



**TOWNSHIP OF NORTH FAYETTE
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 535

**AN ORDINANCE OF THE TOWNSHIP OF NORTH FAYETTE, COUNTY OF
ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, MAKING VARIOUS
MISCELLANEOUS CHANGES TO ITS ZONING ORDINANCE.**

WHEREAS, as authorized by the Pennsylvania Municipalities Planning Code (MPC), Act 247 of 1968, as amended, the Board of Supervisors of the Township of North Fayette regulates land use within the Township through its Zoning Ordinance, currently codified as Chapter 27 of the Township Code of Ordinances, as amended; and

WHEREAS, the Board of Supervisors has reviewed the current Zoning Ordinance and determined that various miscellaneous changes need to be made to the ordinance; and

WHEREAS, the Board of Supervisors wishes to amend its Zoning Ordinance, as specified in Section 1 of this ordinance; and

WHEREAS, the Township has, in accordance with the requirements of the MPC, submitted the proposed amendment to the Allegheny County Planning Agency, for review and comment; and

WHEREAS, the Township has, in accordance with the requirements of the MPC, submitted the proposed amendments to its Planning Commission, which gave its recommendation in favor of the proposed amendments at a duly noticed public meeting on December 5, 2024; and

WHEREAS, the Township advertised the time, place, and date of the public hearing on January 26, 2025, and February 2, 2025, in the Pittsburgh Post-Gazette; and

WHEREAS, on February 11, 2025, the Board of Supervisors held duly noticed and advertised public hearing to take public comment on the proposed Zoning Ordinance text amendment; and

WHEREAS, the Board of Supervisors, having received such public comment as may have been given at the Public Hearing, and having received the recommendations of the Township Solicitor, the Township Engineer, the Director of Community Development, the Township Planning Commission, and the Allegheny County Planning Agency, finds that enactment of the proposed Zoning Ordinance text amendment to be consistent with the MPC, with its Comprehensive Plan and with its Zoning Ordinance, and will be beneficial to the health, safety, and welfare of the Township.

NOW THEREFORE, in consideration of the foregoing, it is hereby ordained and enacted by the authority of the Board of Supervisors of the Township of North Fayette:

SECTION 1: ORDINANCE AMENDMENT.

That the Township Zoning Ordinance, codified as Chapter 27 of the Township Code of Ordinances, as amended, is hereby amended as follows:

SECTION 1.A: TABLE OF AUTHORIZED PRINCIPAL USES.

Table 2: Authorized Primary Uses, found in Section 27-305.2, is hereby amended to state:

Use	R-1	R-2	MU	CE	B-1	B-2	I-1	I-2
Car Wash			C		C	P	<u>P</u>	<u>P</u>
Catering/Event Venue		<u>C</u>	C		C	P		
Distillery			C		C	C	<u>C</u>	
Microbrewery			C		C	C	<u>C</u>	
Microdistillery			C		C	C	<u>C</u>	
Tattoo parlor			C		<u>C</u>	<u>C</u>		

SECTION 1.B: TABLE OF AUTHORIZED ACCESSORY USES AND STRUCTURES.

Table 2: Authorized Accessory Uses and Structures, found in Section 27-305.6, is hereby amended to state:

Use	R-1	R-2	MU	CE	B-1	B-2	I-1	I-2
Shed	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Tasting Room			P		P	P	<u>P</u>	

SECTION 1.C: DISTRICT REGULATIONS.

Section 27-305.4, Accessory Buildings, Structures, Uses, and Events, is hereby amended to state:

- F. ~~Accessory structures are prohibited from being located between the principal building and the street, except for a designated rear yard on dual frontage lots. This does not apply to the primary front yard. For properties with a corner lot or a lot with double frontage (multiple front yards) any approved accessory structure(s) shall be permitted to project into the required front yard(s) so long as the accessory structure location meets the minimum front yard principal building setback for the parcel’s particular Zoning District. This does not apply to the primary front yard.~~ The primary front yard is determined by where the front door is oriented toward the street.

SECTION 1.D: STANDARDS AND CRITERIA FOR CONDITIONAL USE.

Section 27-628, Catering/Event Venue, is hereby amended to state:

1. A Catering/Event Venue is a permitted conditional use in the R-2 Zoning District, provided the lot size is 20 acres or more. There is no minimum lot size for Catering/Event Venues in the MU, B-1, or B-2 Zoning Districts.
- 1.2. Entrances to the site should be minimized and placed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any surrounding residential neighborhoods.
- 2.3. The site shall have direct vehicular access from an arterial or collector street.
- 3.4. The primary visitor drop-off and pickup area shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood and subject property.
- 4.5. Lighting shall be oriented away from adjacent properties and shall not exceed one footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandle between 11:00 p.m. and 6:00 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.
- 5.6. The scale, massing, and building design shall be compatible with the surrounding neighborhood.
- 6.7. No outdoor loading or service areas, including dumpsters, shall be located within the side or rear yard setback areas.
- 7.8. Applicants must clearly demonstrate that the use will be compatible with the existing neighborhood, particularly with regard to traffic circulation, parking, and appearance.
- 8.9. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.
- 9.10. The vehicular and pedestrian circulation system shall be designed to minimize conflicts between vehicular and pedestrian circulation.

SECTION 1.F: SUPPLEMENTAL REGULATIONS AND PERFORMANCE STANDARDS.

