

**BILL NO. B-31-2018**

**ORDINANCE NO. \_\_\_\_\_**

**TOWNSHIP OF O'HARA  
ALLEGHENY COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE TOWNSHIP OF O'HARA AMENDING THE ZONING ORDINANCE NO. 1091 BY ADDING A NEW ARTICLE VI-A TO CREATE AN R-4 SPECIAL MODERATE DENSITY RESIDENTIAL DISTRICT AND ESTABLISHING REGULATIONS AND PERFORMANCE STANDARDS; AND AMENDING ARTICLE XI TO INCLUDE STANDARDS AND REQUIREMENTS IN THE R-4 DISTRICT**

The Township of O'Hara hereby ordains:

**WHEREAS**, the Township Council has proposed amendments to the Zoning Ordinance to permit a special moderate density residential district and provide for standards and requirements; and

**WHEREAS**, the northwestern quadrant is the largest undeveloped area in the Township; and

**WHEREAS**, the 2013 Township Comprehensive Development Plan recognizes the northwestern quadrant in the Township as an area with constraints to development primarily due to floodplains, steep slopes and high landslide risk (Chapter 10); and

**NOW, THEREFORE, BE IT ORDAINED** that:

SECTION 1. The Township of O'Hara enacts Article VI.A of the Township Zoning Ordinance as follows:

**Section 72-6.A.1 Purpose**

The R-4 Special Moderate Density Residential District is hereby established in order to provide for moderate residential, compatible nonresidential uses, agricultural, public recreation, and appropriate accessory uses while protecting environmentally sensitive areas of land and streams without significant intrusion. The R-4 Zoning District shall include land exhibiting steep slopes, high landslide risk, as well as land in close proximity to natural watercourses.

**Section 72-6.A.2 Permitted Uses**

A lot or parcel may be used and a building or structure may be erected and used for any of the following purposes:

**A. Principal Uses:**

1. Agricultural operations (See Section 72-13.90)
2. Single-family dwellings
3. Municipal Parks

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4. Group Home
5. Forestry

**B. Accessory Uses:** (See Section 72-13.98)

1. Private Garages
2. Garden or storage sheds and shelters
3. Essential services, as defined
4. Satellite dishes, Dish and Radio antennae
5. Swimming pools
6. Signs (See Article XV)
8. Fences, walls and retaining walls (See Section 72-13.91)
9. No Impact Home Based Business (See Section 72-13.101)
10. Amateur Radio Communications Towers (by Special Exception - See Section 72-18.155.B).
11. Solar Energy Facility (Amended 5/9/2017, Ord. No. 1324)
12. Wind Energy Facility (Amended 5/9/2017, Ord. No. 1324)
13. Geothermal Energy Facility (Amended 5/9/2017, Ord. No. 1324)

**Commented [CS1]:** #4 and #6 should be combined.

**Section 72-6.A.3 Conditional Uses**

A lot or parcel may be used and a building or structure may be erected and used for any of the following purposes, subject to the granting of a conditional use pursuant to procedures established in the Zoning Ordinance.

- A. Fire and emergency medical equipment facilities.
- B. Churches (See Section 72-13.107)
- C. Schools (See Section 72-13.107)
- D. Hospitals (See Section 72-13.107)
- E. Public utility facilities
- F. Parks (public recreation) (See Section 72-13-111)
- G. Gas Resources Development (See Section 72-13.92.B) (Amended 3/8/2011, Ord. No. 1239)

**Section 72-6.A.4 Planned Development Uses in R-4:**

A lot or parcel may be used and a building or structure may be erected and used subject to the granting of tentative and final approval of a Planned Development pursuant to the procedures established in the Zoning Ordinance.

- A. Lot averaging "LA Developments (see Article XI.)



- D. Identify measures needed to safely accommodate the future traffic and the means for implementation of such measures, including measures for providing safe and adequate railroad crossings.
- E. Include all data, computations and information pertinent to the Traffic Study, and such supplementary information and projections as Council or the Township Engineer may require to clarify or justify the findings of the Traffic Study.

