



ALLEGHENY COUNTY

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
ALLEGHENY COUNTY, PENNSYLVANIA



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THE ALLEGHENY COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

ARTICLE I General Provisions

§780-101 Authority; title; amendments

- A. Enabling authority/adoption. The ~~Board of Commissioners~~ County Council of 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 chapter to regulate the subdivision and development of land in Allegheny County (County).
- B. Planning agency authority. The Allegheny County Department of Economic Development (Department) is designated as the County planning agency with authority to administer this chapter and to review and approve applications for subdivision and land development.
- C. ~~Repeal of prior ordinance. The Allegheny County Subdivision and Land Development Regulations adopted in 1983 (Agreement No. 18870) and amended in 1987 (Agreement No. 19241) are hereby repealed.~~ Repealer. Any prior County ordinances or regulations or parts thereof conflicting with the provisions of this Chapter, including but not limited to the Allegheny County Subdivision and Land Development Regulations adopted in 1983 (designated as Agreement No. 18870) and the amendments thereto adopted in 1987 (designated Agreement No. 19241) and the Allegheny County Subdivision and Land Development Ordinance of 1998, are hereby repealed.
- D. Title. This chapter shall be known and may be cited as the "Allegheny County Subdivision and Land Development Ordinance of ~~1998~~ 2012."
- E. Separability. Any section, subsection or provision of this chapter that is declared to be invalid by a court of competent jurisdiction shall not affect the validity of any other part of this chapter or the chapter as a whole.
- F. Amendments. This chapter may be amended by the ~~Board of Commissioners~~ County Council in accordance with the procedures specified in the MPC.
- G. Effective date. This chapter shall become effective 14 days after the date of enactment.

§780-102 Purpose

- A. General purpose. It is the purpose of this chapter 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 Allegheny County.
- B. Specific purposes. The provisions of this chapter are intended to achieve the following specific purposes:
 1. To encourage new development that is well-designed, of high quality and suited to the natural conditions of this site.

ARTICLE I General Provisions

2. To encourage the coordinated growth of communities; 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 and to protect and preserve valued natural, historic and cultural features of the environment.
4. To ensure the provision of public improvements which are necessary and appropriate for the development and which are coordinated with nearby areas.
5. To provide flexibility in standards and requirements so that the design of development can be fitted to the character of its site and to the community in which it is located.
6. To reflect and implement municipal, County and regional plans and policies.
7. To provide standards and procedures for the uniform preparation and recording of plans so that the land records of the County are accurate, complete and legible.
8. To coordinate consistency with local municipalities.
9. To plan for greenway connectivity throughout the County, as promoted by the County Comprehensive Plan (Allegheny Places).
10. To coordinate and provide a system of or network of pedestrian and bicycling trails and paths throughout the County and its governed municipalities.
11. To optimize access to rivers.
12. To encourage concentrated development and maximize use of existing highways, transit, and utilities.
13. To promote energy conservation.
14. To control light pollution.
15. To encourage sustainable design techniques, including the use of renewable energy systems and energy efficient building design.

§780-103 Jurisdiction

- A. Approval authority. These regulations shall govern the review and approval of subdivisions and land developments in municipalities within the County which have not enacted a subdivision and land development ordinance in accordance with MPC §504 ~~and transmitted a certified copy of the municipal ordinance to the Department.~~
- B. Municipal adoption by reference. These regulations shall also govern the review and approval of subdivisions and land developments in municipalities within the County that have chosen which choose to adopt this chapter by reference and by ordinance as their local subdivision and land development ordinance and have designated the Department to administer the regulations in this chapter on their behalf. Such The designation of the Department to administer this chapter as the subdivision and land development ordinance of a municipality shall not become effective without the concurrence of the Department.

ARTICLE I General Provisions

- C. Review authority. In municipalities which have enacted a subdivision and land development ordinance, all applications for preliminary or final approval of subdivisions and land developments shall be forwarded upon receipt by the municipality to the Department for review and report. ~~The provisions of this section shall also apply to municipalities which choose to adopt this chapter by reference but do not designate the Department as their agent for review and approval.~~
- D. Review period. A municipality with its own ordinance shall not approve an application for subdivision or land development until the expiration of 30 days from the date the application was forwarded to the Department unless the report of the Department has been received.
- E. Exemption. The City of Pittsburgh is exempt from the provisions of the MPC and, therefore, from this chapter.

§780-104 Effect of aAdoption

- 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 chapter and of any applicable municipal ordinance.
- B. Recording required. ~~All plans of subdivisions and land developments shall be recorded within 90 days after their final approval in the office of the Recorder of Deeds of Allegheny County.~~ All plans of subdivision and land developments shall be recorded in the Allegheny County Department of Real Estate within ninety (90) days after final approval or within ninety (90) days after the date of delivery of an approved plat signed by the Director following completion of conditions imposed for such approval, whichever is later.
- C. County approval or review notation required. ~~The Recorder of Deeds~~ Department of Real Estate shall not accept any plan for recording unless the plan officially notes the approval of the approving authority and review by the Department where the Department is responsible for review, but not approval, of a plans.
- D. Effect on applications pending or previously approved.
 - 1. Pending applications. The provisions of this chapter shall not affect any application for subdivision or land development which is pending approval prior to the effective date of this chapter. Such applications shall comply with regulations in effect at the time they were filed.
 - 2. Approved applications. No provision of this chapter shall adversely affect the right of an applicant to complete any aspect of a plan that was approved prior to the effective date of this chapter in accordance with the terms of such approval within five years from the date of first approval.

ARTICLE I General Provisions

§780-105 Interpretation and relation to other provisions

- A. Interpretation. The provisions of this chapter shall be held to be minimum requirements for subdivisions and land developments in municipalities where the Department is responsible for the approval of applications.
- B. Conflict with other ~~public provisions~~ laws/regulations. If any provision of this chapter 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 chapter 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 Department in accordance with the provisions of this chapter shall not constitute a guarantee of any kind that the proposed development is safe and shall create no liability upon the County, its officials or employees.

§780-106 Modifications and waivers

- A. Department may grant. The Department may grant a modification or waiver of the requirements of one or more provisions of this chapter for the following reasons; ~~provided, that such modification or waiver will not be contrary to the public interest and that the purposes of the chapter are observed:~~
 - 1. Hardship. The literal enforcement of the provision will exact undue hardship because of peculiar conditions pertaining to the land in question; ~~;~~
 - 2. Alternative standard. An alternative standard can be demonstrated to provide equal or better results; ~~;~~

~~provided, that such modification or waiver will not be contrary to the public interest and that the purposes of the chapter are observed.~~
- B. Requests in writing. All requests for modifications or waivers shall be in writing and shall accompany and be a part of the application. 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 chapter involved and the minimum modification necessary.
- C. Records required. The Department shall keep a written record of all actions on requests for modifications.

ARTICLE I General Provisions

§780-107 Mediation

- A. Mediation as an option. The Department may offer mediation as an aid in reaching decisions on applications for approval of subdivision or development of land and as an alternative to appeals from such decisions. Mediation shall supplement, not replace, those procedures once they have been formally initiated. Nothing in this section shall be interpreted as expanding or limiting the County's police powers or as modifying any principle of substantive law.
- B. Voluntary participation. Participation in mediation shall be wholly voluntary. The appropriateness of mediation shall be determined by the particulars of each case and the willingness of the parties to negotiate. The Department shall ~~assure that~~ assist, in each case, the mediating parties, assisted by the mediator, as appropriate, develop terms and conditions for:
1. Funding mediation.
 2. Selecting a mediator who, at a minimum, shall have a working knowledge of zoning and subdivision procedures and demonstrated skills in mediation.
 3. Completing mediation, including the time limits for such completion.
 4. Suspending time limits otherwise authorized in this chapter; provided there is written consent by the mediating parties, and by an applicant or the Department if either is not a party to the mediation.
 5. Identifying all parties and affording them the opportunity to participate.
 6. Subject to legal restraints, determining whether some or all of the mediation sessions shall be open or closed to the public.
 7. Assuring that mediated solutions are in writing and signed by the parties, and become subject to review and approval by the Department pursuant to the procedures for approval contained in this chapter.
- C. Final agreement admissible as evidence. No offers or statements made in the mediation sessions, excluding the final written mediated agreement, shall be admissible as evidence in any subsequent judicial or administrative proceedings.

§780-108 Appeals

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

§780-109 Violations, remedies, and enforcement

- A. Preventive remedies. In addition to other remedies, ~~the County or a municipality~~ may institute and maintain actions by law or in equity to restrain, correct or abate violations of this Chapter, 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

ARTICLE I General Provisions

selling or transferring shall not exempt the seller or transferor from the penalties or remedies provided.

2. Further development not permitted. The County or a municipality in which a violation of this chapter occurs may refuse to issue any permit or grant any approval necessary to further improve or development real property which has been developed or which has resulted from a subdivision of real property in violation of this chapter. 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 chapter 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 County and/or 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 chapter shall, upon being found liable therefore in a civil enforcement proceeding commenced by the County, pay a judgment of not more than \$500, plus all court costs, including reasonable attorney fees incurred by the County 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, then the County 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

ARTICLE I General Provisions

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 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~~ stay the occurrence of a per day or daily violation during the pendency of any appeal in accordance with MPC 515.3(b).
4. Enforcement by County. Nothing in this section shall be construed or interpreted to grant to any person or entity other than the County the right to commence any action for enforcement pursuant to this section.

ARTICLE I General Provisions

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ARTICLE II Definitions

ARTICLE II Definitions

§780-10201 General terms

Unless otherwise expressly stated, the following terms shall have the meaning indicated below:

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

§780-11202 Specific terms

Other terms or words used in this part are defined as follows:

ACCESS DRIVE

See "street."

ACCESSORY BUILDING

See "building, accessory."

ADT

~~Average daily traffic volume.~~

ALLEGHENY COUNTY COMPREHENSIVE PLAN

A document entitled "Allegheny Places," including the text maps and supplemental information adopted by Resolution of the Allegheny County Council on November 5, 2008, and as may be amended from time to time.

ALLEGHENY COUNTY HEALTH DEPARTMENT (ACHD)

The agency designated to administer and enforce the health and sanitation regulations of the Allegheny County Code.

ALLEGHENY COUNTY DEPARTMENT OF PUBLIC WORKS (ACDPW)

The administrative agency charged with the responsibilities of engineering, construction and management of County owned facilities, vehicle and equipment.

ARTICLE II Definitions

ALLEY (SERVICE STREET)

See "street."

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.

APPLICATION

Every application, whether preliminary or final, required to be filed for the approval of a subdivision plat or plan, or for the approval of a development plan.

ARCHITECT

An architect, registered by the Commonwealth of Pennsylvania. See "registered professional."

ARTERIAL STREET

See "street."

BEST MANAGEMENT PRACTICES

The methods, measures or practices to prevent or reduce the amount of pollution from point or non-point sources, including structural controls, non-structural controls and operation and maintenance procedures.

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.

BIODIVERSITY OR BIOLOGICAL DIVERSITY

The variety and abundance of species, their genetic composition and the communities, ecosystems and landscapes in which they occur.

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.

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

ARTICLE II Definitions

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.

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 center line or right-of-way line as specified by any applicable zoning ordinance.

BUFFERYARD

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.

BULB-OUT

A bulb-out, or curb extension, is a traffic calming measure which narrows the roadway width and serves multiple purposes including reducing speeds, reducing pedestrian crossing distances, improving visibility of pedestrians at crossings, and defining on-street parking.

CAPACITY

When used in reference to a street, the maximum traffic volume for which such street can provide adequate service.

CARTWAY

The portion of a street, drive or alley that is available for vehicular traffic.

CLEAR SIGHT TRIANGLE

An area of unobstructed vision at a street intersection defined by lines of sight between specific points on the center lines of the intersecting streets.

COLLECTOR STREET

See "street."

COMMON OPEN SPACE

A parcel or parcels of land or an area of water or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas and areas set aside for public facilities.

COMPLETE STREETS

A policy to ensure that the entire right-of-way is routinely designed and operated to enable safe access for all users. Pedestrians, bicyclists, motorists, and transit riders of all ages and abilities can safely move along and across a complete street.

COMPREHENSIVE PLAN, COUNTY

See ALLEGHENY COUNTY COMPREHENSIVE PLAN.

ARTICLE II Definitions

COMPREHENSIVE PLAN

A document consisting of maps, charts and text, prepared in accordance with Article III of the MPC and adopted by a municipality or County as a guide for future development.

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.

CONGESTION

The level at which transportation system performance is no longer acceptable to the traveling public due to traffic interference. The level of acceptable system performance may vary by type of transportation facility, geographic location, public tolerance and/or time of day.

CONSERVATION EASEMENT

A legal document that provides specific land use rights to a secondary party. A perpetual conservation easement usually grants conservation and management rights to a party in perpetuity.

CONSISTENCY

An agreement or correspondence between matters being compared which denotes a reasonable, rational, similar connection or relationship.

CONSISTENCY, GENERAL

That which exhibits consistency.

COUNTY EXECUTIVE

The executive branch of Allegheny County government established by the Allegheny County Home Rule Charter.

COUNTY COUNCIL

The legislative branch of Allegheny County government established by the Allegheny County Home Rule Charter.

COUNTY

Allegheny County, Pennsylvania, a home rule municipality.

COUNTY PLANNING AGENCY

The Allegheny County Department of Economic Development.

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.

CROWN

The part of the tree that consists of branches, stems and leaves.

CUL-DE-SAC

See "street."

ARTICLE II Definitions

CULTURAL FACILITIES

Buildings, sites, objects or structures owned and operated by a public or non-profit agency, including but not limited to libraries, museums, historic sites, public buildings, churches, hospitals, nursing homes, social, fraternal or community clubs or organizations and similar facilities.

DBH

The diameter of a tree trunk at breast height, measured at 4.5 feet above natural grade.

DECISION

Final decision of the governing body granted jurisdiction by this ordinance to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the court of common pleas and judicial district.

DEDICATION

The deliberate appropriation of land by its owner for general public use.

DEED

A written instrument whereby an estate in real property is conveyed.

DEED RESTRICTION

A restriction upon property placed in a deed.

DENSITY

The number of dwelling units per unit area of land.

DEPARTMENT

The Allegheny County Department of Economic Development, the designated “planning agency” for the County which performs the functions of a planning agency as described in the Pennsylvania Municipalities Planning Code for the purpose of administering this Ordinance.

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES (DCNR)

The agency designated to maintain and preserve state parks, manage state forest land, and provide technical assistance related to the rivers, trails, greenways, local parks, regional heritage parks, and natural areas of the Commonwealth of Pennsylvania.

DETENTION BASIN

A man-made or natural facility designed to collect surface water in order to impede its flow and to release it gradually ~~in an adopted watershed plan~~ in accordance with an adopted stormwater management plan.

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.

DEVELOPMENT OF REGIONAL SIGNIFICANCE AND IMPACT

Any land development that, because of its character, magnitude or location, will have a substantial effect upon the health, safety or welfare of citizens in more than one municipality.

ARTICLE II Definitions

DEVELOPMENT PLAN

The provisions of 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 chapter, shall mean the written and graphic materials referred to in this definition.

DIRECTOR OF PLANNING (DIRECTOR)

The Director of the Allegheny County Department of Economic Development or his or her designee.

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.

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.

EARTH DISTURBANCE

Any construction or other activity which disturbs the surface of the land, including, but not limited to, excavations, embankments, depositing or storing soil, rock or earth, clearing vegetation, tilling soil, or any other activity which may cause erosion.

EASEMENT

A right-of-way for limited use of property granted by a landowner, within which the owner shall not have the right to make use of the property in a manner that violates the right of the grantee.

ECOSYSTEM

A functional system which includes the organisms of a natural community together with their environment.

ENGINEER

A professional engineer registered by the Commonwealth of Pennsylvania. See "registered professional."

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.

EROSION AND SEDIMENTATION CONTROL PLAN

A narrative and set of plans developed to minimize accelerated erosion and prevent sedimentation damage. In accordance with design manual, Part 2, Chapter 13 and PA DEP Erosion and Sediment Pollution Control Program Manual, these plans are prepared in conjunction with construction staging plans, detailing what erosion control measures must be in place at all times during various construction stages and phases.

ARTICLE II Definitions

FILL

Material, usually soil, used to raise or change the surface contour of an area, to construct an embankment or to be placed within a stone or concrete arch bridge.

FINAL PLAN

The plan of a proposed subdivision or land development including all supplemental information required by this chapter or by an applicable municipal ordinance to obtain final approval and in a form acceptable for recording in the ~~Office of the Recorder of Deeds~~ Department of Real Estate.

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 §509 of the Pennsylvania Municipalities Planning Code.

FLOODPLAIN

Land adjoining a river or stream that has been or may be expected to be inundated by the flood waters of the river or stream; or any area subject to the unusual and rapid accumulation of surface waters from any source. Floodplains include any areas delineated within the one-hundred-year flood boundary or as a special flood hazard area on a map prepared by the Federal Emergency Management Agency (FEMA).

FLOODWAY

The channel of a watercourse and ~~these~~ portions of the adjoining floodplain ~~which~~ that are reasonably required to carry and discharge the one-hundred-year ~~frequency~~ design flood. Unless otherwise specified, the boundary of the floodway ~~shall be as delineated~~ one hundred year floodway is as indicated on maps and flood insurance studies ~~prepared~~ provided 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.~~

FLOODPROOFING

Any combination of structural and/or nonstructural additions or changes to structures or contents which are designed to reduce or eliminate flood damage to those structures or contents.

FLOOR AREA

Total gross area of all floors enclosed within the exterior walls of any building, including accessory buildings and including any areas that may be enclosed by temporary exterior walls such as garage doors or removable solarium glass enclosures; or as defined in an applicable municipal zoning ordinance.

FOOTCANDLE

A unit of light density incident on a plane (assumed to be horizontal unless otherwise specified), measurable with an illuminance meter (also known as a light meter).

FREEBOARD

The difference between the elevation of the design flow in the emergency spillway (usually the one-

ARTICLE II Definitions

hundred year peak elevation) and the top elevation of the settled basin embankment (that is, top of berm). Minimum freeboard shall be one foot.

FULL CUTOFF LUMINAIRE

An attribute of a lighting fixture from which no light is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than 10% of the lamp's output is emitted at or above an angle 10° below the horizontal plane, at all lateral angles around the fixture. By definition a full cutoff luminaire is also fully shielded.

FULLY SHIELDED LUMINAIRE

An attribute of a luminaire from which no light is emitted at or above a horizontal plane drawn through the lowest light emitting portion of the luminaire.

GEOGRAPHIC INFORMATION SYSTEM (GIS)

A computerized system of compiling, presenting and analyzing geographic based data.

GEOTECHNICAL ENGINEER

A professional engineer licensed as such by the Commonwealth of Pennsylvania who has training and experience in geotechnical engineering.

