



SOUTH FAYETTE T O W N S H I P

A Community Growing Together

MARCH 16, 2016 – 6:00 PM BOARD OF COMMISSIONERS CONTINUED MEETING AGENDA (3/9/16)

1. ROLL CALL

2. PUBLIC COMMENT *

3. OLD/UNFINISHED BUSINESS

A. DISCUSS AND CONSIDER ORDINANCE 3 OF 2016, CREATING A NEIGHBORHOOD DESIGN DISTRICT

Documents: [Ordinance 3 Of 2016 - Creation Of A Neighborhood Design District.pdf](#)

B. DISCUSS AND CONSIDER ORDINANCE 4 OF 2016, AMENDING THE TOWNSHIP ZONING MAP

Documents: [Ordinance 4 Of 2016 - Amending The Township Zoning Map.pdf](#)

C. DISCUSS AND CONSIDER CARDILLO FARMING AGREEMENT

Documents: [Cardillo License Agreement 2016.Pdf](#)

4. PUBLIC COMMENT *

5. EXECUTIVE SESSION

6. ADJOURNMENT

* The Board will hear comments from residents and/or taxpayers. The time limit of comments will not exceed three (3) minutes. The Board will not respond to questions during this session, but will only hear public comment.

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TOWNSHIP OF SOUTH FAYETTE
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. _____ OF 2016

AN ORDINANCE OF THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 240 OF THE SOUTH FAYETTE TOWNSHIP CODE OF ORDINANCES, BY AMENDING ARTICLE II, SECTION 240.9, PARTICULAR MEANINGS BY THE ADDITION OF DEFINITIONS FOR THE TERMS CORE AREA AND NEIGHBORHOOD DESIGN DEVELOPMENT; BY AMENDING ARTICLE III, SECTION 240-11 "ZONING DISTRICTS", BY ADDING THE ND NEIGHBORHOOD DESIGN DISTRICT; BY ADDING ARTICLE XII.C ND NEIGHBORHOOD DESIGN DISTRICT; SECTION 240-76.16 PURPOSE; SECTION 240-76.17 RELATIONSHIP TO OTHER ORDINANCES; SECTION 240.76.18 PUBLIC WATER AND SEWER; SECTION 240-76.19 AUTHORIZED USES; SECTION 240-76.20 AREA AND BULK REGULATIONS; SECTION 240-76.21 OFF-STREET PARKING AND LOADING; SECTION 240-76.22 SIGNS; SECTION 240.76.23 RESERVED COMMON OPEN SPACE STANDARDS; SECTION 240-76.24 ADDITIONAL DESIGN STANDARDS; SECTION 240-76.25 MODIFICATIONS

WHEREAS, the Board of Commissioners of the Township of South Fayette has determined, after review and consultation with the Township's Planning Department and outside consultants, that the Township's Zoning Ordinance does not currently provide for a zoning district that would accommodate a mixture of residential and non-residential uses ; and

WHEREAS, after study, review, public comment, notice and public hearings, pursuant to the Municipalities Planning Code, as codified at 53 P.S. §10101, et. seq., the South Fayette Code and other applicable laws of the Commonwealth of Pennsylvania, the Board of Commissioners of the Township of South Fayette have determined that it is in the interest of public health, safety and welfare to establish a Neighborhood Design District that would provide for a mixture of residential and non-residential uses that could be established under certain requirements as set forth in the Ordinance.

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

- 1. Chapter 240, Article II of the South Fayette Code of Ordinances is amended by the inclusion of the following :**

Article II

§ 240-9 Particular meanings.

CORE AREA

An area of land within a Neighborhood Design development, containing a mixture of permitted residential and non-residential uses. More than one core area shall be permitted within a Neighborhood Design development.

NEIGHBORHOOD DESIGN DEVELOPMENT

An area of land typically developed for a compatible mixture of residential units and nonresidential commercial and workplace uses, including some structures that provide for a mix of uses within the same building. Residences, shops, offices, workplaces, public buildings and parks are generally interwoven within the development so that all are within relatively close proximity to each other. Neighborhood Design development is relatively compact and oriented toward pedestrian activity. Generally it has a center and an edge. Generally, the streets are laid out with an interconnected network of streets and blocks that provides multiple routes from origins to destinations and are appropriately designed to serve the needs of pedestrians and vehicles equally. Neighborhood Design development balances form and function.

- 2. Chapter 240, Article III of the South Fayette Code of Ordinances is amended by the inclusion of the following :**

Article III

§ 240-11 Zoning districts.

The Township is divided into the districts set forth by this chapter and as shown by the district boundaries on the Official Zoning District Map. The zoning districts are:

ND Neighborhood Design District

3. Chapter 240, of the South Fayette Code of Ordinances is amended by the inclusion of the following Article XIIC Neighborhood Design District :

Article XIIC ND Neighborhood Design District

§ 240-76.16 Purpose.

The purpose of this district is:

- A. To provide for a more varied, innovative, and efficient development pattern consistent with traditional patterns and scale of development, a mix of uses, and designs that occurred prior to newer suburban development patterns.
- B. To encourage a balance between neighborhood form and function.
- C. To promote a mix of diverse but compatible types of neighborhood development.
- D. To avoid development that could cause inefficient patterns of development.
- E. To encourage a blend housing at a moderate density to serve various age groups and types of housing.
- F. To provide for safe and convenient pedestrian, bicycle and vehicle circulation;
- G. To provide walkable development patterns and shift the focus from motor vehicles to pedestrians and bicycles.
- H. To encourage persons to work, shop, and recreate in and around the neighborhood within which they live.
- I. To encourage the creation of a sense of place and a community spirit that promotes social interaction.
- J. To provide an efficient use of land, resulting in smaller networks of utilities and streets and lower housing and infrastructure maintenance costs.

§ 240-76.17 Relationship to other ordinances.

- A. The standards, provisions, regulations and requirements of this article shall supersede all standards, requirements, regulations and provisions of the Township Code, including the Township Subdivision and Land Development Ordinance that are in conflict with the standards, requirements and provisions set forth in this article. Except for the Zoning Ordinance, to the extent that a standard, provision, regulation and requirement is not specifically referenced in or regulated by this article, then the applicable chapter of the Township Code shall govern.

- B. Clear sight triangles shall only be required at intersections which do not have stop control devices. At intersections with stop control devices, applicants shall be required to calculate and provide adequate minimum safe sight distances in accordance with this article.

§ 240-76.18 Public water and sewer required.

The Neighborhood Design development site shall be served by public water and public sewer.

§ 240-76.19 Authorized uses.

In the ND Neighborhood Design District, Neighborhood Design developments are permitted by right. The following uses are only permitted by right when established as part of, and within an approved Neighborhood Design development:

A. Permitted uses.

(1) Principal uses.

(a) Residential uses.

- [1] Multifamily dwelling.
- [2] Single-family dwelling.
- [3] Two-family dwelling.

(b) Non-residential uses. Except as noted below, the following uses shall only be permitted within one or more core areas of a Neighborhood Design development as depicted on the preliminary plan for the entire Neighborhood Design development:

- [1] Agricultural sales, subject to § 240-95A(48).
- [2] Apartment in combination with business or non-residential use, subject to § 240-95A(3).
- [3] Bar or tavern.
- [4] Bed-and-breakfast, subject to § 240-95A(4), excluding § 240-95A(4)(b).
- [5] Business or professional office.
- [6] Business services.

- [7] Contracting business.
- [8] Day-care center, subject to § 240-95A(15), but excluding §§ 240-95A(15)(c), 240-95A(15)(d) and 240-95A(15)(f).
- [9] Educational studio.
- [10] Financial institution.
- [11] Firehouse, subject to § 240-95A(9), but excluding § 240-95A(9)(d).
- [12] Hotel.
- [13] Incidental mineral removal, subject to § 240-95A(28), but excluding §§ 240-95A(28)(d) and 240-95A(28)(e). This use shall also be permitted outside of a core area.
- [14] Medical office; medical clinic.
- [15] Nursing home, subject to § 240-95A(32), but excluding §§ 240-95A(32)(b) and § 240-95A(32)(j).
- [16] Personal services.
- [17] Pet services.
- [18] Place of assembly. This use shall also be permitted outside of a core area, provided the use is (1) depicted in an area designated as reserved common open space on a preliminary plan for the entire Neighborhood Design development, (2) owned and operated by a homeowners or condominium association, and (3) primarily intended for use by the Neighborhood Design development residents and their guests.
- [19] Planned shopping center, subject to § 240-95A(36), but excluding §§ 240-95A(36)(b), 240-95A(36)(e) and 240-95A(36)(j).
- [20] Private club, subject to § 240-95A(37), but excluding §§ 240-95A(37)(b), 240-95A(37)(c), 240-95A(37)(d) and 240-95A(37)(i).
- [21] Public building, other than Township-related facilities, subject to § 240-95A(9), but excluding § 240-95A(9)(d).
- [22] Public parking lot; public parking garage, subject to § 240-95A(33), but excluding § 240-95A(33)(a).

[23] Recreation:

- [a] Public, subject to § 240-95A(38), but excluding § 240-95A(38)(c). This use shall also be permitted outside of a core area, provided the use is (1) depicted in an area designated as reserved common open space on a preliminary plan for the entire Neighborhood Design development, (2) owned and operated by a homeowners or condominium association, and (3) primarily intended for use by the Neighborhood Design development residents and their guests.
- [b] Commercial, subject to § 240-95A(10), but excluding § 240-95A(10)(b).
- [c] Noncommercial, subject to § 240-95A(38), but excluding § 240-95A(38)(c). This use shall also be permitted outside of a core area, provided the use is (1) depicted in an area designated as reserved common open space on a preliminary plan for the entire Neighborhood Design development, (2) owned and operated by a homeowners or condominium association, and (3) primarily intended for use by the Neighborhood Design development residents and their guests.

[24] Repair shop.

[25] Reserved common open space. This use shall also be permitted outside of a core area.

[27] Restaurant (carry-out, fast-food or sit-down).

[28] Retail store.

[29] Retirement community, subject to § 240-95A(40), but excluding § 240-95A(40)(b).

[30] School:

- [a] Public, subject to § 240-95A(9), but excluding § 240-95A(9)(d).
- [b] Private, subject to § 240-95A(9), but excluding § 240-95A(9)(d).
- [c] Commercial.

