

MUNICIPALITY OF MONROEVILLE
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2525

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE, ALLEGHENY COUNTY, PENNSYLVANIA, A HOME RULE CHARTER COMMUNITY, REPEALING ORDINANCE NOS. 744 AND 2270 AND ADOPTING NEW SUBDIVISION AND LAND DEVELOPMENT REGULATIONS.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Municipality of Monroeville, County of Allegheny, Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

Section 1. The Municipality of Monroeville desires to repeal Ordinance Nos. 744 and 2270 and adopt new subdivision and land development standards to regulate the subdivision of land, establish certain standards of design and development, secure the equitable handling of all subdivision plans and to establish plan processing procedures as more particularly described in Exhibit "A" attached hereto.

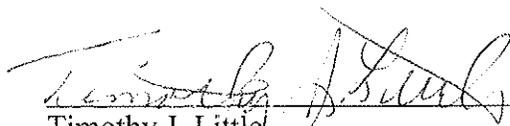
Section 2. All Ordinances or Resolutions or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

Section 3. This Ordinance shall take effect January 1, 2012.

ORDAINED AND ENACTED into law the 9th day of November 2011.

ATTEST:

MUNICIPALITY OF MONROEVILLE


Timothy J. Little
Municipal Manager


Gregory Erosenko
Mayor

ENTERED INTO LEGAL BOOK ON: November 19, 2011

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SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

ARTICLE I – GENERAL PROVISIONS

001-1. ADOPTION

- A. Enabling authority/adoption.** The Council of the Municipality of Monroeville, in Allegheny County, in accordance with the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as reenacted and amended by Act 170 of 1988, and as subsequently amended, 53 P.S. 10101 et seq. (MPC), enacts the following ordinance to regulate subdivision and land development in the Municipality of Monroeville.
- B. Repeal of prior ordinance.** All and any previous subdivision ordinances and regulations are hereby repealed.
- C. Title.** This ordinance shall be known and may be cited as the "Subdivision and Land Development Ordinance".
- D. Severability.** Any section, subsection, or provision of this ordinance that is declared to be invalid by a court of competent jurisdiction shall not affect the validity of any other part of this ordinance or the ordinance as a whole.
- E. Amendments.** This ordinance may be amended by the Municipality in accordance with the procedures specified in the MPC.
- F. Effective date.** This ordinance shall become effective 10 days after the date of enactment.

001-2. PURPOSES

- A. General purpose.** It is the purpose of this ordinance to protect and promote the public health, safety, and welfare through the establishment of standards and procedures for the review and approval of subdivisions and land development in the Municipality of Monroeville.
- B. Specific purposes.** The provisions of this ordinance are intended to achieve the following specific purposes:
 - 1. To ensure new development that is well-designed, of high quality, and harmoniously suited to the natural conditions of its site.
 - 2. To ensure the coordinated growth of development; compact, efficient, and economic patterns of development; and to avoid excessive public costs of scattered development.
 - 3. To prevent development which may be hazardous because of the physical character of land.
 - 4. To protect and preserve valued natural, historic, and cultural features of the environment.

5. To ensure the provision of public improvements which are necessary and appropriate for the development, and which are coordinated with nearby areas.
6. To provide flexibility in standards and requirements so that the development design can be fitted to the character of its site and to the community in which it is located.
7. To reflect and implement municipal, county, and regional plans and policies.
8. To provide standards and procedures for the submission and approval of subdivision and land development applications.

001-3. JURISDICTION

- A. Approval authority.** These regulations shall govern the review and approval of subdivisions and land developments in the Municipality of Monroeville. Municipal Council will be the final approving body for all subdivisions and land developments.
- B. Review authority.** The Municipality's Planning Commission is a recommending body to the Municipal Council.

001-4. EFFECT OF ADOPTION

- A. General.** No subdivision or land development of any lot, tract, or parcel of land shall be made; no street, sanitary sewer, storm sewer, water main, or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this ordinance and of any applicable Municipal ordinance.
- B. Effect on applications pending or previously approved**
 1. Changes and/or amendments to this Ordinance shall affect pending or previously approved applications as set forth in the MPC.

001-5. INTERPRETATION AND RELATION TO OTHER PROVISIONS

- A. Interpretation.** The provisions of this ordinance shall be held to be minimum requirements for subdivisions and land developments in the Municipality of Monroeville.
- B. Conflict with other public provisions.** If any provision of this ordinance imposes restrictions which are different from those imposed by any other applicable ordinance, regulation, or provision of law, the provision that is more restrictive or which imposes higher standards shall control.
- C. Conflict with private provisions.** If the requirements of this ordinance are different from those contained in deed restrictions, covenants, or other private agreements, the requirements that are more restrictive or which impose higher standards shall govern, provided that the private provisions are otherwise lawful.
- D. Liability.** The review or approval of a subdivision or land development by the Municipality of Monroeville in accordance with the provisions of this ordinance

shall not constitute a guarantee of any kind that the proposed development is safe and shall create no liability upon the Municipality, its officials, employees, or contracted parties.

001-6. MODIFICATIONS AND WAIVERS

- A. Basis for modification and waivers.** Municipal Council may grant a modification or waiver of the requirements of one or more provisions of this ordinance for the following reasons, provided that such modification or waiver will not be contrary to the public interest and that the purposes of the ordinance are observed:
- 1. Hardship or Alternative Standard.** Upon application and allegations in writing that extraordinary hardship may result from strict compliance with these regulations, or an alternative standard can be demonstrated to provide equal or better results, the case may be referred to the Municipal Planning Commission for the purpose of hearing the cause and determining substitute regulations to accommodate the specific hardships. If by adopting the substitute regulations substantial justice may be done and the public interest may be served, the Municipal Planning Commission may approve the adoption of the substitute regulations, subject to final plan approval by the Municipal Council, in lieu of the regulations causing hardship, provided that such variation will not have the effect of nullifying the intent and purpose of the Municipal Comprehensive Plan or the spirit of these regulations.
- B. Requests in writing.** All requests for modifications or waivers shall be in writing and shall accompany and be a part of the application for development. The requests shall state in full the grounds and facts of hardship or evidence of equal or better result on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary.
- C. Records required.** The Municipality shall keep a written record of all actions on requests for modifications. The developer shall be required to note any approved modifications or waivers on the final plans issued for recording.

001-7. APPEALS.

- A.** Any person aggrieved by a decision of the Municipality of Monroeville concerning an application for approval of a subdivision or land development may appeal the decision in accordance with the procedures specified in the MPC.

001-8. VIOLATIONS, REMEDIES, AND ENFORCEMENT

- A. Preventive remedies.** The Municipality of Monroeville may institute and maintain actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure, or premises.
- 1. No exemption in metes and bounds descriptions.** The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from the penalties or remedies provided.

2. **Further development not permitted.** The Municipality of Monroeville may refuse to issue any permit or grant any approval necessary to further improve or develop real property which has been developed or which has resulted from a subdivision of real property in violation of this ordinance. The authority to deny such a permit or approval shall apply to any of the following applicants:
 - a. The owner of record at the time of such violation.
 - b. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive notice of the violation.
 - c. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - d. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
3. **Compliance with ordinance required for permit.** As an additional condition for issuance of a permit or the granting of an approval for any such owner, current owner, vendee, or lessee for the development of any such real property, the Municipality may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

B. Enforcement remedies

1. **Initial jurisdiction.** District justices shall have initial jurisdiction in proceedings brought under this section.
2. **Judgment.** Any person, partnership or corporation who or which has violated the provisions of this ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Municipality, pay a judgment of not more than Five Hundred U.S. Dollars (\$500.00) , plus all court costs, including reasonable attorney fees incurred by the Municipality as a result thereof.
 - a. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the district justice.
 - b. If the defendant neither pays nor timely appeals the judgment the Municipality may enforce the judgment pursuant to the applicable rules of civil procedure.
 - c. Each day that a violation continues shall constitute a separate violation unless the district justice determining that there has been a violation further determines that there was a good faith basis for the persons, partnership or corporation violating this ordinance to have believed that there was no such violation, in which event there shall be deemed to have

been only one such violation until the fifth day following the date of the determination of a violation by the district justice, and, thereafter, each day that a violation continues shall constitute a separate violation.

3. Stay of judgment. The Allegheny County Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
4. Enforcement by Municipality. Nothing in this section shall be construed or interpreted to grant to any person or entity other than the Municipality the right to commence any action for enforcement pursuant to this section.

ARTICLE II – PROCEDURES FOR REVIEW, APPROVAL, AND RECORDING OF PLANS

002-1. GENERAL

- A. Purpose.** This article specifies procedures for review and approval of proposed subdivisions and land developments and for the recording of plans after their approval.
- B. Organization of article**
- 1. Review and approval procedures.** The following sections of this Article specify procedures for review and approval of plans.
 - 2. Abbreviated procedures for minor plans and plat adjustments.** Abbreviated review and approval procedures are offered for plans which are defined as minor subdivisions, minor land developments, or plat adjustments. These procedures are specified in § 002-8.
 - 3. Procedures for recording.** Applicants will be required to record all plans in accordance with the requirements of the Allegheny County Subdivision and Land Development Ordinance (latest edition).
 - 4. Digital submission of final plats.** § 002-10 includes requirements for the submission of final plats in digital format.

002-2. REVIEW AND APPROVAL OF SUBDIVISIONS AND LAND DEVELOPMENTS

- A. Application.** The procedures specified in this section shall apply to all subdivisions and land developments in the Municipality of Monroeville.
- B. Pre-application Conference.** While not mandatory, it is recommended that the applicant request a pre-application conference with the Municipality to discuss the proposed subdivision or land development and to review the requirements of the ordinance in relation to the proposed project.
- 1. Sketch plan.** Prior to the conference, the applicant is strongly encouraged to submit to the Municipality a sketch plan of the proposed project containing enough information to convey clearly the existing and proposed conditions of the site. The materials submitted for the pre-application conference should be prepared in accordance with § 003-1 of this ordinance, but shall not constitute an application for preliminary or final approval.

2. **Scheduling of Conference.** The Municipality shall review the materials and schedule the pre-application conference within ten (10) working days from the date of submission of the sketch plan and supporting materials. If the Municipality feels that additional information is needed, the ten (10) working day period may be extended by mutual agreement.
3. **Result of Conference.** Based on the Municipal review and discussion with the applicant, there should be a mutual understanding of the scope of the proposed development, issues that may require resolution by the applicant, Municipality or county, and of potential opportunities and/or impacts that may merit special attention.

C. County Review

1. **Advisory review.** The Municipality will submit preliminary or final approval of subdivisions and land development plans to the Allegheny County Department of Economic Development (Department) for an advisory review in accordance with the MPC and the Allegheny County Subdivision and Land Development Ordinance.
2. **Review period.** The Municipality shall not approve an application for subdivision or land development until the expiration of thirty (30) days from the date the application was forwarded to the Department unless the report of the Department has been received prior to the end of the thirty (30) day period.

002-3. PRELIMINARY PLAN REVIEW AND APPROVAL

- A. **Submission of applications.** To be considered for a particular Planning Commission Meeting, all applications shall be submitted by the Application Submission Deadline as outlined in the Application Deadline Schedule provided with the application form. All applications shall include all information and plan drawings specified in § 003-2.
 1. **Number of copies.** Twenty (20) complete copies of the application and twenty (20) complete copies of all supporting site and plan drawings and information shall be submitted to the Municipality. Fewer copies may be submitted if determined acceptable by the Director of Community Development.
 2. **Application form.** Applications must include a copy of the Municipality's form entitled "Application for Land Development or Subdivision Review Process" which has been completed by the applicant.
 3. **Fee required.** A filing fee, in the form of a check or money order payable to the Municipality of Monroeville or cash, shall accompany the application. The

fee amount shall be in accordance with the current fee schedule adopted by Ordinance.

4. **Application Submission Date.** The date and time will be stamped on the application upon receipt by the Municipality.

B. Official Filing Date. The Official Filing Date of an application shall be defined as the date that the Municipality certifies that the submittal is complete and that the applicable fee has been paid.