GLARE

Excessive brightness in the field of view that is sufficiently greater than that to which the eyes are adapted, to cause annoyance or loss in visual performance and visibility so as to jeopardize health, safety or welfare.

GRADE

The inclination of the land's surface from the horizontal, as it exists or as rendered by cut and/or fill activities. Road grade refers to the rate of rise and fall of a road surface, measured along the center line of the cartway.

GRADING PLAN

A plan to be prepared and submitted with an application for development whenever any ~~land~~ earth disturbance is proposed.

GREENWAY

A linear open space established along either a natural corridor such as a river front or stream valley or ridge line or over land along a railroad right of way converted to recreational use, a canal, a scenic road or other route, including:

- 1) Any natural or landscaped course for pedestrian or bicycle passage;
- 2) An open space connector linking parks, natural reserves, cultural features or historic sites with each other and with populated areas; and
- 3) Locally, a certain strip or linear park designated as a parkway or greenbelt.

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GREENPRINT

A map identifying highly functional land areas that harbor biological diversity, manage water resources, and maintain the region's scenic landscape character. The GREENPRINT is incorporated into the *Allegheny Places Greenway Map* as a top priority for conservation.

GROUNDWATER

Naturally occurring water that moves through the earth's crust, usually at a depth of several feet to several hundred feet below the earth's surface.

HAMMERHEAD TURNAROUND

A paved area at the end of a dead-end street where the cartway branches in two directions, providing sufficient space for vehicles to execute three-point turning maneuvers without entering the driveways of any lots abutting the street.

HIGHWAY OCCUPANCY PERMIT

A permit issued by the Pennsylvania Department of Transportation to private landowners to occupy Commonwealth of Pennsylvania property designated for transportation uses; typically for access or utilities.

HISTORIC FEATURE

- A. Any building, site, structure, object, district or area that:
 - 1. Is listed in the National Register of Historic Places.
 - 2. Has received a determination of eligibility for the National Register from the National Park Service.
 - 3. Is listed on any officially adopted municipal, County or State register or inventory of historic features.
- B. This term shall include the site, structures, yards, vegetation, fences, road alignments and signage associated with such features.

HYDRIC SOIL

Soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part.

ILLUMINANCE

Quantity of incident light measured in footcandles.

IMPROVEMENT

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.

INDIGENOUS PLANT SPECIES

Plant species naturally occurring in a particular region or environment and having been identified as existing in the region before the influence of humans.

ARTICLE II Definitions

INVASIVE PLANT SPECIES

Plant species brought into a particular region or environment through transportation by humans and having adapted to the region or environment to the detriment of the indigenous species.

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.
 - 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 semidetached 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.
 - 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 subsection, 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.

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.

~~LAND DISTURBANCE~~

~~Any activity involving changes in the natural contours of the land, clearing of vegetation, tilling of the soil or any other activity which may cause erosion.~~

ARTICLE II Definitions

LAND USE

Any activity, business, function or purpose for which any piece of land or structure is used or intended to be used.

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.

LANDSCAPE ARCHITECT

A landscape architect registered by the Commonwealth of Pennsylvania. See "registered professional."

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.

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.

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.

LIGHT TRESPASS

Light emitted by a lighting fixture or installation which is cast beyond the boundaries of the property on which the lighting installation is sited.

LOCAL ACCESS STREET

See "street."

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.

LOT AREA

The area contained within the property lines of the individual parcel of land, excluding space within a street right-of-way, or as specified in the municipal zoning ordinance.

ARTICLE II Definitions

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.

LOT FRONTAGE

The width of a lot measured along the street line.

LOT WIDTH

The horizontal distance between side lot lines, measured at the required setback line.

LOT, YARD

An area within a lot between the building setback lines and the lot lines.

LUMEN

A measure of the power of light perceived by the human eye. The light output rating of a light bulb.

MARGINAL ACCESS STREET

See "street."

MEDIATION

A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their difference, culminating in a written agreement which the parties themselves created and consider acceptable.

MINOR LAND DEVELOPMENT

See "land development, minor."

MINOR SUBDIVISION

See "subdivision, minor."

MITIGATION

The replacement of natural features which have been lost or reduced in value.

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.

MUNICIPAL ENGINEER

A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency or joint planning commission.

MUNICIPAL GOVERNING BODY

The council in cities and boroughs, and incorporated towns, the board of commissioners in townships of the first class, the board of supervisors in townships of the second class, or as may be designated in the law providing for the form of government.

ARTICLE II Definitions

MUNICIPALITY

Any city, borough, township or other similar general purpose unit of government, excluding County government.

MUNICIPALITIES PLANNING CODE (MPC)

Act of 1968, P.L. 805, No. 247 as reenacted and amended (53 P.S. §10101, et seq.) which empowers municipalities to plan for their development and to govern the same by zoning, subdivision and land development ordinances and official maps, to promote conservation of energy and to establish planning agencies and zoning hearing boards.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

The permit mandated by Section 402 of the Clean Water Act for projects that involve the discharge of pollutants from a point source into surface waters (including wetlands) for disposal purposes which is intended to regulate the amount of chemicals, heavy metals and biological waste discharged in wastewater, administered under the Pennsylvania Clean Streams Law.

NATURAL RESOURCES

Land, fish, wildlife, drinking water supplies and other assets belonging to, maintained by or otherwise controlled by the Federal, State or local government.

NET DENSITY

Net density is the number of proposed dwelling units divided by the land area not proposed for infrastructure such as the roadway network or stormwater system. For instance, if a proposed subdivision includes 100 dwelling units on 100 acres, with 20 acres being used for infrastructure, the net density is $100/(100-20=80) = 1.25$ units per acre.

NONSTRUCTURAL STORMWATER MANAGEMENT PRACTICES

Passive site design approaches or regulatory approaches that positively impact water quality and reduce the generation of stormwater runoff without requiring the construction of specific or discrete stormwater management control structures.

OFFICIAL MAP

A map adopted pursuant to Article IV of the Pennsylvania Municipalities Planning Code. An official map is a combined map and ordinance designed to implement the goals and community vision set forth in the comprehensive plan. The official map shows the locations of planned future public lands and facilities, such as transportation, recreational parks and trails, and open space. The official map expresses a municipality's interest in acquiring these lands for public purposes sometime in the future.

OPEN SPACE

Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment; or for the use and enjoyment of owners, occupants and their guests, of land adjoining or neighboring such open space.

ORDINANCE

The Allegheny County Subdivision and Land Development Ordinance of ~~1998~~ 2012 (this chapter).

ARTICLE II Definitions

PARCEL

See "lot."

PEAK TRAFFIC HOUR

The hour during which the heaviest volume of traffic occurs.

PENNSYLVANIA STORM WATER MANAGEMENT ACT

The Pennsylvania Storm Water Management Act, hereinafter referred to as PA Act 167, requires municipalities to adopt and implement ordinances to regulate development consistent with adopted watershed stormwater management plans.

PLANNING AGENCY

A planning commission, planning department or planning committee of the governing body.

PLAT

The map or plan of a subdivision or land development, whether preliminary or final.

PLAT ADJUSTMENT

See "subdivision, plat adjustment."

PRELIMINARY PLAN

The plan of a proposed subdivision or land development, including all supplementary information required by this chapter or applicable municipal ordinance to obtain preliminary approval.

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.

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 chapter.

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."

PUBLIC NOTICE

A notice published once each week for two successive weeks in a newspaper of general circulation in the County. 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.

PUBLIC WATER SYSTEM

A system which provides water to the public for human consumption which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. The term includes any collection, treatment, storage and distribution facilities under control of the operator of the system and used in connection with the system. The term includes collection or

ARTICLE II Definitions

pretreatment storage facilities not under such control which are used in connection with the system. The term also includes a system which provides water for bottling or bulk hauling for human consumption.

RECORD PLAN

A final plan which contains the original endorsement of the municipality and the Department, which is intended to be recorded with the Allegheny County Recorder of Deeds Department of Real Estate.

RESERVED AREAS

Lands held for future public use by designating a lot or parcel for such future use on a plat for recording.

REGISTERED PROFESSIONAL

An individual licensed in the Commonwealth of Pennsylvania to perform services or activities required by provisions of this chapter and qualified by training and experience to perform the specific services and/or activities with technical competence.

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.

RIPARIAN

Pertaining to anything connected with or immediately adjacent to the banks of a waterway.

ROUNDABOUT

An intersection traffic control treatment utilized throughout the world. Roundabouts form circular intersections in which entering traffic is required to yield to circulating traffic.

RUNOFF

The surface water after a rain or snow that does not enter the soil but runs off the surface of the land.

SEDIMENTATION

The process by which soil or other surface material is accumulated or deposited by wind, water or gravity.

SETBACK LINE

See "building setback line."

SHIELDED LUMINAIRE

A luminaire from which no direct glare is visible at normal viewing angles by virtue of its being properly aimed, oriented and located and properly fitted with such devices as shields, barn doors, baffles, louvers, skirts or visors.

ARTICLE II Definitions

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.

SKETCH PLAN

An informal plan, for use in a preapplication meeting, prepared in accordance with ~~§780-18~~ 401 of this chapter.

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.)

SOILS ENGINEER

A professional engineer licensed as such and ~~An engineer~~ registered by the Commonwealth of Pennsylvania who has training and experience in soils engineering.

STEEP SLOPE

Any land area with a grade that exceeds four horizontal to one vertical (4:1), or 25%.

STORMWATER

Stormwater is the precipitation from rain or snowmelt that flows over the ground. Impervious surfaces like driveways, sidewalks, and streets prevent stormwater from being absorbed into the ground.

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. 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.
- B. ALLEY: A service road that provides secondary means of through access to lots.
- C. ARTERIAL: A public street intended to carry a large volume of local and through traffic to or from collector streets and expressways.
- D. COLLECTOR: A street that collects and distributes traffic between local access and arterial streets. Such streets provide intra-regional connections between residential areas and shopping areas, employment centers and other local traffic generators.
- E. CUL-DE-SAC: A street with a single means of ingress and egress and a turnaround.
- F. LOCAL: A street that provides access to abutting property and connections to collector streets.
- G. MARGINAL ACCESS STREET: A service street that runs parallel to a higher-order street and provides access to abutting properties and separation from through traffic.

ARTICLE II Definitions

STREET, PRIVATE

A street not accepted for dedication by a municipality.

STREET, PUBLIC

A street accepted for dedication by a municipality.

STRUCTURAL STORMWATER MANAGEMENT PRACTICES

Any stormwater management measure that requires the design and construction of one or more specific or discrete structures to reduce or eliminate stormwater runoff.

STRUCTURE

Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVISION

The division or redivision 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.

SUBDIVISION, MINOR

A subdivision of land into not more than four lots, not requiring any new street or access easement.

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.

SUBSTANTIALLY COMPLETED

Where, in the judgment of the municipal engineer, at least 90% (based on the cost of the required improvements for which financial security was posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

SURVEYOR

A surveyor registered by the Commonwealth of Pennsylvania. See "registered professional."

TRIP

A single or one-directional vehicle movement.

ARTICLE II Definitions

USE

See "land use."

WATERCOURSE

A channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

WATERSHED

All land and water within the confines of a drainage basin.

WATER SURVEY

An inventory of the source, quantity, yield and use of groundwater and surface water resources within a municipality.

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.

WETLAND

Any area defined as a wetland by the Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

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. GROVES AND STANDS

A contiguous grouping of eight or more individual trees having a DBH of at least 12 inches, and whose combined canopy covers at least 50% of the area encompassed by the grove, and which is not located within a woodland.

B. 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.

YARD

See "lot, yard."

ARTICLE III Procedures for Review, Approval and Recording of Plans

§780-~~12~~301 Purpose; ~~o~~Organization; ~~f~~Fees and ~~d~~Disputes

- A. Purpose. This Article III 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. Advisory review procedures. Section 780-~~13~~ 302 includes procedures for review of plans located in municipalities which have enacted subdivision and land development regulations. In these municipalities, the Department provides advisory review.
 2. Review and approval procedures. Section 780-~~14~~303 specifies procedures for review and approval of plans located in municipalities which have not enacted subdivision and land development regulations. In these municipalities the Department is responsible for the approval of plans.
 3. Abbreviated procedures for minor plans and plat adjustments. Abbreviated review or review and approval procedures are offered for plans which are defined in Article II as minor subdivisions, minor land developments, or plat adjustments. These procedures are specified in §780-~~15~~304.
 4. Procedures for recording. Section 780-~~16~~ 305 contains requirements for recording subdivision and land development plans in the office of the ~~Recorder of Deeds~~ Department of Real Estate.
 5. ~~Digital submission of final plats. Section 780-17 includes requirements for the submission of final plats in digital format, which will become effective at a future date, when specifically authorized by the Board of County Commissioners.~~
 6. 5. Summary of procedures and requirements. A chart that summarizes which basic procedures and requirements contained in this chapter apply to land use applications in municipalities that have enacted a subdivision and land development ordinance; and which apply to land development applications in municipalities that have not enacted a land development ordinance is provided in Appendix 8 ~~7~~. Editor's Note: Appendix 8 ~~7~~ is included at the end of this chapter.
- C. Fees and Disputes of fees.
 1. Applications for review and approval shall be accompanied by a review fee paid by the applicant, which shall be in accordance with a schedule of fees established by resolution of the County Council.
 2. Review by professional consultants. The Department may refer the application for review by one (1) or more of its professional consultants. The applicant shall pay the fees for such reviews. Application review fees shall include reasonable and necessary charges by the County's professional consultants for

ARTICLE III Procedures for Review, Approval and Recording of Plans

review and report on the application to the County. Such review fees shall be based upon a schedule established, from time to time, by Resolution of County Council. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the professional consultants for similar services provided to the County, but in no event shall the fees exceed the rate or cost charged by the professional consultants to the County when fees are not reimbursed or otherwise imposed on applicants. Fees charged to the County relating to the appeal of any decision on an application shall not be considered review fees and shall not be charged to the applicant.

3. Billing for review fees. The Director shall submit to the applicant an itemized bill showing work performed, identifying the person performing the services and the time and date spent for each task. Nothing in this subparagraph shall prohibit interim itemized billing or County escrow or other security requirements.
4. In the event an applicant disputes the amount of review fees, the applicant shall, no later than 45 days after transmittal of the fees, notify the County that such fees are disputed. The applicant shall explain the basis of their objections to the fees charged, in which case the application shall not be delayed or disapproved due to the applicant's dispute over fees. Failure of the applicant to dispute the fees within 45 days shall be a waiver of the applicant's right to arbitration as established by MPC 510(g).
5. In the event that the County's professional consultant and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the applicant and the County shall follow the procedure for dispute resolution for inspection fees set forth in Section 510(g)(2) through (5) of the MPC, provided the arbitrator resolving such dispute shall be of the same profession or discipline as the professional consultant whose fees are being disputed.

§780-13302 Advisory review procedures

- A. Application. The procedures specified in this section shall apply to the review of all subdivision and land developments located in municipalities which have enacted subdivision and land development regulations, ~~including municipalities that adopt this chapter by reference, but do not designate the Department as their agency for approval.~~
- B. Transmittal of applications for preliminary review. A complete copy of an application for preliminary approval of a subdivision or land development plan shall be forwarded upon receipt by the municipality to the Department.
 1. How to submit. Applications may be submitted on any business day.
 - a. Notice of transmittal. Applications must be accompanied by a cover letter or transmittal notice addressed to the Director of the Department, which notes the date of forwarding and the signature of the municipal

ARTICLE III Procedures for Review, Approval and Recording of Plans

official who transmits the application. If an application is mailed, the date of forwarding shall be the date of postmark.

- b. Application form. Applications must include a copy of the Department's form entitled "Subdivision and Land Development Application" which has been completed by the applicant.
 - c. Review fee. Applications for review shall be accompanied by a review fee paid by the applicant, which shall be in accordance with a schedule of review fees established by resolution of the ~~Board of Commissioners~~ County Council. The review fee shall be in the form of a check or money order payable to the Treasurer of Allegheny County. In the event an applicant disputes the review fee, the County and applicant will follow the procedure established in Article III, §780-301, Subparagraph C.
2. Complete materials required. The materials forwarded shall include all drawings, plans, reports and other information submitted to the municipality and as required by the municipal subdivision and land development ordinance.
 - a. Incomplete applications. If the application materials are incomplete or the fee has not been paid, the Department shall notify the municipality and request that additional materials be forwarded. The date on which any additional materials are received shall then become the official date of forwarding of the application.
 - b. Review not possible. If complete materials are not submitted and the Department determines that an informed review is not possible, the Department shall notify the municipality and applicant in writing of the determination that a review cannot be provided because a complete application has not been forwarded.
- C. Review of preliminary applications. Within 30 days of the date of forwarding of a complete application, the Department shall review the application for approval of the preliminary plan of subdivision or land development and shall transmit its comments in writing to the municipal official who transmitted the application.
 1. Copies of review. At the option of the Department, a copy of the review may be sent to the applicant and/or to any municipality or agency that may have interest in the project and in the Department's review.
 2. Defects specified. The review shall note whether or not the application meets all requirements of the municipal regulations and shall specify the specific provisions of the municipal ordinances which have not been met.
 3. Additional comments. The review may also comment on planning aspects of the proposed project which are not specifically addressed by the municipal regulations, including, but not limited to, the relationship of the proposed subdivision or land development to the municipal comprehensive plan, to existing and planned development and comprehensive plans in adjacent municipalities, and to the County comprehensive plan or components thereof.

ARTICLE III Procedures for Review, Approval and Recording of Plans

4. Alternative standards. The review may recommend alternative standards or design of development if the Department determines that the application of alternative requirements or design would result in more efficient or economic utilization of the site, less damage to the natural environment, improved safety or convenience, and that the recommended alternative standards or design are in accordance with modern and evolving principles of site planning and development.
- D. Transmittal of applications for final review. The procedure for review of applications for final approval of subdivisions and land developments shall be one of the following:
1. If revised. If changes are made in the plan after preliminary approval, the municipality shall forward a complete copy of the application upon receipt, with all supporting plans and materials, to the Department for review in accordance with the procedures specified in Subsection B above, except that a fee shall not be required.
 - a. Final review period. The Department shall review an application for final approval following the procedures and time period specified for preliminary review in Subsection C above.
 - b. Plan for recording. After final approval by the municipality, the plans prepared for recording, including all required signatures, shall be returned to the Department for signature, in accordance with Subsection D(2)(a) and (b) below.
 2. If not revised. If no changes are made in the plan after preliminary approval, the Department shall waive the requirement for substantive final review and will accept the final plans as prepared for recording, with all required signatures.
 - a. Review for recorder's signing requirements. The Department shall review the final, signed plan for compliance with requirements of the ~~Recorder's office~~ Department of Real Estate for the recording of plans.
 - b. Notation of department review. If the final plan is correct in every respect, the Director shall sign the certification that the plan has been reviewed by the Department.
- E. Department signature required for recording. In accordance with §513(a) of the MPC, the ~~Recorder of Deeds of Allegheny County~~ Department of Real Estate shall not accept any plat for recording unless such plat officially notes review by the Department.
1. No signature without review. The Director may refuse to sign the official notation of review for any plan which was not forwarded by the municipality for review in accordance with Subsection B above, and where required, in accordance with Subsection D(1).
 2. No signature if materials incomplete or fee not paid. The Director may refuse to sign the official notation of review on a final plan if the preliminary or final plan submission to the Department was incomplete, or if the fee was not paid, and if

ARTICLE III Procedures for Review, Approval and Recording of Plans

the Department notified the municipality that it was not possible to provide a review, as specified in Subsection B(1) above.

