sup>2</sup>	S#		IR	IR
Conditional Use	<D> <sup>1</sup>	R			IR	S				
Special Exceptions			D <sup>1</sup>			IR				
Permits										
Zoning Permit			A <sup>1</sup>			D				
Occupancy Permit			A <sup>1</sup>			D				
Temporary Use Permit			A <sup>1</sup>			D				
Driveway Permit			A <sup>1</sup>			D				
Relief										
Variance			D <sup>1</sup>							
Administrative Adjustment			A <sup>1</sup>			D				
Interpretations										
Interpretations			A <sup>1</sup>			D				
Notes from Table: ABC names may change (Design Review Board is now Design and Historic Review Board; the Historic Resources Commission no longer exists) <sup>1</sup> Appeal or further appeal to court, in accordance with Pennsylvania Municipalities Planning Code Article X-A, <i>Appeals to Court</i> <sup>2</sup> If prepared by someone other than the Planning Commission or Planning Department <sup>3</sup> If located in a National Register Historic District or listed in the Historic Resources of the Centre Region, prepared in 1982. Review by Historic Resources Commission conducted on Final Review if preliminary review of a concept plan was not conducted.										

## Section B.2. Standard Application Requirements and Review Procedures

As is discussed in the diagnosis, all the procedures for the different development applications in the current regulations are set forth in procedures for an individual permit, or in small groups of permit procedures. They are found in different places in the Ordinance. As is discussed in Section 1.7.2

Recommendations for Streamlining, the modern trend in zoning administration is to consolidate these procedures—which is what this section does. It establishes the requirements and development review procedures that apply generally to all development applications (if there are

exceptions or modifications, they will be identified in Section B.3: Specific Standards for Development Applications).

Generally, the standard procedures guide the potential applicant through the rules governing who is authorized to submit applications and what application materials and fees are required, through the actual application submittal and review stage (application submission and completeness determination, staff review, scheduling the public hearing (if one is required), to post decision (reconsideration, expiration, amendments, etc.) . Flow charts or other diagrams are included as aids to understanding the review process.

The specific subsections that are proposed to be included are outlined below.

#### Section B.2.1. Pre-Application Neighborhood Meeting

See discussion in 1.7.2 (A) Neighborhood Meetings, of the Assessment, for detail on this procedure.

#### Section B.2.2. Application Submission

This subsection includes procedures related to submitting application materials and required fees, which is what many consider the “beginning” of the development review process. It establishes general requirements for who may file an application and requires that development applications be submitted according to the form and content requirements established by the Zoning Officer.<sup>25</sup> The subsection also includes provisions governing the revision or withdrawal of applications, including rules governing the administrative/staff withdrawal of an application that has been inactive for an established period of time. It also establishes review procedures for resubmitted applications containing substantial changes.

#### Section B.2.3. Determination of Completeness

See discussion in Section 1.7.2 (B), Application Completeness Determination, of the Assessment, for detail on this procedure.

#### Section B.2.4. Staff Review and Action

This subsection establishes the standard review procedures for staff (Zoning Officer) to review and take action on an application.

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<sup>25</sup> Section B.1, Advisory and Decision-making Bodies and Persons, recommends that the rewritten Ordinance follow the modern trend in zoning administration with respect to application forms and content requirements by authorizing the Zoning Officer to consolidate forms, application requirements, fee information, and review and submittal schedules in a separate Procedures Manual. If the Procedures Manual is used, the Borough will be able to respond much more easily to changing needs for application requirements, since the manual can be revised by staff without formally amending the Ordinance.



Section B.2.5. Advisory Board Review and Recommendation

This subsection establishes the procedures for review and recommendation for applications subject to review by an advisory body (e.g., the Planning Commission). .

Section B.2.6. Decision-Making Body Review, and Decision

This subsection includes procedures pertaining to the conduct of a meeting or public hearing before the decision-making body (e.g., Borough Council, Planning Commission, Zoning Hearing Board, etc.) and the body's review and decision on the application, in accordance with the MPC.

This section explains the various ways in which an applicant receives notification of a decision made by a decision-making body or person.

Section B.2.7. Conditions of Approval

This subsection establishes the rules governing conditions of approval that may be attached to certain forms of approvals, written to conform with state, federal, and case law, where the procedure expressly allows applications to be "approved with conditions."

Section B.2.8. Appeal

This subsection describes how decisions may be appealed.

Section B.2.9. Notification of Decision

This subsection establishes rules governing how and when applicants will be formally notified about a decision on an application.

Section B.2.10. Amendment

This subsection generally establishes that amendments to development approvals and permits may only be obtained through the same procedure required for their original approval.

Section B.2.11. Expiration

This section establishes rules governing expiration or lapse of approval, as authorized by the MPC.

### Section B.3. Specific Standards for Development Applications

This section includes the specific review procedures established in the standard procedures section for each individual type of development application, and identifies whether or not that procedure applies to that procedure. It also includes the review standards that are required to be applied to each individual development application, as well as any special rules or exceptions. Each procedure will be accompanied by a review process flowchart.

Section B.3.1. Discretionary Approvals

**A. Text Amendments**

This section carries forward procedures included in Section 303, Amendments, of the current Ordinance, specifically setting out the procedure for text amendments to the Ordinance. It involves review by staff and the Centre Region Planning Agency. Where appropriate, a review may also be conducted by the Historic Resources Commission, Design Review Board. A recommendation is provided by the Planning Commission. The Borough Council makes a decision on the application at a public hearing.

**B. Zone District Map Amendment**

This section carries forward procedures included in Section 303.a, Amendments by Council and establishes a review procedure for a Zone District Map Amendment, consistent with Section 609, Enactment of Zoning Ordinance Amendments of the MPC. The procedure involves review by staff and the Centre Region Planning Agency. Where appropriate, a review may also be conducted by the Historic Resources Commission, Design Review Board. A recommendation is provided by the Planning Commission. The Borough Council makes a decision on the application at a public hearing.

**C. Conditional Use Permit**

This section will carry forward, consolidate, and clarify procedures for condition uses, which is currently described in multiple locations in the current Ordinance, including Sections 1805, 1806, 1809, 1813, 1815, 2208; consistent with the MPC, Section 305.c(2), Condition Use & Special Exception, Section 603, Ordinance Provisions, Section 913.2, Governing Body's Functions; Conditional Uses, and Section 917, Applicability of Ordinance Amendments. After review by the Zoning Officer and the Borough Engineer, and the Design Review Board and Historic Resources Commission where appropriate, an application for a conditional use is recommended for approval or denial by the planning commission followed by a decision by the Borough Council.

**D. Special Exception Permit**

This section will carry forward, consolidate, and clarify procedures for special exceptions as set forth in Section 305.c(2), Condition Use & Special Exception, and Section 606, Special Exceptions of the Current Zoning Ordinance. It will also include any necessary modifications in order to conform to the MPC, Section 912.1. Zoning Hearing Board's Functions: Special Exception, Section 913.3, Parties Appellant Before the Board, and Section 917, Applicability of Ordinance Amendments. It will establish one procedure for the review of all special exception permit applications. Review of a special exemption is subject to quasi-judicial review. Special exceptions are subject to staff review, followed by a decision by the Zoning Hearing Board.

Section B.3.2. Permits

**A. Zoning Permit**

This section carries forward the current procedures for a zoning permit, which is required prior to building, some demolitions, change of use, construction of off-street parking, change in nonconforming use, and whenever a site plan or development plan is required. (See Section 304, Permits, of the current Zoning Ordinance.) A zoning permit is reviewed and decided by the Zoning Officer.

**B. Occupancy Permit**

This section carries forward the current procedures for an occupancy permit, which is required prior to occupancy of a building (see Section 304.d, Occupancy Permits). An occupancy permit is reviewed and decided by the Zoning Officer.

**C. Temporary Use Permit**

This section carries forward the current procedures for a temporary use permit. (see Section 304.e, Temporary Use Permit). A temporary use permit is reviewed and decided by the Zoning Officer.

**D. Driveway Permit**

This section carries forward the current procedures for a driveway permit, which is issued prior to the construction or expansion of a driveway (see Section 304.f, Driveway Permits). A driveway permit is reviewed and decided by the Zoning Officer.

Section B.3.3. Relief

**A. Variance**

This section includes the variance procedure as currently described in the MPC in Section 910.2, Zoning Hearing Board's Functions: Applications for variances are reviewed by staff and decided by the Zoning Hearing Board.

**B. Administrative Adjustment**

This section establishes a new procedure for administrative adjustments as discussed in Section 1.7.3 (A) Administrative Adjustments, of this Assessment, to the extent authorized by the MPC. Administrative adjustments will be reviewed and decided by the Zoning Officer.

**C. Appeal**

This section will consolidate all appeal provisions in the Zoning Ordinance.

Section B.3.4. Interpretations

This section establishes a procedure for formal interpretations of the Zoning Ordinance. It authorizes the Zoning Officer to make all formal interpretations of the Ordinance text, the Official Zone District Map, and map boundaries. An interpretation of the Zoning Officer on an interpretation may be appealed to the Zoning Hearing Board.

## Part C: Zone Districts

Part C: Zone Districts, and Part D: Use Regulations, are a central feature of the Zoning Ordinance. They define what may be built on a landowner's property or on the property next door.

Part C: Zone Districts, includes provisions that establish all zone districts and describes the purpose of each. It also sets out, in tabular and graphic format, the intensity and dimensional standards, and any special regulations unique to a district (if appropriate).

In accordance with discussions and suggestions in Theme 2: Restructure and Modernize the Zone Districts to Implement Local Plans, this Part consolidates, eliminates, and adds new districts. Like the current Ordinance, it organizes the districts into base districts and overlay districts.

### Section C.1. General Provisions

The first section describes base zone districts and overlay districts, and explains how they relate to one another. For example, the section describes overlay zone districts as superimposed over portions of an underlying base zone district, which applies additional or alternative development regulations to those applied by the underlying zone district.

The second section establishes the various zone districts, typically with a summary table that identifies the zone district by name and official abbreviation. The table has a hierarchical format, organizing zone districts by base districts (public and open space, residential, commercial and mixed use) and overlay districts. Within each group, zone districts are generally listed from the least to the most intensive. Table II-2.2.2: Proposed Zone District Structure, Borough of State College, in the Assessment, shows both the current and proposed line-up of zone districts. It is set down below.

TABLE II-2.2.2: PROPOSED ZONE DISTRICT STRUCTURE, BOROUGH OF STATE COLLEGE	
Current Zone District	Proposed Zone District
Public and Open Space	
<b>P: Public District</b>	I: Institutional District
<b>PA: Public Activities District</b>	
PARK: Park District	PARK: Park District
Residential	
R-1: Residence District	R-1: Residence District
R-2: Residence District	R-2: Residence District

**TABLE II-2.2.2: PROPOSED ZONE DISTRICT STRUCTURE,  
BOROUGH OF STATE COLLEGE**

Current Zone District	Proposed Zone District
R-3: Residence District	R-3: Residence District
R-3A: Residence District	<b>DELETED</b>
R-3B: Residence District	3B: Residence District
R-3H: Historic District	3H: Residence District
R-4: Residence District	R-4: Residence District
<b>Commercial and Mixed Use</b>	
R-O: Residential-Office District	R-O: Residential-Office ( <b>CONSOLIDATED</b> )
R-OA: Residential-Office District	
C: General Commercial District	<b>DELETED</b> <sup>28</sup>
CID: Commercial Incentive District	
	D: Downtown District ( <b>NEW</b> )  Downtown subdistricts: <ul style="list-style-type: none"> <li>• College and Allen</li> <li>• Downtown</li> </ul>
CP-1: Planned Commercial District	<b>DELETED</b> <sup>29</sup>
CP-2: Planned Commercial District	
CP-3: Planned Commercial District	
P-O: Planned Office District	
	GC: General Commercial District ( <b>NEW</b> )
	NC: Neighborhood Commercial District ( <b>NEW</b> )
	MU: Mixed Use District ( <b>NEW</b> )

<sup>28</sup> These commercial districts, located in the downtown, will be deleted and probably re-mapped as the Downtown District.

