



**SOUTH FAYETTE TOWNSHIP  
ALLEGHENY COUNTY  
COMMONWEALTH OF PENNSYLVANIA**

**ORDINANCE NO. 06 of 2023**

**AN ORDINANCE OF THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA; AMENDING CHAPTER 240, ZONING, OF THE SOUTH FAYETTE CODE, BY THE ADDITION OF, ARTICLE XIII B, § 240-83.12, ET SEQ.; PROVIDING FOR A PURPOSE RELATED TO THE ADOPTION OF THE AMENDMENT; PROVIDING FOR DEFINITIONS; ESTABLISHING THE SOUTHERN BELTWAY OVERLAY DISTRICT; PROVIDING FOR CERTAIN PRIMARY AND ACCESSORY USES; AND PROVIDING FOR THE ENFORCEMENT OF SAID REGULATIONS.**

**NOW THEREFORE**, be it, and it is hereby **ORDAINED** by the Board of Commissioners of South Fayette Township, Allegheny County, Pennsylvania, it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

- 1. CHAPTER 240, ZONING, OF THE SOUTH FAYETTE CODE IS AMENDED BY THE ADDITION OF, ARTICLE XIII B, § 240-83.12, ET SEQ., “SOUTHERN BELTWAY OVERLAY DISTRICT” AS FOLLOWS:**

**Article XIII B Southern Beltway Overlay District**

**240-83.12 Purpose.**

The purpose of the Southern Beltway Overlay District is to provide opportunities for limited commercial uses on properties in the Southern Beltway Corridor that are transitional between existing commercial and residential areas without significantly impacting adjacent commercial or residential properties or the traffic carrying capacity of the Pennsylvania Turnpike 576 roadway and to provide for accessory uses and compatible supporting uses as conditional uses or uses by special exception.

**240-83.13 Developmental History.**

The U.S. Route 22 to I-79 project is the middle section of the Pennsylvania Department of Transportation (PennDOT) Southern Beltway project and begins at the southern terminus of the Findlay Connector at the U.S. Route 22 Interchange and proceeds 13 miles southeast to an interchange with I-79 and a local connection near the Allegheny/Washington County line in

South Fayette Township. The Record of Decision (granting environmental clearance) was issued for the project in September 2008. Funding for the U.S. Route 22 to I-79 project came in 2013 with the passing of Act 89 legislation in the Commonwealth of Pennsylvania. Estimated cost for this 13-mile section is approximately \$800 million. The Southern Beltway was opened to traffic on October 15, 2021 with restrictions at I-79. Those restrictions were lifted with the final opening, which was completed on June 24, 2022. All connections with I-79 opened in June 2022.

#### **240-83.14 Relationship to Other Zoning Districts.**

The Southern Beltway Overlay District shall not modify the boundaries of any other zoning district. Where identified, the Southern Beltway Overlay District shall impose certain requirements, or grant certain allowances, on land use, construction, and development in addition to those contained in the applicable underlying or base zoning district(s) and/or applicable overlay zoning district(s) for the same area.

#### **240-83.15 Definitions.**

The following words and phrases, when used in this article, shall have the meaning given to them in this section unless the context clearly indicates otherwise.

#### **NON-TOWER WIRELESS COMMUNICATIONS FACILITY (NON-TOWER WCF)**

All non-tower wireless communications facilities, including but not limited to, Antennae and related equipment. Non-Tower WCF shall not include support structures for Antennae and related equipment.

#### **SMALL WIRELESS COMMUNICATIONS FACILITY (SMALL WCF)**

A wireless communications facility that meets the following criteria:

- (1) The structure on which antenna facilities are mounted—
  - (i) is 50 feet or less in height, or
  - (ii) is no more than 10 percent taller than other adjacent structures, or
  - (iii) is not extended to a height of more than 50 feet or by more than 10 percent above its preexisting height as a result of the collocation of new antenna facilities; and
- (2) Each antenna associated with the deployment (excluding the associated equipment) is no more than three cubic feet in volume; and

- (3) All antenna equipment associated with the facility (excluding antennas) are cumulatively no more than 28 cubic feet in volume;
- (4) The facilities do not require antenna structure registration under 47 CFR Part 17;
- (5) The facilities are not located on Tribal lands, as defined under 36 CFR 800.16(x); and
- (6) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR 1.1307(b).