§780-14303 Review and approval of subdivisions and land developments in municipalities which have not enacted subdivision and land development regulations

- A. Application. The procedures specified in this section shall apply to all subdivisions and land developments in municipalities which have not enacted subdivision and land development regulations or which have adopted these regulations by reference and have designated the Department as their agency for review and approval.
- B. Preapplication meeting. The applicant may request a preapplication meeting with the Department to discuss the proposed subdivision or land development and to review the requirements of the ordinance in relation to the proposed project. A representative of the municipality where the proposed subdivision or land development is located shall be invited to attend the preapplication meeting.
 1. Sketch plan. Prior to the meeting, the applicant is strongly encouraged to provide 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 preapplication meeting should be prepared in accordance with ~~§780-18401~~ of this chapter, but shall not constitute an application for preliminary or final approval.
 2. Scheduling of meeting. The Department shall review the materials and schedule the preapplication meeting within 14 consecutive days from the date of submission of the sketch plan and supporting materials. If the Department feels that additional information is needed, the fourteen-day period may be extended by mutual agreement.
 3. Result of meeting. Based on the Department 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. A written summary of the meeting and the issues discussed shall be provided to the applicant and subject municipality.
 4. A preapplication meeting shall not constitute formal filing of any application for approval of a subdivision or land development, shall not bind the Department to approve any concept presented in the pre-application meeting and shall not protect any future application from subsequent changes in ordinance provisions which may affect the proposed development that may be enacted between the pre-application meeting and the filing of an application for preliminary approval of a subdivision or land development.

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C. Preliminary plan review and approval.

1. Submission of applications. Applications may be submitted to the Department on any business day and shall include all information and plan drawings specified in Article IV, §780-19402, and Article V.
 - a. Number of copies. Four (4) complete copies of the application and all supporting site and plan drawings and information shall be submitted to the Department. The Department may request additional copies of the application in accordance with §780-303 C.3.
 - b. Application form. Applications must include a copy of the Department's form entitled "Subdivision and Land Development Application" which has been completed by the applicant.
 - c. Fee required. A filing fee, in the form of a check or money order payable to the Allegheny County Treasurer, shall accompany the application. The amount of the fee shall be in accordance with a fee schedule adopted by resolution of ~~the Board of Commissioners~~County Council.
 - d. Official filing date. ~~The official filing date of an application shall be the date that the~~ Once the Department certifies that the submittal is complete and that the applicable fee has been paid, the official filing date of an application shall be the date the application was submitted to the Municipality.
 1. Within seven (7) days of the date that the application is received in the offices of the Department, the Department 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 Department to take either of these actions within seven (7) 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 in the files of the Department, 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.
 5. After the official filing of an application and while a decision is pending, no change in any zoning, subdivision or other governing ordinance or plan shall affect the decision on the application adversely to the applicant; and the applicant shall

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be entitled to a decision in accordance with the provisions of the governing ordinances and plans on the official filing date.

2. Distribution of copies. The Department shall forward one (1) complete copy of the application and submission materials to the municipality in which the project is located and one (1) copy to the municipal engineer. The applicant shall distribute a copy of the preliminary plan and of all relevant supporting documentation to all agencies who will be required to approve some aspect of the plan prior to its final approval by the Department. These agencies may include, but are not limited to:
 - a. Pennsylvania Department of Transportation (PennDOT) if site abuts or is traversed by a state road.
 - b. Pennsylvania Department of Environmental Protection (PADEP or DEP) for sewage facilities, stream encroachments, wetlands, contaminated sites and other environmental permits.
 - c. Allegheny County Department of Engineering and Construction if site abuts or is traversed by a County road or may impact a County drainage facility.
 - d. Allegheny County Health Department for sewage facilities, water supply and air pollution approvals.
 - e. Allegheny County Conservation District for erosion and sedimentation plan letters of adequacy and permits.
 - f. Fire company or department.
 - g. Water supplier.
 - h. Sewage treatment supplier.
 - i. Natural gas, electric, telephone and cable television suppliers.
 - j. Postmaster for approval of new street names.
 - k. Federal Aviation Administration and PennDOT Bureau of Aviation if the proposed development requires filing of "Notice of Proposed Construction or Alteration."

During the plan review process, the Department may convene an inter-agency meeting with one (1) or more of these reviewing agencies to discuss issues relevant to the application.

3. Distribution of copies to other municipalities. The Department may also distribute copies of the preliminary plans to municipalities within 200 feet of site; and to municipalities within one mile of the site, if the proposed development is expect to generate 100 or more trips during its peak hour.
4. Review by professional consultants. The Department may refer the application for review by one (1) or more of its professional consultants. The procedure for determining the amount of the fee, billing and resolving disputes shall be in

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accordance with the provisions of 780-301C of this Chapter. The applicant shall pay the fees for such reviews.

5. Review meeting. The Department shall formally review the application at a public meeting held not later than 30 days after the official filing date. Public meetings will be held at the Municipality in which the project is located. If the meeting cannot be accommodated in the Municipality, or upon the decision of the County, the public meeting will be held at the County offices.
6. Optional hearing. The Department 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.
7. 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 and communicated to the applicant not later than 90 days following the date of the public meeting at which the plan was first reviewed unless the applicant agrees in writing to an extension of time; or, after a final order of the court remanding an application, provided that should the date of the public meeting at which the application was first reviewed occur more than 30 days following official filing date, or the final order of the court, the said 90-day period shall commence from the 30th day following the official filing date.
 - a. Written decision. The decision of the Department shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than 15 days following the decision unless the applicant agrees in writing to a change in the manner of communication of the decision.
 - b. Acceptance of conditions. If the application is approved subject to conditions, they shall be accepted by the applicant in writing within 15 days after the written decision of the Department was mailed or delivered to the applicant or the approval shall be automatically rescinded.
 - c. Defects specified. If the application is not approved as filed, the decision shall specify the defects found in the application and shall cite the provisions of the ordinance which have not been met.
8. Deemed approval. Failure of the Department to render a decision and communicate it to the applicant in the manner and within the time period specified or as agreed to by the applicant shall be a deemed approval of the application as presented.
9. 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. Preliminary approval shall remain valid for five years. No change in this chapter or in any applicable municipal ordinance shall affect adversely the right of the applicant

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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.

D. Final plan review and approval.

1. Submission of applications. Applications shall be submitted in the same manner as specified for preliminary applications in Subsection C, except that a filing fee shall not be required for final plan applications.
 - a. 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.
 - b. Materials required. The application for final approval shall include the plans, construction drawings and specifications, required permits and approvals, supporting documentation, all applicable review fees, and other materials as specified in Article IV, ~~§780-20403~~.
 - c. 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 Subsection C(1)(d) above.
2. Distribution of copies. The Department shall forward one (1) complete copy of the application and submission materials to the municipality in which the project is located and one copy (1) to the engineer for the municipality.
3. Review by professional consultants. The Department may refer the application for review by one (1) or more of its professional consultants. The procedure for determining the amount of the fee, billing and resolving disputes shall be in accordance with the provisions of 780-301C of this Chapter. The applicant shall pay the fees for such reviews.
4. Review meeting. The Department shall formally review the application at a public meeting held not later than 30 days after the official filing date.
5. 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 and communicated to the applicant not later than 90 days following the date of the public meeting at which the final application was first reviewed unless the applicant agrees in writing to an extension of time- or, after a final order of the court remanding an application, provided that should the date of the public meeting at which the application was first reviewed occur more than 30 days following official filing date, or the final order of the court, the said 90-day period shall commence from the 30th day following the official filing date.
 - a. Approval of the final plan. The Department shall grant final approval if all the following requirements are met:

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1. The application conforms with the approved preliminary plan and with any conditions attached to the preliminary approval.
2. The plan either complies with all standards and requirements of this chapter or waivers or modifications have been requested, granted and documented in accordance with §780-6.
3. The municipal engineer and governing body of the municipality in which the proposed project is located 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, floodplain management, stormwater 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.
4. All necessary permits and approvals from other governmental agencies, service providers and utility providers have been obtained, as per §780-501 D.
5. All improvements have been constructed in accordance with applicable standards, inspected by the municipal engineer and approved by the municipal governing body; or, financial security to guarantee the construction of required improvements has been deposited with the municipality, both in accordance with Subsection F hereunder.
 - b. Conditional final approval. The Department 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 Department may require that the condition be noted upon and recorded with the plan.
 - c. Disapproval. The Department 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 chapter 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.
6. 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 Subsection C(~~59~~).

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7. Deemed approval. Failure of the Department to render a decision and communicate it to the applicant in the manner and within the time period specified or as agreed to by the applicant shall be a deemed approval of the application as submitted.
 8. Effect of final approval. When an application has been approved without conditions or with conditions accepted by the applicant, no change in this chapter or in any applicable municipal ordinance shall 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.
 - a. Where final approval is preceded by preliminary approval, the five-year period shall be counted from the date of the preliminary approval.
 - b. 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.
 - c. The five-year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement or completion of the development, or 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 such instances, the provisions of MPC 508 (4)(ii) shall apply.
- E. 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.
1. Schedule for phases. The preliminary plan shall include a schedule for the submission of final plans for each section.
 - a. 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.
 - b. Any modifications in the schedule as first presented may be approved at the discretion of the Department.
 2. Final plans for phases. Following approval of the preliminary plan for the entire land area, final plans may be submitted for each section.
 - a. 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.

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- b. Each section of a phased residential development except the last section shall contain at least 25% of the total number of dwellings depicted on the preliminary plan or, in the discretion of the Department such other percentage needed to ensure an acceptable living environment for residents while development is ongoing.
 - c. 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.
 - d. 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.
 - e. Where improvements, as listed in MPC 509 (a), may not be possible to install as a condition precedent to final approval of plats, the completion of such improvements shall be a condition precedent to the erection of buildings on lands included in the approved plat, as per MPC 503.4.
- F. 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.
- 1. 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:
 - a. All other components of the application for final approval have been approved by the Department.
 - b. All necessary permits and approvals from other agencies have been obtained.
 - c. Construction drawings for all improvements have been approved by the municipal engineer and municipal governing body.
 - d. 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.

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2. Approval of final plat following completion of improvements.
 - a. Following completion of all improvements in accordance with the specifications and plans, the applicant or municipality shall submit to the Department a statement signed by the municipal governing body that all improvements have been completed and approved by the municipality and that all other matters included in the development agreement have been concluded in a manner acceptable to the municipality.
 - b. Thereafter, the Department shall approve the final plat for recording, and the Director shall sign the notation of approval on the plat.
3. 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, stormwater management facilities, recreation facilities, open space improvements and required buffer or screen plantings as listed in MPC 509 (a).
 - a. The amount and form of the financial security shall be as specified in §509 of the MPC.
 - b. When requested by the applicant, in order to facilitate financing and provided that all other requirements for final approval have been met, the Department 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 90 days unless an extension is granted by the Department.
 - c. 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 Department, 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.
 - d. 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.

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- e. The applicant shall not be required to provide financial security of 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.
- G. Deposit of financial security to guarantee integrity and functioning of improvements. 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 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 15% of the actual cost of installation.
- H. Changes encountered during construction of an approved subdivision or land development. If, during construction of an approved subdivision or land development, field changes are requested by the developer, the Department shall determine whether the changes are substantive or not, in accordance with the following.
 1. Substantive changes requiring resubmission and approval of a final plan. The following changes shall be deemed substantive and shall require resubmission and approval of a final application in accordance with the requirements of §780-303 D and §780-403 of this Chapter.
 - a. Any change that modifies or violates a condition attached to the original Final Approval.
 - b. Any increase or decrease in the total gross floor area of the approved principal building or buildings that exceeds five percent (5%) or any increase in the total number of approved lots or dwelling units.
 - c. Any change in the ingress, egress or interior traffic circulation or any change in the number or layout of parking spaces involving more than five (5) spaces.
 - d. Any change that requires a zoning variance or a modification to any requirement of this Chapter.
 - e. Any change in the location of a principal building or buildings resulting in a reduction of the distance between the building(s) and a property line of more than five (5) feet or more than ten percent (10%) of the approved distance, whichever is less.
 - f. Any change that substantially increases the traffic impact of the proposed development.
 2. Changes which are not substantive, but require filing of revised plans with the Department. The following changes shall not be considered substantive and shall not require resubmission and approval of a final application; however, the

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applicant shall file revised plans with the Department and the Department shall issue a letter acknowledging that the changes are not substantive.

- a. Any increase in the total gross floor area of the approved principal building or buildings that is five percent (5%) or less.
- b. Any change in the location of a principal building or buildings resulting in a reduction of the distance between the building(s) and a property line of fewer than five (5) feet or less than ten percent (10%) of the approved distance, whichever is less.
- c. Any increase in the number of parking spaces of five (5) or fewer spaces.
- d. Any decrease in parking spaces, provided the decrease maintains compliance with §780-520 of this Chapter.
- e. Any change in the landscaping plan that substitutes one (1) or more of the plant materials shown on the approved plans with plant materials of a similar type and character.
- f. Any change mandated by other agency permits.

§780-15304 Abbreviated procedures for minor plans and plat adjustments

- A. Application. This section ~~offers an option to~~ establishes a procedure that combines 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 in municipalities which have their own regulations if those regulations authorize a one-step approval procedure, as well as for approval of plans in municipalities which do not have their own regulations.
- B. Minor subdivisions and land developments. The Department 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 ~~§780-13302D(1) or (2)~~ §780-14303D(1), except that a fee shall be required.
 1. For plans in municipalities that have their own ordinances, the Department will complete its review within 30 days of the date that a complete application is forwarded.
 - a. If there are no suggested revisions or other comments, the Department will notify the municipal official who transmitted the application either by phone or in writing.
 - b. If there are suggested revisions or conditions or a recommendation that the application be denied, the review shall be in writing in accordance with the procedure specified in ~~§780-13302C~~.

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2. For plans in municipalities that do not have their own ordinances, the Department will review and approve or disapprove an application in accordance with the procedures specified in ~~§780-14303D~~.
3. Following completion of the review or review and approval, the Department will accept the final plan prepared for recording, with all required signatures.
 - a. The Department will review the signed final plan transparency for compliance with requirements of the ~~recorder's office~~ Department of Real Estate.
 - b. If the final plan transparency is correctly prepared, the Director will sign the notation that the plan has been reviewed or approved by the Department.
- C. Review of plat adjustments. Subdivisions which are classified as plat adjustments in Article II may be submitted as ~~transparencies~~ prepared for recording, with all required signatures.
 1. Plat adjustment plans will be reviewed for compliance with requirements of the ~~recorder's office~~ Department of Real Estate.
 2. If the final plan transparency is correctly prepared, the Director will sign the notation that the plan has been reviewed or approved by the Department.

§780-16305 Requirements for recording

- A. Application. The requirements of this section apply to all plans that are to be recorded in Allegheny County, including plans located in municipalities which have their own regulations, as well as in municipalities where the County approves plans.
- B. Drafting standards. All final plans for recording shall be prepared in accordance with administrative regulations issued by the ~~Recorder of Deeds~~ Department of Real Estate to ensure that the recorded plans will be accurate, complete and legible. These regulations may be changed from time to time, based upon the requirements of the systems or technology used to record the plans. The current requirements related to the drafting of plans are included in Appendix 1. *Editor's Note: Appendix 1 is included at the end of this chapter.*
- C. Required certifications and notations. Certifications, notations and approvals required on final plans for recording are included in Appendix 3 2.
Editor's Note: Appendix 3 2 is included at the end of this chapter.

§780-17306 Requirement for digital submission of plans Digital submission requirements

- A. ~~Requirement. In addition to the plan prepared for recording, the applicant shall submit a computer readable file, produced in accordance with specifications set forth by the Allegheny County GIS Administrator, which, when imported into the County's geographic information system (GIS), shall provide a true and complete display of the subdivision~~

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~~or land development plan, in correct geographic location, on the County's GIS computers, configured in appropriate coverage layers.~~

- ~~B. 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.~~
- ~~C. 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.~~

~~NOTE: The provisions of this section are intended to become effective immediately after Allegheny County converts its lot and block maps and other property maps to digital form and incorporates them into geographic information system data base. Changes in property lines that occur after that conversion will be entered into the land records systems in digital format and will no longer be entered manually. Final pPlans transparencies will continue to be submitted for recording and microfilming. The provisions of this section will be enacted as an amendment to the ordinance, pursuant to the procedures for public notice, hearing and notice of enactment specified in the MPC~~

- A. For major subdivisions and land developments the plans required by §708-402 and 708-403 shall be provided in both hard copy and as a digital file, which shall be prepared to the following standards:
 - 1. Data Integrity. All data submitted shall be in compliance with the "Manual of Practice for Professional Land Surveyors in the Commonwealth of Pennsylvania."
 - 2. Data Layering. Digital submissions shall have all layers clearly and separately represented. Included with all digital submissions a document shall be included outlining the following.
 - a. A list of all layers used with a description of what those layers represent.
 - b. A list of all point files and break lines with a description of any abbreviations.
 - c. Coordinate System. All drawings must be in PA State plane projection, PA South Zone, NAD83 datum. Units shall be in US feet.
 - d. Format. All drawings must be submitted in AutoCAD drawing (.dwg) or AutoCAD interchange (.dxf) format on CD-ROM.
 - 3. Coordinate System. All drawings must be in PA Stateplane project, PA South Zone, NAD83 datum. Units shall be in US feet.

