

MEMORANDUM

To: Jim Price, Borough Manager
CC: Crafton Borough Council, Planning Commission
From: Mike Tedesco, Community and Economic Development Director
Mandi L. Culhane, Planning Commission Solicitor
Date: 09/16/2025
RE: Allegheny County Zoning Review Summary

Background

The following memorandum summarizes the scope of comments from Allegheny County for zoning considerations as they relate to our draft zoning code, dated May 30, 2025.

Summary of Comments

County comments are summarized as follows: Seventeen total comments were submitted by the County, with four of them containing subsections.

Comment 1 and its four subsections pertain to ensuring language in our zoning code mirrors language in the Pennsylvania Municipalities Planning Code (MPC). The County recommends adding verbatim language from the MPC to ensure consistency between both laws.

Conclusion: This request is easily addressed with de minimis revisions.

Comment 2 relates to the zoning code's relationship with our Subdivision and Land Development Ordinance (SALDO) and appropriate regulatory thresholds between the two laws. The County recommends we consider moving eight technical design provisions from the zoning code to the SALDO.

Planning Commission Solicitor feedback: We disagree that the listed provisions of the proposed ordinance should be moved to the SALDO. As an initial matter, the PA Municipalities Planning Code distinguishes between a subdivision and land development ordinance and a zoning ordinance. *Compare Article V and Article VI of the Municipalities Planning Code, 53 P.S. §§ 10101, et seq.* This is because zoning regulates the **use** of land, while the SALDO only regulates subdivision and land development within the Borough. The purpose of the SALDO is to ensure the proper layout or arrangement of land, the proper design of streets, and the provision of adequate easements, etc. for required public

facilities. *Borough SALDO § 197-3.* Before any SALDO application may be submitted, a landowner must first make sure the proposed use complies with the Zoning Ordinance.

If the types of regulations listed in the County’s review letter are moved from the Zoning Ordinance to the SALDO, it is likely to cause great confusion and to result in certain uses of land not being regulated. There are many instances where the Zoning Ordinance applies outside of any “land development” as defined in the SALDO. For example, a property owner can change or expand the use of his or her property without complying with the SALDO, as long as such use or expansion complies with the Zoning Ordinance. Such change in use may include a sign, parking, or outdoor lighting that would no longer be subject to zoning regulations. In order to bring such uses under the umbrella of the SALDO, significant amendments would be required to both ordinances, which will almost certainly lead to ambiguities and conflicts between the two ordinances.

Finally, the explanation provided by the County for including the regulations listed in the SALDO instead of the Zoning Ordinance is to make it easier for property owners to make modifications to the regulations, or obtain waivers. While the standards for obtaining a variance are high, this is to benefit the entire community and to ensure property owners are complying with the Zoning Ordinance, except in extreme cases where compliance is not possible.

Conclusion: This is a policy decision of Council and the Planning Commission’s Solicitor is recommending that the Borough not adopt the change.

Comment 3 compliments the zoning code and those who worked on creating it because of how well it aligns with our Thrive Comprehensive Plan by *changing the existing C-1 and C-2 Commercial districts to Mixed Use (MU) and Crafton Transit-Oriented (CTOD) districts, respectively, and by expanding housing choice in these and the Borough’s residential districts by increasing allowable uses, and a mixture of uses, and by reducing minimum lot standards. The elimination of minimum lot standards in the MU and CTOD districts preserves the existing walkable context of much of the Borough’s commercial center and allow compatible infill while encouraging denser redevelopment opportunities where they were previously not permitted.*

Conclusion: No action needed.

Comment 4 recommends adding more renderings to visually demonstrate lot and yard criteria.

Conclusion: This request is easily addressed with de minimis revisions.

Comment 5 is a compliment regarding renderings already included within the code that make it easier for the end user to understand the regulation.

Conclusion: No action needed.

Comment 6 is seeking clarification regarding fire escapes for apartments within commercial buildings.

Conclusion: This request is easily addressed with de minimis revisions.

Comment 7 fixes a typo.

Conclusion: This request is easily addressed with de minimis revisions.

Comment 8 suggests expanding and breaking out the list of “commercial recreation uses” to ensure clarity on what specific uses we are looking to regulate.

Conclusion: Borough Staff and the Planning Commission Solicitor have reviewed Section 225-28(F) and the related definition of “Recreation, Commercial” and have concluded that the definition does include sufficient specificity to identify what uses the Borough seeks to regulate. It appears the County may have misread the definition because they refer to “exceptions” instead of the examples provided to explain what is meant by “Recreation, Commercial” (“such establishments as miniature golf, golf or batting practice facilities, bowling alleys, health or fitness clubs, martial arts, gymnasiums, ice or roller rinks, playing fields, racquet clubs, swimming pools, stadia and similar facilities”).

Comment 9 fixes a typo.

Conclusion: This request is easily addressed with de minimis revisions.

Comment 10 suggests establishing a period in which an expired temporary use or structure cannot be re-established to avoid a temporary structure on paper becoming a permanent structure in reality.

Conclusion: With the exception of event vendors, sidewalk shops, yard sales, and similar short term uses, temporary uses and structures are approved within the draft zoning code for a period not to exceed six months. Waiting periods to re-establish temporary uses once they have expired vary across the nation with a wide range generally between 30 and 180 days. Because temporary uses or structures may be utilized for up to six months, a waiting period equal to or greater than the amount of time the temporary use was in use seems appropriate, which will allow a temporary use to exist during multiple periods per year but for no longer than six months in total.

Comment 11 recommends consistent evaluation of standards for boat and RV storage.

Conclusion: No action needed.

Comment 12 suggests adding more clarity for fences, walls, and screens with respect to location and height in the street-fronting side yard of a corner lot.

Conclusion: This request is easily addressed with de minimis revisions.

Comment 13 is a compliment regarding the zoning code's simplified parking standards, which reduce minimum parking standards and is well designed to encourage a walkable development matching Crafton's built environment.

Conclusion: No action needed.

Comment 14 is regarding incomplete text.

Conclusion: This request is easily addressed with de minimis revisions.

Comment 15 relates to signage regulations and judicial case law.

Planning Commission Solicitor feedback: Section 225-42(I) requires the removal of business signs whenever the business is discontinued or vacated. Because this regulation only applies to business signs, and not all signs, the regulation is considered “content based” and therefore subject to “strict scrutiny” if a constitutional challenge were made. Strict scrutiny requires the government to prove that the restriction furthers a compelling government interest and is narrowly tailored to achieve that interest.

This provision is already in the existing Zoning Ordinance. If there was a specific intent to limit the regulation to business signs, further discussion is necessary to determine that intent and evaluate whether it would survive a strict scrutiny test. Alternatively, the language could be amended to apply to all signs where the use of the land is discontinued or vacated. Consider also defining a timeframe within which a presumption of discontinued or vacated will arise.

Conclusion: The Planning Commission Solicitor conducted deeper research into the matter and concluded no revisions are necessary.

Comment 16 and all subsections thereof provide suggested revisions to five items in the definitions section to improve clarity.

Conclusion: This request is easily addressed with de minimis revisions.

Comment 17 reminds us of the legal process to approve an amended zoning code.

Conclusion: Follow the legal process.