

**BOROUGH OF OAKDALE
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2024-8

**AN ORDINANCE OF THE BOROUGH OF OAKDALE, COUNTY OF ALLEGHENY,
COMMONWEALTH OF PENNSYLVANIA, AMENDING ITS ZONING ORDINANCE
EXPANDING THE DEFINITION OF COMMERCIAL RECREATION IN I-1 TO INCLUDE
OUTDOOR ACTIVITIES AND SETTING FORTH APPLICABLE STANDARDS.**

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 expanding the definition of commercial recreation in I-1 to include outdoor activities and setting forth applicable standards 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 May 13, 2024;

WHEREAS, comments were received from the Allegheny County Planning Agency on June 10, 2024; and

WHEREAS, the Borough advertised the time, place, and date of the public hearing between July 18, 2024 and July 25, 2024, in the Observer Reporter; and

WHEREAS, on August 1, 2024, the Borough Council held 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 375-38, Definitions and word usage, is hereby amended to add the following terms and definitions as follows:

Commercial Recreation – A use which is conducted primarily inside an enclosed structure for the pursuit of sports, amusement, recreation, and leisure activities available to the general public for a fee, where the principal use is primarily inside, but which may also include associated uses or activities that are outside, 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 provisions:

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 the impact of noise created on-site by use of plantings or separation of noise producing elements from residential areas.
 - iv. A minimum site size of one acre shall be required.
 - v. Outside use areas shall be located at least 40 feet from any residential property line.
 - vi. The use shall comply with the performance standards of Section 375-41.
 - vii. Any facility or outside use area located within 200 feet of a property line adjoining a residential use or residential zoning district shall cease operations by dusk.

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 1st day of August 2024.

ATTEST:

BOROUGH OF OAKDALE



Borough Manager



President, Borough Council