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ARTICLE IV Application Information

§780-18401 Sketch plan application guidelines

Sketch plan information. While no formal application is required for a pre-application meeting, it is suggested that the applicant provide as much of the following information for the property as is readily available from existing resources, for example: Preapplication sketch plans should show or be accompanied by the following information:

- A. A brief narrative describing the proposed project.
- B. A property survey and an informal sketch illustrating the concept for the proposed project; if the conceptual plan has been prepared by a professional consultant, the name and address of the firm. A site plan, drawn to scale.
- C. Names and addresses of landowner, developer and applicant.
- D. Name of the firm that prepared the plan.
- E. D. Location map, at scale, that clearly identifies location of the property.
- F. E. Name of municipality (or municipalities) where the project is located.
- G. F. Existing zoning of subject property and zoning of adjacent property.
- H. G. Approximate location and type of any existing utilities and easements.
- I. H. Statement explaining proposed method of water supply and sewage disposal.
- J. I. Significant natural and man-made features (e.g. floodplains, watercourses, tree masses, undermined areas, existing structures, etc.) on the site as shown on mapping available from the National Flood Insurance Administration, United States Geologic Survey (USGS), U.S. Bureau of Mines, Allegheny County Soils Surveys, Allegheny County Department Of Economic Development Geographic Information System (GIS) and resources identified in the County Comprehensive Plan ("Allegheny Places").
- K. Completed worksheet from Appendix 9, Calculation of Maximum Acreage Available for Development.

§780-19402 Preliminary plan submittal requirements

Preliminary plan application contents. All applications submitted for preliminary approval shall show or be accompanied by the following information listed below.:-See also §780-306 for major subdivisions and land developments.

- A. Project description.
 1. A brief narrative describing the proposed project.
 2. Title block containing the name of the proposed project, name of the municipality, the project number assigned by the firm that prepared the plans, the plan date and dates of all plan revisions
 3. Name, address and phone number of the owner of record, developer and applicant.

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4. 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.
5. North arrow and graphic scale.
6. Site location map, taken from a USGS quadrangle map. The location map shall be at scale and of size sufficient to show clearly where the project is. Include quadrangle sheet name.
7. 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.
8. Existing platting of land adjacent to the site, and the names of any adjacent land owners not in a previously recorded plan.
9. Schedule of zoning district requirements, including area and bulk regulations, density, coverage and building and yard requirements. Show zoning of all adjacent land.
10. List any variances or other zoning approvals which are being requested or which have been granted by the municipality.
11. List, with supporting evidence for the request, any modifications or waivers of subdivision and land development regulations that are requested.
12. Site analysis as specified in §780-501.B.

B. Existing conditions.

1. Contours, shown at two-foot vertical intervals; except where slopes exceed 40%, at ten-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 USGS quadrangle maps shall not be acceptable.
2. Steep slopes, with categories of slope delineated as follows:
 - a. Fifteen (15) percent to 25%.
 - b. Twenty-five (25) percent to 40%.
 - c. Greater than 40%.
3. Soils. Identify soil series as shown in the Soil Survey of Allegheny County, including landslide-prone soils, hydric soils. Plot soil limit lines on the base map.
4. Regulated waters of the Commonwealth and required setback as defined in Title 25, Environmental Resources, Chapter 105, Dam Safety and Waterway Management. If any part of the site lies within a floodplain, as indicated on a certified FEMA map, plot the floodway and one-hundred-year floodplain

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boundary on the base map and reference the community panel number, map name, date and map panel numbers.

5. 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 [§780-11-202](#), definition of "woodland." Show number, species, size and approximate location of all trees with a DBH of 24 inches and over, proposed to be disturbed.
6. Significant natural features, including plant and wildlife habitat areas for rare or endangered species, wetlands, biodiversity area or any other natural feature identified in the Allegheny County Natural Heritage Inventory and Allegheny Places.
7. Potentially hazardous features, including quarry sites, surface and subsurface mines, undermined areas, underground fires, solid waste disposal sites, contaminated areas, oil and gas wells and transmission lines, and landslide-prone areas. Show approximate location and cite source information.
8. Significant cultural features, including cemeteries, burial sites, archeological sites, historic buildings, structures, plaques, markers or monuments. Show approximate location and cite source information.
9. Existing structures. Show approximate location and type. If an existing structure is proposed to be demolished, show clearly on the plans.
10. Existing streets, roads, alleys, driveways or other means of access located on or within 100 feet of the site. Include name, jurisdiction of ownership, width and location of right-of-way and existing grades.
11. Existing utilities, including any related easements or rights-of-way. Show approximate location. Identify purpose and ownership.
12. 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.
13. Airport noise contours and airport hazard areas. Show approximate location and cite source information.
14. Public water supply wells; wellhead protection areas as per [§780-11-202](#) definition of "wellhead protection area"; riverine raw water intakes within 2,000 feet of the proposed development.
15. Areas on the site or within 1,000 feet of the site boundaries identified in the Allegheny County Greenway Network, if any.
16. Areas on the site or within 1,000 feet of the site boundaries identified in the Allegheny Land Trust GREENPRINT, if any.
17. Any areas on the site subject to land trust or agricultural conservation easements.

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- C. Proposed conditions. For all proposed subdivisions and land developments the following information shall be provided:
1. Tabulation of site data, including total acreage of land to be subdivided, in both acres and square feet, number of lots, proposed density, number of dwelling units and acreage of any proposed open space or other public/common areas. For nonresidential developments show the total square footage of all proposed buildings, percent lot coverage, the number of parking spaces required and the number provided.
 2. All required yards and building setback lines. Show any required buffer yards.
 3. Proposed streets. Show location, width of cartway and right-of-way. Provide center line profiles for all proposed streets or any existing streets to be improved.
 4. Proposed lot layout. Show lot widths and lot lines in scaled dimensions, and lot areas in square feet. Show proposed lot numbers.
 5. For nonresidential and multifamily developments, show proposed buildings, parking areas, access drives, driveways and any other significant proposed feature.
 6. Proposed utilities and related easements. Show points of connection to existing utilities.
 7. Proposed pedestrian and bicycle circulation routes, including any easements or rights-of-way.
 8. Proposed public or semipublic areas, reserved areas, open space areas and any related conditions or restrictions.
 9. Proposed grading, with existing and proposed contours at a two-foot vertical interval. Existing contours shall be plotted with dashed lines, and proposed contours with solid lines. Proposed contours shall tie back into existing contours. Number contours ~~clearly~~ clearly. The grading plan shall include the following information:
 - a. Approximate finished floor elevations of proposed buildings.
 - b. Approximate grades on all ~~handicapped~~ handicapped accessible parking spaces and related access routes.
 - c. Approximate quantity of total excavation in cubic yards. Show approximate location of cut and fill areas and limit of disturbance. Indicate whether or not the earthwork is expected to balance on-site.
 10. Stormwater management report, which shall include the following information:
 - a. A general description of the proposed development, including the name of the watershed in which the proposed development is located and the (sub)basin release rate percentage.

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- b. Map taken from the USGS- quadrangle sheet, showing watershed draining to project site. Map shall be at scale. Show name of quadrangle sheet. Show area of watershed in acres. Highlight any potential DEP regulated encroachments.
 - c. Method and standards used in design of stormwater management facilities (i.e., Rational, TR-55, other).
 - d. Preliminary calculations, including pre- and post-development runoff and approximate basin storage volumes.
 - e. Approximate location of any proposed permanent stormwater management facilities, such as detention basins, storage tanks, sumps, outlet structures, inlets, manholes, piping, permanent swales, or etc.
 - f. Soils information from the U.S. Department of Agriculture, Natural Resources Conservation Service, National Cooperative Soil Survey.
11. Preliminary soil erosion and sedimentation pollution control plan.
 12. Landscape plan, including the names, sizes, quantities and approximate location of all proposed plant materials.
 13. If site lighting or street lighting is proposed, a photometric plan showing all of the following information:
 - a. All structures, parking spaces, building entrances, traffic areas, vegetation and adjacent uses.
 - b. Layout of proposed fixtures by location, orientation, aiming direction, mounting height and type.
 - c. A 10' x 10' illumination grid of maintained horizontal footcandles overlaid on the site plan plotted to 0.0 footcandles demonstrating compliance with requirements of this Ordinance.
 - d. Proposed equipment including fixture catalog cuts, photometrics, glare reduction devices, lamps, on-off control devices, mounting heights, pole foundation details and mounting methods.
 - e. Placement of fixtures in landscaping.
 - f. Visual impact plan including plan views showing pole locations and adjacent residences, elevations with initial vertical illuminance at site boundary and on adjacent windowed facades, frequency of use of the site and narrative describing measures to minimize off-site disturbance.
 14. Preliminary record plat, prepared for recording to the standards required by the Allegheny County Department of Real Estate.

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D. Other required information.

1. Traffic impact study. As per §780-519F, where the proposed development will generate 100 or more peak hour vehicle trips per day or any residential development which proposes 100 or more dwelling units.
2. Geotechnical report. Where the site proposed for development contains landslide-prone soils, a soils engineer shall conduct studies to determine the exact location of the landslide-prone areas. Such areas shall be clearly identified on the base map.
3. Subsidence risk assessment. Where evidence exists that subsurface mining has occurred 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. Where street lighting or site lighting is proposed, a photometric plan shall be submitted that contains the applicable information required by §780-402C(13) to determine compliance with §780-522 of this Ordinance.
9. Requirement to inform. An applicant for approval of a major subdivision or land development 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.
 - a. Service providers who must be informed may vary, based on the nature of the proposed development and the community in which it is located, but will normally include police, fire and emergency services; and school districts. (Requirements concerning public transportation service

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and approval of street names by the postmaster are included in §780-303C.)

- b. 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.
10. Stormwater Review. Where a stormwater management plan is required, the applicant shall submit proof of submittal to the Allegheny County Health Department. A copy of the transmittal or cover letter that accompanied the stormwater management plan shall be provided with the preliminary application as proof of submittal to ACHD.

§780-20403 Final plan application requirements

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; however, supporting maps and information need not be resubmitted if there have been no changes to that information. Applications for final approval shall include the following:

- A. A copy of the approved preliminary plan.
- B. Final plat, in accurate and final form for recording. See also §780-306 for major subdivisions and land developments. The final plat shall include the following:
 1. Title block, placed in the lower right hand corner and containing the following information:
 - a. The name and location of the subdivision or land development, the plan date and the date of any revisions.
 - b. The name, and plan book volume and page numbers of the previously recorded plan, if any.
 - c. Name, address and phone number of the owner of record and the developer.
 - d. 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.
 - e. Sheet number, North arrow and graphic scale.
 2. 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 1/4 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 Appendix 4 3. *Editor's Note: Appendix 4 3 is included at the end of this chapter.*

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3. Complete curve data for all curves included in the final plat, including radius, arc length, chord bearing and chord distance.
 4. Location, type and size of all monuments and lot line markers. State whether found, set or to be set.
 5. Approved street names and street right-of-way widths.
 6. Lot numbers, lot dimensions, lot areas in square feet and building setback lines.
 7. Tabulation of area data in acres and square feet, including lots, parcels, units, areas dedicated for rights-of-way, etc., and total plan area.
 8. Lot and block or tax map parcel numbers.
 9. Easements and rights-of-way for all public and private improvements, including widths, purposes and limitations, if any.
 10. Accurate dimensions, acreage and purpose of any property to be reserved as public or common open space.
 11. Indication of platting of adjacent property and the names of the adjacent property owners.
 12. Site location map, prepared in accordance with ~~§780-19402A~~(6) of this chapter.
 13. All required municipal certifications, which shall include the municipal engineer.
 14. Certification of plat preparation and accuracy by a registered surveyor.
 15. Certification of the dedication of streets and other property.
 16. All other certifications, dedications and acknowledgments, as required by Appendix ~~3 2~~ of this chapter and the Allegheny County ~~Office of the Recorder of Deeds~~ Department of Real Estate. *Editor's Note: Appendix ~~3 2~~ is included at the end of this chapter.*
 17. 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 §420 of the Act of June 1, 1945, known as the "State Highway Law."
 18. Notation on the plan of any modifications or waivers granted to the provisions of this chapter.
- C. Land development plans. In addition to the above final requirements, land development plans shall include the following information:
1. Final site plan, including building locations, parking areas, roads and access drives, landscaping and bufferyards in accordance with the applicable standards and regulations of Article V.

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2. Final grading plan, as per §780-~~23~~ 503 of this chapter. The final grading plan shall include all final contours, grades, floor elevations, permanent conservation measures, limit of disturbance line, typical keyway and/or benching details, and earthwork quantities in cubic yards.
 3. Final stormwater management plan, as per §780-~~35~~515, including all final calculations.
 4. 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.
 5. Dimensioned site layout plan.
 6. Final photometric plan, as per §780-402C(13).
- D. Construction Plans for Public and Private Improvements, prepared by a registered professional, drawn at a scale no smaller than one inch equals 50 feet on sheets measuring 24 inches by 36 inches. The construction plans shall show the following:
1. Conformity with the design standards specified in Article V of this chapter.
 2. Plan and center line profile drawings of each street in the plan and extending at least 200 feet beyond the plan. Street profiles shall include complete vertical curve information.
 3. At least ~~three~~ a typical cross-sections ~~at intervals no greater than 100 feet of each street in a new development,~~ extending at least 50 feet from the street center line to each side, or extending 25 feet from the right-of-way line to each side, whichever is greater.
 4. 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.
 5. 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 downstream manhole.
 6. 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.
 7. All construction details for stormwater detention facilities, including any intake control structures, discharge control structures, underground storage tanks, sumps and stormwater detention basins.
 8. The locations of all other existing and proposed utilities including gas, water, fire hydrants, electric, telephone and cable TV.
 9. All easements and rights-of-way for public improvements.

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- E. 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, without limitation, the following:
1. Allegheny County Conservation District adequacies and permits.
 2. Federal Aviation Administration and PennDOT Bureau of Aviation approvals where required.
 3. Pennsylvania Department of Environmental Protection sewage facilities permits, general permit, wetland encroachment permits, stream encroachment/obstruction permits, etc.
 4. County of Allegheny and Commonwealth of Pennsylvania permits for any proposed roads or driveways.
 5. Water supply certification as required by §780-~~335~~13B(3).
 6. Letters of intent to provide service from utilities companies per §780-513B(3) and §780-518B.
 7. A copy of comments received, if any, from Allegheny County Health Department on the stormwater management plan submitted in accordance with §780-402.D.10.

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§780-~~21~~501 Purposes and general provisions

- A. Contents of Article V. This Article V 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 §780-~~22~~502. The Department will consider alternatives to specific standards and requirements specified in §780-~~23~~503 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 V, that will reduce the attainment of the goals listed in §780-~~22~~502, the Department may require the applicant to prepare alternative development plans which more nearly meet the requirements of this chapter. Such alternatives may be required to include the clustering of development on portions of the site which are not constrained by the environmental protection provisions of this chapter and may include a reduction in the otherwise allowable density or intensity of development on the total site. The original plan shall be approved only if the applicant demonstrates to the satisfaction of the Department that an alternative plan is not practical or feasible.
- D. Regulations of other jurisdictions. It shall be the responsibility of the applicant for approval of a subdivision or land development to obtain all required permits and approvals from other jurisdictions or agencies. No application shall be finally approved by the Department or recorded until all required permits and approvals have been obtained, unless the plan for recording includes a notation that specified permits will be ~~required~~ obtained prior to issuance of construction permits.

§780-~~22~~502 General goals for design and development

Subdivisions and land developments shall be designed to achieve the general goals or outcomes that are listed in this section.

- A. Allegheny County Comprehensive Plan. All development should be consistent with the land use patterns promoted in Allegheny Places, the Allegheny County Comprehensive Plan. Allegheny Places encourages efficient development density close to existing infrastructure and community resources to minimize the need for the development of

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new infrastructure. New subdivisions and land developments shall be interconnected with existing developments to the greatest extent possible and include multimodal transportation options to reduce vehicle dependency. The purpose of requiring interconnectivity and street connections is to achieve a street network that provides multiple routes to and from destinations. Such a network is key to supporting walking and bicycling as convenient, safe, and healthy forms of transportation.

- B. A. Minimize damage to the environment. All subdivisions and land developments shall be designed to minimize environmental damage to the maximum extent possible, by carefully 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 disturbance of the land. 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. Clustering of 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 Allegheny County. 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 County'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 County's larger streams and rivers are primary elements of the visual character of the County and are also important resources for recreation and commerce. Development should be designed to preserve and protect the County'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 County'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

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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 County's air and water. All land development shall comply fully with federal, state and County laws and regulations concerning air and water pollution.
- C. ~~B.~~ 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.
 2. Undermined areas. In areas where mining has occurred in the past, subsidence risk assessments may be required to establish that proposed development will be safe.
 3. Flood-prone areas. New construction in the undeveloped one-hundred-year floodplain should be avoided. New construction in other undeveloped areas subject to frequent flooding should also be avoided. In areas where the floodplain has been developed in the past and new construction in unavoidable, such development shall be in accordance with 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 County 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. ~~C.~~ 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

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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. ~~D.~~ 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 bufferyards should be designed to reduce unavoidable impacts and to augment the natural features of the site.
- F. ~~E.~~ Provide a full range of improvements in subdivisions and land developments as required to ensure 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 County. New development should not degrade the quality of potable water supplies.
 2. Sanitary sewage facilities shall be provided for new subdivisions and land developments, in accordance with applicable regulations of the commonwealth and County.
 3. Stormwater management. Every subdivision and land development shall manage stormwater flows in accordance with the Pennsylvania Stormwater Management Act and PADEP's implementing regulations. All development located in watersheds for which watershed stormwater management plans have adopted shall comply with all requirements of the watershed plan.
 4. Other essential public utilities. New subdivisions and land developments shall be served by other essential public utilities, including electricity, natural gas 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

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community. Transportation facilities may include streets, public transportation, sidewalks, bikeways and multipurpose trails for nonmotorized transportation.

§780-23503 Grading

- A. Purpose. The purpose of these standards is to ensure public health, safety and welfare and to protect property by preventing rock and soil slippage, loss and degradation of natural drainageways, increased soil erosion and sedimentation and other soil and water management related problems.
- B. Application. If the municipality in which a proposed subdivision or land development is located has enacted a grading ordinance, the municipal standards shall apply. If a more stringent, related standard is contained in another section of this chapter (e.g., §780-24504, 780-25505 or 780-29509) than in the municipal grading ordinance, the stricter standard shall govern. If the municipality has no applicable regulations, the following general standards shall apply.
- C. General standards for grading.
 1. No grading, stripping of topsoil, excavation or any other ~~earth land~~ disturbance activity which changes the existing contours of the land; and no clearing, grubbing or any other activity which results in the removal of existing vegetation (other than the removal of dead or diseased plant material) shall be permitted except in conjunction with a finally approved land development, subdivision or phased master plan.
 2. Grading shall be limited to the minimum area necessary to provide for buildings, roads, parking areas, utilities and other facilities shown on the approved land development plan.
 3. Grading in areas susceptible to landslides, subsidence, or flooding, on steep slopes, or in wetlands shall comply with the additional provisions of §§780-24504, 780-25505 and 780-29509 hereunder.
 4. A soil erosion and sedimentation pollution control plan shall be prepared in accordance with the provisions of Title 25, "Environmental Resources," Chapter 102, "Erosion Control"; and, where required, a finding of adequacy shall be issued by the Allegheny County Conservation District (ACCD) prior to the commencement of any grading or other regulated earth-disturbance activity. Where submission of the plan to the ACCD is not required by State or Federal regulations (generally for sites less than five acres), the Department may require that the plan be submitted to the ACCD for review.
 5. Where required by the National Pollution Discharge Elimination System (NPDES) and/or state regulations, a permit shall be obtained prior to commencement of grading:
 - a. For development sites ~~between five and 25~~ equal to or greater than one (1) acres in size, ~~which are not located in a special protection watershed and which are not ineligible for other reasons specified in DEP regulations;~~ a DEP General Permit PAG-2 or an individual NPDES

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permit for stormwater discharges pursuant to current regulations under Title 25, Pa. Code Chapter 102 may be used is required. Issuance of this the PAG-2 permit has been delegated to the ACCD. Processing of individual NPDES permits has been delegated to the ACCD. Permits are issued by the DEP Southwest Regional Office.