1. Within ten (10) working days of the Application Submission Date, the Municipality shall either certify the application as complete or notify the applicant in writing that the application is incomplete. The written notification shall specify the items of required information that are lacking.
2. Failure of the Municipality to take either of these actions within ten (10) working days shall be deemed a certification that the application is complete as submitted, unless the applicant has agreed in writing to an extension of time.
3. The Official Filing Date shall be recorded on the "Application for Land Development or Subdivision Review Process" and the applicant shall be notified of the Official Filing Date.
4. Certification of the application as complete and the establishment of the filing date shall not constitute a waiver of any deficiencies or irregularities.

C. Distribution of Copies by Municipality. The Municipality shall forward one (1) complete copy of the application and submission materials to Allegheny County Department of Economic Development, the Municipal Engineer, officials and other Municipal agencies as deemed necessary by the Municipality.

D. Distribution of Copies by Applicant. The applicant shall distribute one (1) copy of the preliminary plan and of all relevant supporting documentation to all agencies that will be required to approve some aspect of the plan prior to its final approval by the Municipality.

E. Municipal Review. The Municipality will review the plan as to its conformance with Municipal regulations and the Municipal Comprehensive Plan. The Municipal staff and Municipal Engineer will make their recommendation to the Municipal Planning Commission.

F. Municipal Planning Commission Review Meeting. The Planning Commission shall formally review the application and make a recommendation to the Municipal Council to approve, approve with conditions, or disapprove the application. A recommendation to disapprove shall specify the defects found,

describe the requirements not met and cite the provisions of the statute or ordinance relied upon.

- G. Municipal Council Action.** The Municipal Council shall render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the Municipal Council or the Planning Commission (whichever first reviews the application) next following the official filing date, or after a final order of the court remanding an application, provided that should the said next regular meeting occur more than 30 days following the official filing date, or the final order of the court, the said 90-day period shall be measured from the 30th day following the official filing date, unless the applicant agrees in writing to an extension of time.
- H. Optional hearing.** The Municipality may conduct a hearing pursuant to public notice in order to inform the public and obtain comment prior to taking action on a proposed subdivision or land development.
- I. Decision.** A decision to approve the preliminary plan as submitted, to approve the plan subject to conditions, or to disapprove the plan shall be made as described in § 002-3F above, and communicated to the applicant as follows:
1. **Written decision.** The decision of the Municipality shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision unless the applicant agrees in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision.
 2. **Acceptance of conditions.** If the application is approved subject to conditions, they shall be accepted by the applicant in writing within 30 days after the written decision of the Municipality was mailed or delivered to the applicant or the approval shall be automatically rescinded.
 3. **Defects specified.** If the application is not approved as filed, the decision shall specify the defects found in the application, describe the requirements that have not been met, and shall cite the provisions of the ordinance or statute relied upon.
- J. Deemed approval.** Failure of the Municipality to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

K. Effect of approval of preliminary application. When a preliminary application has been approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application.

002-4. FINAL PLAN REVIEW AND APPROVAL.

A. Submission of applications. Applications shall be submitted in the same manner as specified for preliminary applications in § 002-3 except that a filing fee shall not be required for final plan applications.

1. **Intent regarding improvements.** The application for final approval shall state whether the applicant intends to construct improvements prior to final approval and recording of the plat or whether the applicant intends to record the final plan and post financial security to guarantee the construction of required improvements.
2. **Materials required.** The application for final approval shall include the plans, construction drawings and specifications, required permits and approvals, supporting documentation, and other materials as specified in § 003-3.
3. **Application Submission Date.** The date and time will be stamped on the application upon receipt.
4. **Official Filing Date.** The Official Filing Date for an application for final approval shall be determined in the same manner as for preliminary plan approval specified in Section § 002-3.B.5.

B. Distribution of copies. The Municipality shall forward copies as indicated in §002-3.B.

C. Municipal Review. The Municipality will review the plan as to its conformance with Municipal regulations and the Approved Preliminary Plan. The Municipal staff and Municipal Engineer will make their recommendations to the Municipal Planning Commission.

D. Municipal Planning Commission Review Meeting. The Planning Commission shall formally review the application and make a recommendation to the Municipal Council to approve, approve with conditions, or disapprove the application. A recommendation to disapprove shall specify the defects found, describe the requirements not met and cite the provisions of the statute or ordinance relied upon.

E. Municipal Council Action. The Municipal Council shall render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the Municipal Council or the Planning Commission (whichever first reviews the application) next following the official filing date, or

after a final order of the court remanding an application, provided that should the said next regular meeting occur more than 30 days following the official filing date, or the final order of the court, the said 90-day period shall be measured from the 30th day following the official filing date, unless the applicant agrees in writing to an extension of time..

F. Decision. A decision to approve the final plan as submitted, to approve the plan subject to conditions, or to disapprove the plan shall be made as described in paragraphs **E.** and **E.a.** above, and communicated to the applicant as follows:

1. **Approval of the final plan.** The Municipality shall grant final approval if all of the following requirements are met:

- a. The application conforms with the approved preliminary plan and with any conditions attached to the preliminary approval.
- b. The plan either complies with all standards and requirements of this ordinance or waivers or modifications have been requested, granted, and documented in accordance with § 001-6.
- c. The Municipal Engineer and Municipality must have examined the plans and construction drawings and certified that the proposed subdivision or land development is in accordance with all applicable Municipal ordinances and regulations including but not limited to zoning, flood plain management, storm water management, grading, and construction standards; or that any required variances or exceptions from Municipal requirements have been approved and documented in accordance with applicable Municipal procedures.
- d. All necessary permits and approvals from other governmental agencies, service providers, and utility providers have been obtained.
- e. All improvements have been constructed in accordance with applicable standards, inspected by the Municipal Engineer, and approved by the Municipality; or financial security to guarantee the construction of required improvements has been deposited with the Municipality, both in accordance with § 002-6 hereunder.

2. **Conditional final approval.** The Municipality may grant conditional approval of a final plan, provided that any conditions shall be satisfied prior to signing and recording of the plat or shall be incorporated into a development agreement between the applicant and the Municipality. If a condition will affect the use of land or any other matter depicted upon the final plan, the Municipality may require that the condition be noted upon and recorded with the plan.

3. **Disapproval.** The Municipality shall deny approval of an application for final approval of a subdivision or land development if the application does not meet all requirements of this ordinance and of applicable Municipal regulations; if any permits or approvals required by any other unit of government are denied; if financial security is not posted, or if improvements are not completed in accordance with the approved specifications and development agreement.

G. Form of decision. The decision to approve, approve with conditions, or deny final approval of a subdivision or land development shall be made and communicated to the applicant in the same manner as specified for preliminary applications in § 002-3.I.

H. Deemed approval. Failure of the Municipality to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

I. Effect of final approval. When an application for approval of a plat, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change in this ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five years from such approval. The five-year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement of completion of the development, and for the duration of any sewer or utility moratorium or prohibition which was imposed subsequent to the filing of an application for preliminary approval of a plat. In the event of an appeal filed by any party from the approval or disapproval of a plat, the five-year period shall be extended by the total time from the date the appeal was filed until a final order in such matter has been entered and all appeals have been concluded and any period for filing appeals or requests for reconsideration have expired. Provided, however, no extension shall be based upon any water or sewer moratorium which was in effect as of the date of the filing of a preliminary application.

1. Where final approval is preceded by preliminary approval, the five (5) year period shall be counted from the date of the preliminary approval.

2. If there is any doubt about the terms of a preliminary approval, the terms shall be construed in accordance with the governing ordinances at the time when the application for preliminary approval was officially filed.

002-5. PHASED DEVELOPMENT. If an applicant intends to develop land in phases, the preliminary plan submission shall encompass the entire land area proposed for development and shall serve as a master plan.

A. Schedule for phases. The preliminary plan shall include a schedule for the submission of final plans for each section.

1. The schedule shall be updated annually on or before the anniversary of the preliminary plan approval until the final plan for the final section has been approved.
2. Any modifications in the schedule as first presented may be reviewed and approved at the discretion of the Municipality.

B. Final plans for phases. Following approval of the preliminary plan for the entire land area, final plans may be submitted for each section.

1. If the final plan for a section of a phased development differs from the approved preliminary plan in number of lots or buildings, intensity of development, preservation of environmental features, open space, traffic characteristics, transportation facilities, or other substantive component, then an entirely new preliminary plan may be required for that section and for any other sections or components of development that may be affected by the proposed changes.
2. Each section of a phased residential development except the last section shall contain at least 25 percent of the total number of dwellings depicted on the preliminary plan or, in the discretion of the Municipality such other percentage needed to ensure an acceptable living environment for residents while development is ongoing.
3. Provided the applicant has complied with all provisions of the approved preliminary plan, including adherence to the schedule for submission of final plans for various sections, the right of the applicant to complete construction in accordance with county and Municipal regulations at the time of the first approval shall be extended beyond the five-year period, for sections beyond the initial section, for an additional term of three years from the date of final approval of each section.
4. Failure of the applicant to comply with the schedule for submission of final plans for the various sections, shall subject any such section to all changes in land use ordinances or other applicable Municipal ordinances enacted after the date of filing of the preliminary plan.

002-6. COMPLETION OF IMPROVEMENTS OR GUARANTEE THEREOF PREREQUISITE TO FINAL PLAT APPROVAL. No plat shall be finally approved for recording until all required improvements have been constructed or until financial security has been deposited to guarantee the construction of improvements.

A. Construction of improvements prior to final approval and recording of the plan. If the applicant chooses to construct improvements prior to final approval and recording of the plat, the applicant may proceed to do so when all of the following requirements have been met:

1. All other components of the application for final approval have been approved by the Municipality;
2. All necessary permits and approvals from other agencies have been obtained;
3. Construction drawings for all improvements have been approved by the Municipal Engineer and the Municipality;
4. A development agreement between the applicant and Municipality, which is in accordance with applicable provisions of the MPC and acceptable to the Municipal Solicitor, has been executed, which specifies procedures and responsibilities for construction, inspection, and approval of all improvements.

B. Deposit of financial security to guarantee construction of improvements. If improvements are required and the applicant proposes to construct them after final approval and recording of the plan, financial security shall be deposited with the Municipality in an amount sufficient to cover the costs of all public improvements and common amenities including but not limited to roads, storm water management facilities, recreation facilities, open space improvements, and required buffer or screen plantings.

1. The amount and form of the financial security shall be as specified in the MPC.
2. When requested by the applicant, in order to facilitate financing, and provided that all other requirements for final approval have been met, the Municipality shall furnish the applicant with a letter indicating approval of the final plat contingent upon the applicant obtaining a satisfactory financial security. The letter of contingent approval shall expire within ninety (90) days unless an extension is granted by the Municipality.
3. A copy of an executed development agreement, in a form approved by the Municipal Solicitor and consistent with the MPC, shall be submitted to the Municipality, which specifies all agreements between the applicant and the Municipality for the conduct of development activities, construction of

improvements, inspection by the Municipal Engineer, establishment and payment of inspection fees, release of financial security upon satisfactory completion of improvements, and any other matters of concern to the Municipality.

4. If water mains or other utilities are to be installed under the jurisdiction of a public utility or Municipal Authority distinct from the Municipality, financial security shall be posted to assure proper completion and maintenance thereof in accordance with the regulations of the public utility and shall not be included within the financial security otherwise required.
5. Financial security shall not be required for the costs of any improvements for which financial security is required by and provided to the Department of Transportation in connection with the issuance of a highway occupancy permit pursuant to section 420 of the act of June 1, 1945 (P.L. 1242, No.428) known as the "State Highway Law."

002-7. DEPOSIT OF FINANCIAL SECURITY TO GUARANTEE INTEGRITY AND FUNCTIONING OF IMPROVEMENTS.

- A. If the Municipality intends to accept dedication of any improvements after their completion, the developer shall post financial security, if requested by the Municipality, to guarantee the structural integrity and proper functioning of the improvements for a period of eighteen (18) months from the date of acceptance by the Municipality.
 1. **Acceptable security.** The financial security shall be of the same type as required by the MPC to guarantee the construction of improvements.
 2. **Amount of security.** The financial security shall not exceed fifteen (15) percent of the actual cost of installation.

002-8. ABBREVIATED PROCEDURES FOR MINOR PLANS AND PLAT ADJUSTMENTS

- A. **Application.** This section offers an option to combine preliminary and final applications for minor subdivisions and land developments and a simple sign-off process for plat adjustments. The option is available for review of minor plans and plat adjustments.
- B. **Minor subdivisions and land developments.** The Municipality will review applications for final approval of minor subdivisions and minor land developments without having first reviewed an application for preliminary approval. A complete application for final review of a minor subdivision or land development shall be submitted in accordance with the procedure specified in § **002-4**, except that a fee shall be required.

