

TOWNSHIP OF OHIO
ORDINANCE NO. 318

AN ORDINANCE OF THE TOWNSHIP OF OHIO AMENDING SECTION 201, SECTION 501 AND ARTICLE XII OF THE TOWNSHIP ZONING ORDINANCE, ORDINANCE NO. 305, AS AMENDED, BY ADDING A DEFINITION FOR AGE RESTRICTED COMMUNITY, PERMITTING AGE RESTRICTED COMMUNITIES AS PRD'S IN THE R-1 ZONING DISTRICT AND MODIFYING DIMENSIONAL, DENSITY, MINIMUM SITE, SIDE YARD, AND ACCESS REQUIREMENTS UNDER ARTICLE XII.

WHEREAS, the Township of Ohio Zoning Ordinance, Ordinance No. 305, as amended, (the "Zoning Ordinance") regulates zoning and land use matters within the Township of Ohio, Allegheny County, Pennsylvania (the "Township"); and

WHEREAS, the Township Board of Supervisors (the "Board") wishes to amend the Zoning Ordinance to allow Age Restricted Community PRD's in the R-1 zoning district as a conditional use; and

WHEREAS, the Township Planning Commission, pursuant to the provisions of the Zoning Ordinance has reviewed the proposed amendment and made a recommendation to the Board regarding the same; and

WHEREAS, the Board has given due public notice and held the requisite public hearing on the following amendment to the Zoning Ordinance.

NOW, THEREFORE, the Board hereby ordains that the Zoning Ordinance be amended as follows:

SECTION 1. Article II, Section 201 is amended by adding the following definition:

Age Restricted Community: A residential development in which residency is qualified by age and other related characteristics as defined by the developer in accordance the Fair Housing act (42 U.S.C.A Section 3601 et seq.).

SECTION 2. Article V, Section 501(b)(1) is amended by adding the following subparagraph (o) to provide an additional conditional use in the R-1 zoning district:

(o) Planned Residential Development which meets the definition of an Age Restricted Community, Subject to Article XII.

SECTION 3. Article XII, Section 1202.1 is amended by adding the following as a second paragraph:

In the case of any Planned Residential Development in the R-1 District, the minimum site required shall be 50 contiguous acres.

SECTION 4. Article XII, Section 1202.3 is amended by adding the following as the last paragraph of the Section:

In the R-1 District, garden apartments shall not be permitted.

SECTION 5. Article XII, Section 1202.5 is amended to read as follows:

Regardless of whether a Planned Residential Development is comprised of a mix of dwelling unit types or a single type of dwelling unit, the maximum dwelling unit density shall be four (4) units per acre in the **R-1 and R-2** District and eight (8) units per acre in the R-3 District. Dwelling unit density shall be calculated using the gross site area excluding any areas of the site having slopes of twenty-five percent (25%) or greater.

SECTION 6. Article XII, Section 1202.6 is amended by revising the last paragraph to read as follows:

There shall be no minimum lot area required for townhouse **dwellings**, garden apartment dwellings, **and all dwellings in an Age Restricted Community** provided all other applicable requirements of this Article are met.

SECTION 7. Article XII, Section 1202.8 is amended by adding the following as the last paragraph of the Section.

In the event of an Age Restricted Community, all side yards shall be a minimum of five (5) feet on one (1) side of the lot with a combined total of two (2) side yards on the lot equaling not less than fifteen (15) feet so the distance between proposed structures on adjacent lots shall not be less than fifteen (15) feet.

SECTION 8. Article XII, Section 1203.1 is amended by adding the following clause to the last section of the Section:

, provided that an Age Restricted Community with less than 180 dwellings shall only require one (1) means of ingress and egress.

SECTION 9. This Ordinance is severable. If any section, subsection, sentence, clause or phrase of this Ordinance is held to be illegal, invalid or unconstitutional, the remaining provisions shall not be affected or impaired.

SECTION 10. This Ordinance repeals any prior ordinance or portion thereof to the extent that such prior ordinance or portion thereof is inconsistent with this Ordinance.

SECTION 11. This Ordinance shall be effective upon the date that it is recorded in the Township ordinance book.

ORDAINED and ENACTED this 13 day of July, 2015 by the Board of Supervisors of the Township of Ohio in lawful session duly assembled.

ATTEST:

John K. Sullivan
Township Secretary

TOWNSHIP OF OHIO

By: [Signature]
Chairman, Board of Supervisors

Recording Certification: This Ordinance recorded in the Township Ordinance book on July 13, 2015 by the undersigned.

John K. Sullivan
Township Secretary