

Ordinance No. 82

AN ORDINANCE OF BENNER TOWNSHIP, CENTRE COUNTY, AMENDING THE BENNER TOWNSHIP ZONING ORDINANCE BY AMENDING THE AGRICULTURAL-RURAL RESIDENTIAL ZONING CHART TO ADD COUNTY PRISON AND FIRE TRAINING FACILITY AS CONDITIONAL USES WITH ASSOCIATED BULK REQUIREMENTS; AMENDING ARTICLE V, SECTION 10.7 TO ADD PARKING REQUIREMENTS; AND AMENDING ARTICLE XII DEFINITIONS TO ADD DEFINITIONS FOR COUNTY PRISON AND FIRE TRAINING FACILITY

Pursuant to the powers vested in the Township of Benner, Centre County, Pennsylvania, under the provisions of the Second Class Township Code 53, P.S. 65101 et. seq. and the Pennsylvania Municipalities Planning Code 53 P.S. 10101 et. seq., Benner Township hereby enacts the following Ordinance.

SECTION 1. The *Benner Township Zoning Ordinance No. 70*, is amended as hereinafter set forth. All other sections of the aforesaid Benner Township Zoning Ordinance are hereby ratified, approved, and reenacted.

SECTION 2. *Article III, Agricultural-Rural Residential Zoning District Chart*, is amended as follows:

AGRICULTURAL-RURAL RESIDENTIAL DISTRICT (AR-1) Criteria and Standards for Benner Township, Centre County, PA							
Permitted Uses	Lot Requirements			Yard Setbacks			
PRIMARY USES AND STRUCTURES	Minimum size	Minimum Width (at street line)	Maximum Height	Maximum Lot Coverage (impervious included)	Front Yard	Side Yard	Rear Yard
CONDITIONAL USES							
1. County Prison with public utilities	15 acres	50 ft.	45 ft.	35%	100 ft.	100 ft.	100 ft.
2. Fire Training Facility w/public utilities	10 acres	50 ft.	45 ft. buildings 75 ft. for fire training tower	25%	100 ft.	100 ft.	100 ft.

SECTION 3. *Article IV, Use Regulations*, as amended by adding *Section 2.2.8 County Prison*, as listed below. The remaining subsections of Section 2. shall be renumbered accordingly.

2.2.8 County Prison

County Prison, as specified below, is permitted as a “Conditional Use” in the Agricultural-Rural Residential District (AR-1), subject to the following criteria:

- A. **Purpose and concept.** This section provides requirements for lot area, width, and yard requirements in addition to parking and screening requirements for the prison.

- B. **Lot area, width and yards.**
 - (1) *Lot area:* 15 acres
 - (2) *Minimum lot width:* 50 ft. at street line.
 - (3) *Minimum yard setbacks:* 100 ft for front, side, and rear yard setbacks.
 - (4) *Height:* Maximum height of structures permitted shall be 45 ft.

- C. **Parking Requirements.** Parking requirements shall be as specified in *Article V, Section 10* of this Ordinance for any buildings, structures or offices unassociated with the prison facility.

Parking computations for prison use, exclusively, shall be computed as follows:

One (1) space per 1,000 sq. ft. of gross floor area for administrative office and service areas, and one (1) space for every 16 inmate beds.

Additional requirements may be applied as part of the Conditional Use approval, based upon the specific needs of the operation. All computations used shall be reviewed and approved by the Township Engineer.

- D. **Buffer Yards.**

Buffer yards shall be planted and maintained in shrubs, bushes, trees, grass, or other vegetative landscaping material. Natural vegetation shall be incorporated into buffer yards to preserve the existing vegetation and natural contours as much as possible.

All such plantings shall be at least 4 ft. in height when planted, and shall reach a height of at least 6 ft. at maturity.

All plantings and vegetative ground cover shall be maintained. Any plant material that does not live shall be replaced within one year.

- (3) Buffer yards shall not be used for parking, loading, storage, or any structures.
- (4) All buffer yards, except side buffers of interior lots, may be crossed by access driveways and utility easements, provided that such are not more than 25 ft. in width at the point of intersection.
- (5) Where a required buffer yard is greater in width than the setback(s) required in the zoning district, the required buffer yard dimension will determine the setback dimension.
- (6) Buffer yards shall be a minimum width of 25 ft., and shall be planted with native species that shall include a mix of deciduous and evergreen plantings to provide all year round screening. A 25 ft. buffer yard shall not be required for areas directly adjoining public streets; however these areas should be landscaped. Buffer yards are required except as otherwise exempted by the Township through the Conditional Use process.

SECTION 4. Article V, Supplemental District Regulations, Section 10.7 "Required Off-Street Spaces (Table).
is amended as follows:

Type of Use
Fire Training Facility

Number of Spaces to Provide
1 space per 300 sq. ft. of gross floor area, for classroom.
Accessory parking areas may be constructed of gravel or other crushed stone to a depth of 6 inches.

SECTION 5. *Article XII, Definitions, Section 2. "Definitions."* is amended to include:

COUNTY PRISON – A prison and its related offices for the housing of inmates on a 24- hour basis, 365 days a year.

FIRE TRAINING FACILITY – A publicly owned and operated facility used for the training of volunteer fire protection personnel and other individuals directly involved in providing fire safety services.

SECTION 6. *Repealer.* Any Ordinance or part of any Ordinance conflicting with the terms of this Ordinance is hereby specifically repealed.

SECTION 7. *Severability.* The provisions of this Ordinance shall be severable and if any of its provisions shall be held to be unconstitutional, illegal, invalid or otherwise unenforceable by a court of competent jurisdiction, the remaining portions hereof shall not be affected thereby.

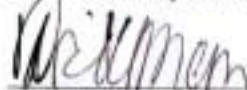
SECTION 8. The remainder of Ordinance No. 70 will remain fully in force and effect as originally ordained.

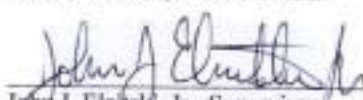
SECTION 9. *Effective date.* This Ordinance shall become effective five days its reenactment or adoption.

ENACTED AND ORDAINED, this 17 day of June, 2002.

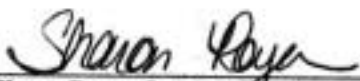
TOWNSHIP OF BENNER


Richard C. Lahr, Chairman


David C. Breon, Vice Chairman


John J. Elnitski, Jr., Supervisor

ATTEST:


Sharon Royer, Secretary/Treasurer