Section 27-801.1, Agritourism and Agribusiness, is hereby added to state:

1. In all zoning districts where agricultural operations are a permitted principal or conditional use, in order to maintain both an agricultural heritage and a rural character, the following accessory uses and related standards shall apply:
 - A. General and specialized farming of agricultural products and agricultural activities, including the raising or growing of crops, livestock, poultry, bees and other farm animals, products and foodstuffs. Any building or structure may be located thereon and used for the day-to-day operation of such activities, for the storage or preservation of said crops or animals, products and collection, distribution, or processing, and for the incidental sale of crops, products and foodstuffs raised or grown on said parcel or in said building or

structure.

- B. Storage, retail or wholesale marketing, or processing of agricultural products into a value-added agricultural product is a permitted use in a farming operation if 50% or more of the stored, processed, or merchandised products are produced by the farm operator.
 - C. Direct marketing of produce in a farm market, on-farm market or roadside stand no greater than 500 square feet in building area.
 - D. Seasonal U-pick fruits and vegetables operations.
 - E. Seasonal outdoor mazes of agricultural origin such as straw bales or corn.
 - F. Food sales/processing, processing any fruits/produce.
 - G. Uses previously listed may include any or all of the following ancillary agriculturally related uses and some non-agriculturally related uses so long as the general agricultural character of the farm is maintained and the income from these activities represents less than 50% of the gross receipts from the farm.
 - (1) Value-added agricultural products or activities such as educational tours of processing facilities, workshops or livestock care and feeding.
 - (2) Bakeries selling baked goods containing produce primarily grown on site.
 - (3) Playgrounds or equipment typical of a school playground, such as slides or swings, excluding motorized vehicles or rides.
 - (4) Petting farms, animal display, and pony rides.
 - (5) Wagon, sleigh and hayrides.
 - (6) Nature trails.
 - (7) Open air or covered picnic area with restrooms.
 - (8) Educational classes, lectures, seminars.
 - (9) Historical agricultural exhibits.
2. Uses requiring conditional use approval: The following agritourism and agribusiness uses may be permitted following approval as a conditional use per the provisions of Part 6 of this Chapter, provided they are permitted by conditional use in the Zoning District:
- A. Bed-and-breakfast inn
 - B. Catering/Event Center
 - C. Restaurant operations related to agricultural use on the site.

D. Winery

E. Vineyard

F. Non agriculturally related uses listed as permitted uses in the zoning district, but which include any of the following ancillary uses shall require the issuance of a special events permit as per the provisions of Chapter 13, Part 8:

(1) Small-scale entertainment, including but not limited to car shows or artfairs.

(2) Seasonal attractions including, but not limited to, fun houses or haunted houses.

(3) Organized meeting space for use by weddings, birthday parties, and corporate picnics.

3. Parking: agritourism, agribusiness, and seasonal agricultural uses.

A. For uses permitted by right, parking facilities may be located on a grass or gravel area for seasonal uses such as road side stands, u-pick operations and agricultural mazes. All parking areas shall be defined by either gravel, cut lawn, sand or other visible marking.

B. For uses with conditional use approval, parking may be either gravel or paved as recommended by the Planning Commission and approved by the Board of Supervisors, based on applicant estimates for seasonal parking and the intensity of the use. Overflow parking areas may be required to accommodate seasonal peak demand.

C. All parking areas shall be located in such a manner to avoid traffic hazards associated with entering and exiting the public roadway.

D. Paved parking areas must meet all design, landscape screening and setback requirements set forth in this chapter.

SECTION 1.F: SUPPLEMENTAL REGULATIONS AND PERFORMANCE STANDARDS.

Section 27-806, Nonresidential Use Lighting Standards, is hereby amended to state:

6. All site lighting, including architectural, landscape, and canopy, and building and/or window lighting (except open and closed signs), shall be from a concealed source that is not visible from the property boundaries or public street ROW. Lighting associated with a freestanding or building canopy shall be recessed into the canopy.

SECTION 1.G: PARKING AND LOADING REQUIREMENTS.

Section 27-905, Parking Areas Serving Residential Dwellings, is hereby amended to state:

1. Parking requirements for single-family, two-family, and townhouse dwellings shall be met by providing the required spaces in an enclosed garage or in a private driveway, but not within a required yard, on the lot.

- A. In addition to the above requirements, all townhouse dwellings shall provide an additional one-half space per unit for visitor parking, located within 300 feet of the dwelling units they are intended to serve. Parking spaces in driveways, which block access to integral garages in townhouse dwellings, shall not be permitted. Visitor parking shall be provided in an off-street parking lot and on-street, through the use of parallel parking (a minimum 25% of required spaces must be on-street, constructed in accordance with the PPIC, RD-27, Parallel Parking). Visitor parking areas shall be constructed with concrete curbing per the PPIC (RD-14, Concrete Curb and Gutter), and any other required parking spaces (e.g., mailbox parking) cannot be combined to meet the visitor parking requirement.

SECTION 2: SEVERABILITY.

That if any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

SECTION 3: CONFLICT.

Any ordinances or any part of any ordinance which conflict with this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 4: EFFECTIVE DATE.

That this Ordinance shall take effect immediately upon enactment or as provided by law.

ENACTED AND ORDAINED into Law this the 11th day of February 2025.

ATTEST:

TOWNSHIP OF NORTH FAYETTE


James R. Mangan
Township Manager


Robert Doddatto
Chairman, Board of Supervisors