C. Review of plat adjustments. Subdivisions which are classified as plat adjustments in may be submitted on mylars prepared for recording, with all required signatures.

1. **Minor Plat Adjustment.** Final authority for approval or denial of a minor plat adjustment as defined herein shall be vested in the Director of Community Development of the Municipality of Monroeville upon application of the property owner or authorized agent of the property owner filing an appropriate application with the Municipality of Monroeville. The Municipality of Monroeville will forward the request for a minor plat adjustment to the Municipal Engineer who shall make a written recommendation for approval or denial to the Director of Community Development. The Director of Community Development shall then execute the minor plat adjustment Mylar and notify the Manager of the Municipality of Monroeville and the applicant in writing that the plat adjustment has been approved for recording. The Municipal Engineer and the Director of Community Development of the Municipality of Monroeville shall execute the Mylar in such a form and manner that the same would be acceptable for recording in the office of the Real Estate Department of Allegheny County. Both the Director of Community Development and the Municipal Engineer shall expedite the handling of minor plat adjustments and the same should be processed without referral to the Municipal Planning Commission or Council.
2. If the mylars are correctly prepared, the Director of Community Development and Municipal Engineer will sign and/or seal on behalf of the Municipality.

002-9. REQUIREMENTS FOR RECORDING

- A. Application.** The requirements of this section apply to all plans that are to be recorded in Allegheny County.
- B. Drafting standards.** All final plans for recording shall be prepared in accordance with administrative regulations issued by the Allegheny County Department of Real Estate to ensure that the recorded plans will be accurate, complete, and legible.
- C. Required certifications and notations.** For certifications, notations, and approvals required on final plans for recording refer to the Allegheny County Subdivision and Land Development Ordinance. – Required Certifications.
- D. Approvals required.** Prior to the submission of any plan to the Allegheny County Department of Real Estate, all plans shall bear the approval of Municipal Council, Planning Commission and appropriate County, State and Federal Agencies, and all required certifications and notations shall have been executed.

E. Recording required. All plans of subdivisions and land developments shall be recorded in the office of the Department of Real Estate of Allegheny County within 90 days of the date of final approval, or as provided for in the MPC.

002-10. REQUIREMENT FOR DIGITAL SUBMISSION OF PLANS

A. Requirement. In addition to the hard-copy plan prepared for recording, the applicant shall submit a digital version, which, when imported into the Municipality's geographic information system (GIS), shall provide a true and complete display of the subdivision or land development plan, in correct geographic location, on the Municipality's GIS computers.

B. Format. The Applicant shall verify the correct current format for digital submission with the Municipality.

C. Content. The computer readable file shall include all information contained on the finally approved plan and shall be submitted at the same time that the plan is submitted for recording. Shape files or layers shall be broken into the following categories:

1. Storm Sewer Pipes (line)
2. Storm Sewer Inlets (point)
3. Storm Sewer Manholes (point)
4. Storm Sewer Headwalls/Endwalls/Outfalls (point)
5. Sanitary Sewer Pipes (line)
6. Sanitary Sewer Manholes (points)
7. Potable Water Pipes (line)
8. Potable Water Points, i.e. hydrants, valves, blow offs (point)
9. Property Lines (polygon)
10. Street Centerlines (line)
11. Street Edge-of-Pavement (line)
12. Parking Lot Perimeter (line)
13. Building Footprints (polygon)

D. Coordinate System Datum: All digital submissions shall be in the Pennsylvania State Plane South Coordinate System, North American Datum of 1983 in feet.

E. Surveyor's signature not required. In order to relieve the surveyor of liability for alterations that may be made to the file after its submittal, the digital subdivision file shall not carry the surveyor's seal or signature.

ARTICLE III – APPLICATION INFORMATION

003-1. SKETCH PLAN APPLICATION GUIDELINES

- A. Sketch plan information.** Pre-application sketch plans should show or be accompanied by the following information:
1. A brief narrative describing the proposed project.
 2. A site plan, drawn to scale.
 3. Names and addresses of the landowner, developer and applicant.
 4. Name of the firm that prepared the plan, if applicable.
 5. Location map, at scale, that clearly identifies the location of the property.
 6. North arrow, written and graphic scales.
 7. Significant natural and man-made features (e.g., floodplains, watercourses, existing storm water management facilities, tree masses, undermined areas, existing structures, etc.).
 8. A site analysis, prepared in accordance § 004-1.B.
 9. Proposed street, parking, building and lot layout.
 10. Existing zoning of subject property and zoning of adjacent property.
 11. Approximate location and type of any existing utilities and easements.
 12. Statement explaining the proposed method of water supply and sewage disposal.
 13. Legend.
 14. Any other relevant information.

003-2. PRELIMINARY PLAN SUBMITTAL REQUIREMENTS

- A. Preliminary plan application contents.** All applications submitted for preliminary approval shall show or be accompanied by the following information:
- 1. Project description**
 - a. A brief narrative describing the proposed project.
 - b. Title block containing the name of the proposed project, Municipality of Monroeville, the project number assigned by the firm that prepared the plans, the plan date, and dates of all plan revisions.
 - c. All documents submitted shall be clearly marked as “Preliminary Plan”.
 - d. Name, address, and phone number of the owner of record, developer, and applicant.
 - e. Name, address, and phone number of the firm that prepared the plans; and name, signature, registration number, and seal of engineer, surveyor,

landscape architect, and/or architect involved in the preparation of the plans.

- f. North arrow and graphic scale.
- g. Site location map, taken from a U.S.G.S. quadrangle map. The location map shall be at scale and of size sufficient to show clearly where the project is. Include quadrangle sheet name.
- h. Entire tract boundary with bearings and distances as shown by deed, and the total acreage of the entire tract. If the proposed project is located in two or more municipalities, show municipal boundary lines on the plan.
- i. Existing platting of land adjacent to the site, and the names of any adjacent land owners not in a previously recorded plan.
- j. Schedule of zoning district requirements, including area and bulk regulations, density, coverage, and building and yard requirements. Show zoning of all adjacent land.
- k. List any variances or other zoning approvals which are being requested or which have been granted by the municipality.
- l. List, with supporting evidence for the request, any modifications or waivers of subdivision and land development regulations that are requested.

2. Existing conditions

- a. Contours, shown at two foot vertical intervals; except where slopes exceed 35%, at five-foot intervals. Show existing contours with dashed lines and number clearly. State location and elevation of datum to which contour elevations refer. Datum used shall be a known, established benchmark. Contours plotted from U.S.G.S. quadrangle maps shall not be acceptable.
- b. Steep slopes, with categories of slope delineated as follows:
 - 1) 25 to 35 percent;
 - 2) Greater than 35 percent.
- c. Soils. Identify soil series as shown in the Soil Survey of Allegheny County. Plot soil limit lines on the base map.
- d. Regulated waters of the Commonwealth and required set-back as defined in Title 25. Environmental Resources, Chapter 105, Dam Safety and Waterway Management. If any part of the site lies within a flood plain, as indicated on a certified FEMA map, refer to the current Zoning Ordinance for further requirements to be shown on the plan.
- e. General vegetative cover. Provide a brief description of the general vegetative cover of the site (meadows, wetlands, wooded, etc.). Show approximate location of any woodlands or groves, as defined in Article IV. Show number, species, size and approximate location of all trees with a DBH of 24" and over, proposed to be disturbed.

- f. Significant natural features, including plant and wildlife habitat areas for rare or endangered species, wetlands, or any other natural feature identified in the Allegheny County Natural Heritage Inventory.
 - g. Potentially hazardous features, including quarry sites, surface and subsurface mines, undermined areas, underground fires, solid waste disposal sites, contaminated areas, and landslide-prone areas. Show approximate location and cite source information.
 - h. Significant cultural features, including cemeteries, burial sites, archeological sites, historic buildings, structures, plaques, markers, or monuments. Show approximate location and cite source information.
 - i. Existing structures. Show location and type. If an existing structure is proposed to be demolished, show clearly on the plans.
 - j. Existing streets, roads, alleys, driveways, or other means of access located on or within 100' of the site. Include name, jurisdiction of ownership, width and location of right-of-way and existing grades.
 - k. Existing utilities and stormwater management facilities, including any related easements or rights-of-way. Show location. Identify purpose and ownership.
 - l. Location, ownership, and type of any other easements or rights-of-way including railroads, trails, gas or oil wells and gas or oil transmission lines, etc.
 - m. Airport noise contours and airport hazard areas. Show location and cite source information.
 - n. Private water supply wells.
3. **Proposed conditions:** For all proposed subdivisions and land developments the following information shall be provided:
- a. Tabulation of site data, including total acreage of land to be subdivided, number of lots, proposed density, number of dwelling units, and acreage of any proposed open space or other public/common areas. For non-residential developments show the total square footage of all proposed buildings, percent lot coverage, the number of parking spaces required, and the number provided.
 - b. All required yards and building setback lines. Show any required buffer yards.
 - c. Proposed streets. Show location, width of cartway, right-of-way, name and proposed ownership. Provide centerline profiles for all proposed streets or any existing streets to be improved.
 - d. Proposed lot layout. Show lot widths and lot lines in scaled dimensions, and lot areas in square feet. Show proposed lot numbers.

- e. For non-residential and multi-family developments, show proposed buildings, parking areas, access drives, driveways, and any other significant proposed feature.
 - f. Proposed utilities and related easements. Show points of connection to existing utilities.
 - g. Location of all existing and proposed fire hydrants, fire department connections, fire lanes and other items that may be required by the Municipality's Fire Official.
 - h. Proposed pedestrian and bicycle circulation routes, including any easements or rights-of way.
 - i. Proposed public or semipublic areas, reserved areas, open space areas, and any related conditions or restrictions.
 - j. Proposed Grading Plan: developed in accordance with the current Municipal Land Disturbance Ordinance.
 - k. Proposed Stormwater Management Plan: developed in accordance with the current Municipal Stormwater Management Ordinance.
 - l. Preliminary soil erosion and sedimentation pollution control plan.
 - m. Landscape plan, developed in accordance with the current Municipal Zoning Ordinance.
4. **Other Required Information:**
- a. **Traffic impact study:** Developed in accordance with the current Municipal Zoning Ordinance.
 - b. **Parking Demand Analysis:** Developed in accordance with the current Municipal Zoning Ordinance.
 - c. **Turning templates analysis for emergency and delivery vehicle access:** As required by the Municipality.
 - d. **Geotechnical report:** Developed in accordance with the Land current Disturbance Ordinance and the current Municipal Zoning Ordinance.
 - 1) **Subsidence risk assessment:** Where evidence exists that sub-surface mining has occurred one hundred (100) feet or less below the surface of the site proposed for development, a Subsidence Risk Assessment, prepared by a qualified professional geotechnical engineer, shall be provided.
 - 2) **Soil contamination assessment:** Where the proposed subdivision or land development site contains any hazardous substances, then a geotechnical report and a remedial investigation/feasibility study shall be provided.
 - e. **Sewage Facilities Planning Module:** A copy of the completed "Application for Sewage Facilities Planning Module," as filed with the Pennsylvania Department of Environmental Protection or the Allegheny

County Health Department; or a letter from the appropriate Department stating that a sewage facilities planning module is not required.

- f. **Existing restrictions:** Where the land proposed to be developed or subdivided contains any existing covenants, grants of easement, private deed restrictions, or other restrictions, a copy of the recorded document; or, in the absence of a recorded document, then a letter from the holder of the restriction stating any conditions on the use of the land.
- g. **Schedule of phased developments:** If the applicant proposes to construct the development in phases, the applicant must submit a schedule of the projected dates that the final application for each phase will be filed.
- h. **Other service provider documentation:** Documentation that the required information was transmitted to appropriate service providers shall be included with an application for preliminary approval. Responses from service providers indicating their ability to provide service to the proposed development may be required prior to final approval.