**Section 72-6.A.8 Permits**

A Zoning/Building permit shall be required prior to the erection, construction or alteration of any structure proposed in relation to those uses enumerated in this Article.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that:

SECTION 2. Article XI of the Township Zoning Ordinance is amended to incorporate the new R-4 zoning district in the specific sections as follows:

Section 72-11.71 Conditions for Lot-Averaging Development

A. This Article hereby establishes the option of lot-averaging developments subject to the restrictions, qualifications, and provisions of this Article. LA-1 shall be permitted in the R-1 District; LA-2 shall be permitted in the R-2 District; and LA-4 shall be permitted in the R-4 District.

B. The minimum site requirement shall be five (5) contiguous acres for LA-1, LA-2 and LA-4.

C. Maximum Number of Lots – The maximum number of lots that may be created in a tract utilizing lot-averaging shall be determined in accordance with the provisions of the existing zoning in that zoning district. In any event, the average size of all developed lots under this Ordinance shall be at least forty thousand (40,000) square feet in LA-1, twenty thousand (20,000) square feet in LA-2, and thirty thousand (30,000) square feet in LA-4.

D. Area Regulations – The following minimum area regulations shall be applicable subdivisions utilizing the lot-averaging option:

	R-1	R-2	R-4
Lot Size	25,000 sq. ft.	15,000 sq. ft.	30,000 sq. ft.
Lot width at setback line	115 ft.	90 ft.	125 ft.
Front yard (15% of the total number of lots can be 30' in R-1)*	40 ft.	30 ft.	40 ft.
Side Yards: aggregate	40 ft.	40 ft.	40 ft.
Side Yards: individual	20 ft.	20 ft.	20 ft.
Rear Yard: (interior)	40 ft.	40 ft.	40 ft.
Rear Yard: (exterior)	60 ft.	50 ft.	60 ft.
Impervious Surface	20%	20%	20%
Lot Depth	150 ft.	120 ft.	150 ft.

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\*Additional percentage (%) can be recommended by the Planning Commission if they deem it to be in the best interest of the development to protect the environment.

E. General Controls:

2. For the purposes of determining the average lot size in a subdivision created pursuant to this Section, the maximum lot size is one hundred thousand (100,000) square feet in R-1, fifty thousand (50,000) square feet in R-2, and seventy-five thousand (75,000) square feet in R-4.

Section 72-11.72 Lot Averaging Development Standards

A. General Site Design

4. No more than two (2) lots in a row can be of the minimum square footage for that district, and the average lot area of any three (3) consecutive lots shall equal at least seventy-five percent (75%) of the standard lot size in R-1, at least eighty-five percent (85%) of the standard lot size in R-2, and at least eighty percent (80%) of the standard lot size in R-4.

F. Traffic Access and Circulation

1. Traffic Access:

c. Principal (primary) access to a LA-1, LA-2 or LA-4 site shall be from either an arterial or collector street, as designated on the O'Hara Street Classification Map, subject to the provisions of this Article. Lot-averaged development of forty (40) dwellings or more shall provide one (1) or more secondary accesses, also from an arterial or collector street, as determined necessary during the development plan review.

All other provisions of Article XI, Sections and Subsections shall remain in effect.

**WHEREAS**, the Township Council held a public hearing on the adoption of the amendments on \_\_\_\_\_.

**ORDAINED AND ENACTED INTO LAW** this \_\_\_\_\_ day of \_\_\_\_\_, 2018 by Council vote of \_\_\_ to \_\_\_.

TOWNSHIP OF O'HARA

ATTEST:

\_\_\_\_\_  
Julie A. Jakubec, CPA, CGMA  
Township Manager

\_\_\_\_\_  
Robert John Smith  
President of Council

First Reading	<u>Stewart – Eccles</u>	<u>6 - 0</u>	<u>07/10/2018</u>
Public Hearing	_____	_____	_____
Adopted	_____	_____	_____
Advertised	_____	Codified	_____