- ~~b. For development sites exceeding 25 acres of disturbance, that are not divided into parcels pursuant to Title 25, Pa. Code, §§ 102.31(a)(4), individual NPDES permits shall be obtained. Individual NPDES permits are also required for smaller sites that are located in special protection watersheds or are otherwise ineligible for the general permit, including sites within the Turtle Creek Watershed exceeding 12 acres of disturbance. Processing of individual NPDES permits has been delegated to the ACCD. Permits are issued by the DEP Southwest Regional Office.~~
6. The applicant shall be responsible for protecting adjacent and downstream properties from any damage which occurs as a result of earth disturbance on the development site. Such protection shall include cleaning up and restoring to their original condition any adjacent and downstream properties adversely affected by silt, debris, flooding, or other damage resulting from the earth disturbance activity.
 7. The top and bottom edges of cut or fill slopes shall be kept back from property or right-of-way lines three feet plus $1/5$ the height of the cut or fill, which total distance need not exceed 10 feet.
 8. Topsoil stripped from the site in preparation for earth-moving activities shall be stock piled and replaced on the site over all regraded, nondeveloped areas, at a minimum depth of six inches.
 9. Fill areas shall be prepared by removing organic material such as vegetation and rubbish and any other material determined by the engineer to prevent proper compaction and stability.
 10. Proposed grading shall be accomplished so that post-development stormwater runoff flows cause no harm to abutting properties.
 11. Maximum steepness of graded slopes shall be no greater than two horizontal to one vertical except under the following conditions:
 - a. Where the height of a proposed slope will not exceed 12 feet, then a maximum slope steepness of one to one may be allowed where soil conditions permit and doing so will help to preserve existing vegetation or other significant natural features. The cut or fill shall be located so that a line having a slope of two horizontal to one vertical and passing through any portion of the slope face will be entirely inside the property lines of the proposed development.

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- b. Where a retaining wall, designed and sealed by a registered professional engineer, is constructed to support the face of the slope.
 - c. A geotechnical analysis by a registered professional engineer in Pennsylvania with geotechnical training and experience that demonstrates the steep slopes are stable with a slope stability factor of 1.5 for slopes potentially impacting a structure and a slope stability factor of 1.3 for other slopes, unless otherwise approved by the County. These requirements indicate that the soil strength (resisting force) is 50 percent or 30 percent, respectively, greater than the shearing (driving force) acting on the slope.
12. Excavation adjacent to any building foundation walls, footings or structures shall not extend beyond the angle of repose or natural slope of the soil under the nearest point of same unless the footings, foundations or structures have been sufficiently underpinned or otherwise protected against settlement.
13. Graded slopes whose height equals or exceeds 40 feet shall be re-forested ~~benched~~ in order to prevent erosion, promote slope stabilization, encourage natural revegetation, ~~of the slopes~~ and ~~to~~ reduce the visual impacts of extensive areas of graded slopes.
- a. ~~Graded slopes 40 to 60 feet in height shall be benched at the approximate mid point of the vertical rise. Slopes whose height exceeds 60 feet shall be benched at a distance approximately 1/3 the height of the slope, and again at 2/3 the height of the slope; or as recommended by a geotechnical or soils engineer.~~
 - b. ~~Benches shall have a minimum width of eight feet and shall be sloped to drain towards the toe of the graded slope, at a gradient of 5%. Slopes shall be planted with trees and shrubs. The use of hardy, self-propagating indigenous species is recommended. Invasive plants are prohibited as noted in §780-512 B. Quantities, sizes and condition of the plant material shall be appropriate to the species and the growing conditions. Bare-root trees, whips and seedling may be permitted with the concurrence of the Department.~~

§780-24504 Protection of moderately steep and steep slopes

Limitations on disturbance. The following standards shall apply to all grading and disturbance of land with slopes of 15 ~~25~~% or greater. If any of the delineated steep slope areas include soils or geologic features which indicate possible instability, the additional standards contained in ~~§780-30510A~~ shall apply.

- A. Slopes between 25% and 40%. No more than 30% of slope areas with existing grades between 25% and 40% shall be stripped of vegetation or disturbed through grading. Grading and clearing for roads on these slopes shall be limited to that necessary to accommodate the cartway and shoulders or berms. Wherever possible, roads should follow the contours of the land.

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- B. Slopes between 15% and 40% located within GREENPRINT areas, as defined in Allegheny Places. No development.
- C. ~~B.~~ Slopes exceeding 40%. No development or disturbance shall be allowed on slopes exceeding 40%. Limited disturbance for utilities may be allowed where no reasonable alternative location exists.

§780-25505 Protection of watercourses and wetlands

- A. Purpose. The regulations contained in this section are intended to promote the public health, safety and welfare by ensuring that watercourses and wetlands will be preserved in their natural condition so that they may continue to convey and store water, provide habitat for flora and fauna, and serve as recreational and aesthetic resources.
- B. Setback or open space easement required. No grading, cutting, filling, removal ~~or~~ of vegetation, or other disturbance of land shall be permitted within the required setback.
 - 1. The minimum setback for watercourses shall be 50 feet, measured from the top of the channel bank. In addition, land development involving the construction of new buildings shall not be permitted within 100 feet of the top of the bank of the Allegheny, Monongahela, Ohio or Youghioghny Rivers.
 - 2. The setback for wetlands shall be as follows:
 - a. Determination of setback area:
 - 1. Wetlands one acre and over: fifty-foot setback depth, times the perimeter of the wetland (measured in lineal feet), equals the minimum setback area.
 - b. Distribution of the required setback area shall be either:
 - 1. At the uniform setback depth from the delineated edge of the wetland; or
 - 2. At a variable setback depth, based on a wetland management plan prepared by a certified professional wetlands biologist. In no case, however, shall the setback be less than 10 feet from the delineated edge of a wetland less than acre in extent; or 20 feet from the delineated edge of a wetland one acre or more in extent.
 - 3. Minor earth disturbance and construction within the area of the required setback or easement, required for development in other areas of the site, may be allowed in accordance with all regulations of the Department of Environmental Protection and municipal floodplain regulations, where applicable.
 - 4. Construction may also be allowed within the required setback area of rivers to enable the development of uses that require proximity or access to the river, in accordance with applicable Federal, DEP and municipal regulations.

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5. In larger subdivisions and land developments, the required setback area should be integrated into a system of public or common open space. In smaller subdivisions and land developments the preservation of these open space areas shall be ensured through recorded easements, deed restrictions or other means acceptable to the Department and to the municipality.
 6. Where the required setback or easement would render a site unusable under the municipality's zoning regulations because of the limited size or dimensions of a parcel of land prior to its subdivision, the Department may reduce the depth of the setback to not less than 50 feet along a river and to not less than 20 feet along other watercourses. Any reduction in depth of setback which may be allowed by the Department does not supersede any requirement for a greater setback imposed by federal, state or municipal regulations.
- C. Alteration of drainage. When a proposed subdivision or land development encompasses or adjoins a watercourse or wetland, the design of the proposed development shall not alter site drainage in ways that will reduce the ability of the watercourse or wetland to support the vegetation and animal life that characterized the area before development. Existing wetlands may be used to control stormwater runoff flows from a development site, provided a certified wetlands biologist participates in the design of the proposed stormwater detention facility, or certifies that the proposed facility will not adversely affect the wetland, as defined herein.

§780--26506 Protection of trees and woodlands

- A. Woodland preservation. Not more than 50% of the total area of mature woodlands and not more than 75% 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 one-hundred-year floodplains, wetlands, stream valley corridors, steep slopes and landslide-prone areas.
 2. The Department 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 Department, 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 Department 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% of the woodland area cleared in excess of the areas allowed in Subsection 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 Department.

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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 Department that no reasonable alternative exists and the 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 40 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 five trees with a minimum caliper of three to 3.5 inches DBH or at least seven trees with a minimum caliper of two 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 Department, 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 ~~§780-32512D~~(8), E(1)(e) and F(4).

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.

§780-27507 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

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Heritage Inventory, February 1994 or most recent edition, 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.

§780-~~28~~508 Preservation of historic 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 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 Department 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.
 - 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 be finally approved without it.
- C. Municipal historic districts. If a proposed subdivision or land development is located within a historic district established by the municipality, the applicant shall provide evidence that the municipal body empowered to approve development activities within the historic district has reviewed and approved the proposed subdivision or land development. A copy of the municipal approval shall be required prior to final approval of an application.

§780-~~29~~509 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 the Health Department has been notified of the proposed

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development and that the applicant has been apprised in writing of the 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 County of Allegheny 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 ~~§780-34514~~).
 3. Any site proposed for development that is wholly or partly within a designated wellhead protection area shall comply with the wellhead protection ordinance of the municipality in which the land is located. Proposed subdivisions and land developments in areas where municipal wellhead protection regulations are not in effect shall comply with the provisions for wellhead protection in Appendix ~~6 5~~. Appendix ~~6 5~~ is hereby incorporated as part of this chapter.

Editor's Note: Appendix ~~6 5~~ is included at the end of this chapter. Subdivision and land development plans in areas subject to the provisions of Appendix ~~6 5~~ shall be reviewed by the Allegheny County Health Department and approved by the Department.

~~§780-30510~~ **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 section.
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 Department 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. The geotechnical analysis shall be conducted by a registered

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professional engineer in Pennsylvania with geotechnical training and experience.

4. Any disturbance shall be revegetated with hardy, indigenous vegetation to help stabilize the slopes. Per §780-512B(1), the planting of invasive species is prohibited.
- A. 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 Department, municipality, or applicant has knowledge of any past occurrences of subsidence in the general vicinity of the site.
- B. Flood-prone areas. To the maximum extent feasible, new development should not be undertaken in areas subject to period flooding, including identified floodplain areas and flood hazard areas, as determined by the Federal Emergency Management Agency (FEMA); or in other areas where FEMA maps and studies have not been provided, but which may be flood-prone as indicated in local records and histories, field studies or on-site investigations.
1. Portions of proposed development sites that are susceptible to flooding should be preserved as open space and for uses that will not be harmed or cause hazards if exposed to inundation by flood waters.
 2. Construction in the floodway portion of a flood-prone area shall comply with DEP regulations.
 3. Where development is necessary in an area delineated as within the one-hundred-year floodplain on a FEMA map, all construction shall comply with municipal floodplain regulations and with the minimum requirements of the Pennsylvania Department of Community and Economic Development.
- C. Contaminated sites. The Department 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.

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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 Subsections D(2) and C(3) 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 Department 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 the municipal governing body.
 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 Department is placed on the recorded plan, which indicates that the site or specified lots within the site contain or may contain hazardous substances.
- D. Areas exposed to aircraft noise or airport-related hazards.
1. Noise-impacted areas.
 - a. 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:
 1. Land shall be subdivided or developed only for uses that are compatible with existing and projected noise levels.
 2. Structures shall be soundproofed in accordance with standards promulgated by the Allegheny County Department of Aviation.
 - b. 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.

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3. Subdivisions and land developments shall comply with any conditions of the PennDOT and FAA permits and municipal zoning regulations, including notation of restrictions on the plan for recording where applicable.

§780-31511 General layout of subdivisions and land developments

A. ~~Blocks~~ Purpose. The design and layout of blocks, lots, and streets shall promote connectivity, access, and mobility for vehicles, pedestrians, and bicyclists to the maximum extent feasible. An interconnected network of streets, sidewalks and pathways shall link destinations within the development. Points of connection to the existing and planned transportation networks outside of the development shall be considered. In older, established communities, the layout of blocks and streets in new subdivisions and land developments should continue the pattern of existing, adjacent streets and blocks where feasible.

1. ~~Blocks in a residential subdivision shall have a minimum length of 300 feet and a maximum length of 1,200 feet. Subdivisions and land developments shall provide, at a minimum, the following access points:~~
 - a. For developments containing 25 or more lots or generating 250 or more daily trips, there shall be a minimum of two functional access points located on different sides of the development except where infeasible due to original tract dimensions or topography.
 - b. For developments containing only one access point, an emergency service access shall be provided in addition to the primary access and shall be maintained to provide continual ingress and egress for emergency vehicles. The emergency service access may be grassed or landscaped with traversable vegetation; or may be gated provided gates are able to be opened by emergency service personnel.
2. Blocks along arterial streets shall not be less than 800 feet in length. To ensure future street connections to adjacent developable parcels, a proposed development shall provide a local street connection spaced at intervals not to exceed 800 feet along each boundary that abuts potentially developable or redevelopable land.
3. Blocks in a residential subdivision shall generally be of sufficient depth to accommodate two tiers of lots, except double or reverse frontage lots are permitted to border an arterial or collector road or where a barrier such as a watercourse or railroad is present.
4. Blocks along arterial streets shall not be more than 1,200 feet in length.
5. The requirements of paragraphs (2), (3), and (4), above, may be waived if the applicant can demonstrate that meeting these requirements is not feasible due to topographic features, existing development, or a natural area or feature.
6. ~~4-~~ For blocks 800 feet or more in length, interior pedestrian walks may be required to provide for safe and convenient pedestrian access. Such walks

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shall be located close to the center of the block, and protected by an easement or other form of legal agreement.

7. ~~Blocks in nonresidential areas may vary from the requirements of this section, according to the nature of the use. The depth and width of such blocks shall be adequate to provide for safe and convenient traffic circulation, off street parking and loading areas, setbacks and landscaping, as required by this chapter and any applicable municipal zoning regulations.~~

B. 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 with consideration given to the provision of adequate solar access and air circulation. New development shall be accomplished such that excessive winds are neither created or exacerbated.
- c. 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 Department may waive this requirement and permit private streets in commercial or industrial subdivisions or developments or in planned residential developments, with the approval of the municipal governing body.
- 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 municipal zoning regulations.
- 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.

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C. Other design considerations.

1. Views. The design of a land development shall consider views of the development site, as well as views from the site and through the site.
 - a. Views of the development site. The placement of buildings, screening elements, and landscaping shall be planned so that rooftop mechanical equipment, service and loading areas are not visible from adjacent public areas, streets, or residential areas. Parking areas should also be designed, landscaped and screened or buffered, so that potentially negative impacts on adjacent public or residential areas are avoided or reduced to the maximum extent possible.
 - b. Views from the development site. If a development site has scenic qualities, either internally or because scenic features are visible from the site, development shall be planned to preserve those scenic site features and views.
 - c. Views through the development site. If a development site is located between a public road or other viewing place, such as a park, and a scenic view such as a river or wooded hillside, the design of the development shall preserve visual access through some portion of the site so that people can continue to see the scenic area.
2. Land development adjacent to rivers. The design of a land development which has river frontage or is across a road or railroad from a river shall, where possible, provide physical and visual access to the riverfront or to the top of the riverbank for residents, occupants, and users of the proposed development.
 - a. Streets shall be located and designed so that public access to the riverfront is not impeded or blocked.
 - b. Pedestrian walkways shall be located and designed to enhance public access to the riverfront.
 - c. Where allowed by zoning, land uses in developments along a river shall be arranged so that uses which are public or open to the public are nearest the river.
3. The arrangement, character, and location of all lots, blocks, and streets in a development shall be designed to make advantageous use of existing and planned streets, topographical conditions, public convenience and safety, mature trees, and other natural physical features.

§780-32512 Landscaping

- A. Purpose. The standards contained in this section are intended to promote public health, safety and welfare by filtering noise, softening or diverting light and glare, modifying climatic conditions such as wind and heat and reducing stormwater runoff and air pollution. The standards contained in this section are also intended to increase

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the value to the community from new developments by recognizing the role that landscaping plays in overall community appearance and livability.

- B. General requirements. In general, all areas of a site proposed for development shall be landscaped with trees, shrubs, groundcovers, grasses and other herbaceous plants, except for those areas which are occupied by buildings and other structures and facilities, or are paved.
1. Landscaping shall not include any plants documented on the Pennsylvania DCNR "Invasive Plants in Pennsylvania" list. The planting of hardy indigenous species is encouraged
- C. Landscaping defined. Landscaping shall be understood to include the provision of street trees, bufferyards, replacement woodlands, and other new planted areas. Landscaping shall also be understood as the provision of undisturbed ground, where such is fully integrated into the design and layout of the subdivision or land development and preserves existing natural features of the site.
- D. Street trees. All new residential and nonresidential developments shall provide street trees, in addition to any replacement trees required by §780-506, in accordance with the following standards:
1. Street trees shall be provided along the entire length of the street right-of-way on both sides of the street if the street lies within the development.
 2. Street trees in residential subdivisions shall be located within five feet of the right-of-way and in nonresidential developments between the right-of-way and the building line. An easement shall be granted to the municipality for the purpose of maintaining the trees and a restrictive covenant shall be placed in the deed for the property prohibiting removal of the trees by the property owner.
 3. Street trees shall be located so as not to interfere with the maintenance of utilities, required sight distances and visibility of street and traffic signs.
 4. The species chosen shall be appropriate to the location. Factors such as microclimate, soils, habit of growth, salt, air pollution and disease tolerance, proximity of sidewalks and overhead utility lines, and social conditions (likelihood of soil compaction, vandalism, damage ~~to~~ by dogs, deer, etc.) shall be considered. Tree species shall be selected that do not have root structures that may damage adjacent sidewalks or utilities.
 5. Street trees shall have the following minimum calipers at the time of planting:
 - a. Large trees, defined as those trees whose height will ultimately exceed 40 feet, shall have a minimum caliper of 2.5 to 3.0 inches DBH.
 - b. Medium trees, defined as those trees with an ultimate height of 25 to 40 feet, shall have a minimum caliper of 2.0 to 2.5 inches DBH.
 - c. Small trees, being those trees whose ultimate height will not exceed 25 feet, shall have a minimum caliper of 1.5 to 2.0 inches DBH.