003-3. FINAL PLAN APPLICATION REQUIREMENTS

- A. **Final plan application content:** All applications submitted for final approval shall include, in accurate and final form, all of the information required for preliminary plan submittals. Applications for final approval shall also include the following:
 - 1. Final plat, if applicable, in accurate and final form for recording. The final plat shall include the following:
 - a. Title block, placed in the lower right hand corner and containing the following information:
 - 1) The name and location of the subdivision or land development, the plan date, and the date of any revisions.
 - 2) The name and plan book volume and page numbers of the previously recorded plan, if any.
 - 3) Name, address, and phone number of the owner of record and the developer.
 - 4) Name, address, and phone number of the firm that prepared the plans, and the name, seal, and registration number of the surveyor who prepared the plan.
 - 5) Sheet number, north arrow, and graphic scale.
 - b. Tract boundaries, right-of-way lines of streets, easements, and other right-of-way lines with accurate distances to hundredths of a foot and bearings to one-quarter of a minute. Tract boundaries shall be determined by field survey only and shall be balanced and closed. Surveys shall be prepared in accordance with the standards contained in the Allegheny County Subdivision and Land Development Ordinance, latest edition.

- c. Complete curve data for all curves included in the final plat, including radius, arc length, chord bearing and chord distance.
 - d. Location, type, and size of all monuments and lot line markers. State whether found, set, or to be set.
 - e. Approved street names and street right-of-way widths.
 - f. Lot numbers, lot dimensions, lot areas in square feet, and building setback lines.
 - g. Tabulation of area data, including lots, parcels, units, areas dedicated for rights-of-way, etc., and total plan area.
 - h. Lot and block or tax map parcel numbers.
 - i. Easements and rights-of way for all public and private improvements, including widths, purposes, and limitations, if any.
 - j. Accurate dimensions, acreage, and purpose of any property to be reserved as public or common open space.
 - k. Platting of adjacent property and the names of the adjacent property owners.
 - l. Site location map, taken from a U.S.G.S. quadrangle map. The location map shall be at scale and of size sufficient to show clearly where the project is. Include quadrangle sheet name.
 - m. All certifications, dedications, and acknowledgements, as required by the Allegheny County Subdivision and Land Development Ordinance, latest edition.
 - n. Plats which require access to a road under the jurisdiction of the Pennsylvania Department of Transportation shall contain a notice that, before driveway access is permitted, a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945, known as the "State Highway Law".
 - o. Notation on the plan of any modifications or waivers granted to the provisions of this ordinance.
2. **Land development plans.** In addition to the above final requirements, land development plans shall include the following information:
- a. **Final site plan:** Shall comply with all preliminary plan requirements.
 - b. All documents submitted shall be clearly marked as "Final Plan".
 - c. **Final grading plan:** Developed in accordance with the current Land Disturbance Ordinance.
 - d. **Final stormwater management plan:** Developed in accordance with the current Stormwater Management Ordinance.

- e. **Final soil erosion and sedimentation pollution control plan:** As submitted to the Allegheny County Conservation District (ACCD), and evidence that the ACCD has issued a finding of adequacy.
3. Construction plans for public and private improvements, prepared by a registered professional, drawn at a scale no smaller than 1 inch = 50 feet on sheets measuring 24" x 36". The construction plans shall show the following:
- a. Conformity with the Design Standards specified in Article IV of this ordinance.
 - b. Plan and centerline profile drawings of each street in the plan and extending at least 200 feet beyond the plan. Plans and Profiles shall include complete curve information.
 - c. At least three cross-sections at intervals no greater than 50 feet and at all intersections, extending at least 50 feet from the street centerline to each side, or extending 25 feet from the right-of-way line to each side, whichever is greater.
 - d. The location of all existing and proposed sanitary sewers, storm sewers, manholes, catch basins, and endwalls within the site, and all necessary extensions thereof beyond the site.
 - e. By plan, all pipe sizes, distances, and directions of flow. Show sanitary sewer wye locations, including a station for each wye as measured from the center of the downstream manhole.
 - f. By profile, all pipe sizes, materials, distances, and grades; and top and invert elevations of all manholes, catch basins, and endwalls. Show existing and proposed ground.
 - g. All construction details for storm water detention facilities and storm water BMPs, including but not limited to any intake control structures, discharge control structures, underground storage tanks, sumps, and storm water detention basins.
 - h. The locations of all other existing and proposed utilities including gas, water, fire hydrants, electric, telephone, and cable TV.
 - i. All easements and rights-of-way for public improvements, including purpose of the easement.
4. **Permits and approvals.** The applicant shall submit certified copies of all permits and approvals required by applicable federal and state laws and county codes and regulations, including but not limited to the following:
- a. Allegheny County Conservation District adequacies and permits.
 - b. Federal Aviation Administration and PennDOT Bureau of Aviation approvals where required.

- c. Pennsylvania Department of Environmental Protection sewage facilities permits, general permit, wetland encroachment permits, stream encroachment/obstruction permits, etc.
- d. County of Allegheny and Commonwealth of Pennsylvania permits for any proposed roads or driveways.
- e. Water supply certification as required by § 004-13.A.1.c.

ARTICLE IV – STANDARDS FOR DESIGN AND REQUIRED IMPROVEMENTS

004-1. PURPOSES AND GENERAL PROVISIONS

- A. Contents of article.** This article includes specific standards for the design of subdivisions and land developments and requirements for improvements. Minimum standards and requirements are specified for each element of design or improvement. General goals or statements of desired outcomes are listed in § 004-2. The Municipality will consider alternatives to specific standards and requirements specified in § 004-3 and following sections if the applicant demonstrates that an alternative will achieve the desired outcome to a higher degree or will produce more desirable results than application of the specified standard.
- B. Site analysis.** The design of a subdivision or land development shall be based upon an analysis of existing conditions of the site, which includes consideration of the site's natural and man-made features and of the opportunities and constraints for development that are associated with these features. The site analysis shall also consider the relationship of the site to surrounding developed and undeveloped areas and to applicable municipal, county, and regional plans. The required project narrative should summarize how the analysis of existing conditions has influenced the design of the subdivision or land development.
- C. Alternative development plan.** Before considering requests for waivers or modifications of standards or requirements contained in this article that will reduce the attainment of the goals listed in 004-2, the Municipality may require the applicant to consider alternative development plans which more nearly meet the requirements of this ordinance. The original plan shall be approved only if the applicant demonstrates to the satisfaction of the Municipality that an alternative plan is not practical or feasible.
- D. Regulations of other jurisdictions.** It shall be the responsibility of the applicant to obtain all required permits and approvals from other jurisdictions or agencies. No application shall receive final approval from the Municipality or be recorded until all required permits and approvals have been obtained, unless the plan for recording includes a notation that such permits will be required prior to issuance of construction permits.

004-2. GENERAL GOALS FOR DESIGN AND DEVELOPMENT

- A. Subdivisions and land developments.** Shall be designed to achieve the general goals or outcomes that are listed in this section.
- B. Minimize damage to the environment.** All subdivisions and land developments shall be designed to minimize environmental damage to the extent possible by fitting the subdivision or development to the existing conditions and natural features of the site.

1. **Minimize grading.** Roads, building sites, and lots should be laid out in a manner that will minimize land disturbance. Roads should generally follow existing contours, where doing so will minimize cuts and fills. Naturally level areas should in general be utilized for building sites. Concentrating development on less steep areas of the site is strongly encouraged as an alternative to mass grading.
 2. **Protect steep slopes.** Wooded hillsides are important environmental and aesthetic resources of the Municipality. Development should be located to avoid disturbance of steeply sloped areas and to preserve the visual character of wooded hillsides.
 3. **Protect watercourses and wetlands.** Watercourses are the Municipality's natural drainage ways for the conveyance of surface waters, including runoff and flood waters. Streams, land bordering streams, and wetlands provide habitat for aquatic and terrestrial plants and animals and may function as wildlife corridors. The Municipality's larger streams are primary elements of the visual character of the Municipality and are also important resources for recreation and commerce. Development should be designed to preserve and protect the Municipality's watercourses and wetlands so that they can continue to serve all of these functions.
 4. **Preserve woodlands and mature trees.** New developments should be designed to preserve and protect existing woodlands, as excessive cutting of trees and clearance of woodlands in conjunction with subdivision and land development causes soil erosion, increased runoff, loss of habitat, and diminution of one of the Municipality's most significant visual resources: the wooded hillsides that are so prominent throughout the area. Except for regulated commercial timbering operations, the cutting of mature trees and clearance of woodland shall commence only after final approval of a plan for subdivision or land development, and then only to the extent required for the construction of roads, utilities, and buildings.
 5. **Protect other identified natural resources.** Special care should be taken in the design and construction of subdivisions and land developments to protect habitats in which rare or endangered plants or animals are found and other ecologically important sites.
 6. **Protect historic, architectural, and archeological resources.** Sites containing structures of historic or architectural significance should be designed to preserve, enhance or reuse such structures, in accordance with any applicable state regulations.
 7. **Protect the quality of the Municipality's air and water.** All land development shall comply fully with federal, state and county laws and regulations concerning air and water pollution.
- C. **Avoid hazardous development.** Where hazardous or potentially hazardous features are present on proposed development sites, the design of subdivisions and land developments shall consider such features. Appropriate precautions shall be

taken to ensure that development will be safe and that the public health and welfare will be protected. Development shall not be approved unless safety is ensured.

1. **Landslide-prone areas.** In areas where soils or underlying geology may be unstable, geotechnical investigation shall be required to ensure the safety of any proposed disturbance. Refer to the appropriate sections of the current Zoning and Land Disturbance Ordinances.
 2. **Undermined areas.** In areas where mining has occurred in the past, subsidence risk assessments may be required to establish that the proposed development will be safe. Refer to the appropriate sections of the current Zoning and Land Disturbance Ordinances.
 3. **Flood-prone areas.** All new development within a floodplain shall be in accordance with the current Zoning and Stormwater Management Ordinances and all applicable state and federal regulations.
 4. **Contaminated sites.** In order to protect the public health, no subdivision or development of land in areas which may have been contaminated by former industrial or other uses shall be approved unless the site has been made safe for development. Development of contaminated sites shall be limited to uses which will not pose health risks for site occupants.
 5. **Areas exposed to aircraft noise or hazards.** Subdivisions and land developments in areas of the Municipality where airport-related noise is high or where aircraft landings and takeoffs can be endangered by vertical obstructions or other hazards shall ensure that development does not reduce the ability of the airport to function safely and efficiently. Conversely, the safety of development and health and welfare of occupants should not be compromised because of proximity to airports.
- D. The general layout of subdivisions and land development should respect the natural resources of the site, the character of the surrounding area, and be suitable for the intended uses.** The design of blocks and lots shall comply with the zoning requirements of the Municipality and should provide suitable sites for buildings. The design of subdivisions and land development should consider the topography and other natural features of the site, requirements for safe and convenient pedestrian and vehicular circulation, and the character of surrounding development. Subdivisions and land developments should be compatible with municipal, county, and regional comprehensive plans and components thereof.
- E. Land development shall include landscaping which is designed to improve community appearance, to contribute to the environmental quality and livability of new development areas, and to mitigate the negative impacts of development upon other areas of the community.** Uses and structures should be sited to minimize adverse impacts from or upon adjoining uses. Landscaping and buffer yards should be designed to reduce unavoidable impacts and to augment the natural features of the site.

F. Provide a full range of improvements in subdivisions and land developments as required, ensuring the public health, safety, and welfare and the creation of desirable communities for living, working, and recreation.

- 1. Water.** A safe and sufficient supply of potable water shall be provided for new subdivisions and land developments, in accordance with applicable regulations of the Commonwealth and Allegheny County. New development should not degrade the quality of potable water supplies.
- 2. Sanitary Sewage Facilities.** Sanitary sewage facilities shall be provided for new subdivisions and land developments, in accordance with applicable regulations of the Commonwealth and Allegheny County.
- 3. Stormwater management.** Every subdivision and land development shall manage storm water flows in accordance with the current Stormwater Management Ordinance.
- 4. Other essential public utilities.** New subdivisions and land developments shall be served by other essential public utilities, including electricity, natural gas, cable television, and telephone. New subdivisions and land developments may also be served by alternative energy sources, such as solar or wind, in accordance with any applicable state, federal, and local regulations.
- 5. Public and community services.** All new development should have access to a full range of community services and facilities, such as public safety and emergency services, and recreation facilities, schools and libraries.
- 6. Transportation facilities.** New subdivisions and land developments should include a range of transportation facilities, for access to all lots, buildings, and open space areas intended for use by people. Transportation facilities developed within new subdivisions and land developments should be designed as parts of the larger system of transportation facilities which serve the community. Transportation facilities may include streets, public transportation, sidewalks, bikeways, and multi-purpose trails for non-motorized transportation.