<sup>29</sup> These commercial and office districts will be deleted and the lands in those districts will be re-mapped to one of the new commercial or mixed use districts.



**TABLE II-2.2.2: PROPOSED ZONE DISTRICT STRUCTURE,  
BOROUGH OF STATE COLLEGE**

Current Zone District	Proposed Zone District
UV: Urban Village District	WE: West End District
UPD: University Planned District	UPD: University Planned District
MP: Planned Industrial District	LI: Light Industrial District ( <b>CONSOLIDATED</b> )
M: Industrial District	
Overlay Districts	
Mixed Use Overlay (Section 609 in R-2)	MUO: Mixed Use Overlay ( <b>CONSOLIDATED</b> )
Mixed Use Overlay (Section 965 in R-3H)	
Flood Plain Conservation District	FP: Flood Plain Conservation District
R-OO Residential-Office Overlay	<b>DELETED</b>
CH: Collegiate Housing Overlay	<b>DELETED</b>
SD: Signature Development Projects	<b>DELETED</b>
	NCO: Neighborhood Conservation Overlay District ( <b>NEW</b> )

## Section C.2. Public and Open Space

### Section C.2.1. General Purpose of Public and Open Space Districts

This sets out the general purpose of the Public and Open Space Districts.

### Section C.2.2. I: Institutional District

See discussion in Section 2.2.2 (A)(1), Public and Open Space, of the Assessment.

### Section C.2.3. PARK: Park District

See discussion in Section 2.2.2 (A)(1), Public and Open Space, of the Assessment.

## Section C.3. Residential Districts

### Section C.3.1. General Purpose of Residential Districts

This sets out the general purpose of Residential Districts.

### Section C.3.2. R-1: Residence District

See discussion in Section 2.2.2(A)(2), Residential Districts, of the Assessment.

### Section C.3.3. R-2: Residence District

See discussion in Section 2.2.2(A)(2), Residential Districts, of the Assessment.

### Section C.3.4. R-3: Residence District

See discussion in Section 2.2.2(A)(2), Residential Districts, of the Assessment.

### Section C.3.5. R-3H: Residence District

See discussion in Section 2.2.2(A)(2), Residential Districts, of the Assessment.

### Section C.3.6. R-3B: Residence District

See discussion in Section 2.2.2(A)(2), Residential Districts, of the Assessment.

### Section C.3.7. R-4: Residence District

See discussion in Section 2.2.2(A)(2), Residential Districts, of the Assessment.

## Section C.4. Commercial and Mixed Use

### Section C.4.1. General Purpose of Commercial Mixed Use Districts

This sets out the general purpose of Commercial and Mixed Use Districts.

### Section C.4.1. R-O: Residential-Office District

See discussion in Section 2.2.2(A)(3), Commercial and Mixed Use Districts, of the Assessment.

### Section C.4.2. D: Downtown District

See discussion in Section 2.2.2(A)(3), Commercial and Mixed Use Districts, of the Assessment.

### Section C.4.3. GC: General Commercial District

See discussion in Section 2.2.2(A)(3), Commercial and Mixed Use Districts, of the Assessment.

### Section C.4.4. NC: Neighborhood Commercial District

See discussion in Section 2.2.2(A)(3), Commercial and Mixed Use Districts, of the Assessment.

### Section C.4.5. MU: Mixed Use District

See discussion in Section 2.2.2(A)(3), Commercial and Mixed Use Districts, of the Assessment.

### Section C.4.6. WE: West End District

See discussion in Section 2.2.2(A)(3), Commercial and Mixed Use Districts, of the Assessment.

### Section C.4.7. UPD: University Planned District

See discussion in Section 2.2.2(A)(3), Commercial and Mixed Use Districts, of the Assessment.

### Section C.4.8. LI: Light Industrial District

See discussion in Section 2.2.2(A)(3), Commercial and Mixed Use Districts, of the Assessment.

## Section C.5. Overlay Districts

### Section C.5.1. General Purpose of Overlay Districts

This sets out the general purpose of Overlay Districts.

### Section C.5.2. MUO: Mixed Use Overlay

See discussion in Section 2.2.2(B), Overlay Districts, of the Assessment.

Section C.5.3. FPC: Flood Plan Conservation District

See discussion in Section 2.2.2(B), Overlay Districts, of the Assessment.

Section C.5.4. NCO: Neighborhood Conservation District

See discussion in Section 2.2.2(B), Overlay Districts, of the Assessment.

## Part D: Use Regulations

Provisions for use regulations are set forth in Part D: Classification of Districts, in the current Zoning Ordinance. Part D: Use Regulations, consolidates all use regulations in one Part, including accessory uses and structures. Part D is organized into three sections. It begins with a section containing general provisions; this is followed by sections on principal uses, and accessory uses and structures.

### Part D: Use Regulations

#### Section D.1: General Provisions

#### Section D.2: Principal Uses

#### Section D.3: Accessory Uses and Structures

### Section D.1. General Provisions

This section outlines the organization of Part D and the relationship among its sections.

### Section D.2. Principal Uses

#### Section D.2.1. General

This section sets out the purpose of the principal use table(s) and outlines its organization.

#### Section D.2.2. Principal Use Table

This includes the heart of the Part, a principal use table that builds on the current list of uses outlined in the text in the current regulations. It, however, consolidates all the principal uses into one or several principal use tables. The section begins with introductory material explaining how to use the table. The table will reflect the lineup of zone districts discussed in Section 2.2, Restructure and Modernize the Current Zone Districts, of this Assessment, and the new classification system for principal uses (see 0 below). The current line-up of principal uses—and their designation as permitted, allowed as a conditional use, allowed as a special exception, or prohibited—will serve as a starting point for modernizing the uses in each zone district. The principal use table will also streamline the existing lineup of allowable principal uses, and subtract, add, and rename some uses. In addition, a final column of the principal use table will contain references to applicable use-specific standards (see Section D.2.4 below) for those uses that are subject to specific regulations in addition to general development standards.

#### Section D.2.3. Classification of Principal Uses

In an effort to provide better organization, precision, clarity, and flexibility to the principal uses listed in the principal use table(s) and the administration of the table(s), the table(s) and use-specific standards will be organized around the three-tiered concept of use classifications, use categories, and uses (see discussion in Section 2.3.2, Identify and Classify Uses in a Simpler and More Streamlined Way). This subsection describes each use classification and use category. More specifically:

- **Use classifications** are the broadest category. They organize land uses and activities into general use classifications such as “Public and Open Space,” “Residential,” “Commercial and Mixed Use,” and “Industrial.”
- **Use categories**, the second level or tier in the system, is composed of groups of individual types of uses with common characteristics, such as “Household Living” and “Group Living” (under Residential Uses).
- **Use types**. Use categories are further divided into specific uses based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. Example uses under the Household Living category might include “single-family detached dwelling” and “multifamily dwelling.” All use types identified in the principal use table(s) will be defined in Part H: Definitions and Rules of Measurement.

This three-tiered system of use classifications, use categories, and use types provides a systematic basis for assigning present and future land uses into zone districts.

#### Section D.2.4. Standards Specific to Principal Uses

This subsection sets out standards that always apply to certain principal uses (or if appropriate, apply to certain principal uses in particular zone districts). If there are exceptions to the use-specific standards, they are identified. Special attention will be paid to standards for new principal uses, new standards for carried-forward principal uses (particularly where such standards allow the use to be permitted by right rather than as a special exception or conditional use), and clarifying and simplifying the use-specific standards scattered throughout the current Zoning Ordinance.

### Section D.3. Accessory Uses and Structures

Accessory uses or structures are those uses or structures that are subordinate to the principal use of a building or land, located on the same lot as the principal use, and customarily incidental to the principal use. For example, a stand-alone automated teller machine is considered as an accessory use to a commercial use. This section will include a table of accessory uses and structures, and more detail about their use and application. Below is an example of an accessory use table from another community’s development ordinance.

#### Section D.3.1. General

This subsection sets out the purpose of the Accessory Uses and Structures section and outlines its organization.

#### Section D.3.2. Accessory Use/Structure Table

This section includes the accessory use table that lists common accessory uses and structures (such as home occupations, swimming pools, satellite dish antennas, outdoor storage), shows the zone districts in which each is allowed, and references any use-specific standards applicable to the



accessory use or structure. The table largely carries forward and consolidate the accessory uses and structures recognized in the current development regulations, but refines the list to include modern accessory uses and structures (such as solar panels, wind conversion systems, backyard gardens, etc.).

Section D.3.3. General Standards for All Accessory Uses and Structures

This includes a set of general standards that generally apply to all accessory uses and structures.

Section D.3.4. Standards Specific to Accessory Uses and Structures

This sets out standards that always apply to certain accessory uses or structures (or if appropriate, apply to certain accessory uses or structures in particular zone districts). As with the standards specific to principal uses, special attention is paid to standards for new accessory uses and structures, new standards for carried-forward accessory uses and structures, and improving the standards specific to accessory uses and structures that are scattered throughout the current Zoning Ordinance.

## Part E: Zoning Standards

**Part E: Development Standards**, contains all of the development standards in the rewritten Zoning Ordinance related to the physical layout of new development. New, modernized, or revised standards incorporated into this Part are listed in the sidebar.

### Section E.1. Off-Street Parking, Bicycle Parking, and Loading Standards

See discussion in Section 3.2 Modernize Off-Street Parking and Loading and Add Bicycle Standards, of the Assessment.

### Section E.2. Landscaping and Buffer Standards

See discussion in Section 3.3, Modernize Landscaping and Buffer Standards, of the Assessment.

### Section E.3. Form and Design Standards

See discussion in Section 3.6 Add Form and Design Standards, of the Assessment.

### Section E.4. Neighborhood Compatibility Standards

See discussion in Section 3.7 Add Provisions to Protect the Character of Existing Neighborhoods, of the Assessment.

### Section E.5. Inclusionary Housing Standards

See discussion in Section 3.9 Refine the Inclusionary Housing Provisions to Better Address the Adjustments Made for Bonuses, of the Assessment.

### Section E.6. Green Building Standards

See discussion in Theme 4 Encourage and Support Green Building Practices, of the Assessment.

### Section E.7. Green Building Incentives

See discussion in Theme 4 Encourage and Support Green Building Practices, of the Assessment.

#### Part E: Zoning Standards

Section E.1: Off-Street Parking, Bicycle Parking, and Loading Standards

Section E.2: Landscaping and Buffer Standards

Section E.3: Form and Design Standards

Section E.4: Neighborhood Compatibility Standards

Section E.5: Inclusionary Housing Standards

Section E.6: Green Building Standards

Section E.7: Green Building Incentives

Section E.8: Traffic Impact Study

### Section E.8. Traffic Impact Study<sup>30</sup>

Sec. 305 e, of the zoning ordinance requires development plans that are expected to generate a certain amount of peak hour trips or potentially create other traffic impact issues to prepare a traffic impact study (TIS) as part of the development plan review process. Based on comments received during the kickoff meetings, during the drafting stages, this process will be reviewed to determine whether it is still using best practices, in particular with respect to offsite impacts. In addition, legal options for requiring off-site impacts created by new development/redevelopment subject to a TIS will also be explored. This section will otherwise, carry forward, with refinements, the other requirements in the current regulations (see Part C, Administration and Enforcement).