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6. Street trees shall be spaced with regard to the ultimate spread of the fully developed canopy. Spacing requirements are as follows:
 - a. Large and medium trees shall be spaced at a maximum distance not to exceed the average spread of the fully developed canopy plus five feet.
 - b. Small trees shall be spaced a maximum distance of 25 feet on center.
 7. Tree grates and/or permanent fencing maybe required to protect new street trees in areas of dense development or high use.
 8. Mature trees, woodlands or other significant vegetation which remains undisturbed adjacent to the street right-of-way may be used in place of or in conjunction with the requirements of this section.
 9. Pervious pavement shall be utilized where necessary to provide water infiltration to support tree growth
- E. Landscaping of parking lots. All new parking areas that have 10 or more parking spaces, or any existing parking area that will be expanded by five or more parking spaces, shall be landscaped in accordance with the following provisions:
1. Perimeter landscaping. Where the parking area is adjacent to any public street, walk, right-of-way, or neighboring properties, the perimeter of the parking lot shall be landscaped. Such landscaping shall be in addition to any required bufferyard plantings, but may be in conjunction with any required adjacent street trees. Landscaping shall be provided in accordance with the following criteria:
 - a. The landscaped area shall be at least 10 feet wide.
 - b. The landscaped area shall be planted with large, medium tree, or small trees, spaced as per Subsection D(6), and sufficient shrubs or grasses sufficient to form a hedge or a screen. The height of hedges and screens at the time of planting shall not be less than 2.5 feet.
 - c. The caliper of all new trees shall be as in Subsection D(5) above.
 - d. Masonry walls, fencing, berms or a combination thereof may also be used. Walls, fences and berms adjacent to neighboring properties shall have a minimum height of 3.5 feet. Berets shall have maximum slopes of 33% and shall be completely covered with shrubs, grasses or other plant material. Walls or solid fencing shall be planted with at least one shrub or vine per 10 lineal feet of wall. Nonsolid fencing shall be planted with at least three shrubs or vines per 12 lineal feet.
 - e. Mature trees, woodlands or other high-quality existing vegetation which remains undisturbed between the parking area and the right-of-way or adjoining properties may be used to satisfy the requirements of this section. New shrubs or trees may be added as needed to help provide an effective screen.

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- f. Screening requirements adjacent to public streets, walks or rights-of-way may be modified in circumstances where public safety is a concern.
2. Landscaping in interior areas. Landscaping in the interior of parking areas shall be designed to provide visual and climatic relief from large expanses of paving, to channelize vehicular traffic and to define areas for safe pedestrian circulation.
 - a. At least 5% of the total area of any parking lot containing 30 spaces or less shall be landscaped, and at least 7% of any parking lot containing more than 30 parking spaces shall be landscaped.
 1. The landscaped area can take the form of a rain garden or bioswale designed to capture and treat stormwater. At a minimum, the rain garden or bioswale shall be planted with a fine, close-growing water-tolerant species that provides large amounts of vegetative surface area for contact with stormwater.
 2. The rain garden or bioswale shall be a minimum of ten feet (10') wide.
 3. The rain garden or bioswale should be provided between head-to-head parking rows.
 4. The rain garden or bioswale and parking areas shall be graded to direct runoff to the median and accommodate stormwater infiltration.
 - b. At least one large tree and three shrubs, or one medium tree, one small tree and three shrubs shall be planted per 10 parking spaces.
 - c. The caliper of all new trees shall be as in Subsection D(5) above.
 - d. Trees required in this section shall be planted in protected areas such as along walkways, or within curbed islands located between rows of parking spaces, at the ends of bays, or between parking stalls.
 - e. Curbed landscaped islands shall have a minimum width of nine feet, or a minimum radius of 4.5 feet, exclusive of the curbing.
 - f. The requirement to curb parking areas shall be waived if stormwater is directed to a low-impact stormwater treatment method, such as the rain garden or bioswale described in Subsection E.2.a. Alternate measures to protect landscaping from damage by vehicles shall be provided.

F. Bufferyards.

1. Purpose. In addition to the yards which municipal zoning ordinances require on all or most lots, additional landscaped open space or bufferyards, may be needed to provide greater separation where disparate or incompatible land

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uses are located on adjacent sites. However, careful site planning can minimize the need for constructed bufferyards. Uses should be arranged to avoid locating incompatible uses in close proximity. Natural topographic and vegetative features of a development site should be used to separate uses which may impact negatively on each other. This subsection includes requirements for bufferyards that apply where land uses with differing visual, functional and operational characteristics are located in close proximity. These situations are most likely to arise within multi-use land developments; on development sites that are located at the edges of zoning districts; and on development sites bordering major highways, railroads and public transit lines.

2. Application. If the zoning ordinance of the municipality in which a proposed subdivision or land development is located contains standards for bufferyards, the municipal standards shall apply. If the municipality has no applicable regulations, the standards contained in this subsection shall apply.
3. Calculation of bufferyard requirement. The type of bufferyard and the extent of planting or other screening that must be provided within it shall be a function of the difference or incompatibility between adjacent land uses.
 - a. Land use compatibility classes. The magnitude of incompatibility shall be determined in accordance with Table V-1, which categorizes land uses into six compatibility classes. Uses within each class are assumed to be similar in visual, functional and operational characteristics and require no separation beyond yards required by zoning, and landscaping required by other subsections of this section. Requirements for bufferyards, planting and screening increase as the numerical difference between compatibility classes increases.
 - b. Bufferyard types. Table V-2 defines five types of bufferyards, ranging from 10 feet to 70 feet in width, which shall be required to separate land uses in different compatibility classes. The planting and screening component of each bufferyard type is described qualitatively in terms of the result to be achieved, rather than quantitatively.

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Table V-1: Land Use Compatibility Classes

Compatibility Class	Land Uses
1	Single-family residential, passive recreation, <u>historic resources</u>
2	Multifamily residential, townhouses, mobile home parks, primary schools, cultural facilities, public recreation
3	Business, professional and government offices; small-scale neighborhood and commercial
4	Hotel, motel, conference center; commercial recreation; general commercial; office park, secondary schools, government public safety facilities
5	Wholesale, warehousing, construction-related, light industrial, community shopping center, major freestanding retail, government public works
6	Heavy industrial, regional shopping centers, stadiums, expressways and major arterial highways, railroads, transit corridors, transportation terminals

Table V-2: Bufferyard Types

Bufferyard Type	Description of Bufferyard Objective	Width (feet)
A	Minor separation, partial visual screening; trees, hedge, 3 to 4 foot fence appropriate	10
B	Moderate separation required; total visual screening; varied landscape materials; hedge, fence as above	20
C	Substantial separation; total visual screening; varied landscape materials; solid fence or berm appropriate	40
D	Major spatial separation, total visual screening plus mitigation of noise, lights, traffic through heavy landscaping, solid fence or berm appropriate	55
E	Maximum spatial separation; total visual screening plus mitigation of traffic, noise, lights, emissions	70

- c. Required bufferyard. Table V-3 (next page) specifies the bufferyard type which must be provided to separate land uses in different compatibility classes.

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Table V-3: Required Bufferyard Type

Proposed Use Class	Existing Class of Adjacent Use or Zoning District					
	1	2	3	4	5	6
1	*	A	B	C	D	E
2	A	*	A	B	C	D
3	B	A	*	A	B	C
4	C	B	A	*	A	B
5	D	C	B	A	*	A
6	E	D	C	B	A	*

Notes: * Bufferyard not required in same use class.

- d. Options for flexibility. The Department may permit the provision of a narrower bufferyard in combination with denser planting and/or screening devices if the applicant demonstrates that a narrower bufferyard will provide acceptable mitigation of the effects of heavy traffic, noise, glare, fumes and other potential impacts and that the proposed plant materials will be able to thrive if spaced more closely.
- 4. Required plantings. Bufferyards shall be planted with a mix of trees, shrubs, grasses, and perennials. The use of hardy indigenous species is encouraged. Minimum caliper of trees shall be as specified in Subsection D(5). Quantities and spacing of plant material shall be determined by the density of screening needed. Existing natural features, woodlands or other high-quality existing vegetation preserved within the bufferyard may be used to satisfy planting requirements.
- 5. General standards for bufferyards.
 - a. Bufferyards shall be provided by the applicant along the perimeter of the site or lot and shall extend to the property or right-of-way line. Different bufferyards may be required along various portions of the site perimeter if more than one category of land use adjoins the site.
 - b. Bufferyards shall be maintained by the owner of the property. Bufferyards shall be kept free of trash, debris and graffiti at all times. Plant materials shall be inspected yearly, and all dead, diseased and damaged plant materials shall be replaced.
 - c. No structure or vehicular use areas, buildings, accessory uses, utilities, light standards, etc., shall be permitted in a bufferyard. Access drives

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are permitted only in bufferyards which separate a proposed development from a street.

- d. Bufferyards may be used for passive recreation uses such as pedestrian and bicycle trails, provided that the required separation and screening is maintained.

G. Foundation plantings. In all land developments that propose the construction of new multifamily residential building or a new nonresidential building, fifty percent (50%) of the length of a building façade that faces a public street shall include foundation plantings immediately adjacent to the building.

1. The plantings shall include a combination of ground cover, shrubs and flowering perennials.
2. The minimum height of shrubs at the time of planting shall be thirty-six inches (36").
3. Foundation plantings shall be shown on the landscaping plan that is required to be submitted with the application for final approval of the land development.
4. The plant materials proposed and the design of the foundation plantings shall be subject to approval by the Director.
5. The planting and maintenance of the required foundation plantings shall be the shared responsibility of the developer, the builder and the landowner. Occupancy Permits may be withheld if the required plantings have not been installed. Between November 1st and April 1st, temporary Occupancy Permits may be issued subject to the posting of a bond or other financial security to guarantee the installation of the required foundation plantings during the 90-day period beginning April 1st.

§780-33513 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.
- B. Public water systems.
 1. 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 the standards and requirements of DEP and the water supplier whose facilities will serve the development.
 2. 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.
 3. In the case of Subsection B(1) or (2), the applicant shall present evidence to the Department that the subdivision or development is to be supplied with

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water by a certificated 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.

4. Hydrants. Subdivisions and land developments to be served by public water systems shall be provided with fire hydrants which meet all specifications of the municipality and fire company which will serve the development.

C. Individual water systems.

1. Where public water supply systems, as defined in the Allegheny County Health Department Rules & Regulations, Article XV, "Plumbing and Building Drainage," Chapter 17 [Chapter ~~6~~ 5, Part 15], 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.
2. The use of private water systems shall not be permitted in any subdivision or land development with more than 10 lots, unless the applicant provides hydrogeologic data, acceptable to the Health Department, assuring that adequate quantity and quality of water are available.
3. 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.

§780-34514 Sanitary sewage facilities

- A. Sanitary sewage facilities required. All subdivisions and land developments, unless excepted in Subsection 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, authority or other public agency responsible for the collection, conveyance and treatment of sanitary sewage in the municipality in which the development is located.

1. No plat shall be finally approved or recorded until the plans and specifications for sanitary sewage facilities have been approved and permits issued, as required, by the Health Department and/or the DEP.
 - a. Conditional final approval may be granted; however, provided that the complete Sewage Facilities Planning Module, as required for the proposed development, has been approved by the municipality in which the proposed development is located, and transmitted by the municipality to the Allegheny County Health Department and/or

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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 construction standards of the municipality, and the Allegheny County Health Department, Rules and Regulations, Article XV, Plumbing and Building Drainage [Chapter 7-5, Part 15].
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 chapter, ~~that is, and~~ where no new buildable 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 "Form B – Request for Non-Building Waiver" (PA DEP Bureau of Water Quality Management form ER-BWQ-349:6/92) has been submitted to and approved by DEP. Where a waiver is approved by DEP, the final plan for recording shall include the notation specified in Appendix 3-2(7)(A).

Editor's Note: Appendix 3-2 is included at the end of this chapter.

§780-35515 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 to comply with the following:
 1. Development in areas where municipal stormwater management regulations have been enacted. Proposed subdivisions and land developments located in municipalities or areas of municipalities where municipal stormwater management regulations have been enacted shall comply with the municipal regulations. Stormwater management plans for proposed development in those areas and municipalities shall be approved in accordance with the municipal regulations and reviewed by the County, where County review is required by the municipal ordinance.
 2. Development in areas where municipal stormwater management regulations are not in effect. Proposed subdivisions and land developments located in areas where municipal regulations are not in effect shall comply with the provisions for stormwater management contained in Appendix 5-4. Appendix 5

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~~4~~ is hereby incorporated as a part of this chapter. *Editor's Note: Appendix 5-4 is included at the end of this chapter.*

3. Stormwater management plans for proposed development in areas subject to the provisions of Appendix 5-4 shall be reviewed by the municipality and approved by the Department.
- B. Implementation and enforcement of stormwater management plans.
1. Where governed by municipal regulations. Implementation of stormwater management plans including construction of facilities and provision for inspection, operation, and maintenance of facilities for developments in areas subject to municipal regulations shall comply with the municipal regulations.
 2. Where governed by provisions of Appendix 5-4. Implementation of stormwater management plans, following approval by the Department, shall be in accordance with the provisions of Article III, §780-~~14303D~~, E, F and G. Enforcement procedures and remedies for violation of the provisions for stormwater management shall be in accordance with Article I.
- C. Nonstructural management techniques preferred. All stormwater management plans shall utilize nonstructural techniques, where feasible, to reduce the volume and rate of flow of stormwater runoff and to minimize the need for detention facilities.
1. These techniques are described in the PA Stormwater BMP Manual and may include:
 - a. ~~Limitation of land disturbance areas and restriction of development on steep slopes.~~
 - b. ~~Maintenance of site vegetation and minimization of impervious surfaces.~~
 - c. ~~Measures to increase infiltration of runoff on the site.~~
 - d. ~~Flow attenuation measures such as open vegetation swales and natural depressions.~~
 - e. Natural conservation areas.
 - f. Stream buffers.
 - g. Utilization of existing natural stormwater features.
 2. Where stormwater management plans are subject to approval by the Department, the Department may require the revision of the development plan and stormwater management plan to increase the utilization of nonstructural stormwater management techniques.
- D. Certain structural stormwater management practices are preferred to the commonly used detention facilities. Where feasible, to reduce the need for and size of detention facilities and to reduce the volume and rate of stormwater runoff, the structural BMPs in the PA Stormwater BMP manual should be used. The following structural stormwater management practices are preferred:

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1. Enhanced Infiltration techniques including pervious pavement, infiltration trenches, rain gardens, vegetated swales and vegetated filter strips.
 2. Constructed wetlands or wetland restoration.
 3. Floodplain restoration.
 4. Reduced use of curbs allowing stormwater runoff to flow through vegetated filter strips prior to collection.
 5. Level spreaders are not preferred, but may be used in certain situations (e.g., where there is no on-site channel for stormwater discharge), provided that the level spreaders are not located at the top of a slope.
- E. To the maximum extent permitted under the MPC and PA Act 167, as amended, new land developments shall provide for conveyance and discharge of all surface water runoff to discharge outlet(s) within the same watershed at locations acceptable to the municipal engineer to minimize flooding and soil erosion/sedimentation.
- F. When a new flow crosses an adjacent landowner's property, a stormwater easement must be obtained and shown on the land development plans.
- G. To the maximum extent permitted under the MPC and PA Act 167, as amended, redevelopment areas with existing stormwater infrastructure are required to upgrade the effected stormwater infrastructure to current standards to the extent economically and technically feasible.
- H. Where governed by the provisions of Appendix A5, all regulated stormwater management facilities shall be designed, implemented, operated and maintained to meet the purposes and requirements of Appendix A5, Pennsylvania Code Title 25, the Clean Streams Law, and PA Act 167.

§780-36516 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. Renewable energy systems such as geothermal heating and cooling, solar energy generation, and wind power generation are strongly encouraged.
- 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.
- C. Underground wiring.
1. Electric, telephone, television and other communication 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

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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 easements 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 may be underground, in accordance with the requirements of the Public Utilities Commission.
3. Where overhead lines are permitted, the placement and alignment of poles shall be designed to lessen the visual impact of overhead lines as follows:
 - a. Alignments and pole locations should be routed to avoid locations along horizons.
 - b. Poles should be located so that the need to clear swaths through treed areas is avoided or mitigated.
 - c. Trees should be planted in open areas and at key locations to minimize the view of the poles and lines.
 - d. Alignments should generally follow rear lot lines.
4. Utility apparatus placed above ground, other than utility poles, shall be screened with plant materials.

~~§780-37517~~ Parks, open space and recreation facilities

A. General provisions.

1. Purpose. The purpose of this section is to encourage or require the provision of land and facilities for open space and recreational uses in new land developments. Open space and recreational facilities are important to the public health and welfare and the quality of life in communities is enhanced when areas are available for active and passive recreational use. 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.

Parks, open space, and recreation facilities provide economic benefits by attracting and retaining businesses, increasing property values by making communities more desirable, enhancing place identity, and reducing public costs through better management of natural events such as flooding.

2. Intent. The intent of this section is to encourage or 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

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accordance with §503(11) of the ~~Pennsylvania Municipalities Planning Code MPC.~~

3. Mandatory provision of land for recreation. If a municipality has formally adopted a recreation plan, land suitable for recreation and open space shall be provided in accordance with the requirements of Subsections B, C and D hereunder. Preference will be given to land prioritized in the municipal recreation plan or Allegheny Places. To ensure consistency with Allegheny Places, the following land will be prioritized for dedication:
 - a. Greenways that provide connections between people, recreational facilities, cultural facilities, or significant public areas.
 - b. Environmentally sensitive lands identified in the Allegheny Places Greenway Map, including, but not limited to, biodiverse areas, floodplains, steep slopes, forested areas, landslide-prone areas, riparian corridors, and wildlife corridors.
 - c. Lands that facilitate public access to riverfronts.
 - d. Land that expands or improves an existing park or trail system.
4. Voluntary provision of land and facilities. If a 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. Although voluntary, land that meets the standards established in 708-517.A3 are strongly encouraged for dedication.

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 to 10.50 acres per 1,000 estimated population, which is equal to approximately 270 to 350 square feet per person. This standard is based upon recommendations of the National Recreation and Park

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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% and shall be appropriate for active recreation uses. Steep slopes, exceeding 25%, 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 one-hundred-year flood elevation and shall be appropriate for active recreation uses. Land below the one-hundred-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.

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- 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 B(2) and (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:

<p>Fee = (number of acres required to be dedicated) x (average predevelopment fair market value, per acre of land in development site).</p>
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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 §780-14303F(3).
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

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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% 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.

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2. At least one such tree is planted for every 500 square feet of open area.
 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 Department.
 - 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 of 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 nonmotorized 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 Department 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 chapter 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 or by the ~~Board of County Commissioners~~ County Council if the offer is to the County.

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- 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 or to the County, if the reserved land is part of a County trail or greenway, 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 20 feet for a multipurpose trail and 10 feet for a single purpose trail.