004-3. GRADING

- A. General standards for grading:** Shall be in accordance with the Municipality of Monroeville's current Land Disturbance Ordinance.

004-4. PROTECTION OF STEEP SLOPES

- A. Limitations on Slope Disturbance:** Shall be in accordance with the Municipality of Monroeville's current Zoning Ordinance.

004-5. PROTECTION OF WATERCOURSES AND WETLANDS

- A. Standards for Protection of Watercourses and Wetlands:** Shall be in accordance with the Municipality of Monroeville's current Stormwater Management Ordinance and current Zoning Ordinance.

004-6. PROTECTION OF TREES AND WOODLANDS

A. Woodland preservation. Not more than 50 percent of the total area of mature woodlands and not more than 75 percent of the total area of woodlands on a development site shall be removed in conjunction with a subdivision or land development. The remaining woodlands shall be protected as open space. No area of any existing woodland shall be removed prior to the granting of final approval of the proposed subdivision or land development.

1. Priority in woodland preservation shall be given to woodlands in 100-year flood plains, wetlands, stream valley corridors, steep slopes and landslide prone areas.
2. The Municipality may consider modification of this standard if evidence is presented from a professional arborist, forester, landscape architect, or other expert whose qualifications are acceptable to the Municipality, that a lesser area of woodlands should be preserved because of disease, undesirability of species, or other reason affecting the quality and health of the woodland.
3. The Municipality may allow a greater percentage of woodland area to be cleared if new replacement woodlands are provided elsewhere on the site or an approved off-site mitigation area. The minimum area of the replacement woodland shall be at least 125 percent of the woodland area cleared in excess of the areas allowed in § 004-6.A above. The replacement woodland shall be prepared, planted, and maintained in accordance with a plan prepared by a forester or other qualified professional and approved by the Municipality.

B. Preservation of large or unique trees

1. All healthy trees with trunks equal to or exceeding 24 inches DBH, or any tree which may be noteworthy because of its species, age, uniqueness, rarity, or status as a landmark due to historical or other cultural associations, and which is located within the area of disturbance shall be preserved unless removal is deemed necessary. Criteria for evaluating the necessity for removal shall include the following:
 - a. The health of the tree, whether it is dead or diseased beyond remedy, or whether it is likely to endanger the public or an adjoining property;
 - b. Other constraints of the site, where the applicant demonstrates to the satisfaction of the Municipality that no reasonable alternative exists and that removal of a tree is necessary for construction of building foundations, roads, utilities, or other essential improvements.
2. Trees to be preserved shall be protected during construction. The critical root zone shall be protected by securely staked fencing with a minimum height of 36 inches. No storage or placement of any soil or construction materials, including construction wastes, shall occur within the fenced area. Cables, ropes, signs, and fencing shall not be placed on protected trees.
3. Abrupt changes of grade shall be avoided within forty feet of the critical root zone of any trees to be preserved.

4. Large or unique trees which cannot be preserved shall be replaced by trees of the same species, in the following manner:
 - a. For every tree with a caliper of 24 inches DBH or larger, at least 5 trees with a minimum caliper of 3 to 3.5 inches DBH or at least 7 trees with a minimum caliper of 2 to 2.5 inches DBH shall be required.
 - b. The placement and spacing of the replacement trees shall be appropriate to conditions of the replacement site and is subject to the approval of the Municipality, but shall at a minimum be such as to ensure the health and longevity of the replacement trees.
5. Where large or unique trees will be preserved within the area of disturbance, such trees may be used to satisfy the landscaping requirements of § 004-12.

C. Preservation of Bicentennial Trees. No subdivision or land development shall be approved which includes the destruction of a tree listed in the Allegheny County Register of Bicentennial Trees.

004-7. PROTECTION OF SIGNIFICANT NATURAL AREAS

- A. Allegheny County Natural Heritage Inventory.** Every subdivision and land development site plan shall consider and, to the maximum extent feasible, ensure the preservation of Natural Heritage Areas and resources identified in the Allegheny County Natural Heritage Inventory, February 1994, prepared for Allegheny County by the Western Pennsylvania Conservancy.
- B. Protected resources.** Where a proposed subdivision or land development includes an identified natural feature, such as a rare or endangered species, which is regulated by municipal, state, or federal law, the applicant shall provide evidence of compliance with any applicable regulation.

004-8. PRESERVATION OF HISTORIC, ARCHITECTURAL, AND ARCHEOLOGICAL RESOURCES

- A. Identification of resources.** Structures and site features which have known historic or architectural significance and locations of known or probable archeological sites shall be identified on the existing conditions map and described in the preliminary application materials.
- B. Notification to PHMC.** Where the presence of such features is known or suspected, or where required by DEP or another permitting agency, the applicant shall notify the Pennsylvania and Historical Museum Commission (PHMC) of the proposed subdivision or land development and request a determination concerning the presence of significant resources from the PHMC.
 1. A copy of the notification to the PHMC shall be submitted with the application for preliminary approval.
 2. The Municipality shall condition preliminary approval upon the applicant's receipt from the PHMC of a determination that:

- a. No significant resources are present on the site or that the proposed subdivision or land development will not adversely impact resources that may be present; or
 - b. Significant resources are present or likely to be present on the site; together with an approved plan or program for the mitigation of any adverse impacts of the proposed subdivision or land development upon the historic or archeological resource, if required by the PHMC.
3. A copy of the required determination by the PHMC shall be submitted with an application for final approval, and no subdivision or land development requiring such a determination shall receive final approval without it.

004-9. PROTECTION OF AIR AND WATER QUALITY

- A. Air quality.** An application for preliminary approval of a nonresidential land development shall include a written certification from the Allegheny County Health Department that it has been notified of the proposed development and that the applicant has been apprised in writing of the Allegheny County air pollution control requirements. If a preliminary plan is not required, the certification shall be submitted with the application for final approval.
- B. Water quality.** All subdivisions and land developments shall comply with all laws and regulations of the federal government, Commonwealth of Pennsylvania, and Allegheny County concerning water quality.
1. All earth disturbance activity shall be carried out in accordance with a soil erosion and sedimentation pollution control plan prepared in accordance with regulations of the Department of Environmental Protection, which has been submitted to and determined to be adequate by the Allegheny County Conservation District.
 2. Every subdivision and land development shall be supplied with sanitary sewage facilities in accordance with all requirements of the Department of Environmental Protection and the Allegheny County Health Department (see § 004-14).

004-10. AVOIDANCE OF HAZARDOUS DEVELOPMENT

- A. Landslide-prone areas.** No grading, removal of vegetation, construction, or other disturbance shall be permitted on soils that are classified as slide-prone or unstable in the Soil Survey of Allegheny County, on any land that is delineated as unstable on the Landslide Susceptibility Map of Allegheny County, or on any other areas of a proposed development site that exhibit signs of instability, except in accordance with the provisions of this subsection.
1. Unstable areas of a site may be set aside as common or private open space.
 2. Limited disturbance of unstable areas may be allowed if the applicant demonstrates to the satisfaction of the Municipality that the proposed disturbance will not cause sliding or movement or any unsafe condition either on the development site or on any property adjacent to it.

3. Evidence of the safety of any proposed disturbance shall require site investigation and certification in writing by a registered soils engineer, engineering geologist, or professional engineer with experience in soils engineering that the proposed activity will not create or exacerbate unsafe conditions.
- B. Undermined areas.** No land development involving construction of buildings and no subdivision of land intended to create lots for building construction shall be approved on a site which has been undermined at shallow depths or in an area where there is evidence of past subsidence unless the applicant demonstrates that the proposed subdivision or land development will be safe and will not create hazards for adjacent properties. Evidence of safety shall be one of the following:
1. If the site or any area of the site has been undermined and has 100 feet or less of overburden, evidence of the safety of the proposed subdivision or land development shall require site investigation and certification in writing by a professional engineer, experienced in subsidence risk assessment, that the proposed development will be safe.
 2. If the site has been undermined and has more than 100 feet of overburden, a subsidence risk assessment by a professional engineer and written certification that the proposed subdivision or land development will be safe may be required if the Municipality.
- C. Flood-prone areas.** Development shall be in accordance with the Municipality of Monroeville's current Zoning and Stormwater Management Ordinances.
- D. Contaminated sites.** The Municipality shall not approve the subdivision or development of land which is known to contain substances which are classified as hazardous unless the site has been made safe for the proposed development.
1. A contaminated site shall be considered safe for subdivision or development when a remediation plan has been completed and approved by DEP, subject to the provisions of § 004-10.D.2 hereunder.
 2. If a remediation plan includes limitations on uses or other site restrictions that would not apply to other property in the same zoning district, the Municipality may require that the proposed subdivision or land development, including any restrictions on uses or other limitations imposed by the remediation plan, be approved by Municipal Council.
 3. The subdivision of contaminated land, not including any development or earth disturbance, may be approved prior to remediation if a notation approved by the Municipality is placed on the recorded plan, which indicates that the site or specified lots within the site contain or may contain hazardous substances.
- E. Areas exposed to aircraft noise or airport-related hazards**
1. Noise-impacted areas. Subdivisions and land developments located in areas which are impacted or projected to be impacted by high levels of aircraft related noise, as delineated in the most recent Airport Noise Contour Maps, shall comply with one of the following two options:

- a. Land shall be subdivided or developed only for uses that are compatible with existing and projected noise levels; or
 - b. Structures shall be sound-proofed in accordance with standards promulgated by the Allegheny County Department of Aviation.
 - c. In addition, a notation shall be placed on a plan of subdivision in a noise-impacted area that lots may be exposed to high levels of airport-related noise.
2. Airport Hazard Areas. Subdivisions and land developments located in areas where development may create hazards to aircraft because of height, illumination, or other features that may interfere with aircraft takeoffs and landings shall be designed and constructed so as not to create hazards to aircraft.
- a. Land development shall comply with applicable municipal airport zoning regulations and with federal and state regulations requiring submission of notice of proposed construction or alteration.
 - b. If notice of proposed construction or alteration is required, the applicant shall provide copies of permits or approvals of the proposed land development from the PennDOT Bureau of Aviation and the Federal Aviation Administration or a copy of a notification from those agencies that a permit is not required.
 - c. Subdivisions and land developments shall comply with any conditions of the PennDOT and FAA permits and the Municipal Zoning Ordinance, including notation of restrictions on the plan for recording where applicable.

004-11. GENERAL LAYOUT OF SUBDIVISIONS AND LAND DEVELOPMENTS

A. Lots

- 1. General standards.
 - a. Lots shall be laid out so as to provide buildable areas, accessible driveways, and usable yards and open space areas with the minimum possible disturbance to the site.
 - b. Lots and building sites shall be laid out and buildings sited with consideration given to views and privacy.
- 2. Specific standards
 - a. Lots shall meet the minimum dimensional and area requirements specified by the Municipal Zoning Ordinance.
 - b. Lots shall be laid out and graded to provide positive drainage away from buildings and water wells.

- c. In general, lots shall abut on public streets. The Municipality may waive this requirement and permit private streets in accordance with the current Transportation Standards Ordinance.
- d. Lots which require access to an arterial or collector street shall be avoided. Where lots adjoin arterial or collector streets, access to such lots shall be from service or minor access roads.
- e. Lots that have frontage along two or more streets shall provide along each street the minimum front setback required by the current Municipal Zoning Ordinance.
- f. Side lot lines shall be at right angles or radial to street right-of-way lines.
- g. Remnant land areas which are not buildable under the municipal zoning regulations shall not be permitted. Such remnants shall be incorporated into existing or proposed lots, or dedicated to public use if acceptable to the Municipality.

004-12. LANDSCAPING

- A. Refer to the Municipality of Monroeville current Zoning Ordinance.

004-13. WATER SUPPLY

- A. **Water supply required.** An adequate supply of potable water shall be provided for every building to be used for human occupancy or habitation in a subdivision or land development.

