

**BOROUGH OF OAKDALE  
ALLEGHENY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2024-1**

**AN ORDINANCE OF THE BOROUGH OF OAKDALE, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING ITS ZONING ORDINANCE TO ADD COMMERCIAL RECREATION AS A CONIDITIONAL USE IN THE I-1 ZONING DISTRICT.**

**WHEREAS**, as authorized by the Pennsylvania Municipalities Planning Code (MPC), the Borough Council of the Borough of Oakdale regulates land use within the Borough through its comprehensive Zoning Ordinance, currently codified as Chapter 375 of the Borough Code of Ordinances, as amended;

**WHEREAS**, the Borough Council has reviewed the current Zoning Ordinance and determined that changes need to be made to the Ordinance, including providing for commercial recreation as a conditional use in the I-1 Zoning District and adding express criteria for said conditional use;

**WHEREAS**, the Borough has, in accordance with the requirements of the MPC, submitted the proposed amendment to the Allegheny County Planning Agency, for review and comment on July 24, 2023;

**WHEREAS**, comments were received from the Allegheny County Planning Agency on August 14, 2023(s);

**WHEREAS**, the Borough, addressed the comments received from the Allegheny County Planning Agency and resubmitted its proposed amendment on September 11, 2023;

**WHEREAS**, the Borough received updated comments from the Allegheny County Planning Agency on October 10, 2023;

**WHEREAS**, the Borough advertised the time, place, and date of the public hearing between December 12, 2023 and December 24, 2023, in the Observer Reporter;

**WHEREAS**, on January 2, 2024, the Borough Council held a duly noticed and advertised public hearing to take public comment on the proposed Zoning Ordinance text and map amendment; and

**WHEREAS**, the Borough Council, having received such public comment as may have been given at the Public Hearing, and having received the recommendations of the Borough Solicitor and the Allegheny County Planning Agency, finds that enactment of the proposed Zoning Ordinance text amendment is consistent with the overall purpose and intent of the Zoning Ordinance as stated in §375-4, and will be beneficial to the health, safety, and welfare of the Borough and consistent with the MPC.

**NOW THEREFORE**, in consideration of the foregoing, it is hereby ordained and enacted by the authority of the Borough Council of the Borough of Oakdale:

**SECTION 1: ORDINANCE AMENDMENT.**

That the Borough Zoning Ordinance, codified as Chapter 375 of the Borough Code of Ordinances, as amended, is hereby amended as follows:

**Section 375-11, Permitted Uses, is hereby amended as follows:**

§ 375-11 Permitted uses.

The permitted uses, conditional uses, and special exceptions for each district are shown on the following table. Uses given in the following categories shall be according to the common meaning of the term or according to definitions given in Article VII. Uses not specifically listed or defined to be included in the categories under this section shall not be permitted.

Permitted Uses	Special Exceptions (§375-31)	Conditional Uses (§375-40)
<b>R-1 Single-Family Residential District</b>		
Single-family dwellings	Noncommercial recreational uses	Day Care, Child
Public and parochial schools	Nursery schools	
Public parks and playgrounds	Hospitals and clinics	
Churches	Public utility buildings	
Essential services	Swimming pools	
Accessory uses	Fire stations	
Home Occupations	Municipal buildings and libraries	
No-Impact Home-based Business	Planned unit residential projects	
<b>R-2 Multiple-Family Residential District</b>		
Single-family dwellings	Multiple-family dwellings	Day Care, Child
Two-family dwellings	Nursery schools	
Public and parochial schools	Hospitals and clinics	
Churches	Public utility buildings	
Public parks and playgrounds	Swimming pools	
Essential services	Fire stations	
Accessory uses	Municipal buildings and libraries	
Home Occupations	Planned unit residential projects	
No-Impact Home-based Business		
<b>B-1 Business Districts</b>		
Retail businesses	Research laboratories	Drive-Through Facility
Eating and drinking establishments	Trailer parks	
Offices and banks	Planned unit business projects	
Personal and professional services	Multiple-family dwellings	
Fire stations and municipal buildings	Wholesale business	
Auto sales, service and repair	Public utility buildings	

Theaters	Light manufacturing	
Motels		
Commercial schools		
Commercial recreation		
Public parking lots and parking garages		
Essential services		
Accessory uses		
Bank/Financial Institution		
Restaurant		
Restaurant, Neighborhood		
Retail Store		
Retail Store, Neighborhood		
Service Station		
Tavern (Bar)		
<b>B-2 Neighborhood Commercial District</b>		
Fire stations and municipal buildings		Bank/Financial Institution
Essential services		Car Wash
Personal and Professional Services		Convenience Store
		Day Care, Child
		Drive-Through Facility
		Gas/Fuel Station
		Micro-Brewery/Brew Pub
		Micro-Distillery
		Restaurant, Neighborhood
		Retail Store, Neighborhood
		Tavern (Bar)
		Winery
<b>I-1 Industrial District</b>		
Research and testing laboratories	Manufacturing	Restaurant
Offices	Planned unit industrial projects	Commercial Recreation
Warehousing	Restaurants	
Truck terminals		
Light manufacturing		
Essential services		
Accessory uses		
Supply yards		
Wholesale distributors		
Self-Storage Facility		

Section 375-38, Definitions and word usage, is hereby amended to add the following terms and definitions as follows:

**Commercial Recreation** – A use consisting of indoor facilities for the pursuit of sports, amusement, recreation, and leisure activities available to the general public for a fee, where the principal use is conducted within a completely enclosed building, including but not limited to such principal uses as paintball arenas, bowling alleys, amusement arcades, virtual reality and simulation gaming parlors, billiard parlors, and dance halls, but not including any adult business.

Section 375-42, Standards for Specific Uses is hereby amended by adding the following subsection:

Section 375-42: Standards for Specific Uses.

- M. **Commercial Recreation**
1. A space for commercial recreation shall be a permitted conditional use subject to the following express minimum standards and criteria:
    - i. Access drives shall be located to take advantage of sight distances on public roads.
    - ii. Lighting of site shall be oriented away from nearby residential areas and adjacent public roads.
    - iii. Site facilities shall be arranged to minimize impact of noise created on-site by use of plantings or separation of noise-producing elements from residential areas.

## **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 Borough Council 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.**

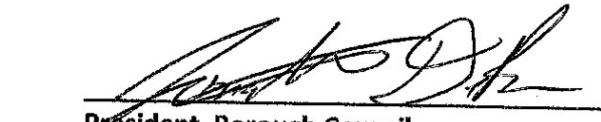
That this Ordinance shall take effect immediately upon enactment as provided by law.

ENACTED AND ORDAINED into law this the 2<sup>nd</sup> day of January 2024.

ATTEST:

**BOROUGH OF OAKDALE**

  
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Borough Secretary

  
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President, Borough Council