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<sup>30</sup> Staff suggest including a transit review with CATA

## Part F: Nonconformities

### Section F.1. General Applicability

This Part consolidates all rules pertaining to nonconformities. It builds on the rules in the current Ordinance governing nonconformities (Part E: Nonconforming Buildings and Uses). It refines some of the current provisions, includes best practice provisions that are found in modern ordinances, and where appropriate, adds a few provisions to better support the project goals of supporting redevelopment in certain areas of the Borough.

#### Section F.1.1. Purpose and Scope

This subsection establishes that the Part addresses legally established uses, structures, lots, and site features (e.g., off-street parking and landscaping) that do not comply with requirements in the rewritten Zoning Ordinance.

#### Section F.1.2. Authority to Continue

This subsection recognizes all lawfully established nonconformities will be allowed to continue in accordance with the standards of this Part.

#### Section F.1.3. Determination of Nonconformity Status

This subsection includes a standard provision stating that the landowner, not the Borough, has the burden of proving the existence of a lawful nonconformity. It is proposed that the current provision for Certification of a Nonconformity be carried forward.

#### Section F.1.4. Minor Repairs and Maintenance

This subsection will state that routine maintenance of nonconforming structures, structures housing nonconforming uses, nonconforming lots of record, and nonconforming site features will be allowed to keep these nonconformities in the same condition they were at the time the nonconformity was established.

#### Section F.1.5. Change of Tenancy or Ownership

This subsection will state that change of tenancy or ownership will not, in and of itself, affect nonconformity status.

### Section F.2. Nonconforming Uses

This section will establish specific rules governing nonconforming uses. It will build on Part E in the current Ordinance, with some refinements and clarification. The section will address enlargement,

abandonment, relocation, and reconstruction after damage, and generally carry forward the current rules.

### Section F.3. Nonconforming Structures

This section will establish specific rules governing nonconforming structures. It will primarily carry forward and build on the rules in Part E. It will address enlargement, abandonment, relocation, and reconstruction after damage.

### Section F.4. Nonconforming Lots of Record

This is a new provision. It will address established lots of record that were platted prior to the effective date of the Zoning Ordinance (or some previous date), but that do not meet the dimensional requirements of the zone district where they are located. Working with staff and the community, we will explore options to remove obstacles to expansion and redevelopment on nonconforming lots in distinct areas of the Borough where the expansion and redevelopment is consistent with the context and surrounding character. We will also explore adding a provision that specifies that governmental acquisition of a portion of a lot shall not render the lot nonconforming (even if it no longer meets the dimensional standards).

### Section F.5. Nonconforming Site Features

This new section will establish rules how nonconforming site features – specifically off-street parking and landscaping – should be addressed as development and redevelopment occurs.<sup>32</sup> We will explore application of a sliding scale requirement, based on the value of the remodeling or the extent of the expansion of the structure, as well as exemptions in certain instances from compliance (e.g., for small lots which constraint expansion of parking).

As an example, the provision might establish a rule that remodels costing less than 30 percent of a structure's assessed value might not trigger the need to address any nonconforming site features that the section applies to; remodels costing between 31 and 70 percent of the structure's assessed value would require a developer to bring the site's compliance up to current standards by a percentage amount equivalent to the amount being spent; and remodels costing in excess of 70 percent of the assessed value would require full compliance. With respect to expansions, the rule might be that an expansion of 25 percent or less would not be required to bring the site further into compliance; expansions between 26 and 65 percent would require a developer to bring the site's compliance up to current standards by a percentage amount equivalent to the expansion; and expansions greater than 65 percent would require full compliance.

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<sup>32</sup> The greater the value of the remodel, or the greater the expansion, the more the developer has to bring the site into compliance with the nonconforming site features.

## Part G: Enforcement

**Part F: Enforcement**, builds on, consolidates, and fleshes out provisions in the current Ordinance (Sections 302, 2502, and 2708), and adds some new sections in an effort to clarify the enforcement provisions, and help make the ordinance enforcement process more efficient and effective.

### Section G.1. Purpose

This section sets forth the purpose of the enforcement section.

### Section G.2. Compliance Required

This section clearly states that compliance with all provisions of the Zoning Ordinance is required.

### Section G.3. Violations

This section explains that failure to comply with any provision of the Zoning Ordinance, or the terms or conditions of any development approval or authorization granted in accordance with the Ordinance shall constitute a violation. The section also more specifically identifies both general violations as well as specific violations.

### Section G.4. Responsible Persons

This section indicates who is responsible for a violation when it occurs. It will be made as broad as legally possible, and state that any person who violates the Zoning Ordinance shall be subject to the remedies and penalties set forth in this Part.

### Section G.5. Enforcement Generally

This section will build on Section 302 in the current Zoning Ordinance, but add details and clarifications involving enforcement. It will include provisions identifying who is responsible for enforcing the Zoning Ordinance (the Zoning Officer), what procedures citizens should follow to report potential violations, and how inspections of property are to be carried out when they are required. The heart of the section will set down the current procedure for enforcement of Zoning Ordinance violations through the Zoning Officer. The current fines and penalties imposed for violations (see Section 2502 of the current Ordinance), will be updated, if appropriate, and included in this section.

### Section G.6. Remedies and Penalties

This section will build on Part I, Remedies/Penalties/Validity, in the current Zoning Ordinance. It recognizes civil and equitable penalties, detailing the range of penalties and remedies available. It will also clearly express that all remedies available to the Borough are cumulative.



## Part H: Definitions and Rules of Measurement

**Part G: Definitions and Rules of Measurement**, is the last Part in the rewritten Zoning Ordinance. It builds on a number of the provisions and defined terms in Part B, Section 1202, Section 1802, Section 2302, Section 2407, Section 2712, from the current Zoning Ordinance. It will also consolidate the definitions related to zoning found in all parts of the current Ordinance into this Part, and add, modernize, refine, and modify definitions, as appropriate. It will also enhance the definitions and use of definitions through:

- Including rules of construction in a section;
- Consolidating all rules of measurement in a section;
- Incorporating a table of abbreviations;
- Adding definitions of all uses identified in the principal use table(s) in Part D: Use Regulations; and
- Removing standards from the definitions, and placing them in the appropriate place in the rewritten Zoning Ordinance.

Clear definitions of important words and phrases not only make life easier for those who must interpret and administer the regulations and for those who must make decisions and consider appeals—they also make it much easier for the public to know what is required. We will review, evaluate, and then refine and modernize the definitions, and add new definitions, as appropriate, so the rewritten Zoning Ordinance has a clear, modern, and workable set of definitions.

### Section H.1. General Rules for Interpretation

This section addresses general issues related to interpretation of language, including:

- The meaning of standard terms such as “shall,” “should,” “will,” and “may”;
- The use of plural and singular nouns;
- The meaning of conjunctions;
- How time is computed; and
- Other general issues that arise in interpreting and administering the Ordinance and its procedures.

### Section H.2. Rules of Measurement

This section consolidates and establishes the rules for measuring bulk and dimensional requirements like height, width, setbacks, lot area, how encroachments into required yards will be determined and

regulated, and the other measurements that are required to interpret standards. The result is a central location where the user can go if there is a need to apply a rule of measurement. Graphics are used in this section to assist in the explanation of the different rules of measurement.

### Section H.3. Definitions

As noted above, this section includes definitions of terms used throughout the Ordinance. It will begin with an evaluation of all existing definitions, and then refine and modernize the definitions, and add new definitions, as appropriate, so the rewritten Ordinance has a clear, modern, and workable set of definitions. We use the definitions found in the current Ordinance as a starting point for the definitions section, but add numerous definitions related to the zone districts, the uses, and the development standards as necessary. We also revise definitions as necessary to ensure that the definitions do not contain substantive or procedural requirements. We confirm that key definitions conform to state and federal law, and constitutional requirements.

## IV) Annotated Outline of the Rewritten Subdivision and Land Development Ordinance

This part of the Assessment provides an overview of the proposed structure and general substance of the Rewritten Subdivision and Land Development Ordinance if the issues identified in Part II are addressed as suggested. As part of the review and discussion of the Assessment, the Borough can provide more detailed direction about the nature and scope of the rewritten Subdivision and Land Development Ordinance and specific provisions. When this process is completed, the Clarion team will undertake the actual drafting of the rewritten Ordinance.

The following pages are a general outline of the rewritten chapter. Like the annotated outline for the rewritten Zoning Ordinance, this outline helps to define expectations about what is to be accomplished in the rewritten Subdivision and Land Development Ordinance before beginning the detailed drafting work. In addition to providing a road map for drafting the rewritten ordinance, the outline provides an organizing framework for continued conversations with the Borough about key Ordinance issues.

The proposed new structure is outlined below, which includes five parts.

### **Chapter ##: Subdivision Ordinance**

Part A: General Provisions

Part B: Administration

Part C: Subdivision and Land Development Standards

Part D: Enforcement

Part E: Definitions and Rules of Measurement

## Part A: General Provisions

**Part A: General Provisions**, includes overarching principles and establishes a clear basis for the authority by which the Subdivision and Land Development Ordinance is adopted and administered. These “boilerplate” sections will state the title of the document, the legal authority by which the Borough regulates subdivision and land development, and the general purposes for the regulations. The sections will clarify who is subject to the regulations, establish transitional provisions, address the severability of individual provisions, and establish a date when the new regulations become effective.

### Section A.1. Title

This section carries forward and revises the Introduction of the current Zoning and Subdivision Ordinances. It will set forth the official name by which the regulations may be cited (e.g., “The State College Subdivision and Land Development Ordinance”) as well as any acceptable shortened references (e.g., “this Ordinance”).

### Section A.2. Authority

This section will contain references to the authority by which the Borough has to adopt the Subdivision and Land Development Ordinance in accordance with the Pennsylvania Municipalities Planning Code (MPC). It will also include a provision stating that if the regulations cite a provision of the MPC or federal law that is amended or superseded, the regulations will be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

### Section A.3. General Purpose and Intent

A general purpose and intent section can inform decision-makers and the courts in future years about the intent of the Borough Council when it adopted the rewritten Subdivision and Land Development Ordinance. It will include statements of intent, as appropriate, to reflect the goals, objectives, and policies in the Borough’s plans.

#### Part A: General Provisions

Section A.1: Title

Section A.2: Authority

Section A.3: General Purpose and Intent

Section A.4: Applicability

Section A.5: Conformance with Plans

Section A.6: Relationship with Other Laws,  
Covenants or Deeds

Section A.7: Transitional Provisions

Section A.8: Severability

Section A.9: Effective Date

#### Section A.4. Applicability

This section makes clear who is subject to the requirements of the Subdivision and Land Development Ordinance.

#### Section A.5. Conformance with Plans

This section states that one purpose of the Ordinance is to ensure Ordinance provisions implement and are in conformance with adopted plans.

#### Section A.6. Relationship with Other Laws, Covenants, or Deeds

This section will provide that in case of conflict between the Subdivision and Land Development Ordinance and other legislative enactments of the federal government, the state, or Borough, the stricter provision shall apply, to the extent allowed by law. The section will also express that it is not the intent of the regulations to annul private covenants, easements, or other agreements, but if the regulations establish stricter requirements, they control.

#### Section A.7. Transitional Provisions

This is a new section that establishes rules governing continuing violations of the regulations, pending applications at the time of adoption, and existing development approvals. More specifically, subsections provide the following:

- Violations of the current regulations continue to be violations under the new regulations (unless they are no longer considered violations) and are subject to the penalties and enforcement provisions set forth in Part D: Enforcement.
- Completed applications that are already in the development approval pipeline at the time the regulations become effective, may be processed under the prior regulations. If an applicant seeks to proceed under the new regulations (instead of the regulations in place at the time the application was originally submitted), the applicant may do so, but will need to withdraw the application and resubmit it.
- Existing development plan and subdivision approvals will be recognized as valid. These approvals may proceed with development, as long as they comply with the terms and conditions of their approvals, and the rules in existence at the time of their approval. Substantial amendments to the approvals will subject the development to the rewritten regulations.
- Applications submitted after the effective date of the rewritten regulations are subject to the procedures and standards of the new regulations.