1. Public water systems

- a. Where an existing public water system is accessible to or can be extended to the proposed development site, the applicant shall provide a complete on-site system with connections to such public water system in conformance with local, county and state standards and requirements and the water supplier whose facilities will serve the development.
- b. Where an existing public water system is not accessible to the proposed development, water may be supplied by a new public water system, subject to the approval of DEP and the Allegheny County Health Department.
- c. In the case of **A.1.a** or **A.1.b**, the applicant shall present evidence to the Municipality that the subdivision or development is to be supplied with water by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority, or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area, whichever is appropriate, shall be acceptable evidence.
- d. Hydrants. Subdivisions and land developments to be served by public water systems shall be provided with fire hydrants which meet all specifications/requirements of the Monroeville Municipal Authority,

Wilkinsburg-Penn Joint Water Authority and the Municipality of Monroeville.

2. Individual water systems

- a. Where public water supply systems, as defined in the Allegheny County Health Department Rules & Regulations, Article XV, "Plumbing and Building Drainage", Chapter 17, are inaccessible and cannot be extended to the proposed development site, the applicant may provide potable water through individual water supplies, designed and constructed in conformance with the standards and requirements of the Health Department.
- b. The use of private water systems shall not be permitted in any subdivision or land development with more than ten lots, unless the applicant provides hydrogeologic data, acceptable to the Health Department, assuring that an adequate quantity and quality of water are available.
- c. Private water systems and individual water supplies may be permitted to be located off-site, provided that a permanent easement is recorded on the final plan, a legal agreement that sets forth clearly all of the rights and responsibilities of all affected parties is executed, and all other applicable provisions of this Section are met.

004-14. SANITARY SEWAGE FACILITIES

A. Sanitary sewage facilities required. All subdivisions and land developments, unless excepted in § 004-14.B below, shall be provided with sanitary sewage facilities which are in accordance with the municipal sewage facilities plan and which have been approved by the Allegheny County Health Department, the Pennsylvania Department of Environmental Protection, and the Municipality of Monroeville, Monroeville Municipal Authority, ALCOSAN, or other public agency responsible for the collection, conveyance, and treatment of sanitary sewage.

- 1. No plat shall receive final approval or be recorded until the plans and specifications for sanitary sewage facilities have been approved and permits issued, as required, by the Allegheny County Health Department and/or the DEP.
 - a. Conditional final approval may be granted, however, provided that the completed Sewage Facilities Planning Module, as required for the proposed development, has been approved by the Municipality, and transmitted by the Municipality to the Allegheny County Health Department and/or Pennsylvania Department of Environmental Protection, together with a resolution adopting the revision to its sewage facilities plan, if required.
- 2. All sanitary sewers and related facilities shall be constructed in accordance with requirements of DEP, the Municipal Standards for Construction, the Monroeville Municipal Authority, and the Allegheny County Health

Department, Rules and Regulations, Article XV, Plumbing and Building Drainage.

3. Private sanitary sewer systems may be permitted to be located off-site, provided that a permanent easement is recorded on the final plan, a legal agreement that sets forth clearly all of the rights and responsibilities of all affected parties is executed, and all other applicable provisions of this Section are met.

B. Exceptions

1. **Minor plat adjustments.** Sewage facilities shall not be required for subdivisions that are classified as plat adjustments in this ordinance, that is, where no new lots are created.
2. **Plans with no new development.** Subdivisions and land developments in which no development of buildings or improvement of land for purposes requiring sewage facilities is proposed need not provide sanitary sewage facilities provided a properly executed Waiver application has been submitted to and approved by DEP.

004-15. STORMWATER MANAGEMENT

- A. **Management of runoff required.** Every subdivision or land development which will affect stormwater runoff characteristics shall include provision for the management of runoff in accordance with the Municipality of Monroeville's current Stormwater Management Ordinance.

004-16. OTHER UTILITIES AND EASEMENTS

- A. **General requirement.** Subdivisions and land developments shall be served by gas, electric, cable television, and telephone service distribution systems, where these systems are accessible to the development.
- B. **Easements.** Easements for public and private utilities shall comply with the requirements of the utility providers and with the following standards.
 1. Easements shall be adjacent to property lines where possible.
 2. Minimum widths for utility easements shall be 20 feet for public utilities and 10 feet for private utilities. Utility companies shall use common easements wherever possible.
 3. Public utilities may require a wider easement, due to depths or other constraints.

C. Underground wiring

1. Electric, telephone, television, and other service lines shall be provided by wiring placed underground within easements or dedicated rights-of-way, installed in accordance with the prevailing standards and practices of the utility or other companies providing such services unless the applicant demonstrates to the Public Utilities Commission that physical conditions render such underground installation infeasible.

2. If a lot abuts an easement or right-of-way with existing overhead electrical, telephone, television, or other service lines, the lot may utilize the overhead lines, but service connections shall be installed underground. Where a subdivision or land development requires a road widening or service extension which necessitates the replacement or relocation of overhead lines, replacement or relocation shall be underground.
3. Utility apparatus placed above ground, other than utility poles, shall be screened with plant materials.

004-17. PARKS, OPEN SPACE, AND RECREATION FACILITIES

A. General provisions

1. **Purpose.** The purpose of this section is to require the provision of land and facilities for open space and recreational uses in new land developments. Areas and facilities for recreational use are desirable in both residential and nonresidential developments and may include a wide range of areas and facilities such as tot lots, playgrounds, game courts and playing fields, parks, landscaped plazas, picnic areas, hiking and biking trails, and greenways.
2. **Intent.** The intent of this section is to require the public dedication or private reservation of land for recreational use, the construction of facilities, payment of fees in lieu of dedication, or combination thereof only in accordance with Section 503(11) of the Pennsylvania Municipalities Planning Code.
3. **Mandatory provision of land for recreation.** If the Municipality has formally adopted a recreation plan, land suitable for recreation and open space shall be provided in accordance with the requirements of subsections **004-17.B.2**, **004-17.B.3**, and **004-17.B.4** hereunder.
4. **Voluntary provision of land and facilities.** If the municipality has not formally adopted a plan for recreation, compliance with the provisions of this section shall be voluntary, but land developments should include open space areas and facilities to meet the recreational needs of residents, employees, and other users of proposed developments. Often recreational use may be made of areas where development is restricted for environmental reasons. There may be opportunities to link open space within a development to open space in adjoining areas and to create, over time, continuous systems of open space that will add great value to a development and to the community.

B. Parks, open space, and recreation facilities for residential development

1. **Purpose.** Parks and recreation facilities provide open space for conservation of environmentally sensitive features and for active and passive recreational needs. The purpose of this subsection is to provide for the park and recreation needs of new residential development. These requirements are intended primarily for recreation rather than environmental protection purposes; however, it is not the intent to prohibit parks or recreation facilities in environmentally sensitive areas if compatible with the primary recreation goals of this subsection.

2. **Amount of land required.** Residential land developments which will contain 10 or more dwelling units shall provide open space for recreation purposes at a rate ranging from 6.25 acres - 10.50 acres per 1,000 estimated population, which is equal to approximately 270 - 350 square feet per person. This standard is based upon recommendations of the National Recreation and Park Association for local recreation space within neighborhoods and communities and may be adapted to reflect specific recommendations of a municipal park and recreation plan, existing facilities near the development site, and the character and suitability of land within the site for park and recreation purposes.
3. **Characteristics.** Land proposed to be dedicated or reserved for park and recreation purposes shall meet the following standards.
 - a. **Minimum size.** Recreation and open space sites shall be of sufficient size for the recreation uses that are identified in the Municipal Park and recreation plan. Where there is no municipal plan or if the municipal plan does not specify, the minimum size of a recreation site shall be 10,000 square feet or such other size as is acceptable to the Municipality.
 - b. **Slope.** At least half of any land area proposed for park and recreation purposes shall have a slope of less than 25 percent and shall be appropriate for active recreation uses. Steep slopes, exceeding 25 percent, may be accepted if they are suitable for passive recreation. Any steep slopes proposed for park and recreation purposes shall be undisturbed, not graded, slopes.
 - c. **Flood-prone areas.** At least half of any land proposed for park and recreation purposes shall be above the 100-year flood elevation and shall be appropriate for active recreation uses. Land below the 100- year flood elevation may be accepted if it is suitable for recreation uses.
 - d. **Accessibility and usability.** Land proposed for dedication shall be usable and accessible to the development for which it is required and to the general public for active or passive recreation activities.
4. **Ownership.** Open space required to be dedicated under this subsection shall be either:
 - a. Dedicated in fee simple to the Municipality, subject to acceptance by the Municipality;
 - b. Deeded in fee simple or by means of a conservation easement or similar conveyance to a nonprofit conservation organization, permanently restricting the open space for recreational use by the public and allowing the public to use and improve the land for open space or recreational purposes.
5. **Reservation of land, construction of recreational facilities or fee in lieu of dedication.** In lieu of dedicating land, a developer may voluntarily agree to construct recreational facilities, reserve private land as common open space,

pay a fee in lieu of land dedication, or combination thereof, in accordance with the standards of this subsection.

a. Reservation of private open space

- 1) Dimensions and character. The amount, dimensions, and character of the reserved open space shall meet the standards for dedicated open space, as set forth in subsection **004-17.B.2** and **004-17.B.3** above.
- 2) Accessibility. Private open space shall consist of land or water within the site, designed and intended for the use or enjoyment of residents of the development.
- 3) Ownership. Private land reserved as open space shall be permanently restricted to recreational use and shall be deeded to a property owners' association or to a nonprofit conservation organization, with authority to own and maintain the land. Provisions for use, ownership, and maintenance shall be acceptable to the Municipality.

b. Construction of recreational facilities

- 1) Character of facilities. A developer may construct any facilities identified in the municipal recreation plan or acceptable to the Municipality.
- 2) Accessibility. Recreation facilities shall be accessible to residents of the development and other members of the general public.
- 3) Ownership. Recreational facilities constructed under this subsection shall be publicly owned and maintained.

c. Fees in Lieu of Land Dedication

- 1) Amount. The amount of the fee in lieu of required open space shall be equal to the pre-development fair market value of the land area required to be dedicated and shall be calculated as follows: Fee = (number of acres required to be dedicated) x (average pre-development fair market value, per acre of land in development site).
- 2) Timing of Payment. All fees in lieu of required open space shall be paid prior to final approval of the subdivision plat or land development plan unless financial security is provided in accordance with §3.3.6.C.
- 3) Earmarking. Fees authorized by this subsection shall, upon receipt by the Municipality be deposited in an interest-bearing account, clearly identifying the land or recreation facilities for which the fee was received. Interest earned on such accounts shall become funds of that account.
- 4) Use of Funds. Funds from such accounts shall be expended only for the acquisition of land or the construction of recreational facilities identified in the municipal recreation plan which are accessible to the residents and users of the proposed subdivision or land development.

- 5) Refunds. If the Municipality fails to utilize the fee paid for the park and recreation purposes within three years of the date such fee was paid, the municipality shall refund any fees paid with interest to any person who paid any fee under this subsection who requests a refund.

C. Open space amenities for nonresidential development

1. **Purpose.** Major nonresidential land uses, such as office buildings and shopping centers, require open spaces to ensure the health, safety and welfare of large numbers of employees and patrons. Outdoor plazas and landscaped open spaces provide safe, pleasant environments for taking breaks, reduce the need to drive to other locations for this purpose, provide a buffer from noise, glare and other adverse effects of high density development, and increase the attractiveness of new development. The purpose of these standards is to ameliorate the congestion and other adverse impacts on employees, visitors and patrons of major nonresidential developments.
2. **Applicability.** These standards shall apply to any nonresidential land development which will include at least 25,000 square feet of gross leasable floor area devoted to retail, office, commercial, institutional, public, or industrial use.
3. **Open Space Requirements.** In all land development which is subject to the requirements of this subsection land shall be set aside which is equal to at least 5 percent of the gross leasable floor area of the development as open space. Such open space shall not include driveways, parking or loading areas, refuse or storage areas.
4. **Design Criteria.** Open space areas shall satisfy all of the following criteria:
 - a. Open areas shall be open to public use for walking, seating and eating.
 - b. Open areas shall be landscaped or covered with decorative surface treatment. Natural ground cover, such as grass, shrubs, flower beds or mulch are encouraged; however, impervious ground cover may be used provided that:
 - 1) Deciduous canopy trees having a diameter at breast height of at least 2.5 inches are planted;
 - 2) At least one such tree is planted for every 500 square feet of open area; and
 - 3) Tree roots are protected by tree grates or, if tree grates are not possible or practicable, by above-grade planters.
 - c. Fountains, art or sculpture, seating, protected walkways, linkages to transit or trail systems, bus shelters, street lights, or other streetscape improvements may be installed in lieu of required landscaping with the approval of the Municipality.
 - d. All utilities shall be installed underground

- e. Open spaces and improvements to open spaces shall be depicted on the site plan or landscaping plan which shall be submitted with the application for land development approval.
- 5. Maintenance Agreement. A maintenance agreement for any improvements required under this section shall be submitted by the applicant and approved by the Municipality.

