

South Fayette Township

Oil and Gas Recovery
Overlay District
Joint Meeting

Charge to Administration

- Utilizing an overlay concept review the township to determine if and where drilling activities should be permitted within the township regardless of zoning district limitation.
- Utilize consultants, expertise and stakeholders to gather information in the formulation of the overlay.
- Develop both a map and text for the proposed overlay district.
- Present findings to a Joint Meeting of the Board of Commissioners and Planning Commission.

Overview of Overlay Zoning

- A Municipality may use overlay zones to protect particular natural or cultural features from development pressures.
- Overlay zones build on the underlying zoning, by establishing additional or stricter standards and criteria.
- Overlay districts are a legal and recognized planning tool within the PA Municipalities Planning Code (MPC).
- South Fayette has used the overlay zoning in the creation of the Open Space Design and the Washington Pike Overlay.
- The Proposed Oil and Gas Recovery Overlay District employs the use of both a map and a text version of the overlay.
- Administration has not made any determination with this particular overlay is permitted and/or provides for a solid foundation for any legal challenges. This should be addressed by the solicitor following a thorough review of the overlay and legal precedents.
- Letter from our solicitor, Goldberg, Kamin and Garvin.

Twp. Zoning Map – Jan, 2010

- South Fayette Twp. presently has 11 different zoning districts.
- 4 > Residential Districts
- 3 > Commercial/Business Districts
- 2 > Industrial Districts
- 1 > Planned Economic Development
- 1 > Conservation District

- Township Size = 13,100 Acres (+/-)

NOTE:

The Map shown in this area during the Joint Meeting was labeled as:

***Twp. Zoning Map –
January 2010***

Please click on related link to view map

Current Map – Permitted Drilling

- Areas highlighted in GREEN = zoning districts permitted by November 2010 Ordinance
- Districts where drilling is permitted are C-1, C-2, B-1, I-1, I-P and PED
- Total Area Permitted = 2,100 acres
- Question: Does this map meet the expected outcome desired with the adoption of the November 2010 ordinance.

NOTE:

The Map shown in this area during the Joint Meeting was labeled as:

Permitted Areas – Present Zoning

Please click on related link to view map

Steps Utilized to Create Overlay Maps

- Develop base map utilizing information gathered from other municipalities, experts, and public input from recent public hearings. A base map and accompany text establishing regulations was developed
 - Step #1 – Select two groups of stakeholders that would represent different viewpoints on Marcellus Shale issues (Large Property Owners & S.F. Residents)
 - Step #2 – Meet independently with each group; review *Base Map* & associated criteria; receive & document feedback; adjust and/or create new map to reflect groups comments/concerns. (NOTE: these meetings occurred in Mid-December 2010)
 - Step #3 – Meet again with each group; review new map(s); discuss OTHER group's criteria; receive feedback and make adjustments. (NOTE: these follow-up meetings occurred in January 2011).
 - Step #4 – Finalize respective maps to assure that each map reflects consensus of the group's concerns/comments.
- Present all maps at joint Board of Commissioners and Planning Commission Meeting to establish a direction for further review.

Overlay District – *Base Map*

- Used parameters established in November 2010 ord.
- 1,000 ft setback from sub. or neighborhood.
- 2,500 from school.
- 200 ft setback from streams & wetlands
- No Old Oakdale Rd
- Total Area Permitted = 3,000 acres

NOTE:

The Map shown in this area during the Joint Meeting was labeled as:

Proposed Overlay – Base Map

Please click on related link to view map

Overlay Map – *Residents*

- 1,000 ft setback from sub. or neighborhood.
- 200 ft setback from streams & wetlands
- 2,500 from school.
- No Old Oakdale Rd.
- Property MUST abut PennDOT road.
- Total Area Permitted = 1,400 acres

NOTE:

The Map shown in this area during the Joint Meeting was labeled as:

***Proposed Overlay –
Residents Parameters***

Please click on related link to view map

Overlay Map – *Property Owners*

- 600 ft setback from sub. or neighborhood.
- 200 ft setback from streams & wetlands
- No Old Oakdale Rd.
- Access must be from PennDOT road.
- Lease Twp. Property
- Total Area Permitted = 3,700 acres

NOTE:

The Map shown in this area during the Joint Meeting was labeled as:

***Proposed Overlay –
Land Owner Parameters***

Please click on related link to view map

Overlay Adoption Process

- If the general philosophy is in line with the Board of Commissioners' perceived directive, the draft ordinance would be forwarded to the Planning Commission for further review and recommendation. This would include review of the maps and associated text of the ordinance. Review and discussion by the Planning Commission would be held at a public meeting(s). Once the Planning Commission finalized its recommendation a Public Hearing would be held by the Planning Commission. Residents would be able to provide feedback and comments.
- Following the Public Hearing, the Planning Commission version would be forwarded to the Board of Commissioners.
- The Board of Commissioners would also hold a Public Hearing. The ordinance would also be discussed at least one if not several workshop meetings. Again, all meetings would be open to the public.
- Once the Public Hearing is held the ordinance could be considered for authorization to be advertised and a copy would be forwarded to the Allegheny County Planning Department.
- The proposed ordinance would be reviewed at additional workshop prior to final consideration.

Question/Discussion Period Between the Board and the Planning Commission