- [31] Temporary use or structure, other than a construction trailer, model home, or sales office, subject to § 240-95A(42).
 - [32] Township-related facility. This use shall also be permitted outside of a core area.
 - [33] Water tower; water storage facility.
 - [34] Comparable uses not specifically listed, subject to § 240-95A(13) and § 240-76.25, except where Zoning Hearing Board is referenced, it shall mean the Board of Commissioners.
- (c) Mixed uses. Mixed uses, consisting of combinations of residential and non-residential uses permitted in the ND Neighborhood Design District shall be permitted to occupy the same building or lot, provided the applicable requirements of this article are met. Uses shall be permitted to be mixed both on the horizontal and vertical plane.
 - (d) Multiple Uses. More than one principal use or structure shall be permitted to occupy the same lot, provided the applicable requirements of this article are met.
- (2) Accessory uses.
 - (a) Signs, subject to Article XVIII.
 - (b) Off-street parking and loading, subject to Article XVII.
 - (c) Fences, subject to § 240-99.
 - (d) Other accessory uses customarily incidental to and on the same lot with any permitted use authorized in this District.
 - (e) Private residential swimming pools or sport courts, subject to § 240-99.
 - (f) Private garages and storage buildings, subject to § 240-99.
 - (g) No-impact home based businesses, subject to § 240-106.
 - (h) Keeping of domestic pets.
 - (i) Garage sales and temporary auto sales, subject to § 240-109.
 - (j) Communication antenna mounted on an existing building or existing public utility storage or transmission structure, subject to § 240-95A(12).

- (k) Temporary construction trailer, model home or sales office, subject to § 240-95A(49).
- (l) Home occupation, subject to § 240-95A(21).
- (m) Family day-care home, subject to § 240-95A(17).
- (n) Drive-through facilities, subject to § 240-102A and § 240-102B.
- (o) Administrative offices.
- (p) Retail sales of products produced on site.

§ 240-76.20 Area and Bulk Regulations.

In the ND Neighborhood Design District, all uses shall be subject to the following regulations. The area and bulk regulations provided in this section shall supersede all area and bulk regulations for specific uses provided in § 240-95 or elsewhere in the chapter that are in conflict with the area and bulk regulations set forth in this section.

A. Overall Neighborhood Design development site area standards.

- (1) Minimum overall area of Neighborhood Design development site: 50 contiguous acres.
- (2) Maximum lot coverage: 70% of overall Neighborhood Design development site area included as part of a Neighborhood Design development site under this article.
- (3) Minimum reserved common open space: 25% of overall Neighborhood Design development site area included as part of a Neighborhood Design development site under this article.
- (4) Required mix of residential uses. The Neighborhood Design development site must include a minimum of three different categories of permitted dwelling types (i.e. single-family dwelling and two-family dwelling; triplex, fourplex and townhouse; and multifamily dwelling). No one permitted dwelling type shall be less than 15% or more than 50% of the total number of permitted dwelling units.
- (5) Maximum dwelling unit density per gross acre of overall Neighborhood Design development site area included as part of a Neighborhood Design development site under this article: 8.5.
- (6) Minimum nonresidential development of overall Neighborhood Design development site. There shall be a minimum of 50,000 square feet of nonresidential building gross floor area within the Neighborhood Design development site,

devoted entirely to commercial use. A minimum of 25,000 square feet of nonresidential building gross floor area shall be included on the final plan for the initial phase of the Neighborhood Design development. The initial 25,000 square feet of nonresidential building gross floor area must be constructed (1) within 3 years of the recording date of the final plan for the initial phase of the Neighborhood Design development, or (2) prior to approval of the final plan for the phase immediately following the initial phase, whichever occurs earlier. 50,000 square feet of nonresidential building gross floor area shall be constructed before completion of construction of not more than seventy-five (75%) percent of the total approved dwelling units as depicted on the preliminary plan for the entire Neighborhood Design development.

- (7) Minimum buffer area: Buffer Area A, as defined in § 240-98B of this chapter, shall be provided along all property lines on the perimeter of a Neighborhood Design development site adjoining an R-1, R-2, R-3 or R-4 District.

B. Minimum lot area.

- (1) Single-family dwelling and two-family dwelling: 4,000 square feet per dwelling unit.
- (2) Triplex, fourplex and townhouse: 1,400 square feet per dwelling unit.
- (3) Multifamily dwelling, mixed use (residential and non-residential) building and nonresidential principal uses: There shall be no minimum lot area. Lot area shall be based on required yards, parking, building separations, environmental limitations and other applicable criteria.

C. Minimum lot frontage (on a public or private street, including alleys, or on an open space area located between and adjoining both such lot and a street or alley, provided the lot adjoins and has access to at least one street or alley).

- (1) Single-family dwelling, two-family dwelling, triplex, fourplex and townhouse: 20 feet per dwelling unit.
- (2) Multifamily dwelling and nonresidential principal uses: 60 feet.
- (3) Mixed use (residential and non-residential) building: 40 feet.

D. Minimum lot width.

- (1) Single-family dwelling and two-family dwelling: 40 feet per dwelling unit.
- (2) Triplex, fourplex and townhouse: 20 feet per dwelling unit.
- (3) Mixed use (residential and non-residential) building: 40 feet.

- (4) Multifamily dwelling and all other principal uses: 60 feet.
- E. Minimum front yard.
- (1) Single-family dwelling, two-family dwelling, triplex, fourplex and townhouse structure: 5 feet.
 - (a) Single-Family Dwelling Units Fronting on a Public Street. For single-family dwelling units with frontage on a public street, the buildings shall be set back a minimum of nine feet from the edge of the cartway.
 - (2) Multifamily dwelling, mixed use (residential and non-residential) structure and all other principal structures: 10 feet.
 - (3) Accessory structures: The regulations of § 240-76.20H shall apply.
- F. Minimum rear yard.
- (1) Single-family dwelling, two-family dwelling, triplex, fourplex and townhouse structure: 20 feet, or 5 feet if the building is served by rear alley access.
 - (2) Multifamily dwelling, mixed use (residential and non-residential) structure and all other principal structures: 5 feet.
 - (3) Accessory structures: The regulations of § 240-76.20H shall apply.
- G. Minimum side yard:
- (1) Single-family dwelling, two-family dwelling, multifamily dwelling and all other detached principal structures:
 - (a) Interior lots (i.e. not corner lots): 5 feet.
 - (b) Corner lots: 5 feet.
 - (2) Triplex, fourplex, townhouse and all other attached principal structures:
 - (a) Attached side: 0 feet.
 - (b) Unattached side: 5 feet.
 - (3) Accessory structures: The regulations of § 240-76.20H shall apply.
- H. Yard requirements for accessory structures. Except as provided below, the regulations of § 240-99 shall apply.

(1) Except as provided below, all accessory structures shall be set back a minimum of five feet from the rear and side property lines, and shall not be located in the front yard.

(a) Fences and walls.

[1] Fences and walls no greater than four feet in height shall be permitted in the required front yard, provided they are located at least one foot off the property line.

[2] The minimum required openings set forth in § 240-99C(3)(c) shall not apply.

[3] Fences and walls no greater than six feet in height shall be permitted in the required side or rear yard, provided they are located at least one foot off the property lines.

(b) Residential accessory storage structures and garages that are not attached to the principal building shall be set back the minimum distances from the rear and side property lines:

[1] Unattached side: 5 feet.

[2] Attached side (to another accessory storage structure or garage): 0 feet.

(c) Signs and off-street parking areas shall be permitted to be located in the front yard, subject to the requirements of Articles XVII and XVIII.

I. Attached townhouse units. Individual townhouse buildings shall be permitted to contain not more than eight attached dwelling units.

J. Building separation. Unless buildings are attached, the minimum separation between multifamily dwelling, mixed use (residential and non-residential) building and nonresidential principal buildings on the same lot, excluding accessory structures, at any point shall not be less than 10 feet, unless a lesser distance is permitted by the Township Building Code.

K. Permitted projection into required yards. The following shall be permitted to project into any required yard:

(1) An unenclosed porch, deck or patio shall be permitted to intrude into a required yard a maximum of 50% of the required yard, provided there shall be a minimum setback of 5 feet.

L. Maximum height.

- (1) Building height. Unless otherwise provided below, the maximum building height shall be measured from the highest point of the foundation to the lowest point on the eaves.
 - (a) Single-family dwelling and two-family dwelling: 30 feet.
 - (b) Triplex, fourplex and townhouse: 35 feet.
 - (c) Multifamily dwelling and mixed use (residential and non-residential) building:
 - [1] Habitable space: 40 feet.
 - [2] Architectural and non-habitable features: 65 feet.
 - (d) Nonresidential building:
 - [1] Habitable space: 50 feet.
 - [2] Architectural and non-habitable features: 65 feet.
 - (e) Accessory residential buildings:
 - [1] With habitable space above the ground floor: 20 feet.
 - [2] Without habitable space above the ground floor: 10 feet.
- (2) Height exceptions: The regulations of § 240-101 shall apply.

M. Building Materials. The exterior finishes of all principal residential and nonresidential buildings and private garages (but excluding the roof, trim around windows and doors, flashing, minor architectural features and ornamentation and the like) shall be constructed out of brick, cultured stone, stucco (when used as an accent to other approved building materials), cementitious siding or combination of the foregoing, or as otherwise approved by the Township Manager or designee. All principal residential and nonresidential buildings and private garages shall have brick or cultured stone to grade construction, being that no portion of the building between the ground and any bottom of the first floor shall show exposed concrete block. No vinyl or aluminum siding shall be permitted on principal residential and nonresidential buildings and private garages. All buildings shall be constructed in accordance with the Township Building Code.

§ 240-76.21 Off-Street Parking and Loading. Except as provided below, the regulations of Article XVII shall apply.

A. Off-street parking.

(1) Access.

- (a) The number of access drives from a single lot or development to any public or private street, excluding alleys, shall not exceed two for every 100 feet of street frontage. This excludes individual driveways for single-family dwellings, two-family dwellings, triplexes, fourplexes and townhouses, which shall be limited to only one driveway per dwelling unit.
- (b) Access drives shall be located at least 50 feet from the intersection of any two street right-of-way lines.
- (c) Where a site has frontage on more than one street, access shall be provided from the street with the lower traffic volume, if physically practical. This excludes individual driveways for residential uses.

(2) Location of parking areas.

- (a) Except for single-family dwellings or where on-street parking is permitted, required parking spaces shall not be required to be located on the same lot with the principal use.
- (b) All parking areas containing more than five parking spaces shall be located at least five feet from any adjoining residential lot.

(3) Off-street parking requirements.

(a) Residential uses.

[1] Minimum parking spaces required for triplex, fourplex and townhouse: 2 parking spaces per dwelling unit.

(b) Nonresidential uses. Except as provided below, the regulations of § 240-112 shall apply to the minimum parking spaces required for nonresidential uses.

[1] Day-care center and nursery school: 1 space per 500 square feet of net floor area.

