



**SOUTH FAYETTE TOWNSHIP
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE No. 03 of 2009

AN ORDINANCE OF THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 240 OF THE SOUTH FAYETTE TOWNSHIP CODE OF ORDINANCES, BY ESTABLISHING A NEW ZONING DISTRICT CD-1 (CONSERVATION DISTRICT) TO: DEFINE TERMS USED IN THE ORDINANCE; TO REGULATE THE LOCATION AND USE OF STRUCTURES AND LAND FOR RESIDENCES, BUSINESS INDUSTRY AND OTHER PURPOSES; TO REGULATE THE HEIGHT OF STRUCTURES, THE PERCENTAGE OF LOT COVERED BY STRUCTURES, THE SIZE OF LOTS, THE SIZE OF YARDS AND OTHER OPEN SPACES; TO SPECIFY STANDARDS AND CRITERIA FOR CONDITIONAL USES AND USES BY SPECIAL EXCEPTION; TO ESTABLISH REQUIREMENTS FOR OFF-STREET PARKING AND LOADING, SIGNAGE, LANDSCAPING AND OTHER LOT IMPROVEMENTS; TO ESTABLISH STANDARDS FOR OPEN SPACE DESIGN OPTIONS; TO REGULATE NONCONFORMING USES, STRUCTURES AND LOTS; TO ESTABLISH PROVISIONS FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE; TO PRESCRIBE POWERS AND DUTIES OF THE ZONING HEARING BOARD; AND TO ESTABLISH PROCEDURES FOR AMENDING THE ORDINANCE.

WHEREAS, The Board of Commissioners of the Township of South Fayette on November 16, 1998, by Ordinance No. 409, adopted a codification of its Ordinances (hereinafter referred to as the "South Fayette Code"); and

WHEREAS, the South Fayette Code included a revised Zoning Ordinance and Official Zoning Map for the Township which is appended thereto; and

WHEREAS, on August 21, 2000, the Board of Commissioners of the Township of South Fayette adopted, by Resolution Number 9 of 2000, the Township's Comprehensive Plan Update; and

WHEREAS, on June 20, 2005, the Board of Commissioners of the Township of South Fayette amended the Zoning Ordinance by adopting Ordinance Number 05-2005 Updating and Amending the Township's Official Zoning Ordinance in it entirety; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF SOUTH FAYETTE TOWNSHIP, ALLEGHENY COUNTY, PENNSYLVANIA AND IT IS HEREBY ORDAINED AND ENACTED BY THE AUTHORITY OF THE SAME AS FOLLOWS:

SECTION I: Amendments & Changes

ARTICLE XIIB

CD-1 CONSERVATION DISTRICT

SECTION 1200B PURPOSE

The purpose of this District is to preserve natural features, including steep slopes and floodplains and to protect them from disturbance and encroachment by intensive development.

SECTION 1201B AUTHORIZED USES

In the CD-1, Conservation District, only the following uses are authorized:

A. PERMITTED USES

1. Principal Uses

- a.** Agriculture, subject to § 240-103.
- b.** Cemetery, subject to § 240-95,A (8).
- c.** Essential Services
- d.** Incidental Mineral Removal
- e.** Forestry, subject to § 240-105.
- f.** Public Recreation
- g.** Single Family Dwelling
- h.** Township Related Facilities

2. Accessory Uses

- a.** Fences, subject to Section § 240-99.
- b.** Off-street Parking and Loading, subject to Article XVII.
- c.** Signs, subject to Article XVIII.
- d.** Other accessory uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District.

B. CONDITIONAL USES

1. **Principal Uses**
 - a. Agricultural Sales, subject to § 240-95, A (48).
 - b. Commercial Recreation, subject to § 240-95,A (10).
 - c. Communications Tower, subject to § 240-95,A (11).
 - d. Community Club
 - e. Firehouses, subject to § 240-95,A (9).
 - f. Golf Course; Golf or Country Club, subject to § 240-95, A (19).
 - g. Mineral Removal, subject to § 240-95, A (28).
 - h. Museums; Libraries, subject to § 240-95,A (9).
 - i. Noncommercial Recreation
 - j. Public Buildings other than Township Related Facilities, subject to § 240-95, A (9).
 - k. Public Recreation other than Township Related Facilities, subject to § 240-95, A (38).
 - l. Public Utility Building or Structure, subject to § 240-95, A (39).
 - m. Shooting Range, subject to § 240-95, A (47).

2. **Accessory Uses**
 - a. Communication antenna mounted on an existing building or on an existing public utility storage or transmission structure, subject to § 240-95,A (12).
 - b. Temporary construction trailer or sales office, subject to § 240-95,A (49).

C. USES BY SPECIAL EXCEPTION

1. **Principal Uses**
None

2. **Accessory Uses**
None

SECTION 1202B AREA AND BULK REGULATIONS

In the CD-1, Conservation District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for the specific conditional uses and uses by special exception contained in Article XV.

- A. **MINIMUM LOT AREA:**
 - Golf Course; Golf or Country Club 40 acres
 - Agriculture; Cemetery; Forestry & Mineral Removal 10 acres
 - Single Family Dwelling 3 acres
 - All Other Permitted & Conditional Uses 1 acre

- B. **MINIMUM LOT WIDTH:** 150 feet

- C. **MAXIMUM IMPERVIOUS SURFACE COVERAGE:** 15%

D. MINIMUM FRONT YARD:		
	Principal and Accessory Structure	50 feet
E. MINIMUM REAR YARD:		
	Principal Structures:	30 feet
	Accessory Structures:	See Section § 240-99, C
F. MINIMUM SIDE YARD:		
	Principal Structures:	20 feet
	Accessory Structures:	See Section § 240-99, C
G. SPECIAL YARD REQUIREMENTS:		See Section § 240-99
H. PERMITTED PROJECTIONS INTO REQUIRED YARDS:		See Section § 240-100
I. MAXIMUM HEIGHT:		
	Principal Structures:	2 1/2 stories but no more than 35 feet
	Accessory Structures:	1 story but no more than 20 feet
J. HEIGHT EXCEPTIONS:		See Section § 240-101
SECTION 1203B	PARKING AND LOADING	See Article XVII
SECTION 1204B	SIGNS	See Article XVIII
SECTION 1205B	BUFFER AREAS AND LANDSCAPING	See Section § 240-98
SECTION 1206B	STORAGE	See Section § 240-104

SECTION II: Seperability & Conflict

- a. The proper officials of the Township of South Fayette are hereby authorized and directed to do all things necessary to effectuate the purpose of this Ordinance.
- b. All ordinances and parts of ordinances inconsistent with the terms of the Ordinance are hereby repealed; provided, however, that such repeals shall only be to the extent of such inconsistency and in all other aspects, this Ordinance shall be cumulative with the other ordinances regulating and governing the subject matter covered by this Ordinance.

- c. If any section or provision or parts thereof in this Ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the Ordinance as a whole or any other section or provision or part thereof.
- d. This Ordinance shall be in full force and effect from and after its passage and publication as required.

SECTION III: Effective Date

THIS ORDINANCE ORDAINED AND ENACTED AT A REGULARLY CONSTITUTED, DULY CONVENEED MEETING OF THE BOARD OF COMMISSIONERS OF SOUTH FAYETTE TOWNSHIP, THIS 18th day of May, 2009.

Attest:



MICHAEL W. HOY
TOWNSHIP MANAGER

TOWNSHIP OF SOUTH FAYETTE

By: 

THOMAS SRAY
BOARD OF COMMISSIONERS