### Section A.8. Severability

This standard provision states that if any part of the rewritten Subdivision and Land Development Ordinance is ruled invalid, the remainder of the Ordinance is not affected and continues to apply, and that if application of an Ordinance provision to a particular circumstance is ruled invalid, that decision does not affect its application to other circumstances.

### Section A.9. Effective Date

This section establishes the effective date of the rewritten Subdivision and Land Development Ordinance.



## Part B: Administration

All provisions related to the procedural review of subdivision and land development is included in this part, and organized into the following three sections:

- **Section B.1. Advisory and Decision-Making Bodies and Persons**, which summarizes the development review responsibilities of the review boards and staff;
- **Section B.2. Standard Application Requirements and Procedures**, which establishes a standard set of review procedures for the review of development plans and subdivision applications; and
- **Section B.3. Specific Standards for Applications**, which includes the specific review standards and any unique procedural review requirements for each individual application.

### Part B: Administration

Section B.1: Advisory and Decision-Making  
Bodies and Persons

Section B.2: Standard Application Requirements  
and Procedures

Section B.3: Specific Standards for Applications

### Section B.1. Advisory and Decision-Making Bodies and Persons

The first section in Part B of the rewritten Ordinance identifies the advisory and decision-making bodies and staff responsible for the review and administration of applications under the Subdivision and Land Development Ordinance. It will be done both through a summary table of procedures, and text. Provisions like these help to establish clear lines of authority in the decision-making procedures. This section will identify the specific responsibilities of review boards and staff. The table below, Proposed Subdivision and Land Development Review Procedures, Borough of State College, provides an overview of the proposed review procedures, and which board or person is responsible for review, advice, or making the decision.

**TABLE II-1.7.2: PROPOSED DEVELOPMENT REVIEW PROCEDURES, BOROUGH OF STATE COLLEGE**

A: Appeal D: Decision R: Recommendation S: Staff Review IR: Informal Review <_> : Public Hearing or Meeting # : Official Comment or Report Required										
	Borough Council	Planning Commission	Zoning Hearing Board	Historic Resources Commission	Design Review Board	Planning Department	Centre Region Planning Agency	Fire Chief	Borough Arborist	Borough Engineer
Discretionary										
Ordinance Text Amendment	<D>	R <sup>2</sup>		IR <sup>7</sup>	IR	S <sup>2</sup>	S#		IR	IR
Site Development										
Development Plan										
Preliminary Review (Concept Plan) <sup>3</sup>		R		S# <sup>6</sup>	R#	D <sup>1</sup>		S#		
Final Review		R		S# <sup>6</sup>	R	D <sup>1</sup>	S#	S# <sup>4</sup>	S	
Subdivision and Land Development										
Subdivision and Resubdivision										
Pre-application		IR								
Preliminary Plan		D						S#		
Final Plat <sup>5</sup>	<D>	R						S# <sup>4</sup>		
Lot Consolidation						D <sup>5</sup>				S#
Relief										
Modification		D								
Interpretations										
Interpretations			A <sup>1</sup>			D				
Notes from Table: ABC names may change (Design Review Board is now Design and Historic Review Board; the Historic Resources Commission no longer exists) <sup>1</sup> Appeal or further appeal to court, in accordance with Pennsylvania Municipalities Planning Code Article X-A, <i>Appeals to Court</i> <sup>2</sup> If prepared by someone other than the Planning Commission or Planning Department <sup>3</sup> Development plans for new buildings containing less than 800 square feet of gross floor area, additions that will not increase the gross floor area of an existing building by more than 800 square feet, or off-street parking areas containing less than 10 parking spaces are exempted from the requirement of a preliminary review <sup>4</sup> Review and comment of final plan only when concept plan not required <sup>5</sup> Must be recorded with the Centre County Recorder of Deeds within 90 days of approval or is void <sup>6</sup> If located in a National Register Historic District or listed in the Historic Resources of the Centre Region, prepared in 1982. Review by Historic Resources Commission conducted on Final Review if preliminary review of a concept plan was not conducted.										

## Section B.2. Standard Application Requirements and Review Procedures

This subsection establishes the requirements and development review procedures that apply to all subdivision and development plan applications. Generally, the standard procedures guide the potential applicant through the rules governing who is authorized to submit applications and what application materials and fees are required, through the actual application submittal and review stage (application submission and completeness determination, staff review, scheduling the public hearing

(if one is required), to post decision rules (reconsideration, expiration, amendments, etc.) . Flow charts or other diagrams are included as aids to understanding the review process.

#### Section B.2.1. Application Submission

As in the Zoning Ordinance, this subsection includes procedures related to submitting application materials and required fees, which is what many consider the “beginning” of the development review process. It establishes general requirements for who may file an application and requires that development applications be submitted according to the form and content requirements established by the Zoning Officer. process.<sup>33</sup> This subsection also includes provisions governing the revision or withdrawal of applications, including rules governing the administrative/staff withdrawal of an application that has been inactive for an established period of time. It also establishes basic guidance concerning the timing under which the application fee for a withdrawn application may be refunded, and the review procedures for resubmitted applications containing substantial changes.

#### Section B.2.2. Determination of Completeness

See discussion in Section 1.7.2 (B), Application Completeness Determination, of the Assessment, for detail on this procedure.

#### Section B.2.3. Staff Review and Action

This subsection establishes the standard review procedures for staff (the Zoning Officer) to review and take action on an application (whether it be preparing a staff report or making a decision on the application).

#### Section B.2.4. Advisory Board Review and Recommendation

This subsection establishes the procedures for review and recommendation for applications subject to review by an advisory body (e.g., the Planning Commission).

#### Section B.2.5. Decision-Making Body Hearing, Review, and Decision

This sub section includes procedures pertaining to the conduct of a meeting or public hearing before the decision-making body (e.g., Borough Council or Planning Commission) and the body’s review and decision on the application.

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<sup>33</sup> Section B.1, Advisory and Decision-making Bodies and Persons, recommends that the rewritten Ordinance follow the modern trend in code administration with respect to application forms and content requirements by authorizing the Zoning Officer to consolidate forms, application requirements, fee information, and review and submittal schedules in a separate Procedures Manual. Applicants can refer to the Procedures Manual to determine what materials and fees must be included in application submission. If the Procedures Manual is used, the Borough will be able to respond more easily to changing needs for application requirements, since the manual can be revised by staff without formally amending the Ordinance.

Section B.2.6. Conditions of Approval

This subsection establishes the rules governing conditions of approval that may be attached to certain approvals, written to conform with state, federal, and case law, where the procedure expressly allows applications to be “approved with conditions.”

Section B.2.7. Notification of Decision

This subsection establishes rules governing how and when applicants will be formally notified about a decision on an application.

Section B.2.8. Appeal

This subsection describes how decisions may be appealed.

Section B.2.9. Amendment

This subsection generally establishes that amendments to approvals may only be obtained through the same procedure required for their original approval.

Section B.2.10. Expiration

This subsection establishes rules governing expiration or lapse of approval.

**Section B.3. Specific Standards for Subdivision Applications**

This section includes the review procedures for each individual type of application, identifying whether each standard procedure applies. It also includes the review standards that are required to be applied to each individual application, as well as any special rules or exceptions. Each procedure will be accompanied by a review process flowchart.

Section B.3.1. Land Development and Platting

**A. Ordinance Text Amendment**

This subsection codifies a procedure for text amendments to the Subdivision and Land Development Ordinance. The Borough Council reviews and makes a decision on an amendment to the Ordinance, after review and recommendation by the Planning Commission.

**B. Development Plan**

This subsection carries forward and clarifies the procedures located in Section 305, Development Plan. Development plans are first subject to review and recommendation of the preliminary and final plans by the Planning Commission – and, where appropriate – reviewed by the Design Review Board, Historic Resources Commission, Centre Region Planning Agency

(on Final Review only), Fire Chief, and/or Borough Arborist. The decision on the plans is made by the Planning Director.

**C. Subdivision and Resubdivision**

This subsection codifies the procedure for plat approval with staff review followed by a decision by the Planning Commission. The proposed procedure prescribes the same responsibilities as is currently followed.

Section B.3.2. Relief

**A. Modifications**

This new section includes a modification procedure as currently described in Section 512.1. Modifications, of the MPC, that allows for modification of certain requirements in the Ordinance if literal enforcement will exact undue hardship because of peculiar conditions pertaining to land. Decisions for modifications are made by the Borough Council.

Section B.3.3. Interpretations

This section establishes a procedure for formal interpretations of the Subdivision and Land Development Ordinance. It authorizes the Planning Department to make all formal interpretations. Appeals of the Planning Director's interpretations are taken to the Borough Council.

## Part C: Subdivision and Land Development Standards

**Part C: Subdivision Standards**, carries forward and refines provisions in the current Zoning and Subdivision Ordinances (primarily Section 2605). Some existing development standards are included in this section.

### Section C.1. Streets

This subsection carries forward the streets standards (Section 2605.a, Streets), in the current Ordinance, including subsections addressing system, alignment, grades, widths, intersections, construction standards, and other requirements, with some modifications to better align these standards with modern best practices. This section will also include provisions included in Section 2605.f, Fire Apparatus Access Standard and Section 2605.g, Fire Lanes, of the current Ordinance.

### Section C.2. Mobility, Circulation, and Connectivity Standards

See discussion in Section 3.1, Add Mobility, Circulation, and Connectivity Standards, of the Assessment.

### Section C.3. Blocks and Lots

This subsection carries forward the standards on blocks and lots (Section 2605.b, Blocks and lots) with refinements to better align these standards with modern best practices.

### Section C.4. Open Space Set-Aside Standards

This section will consolidate the open space set-aside standards that apply to development and redevelopment in the Borough. It will make refinements to existing standards.

### Section C.5. Fences and Walls

See discussion in Section 3.4 Revise Fence and Wall Standards, of the Assessment.

### Section C.6. Exterior Lighting

See discussion in Section 3.5 Refine Exterior Lighting Standards, of the Assessment.

### Section C.7. Utility Easements and Alleys

This subsection carries forward the standards on utility easements and alleys (Section 2605.c, Utility Easements and Alleys) with refinements to align these standards with modern best practices.

### Section C.8. Fire Apparatus Access

This subsection carries forward the standards on fire apparatus access (Section 2605.f)



### Section C.9. Fire Lanes

This subsection carries forward the standards on fire lanes (Section 2605.g)

### Section C.10. Water Supply

This subsection carries forward the standards on water supply (Section 2605.e, Water Supply Requirements for New Subdivision Developments).

### Section C.11. Open Space and Recreation

This subsection carries forward and builds on the standards on open space and recreation (Section 2606, Playground and Recreation Areas).

### Section C.12. Other Required Improvements

This subsection carries forward the standards on other required improvements, including the placement of monuments in subdivisions (Section 2605.d, Required Improvements).

### Section C.13. Guaranties and Sureties

This subsection carries forward standards on guarantees of improvements (Section 2607, Approval and Recording of Plan; Completion of Guarantee of Improvements Required Before Sales of Lots, Issuance of Building Permit or Construction of Building).

## Part D: Enforcement

**Part D: Enforcement**, builds on, consolidates, and refines provisions in the current Zoning and Subdivision Ordinances (primarily Section 2610), and adds some new sections in an effort to clarify the enforcement provisions related to subdivision and land development.

### Section D.1. Purpose

This section sets forth the purpose of the enforcement part.

### Section D.2. Compliance Required

This section states that compliance with all provisions of the Subdivision and Land Development Ordinance is required.