[2] Medical office and medical clinic: 1 space per 250 square feet of gross floor area.

[3] Restaurant, bar and tavern: 1 space per 3 seats.

[4] Any use with membership exclusive to the Neighborhood Design development, operated by the homeowners' or condominium association, or for use primarily by the Neighborhood Design development residents and their guests: ½ of the number of spaces normally required for uses listed in § 240-112.C.

(c) Mixed uses. The required off-street parking shall be equal to no less than the sum of the off-street parking required for each of the mixed uses.

(d) Shared parking. Except as provided below, the regulations of § 240-111E shall apply. Parking shall be permitted to be located off-site, on a separate lot under separate ownership.

(4) On-street parking. Notwithstanding any other Township standard, provision, regulation or requirement, on-street parking shall be permitted along all streets except as prohibited under Pennsylvania Motor Vehicle Code. Required off-street parking spaces shall be permitted to be satisfied through on-street parking spaces located within 600 feet of the entrance to a building or use, that is regularly used by patrons and/or occupants. The on-street parking spaces shall be directly accessible by pedestrians using sidewalks or other designated pedestrian pathways.

B. Off-street loading.

(1) Location. Loading berths shall be permitted to be located in alleys. Loading berths shall be located at least 25 feet from the nearest point of intersection of any two streets, excluding alleys.

(2) Screening. For purposes of determining compliance with the screening regulations in § 240-113A(4), screening shall not be required to separate nonresidential uses from residential uses located in the same mixed use building.

§ 240-76.22 Signs. Except as provided below, the regulations of Article XVIII shall apply.

A. Signs authorized in all zoning districts. Except as provided below, signs in the Neighborhood Design development site shall comply with the sign regulations in § 240-117.

(1) On-premises directional signs. For purposes of this article and § 240-117H, the term "on-premises" and phrase "on the premises" shall include the Neighborhood Design development site.

B. Signs for nonresidential uses shall comply with the C-2 district sign regulations in § 240-119.

C. Other permitted signs.

- (1) Definition. Major development/project-welcome sign. A large, freestanding sign erected during the period of construction and/or development of a property by the contractor/developer or their agent. Upon completion of the timeframe listed in this article and removal of the "major development" message/content, the sign shall be permitted to contain the development name, logo and could also contain the phrase "Welcome to" or similar project message, and shall be permitted to include advertising for on-premises businesses. Such signs shall be permitted on the Neighborhood Design development site, provided that:
 - (a) This sign shall be permanent, except that the "major development" message/content shall be removed within 30 days of the sale or rental of the last lot/space or completion of the proposed construction in the development.
 - (b) The surface area of any one sign shall not exceed 150 square feet and the height shall not exceed 20 feet.
 - (c) The signs shall be permitted to be double sided.
 - (d) The sign shall be permitted to be illuminated or nonilluminated.
 - (e) There shall be no more than two (2) major development/project-welcome signs per Neighborhood Design development.
 - (f) The minimum lateral distance between major development/project-welcome signs shall be 1,000 feet.

§ 240-76.23 Reserved Common Open Space Standards

A. General standards for reserved common open space designation.

- (1) Definition. Reserved common open space. A lot or portion thereof that is located within, adjacent to, or across a public street from a Neighborhood Design development site and is reserved for the use and enjoyment of the residents of a Neighborhood Design development site and/or the general public, including floodplains and stormwater management basins, but not including streets and off-street parking areas.
- (2) The location and layout of the reserved common open space shall be designed and configured so as to serve residents of the Neighborhood Design development site and/or the general public and achieve at least one of the following objectives, and the applicant shall demonstrate those specific measures employed to achieve these objectives:

- (a) Protection of important natural resources (e.g., streams, ponds, wetlands, steep slopes, woodlands, unique geologic features, wildlife habitats, aquifer recharge areas, etc.);
 - (b) Protection of important historical and/or archaeological sites;
 - (c) Provision of usable areas that are conveniently accessible to residents within the Neighborhood Design development site and/or the general public;
 - (d) Integration of greenbelts and trails throughout the Neighborhood Design development site that link residences with onsite or adjoining parks, schools, or other similar features;
 - (e) The dedication of reserved common opens space at a site deemed appropriate by the Board of Commissioners and that involves land that is clearly suitable for active and/or passive recreation; and
 - (f) The provision of reserved common open space in a location that will allow homes to be buffered from nuisance-generating uses, such as a heavily traveled street or industrial uses. In such case, intensive landscaping and/or planting for eventual reforestation shall be provided.
- (3) Areas devoted to stormwater management facilities shall be permitted to be included within the minimum required reserved common open space area where such facilities are integrally incorporated into the overall open space design using best management practices to:
- (a) Promote recharge of the groundwater system;
 - (b) Be available and appropriate for active or passive recreational use or scenic enjoyment; and
 - (c) Otherwise conform to the purposes, standards, and criteria for reserved common open space set forth in this article.
- B. Standards for ownership of reserved common open space. Reserved common open space shall be reserved for open space or passive or active recreational use by deed restriction, conservation easement, or other agreement in a form acceptable to the Township and duly recorded in the Office of the Recorder of Deeds of Allegheny County. Subject to such permanent restrictions, reserved common open space land in any Neighborhood Design development site shall be permitted to be owned by a homeowners' or condominium association, the Township, a land trust or other conservation organization recognized by the Township, or by a similar entity, shall be permitted to remain in private ownership, or any combination thereof in accordance with § 240-90B.

§ 240-76.24 Additional Design Standards.

A. Streets. See Appendix 1, but also the additional design standards as follows:

- (1) Frontage required. Frontage on a public street is not required, but each lot shall have frontage in accordance with § 240-76.20C.
- (2) Private alleys.
 - (a) Alleys, as defined by Chapter 215 the Township Subdivision and Land Development Ordinance, shall be permitted in Neighborhood Design development sites.
 - (b) Alleys shall be constructed in accordance with Township Construction Standards and shall meet the minimum design standards shown in Appendix 1 for local streets.
- (3) Layout. Intersections of four streets at one point shall be permitted.
- (4) Right-of-way and paving widths. Minimum widths of rights-of-way and minimum widths of paving shall be provided in accordance with the requirements specified Appendix 1 for permitted street types / sections of streets and alleys.
- (5) Block pattern. Street rights-of-way shall be permitted with 10 foot minimum paved radii.
- (6) Visibility, minimum safe sight distance.
 - (a) At all proposed driveways and intersections, minimum acceptable sight distance shall be provided for all permitted turning movements.
 - (b) The minimum acceptable sight distance values shall be calculated and provided in accordance with the Figures SF-4, SF-5 and SF-6 of the Township Construction Standards & Appurtenances last amended April 7, 2010. Adequate minimum safe sight distance shall be measured from the edge of the main traveled portion of any highway (i.e. edge of travel lane or travel way), exclusive of shoulder, auxiliary lane, and on-street parking lane, as opposed to edge of pavement.
- (7) Roadway design.
 - (a) Horizontal alignment.
 - [1] Horizontal radius. Minimum centerline radius: 100 feet.

[2] Reverse curve. Reverse curbs shall be permitted with minimum 10 foot tangent.

[3] Emergency access. Suitable access for emergency vehicles shall be provided within all Neighborhood Design development sites, including adequate clear width and height, and including access to reach all principal buildings.

(b) Intersection design.

[1] Distance between intersections. Minimum distance between local street intersections: 150 feet.

[2] Minimum distance between local streets and alleys: 75 feet.

(c) Materials.

[1] Road cross slope, thickness and materials shall be in accordance with the Township's standard details in the Township Construction Standards.

B. Curbs.

(1) Curbs shall not be required along collector streets, as defined by this chapter.

(2) In addition to the other permitted materials, curbs shall be permitted to be constructed of Belgian block or granite segments, in accordance with Appendix 2. Repair and replacement of Belgian block or granite curbing shall be the responsibility of the owner of the property abutting such curbing and/or a homeowners' or condominium association.

C. Sidewalks. In lieu of providing a sidewalk along the frontage of a collector street, as defined by this chapter, a minimum eight foot wide sidewalk or eight foot wide trail, paved to Township standards, shall be permitted to be constructed elsewhere on the property, at a location mutually agreed to by the Township and the Applicant, and within an easement or other right-of-way granted by the Applicant, provided that such alternative trail or sidewalk is open to the public and creates a continuous pedestrian pathway connecting either end of the property at points along or near such collector street. Notwithstanding the foregoing, neither the sidewalk along the collector street nor such alternative trail or sidewalk shall be required to extend or cross over railroads, streams, floodplains, steep slopes or other natural features that would require the construction or widening of a bridge or culvert.

- D. Fees in lieu of dedication of land for recreation.
 - (1) In Neighborhood Design developments, payment of fees in lieu of dedication of land, calculated based on the number of dwelling units, shall be permitted in lieu of dedication or provision of recreation land required under § 215-70 of the Township Subdivision and Land Development Ordinance. The fee attributable to each dwelling unit (including apartment units) shall be paid upon approval of each phase of development and in conjunction with issuance of the first building permit for that phase.
- E. Lot frontage. Frontage on a public street right-of-way is not required, but all lots created by a subdivision shall have frontage in accordance with § 240-76.20C.
- F. Stormwater management facilities.
 - (1) Basins.
 - (a) Slopes of open stormwater detention basins shall have slopes of 3 horizontal to 1 vertical; slopes greater than 3:1 shall be permitted if accompanied by a geotechnical engineering report to providing recommendations of the same. Walls may be permitted to transition grades where necessary as long as fencing of the basin is provided, where walls exceed 4 feet in height.
 - (b) Subsurface stormwater basins. Subsurface stormwater basins shall be permitted stormwater management facilities.
- G. Sewer and water dedication. Sewer and water dedications shall not be a pre-requisite to issuance of building permits. Final release of the public improvement bond may be held as assurance of dedication.

§ 240-76.25 Modifications.

The Board of Commissioners may approve the modification of the provisions of this article, and any provision of the Zoning Ordinance that is referenced in this article, in order to encourage innovation and provide flexibility in the design of Neighborhood Design sites. Any approved modification of the requirements of this article shall be subject to the following standards.

- A. The modification is consistent with the purpose and intent of this article.
- B. The modification will not result in any danger to the public health or welfare or in adverse impact to adjoining properties or future inhabitants of the Neighborhood Design development site.
- C. The modification will not result in an increase in residential densities permitted for the Neighborhood Design development site area.

D. The modification will allow for equal or better results and represent the minimum amount of relief necessary.

4. 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.
5. All ordinances and parts of ordinances inconsistent with the terms of this 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.
6. 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.
7. This Ordinance shall be in full force and effect from and after its passage and publication as required.

