

TOWNSHIP OF OHIO

Ordinance No. 335

AN ORDINANCE OF THE TOWNSHIP OF OHIO, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 305, THE TOWNSHIP'S ZONING ORDINANCE BY AMENDING THE DEFINITION IN ARTICLE II, SECTION 201, OF THE TERM "PET SERVICES"; ADDING EXPRESS STANDARDS AND CRITERIA FOR PET SERVICES IN ARTICLE XIII; AND AMENDING APPENDIX E, THE TABLE OF AUTHORIZED USES, TO ALLOW PET SERVICES AS A CONDITIONAL USE IN THE C-1 ZONING DISTRICT.

WHEREAS, as authorized by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101, et seq., as amended (the "MPC"), the Board of Supervisors (the "Board") of the Township of Ohio (the "Township") regulates land use within the Township through its comprehensive Zoning Ordinance, presently embodied in Ordinance No. 305, as amended (the "Zoning Ordinance"); and

WHEREAS, upon recommendation of the Township's Planning Commission (the "Commission"), the Board wishes to amend various provisions of the Zoning Ordinance as follows: Firstly, to amend the definition of "Pet Services;" secondly, adding express standards and criteria applicable to Pet Services; and lastly, amending the Table of Authorized Uses to allow Pet Services as a Conditional Use in the C-1 Limited Commercial Zoning District; and

WHEREAS, the Township has, in accordance with the MPC, submitted the proposed amendments to the Allegheny County Planning Division (the "Planning Division") in the Department of Economic Development for review and comment; and

WHEREAS, the Township has, in accordance with the MPC, submitted the proposed amendments to the Commission which gave its recommendations to the Board regarding the proposed amendments at a duly notice public meeting; and

WHEREAS, on October 7, 2019, the Board held a duly noticed, advertised and posted public hearing to take public comment on the proposed zoning text amendments; and

WHEREAS, the Board, having received such public comment as may have been given at the public hearing, and having received the recommendations of the Planning Division, the Commission, and the Township's Manager, finds that the enactment of the proposed zoning ordinance text amendments will be beneficial to the health, safety, and welfare of the Township and consistent with the MPC.

NOW, THEREFORE, be it Ordained and Enacted by the Township of Ohio Board of Supervisors, and it is hereby Ordained and Enacted by authority of the same, as follows:

SECTION 1. AMENDMENT REGARDING CHANGE TO EXISTING DEFINITION AND TERM

That the Township Zoning Ordinance, Ordinance No. 305, as amended, is hereby further amended as follows:

a. Amend the existing definition below, as follows, in Article II, Section 201:

(i) PET SERVICES: A business establishment that offers a range of services to the general public for the care and comfort of small animals such as dogs or cats owned and treated as pets including but not limited to the sale of pet food and/or pet care products, pet grooming, bathing, trimming, manicuring, massaging or other services to maintain the animals' well-being including, but only as a conditional use exclusively limited to the C-1 Limited Commercial District, the boarding and care in a controlled and regulated environment of pets in the absence of their owners, but shall not include a veterinary clinic or kennel, as otherwise regulated by this Ordinance.

SECTION 2: AMENDMENT ADDING PET SERVICES AS A CONDITIONAL USE (PRINCIPAL USE) IN THE C-1 LIMITED COMMERCIAL DISTRICT

That the Township Zoning Ordinance, Ordinance No. 305, as amended, is hereby further amended as follows;

a. Amend Section 801.B.1 to add as subpart h thereof "Pet Services, subject to the express standards added to Article XII by this Amendment."

Further, the Table of Authorized Uses attached as Appendix E to the Zoning Ordinance is revised to list Pet Services as a Conditional Use, as indicated by the letters "CU" in the C-1 Limited Commercial District.

SECTION 3: AMENDMENT ADDING EXPRESS STANDARDS AND CRITERIA FOR PET SERVICES AS A CONDITIONAL USE IN THE C-1 LIMITED COMMERCIAL ZONING DISTRICT

That the Township Zoning Ordinance, Ordinance No 305, as amended, is hereby further amended as follows:

a. Amend Article XIII by adding the following as express standards and criteria for Pet Services as a conditional use in the C-1 Limited Commercial District

1. Pet Services shall be permitted in the C-1 Limited Commercial District subject to:

a. The minimum site area shall be three (3) acres.

- b. The site must abut the right-of-way of an interstate highway.
- c. The site may not directly abut any residentially zoned district.
- d. The primary building must be located at least five hundred (500) feet from the nearest residential dwelling.
- e. The site design may include separate fenced areas for use of individual pets (no more than two) so long as such area is directly accessed from and attached to the building and is located along the rear or a side of the building.
- f. The site design may also include a second fenced area for the use of groups of pets (pet play area) so long as such area is directly accessed from and attached to the building and is located along the rear or side of the building.
- g. The exterior perimeter of any outdoor runs or pet play areas shall be adequately secured by a minimum six (6) foot fence with self-latching gate and shall be screened from view by appropriate landscaping consisting of a mix of hedges and shrubs.
- h. Except for cleaning or maintenance, outdoor runs or pet play areas shall not be used between the hours of 9 PM and 7 AM.
- i. Bufferyard "C" as described in §1402.1 shall be installed along the rear and sides of the site.
- j. The operator shall submit an animal waste management and disposal plan to the Township.

SECTION 4: REPEALER

Any and all previous Ordinance(s) which are inconsistent with the terms and provisions of the ordinance are hereby repealed.

SECTION 5: SEVERABILITY

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 6: EFFECTIVE DATE

This Ordinance shall take effect immediately upon enactment as provided by law.


ORDAINED and ENACTED this 7 day of October, 2019, by the Board of Supervisors of the Township of Ohio in lawful session duly assembled.

ATTEST:



Township Secretary

TOWNSHIP OF OHIO


By: _____
Chair, Board of Supervisors