### Section D.3. Violations

This section explains that failure to comply with any provision of the Subdivision and Land Development Ordinance, or the terms or conditions of any development approval or authorization granted in accordance with the Ordinance shall constitute a violation. The section also more specifically identifies both general violations as well as specific violations.

### Section D.4. Responsible Persons

This section indicates who is responsible for a violation when it occurs. It will be made as broad as legally possible, and state that any person who violates the Ordinance shall be subject to the remedies and penalties set forth in this Part.

### Section D.5. Enforcement Generally

This section will build on the provision of the current Zoning Ordinance and MPC (Section 515), but add additional details and clarification involving enforcement. It will include provisions identifying who is responsible for enforcing the Ordinance, what procedures citizens should follow to report potential violations, and how inspections of property are to be carried out when they are required. The heart of the section will set down the current procedure for enforcement of Ordinance violations. The current fines and penalties imposed for violations (Section 2610), will be updated, if appropriate, and included in this section.

### Section D.6. Remedies and Penalties

This section will build on Section 515, Penalties, of the MPC and Section 2610, Enforcement Remedies, in the current Zoning and Subdivision Ordinances. It will detail the range of penalties and remedies available. It will also clearly express that all remedies available to the Borough are cumulative, to the extent allowed by law.

## Part E: Definitions and Rules of Measurement

**Part E: Definitions and Rules of Measurement**, is the last part in the rewritten Subdivision and Land Development Ordinance. It builds on the definitions related to subdivision and land development in Section 2602, Definitions, from the current Zoning and Subdivision Ordinances. It will add, modernize, refine, and modify definitions, as appropriate, and enhance the definitions and use of definitions through:

- Including rules of construction in a section;
- Consolidating all rules of measurement related to land development and subdivision in a section;
- Incorporating a table of abbreviations;
- Removing standards from the definitions, and placing them in the appropriate place in the rewritten Ordinance.

We will review, evaluate, and then refine and modernize the definitions, and add new definitions, as appropriate, so the rewritten Ordinance has a clear, modern, and workable set of definitions.

### Section E.1. General Rules for Interpretation

This section addresses general issues related to interpretation of language, including:

- The meaning of standard terms such as “shall,” “should,” “will,” and “may”;
- The use of plural and singular nouns;
- The meaning of conjunctions;
- How time is computed; and
- Other general issues that arise in interpreting and administering the Ordinance and its procedures.

### Section E.2. Rules of Measurement

This section consolidates and establishes the rules of measurement that are relevant to subdivision and land development. Graphics are used in this section to assist in the explanation of the different rules of measurement.

### Section E.3. Definitions

As noted above, this section includes definitions of terms used throughout the Subdivision and Land Development Ordinance. It will begin with an evaluation of all existing definitions, and then refine and

modernize the definitions, where appropriate, and add new definitions, as appropriate, so the rewritten Ordinance has a clear, modern, and workable set of definitions. We will use the relevant definitions found in the current Ordinance as a starting point for the definitions section, but add definitions related to the subdivision and land development standards, as necessary. We will also revise definitions as necessary to ensure that the definitions do not contain substantive or procedural requirements. We will verify that key definitions conform to state and federal law, and constitutional requirements.

## V) Appendices

Appendix 1: State College Policy Matrix

Appendix 2: Current Use Table, Borough of State College

## Appendix 1: State College Policy Matrix

### MEMORANDUM

**TO:** Ed LeClear, Planning Director

**FROM:** Clarion Associates (Craig Richardson and Pete Sullivan)

**DATE:** March 6, 2017

**RE:** Policy Analysis for Borough of State College Zoning Ordinance update project

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Task 1 of the zoning ordinance update project includes the review of relevant background materials, including existing policy and regulatory documents. The purpose of this background review is to provide the consulting team with a better understanding of how the existing regulations work (and don't work) in practice, and how relevant policy goals should be implemented. The Borough has adopted several policy documents that provide direction on land use and physical development. The purpose of this memo is to review relevant policies from those documents and identify common themes. We are asking the Borough to confirm the findings in this policy review, and provide any feedback regarding high-level themes that should be considered as we begin to develop goals for the rewrite project.

Seven plans governing the growth and development of State College contain policy direction relevant to the zoning ordinance update project. Relevant policies – those related to the physical development of the Borough – are shown in Appendix 1: State College Policy Matrix. The following plans were included in the policy review:

- State College Neighborhood Plan
- State College Downtown Master Plan
- West End Revitalization Plan
- The Centre Region Comprehensive Plan
- Borough of State College Strategic Plan
- Allen Street Civic District Redevelopment Plan
- State College Parking Master Plan

After the relevant policies were identified, they were analyzed to identify significant, common themes across plan documents. Eight themes related to land use and physical development were identified, as shown below. A brief description and a sample of related policies are provided for each theme. Generally, the policies in these plans support the following.



- **Dense, mixed-use, walkable development** in the Downtown Core and West End.
  - **Additional student housing, particularly in Downtown's East End.** As an incentive, allow for increased density/ FAR in targeted areas, in exchange for high quality design and other incentives. When located within existing neighborhoods, student housing should conform to the character of the neighborhood, for example in terms of design, scale, and density. Off-campus housing complexes should be located in close proximity to commercial/retail centers, public transit routes, as well as bicycle and pedestrian facilities.
  - **Infill development** that is compatible with desired character, neighborhood context, and surrounding uses.
  - **Reuse, redevelopment, or revitalization of underutilized properties**, particularly along corridors that better accommodate bicycles and pedestrians.
  - **Neighborhood protection**, for example protecting character and mitigating impacts of student housing.
  - **Sustainability**, for example green building standards, enhanced landscaping and tree protection.
- 
- **Attachments**
  - **1: State College Policy Summary**
  - **2: State College Policy Matrix**

**Attachment 1: State College Policy Summary****KEY**

DMP = Downtown Master Plan

WERP = West End Revitalization Plan

CRCP = Centre Region Comprehensive Plan    SCNP = State College Neighborhood

Land Use

Largely, land use policies encourage infill development, a mix of uses, and higher density where appropriate. Not surprisingly, there are also a number of policies related to the location and design of student housing.

- Encourage additional downtown student housing, particularly in the East End, and allow for increased density/FAR in targeted areas, in exchange for high quality design and other incentives. (DMP, 183)
- Encourage future higher density, mixed-use redevelopment of the eastern gateway sites (WERP, 94)
- Develop mixed-use zoning districts and Planned Developments to allow appropriate redevelopment of strip commercial areas (CRCP, 21)

Bikability, Walkability and Pedestrian Connectivity

More than 30 policies directly addressed improving bike and pedestrian facilities, with a focus on connectivity and safety. If you consider that mixed-use and high density policies will also encourage walkability, the number of related policies more approaches 50. Examples of policies that support a bike and pedestrian friendly community include:

- Expand the bicycle network downtown (DMP, 81)
- Develop a continuous, interconnected network of bicycle and pedestrian facilities of all types...linking neighborhoods, schools, parks, open space, and commercial and employment centers (CRCP, 35)
- Use the most up to date guidelines to explore ideas for increasing the safety and connectivity of pedestrian and bicycle facilities and opportunities to reduce pedestrian and vehicle conflicts in congested areas. (SCNP, 146)

Downtown Development

Almost all policies related to Downtown Development exist within the Downtown Master Plan. The vast majority of these policies address creating a vibrant, “traditional” downtown by encouraging a

mix of uses, higher density, bike and pedestrian connectivity, and creating downtown design standards.

- Adopt a cohesive family of design elements to use throughout the downtown streetscapes. (DMP, 99)
- Emphasize a mix of uses that reinforces a traditional downtown, including non-student housing, hotel, office, incubator space, co-working/flex space, gallery space and additional retail (DMP, 163)
- Develop co-working entrepreneurial incubator and “flex” space in downtown (DMP, 198)
- Continue to reinforce the downtown core as a “traditional downtown” (DMP, 210)

#### West End Revitalization

Policies related to West End Revitalization are aimed at establishing its identity as an “Urban Village”, revitalizing existing uses, preserving historic sites, and encouraging new infill development. Most development policies related to West End Revitalization are found in the West End Revitalization Plan.

- Preserve, adapt and re-use contributing structures to the Holmes-Foster/Highland Historic District in the West End, while encouraging new business locations that meet neighborhood needs. (WERP, 8)
- Encourage live-work residential infill along College and Beaver Avenues. (WERP, 89)
- Focus sensitive scaled infill development on currently vacant sites. (WERP, 92)

#### Neighborhood Protection

Several policies address neighborhood protection, with a focus on maintaining single family residences where appropriate, improving the overall quality of neighborhoods, and mitigating the impact of student housing where necessary.

- Explore opportunities for neighborhood improvement districts, grants, crowd funding campaigns and other creative funding solutions for neighborhood-identified community improvements. (SCNP, 142)
- Reinforce single-family home ownership on Beaver Avenue and the side streets between College Avenue and Beaver Avenue (WERP, 87 )
- Continue neighborhood planning efforts with the public that will identify favorable site design features and limit environmental impact. (CRCP, 23)
- Protect established single-family neighborhoods from conversion to multi-unit rentals (CRCP, 55)

- Encourage student rentals in higher-density districts as a strategy for preserving existing neighborhoods (CRCP, 55)

#### Sustainability

A large portion of policies related in some way to energy efficiency, low impact design and environmental protection.

- Consider opportunities for increasing tree canopy that can reduce urban heat island and stormwater runoff impacts (SCNP, 144)
- Evaluate model ordinances that have been developed by other communities for green building design and solar/wind installations and determine feasibility of adopting such an ordinance. (SCNP, 144)
- Encourage the adoption of regulations that would reduce impervious coverage and would allow pervious alternatives (CRCP, 69)

#### Parking

Several plans address parking, with policies focused on implementing parking demand management strategies to encourage a more multi-modal community.

- Explore a variety of tools to incorporate parking strategies that promote a vibrant downtown environment and support a multi-modal community (DMP, 85)
- Institute an overall parking and access management strategy for the West End. (WERP, 7)
- Implementing a fee in-lieu parking program. (PMP)
- Unbundling parking from office or housing development. (PMP)

#### Development Review

Development review is mentioned several times throughout the various plan documents, primarily as a tool for encouraging the provision of bike and pedestrian amenities and the protection of environmental resources. Several policies also reference expediting development review without sacrificing quality of design.