ORDAINED AND ENACTED INTO LAW, this ____ day of _____, 2016.

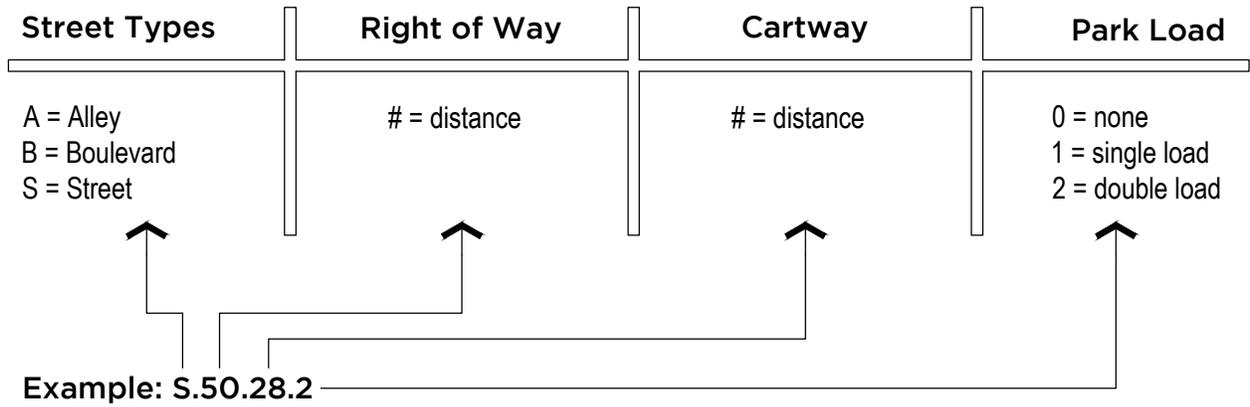
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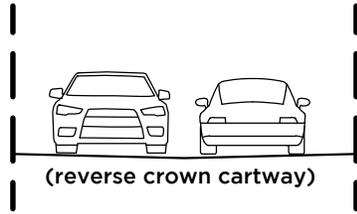
TOWNSHIP OF SOUTH FAYETTE

RYAN EGGLESTON
TOWNSHIP SECRETARY

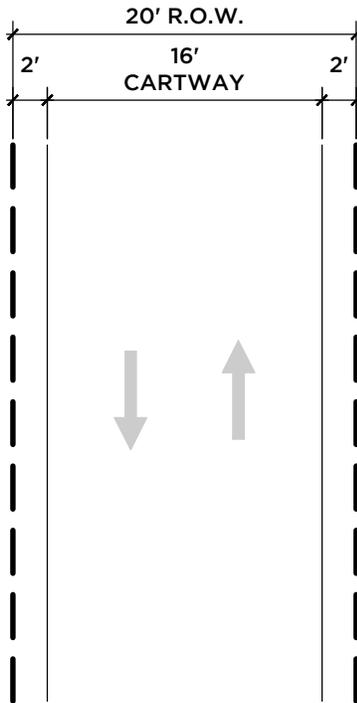
By: _____
JOSEPH HOROWITZ CHAIRMAN
BOARD OF COMMISSIONERS

Street sections



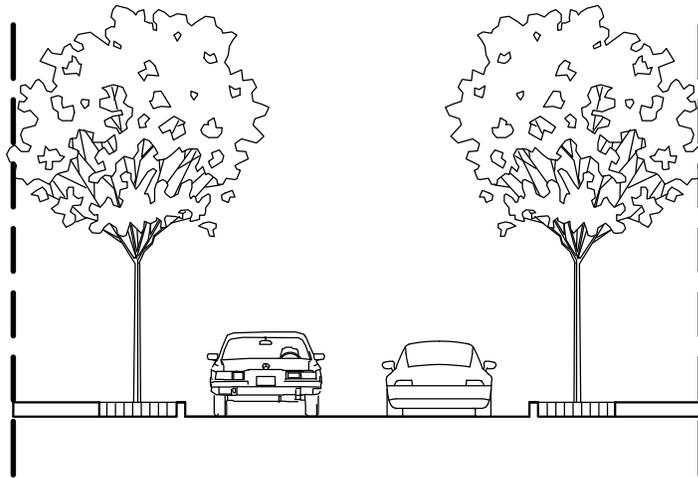


A.20.16.0

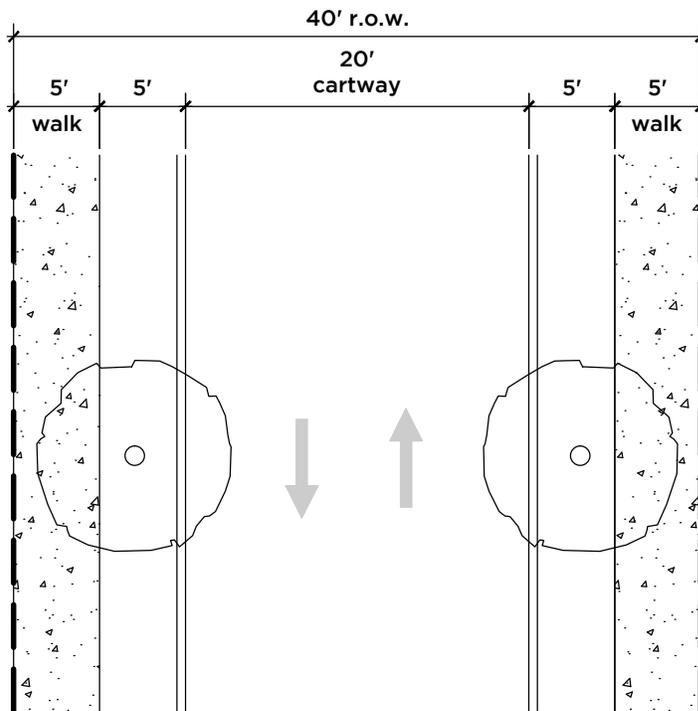


ALLEY
A.20.16.0

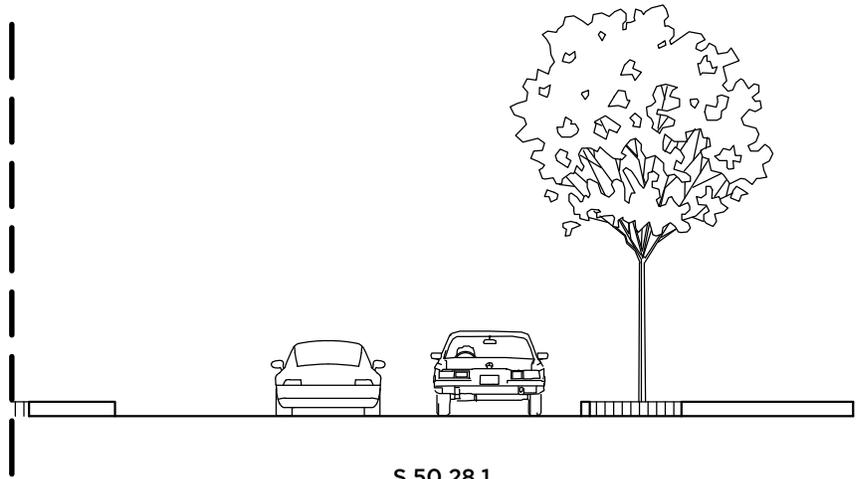
(2-way travel no parking)



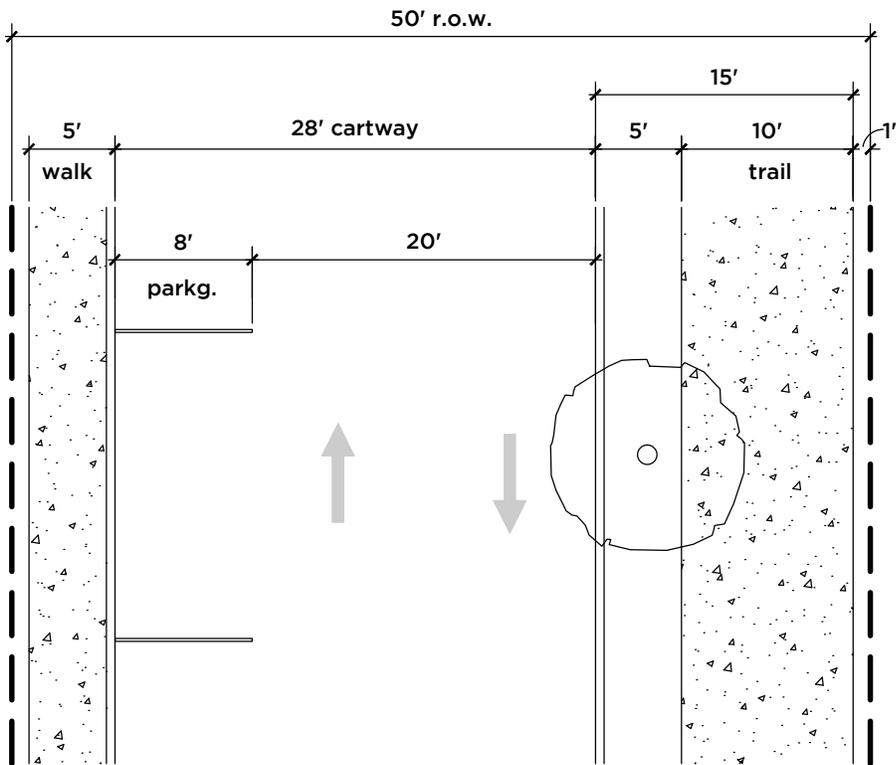
S.40.20.0



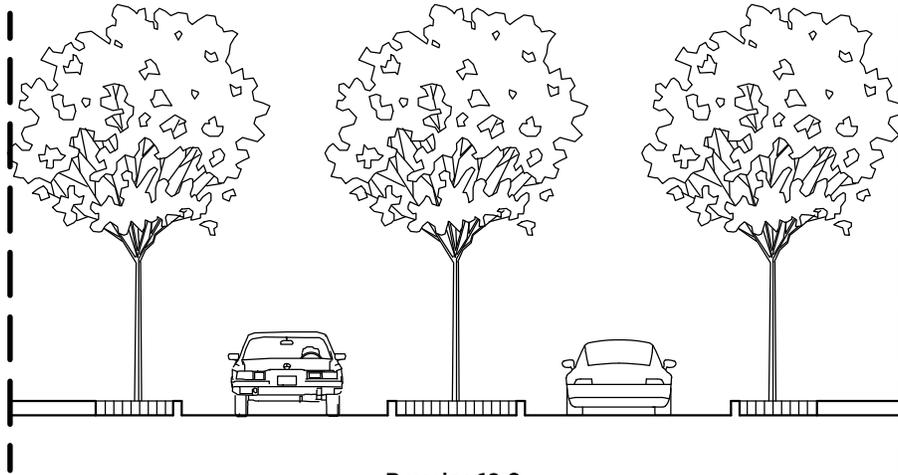
NEIGHBORHOOD STREET - LOW TRAFFIC
S.40.20.0
 (2-way travel no parkg.)