§780-~~38~~518 Other community facilities and services

- A. Purpose. The purpose of this section is to ensure that developers, municipalities 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 who must be informed may vary, based on the nature of the proposed development and the community in which it is located, but will normally include police, fire and emergency services; and school districts. (Requirements concerning public transportation service and approval of street names by the postmaster are included in §780-~~39~~519.)
 - 2. 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.
- 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 municipality should agree upon a course of action or program to remedy the inadequacy and to ensure service to the new development.

§780-~~39~~519 Transportation facilities

- A. Purpose. The purpose of this section is to ensure that in new subdivisions and land developments streets, driveways, paths (trails) and sidewalks provide safe and convenient access and accommodate the safe and efficient movement of pedestrian, bicycle and ~~automobile~~ vehicular traffic.
- B. General provisions.
 - 1. Every subdivision shall have access to a public street.

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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 arrangement of streets shall conform to the municipal comprehensive plan, official maps, ~~and~~ to municipal, County and state transportation plans and the requirements of §780-511.
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. All local streets, residential or nonresidential, shall be arranged to minimize traffic speed and volume, noise, congestion, and hazards to pedestrians and bicyclists.
5. Only residential, outdoor recreation or public service uses may directly access a residential street.
6. 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.
7. Where a proposed development abuts or encompasses an existing or proposed collector or arterial street, marginal access streets, reverse frontage lots with bufferyards, or deep lots with rear service alleys may be required in order to protect properties and provide separation of through and local traffic.
8. All streets shall be designed to minimize the amount of paved area necessary to safely meet the standards of this Ordinance.

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9. All streets shall be designed as Complete Streets, as defined in Article II, where feasible.

D. Functional classification of streets.

1. The design of a street system shall include the classification of streets based on their functions and projected traffic as shown in Table V-4.

**Table V-4
Functional Classification of Streets**

Classification	Description	Average Daily Traffic-Projected Traffic Volume
Arterial	A public street intended to carry a large volume of local and through traffic, to or from collector streets and expressways. Controlled access.	3,000+
Collector	Channels traffic from local to arterial or other collector streets; includes main streets within a development.	
Residential	No direct access to residential lots.	1,000 to 3,000
Nonresidential	Number of access drives limited; may require marginal access drives.	800+
Minor Collector	Provides direct access to lots and conveys traffic from local to collector streets.	
Residential	Not more than 500 ADT trips from direct frontage lots permitted.	500 to 1,000
Nonresidential	Nonresidential	0 to 800
Local	Serves primarily to provide direct access to abutting property; should be designed to discourage through traffic.	
Residential	Provides direct access to residential lots and to other residential streets.	0 to 500

- a. Each street shall be designed for its entire length to meet the standards for its classification.
- b. The classification of each street shall be based upon the projection of traffic volumes 10 years after its completion. Traffic volumes shall be calculated in accordance with trip generation rates published in the most recent edition of the Institute of Traffic Engineers (ITE) Trip Generation Manual or alternate source acceptable to the Department, and shall consider all traffic likely to use each street.

E. Minimum level of service.

1. All proposed streets and intersections in a subdivision or land development shall be designed to function at Level of Service A or B.
2. The existing level of service on any adjacent street and intersection that will be affected by a proposed subdivision or land development shall not fall below level C if it is currently A, B, or C and shall not be further reduced if it is at level D, E or F.

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F. Traffic impact study.

1. When required. A traffic impact study shall be required for a subdivision or land development which will generate 100 or more peak hour trips when fully developed. A traffic impact study may also be required by the Department to assess the impacts of smaller projects if traffic congestion or safety problems already exist.
2. Methodology. The study shall be conducted in accordance with the recommended practice "~~Traffic Access and Impact~~ Impact Studies Analysis for Site Development", published by the Institute of Transportation Engineers, ~~1988~~2010, or in accordance with an equivalent methodology ~~endorsed by transportation engineers in PennDOT's "Policies and Procedures for Transportation Impact Studies", 2009.~~
 - a. The scope of the study, study area and methodology shall be approved by the Department before the study is initiated. (A preapplication conference should be scheduled for this purpose.)
 - b. The study shall be performed by, or under the supervision of, a professional engineer with training in traffic and transportation engineering studies, and experience in the preparation of traffic studies.
3. Required findings.
 - a. The traffic impact study must demonstrate that the levels of service specified in Subsection E will be met by the proposed development and that the circulation plan for the development will function safely and efficiently.
 - b. The study shall describe any measures which have been incorporated into the development plan in order to achieve the required conditions. Such measures may include, but are not limited to:
 1. A reduction in the density or intensity of the proposed development.
 2. Measures to reduce traffic impacts, such as clustering of buildings for easy access by transit or ridesharing vehicles, or the inclusion of transit-related improvements.
 3. The phasing of construction to coincide with the completion of transportation improvements which have been programmed by the municipality, County or state.
 4. The construction of on-site transportation improvements.
 5. The construction of off-site transportation improvements or payment of impact fees, when authorized by a municipal impact fee ordinance.

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6. The extension of transit, bicycle or pedestrian services to the site or the sponsorship of a ridesharing program or transit subsidies for employees.
 7. Any combination of the above or additional measures.
- c. Any traffic impact mitigation measures which are not physical site improvements shall be incorporated into the development agreement executed between the municipality and the applicant and shall be recorded with the land development plan.
- G. Special purpose streets.
1. Private streets. Private streets may be permitted by the Department, with the concurrence of the municipality.
 - a. Private streets shall comply with the design and construction standards for public streets of the same functional class.
 - b. An agreement for maintenance of private streets shall be recorded with the final plan and shall include, in case of failure to maintain in accordance with the agreement, an offer of dedication to the municipality together with provisions for funds sufficient to restore the private street to the standards required for public streets prior to acceptance of dedication.
 2. Cul-de-sac streets shall comply with the following standards:
 - a. A cul-de-sac street serving residential development shall not provide the sole access for more than 30 dwellings, or a maximum of 250 vehicle-trips per day.
 - b. A residential cul-de-sac street shall end in a turnaround which has a paved cartway not less than 20 feet in width, surrounding a landscaped island with a minimum radius of 24 feet, except in the following circumstances:
 1. A cul-de-sac head with a radius of 40 feet and a cartway width of 14 feet surrounding a landscaped island shall be acceptable for one-way circulation.
 2. Hammerhead turnarounds may be used, if the cul-de-sac street does not provide access for more than eight dwelling units. The long dimension of the turnaround head shall be not less than 50 feet.
 3. A temporary turnaround shall be provided at the end of dead-end streets which are intended to be extended as through streets in the future. If the length of a dead-end street exceeds the depth of one lot, the temporary turnaround shall be constructed with an all-weather surface, a minimum cartway radius of 25 feet, and its use shall be guaranteed to the public.

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- c. The terminus of a nonresidential cul-de-sac street shall be designed so that the largest vehicles expected to use the street can complete the turn without backing. If a cul-de-sac head is proposed, a landscaped island shall be provided.
 - d. For any cul-de-sac street which is at least 800 feet in length, a traffic calming device, such as a stop sign, intermediate turnaround or traffic circle shall be provided at the approximate mid-point of the street. For cul-de-sac streets that exceed 800 feet in length, a traffic calming device shall be provided every 350 feet or so. The design and placement of the proposed traffic calming device shall be acceptable to the Department and the municipal engineer.
 - e. A "no outlet" sign shall be erected at the entrance to every cul-de-sac or dead-end street, which shall comply with the standards and specifications of the jurisdiction owning the intersecting street.
 3. Half or partial streets shall not be permitted.
 4. Alleys may be permitted, with the concurrence of the municipality and shall comply with the following standards:
 - a. Alleys may not be used as the only means of access to a lot.
 - b. Alleys in residential developments shall have a minimum right-of-way of 16 feet and a minimum cartway of 12 feet.
 - c. Alleys in nonresidential developments shall have a minimum right-of-way of 20 feet and a minimum cartway of 16 feet. Where necessary, a radius shall be provided at the alley intersection, sufficient to accommodate any large vehicles that may be expected to use the alley.
 - d. Dead-end alleys shall not be permitted without a turnaround, and are subject to the approval of the Department.
- H. Driveways and access drives.
 1. Driveways and access drives shall enter public streets at safe locations. No driveway or access drive shall enter a public street closer to an existing intersection than 50 feet. Distances shall be provided as noted below:
 - a. For individual residential lots – 50 feet;
 - b. For multi-family and nonresidential lots – 100 feet, and
 - c. A reasonable safe sight distance shall be provided based upon the PennDOT guidance provided in Chapter 441, Access to and Occupancy of Highways by Driveways and Local Roads.
 2. The maximum permitted grade on residential driveways shall be 14%, and on nonresidential driveways shall be 10%. A leveling area for all driveways and access drives shall be provided for a minimum distance of 12 feet, measured

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from the edge of the pavement of the intersecting street, at a maximum grade of 5%.

3. Shared driveways for up to four houses shall be permitted. Shared driveways may have a maximum grade of 14%, provided that safe sight stopping distances are provided the length of the driveway. Pavement width may vary, but shall be appropriate to the length, width and gradient of the proposed driveway. The Department may require shoulders or guide rail, if deemed necessary for safety.
- I. Design speeds. Design speeds shall be as follows:
 1. Arterial roads: 50 MPH.
 2. Collector streets: 35 MPH.
 3. Minor collector streets: 25 MPH.
 4. Local streets: 15 to 20 MPH.
 - J. Street grades.
 1. The entire width of the right-of-way of each street in a proposed subdivision shall be graded, except as specified in §780-24504A(1).
 2. Minimum permitted street grade for all streets shall be 1%.
 3. Maximum street grades, other than due allowance for vertical curves, shall be as follows:
 - a. Arterial roads: 6%.
 - b. Collector streets: 8%.
 - c. Minor collector streets, nonresidential: 10%.
 - d. Minor collector and local streets, residential: 12%.
 4. Street grades shall be measured along the center line of the street.
 5. Center line grade on the head of a cul-de-sac or hammerhead shall not exceed 5%.
 6. Where the grade of the street is six feet or more above the grade of the abutting land, guardrails shall be provided.
 - K. Street alignment.
 1. Minimum safe stopping sight distances on all vertical and horizontal curves shall be as follows:
 - a. Twenty miles per hour: 110 feet.
 - b. Twenty-five miles per hour: ~~15~~80 feet.
 - c. Thirty-five miles per hour: 250 feet.
 2. Minimum center line radii for horizontal curves shall be as follows:

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- a. Arterial roads: 700 feet.
 - b. Collector streets: 350 feet.
 - c. Minor collector streets: 200 feet.
 - d. Local streets: 100 feet.
3. For other than local streets, a minimum tangent of 100 feet between reverse curves shall be provided. For local streets a lesser tangent may be acceptable, provided safe stopping distances are maintained as per Subsection K(1). Broken-back curves shall be avoided; however, when they must be used, a minimum tangent of 150 feet shall be provided.
 4. Vertical curves shall be provided for all changes in grade exceeding 1%. For each 1% of algebraic difference between tangent grades over 3%, at least 15 feet of vertical curve length shall be provided. Minimum vertical curve lengths shall be as follows:
 - a. Arterial roads: 150 feet.
 - b. Collector streets: 100 feet.
 - c. Local streets, residential: 50 feet.
- L. Intersections.
1. The design of intersections shall balance the needs of all street users, including pedestrians and bicyclists. Safe pedestrian crossings shall be included on every arterial and collector. The following design features are required as applicable:
 - a. Dedicated Turning Lanes. On street types with medians, the median shall be narrowed to allow the left-turn lane without disrupting on-street parking and bulb-outs. On street types without medians and with on-street parking, on-street parking shall cease a safe distance from the intersection, and travel lanes shall shift to allow for a dedicated left-turn lane. At a minimum, parking shall cease 30 feet from the intersection.
 - b. Bulb-outs: Bulb-outs are encouraged where possible. At a safe distance from the intersection, on-street parking shall cease and the curb shall be extended to the travel lane.
 - c. Medians: On street types with medians, a 10-foot median is permitted at intersections after a left-turn lane has been provided. Construction and landscaping of these medians shall provide a mid-intersection pedestrian refuge.
 - d. Roundabouts: Roundabout design shall comply with state and federal design guidelines.
 2. ~~±~~ The angle of intersecting streets shall be as close to 90° as possible. No streets shall intersect at an angle less than 60°.

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3. ~~2-~~ Distance between intersections shall be as follows:
 - a. Arterial roads: 800 feet.
 - b. Collector streets: 300 feet.
 - c. Local streets: 150 feet.
4. ~~3-~~ Intersections between more than two streets shall be avoided.
5. ~~4-~~ Where the grade of any street at the approach to an intersection exceeds 5%, a leveling area shall be provided for the secondary intersecting street. The transition grade shall not exceed 3% for the minimum distance of 50 feet measured from the edge of the pavement of the intersecting street.
6. ~~5-~~ An area of unobstructed vision shall be provided at every intersection. The minimum clear sight triangle shall be measured:
 - a. Along the center lines of the intersecting streets, where L equals the distance along the center line of the primary through street, measured from its intersection with the center line of the secondary intersecting street, to an approaching vehicle on the primary street.
 - b. On the secondary intersecting street, from a point at least 20 feet back from the edge of the pavement of the primary through-street, which is 3.5 feet above the surface of the pavement. Minimum values for "L" are as follows:
 1. Arterial roads: L = 500 feet.
 2. Collector streets: L = 300 feet.
 3. Minor collector streets: L = 200 feet.
 4. Local streets: L = 200 feet.
7. ~~6-~~ No plantings or structures exceeding 30 inches in height shall be permitted in the clear sight triangle. A public right-of-entry shall be reserved for the purpose of removing any object that obstructs the clear sight triangle.
8. ~~7-~~ Deceleration, turning or merging lanes maybe required by the municipality along existing and proposed collector or arterial roads.
9. ~~8-~~ Clearly marked crosswalks and ~~handicapped~~-accessible curb ramps shall be provided at intersections where there are sidewalks or pedestrian walkways. The Department may require crosswalks in other locations to ensure pedestrian safety and convenience. Crosswalks shall meet the PennDOT pavement markings standards in TC-8600, Sheet 6 of 11. Crosswalks should be stamped or scored concrete (with approved non-reflective color mixed into the concrete) as shown on Sheet 6, Types D, E or F. PennDOT approved hot thermoplastic pavement markings with diagonal lines between parallel lines are acceptable (Type B). Painted parallel or perpendicular lines are not acceptable (Types A and C).

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10. ~~9~~ Curb radii.

- a. Curb radii shall be as follows:
 1. Arterial roads: 50 feet.
 2. Collector streets: 25 to 30 feet.
 3. Minor collector streets: 25 to 30 feet.
 4. Local streets: 15 to 25 feet.
- b. Where two roads of different right-of-way widths intersect, the radii of curvature for the higher classification road shall apply.

M. Rights-of-way and cartways.

1. The right-of-way shall be measured from lot line to lot line and shall be wide enough to contain the cartway, curbs, or shoulders, and when required, parking lanes, sidewalks, street trees and bike lanes.
2. The right-of-way width of a new street that is a continuation of an existing street shall in no case be at a lesser width than that of the existing street.
3. The right-of-way width shall consider future development in accordance with the comprehensive plan as well as the plan for the proposed development.
4. Right-of-way widths shall be within the following minimum and maximum ranges, however the context of the future street (urban, suburban, or rural) should be considered first:
 - a. Arterial roads: 70 to 70 feet.
 - b. Collector streets: 36 to 50 feet.
 - c. Minor collectors: 24 to 40 feet.
 - d. Local Streets: 22 to 30 feet.
5. For local and residential minor collectors streets, moving lanes shall be nine or 10 feet wide. For collector streets, moving lanes ~~maybe not less than 53 feet~~ and shall not be fewer than 10 feet and not more than 12 feet wide. Where on-street parking is needed, parking lanes shall be eight feet wide.
6. Street paving widths shall be within the following minimum and maximum ranges:
 - a. Arterial roads: 36 to 48 feet.
 - b. Collector streets: 24 to 36 feet.
 - c. Minor collectors: 20 to 28 feet.
 - d. Local streets: 18 to 28 feet.
7. Additional right-of-way and/or cartway widths maybe required for the following reasons:

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- a. To promote public safety and convenience.
- b. To provide parking areas in urban districts and in areas of high-density residential development.
- c. To provide slopes rights whenever the topography is such that an additional right-of-way is need to provide adequate earth slopes.
- d. To provide for bicycle or pedestrian facilities.

N. Curbs.

1. Curbing shall be required for the following purposes:
 - a. For stormwater management (may be depressed curbs).
 - b. To stabilize pavement edges.
 - c. To delineate parking areas.
 - d. Where on-street parking will occur.
 - e. At street intersections.
 - f. Where grades exceed 6%.
 - g. At tight radii.
2. The type of curb required shall be appropriate to the street classification and use.
3. Where curbing is not required, an edge treatment, such as a thickened edge, shall be provided as needed for safety and to maintain the stability of the pavement.

O. Shoulders and embankments.

1. Shoulders and drainage swales shall be used instead of curbs when:
 - a. Shoulders are required by state or other law.
 - b. Soil or topographic conditions make the use of shoulders and drainage swales preferable.
 - c. In order to preserve the rural character of an existing community or a proposed development.
 - d. Shoulders are needed for bicycle facilities.
2. Shoulders shall be a minimum of four feet in width on both sides of the street, and shall be located within the right-of-way. Greater shoulder widths shall be provided as recommended by a registered professional engineer and shall be acceptable to the municipal engineer.
3. Shoulder material and construction shall be as recommended by a registered professional engineer and shall be acceptable to the municipal engineer.
4. The width of swales shall be determined by site-specific conditions.

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P. Bikeways.

1. All new streets shall be planned and constructed to accommodate bicycle travel safely.
2. For residential developments which will generate ~~1,000~~ 500 or more vehicle trips per day, and for all major nonresidential developments, bicycle traffic shall be accommodated in one of two ways:
 - a. A bikeway master plan, which identifies bike routes that safely connect major traffic origins and destinations, shall be prepared. The plan may propose a combination of existing and proposed bike lanes, bike paths, shared pedestrian sidewalks and pathways and shared vehicular roadways. The plan shall demonstrate how any paths, sidewalks or roadways which are proposed to be shared should be able to accommodate the shared use safely.
 - b. Bikeways lanes, which shall be provided as follows:
 1. For nonresidential developments, bikeways lanes shall be provided along any new collector or arterial road constructed as part of the development.
 2. For residential developments, bikeways lanes shall be provided along any new minor collector, collector or arterial road constructed as part of the development.
3. Where a proposed development is within ~~a reasonable distance~~ 1,000 feet of an existing bikeway or a proposed bikeway included in a municipal or County bikeway plan or official map, the development plan shall provide for connections to the existing or proposed bikeway.
4. Bikeways can take the form of on-road facilities, such as bike lanes, cycle tracks, or shared lanes ('sharrows'), or off-road bicycle/pedestrian paths.
 - a. Bicycle lanes shall include the application of pavement striping, markings, and regulatory signage and shall be a minimum of 6 feet wide. Bicycle lanes may include the application of high visibility paint to differentiate it from vehicular travel lanes.
 - b. Cycle tracks are bicycle facilities that are adjacent to roadways but separated by a physical barrier. Cycle tracks shall be a minimum of 9 feet wide.
 - c. Shared lanes shall include pavement markings as required in the latest PennDOT Design Manual and as provided for in the latest edition of the Manual for Uniform Traffic Control Devices.
 - d. Off-road bicycle paths shall be a minimum of 8 feet wide, although 12 feet is recommended.