- Identify opportunities to improve efficiency of the land development review process by implementing the Best Practices Manual for Development Review and Permitting and encouraging design professionals to submit complete, accurate proposals in order to reduce costs and minimize delays for residential projects that include a minimum percentage of affordable units. (CRCP, 58)

- Ensure through the Official Map and plan review process that new developments offer opportunities for bicycle and pedestrian access within and among neighborhoods, schools, parks, transit, employment, and shopping.(CRCP 59)
- Continue to ensure through the plan review process that storm water management requirements are incorporated in new development projects to address runoff and pollution concerns. (CRCP 70)
- Evaluate local regulations to provide expedited reviews of developments that take advantage of existing infrastructure in accordance with the Best Practices Manual for Development Review and Permitting. (CRCP, 87)

**Attachment 2: State College Policy Matrix**

<b>State College Policy Matrix</b>	
<b>No.</b>	<b>Land Use Policy</b>
<b>State College Neighborhood Plan</b>	
1.A.	Complete a comprehensive update of the Borough's Zoning Ordinance to eliminate inconsistencies and evaluate appropriateness of various districts' regulations.
1.D.	Using the CRPA State College Land Area plan as a guide, consider appropriate building scale and types of uses in transitional areas throughout the community.
3.D.	Utilize the State College Urban Forest Report, produced by the PA Department of Conservation and Natural Resources, and the Municipal Tree Plan to consider opportunities for increasing tree canopy that can reduce urban heat island and stormwater runoff impacts.
3.F.	Evaluate model ordinances that have been developed by other communities for green building design and solar/ wind installations and determine feasibility of adopting such an ordinance for the Borough.
3.H.	Research and provide information to residents and landlords about potential energy strategies and retrofits and the benefits of these for individual homes and rental units.
4.D.	Use the most up-to-date guidelines to explore ideas for increasing the safety and connectivity of pedestrian and bicycle facilities and opportunities to reduce pedestrian and vehicle conflicts in congested areas.
5.A.	Develop metrics to evaluate the effectiveness of current ordinances, codes and policies, as well as the level of enforcement of these policies, and make adjustments to these policies as needed.
5.B.	Complete the process of evaluating rental permits in order to register and license all existing Student Homes and bring those that are not operating in conformity with local ordinances into compliance.
7.F.	Identify the housing types and amenities that are attractive to families, young professionals, entrepreneurs and creative working class which could encourage more residents in the Borough's neighborhoods, and market those that are

State College Policy Matrix	
No.	Land Use Policy
	available.
State College Downtown Master Plan	
2-B	Employ “road diets” throughout downtown to provide for expanded pedestrian and bicycle accommodations. Explore College Avenue (between Atherton Street and University Drive) as a major pilot project.
2-E	Expand the bicycle network downtown.
2-F	Continue to provide bicycle accommodations throughout downtown, including bike racks, covered bike parking/storage and way-finding signage.
2-H	As part of the parking study, explore a variety of tools to incorporate parking strategies that promote a vibrant downtown environment and support a multi-modal community
3-B	Explore opportunities to incorporate a network of small gathering places downtown.
3-C	Adopt a cohesive family of design elements to use throughout the downtown streetscapes.
3-D	Establish a hierarchy of street typologies to incorporate into the DRB’s design guide update and help guide streetscape design decisions and priorities.
4-A	The Borough should target the core area of downtown and area centered on the College/Atherton intersection, and emphasize a mix of uses that reinforces a traditional downtown, including non-student housing, hotel, office, incubator space, co-working/flex space, gallery space and additional retail.
4-B	The Borough should advance the West End Revitalization Plan, establishing the West End’s identity as an “Urban Village” and coordinate with Penn State University to stimulate preservation and revitalization of existing uses while encouraging investment and new infill development.
4-C	The Borough and Neighborhood Coalition should support and encourage additional downtown student housing, particularly in the East End, and allow for increased density/ FAR in targeted areas, in exchange for high quality design and other incentives.
4-D	Consider more flexibility in bulk regulations to allow for appropriately-scaled first



State College Policy Matrix	
No.	Land Use Policy
	floor retail space, higher quality architectural design and more functional parking.
4-E	Perform a stakeholder-based update to the existing zoning code to provide for incentive-based design, to better accommodate appropriate redevelopment and to provide for a more user-friendly document.
4-F	Develop density bonuses for quality designed student housing and mixed-use development and update the design guidelines to be used by the Design Review Board.
4-I	Develop co-working entrepreneurial incubator and “flex” space in downtown.
5-E	Continue to reinforce the downtown core as a “traditional downtown.”
West End Revitalization Plan	
Action 1A	Redefine the West End’s and Borough Center’s gateway image.
Action 1B	Redefine the walkway, bikeway and streetscape hierarchy throughout the West End.
Action 4C	Improve north-south pedestrian and bike linkages between the West End and West Campus.
Action 4D	Establish a West Campus Drive pedestrian and bike trail linking the Central Campus with the West End, West Campus, and golf course trails to the west.
Action 7C	Preserve, adapt and re-use contributing structures to the Holmes-Foster/Highland Historic District in the West End, while encouraging new business locations that meet neighborhood needs.
Action 8A	Reinforce single-family home ownership on Beaver Avenue and the side streets between College Avenue and Beaver Avenue.
Action 8B	Encourage live-work residential infill along College and Beaver Avenues.
Action 8C	Encourage workforce-oriented housing to be developed on underutilized sites that are not currently used for rental income.
Action 10A	Focus sensitive scaled infill development on currently vacant sites.
Action 10B	Encourage future higher density, mixed-use redevelopment of the eastern gateway sites.

State College Policy Matrix	
No.	Land Use Policy
Action 10C	Encourage institutional and mixed-use redevelopment of the block defined by Barnard Street, West Campus Drive, Atherton Street and College Avenue.
Action 10D	Encourage owner occupied workforce housing infill development on the block defined by Gill Street.
Action 10E	Encourage a mix of commercial/apartment redevelopment and owner occupied workforce housing development on the block defined by Sparks Street, West Campus Drive, Gill Street and College Avenue.
Action 10F	Encourage a mix of commercial/apartment redevelopment and infill owner occupied workforce housing development on the block defined by Patterson Street, West Campus Drive, Sparks Street and College Avenue.
Action 10G	Encourage apartment redevelopment and owner occupied workforce housing infill on the block defined by Patterson Street, West Campus Drive, Buckout Street and College Avenue.
Action 10H	Encourage commercial building revitalization and woodshop infill on the block defined by Butz Street, West Campus Drive, Buckout Street and College Avenue.
Action 11C	Consider infill of additional West Campus graduate student residential buildings.
Action 11D	Pursue West College Avenue streetscape and gateway improvements with Penn DOT.
Action 12C	Develop and install street light banners, gateway entrance wayfinding signs.
Action 13A	Create a new comprehensive zoning district code and development guidelines to support the preferred land use pattern and foster the redevelopment opportunities depicted in the West End Revitalization Plan.
Action 14A	Strengthen code monitoring and enforcement of all properties to ensure equal and fair compliance for all State College Borough residents.
Action 15C	Declare the West End as a redevelopment area so as to require redevelopment to occur under the provisions and authorities of the Urban Redevelopment Law.
The Centre Region Comprehensive Plan	
Land Use	

State College Policy Matrix	
No.	Land Use Policy
Policy 1.1.1	Explore the development of uniform and complementary zoning designations and criteria for interested Centre Region municipalities.
Policy 2.1.1	Continue to identify environmentally sensitive areas during the land development review process and locate development where there is minimal impact to environmental quality.
Policy 2.1.3	Periodically review the Development of Regional Impact (DRI) process for potential changes and use the process to determine if the Regional Growth Boundary and Sewer Service Area should be amended.
Policy 2.2.1	Municipalities should require regulations to provide site design features such as pedestrian and transit amenities, parks, woodland protection, landscaping, and building construction consistent with the character of the site location.
Policy 2.2.2	Municipal subdivisions and land development ordinances must require adequate transit facilities for all proposed development within the Regional Growth Boundary.
Policy 2.2.3	Require pedestrian and bikeway trail connections as part of the land development approval process when existing trails are adjacent or nearby a future land development site.
Policy 3.1.1	Modify selected zoning districts to allow for a variety of land uses.
Policy 3.1.2	Develop mixed-use zoning districts and Planned Developments to allow appropriate redevelopment of strip commercial areas.
Policy 3.1.3	Integrate residential and commercial uses at densities that support continued transit access and usage.
Policy 3.2.1	Encourage the clustering of industrial land uses in locations with appropriate infrastructure.
Policy 3.2.2	Revise zoning regulations to allow municipalities the opportunity to share zoned lands and withstand legal challenges.
Policy 3.2.3	Develop adequate buffers between non-compatible land uses in the Region.
Policy 3.2.4	Primary uses in industrial zoning districts should be consistent with the purpose of the industrial zoning district, including the character of existing building(s) and the surrounding area.

State College Policy Matrix	
No.	Land Use Policy
Policy 3.2.5	Secondary uses in industrial zoning districts should be consistent with the purpose of the industrial district and be limited to those uses necessary to support the primary industrial use, such as administrative offices and retail sales of product.
Policy 3.3.4	Given the adequacy of the existing amount of commercially zoned land, the Centre Region municipalities should encourage the redevelopment of existing commercial property and the development of vacant commercial lands that have appropriate infrastructure.
Policy 3.4.2	Continue to implement the recommendations of the Best Practices for Development Review and Permitting report.
Policy 3.4.3	Continue to strongly support efforts to direct the majority of growth into the Regional Growth Boundary and potentially incentivize redevelopment projects in the Region.
Policy 4.1.1	Encourage residential in-fill development near established neighborhoods, villages, and planned communities in order to improve and expand parks and hike/bike trails, and reduce the costs of sprawl development.
Policy 4.1.2	Continue neighborhood planning efforts with the public that will identify favorable site design features and limit environmental impact.
Policy 4.1.3	Modify zoning and subdivision regulations to require sidewalks and multiple street accesses, and to limit cul-de-sacs.
Policy 4.2.1	Revise the commercial and office zoning districts where appropriate to permit higher-density housing opportunities that will reduce traffic volume and improve transit accessibility.
Policy 4.2.2	Locate new housing concentrations within the Regional Growth Boundary to minimize cost and impacts on the Centre Region municipalities and residents.
Policy 4.2.4	Consider revising zoning regulations to allow municipalities to share areas zoned for higher-density housing and prevent legal challenges.
Policy 4.4.1	Encourage municipal regulations that apply to identified commercial centers throughout the Centre Region to provide for commercial, residential, and office uses adjacent to or on the same property.
Policy 5.1.1	Work with municipalities to identify areas that are appropriate for rural residential

State College Policy Matrix	
No.	Land Use Policy
	development.
Policy 5.2.1	<p>Rural centers should be limited to rural communities and be defined by a logical outer boundary that considers the following:</p> <ul style="list-style-type: none"> <li>• Preservation of the character of neighborhoods and communities</li> <li>• Preservation of natural systems and open space</li> <li>• Physical boundaries, such as streams, streets and highways, and land forms</li> <li>• The ability to provide public facilities and public services in a manner that does not permit low-density sprawl</li> </ul>
Policy 5.2.3	Commercial developments within rural centers should be of a scale and type to be primarily patronized by local residents and in some instances to provide support for resource industries, tourism, and the traveling public.
Policy 6.1.7	Evaluate and revise municipal regulations to ensure that farming activities are promoted and not hindered in appropriate districts.
Policy 7.2.1	Continue to review existing zoning districts for compatibility with the future land-use designations.
Policy 7.2.2	Review subdivision and land development ordinances for compatibility with future land-use designations.
Policy 8.1.1	Require buffers between proposed non-agricultural uses and adjacent productive agricultural operations to protect farms, dairies, and agriculture-related production facilities from conflicts with non-agricultural uses, specifically residential development.
Policy 8.1.2	Establish agricultural buffer standards based on the type of agricultural operation to be applied to development proposals adjacent to productive agricultural land and agriculture-related facilities.
Policy 8.1.3	Require a minimum buffer between new residential development and existing agricultural operations, and establish design/maintenance guidelines for developers and property owners.

State College Policy Matrix	
No.	Land Use Policy
<b>Transportation</b>	
Policy 2.2.2	Establish, maintain, and improve facilities at locations where connections between modes of travel are made, including material loading/unloading infrastructure, crosswalks and sidewalks, bus shelters, bicycle racks and storage lockers.
Policy 2.3.1	Adopt a Complete Streets policy that encourages use of all modes of travel, and monitor the ongoing development of Complete Streets principles in order to update the policy.
Policy 2.3.2	Adopt ordinances stipulating that bicycle, pedestrian, and public transit facilities be required in land development plans where appropriate.
Policy 2.3.3	Consider alternative design solutions such as traffic-calming measures (e.g., curb extensions, speed tables, chicanes, roundabouts, etc.) and innovative traffic control and operations devices (e.g., interconnected signals, adaptive signal systems, transit signal priority, etc.).
Policy 3.3.2	Consider context-sensitive approaches, mitigation strategies, and innovative designs to mitigate the unavoidable impacts of transportation solutions on sensitive resources.
Policy 4.2.1	Require that the transportation impact of proposed rezoning requests, master development plan proposals, and land development activities be documented prior to municipal action.
Policy 4.2.3	Promote the positive impact of mixed-use development on traffic congestion by providing pedestrian and bicycle facilities, and transit service where supported by the appropriate land use densities, and as promoted by Complete Streets principles and the Smart Transportation Guidebook.
<b>Open Space Parks and Rec</b>	
Policy 1.1.6	Review and update municipal ordinances, official maps, and open space plans to ensure consistency with Regional and County Open Space and Greenway plans.
Policy 1.2.1	Coordinate the planning of bicycle and pedestrian networks with public and private open space conservation.
Policy 1.2.2	Provide safe bicycle and pedestrian facilities from neighborhoods to open space areas and schools.