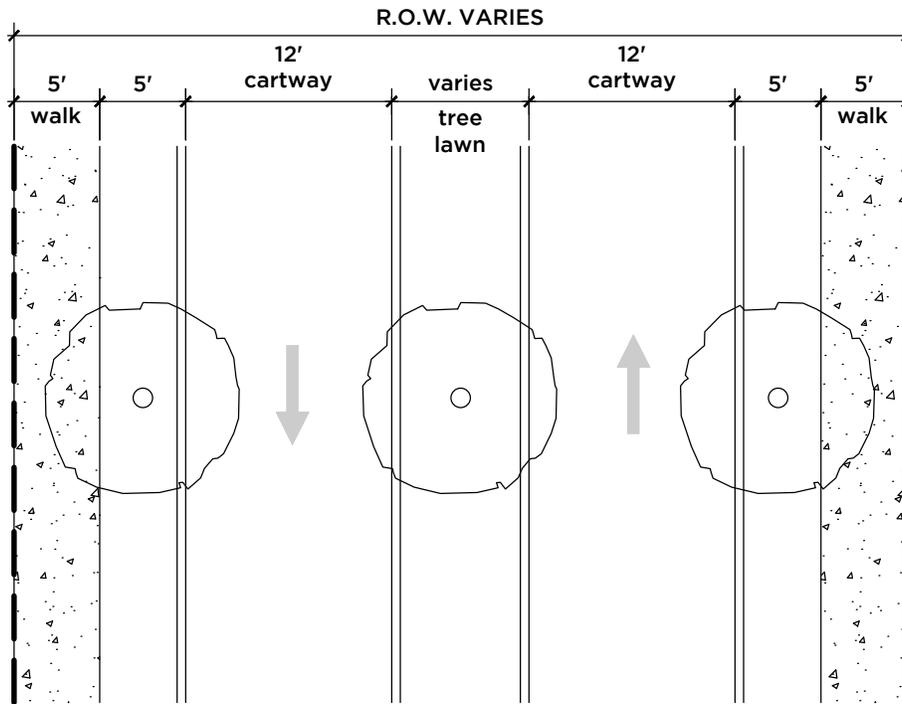
S.50.28.1



NEIGHBORHOOD STREET - TRAIL ROAD
S.50.28.1
(2-way travel parking one side)



B.varies.12.0

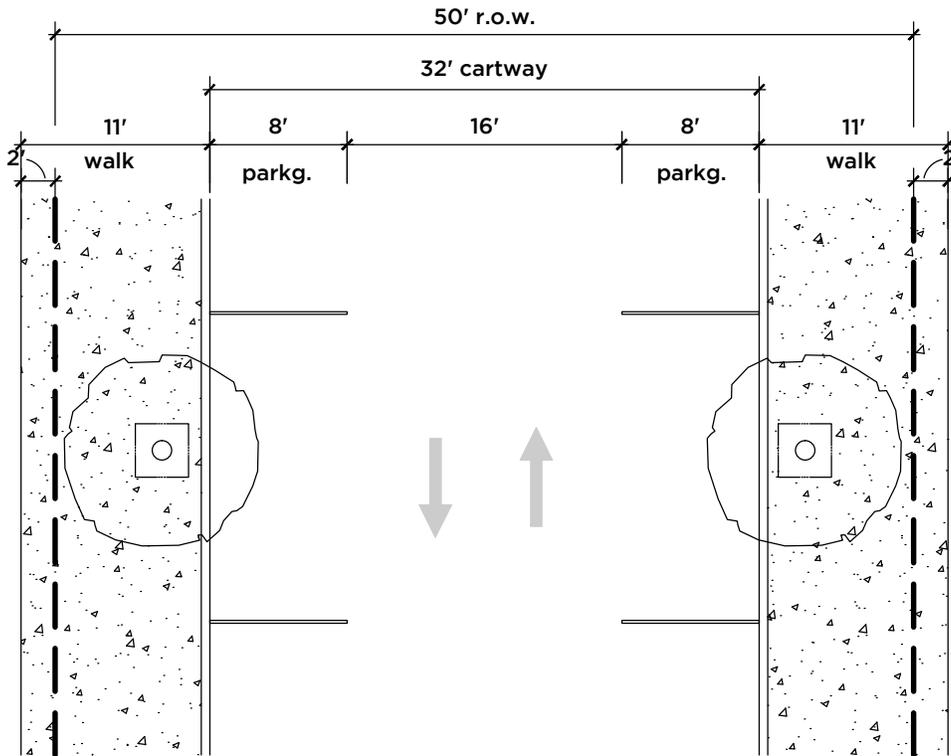
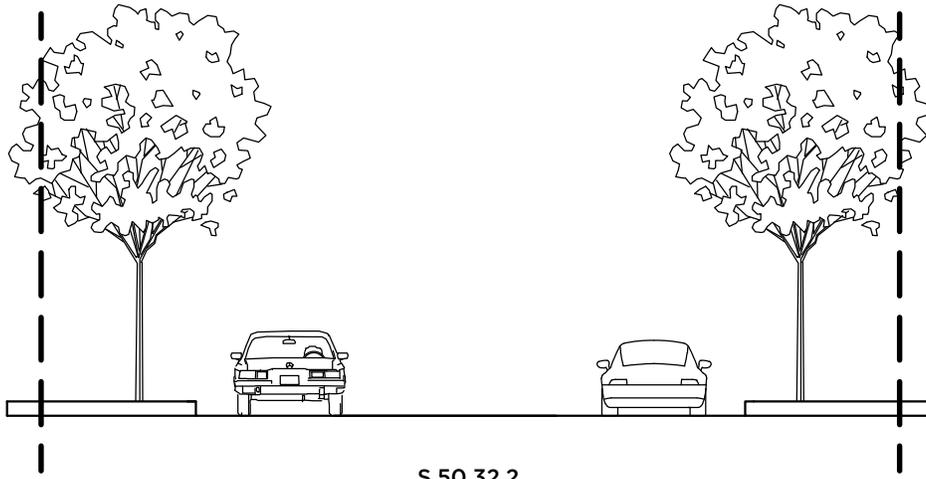


NEIGHBORHOOD BOULEVARD - MEDIUM TRAFFIC

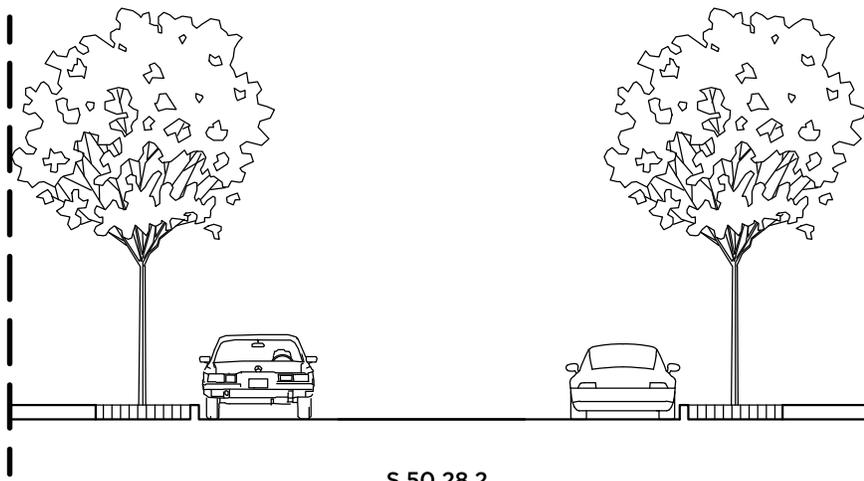
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(2-way travel no parkg.)

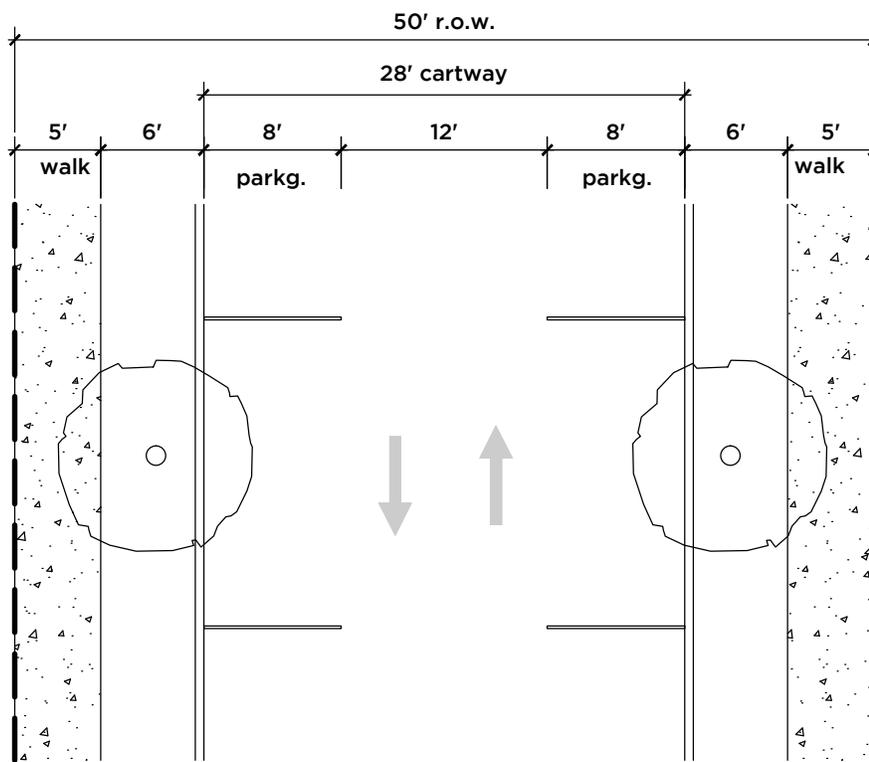
NOTE 1: IF CENTER ISLAND INCREASES IN SIZE RIGHT OF WAY WILL INCREASE EQUALLY.