**TOWER-BASED WIRELESS COMMUNICATIONS FACILITY (TOWER-BASED WCF)**

A Tower and its supporting antennae, including, but not limited to, self-supporting lattice towers, guyed towers, and monopoles. Distributed antennae system hub facilities are considered to be Tower-Based WCFs.

**240-83.16 Establishment of Southern Beltway Overlay District.**

There is hereby created and established a Southern Beltway Overlay District, which shall consist of the areas depicted in Figure 1 and the South Fayette Township Zoning District Map, promulgated at § 240-10.

**240-83.17 Authorized Uses.**

In the Southern Beltway Overlay District, the following uses are authorized:

A. Permitted Uses

(1) Principal Uses

- (A) Small Wireless Communications Facilities, subject to the South Fayette Wireless Facilities Ordinance, Chapter 240, § 240-1, et seq.

(2) Accessory Uses

- (A) Small Wireless Communications Facilities, subject to the South Fayette Wireless Facilities Ordinance, Chapter 240, § 240-1, et seq.

B. Conditional Uses

(1) Principal Uses

- (A) Tower-Based Wireless Communications Facilities, subject to the South Fayette Wireless Facilities Ordinance, Chapter 240, § 240-1, et seq.
  - (B) Non-Tower Wireless Communications Facilities, subject to the South Fayette Wireless Facilities Ordinance, Chapter 240, § 240-1, et seq.
- (2) Accessory Uses
- (A) Tower-Based Wireless Communications Facilities, subject to the South Fayette Wireless Facilities Ordinance, Chapter 240, § 240-1, et seq.
  - (B) Non-Tower Based Wireless Communications Facilities, subject to the South Fayette Wireless Facilities Ordinance, Chapter 240, § 240-1, et seq.

**240-83.18 Preexisting nonconforming uses.**

The regulations prescribed by this article shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this article, or otherwise interfere with the continuance of a nonconforming use. No nonconforming use shall be structurally altered or permitted to grow higher, so as to increase the nonconformity, and a nonconforming use, once substantially abated (subject to the underlying zoning ordinance), may only be reestablished consistent with the provisions herein.

**240-83.19 Violations and Penalties.**

Violations and penalties are subject to that in the underlying Zoning Ordinance.

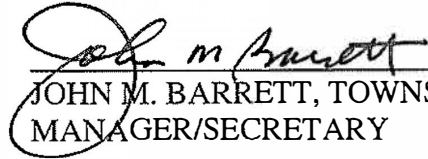
**240-83.20 Appeals.**

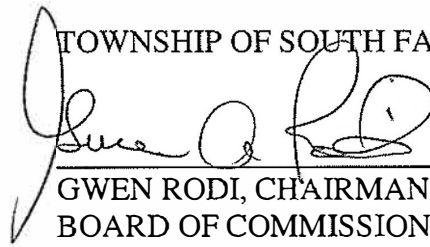
Appeals are subject to the process in the underlying Zoning Ordinance.

2. Any Ordinance or Resolution, or portion thereof, conflicting with the provisions of this Ordinance shall be and the same is hereby repealed, insofar as the same affects this Ordinance.
3. If any section or provision or parts thereof in this Ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the Ordinance as a whole or any other section or provision or part thereof.
4. This Ordinance shall become effective upon passage.

**ADOPTED AND APPROVED** this 11 day of October 2023.

Attest:

  
\_\_\_\_\_  
JOHN M. BARRETT, TOWNSHIP  
MANAGER/SECRETARY

TOWNSHIP OF SOUTH FAYETTE  
  
\_\_\_\_\_  
GWEN RODI, CHAIRMAN  
BOARD OF COMMISSIONERS



  
 DATE: 7/21/20  
 GTE  
 SHEET 1 OF 2

**SOUTHERN BELTWAY OVERLAY DISTRICT**  
**FIGURE 1.**  
 500 FOOT BUFFER FROM TRAVEL LANES

**LEGEND**

-  500 Foot Buffer from Travel Lanes
-  Major Roadway (Interstate)
-  Major Roadway (State Road)
-  Major Roadway (County Road)
-  Major Roadway (Municipal Road)
-  Major Roadway (Other)
-  Major Roadway (Other)
-  Major Roadway (Other)
-  Major Roadway (Other)
-  Major Roadway (Other)

  
 Gibson-Thomas  
 & Hinkle, Inc.  
 10000 Old  
 Lincoln Pk, 15500  
 Phone: 774.509.6567

FIGURE 1