State College Policy Matrix	
No.	Land Use Policy
Policy 1.2.3	Create bicycle and pedestrian connections to existing trails when new residential neighborhoods are developed.
Policy 1.2.4	Provide necessary infrastructure in open space areas and parks to support alternative modes of transportation (for example, bicycle racks, signage, and trails).
Policy 2.1.2	Consider the creation of conservation zoning districts in municipalities in order to protect natural and open space resources.
Housing	
Policy 1.1.3	Evaluate municipal zoning regulations and recommend changes where necessary to ensure that a sufficient amount of land is available and zoned at appropriate locations and densities  for residential development, redevelopment, and mixed-use opportunities.
Policy 1.2.1	Protect established single-family neighborhoods from conversion to multi-unit rentals.
Policy 1.2.3	Encourage student rentals in higher-density districts as a strategy for preserving existing neighborhoods.
Policy 1.2.4	Promote policies and codes that require regular maintenance and rehabilitation of rental properties to conserve the current housing stock.
Policy 2.1.1	Encourage residential development proposals to offer a variety of rental and for-sale housing and to provide a mix of market rate and affordable prices.
Policy 2.1.2	Identify vacant or underutilized structures that have the potential for redevelopment as medium to high-density housing, and explore incentives to encourage redevelopment of such structures.
Policy 2.1.3	Include higher-density housing in areas where jobs, services, and recreational opportunities are accessible by transit, bicycle, and walking.
Policy 2.1.4	Encourage municipalities to reduce regulatory barriers and incorporate innovative design concepts for street standards, lot sizes, stormwater facilities, and other residential site development features to encourage the development of new affordable housing and to ensure the integration of affordable and market rate housing units within all residential zoning districts.



State College Policy Matrix	
No.	Land Use Policy
Policy 2.1.5	Encourage municipalities to incorporate incentives, such as density bonuses, smaller lot sizes, reduced street widths or reduced parking requirements, in exchange for the inclusion of a minimum percentage of affordable housing units in all residential zoning districts.
Policy 2.1.9	Develop a regional strategy for identifying and prioritizing areas that are suitable for redevelopment and revitalization as future mixed-use neighborhoods.
Policy 2.2.6	Identify opportunities to improve efficiency of the land development review process by implementing the Best Practices Manual for Development Review and Permitting and encouraging design professionals to submit complete, accurate proposals in order to reduce costs and minimize delays for residential projects that include a minimum percentage of affordable units.
Policy 3.1.1	Integrate housing with retail, office, and institutional uses in order to share infrastructure costs among uses and reduce transportation costs.
Policy 3.1.2	Ensure through the Official Map and plan review process that new developments offer opportunities for bicycle and pedestrian access within and among neighborhoods, schools, parks, transit, employment, and shopping.
Policy 3.1.3	Encourage development of diverse and affordable housing options near public transportation and employment centers.
Policy 3.1.4	Evaluate opportunities for municipalities to revise zoning ordinances where appropriate to broaden the list of permitted uses within non-residential zoning districts to allow a mix of uses, including a variety of residential uses.
Policy 4.1.1	Prepare revisions to municipal land development regulations to incorporate innovative design concepts for street standards, lot sizes, storm-water facilities, and other residential site development considerations.
Policy 4.2.1	Promote and identify incentives to encourage energy efficiency, alternative energy sources, and energy-efficient building-design standards in the construction of housing to improve long-term affordability and sustainability.
Policy 4.2.2	Revise municipal land-use regulations to permit the onsite generation of alternative energy such as wind, solar, geothermal, or other alternative power in residential zoning districts.
Policy 4.2.3	Identify vacant or underutilized structures that have the potential for

State College Policy Matrix	
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	redevelopment.
Policy 4.2.4	Encourage construction practices that result in resilient housing to withstand the effects of natural disasters, such as hurricanes and other weather events, and enable residents to be self-reliant and shelter in place until emergency responders can report to the scene.
Policy 5.1.4	Support and foster, where appropriate, innovative and nontraditional housing alternatives such as shared housing, live/work housing, and accessory dwelling units.
Policy 5.1.5	Encourage construction and design features in new and existing homes, such as zero-step entrances and wider interior doors/hallways, to improve accessibility and visitor convenience.
Community Services and Facilities	
Policy 1.1.6	Implement the municipal riparian buffer management ordinances through the land development plan review process.
Policy 1.3.1	Encourage the adoption of regulations that would reduce impervious coverage and would allow pervious alternatives.
Policy 1.3.2	Encourage municipalities to incorporate low-impact design practices to infiltrate, filter, store, evaporate, and detain runoff close to its source.
Policy 1.3.5	Continue to ensure through the plan review process that storm water management requirements are incorporated in new development projects to address runoff and pollution concerns.
Policy 1.3.6	Continue to ensure through the plan review process that National Pollution Discharge Elimination System (NPDES) plans to address non-point pollution from runoff are prepared and submitted when required.
Policy 2.1.6	Continue to ensure that sewer planning is done for all new land-development activities through consultation with municipalities, developers, the Department of Environmental Protection, and the University Area Joint Authority.
Policy 2.4.3	Direct new development projects to available properties within the Regional Growth Boundary and Sewer Service Area where existing infrastructure is available.
Policy 3.1.2	Through the land-development review process, continue to ensure that adequate

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	space is provided for the installation of refuse and recycling receptacles, particularly for multi-family and non-residential development.
Policy 4.1.1	Work with developers and utility providers to ensure that utility installations are designed and developed to minimize visual impact, to maximize reliability, and to avoid environmental degradation to the extent possible.
Policy 4.1.2	Work with utility providers to map the location of existing lines and/or service areas and to coordinate infrastructure expansions, upgrades, or replacements to coincide with future development and or maintenance projects, such as road construction.
Policy 5.1.4	Ensure through the land development review process that new development provides adequate access for fire and emergency responders.
Policy 5.4.2	Monitor the availability of land that is appropriately zoned for health care facilities to ensure adequate opportunity for expansion of existing facilities and the addition of new facilities as needed.
Policy 5.4.4	Encourage the co-location of health care facilities and health care-related businesses to improve access and choice of services for residents.
Sustainability	
Policy 1.2.2	Evaluate strategies for redevelopment or adaptive reuse that takes advantage of existing water service and infrastructure as an alternative to new development.
Policy 2.3.1	Encourage development regulations that provide creativity in design, including, but not limited to, clustering; provide alternative modes of transportation; and minimize impervious areas.
Policy 2.3.3	Consider redevelopment or adaptive reuse of properties where wastewater service currently exists in-lieu of new developments that require services to be extended.
Policy 2.3.5	Evaluate local regulations to provide expedited reviews of developments that take advantage of existing infrastructure in accordance with the Best Practices Manual for Development Review and Permitting.
Policy 3.1.1	Municipalities should incorporate requirements for sidewalks in new land developments and redevelopment projects where appropriate.
Policy 3.1.2	Add bicycle facilities to new land developments and redevelopment projects

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	where appropriate and give priority to locations where bicycle facilities will provide logical connections to existing paths; activity centers; and community amenities such as schools, libraries, parks, or other municipal facilities.
Policy 4.2.1	Review and update land-development ordinances when appropriate to allow for alternative energy options to be incorporated into land uses. This should include, but not be limited to, wind, solar, geothermal, or other advanced technologies.
Policy 4.2.2	Encourage existing businesses, new businesses, or redevelopment opportunities that use alternative energy sources in their day-to-day operations to locate in the Centre Region through the use of land-development incentives or standards and other techniques that recognize alternative energy use.
Policy 5.2.1	Evaluate and amend, as necessary, municipal ordinances and regulations to ensure they do not adversely impact natural resources and environmentally sensitive areas.
Policy 5.3.2	Update land-use regulations to ensure agricultural areas that are actively farmed remain protected from incompatible uses, as appropriate.
Natural, Environmental, Cultural and Historic Resources	
Policy 2.3.1	Implement municipal regulations that protect ridges, steep slopes, colluvial soils, and highly erodible soils from intensive development activity.
Policy 2.3.2	Create municipal regulations that promote best-management practices for forests located on mountains and ridges.
Policy 3.2.1	Create municipal regulations that protect existing structures located in identified historic areas. Regulations should protect existing structures and encourage new development within or adjacent to existing districts to be consistent with the pattern and character of the original village or rural center that contain the resource(s).
Policy 3.2.5	Modify municipal regulations to permit and promote the adaptive reuse of historic structures.
Community and University Relations	
Policy 1.1.3	Ensure that bicycle and pedestrian routes throughout the community are sized and located to serve current and future needs of the community and the

<b>State College Policy Matrix</b>	
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	university.
Policy 1.1.4	Provide safe and convenient pedestrian and bicycle facilities and connections between the community and the university for all users.
Policy 1.2.4	Limit and reduce the physical barriers between the West End Neighborhood and West Campus.
Policy 2.1.1	Encourage office or similar uses affiliated with the university to be located in the community. This may create activity centers within the community and provide opportunities for complementary uses to occur.
Policy 2.2.2	Explore opportunities to create pedestrian spaces or passive recreational areas in or around Downtown State College and Penn State University that conform to the objectives and recommendations outlined in the 2013 State College Downtown Master Plan, the State College Land Area Plan, the State College Borough Neighborhood Plan, the West End Revitalization Plan, the 2008 Penn State University Park Campus Master Plan, and other Penn State University planning efforts.
Policy 3.1.1	Locate housing for students appropriately throughout the Centre Region in accordance with local zoning ordinances and land development regulations to help limit potential adverse impacts on existing neighborhoods.
Policy 3.1.2	When located within existing neighborhoods, student housing should conform to the design, architecture, scale, density, and style of the surrounding dwelling units in order to more adequately blend into the neighborhood structure without adversely impacting the established neighborhood.
Policy 3.1.3	Locate off-campus housing, including large residential complexes that cater to students, in close proximity to commercial/retail centers, public transit routes, as well as bicycle and pedestrian facilities, reducing the need for individuals to drive cars for daily activities, including trips to campus.
<b>Centre Region Economic Development Assessment Recommendations</b>	
	Encourage the reuse, redevelopment, or revitalization of underutilized properties in the Region. This subtask identified specific sites, such as Hills Plaza, Westerly Plaza, Northland Center, West College, and North Atherton Corridors, or other commercial sites; and industrial sites, such as Corning, Murata Erie, and Rutgers-Nease. Existing regulatory barriers to revitalization efforts should be identified, as

State College Policy Matrix	
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	well as partnering opportunities for incentives, site improvements, and other methods of encouraging redevelopment.
	Optimize and articulate the land-development approval and permitting process.
Borough of State College Strategic Plan	
Goal 1	Maintain safe, stable, attractive neighborhoods.
Goal 4	Expand Housing Opportunities.
Goal 6	Foster Commercial Revitalization.
Allen Street Civic District Redevelopment Plan	
CID zoning change considerations, pg 46	Require shared or off-site parking arrangements.
	Allow a portion of parking to be provided through fee in-lieu funds.
	Provide flexibility in overall building height when non-residential floors are greater than 10 feet in height.
Parking Master Plan	
Strategies for current and future parking, pg 67-68	Make better use of the current parking fee-in-lieu program. To make the fee-in-lieu program attractive to developers, it must be less expensive for them than constructing their own lot, yet still be high enough to support the construction or maintenance of the public lot(s) being utilized by the program. To accomplish this task, the borough should review and update the program regularly to adjust for changes in construction costs as well as inflation.
	Unbundle parking. Encourage developers to do this by instituting flexible parking requirements that lower the required amount of parking for developments with unbundled parking, as the parking demand for such developments would likely be lower. To combat the potential of spillover from tenants looking for parking alternatives, the borough could limit the amount of overnight on street parking or require residential overnight on street parking permits that are not available to residents in developments containing off street parking.