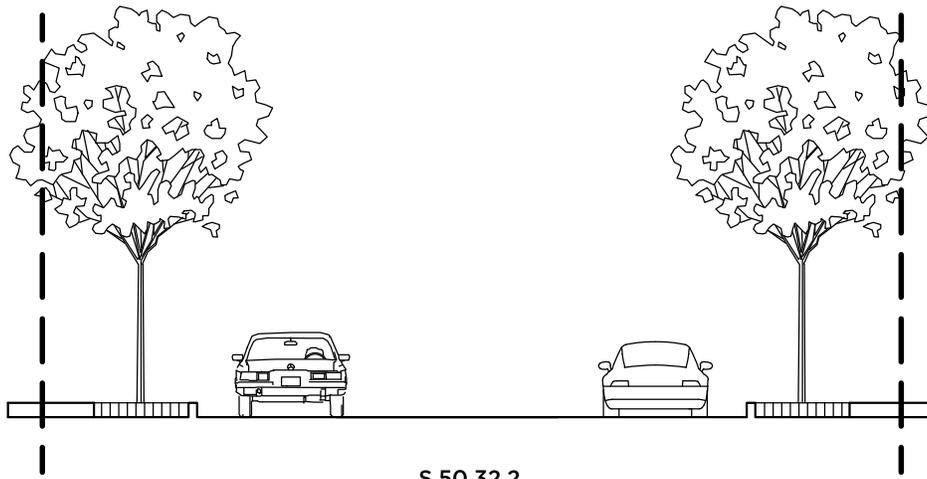
NEIGHBORHOOD STREET - MEDIUM TRAFFIC
 S.50.32.2 VB
 (2-way travel parkg. both sides)



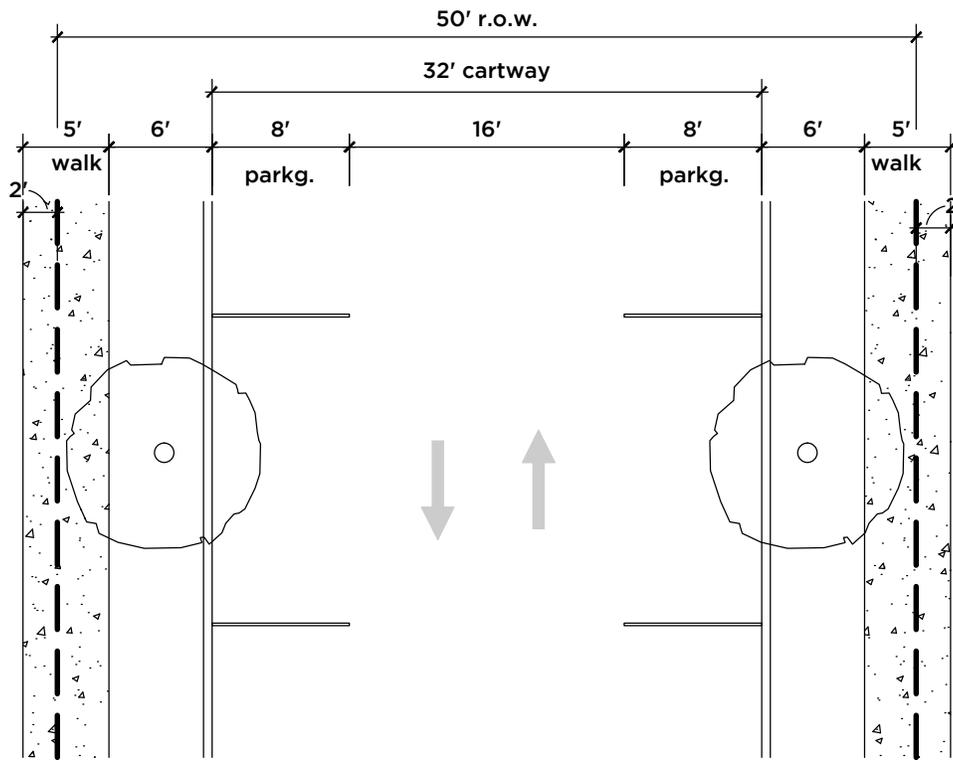
S.50.28.2



NEIGHBORHOOD STREET - LOW TRAFFIC
S.50.28.2
(2-way travel parkg. both sides)



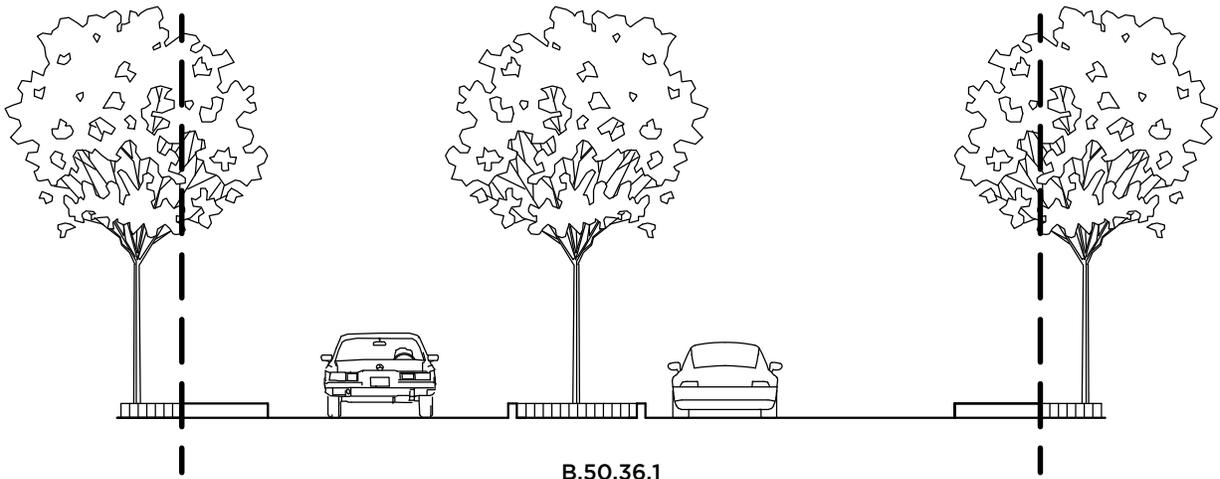
S.50.32.2



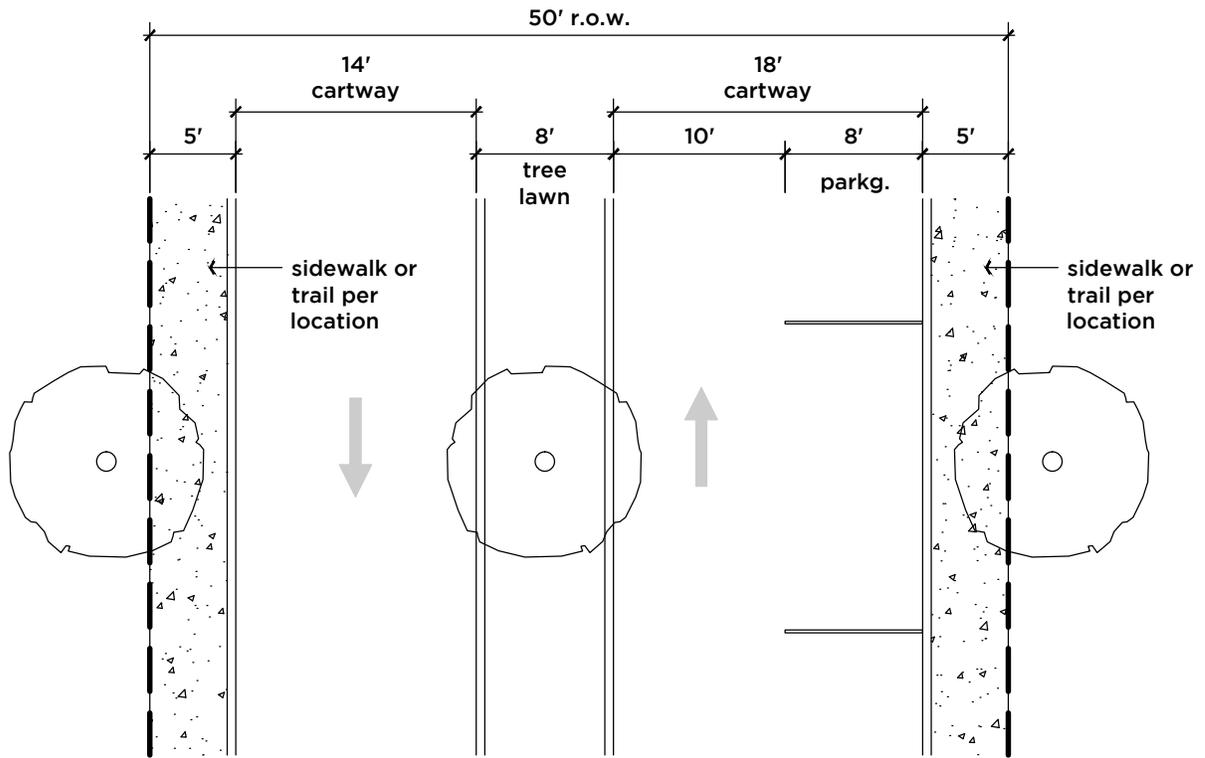
NEIGHBORHOOD STREET - MEDIUM TRAFFIC

S.50.32.2

(2-way travel parkg. both sides)