D. Dedication or reservation of greenways and trails

- 1. **Purpose.** The establishment of greenways provides an important means for the conservation of environmentally sensitive land and natural resources and for the preservation of vegetation and wildlife habitat. The establishment of greenways which are available for public use also provides a variety of recreational and educational benefits. Trails for walking, hiking, and biking are important facilities for recreation as well as for non-motorized transportation. The establishment of greenways and trails improves the quality of life and will help to make municipalities and the county economically competitive with other areas. Both greenways and trails must occupy continuous, linear land corridors and cannot be effectively contained within individual parcels of land. The purpose of this subsection is, therefore, to provide that land which is delineated as a greenway or trail in an adopted plan or on an official map be dedicated or reserved for such use when land is subdivided or developed.
- 2. **Dedication or reservation of proposed trails and greenways.** The Municipality may accept the dedication or reservation of greenways which traverse a proposed subdivision or land development. Any land dedicated or reserved under this subsection shall be credited against the requirements of this ordinance for the provision of open space, recreational facilities, and open space amenities in residential and nonresidential developments, provided:
 - a. That the land offered for dedication or reservation is designated as a trail or greenway on an adopted plan or official map of the Municipality or county.
 - b. That land offered for public dedication is approved by the Municipality.
 - c. That land for greenways and trails not publicly dedicated is deeded to a conservation organization or land trust or privately reserved for such use provided there is an agreement which is acceptable to the Municipality which ensures the maintenance of land and facilities and which provides for public use at reasonable times.
 - d. That the minimum right-of-way width of an easement containing a trail which crosses private land is twenty (20) feet for a multi-purpose trail and ten (10) feet for a single purpose trail.

004-18. OTHER COMMUNITY FACILITIES AND SERVICES

- A. Purpose.** The purpose of this section is to ensure that developers, the Municipality, and service providers are aware of the potential impacts that

proposed development will have upon community services and facilities and to encourage cooperative planning and action to improve or augment facilities and services that are not adequate to meet increased demands created by new development.

B. Requirement to inform. An applicant for approval of a major subdivision shall inform the providers of public services and facilities of the proposed development, including sufficient information about the development to enable the service provider to determine whether sufficient capacity, facilities, and/or equipment are available to serve the new development.

1. Service providers may include police, fire and emergency services; school district, and public utilities.

C. Options when services or facilities are not adequate. If a public service provider indicates an inability to provide service to a proposed new development, the applicant, service provider, and the Municipality should agree upon a course of action or program to remedy the inadequacy and to ensure service to the new development.

004-19. TRANSPORTATION FACILITIES

A. Purpose. The purpose of this section is to ensure that in new subdivisions and land developments streets, paths, and sidewalks provide safe and convenient access and accommodate the safe and efficient movement of pedestrian, bicycle, and automobile traffic.

B. General Provisions

1. Every subdivision shall have access to a public street.

2. All streets shall be named. No new street name shall be permitted which duplicates or which may be confused with an existing street name.

3. All proposed connections to existing streets shall be approved by the jurisdiction owning the existing streets.

4. Where traffic or drainage problems are created by the proposed development, it shall be the responsibility of the applicant to improve both sides of the existing affected road or street, or to provide sufficient funds escrowed for use by the Municipality for the execution of such public improvements.

5. Where appropriate, land shall be reserved for the development of future streets or to connect with adjacent undeveloped land. Reserve strips shall not be permitted. No subdivision or land development shall be approved that will landlock any adjacent parcel.

6. Where streets continue into abutting municipalities the applicant shall coordinate the design of the street with both municipalities in order to ensure uniform cartway widths, pavement cross-sections, and other public improvements.

C. General design and arrangement

1. The design and arrangement of streets shall conform to the current Municipal Street and Traffic Standards Ordinance and the Municipal Comprehensive Plan, official maps, and to municipal, county, and state transportation plans.
2. Streets shall provide convenient connections to existing streets and shall not adversely affect circulation patterns or the flow of traffic.
3. Streets shall be designed to preserve the natural features and topography of the development site to the maximum extent feasible.
4. Local access streets shall be arranged to minimize through traffic, discourage excessive speeds, and provide privacy in residential areas.
5. Streets in a proposed development shall connect with existing or reserved streets along the boundary of an adjacent tract unless topography or other existing feature prevents a connection.

004-20. MONUMENTATION

A. Requirement. Permanent monuments and markers shall be placed in all subdivisions in order to provide survey and property line control.

1. The location and installation of monuments and markers shall be planned to ensure that they will be permanent, accessible, and recoverable.
2. All monumentation shall conform to recommended practices of the surveying profession, as contained in the most recent edition of the Manual of Practice for Professional Land Surveyors in the Commonwealth of Pennsylvania, or equivalent standard of professional practice acceptable to the Municipality.

B. Placement

1. Intervisible monuments shall be placed sufficiently far apart to ensure accuracy control within survey procedures. They shall be placed with priority consideration for permanence and accessibility. This will require consideration of the ultimate use of the land where the monuments are to be placed, exposure to future roadway maintenance, and lot landscape development. To that end, monuments should be located in the following order of priority:
 - a. On a five foot or appropriate survey line only where sidewalks are to be installed.
 - b. If no sidewalks are to be placed, then the centerline of the roadway should be monumented.
 - c. Other locations along or on the right-of-way line, giving due consideration to the lot owner's use of the land and the likelihood of future changes in elevation or landscape, which would affect the monument's location or its intervisibility.
2. Monuments shall be placed in a sufficient number of locations to define the boundary of a subdivision and the location of all streets. Sufficient

monuments shall be placed to locate intersections, cul-de-sacs, and curves in horizontal street alignments. Monuments shall be intervisible.

3. Markers shall be placed at the corners of all lots or at such other locations as may be required to locate all lot lines.
4. The location of all monuments and markers shall be shown on the plan for recording, with the distance between them and curve data shown.
 - a. A notation indicating whether the monuments and markers were found or set and a description of their type, size, material, condition, and position shall be included.
 - b. Monuments shall be identified on the Pennsylvania Plane Coordinate System - NAD 83 or 27, where it is feasible to do so. This requirement may be waived for small projects where the control locations are so distant that the cost of complying would be burdensome in relation to the total survey cost.
5. All monuments and markers shall be placed by a Professional Surveyor licensed in the Commonwealth of Pennsylvania prior to approval of the final plan. Financial security sufficient to cover their cost and placement shall be provided in accordance with the provisions of § 002-7.

C. Materials

1. Monuments shall be of durable materials of sufficient length and cross-sectional area to be reliably permanent and shall clearly indicate the survey point. Concrete or stone monuments with a minimum width of four inches and a minimum length of 30 inches shall be acceptable. Other materials may be acceptable, with the approval of the Municipal Engineer. (See current Standards for Construction).
2. Markers shall be iron pins or pipes, 30 inches in length, or other material acceptable to the Municipal Engineer.
3. Monuments and markers shall be detectable with conventional ferrous metal or magnetic locators.

ARTICLE V – DEFINITIONS

005-1. DEFINITIONS

A. GENERAL TERMS. Unless otherwise expressly stated, the following terms shall have the meaning indicated below.

1. Words and phrases used in the singular include the plural, and words and phrases used in the plural include the singular.
2. Gender specific pronouns or references shall refer to all genders.
3. The word "person" indicates any person or any corporation, unincorporated association, partnership, estate, or other legal entity.
4. The word "lot" includes the word "plot" or "parcel".
5. The word "structure" includes "building" and the use of either word shall be construed as if followed by the phrase "or a part thereof."
6. The word "may" is permissive; the words "shall" and "will" are mandatory.
7. Periods of time stated as a number of days refer to consecutive calendar days, unless specified as "working days."
8. Words in the present tense include the future tense.

B. SPECIFIC TERMS. Other terms or words used in this ordinance are defined as follows:

1. **Access Drive.** See "Street."
2. **Accessory Building.** See Building, Accessory.
3. **ADT.** Average daily traffic volume.
4. **ALCOSAN.** The Allegheny County Sanitary Authority.
5. **Alley (Service Street).** See "Street."
6. **Applicant.** A developer and/or landowner, as hereinafter defined, including heirs, successors, and assigns, who has filed an application for subdivision and/or land development.
7. **Application.** Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development for the approval of a subdivision plat or plan, or for the approval of a development plan.
8. **Architect.** An architect, registered by the Commonwealth of Pennsylvania. See "Registered Professional."
9. **Arterial Street.** See "Street."
10. **Best Management Practice (BMP).** Methods, measures or practices and facilities to prevent or reduce surface runoff and/or water pollution, including but not limited to, structural and non-structural stormwater

management practices and facilities and operation and maintenance procedures.

11. **Bikeway.** Either of the following:
 - a. **Bicycle lane.** A lane at the edge of a street cartway or shoulder reserved and marked for the exclusive use of bicycles.
 - b. **Bicycle path.** A pathway, separated from the street cartway or shoulder, designed for the use of bicycles.
12. **Block.** A unit of land containing one or more lots, bounded by existing or proposed streets, waterways, railroads, public lands, or other barriers to contiguous development.
13. **Buffer yard.** A portion of a site, together with any structures or plantings, intended to provide a visual barrier or other protection between adjacent parcels of land.
14. **Building.** Any enclosed or open structure having a roof supported by columns, piers, or walls.
 - a. **Building, accessory.** A detached, subordinate building, the use of which is customarily incidental and subordinate to that of the principal building and located on the same lot as the principal building. Farm buildings not intended for habitation are considered to be accessory buildings.
 - b. **Building, principal.** A building in which the primary use of the lot on which the building is located is carried on.
15. **Building setback line.** A line within a lot, parallel to the street line, designated on a plan as the minimum required distance between a building and the street centerline or right-of-way line as specified by the Municipal Zoning Ordinance.
16. **Capacity.** When used in reference to a street, the maximum traffic volume for which such street can provide adequate service.
17. **Cartway.** The portion of a street, drive, or alley that is available for vehicular traffic.
18. **Clear sight triangle.** An area of unobstructed vision at a street intersection defined by lines of sight between specified points on the centerlines of the intersecting streets.
19. **Collector Street.** See "Street."
20. **Comprehensive plan.** A document consisting of maps, charts, and text, prepared in accordance with the MPC and adopted by a municipality and/or county as a guide for future development.
21. **Condominium.** A form of real property ownership which combines a system of separate ownership of individual units of occupancy with a system of undivided interests in land and common facilities.

22. **Critical root zone.** A circular area measured from the trunk of a tree, in which roots critical to the survival of the tree shall be protected. The critical root zone shall be equal to the tree's drip line plus one foot.
23. **Crown.** The part of the tree that consists of branches, stems, and leaves.
24. **Cul-de-sac.** See "Street."
25. **DEP.** The Pennsylvania Department of Environmental Protection.
26. **DBH.** The diameter of a tree trunk at breast height, measured at 4.5 feet above natural grade.
27. **Dedication.** The deliberate appropriation of land by its owner for general public use.
28. **Deed.** A written instrument whereby an estate in real property is conveyed.
29. **Deed Restriction.** A restriction upon property placed in a deed.
30. **Detention facility.** A man-made or natural facility designed to collect surface water in order to impede its flow and to release it gradually in conformance with an adopted watershed or stormwater management plan.
31. **Developer.** Any landowner, agent of such landowner, or tenant with the permission of the landowner, who makes or causes to be made a subdivision of land or a land development.
32. **Development plan.** The provisions for development of a planned residential development, a plat of subdivision or land development including all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this ordinance shall mean the written and graphic materials referred to in this definition.
33. **Drainage easement.** The land required for the installation of storm sewers or other drainage facilities, or along the floodway of a natural stream or watercourse, or to safeguard the public against flood damage.
34. **Driveway.** A private drive providing access between a public or private street or access drive and the parking area for a single residential dwelling unit. A shared driveway is a private drive serving two residential dwelling units.
35. **Earth disturbance activity.** A construction or other human activity which disturbs the surface of the land, including, but not limited to, clearing and grubbing; grading; excavations; embankments; road maintenance; building construction; the moving, depositing, stockpiling, or storing of soil, rock or earth materials.
36. **Easement.** Authorization by a property owner for the use by another, and for a specific purpose, of any designated part of his property.