Appendix 2: Current Use Table, Borough of State College

Current Use Table, Borough of State College																														
P = Permitted by Right                      S = Special Exception                      C = Conditional Use																														
Principal Use Category	General Use Type	Public and Open Space			Residential						Mixed Use and Commercial													Overlay						
		P	PA	PARK	R-1	R-2	R-3	R-3A	R-3B	R-4	R-3H	R-O	R-OA	C	CID	UV	M	CP-1	CP-2	CP-3	P-O	UPD	MP	Mixed Use (R2)	Mixed Use (R3H)	R-00	Signature	Collegiate	Flood plain	
Agriculture																														
	Agriculture																						P						P	
	Agricultural structures that house animals																						P							
Mixed Use Project																														
	Signature Development Project																										C			
	Collegiate Housing Project																										C			
Residential																														
Household Living Uses	Dwelling (One-Family)				P	P	P	P	P	P	P	P	P	P	P		P	P	P				P	P	P					
	Dwelling (One-Family with single apartment)				P	P	P	P	P	P	P	P	P	P	P		P	P	P				P	P	P					
	Dwelling (Two-Family)					P	P	P	P	P	P	P	P	P	P		P	P				P	P	P						
	Dwelling (Three-Family)											P	P	P			P													
	Dwelling (Multiple)						P	P	P	P		P		P	P	P		P	P							P				
	Dwelling (Mixed Use)												P	P					P											
Group Living Uses	Tourist Home								P		P	P	P	P	P			P	P							P				
	Manufactured Home Park												P	P				P												
	Boarding House								P		P		P	P	P			P	P							P				
	Dormitory												P	P																
	Elderly Housing Development				C	C	S			S	S			P	P				P	P			P	S						
	Fraternity/Sorority House						P	P	P	P	P			P	P	P		P	P	P		P		P	P					
	Group Dwelling Project						P	P	P	P	P			P	P	P		P	P	P						P				
	Housing for Elderly Persons		S			S				S		S		P	S					P						S				
	Nursing or Convalescent Home		S			S			S		S			P	S			P	P	P					S					
	Personal Care Boarding Home for Adults		S			S	P	P	P		P		P	P	S			P	P	P		P			P					
	Student Home				P	P	P	P	P	P	P	P	P	P	P		P	P							S	P				
	Student Residence Hall														P							P								
Civic/ Institutional																														
Communication Uses	Telecommunication Facility or Structure													P	P		P		P	P		P	P							
	Telecommunication Tower													P	P		P		P	P		P	P							
Community Services	Utility Facility or Structure		P											P	P		P		P	P		P	P							
	Auditorium													P	P		P		P	P		P	P							
	Club (Excluding Country Club), Lodges and Fraternal Organizations (excluding Fraternities and Sororities)					S				S		S		P	P		P		P	P		P	P			S				
	Club Community Center		P			S			P	S	P	S	P	P	P		P		P	P		P	P		P	S				
	Conference Facility													P	P		P		P	P		P	P							



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		P	PA	PARK	R-1	R-2	R-3	R-3A	R-3B	R-4	R-3H	R-O	R-OA	C	CID	UV	M	CP-1	CP-2	CP-3	P-O	UPD	MP	Mixed Use (R2)	Mixed Use (R3H)	R-00	Signature	Collegiate	Flood plain	
	Day Care Center		P			S	S						P	P	P	P		P	P		P	P		P		P				
	Day Care Center (Adult)		P				P	P		P	P		P	P	P	P		P	P			P		P						
	Day Care Center (Child)		P			S	S		S	S	P		P	P	P	P		P	P		P	P		P						
	Day Care Home (Adult)					S	P	P		P	P		P	P	P	P		P	P			P		P						
	Day Care Home (Family)						S		S	S				P	P		P		P	P			P							
	EMS Station		C											P	P		P		P	P		P	P							
	Fire Station		C											P	P		P		P	P		P	P							
	Gymnasium		P											P	P		P		P	P		P	P							
	Library		P			S								P	P		P		P	P		P	P							
	Neighborhood Center		P			S								P	P		P		P	P			P							
	Place of Worship		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P				
	Police Station		C											P	P		P		P	P		P	P							
	Public Service Facility		C											P	P		P		P	P		P	P							
	Observatory													P	P		P		P	P		P	P							
Education Uses	Classroom, Laboratory, or Other Facility for Research and Instruction													P	P		P		P	P		P	P							
	Dining Hall																					P								
	Private School		P			S	S							P	P		P		P	P			P							
	Public School (K-12)		P		P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P		P			P				
Health Care Uses	Clinic		S			S								P	P		P		P	P		P	P			P				
	Dental Office					S								P	P		P		P	P	P	P	P			P				
	Hospital					S								P	P		P		P	P		P	P			P				
	Urgent Care Clinic													P	P		P		P	P		P	P			P				
Parks and Open Space	Arboretum			P										P	P		P		P	P			P			P				
	Baseball, Football, Soccer Field, or Other Playing Field			P										P	P		P		P	P		P	P			P				
	Bicycle Path or Trail			P										P	P		P		P	P			P			P				
	Golf Course and Driving Range			P										P	P		P		P	P		P	P			P				
	Memorial Park (except cemeteries)			P										P	P		P		P	P			P			P				
	Nature Preserve			P										P	P		P		P	P			P			P				
	Passive Open Space													P	P		P		P	P		P	P			P				
	Park		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P			P				
	Picnic Area and Shelter			P										P	P		P		P	P			P			P				
	Public Garden			P										P	P		P		P	P			P			P				
	Swimming Facility			P										P	P		P		P	P		P	P			P				
	Tennis and Basketball Court			P										P	P		P		P	P			P			P				
	Wildlife Sanctuary			P										P	P		P		P	P			P			P				
Transportation Uses	Airport													P	P		P		P	P		P	P			P				
	Heliport													P	P		P		P	P		P	P			P				
	Off-Street Parking		P										P	P	P		P	P	P	P		P	P			P				

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		P	PA	PARK	R-1	R-2	R-3	R-3A	R-3B	R-4	R-3H	R-O	R-OA	C	CID	UV	M	CP-1	CP-2	CP-3	P-O	UPD	MP	Mixed Use (R2)	Mixed Use (R3H)	R-00	Signature	Collegiate	Flood plain	
	Public Parking		S										P	P		P		P	P		P	P				P				
	Parking Deck												P	P		P		P	p		P	P				P				
	Transportation Service Building												P	P		P		P	P		P	P				P				
Commercial																														
Animal Care Uses	Pet Day Care												P	P		P		P	P			P								
	Pet Grooming				P	P				P		P	P	P		P		P	P			P				P				
Commercial Services Uses	Clubhouse					S							P	P		P		P	P		P	P				P				
	Country Club				P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P				P				
Eating or Drinking Establishment Uses	Delicatessen, Non-Alcoholic												P	P		P	P	P	P			P								
	Drive-In Restaurant												C			P		C			S	P								
	Restaurant, Non-Alcoholic												P	P	P	P	P	P	P			P				P				
	Restaurant												P	P	P	P		P	P		P	P				P				
Funeral and Mortuary Services Uses	Funeral Home								S		S		P	P		P		P	P			P				P				
Office Uses	Accountant		S			S			S		P	P	P	P	P	P	P	P	P	P	P	P	P	P	S	P				
	Architect		S			S			S		P	P	P	P	P	P	P	P	P	P	P	P	P	S	P					
	Brokerage		S			S			S		P	P	P	P	P	P	P	P	P	P	P	P	P	S	P					
	Engineer		S			S			S		P	P	P	P	P	P	P	P	P	P	P	P	P	S	P					
	Government		S			S			S		P	P	P	P	P	P	P	P	P	P	P	P	P	S	P					
	Insurance		S			S			S		P	P	P	P	P	P	P	P	P	P	P	P	P	S	P					
	Laboratory, Commercial												P	P		P		P	P			P			P					
	Lawyer		S			S			S		P	P	P	P	P	P	P	P	P	P		P	P	S	P					
	Medical Offices		S			S			S		P		P	P	P	P	P	P	P	P	P	P	P	S	P					
	Minister		S			S			S		P	P	P	P	P	P	P	P	P	P	P	P	S	P						
	Offices, general use		S			S			S		P	P	P	P	P	P	P	P	P	P	P	P	S	P						
	Real Estate Sales		S			S			S		P	P	P	P	P	P	P	P	P	P	P	P	S	P						
	Research Facility												P	P	P	P		P	P		P	P			P					
Personal Services Uses	Coin Operated Laundry												P	P	P	P		P	P			P			P					
	Personal Service Shop												P	P	P	P	P	P	P		P	P			P					
	Tailor, Dressmaking, Millinery												P	P	P	P	P	P	P			P			P					
Recreation/ Entertainment Uses	Amphitheater			P									P	P		P		P	P			P			P					
	Artist Studio		P			S							P	P	P	P	P	P	P		P	P			P					
	Convocation/Event Center, Arena												P	P		P		P	P		P	P			P					
	Dance and/or Music Instruction		P			S	S		S		S		P	P	P	P		P	P		P	P			P					
	Museum / Art Gallery		P			S							P	P		P		P	P		P	P			P					
	Performing Arts Center		P			S							P	P		P		P	P			P			P					
	Sexually-Oriented Business												C						P						P					

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	Stadium, Seating Greater Than 1,000													P	P		P		P	P		P	P			P				
	Stadium, Seating Less Than 1,000													P	P		P		P	P		P	P			P				
	Theater													P	P	P	P		P	P		P	P			P				
Retail Sales Uses	Convenience Food Store													P	P	P	P		P	P		P	P			P				
	Convenience Food Store, Non-Alcoholic													P	P	P	P	P	P	P			P			P				
	Retail Sales													P	P	P	P	P	P	P		P	P			P				
	Shopping Center													P	P		P		P	P			P			P				
	Specialty Food Store													P	P	P	P	P	P	P			P			P				
Vehicle Sales and Service	Automobile Sales													C			P		C	P			P			P				
	Automobile Service and Repair													C			P		C	P		P	P			P				
	Gas Station													C			P		C	P			P			P				
	Motor Vehicle Oriented Business													C			P		C	C			C			P				
Visitor Accommodations Uses	Bed & Breakfast Establishment					P	P	P	P	P	P	P	P	P	P	P			P	P			P			P				
	Hotel/Motel													P	P		P		P	P		P	P			P				
	Community Service / Visitor Center													P	P		P		P	P		P	P			P				
Industrial																														
Industrial Research	Test Track													P	P		P		P	P		P	P			P				
Freight Movement, Warehousing, and Wholesale Uses	Coal or Stoke Storage																P		P											
	Warehouse, Material Storage															P	P					P	P							
Manufacturing Uses	Blacksmith / Horse Shoeing Shop																P						P							
	Bottling or Distribution Plant																P						P							
	Coal or Coke Storage																													
	Contractor Shop																P						P							
	Incineration, Rendering, or Refining Process																P													
	Light Industry & Manufacturing															P	P					P	P							
	Lumberyard, Saw, Planning or Woodworking Mills																P						P							
	Stone or Monument Works																P						P							
Waste-Related Uses	Junk Yard																P			P										
	Automobile Wrecking Yard																P						P							