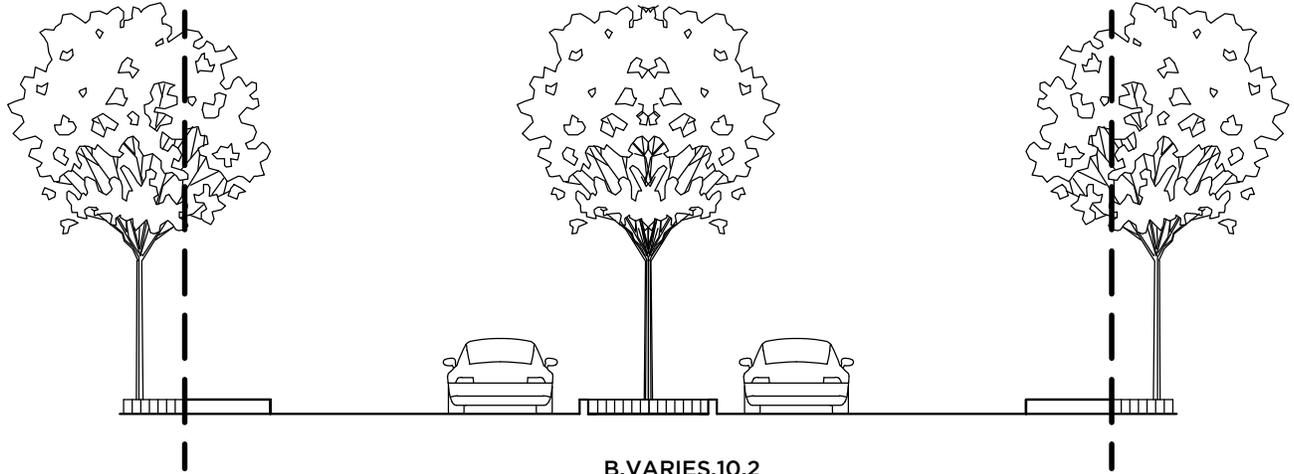
B.50.36.1



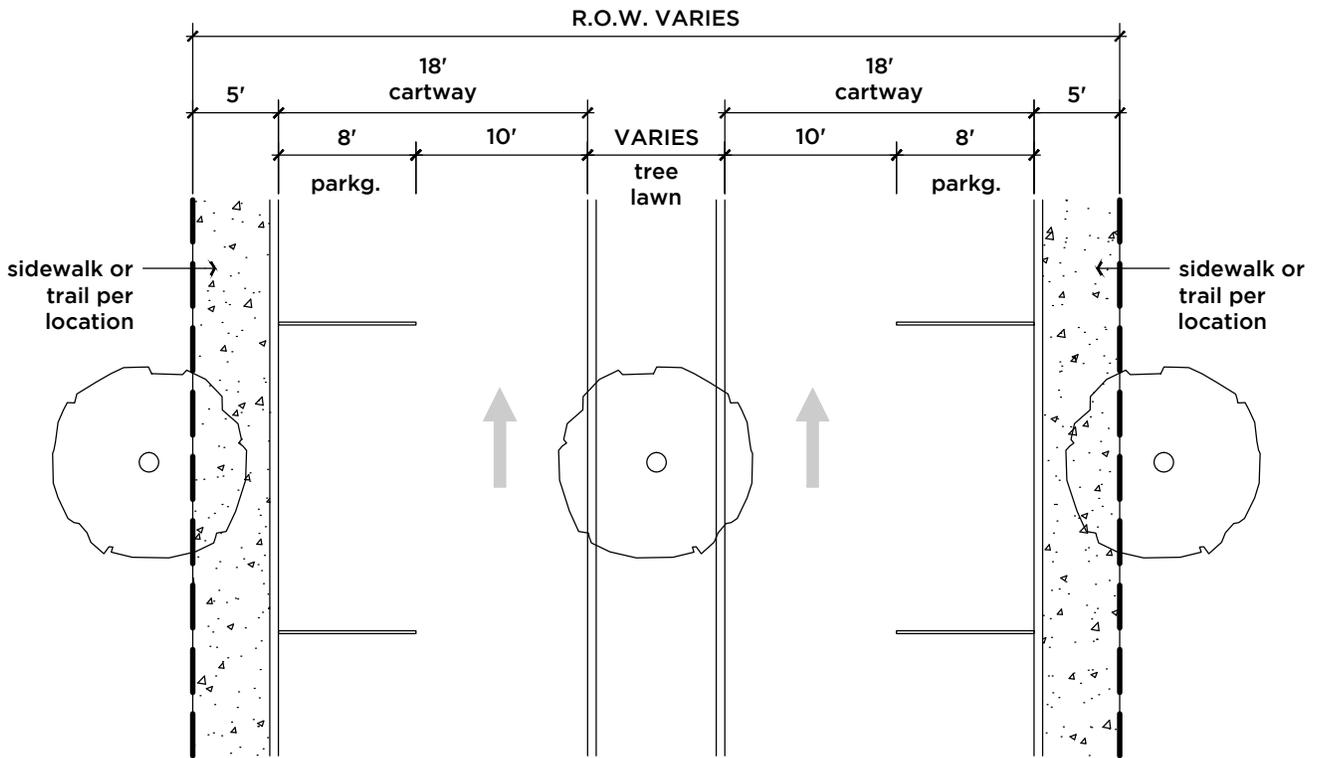
NEIGHBORHOOD BOULEVARD - MEDIUM TRAFFIC

B.50.36.1

(2-way travel parkg. one sides)



B.VARIES.10.2



NEIGHBORHOOD BOULEVARD - MEDIUM TRAFFIC

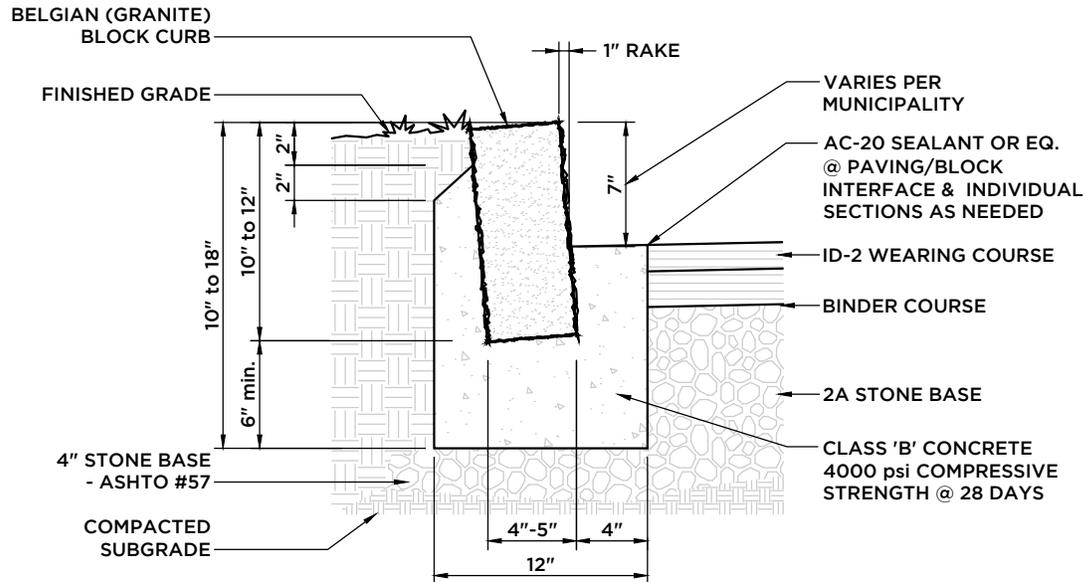
B.VARIES.10.2

(2-way travel parkg. one sides)

NOTE 1: IF CENTER ISLAND INCREASES IN SIZE RIGHT OF WAY WILL INCREASE EQUALLY.



APPENDIX 2



- GRANITE BLOCK CURB DTL.

SCALE: NTS

TYPE B

NOTES:

- ALL BELGIAN BLOCK JOINTS ($\frac{5}{8}$ " min.) ARE TO BE GROUTED COMPLETELY FULL AND FINISHED w/ TOOLED CONCAVE JOINTS @ TOP, FACE, & BACK.
- PAVEMENT BASE DRAINS AND GEOTEXTILE FABRIC TO BE SHOWN ON TYPICAL STREET DETAILS, AS REQUIRED BY TOWNSHIP CODE

TOWNSHIP OF SOUTH FAYETTE
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. _____ OF 2016

AN ORDINANCE OF THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 240 OF THE SOUTH FAYETTE TOWNSHIP CODE OF ORDINANCES, BY AMENDING THE SOUTH FAYETTE TOWNSHIP ZONING MAP, BY APPROVING THE ZONING RECLASSIFICATION FOR PROPERTY KNOWN AS BLOCK AND LOT 480-P-00001, LOT 1 IN THE MINOR SUBDIVISION OF THE MAYVIEW STATE HOSPITAL PLAN AS RECORDED IN THE ALLEGHENY COUNTY DEPARTMENT OF REAL ESTATE AT PLAN BOOK VOLUME 269, PAGE 95 CONSISTING OF 81.331 ACRES ALONG MAYVIEW ROAD, FROM THE B-1 BUSINESS DISTRICT ZONING CLASSIFICATION TO A NEW PROPOSED ZONING CLASSIFICATION DESIGNATED AS THE ND NEIGHBORHOOD DESIGN DISTRICT

WHEREAS, on December 11, 2000, the Board of Commissioners of the Township of South Fayette adopted, by Ordinance Number 6 of 2000, amendments to the Township's Zoning Ordinance; and

WHEREAS, after study, review, public comment, notice and public hearings, pursuant to the Municipalities Planning Code, as codified at 53 P.S. §10101, et. seq., the South Fayette Code and other applicable laws of the Commonwealth of Pennsylvania, the Board of Commissioners of the Township of South Fayette have determined that it is in the interest of public health, safety and welfare of the Township to rezone Block and Lot 480-P-00001, also known as Lot 1 in the Minor Subdivision of the Mayview State Hospital Plan, PBV 269, Page 95, from its current B-1 Business District Zoning classification to the ND Neighborhood Design District Zoning classification and to amend the Official Zoning Map to change the zoning district of the property as described herein.

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

1. The zoning of the property known as Block and Lot 480-P-00001, map attached as Exhibit "A", is changed from the B-1 Business District Zoning classification to the ND Neighborhood Design Zoning District classification.

2. The Official Zoning Map of the Township of South Fayette shall be changed to reflect these zoning change.

3. 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.

4. All ordinances and parts of ordinances inconsistent with the terms of this 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.

5. 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.