37. **Engineer.** A professional engineer registered by the Commonwealth of Pennsylvania. See "Registered Professional."
38. **Erosion.** The detachment and movement of soil or rock fragments, or the wearing away of the surface of the land by wind, water, ice, or gravity.
39. **Final plan.** The plan of a proposed subdivision or land development including all supplemental information required by this ordinance to obtain final approval and in a form acceptable for recording in the Allegheny County Department of Real Estate.
40. **Financial security.** Any financial security which may be accepted in lieu of certain improvements being made prior to approval and recording of a final plan, pursuant to the Pennsylvania Municipalities Planning Code.
41. **Floodplain.** A relatively flat or low land area which is subject to inundation from the rapid accumulation of surface waters; including Floodway Districts, Flood-Fringe Districts, and General Floodplain Districts.
42. **Floodway.** The channel of a water course and portions of the adjoining flood plain which are reasonably required to carry and discharge the 100-year frequency flood. The boundary of the floodway shall be as delineated on maps and studies prepared by the Federal Emergency Management Agency (FEMA). In areas where no FEMA maps and studies have defined the floodway, the assumed floodway boundary shall be 50 feet, as measured from the top of the bank of the stream.
43. **Flood-proofing.** Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
44. **Grade, Land.** The average level of the finished surface of the ground adjacent to the exterior walls of a building.
45. **Grading plan.** A plan, showing excavation or fill, or any combination thereof, including the conditions resulting from any excavation or fill, to be prepared and submitted with an application for development whenever any land disturbance is proposed.
46. **Historic Feature.** Any building, site, structure, object, district or area that:
 - a. Is listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - b. Is certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

- c. Is individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
 - d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1) By an approved state program as determined by the Secretary of the Interior, or
 - 2) Directly by the Secretary of the Interior in states without approved programs.
47. **Improvements.** Physical changes to land, including but not limited to grading, removal of vegetation, buildings, landscaping, pavement, curbs, gutters, storm sewers and drains, changes to existing watercourses, sidewalks, street signs, monuments, water supply facilities, and sewage disposal facilities.
48. **Land Development.** Any of the following:
- a. The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:
 - 1) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - 2) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups, or other features;
 - b. A subdivision of land. (See "Subdivision")
 - c. Land Development shall not include:
 - 1) the conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;
 - 2) the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
 - 3) the addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this sub clause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved.

49. **Land development, minor.** Any of the following:
 - a. An addition to an existing building, where such addition will occupy less than 5,000 square feet of land area.
 - b. An expansion of an existing parking lot that will add 25 or fewer parking spaces.
50. **Land disturbance.** An ongoing or completed operation and related activities involving or primarily connected with reshaping of land, including grading, removal of trees, vegetation or other ground cover, transporting fill or other material for disposal purposes and resurfacing of land.
51. **Land use.** The purpose for which land is arranged, designed, or intended, or for which land is or may be occupied or maintained.
52. **Landowner.** The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee (if he is authorized under the lease to exercise the right of the landowner), or other person having a proprietary interest in land.
53. **Landscape Architect.** A landscape architect registered by the Commonwealth of Pennsylvania. See "Registered Professional."
54. **Landslide-Prone Area.** Land that is susceptible to movement or sliding, as identified in the Soil Survey of Allegheny County, prepared by the Soil Conservation Service of the United States Department of Agriculture; or as identified on the Landslide Susceptibility Map of Allegheny County; or as identified in the Mining and Physiographic Study, Allegheny County, Pennsylvania, prepared by A.C. Ackenheil & Associates; or as established by geotechnical investigation.
55. **Landslide Susceptibility Map of Allegheny County.** A map delineating areas judged to be susceptible to landsliding or movement, prepared by the United States Geological Survey on 7.5 minute quadrangle maps of the county in 1974.
56. **Level-of-Service (LOS).** A qualitative measure describing operational conditions within a traffic stream; generally described in terms of such factors as speed, freedom to maneuver, traffic interruptions, comfort, convenience, and safety. Levels of service are designated A through F, with LOS A indicating the best service and LOS F indicating the worst.
57. **Local Access Street.** See "Street."
58. **Lot.** A designated parcel, tract, or area of land established by a plat or otherwise permitted by law and to be used, developed, or built upon as a unit.
59. **Lot Area.** The area contained within the lot lines of the individual parcels of land as shown on a subdivision plan, excluding the area within the street

right-of-way or easement for overhead utility lines but including any easements, expressed in terms of acres or square feet.

60. **Lot depth.** The average distance between the street right-of-way and the rear lot line, measured perpendicular or radial to the right-of-way.
61. **Lot frontage.** The width of a lot measured along the street line.
62. **Lot width.** The distance between the side lines of the zoning lot measured at the shortest distance at or between the front and rear building lines as determined by the prescribed front and rear yard requirements.
63. **Lot, yard.** An area within a lot between the building setback lines and the lot lines.
64. **MPC.** The Pennsylvania Municipalities Planning Code.
65. **Minor Land Development.** See, "Land Development, Minor."
66. **Minor Subdivision.** See "Subdivision, minor."
67. **Monument.** A concrete, stone, or other permanent object, placed to designate boundary lines, corners of property, and rights-of-way of streets and utilities, for the purpose of reference in land and property surveys.
68. **Municipal Engineer.** A professional engineer or engineering firm, licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for the Municipality.
69. **Municipal governing body.** The Council of the Municipality of Monroeville.
70. **Municipality.** Municipality of Monroeville, a Home Rule Charter Municipality, Allegheny County, Pennsylvania.
71. **Official map.** A map adopted pursuant to Article IV of the Pennsylvania Municipalities Planning Code.
72. **Ordinance.** The Municipality of Monroeville Subdivision and Land Development Ordinance.
73. **Parcel.** See "Lot."
74. **Peak traffic hour.** The hour during which the heaviest volume of traffic occurs.
75. **Plat.** The map or plan of a subdivision or land development, whether preliminary or final
76. **Plat adjustment.** See "Subdivision, plat adjustment."
77. **Preliminary plan.** The plan of a proposed subdivision or land development, including all supplementary information required by this ordinance to obtain preliminary approval.
78. **Professional Consultants.** Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public

accountants, engineers, geologists, land surveyors, landscape architects. Or planners.

79. **Public hearing.** A formal meeting held pursuant to public notice, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.
80. **Public meeting.** A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."
81. **Public notice.** A notice published once each week for two successive weeks in a newspaper of general circulation in the Municipality. The notice shall state the time and place of a hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.
82. **Public water system.** A water system within the municipal boundaries that is owned and operated by a public utility company.
83. **Record plan.** A final plan which contains the original endorsement of the Municipality and the Allegheny County Department of Economic Development, which is intended to be recorded with the Allegheny County Real Estate Department.
84. **Registered professional.** An individual, licensed in the Commonwealth of Pennsylvania to perform services or activities required by provisions of this ordinance and qualified by training and experience to perform the specific services and/or activities with technical competence.
85. **Right-of way.** Land reserved or dedicated for use as a street, pedestrian way, or other means of public or private transportation; or for an electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer, or other special use. A right-of-way includes the entire area reserved or dedicated for the use.
86. **Runoff.** The surface water after a rain or snow that does not enter the soil but runs off the surface of the land.
87. **Sediment.** Fragmented material that originated from weathering rocks and decomposing organic material that is transported by, suspended in, and eventually deposited in the streambed.
88. **Sedimentation.** Occurs when sediment particles that have been suspended within flowing water are deposited on the stream bottom of floodplain.
89. **Setback line.** See "Building setback line."
90. **Sight distance.** The length of road visible to the driver of a vehicle at any given point in the road when viewing is unobstructed by traffic.
91. **Sketch plan.** An informal plan, for use in a pre-application meeting.

92. **Soil Survey of Allegheny County.** A series of aerial photographs on which soils are classified according to a variety of characteristics and accompanying explanatory text, prepared by the United States Department of Agriculture, Soil Conservation Service, August 1981. (Note: The Soil Conservation Service is now the Natural Resources Conservation Service.)
93. **Soils engineer.** A professional engineer registered by the Commonwealth of Pennsylvania who has training and experience in soils engineering. See "Registered professional."
94. **Steep slope.** Any land area with a grade that exceeds four horizontal to one vertical (4:1), or 25 percent.
95. **Street.** A strip of land, including the entire right-of-way, publicly or privately owned, serving primarily as a means of vehicular travel, encompassing the following types:
 - a. **Arterial Street:** Streets which are used primarily for through, fast traffic at high volumes.
 - 1) Minor Arterials. Interconnects with and augments principal arterials; accommodates trips of moderate length; distributes travel to areas smaller than identified with higher systems; places emphasis on land access and offers lower traffic mobility; and spacing is normally not more than one mile.
 - 2) Principal Arterials. Serves major centers of activity and carries high proportion of area travel even though it constitutes a relatively small percentage of the total roadway network; integrates both internally and between major rural connections; carries most trips entering and leaving the area and serves intra-area travel; provides continuity for rural arterials; and spacing is related to trip-end density characteristics.
 - b. **Collector Streets.** Provides both land access services and traffic circulation; distributes trips from arterials through residential neighborhoods to ultimate destination; and collects traffic from local streets and channels to arterials.
 - c. **Interstates and Other Limited Access Freeways.** Provides limited access facilities.
 - d. **Local Roads.** Comprises all facilities not in one of the higher systems; permits direct access to abutting lands and connects higher systems; and discourages through-traffic movement.
 - e. **Alley.** A service road that provides secondary means of through access to lots.
 - f. **Cul-de-sac.** A street with a single means of ingress and egress and a turnaround.
 - g. **Access drive.** A private drive providing access between a public or private street and a parking area within a land development, or any

driveway servicing two or more buildings or uses.

96. **Street, private.** A street not accepted for dedication by a Municipality.
97. **Structure.** Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land, including, in addition to buildings, billboards, carports, porches, and other building features, but not including sidewalks and driveways.
98. **Subdivision.** The division or re-division of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building, or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easements of access or any residential dwelling shall be exempted.
99. **Subdivision, minor.** A subdivision of land into not more than four lots, not requiring any new street or access easement.
100. **Subdivision, plat adjustment.** Any of the following:
 - a. Adjustment of lot lines between lots where no new lots are created.
 - b. Consolidation of lot lines.
 - c. Survey corrections.
 - d. Final survey of property lines for townhouses and other attached dwellings after construction when in conformance with previously recorded plan.
101. **Surveyor.** A surveyor registered by the Commonwealth of Pennsylvania. See "Registered professional."
102. **Trip.** A single or one-directional vehicle movement.
103. **Use.** See "Land use."
104. **Watercourse.** A channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.
105. **Watershed.** All land and water within the confines of a drainage basin.
106. **Wellhead Protection Area.** A designated area of the land surface which, through recharge or other means, provides water to sustain the yield of a protected public water supply well.
107. **Wetland.** Any area defined as a wetland by the Federal Manual for Identifying and Delineating Jurisdictional Wetlands.
108. **Woodlands.** An area of trees whose total combined canopy covers one acre or more, in which at least 70% of the canopy trees have a DBH of 2.5 inches or more. Woodlands may also include tree plantations for commercial or

conservation purposes, and groves or stands of trees covering less than one acre. Categories of woodlands shall be as follows:

- a. **Mature woodland.** An area of trees whose total combined canopy covers one acre or more, in which at least 50% of the canopy trees have a DBH of 10 inches or more.
- b. **Groves and stands.** A contiguous grouping of 8 or more individual trees having a DBH of at least twelve inches, and whose combined canopy covers at least 50% of the area encompassed by the grove, and which is not located within a woodland.

109. **Working Days.** Days that the offices of the Municipality of Monroeville are open for business.

110. **Yard.** See "Lot, yard."