6. This Ordinance shall be in full force and effect from and after its passage and publication as required.

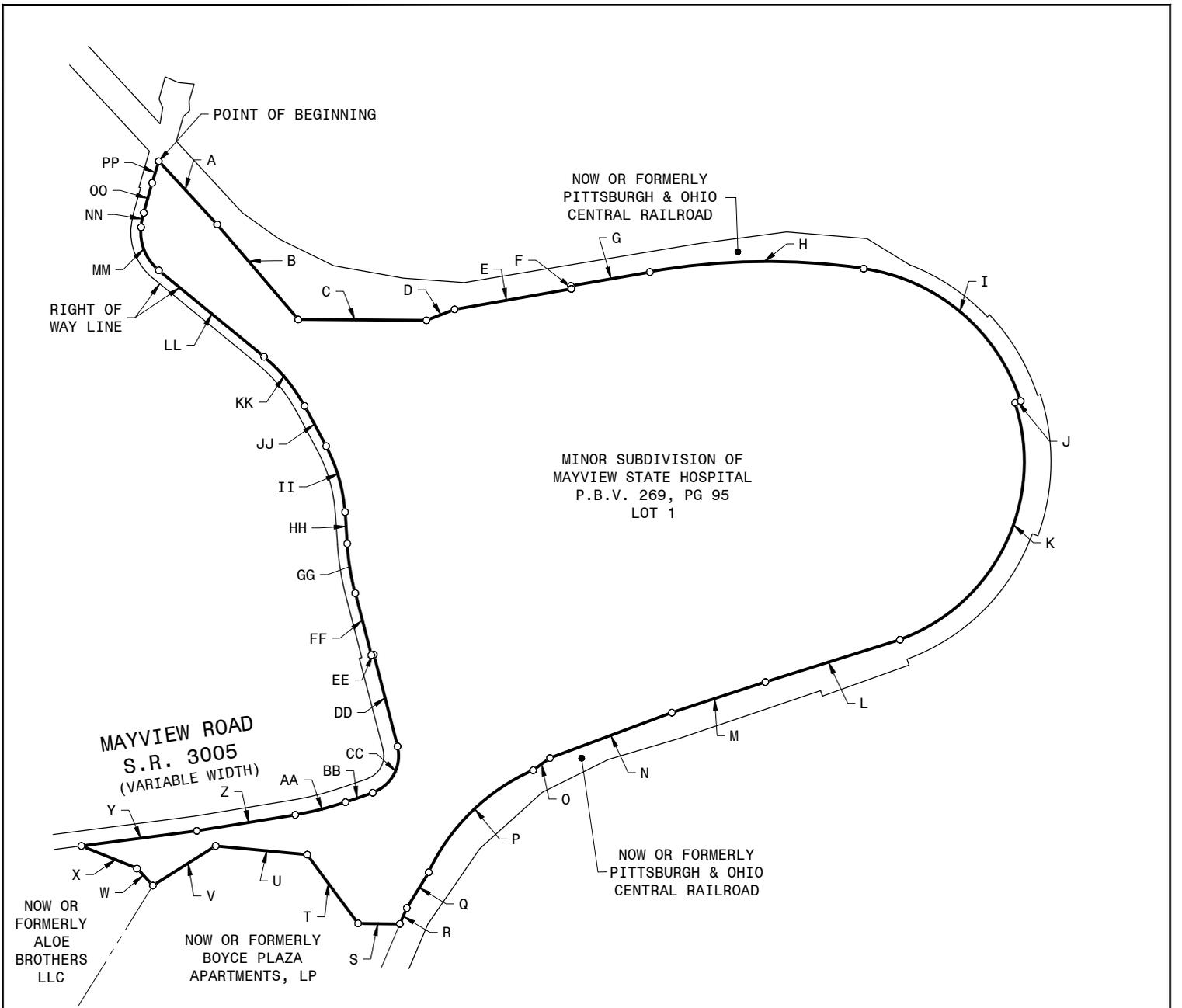
ORDAINED AND ENACTED INTO LAW, this ____ day of _____, 2016.

Attest:

TOWNSHIP OF SOUTH FAYETTE

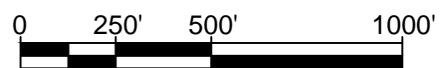
RYAN EGGLESTON
TOWNSHIP SECRETARY

By: _____
JOSEPH HOROWITZ CHAIRMAN
BOARD OF COMMISSIONERS



CHORD

A	S 42°54'10" E	289.56'	
B	S 40°33'49" E	419.59'	
C	S 89°36'43" E	432.07'	
D	N 68°47'14" E	101.98'	
E	N 80°05'50" E	400.00'	
F	N 09°54'10" W	10.00'	
G	N 80°05'50" E	270.00'	
H	R= 2,303.66' A= 723.72'	N 89°05'50" E	720.74'
I	R= 654.14' A= 727.75'	S 50°01'52" E	690.80'
J	S 71°50'27" W	20.00'	
K	R= 634.14' A= 978.29'	S 26°02'09" W	884.12'
L	S 72°39'30" W	475.41'	
M	S 71°55'20" W	331.44'	
N	S 69°40'12" W	438.03'	
O	S 53°58'31" W	70.04'	
P	R= 697.63' A= 501.35'	S 45°50'12" W	490.63'
Q	S 31°34'51" W	141.13'	
R	S 23°37'50" W	58.04'	
S	N 89°18'43" W	140.90'	
T	N 36°36'46" W	287.54'	
U	N 84°36'46" W	310.00'	
V	S 57°53'14" W	250.00'	
W	N 42°37'35" W	78.00'	
X	N 68°07'35" W	202.52'	
Y	N 82°34'35" E	392.34'	
Z	N 80°48'25" E	335.96'	
AA	R= 1,025.00' A= 174.64'	N 75°55'33" E	174.43'
BB	N 71°02'41" E	97.44'	
CC	R= 130.00' A= 194.34'	N 28°13'07" E	176.74'
DD	N 14°36'27" W	317.99'	
EE	S 75°23'33" W	8.50'	
FF	N 14°36'27" W	215.17'	
GG	R= 898.50' A= 168.21'	N 09°14'39" W	167.96'
HH	N 03°52'52" W	106.37'	
II	R= 542.50' A= 231.86'	N 16°07'29" W	230.10'
JJ	N 28°22'07" W	153.00'	
KK	R= 551.50' A= 215.61'	N 39°34'07" W	214.24'
LL	N 50°46'08" W	457.91'	
MM	R= 165.58' A= 163.24'	N 22°31'44" W	156.71'
NN	R= 277.76' A= 48.96'	N 10°45'52" E	48.90'
OO	N 15°48'52" E	104.43'	
PP	N 16°47'48" E	76.15'	



GRAPHIC SCALE:
1" = 500'

AREA = 3,542,770.36 SQ.FT. OR 81.331 ACRES



GATEWAY
Copyright © 2006 On Call. On Time. On Target.

The Gateway Engineers, Inc.
Full-Service Civil Engineering & Surveying
400 Holiday Drive, Suite 300, Pittsburgh, PA 15220
gatewayengineers.com 855-634-9284

EXHIBIT PLAN
FOR PROPERTY RE-ZONING

SITUATE IN
SOUTH FAYETTE TOWNSHIP
ALLEGHENY COUNTY, PA

MADE FOR
**CHARTER HOMES
& NEIGHBORHOODS**

C-18927-0008

PM: JAB DB: BMc CB: -

DATE: APRIL, 2015

SCALE: 1" = 500'

LICENSE AGREEMENT

THIS LICENSE AGREEMENT, made and entered into this 13th day of April, 2016, by and between:

The TOWNSHIP OF SOUTH FAYETTE (hereinafter referred to as the "TOWNSHIP") a political subdivision of the Commonwealth of Pennsylvania with its principal office located at 515 Millers Run Road, Morgan, PA 15064;

AND

FRED CARDILLO (hereinafter referred to as "CARDILLO"), having a mailing address of 3122 Robinson Run Road, McDonald, PA 15057.

WITNESSETH

WHEREAS, the TOWNSHIP is the owner of the certain pieces of real property designated as Block and Lot Nos. 405-B-58 and 407-R-5 in the Office of the Department of Real Estate of Allegheny County, Pennsylvania, otherwise known as the Boys Home Park (hereinafter "Subject Property"); and

WHEREAS, the LICENSEE's have used the Subject Property for farming and agricultural uses and wish to continue to utilize the same for agricultural purposes; and

WHEREAS, at its regular meeting on the 13th day of April, 2016, the Board of Commissioners of the TOWNSHIP approved the granting of a License to LICENSEE to permit the continued utilization of the Subject Property for agricultural uses, subject to the following terms and conditions; and

WHEREAS, LICENSEE agree to accept this grant of License subject to the following terms and conditions; and

NOW, THEREFORE, in consideration of the foregoing recitals and mutual covenants contained herein, and for Seven Hundred Dollars (\$700.00), receipt of which is hereby acknowledged, and such other good and valuable consideration, and intending to be legally bound hereby, the parties agree as follows:

AGREEMENT

1. Incorporation. The parties hereby incorporated the foregoing paragraphs as if set forth at length herein.

2. Grant of License. TOWNSHIP grants an exclusive License to and for the benefit of LICENSEE for the use of the Subject Property for farming and agricultural uses. In the use of this License, LICENSEE shall not unreasonably interfere with the TOWNSHIP's use of the remaining portions of the Subject Property that are currently utilized and designated for municipal purposes, including, but not limited to, the athletic fields, pavilion(s), table(s), walkways, roadways, and property associated with the same, both real and personal, and shall promptly repair any damage caused by LICENSEE's use of the License.

3. Term. This License shall commence on the effective date and will remain in force for a time period of five (5) years from the date of execution of this License Agreement, unless terminated pursuant to the provisions contained herein. Except as set forth below, this license is nontransferable.

4. Termination. This License Agreement may be terminated by either party after giving Ninety (90) days written notice, sent certified mail, return receipt requested to the addresses as provided above, or as hereafter designated by either party. If this Agreement is terminated by the TOWNSHIP prior to the completion of the Term, the TOWNSHIP shall reimburse LICENSEE its costs associated with its investment of Two Thousand Five Hundred Dollars (\$2,500.00) for the fertilization of the Subject Property that was conducted in 2015, prorated based upon a sixty (60) month term.

5. Township's Use of Subject Property. The TOWNSHIP shall have the right to enter upon and utilize any necessary portions of the Subject Property if the same is reasonably necessary for the maintenance of the TOWNSHIP's property and/or the water, sewer, or other utility lines or facilities that may be located therein. The TOWNSHIP shall provide LICENSEE with at least forty-eight (48) hours notice of such maintenance activity, unless the maintenance activity is related to an emergency situation. The TOWNSHIP shall not be responsible for any damage to the Subject Property or agricultural uses caused by any such reasonable TOWNSHIP maintenance activity.

6. Indemnification. LICENSEE's do for themselves and their successors and assigns, agree to release, discharge, indemnify, defend, and hold harmless, including reasonable attorneys fees, the TOWNSHIP and its officials, employees, and agents of and from any claims, damages, demand, suit, action or liability of any nature whatsoever, including property damage, injury or death of any person related to the use of the Subject Property for farming and agricultural purposes, and/or this License Agreement.

7. Governing Law. This License Agreement shall be construed in accordance with and governed by the laws of the Commonwealth of Pennsylvania.

8. Agreement Not A Lease. The parties hereto do not intend this License Agreement as a lease and hereby confirm that no rights at law or equity as to landlord and tenant arise herefrom.

9. Agreement Not to be Recorded. This Agreement shall not be recorded by any party and such recording shall render this Agreement null and void.

10. Counterparts. This Agreement may be executed in any number of counterparts, each of which when so executed, shall be deemed an original, but all such counterparts shall constitute but one and the same agreement.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound hereby, have caused this License Agreement to be executed as of the Effective Date.

WITNESS:

TOWNSHIP OF SOUTH FAYETTE

By: _____
Name: Joseph Horowitz
Title:
President

WITNESS:

FRED CARDILLO

By: _____
Name: FRED CARDILLO