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Q. Public transportation.

1. Where a proposed development is adjacent to or within 1,000 feet a ~~reasonable distance~~ of collector or arterial roads where transit service is currently provided or may be provided in the future, the applicant shall consult with the transit authority regarding street design requirements for buses and passenger waiting areas and shelters.
2. Where a development site is adjacent to or includes a rail transit facility or other exclusive transit right-of-way, the applicant shall consult with the transit authority to determine whether any special design features concerning the rail transit facilities will be required.

R. Sidewalks and pathways.

1. Where a proposed development is adjacent to or within 1,000 feet a ~~reasonable distance~~ of an existing or future rails-to-trails (or other public trail system) system, access from the proposed development to the rails-to-trails system shall be considered in the design and layout of the plan.
2. Pedestrian pathways and improved sidewalks shall be included in developments in which any of the following conditions are met:
 - a. Where sidewalks exist in the same block on the same side of the street.
 - b. Within residential developments where the net density exceeds ~~three~~ two dwelling units per acre, and new streets are proposed.
 - c. Within planned business, commercial or industrial developments.
 - d. Along roads that are served by public transit or may be served by public transit within three years of the expected date of completion of the proposed development.
 - e. Where blocks exceed ~~800~~ 600 feet in length, ~~as per §780-31A(4)~~.
 - f. Within or along the perimeter of any other pedestrian generator, including:
 1. Schools, libraries, community centers and places of worship.
 2. Parks and other recreation centers.
 3. Shopping or commercial centers ~~of 25,000 square feet of floor area or more~~.
3. Public sidewalks shall in general be parallel to the street and within the right-of-way. However, alternative locations will be considered, provided that safe and convenient pedestrian circulation is maintained.
4. New sidewalks must connect to existing sidewalks where the existing sidewalks are within a right-of-way and within 50 feet of the new sidewalks.
5. ~~4.~~ Pathways in general shall ~~service~~ serve to connect major use areas such as buildings, parking lots, recreational facilities and other accessory uses and to

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separate the movement of pedestrians from vehicles to the greatest extent possible.

- a. The site plan shall minimize potential hazards by using special paving, grade separations, pavement marking, signs, striping, bollards, median refuge islands, traffic calming features, landscaping, lighting or other means to clearly delineate pedestrian areas for both day and night use.
 6. ~~5.~~ Sidewalks and pathways shall have a minimum width of ~~four~~ five feet or, if abutting a street curb, shall have a minimum width of ~~five~~ eight feet. Wider widths may be required near major pedestrian generators.
 7. ~~6.~~ Sidewalks within street or public rights-of-way shall be concrete, the design and construction of which shall be subject to approval by the municipal engineer. Pathways may be constructed of other materials, including pervious materials; provided, that the proposed materials and construction are appropriate to the surrounding land use, expected volume of pedestrian traffic, and are approved by the municipal engineer.
 8. ~~7.~~ Curb ramps shall be provided at all intersections ~~as per Subsection M(8)~~ consistent with PennDOT Standards for Roadway Construction, Pub. 72, RC-67M (13 Sheets), most recent edition.
 9. ~~8.~~ Public sidewalks shall be constructed in accordance with federal specifications for ~~handicapped~~ accessibility.
- S. Street lights and site lighting.
1. ~~Street lighting shall be provided for all nonresidential developments, multifamily residential developments and single family residential developments requiring either the construction of new streets or the extension of existing streets. In residential subdivision where lots are 20,000 square feet or smaller, lighting shall be provided at the following locations:~~
 - a. The intersection of the existing public street with the entrance to the proposed development.
 - b. Intersections of public streets within the proposed development.
 - c. The apex of the curve of any major thoroughfare (public or private) within the proposed development having a radius of 300 feet or less.
 - d. Cul de sac "bulbs."
 - e. Terminal ends of median islands having concrete curbing, trees or other fixed objects not having a breakaway design for speeds of 25 mph or greater.
 2. ~~Street lights shall be provided at all intersections of streets and at the access drives of all nonresidential developments. In a residential development where there is on-street parking or there are common parking areas of five (5) or more spaces, these parking spaces shall be illuminated.~~

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3. Lights shall be provided in parking areas, along sidewalks and between buildings in multi-family and non-residential land developments as needed for public safety and convenience. Such lighting shall comply with the standards of §780-521. The lighting plan required by §780-402C shall be provided to demonstrate compliance.
4. ~~The placement, height and shielding of lighting standards shall provide adequate lighting without hazard to drivers or nuisance to nearby residents. No spillover of light onto adjoining properties from required light standards shall be permitted. Street lighting shall be subject to compliance with the standards of §780-521. The lighting plan required by §780-402C (13) shall be provided to demonstrate compliance.~~
5. The quantity, location, style, type and shielding of light standards shall be appropriate to the use, the development, and the municipality, and shall be approved by the Department, subject to the recommendation of the municipal engineer.

T. Street signs.

1. Street name signs shall be provided at all new street intersections.
2. Street name signs shall be installed under street lights and shall be free of all visual obstructions.
3. The design of street name signs shall be consistent, uniform, and appropriate to the municipality and to the development, and shall be acceptable to the municipal engineer.
4. Traffic control signs shall be provided by the applicant as needed. The design and placement of traffic control signs shall be as specified in the Manual on Uniform Traffic Control Devices for Streets and Highways, and shall meet all state and local requirements.

U. Traffic calming

Traffic calming measures described in Table V-5 may be used to modify vehicle speeds and other driver behavior. An asterisk (*) means that the device is permitted, while a blank cell means that the device is not permitted.

1. The choice, design and installation of traffic calming measures on any collector or arterial road shall be balanced with its regional vehicle traffic-carrying role.
2. The planning and installation of traffic calming measures shall respect the presence of driveways.

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Table V-5
Suitability of Traffic Calming Measures

Traffic Calming Measure	Arterial	Collector	Town Center	Local Road
<p>Mid-Block Bulb-Outs</p> <p>Mid-block bulb-outs reduce the width of the roadway for a mid-block section. They shorten crossing distances for pedestrians and draw attention to pedestrians via raised peninsulas. Bulb-outs can be built within the marked on-street parking area or on residential roadways over 20 feet in width.</p>	*	*	*	*
<p>Restriping</p> <p>Street can be restriped to create lanes that are 9 to 11 feet wide. The excess space can be used to create bike lanes or marked on-street parking on one or both sides. Bicycle lanes shall be 5 feet wide minimum, and on-street parking shall be 7 feet wide minimum. The parking can be staggered to create a weaving path on the roadway, further informing drivers that caution should be used in the neighborhood.</p>	*	*	*	*
<p>Gateways</p> <p>Gateways appear to narrow the street, and also serve as highly visible entryways into neighborhoods. Gateway features can also double as transit waiting areas.</p>		*	*	*
<p>Unmarked On-Street Parking</p> <p>Allowing on-street parking on streets without designated on-street parking areas will create a series of single-lane yield points wherever parked cars are present. This “informal” single-lane yield point occurs when the street width is narrow enough to prevent simultaneous passing of two moving vehicles past a parked vehicle. For streets up to 30 feet in width, allowing parking on both sides of the street is necessary to create a yield point.</p>			*	*
<p>Textured Pavement</p> <p>Textured pavement is an effective traffic calming measure. The advantages of a textured street are that it is aesthetically pleasing and it calms traffic better as it ages as the surface wears out. Installation costs are higher than those for asphalt roadways, but long-term maintenance costs are lower. However, textured pavement can be loud.</p>	*	*	*	*
<p>Raised Intersections</p> <p>Raised intersections slow cars down throughout an entire intersection, providing an extra level of safety for pedestrians crossing an intersection. This improvement may be most appropriate for commercial areas where both vehicular and pedestrian traffic volumes are high. Textured pavement can also be part of this improvement.</p>		*	*	*

§780-40520 Parking facilities

- A. Application. All land developments shall include parking facilities for the planned uses.
1. If the municipal zoning ordinance includes parking standards, the standards of the municipal ordinance shall apply, except:

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- a. If the municipal ordinance does not include provisions for ~~handicapped~~accessible parking facilities and/or bicycle parking, the standards for those facilities contained in this chapter shall apply.
 - b. If the municipal ordinance does not contain standards for the landscaping of parking lots, the requirements of ~~§780-32512E~~ of this chapter shall apply.
 2. If the municipal zoning ordinance does not include parking standards, the standards of this chapter shall apply.
- B. Parking requirements.
1. Residential land developments.
 - a. In areas where streets are designed and commonly used for on-street parking, at least one off-street parking space shall be provided for every new dwelling unit.
 - b. In areas where streets are designed without parking lanes, at least two off-street parking spaces shall be provided for every dwelling unit.
 - c. In apartment developments restricted to occupancy by the elderly, the parking requirement may be reduced to one parking space for every four dwelling units, plus one space for every employee on the largest shift.
 2. Nonresidential land developments. Parking for nonresidential uses shall be provided in accordance with Table V-56. The required number of spaces may be increased or reduced by up to 10 percent. Applicants proposing greater than 10 percent variation must comply with §780-520E.

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Table V-56
Off-Street Parking Requirements for Nonresidential Uses

Nonresidential Land Uses	Required Off-Street Parking Spaces Per Indicated Area
Assembly operations	1 per 800 sq. ft. GFA
Bar	1 per 2 seats
Bowling alley	4 per alley
Car Wash	10 per washing lane
Church/Synagogue	1 per 3 seats
Fiduciary institutions	1 per 300 sq. ft. GFA
Finishing operations	1 per 800 sq. ft. GFA
Hotel/Motel	1 per guest room, plus 10 per 1,000 sq. ft. GFA
Industrial	1 per 800 sq. ft. GFA
Library	1 per 300 sq. ft. GFA
Manufacturing	1 per 800 sq. ft. GFA
Medical center	1 per 250 sq. ft. GFA
Nightclub	1 per 3 seats
Offices	
Under 49,999 sq. ft. GFA	4.5 per 1,000 sq. ft. GFA
50,000 to 99,999 sq. ft. GFA	4 per 1,000 sq. ft. GFA
10,000+ sq. ft. GFA	3.5 per 1,000 sq. ft. GFA
Receiving	1 per 5,000 sq. ft. GFA
Research	1 per 1,000 sq. ft. GFA
Restaurant	1 per 3 seats
Quick-food establishments	1 per 30 sq. ft. GFA
Retail store	1 per 200 sq. ft. GFA
Schools	
Elementary	2 per classroom; but not less than 1 per teacher and staff
Intermediate	1.5 per classroom; but not less than 1 per teacher and staff
Secondary	2.5 per classroom, but not less than 1 per teacher and staff
Service station	4 per bay and work area
Shipping	1 per 5,000 sq. ft. GFA
Shopping center	
Under 400,000 sq. ft. GLA	4 per 1,000 sq. ft. GLA
400,000 to 599,999 sq. ft. GLA	4.5 per 1,000 sq. ft. GLA
600,000+ sq. ft. GLA	5 per 1,000 sq. ft. GLA
Storage areas	1 per 5,000 sq. ft. GLA
Theater	1 per 3 seats
In shopping center	1 per 4 seats
Warehouse	1 per 5,000 sq. ft. GFA

GFA = gross floor area

GLA = gross leasable area

SOURCE: Listokin, David and Walker, Carole, The Subdivision and Site Plan Handbook, Rutgers, the State University of New Jersey, Center for Urban Policy Research, 1989

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3. ~~Handicapped~~ Accessible parking. ~~Handicapped~~ Accessible parking shall be provided for all nonresidential developments and multifamily developments with more than five units. ~~Handicapped~~ Accessible parking spaces shall be the closest spaces to the nearest accessible entrance and shall conform with federal standards for accessibility. The minimum number of required spaces shall be as follows:

Total Required Parking Spaces	Handicapped <u>Accessible</u> Spaces
5 to 100	1 per 25
100 to 1,000	1 per 50
Over 1,000	1 per 100

4. Bicycle parking facilities. Bicycle parking facilities shall be provided for nonresidential land developments in accordance with the following standards:
- a. Bicycle parking spaces shall be provided at a rate of one space for the first 10 automobile parking spaces, plus one space for every additional 50 automobile parking spaces thereafter.
 - b. Each bicycle space shall be equipped with a structure to which a bicycle frame and one wheel can be attached using a chain, cable, or U-lock. There shall be adequate separation between structures to allow bicycles to be attached or removed without moving other bicycles. The structure shall be suitable for use by bicycles not equipped with kickstands.
 - c. Bicycle parking spaces shall be convenient to the structure or outdoor area for which they are provided. They shall be visible from at least one entrance to the structure and shall be provided with lighting.
 - d. Bicycle parking structures shall be placed to provide at least two feet of free space between a bicycle and the edge of the curb or sidewalk or three feet between a bicycle and the outside edge of the roadway shoulder.

C. Dimensional standards.

- 1. Stall size. Perpendicular or angled parking spaces for automobiles shall be no less than nine feet in width and 18 feet in length. Parallel spaces shall be no less than eight feet in width and 23 feet in length. ~~Handicapped~~ Accessible spaces shall be no less than 12 feet in width.
- 2. Aisle width. The width of aisles providing access to parking stalls shall be in accordance with the chart below. Only one-way traffic shall be permitted in aisles serving parking spaces placed at an angle other than 90°.

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Parking Angle (degrees)	Aisle Width (feet)
30	12
45	13
60	18
90	22

D. General design standards.

1. Parking areas shall be designed to provide safe ingress and egress from the streets that provide access to the land development. No parking spaces shall enter directly onto streets. All parking areas shall be connected with streets by access drives.
2. Parking areas shall be designed to provide for the safe and convenient movement of people between parking areas and their destinations on the development site.
 - a. In ~~large~~ major developments, pedestrian walkways shall be provided in accordance with ~~§780-39519R~~ and integrated with the landscaping required by ~~§780-14512E~~.
 - b. Parking areas, pedestrian walkways and building entrances shall be lighted in accordance with the standards of ~~§780-39519S~~.
3. Parking areas shall be designed to minimize large expanses of pavement, and provision of parking spaces in excess of demand shall be avoided.
 - a. In nonresidential areas, shared parking may be provided for uses which have different periods of peak demand, provided the applicant documents the differing patterns of use and provides for the average peak demand of the combined uses. The documentation must include provisions acceptable to the Department and to the municipality for the continuing use and maintenance of any shared facilities.
 - b. For nonresidential land developments in areas of municipalities where public parking facilities are available, the applicant may fulfill all or a portion of the requirement for off-street parking facilities generated by the proposed development by contributing funds to the municipality or parking authority in lieu of constructing parking spaces on-site. Such funds shall be used for the improvement or expansion of public parking facilities and shall be approved by the Department only if approved by the municipal governing body.
 - c. In addition to minimization of impervious area, other stormwater BMPs shall be considered such as:
 1. Pervious Pavement with Infiltration Bed:

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2. Infiltration Basin;
 3. Subsurface Infiltration Bed;
 4. Infiltration Trench;
 5. Rain Garden/Bioretention;
 6. Constructed Filter; and
 7. Vegetated Filter Strip.
4. In developments of detached and attached single-family homes, off-street parking shall be located on the same lots with the dwellings that they serve.
 5. Parking lots shall be designed with a minimum grade of 1% and a maximum grade of 5%. They shall be graded for proper drainage of stormwater.
 6. Landscaping. All parking areas shall be landscaped in accordance with the provisions of ~~§780-14E~~ 512E.
- E. Parking Reductions or Increases. Applicants may vary from the off-street parking requirements provided for in Table V-6 by greater than 10 percent by providing sufficient documentation that demonstrates reduced or increased parking demand.
1. The provision of on-street parking or employee showers, lockers and changing areas will justify a reduction in off-street parking. Employee showers, lockers and changing areas encourage bicycle commuting, thus reducing the strain on parking facilities.
 2. In all cases, applicants must provide sufficient documentation to clearly establish that minimum and maximum parking needs shall be accommodated. Where inadequate on-site parking causes a recurring traffic hazard or a nuisance off-site, the owner shall be responsible for increasing the number of parking spaces or decreasing the need for parking spaces.
 3. Applicants seeking an increase in parking shall provide a parking study consistent with the following standards:
 - a. The application for reduced parking shall include a description of the use, a development plan, a trip generation report, and a parking study. The parking study shall include the characteristics of each use, peak parking demand, hours of operation, and potential improvements in access, design, and circulation.

§780-41521 Monuments and markers

- 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

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for Professional Land Surveyors in the Commonwealth of Pennsylvania, or equivalent standard of professional practice acceptable to the Department.

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 center line 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 corner 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 registered surveyor prior to approval of the final plan, or financial security sufficient to cover their cost and placement shall be provided in accordance with the provisions of §780-~~14303~~14303F.

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C. Materials.

1. Monuments shall be of durable materials of sufficient length and cross-sectional areas 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.
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.

§780-522 Outdoor lighting

A. Luminaire design.

1. For horizontal surfaces (parking lots, merchandising and storage areas, fuel dispensing facilities, auto sales areas, loading docks, passive recreation, bicycle and pedestrian trails, sidewalks and building entrances), fixtures shall be aimed straight down and shall meet IESNA full cutoff criteria. Fixtures with aggregate output not exceeding 500 lumens (equivalent to 40 watt incandescent bulb) are exempt. In the case of decorative/period street lighting, full shielding or IES cutoff criteria may be substituted for full cutoff.
2. For non-horizontal surfaces (facades, landscaping, signs, billboards, fountains, statuary and other exterior displays), fixtures shall be shielded and aimed so to not project light output beyond the object being illuminated into the windows of neighboring residences, adjacent uses, skyward or onto a public roadway. Fixtures with aggregate output not exceeding 500 lumens (equivalent to 40 watt incandescent bulb or 10 watt compact fluorescent bulb) are exempt.
3. Lighting for recreational uses shall be the minimum necessary for the proposed use and shall be directed and shielded to minimize the impact on adjacent properties. The visual impact plan required by §780-402C(13)(f) shall be provided to determine compliance.

B. Control of glare.

1. All lighting shall be aimed so as to not present a hazard to drivers or pedestrians or create a nuisance by projecting or reflecting objectionable light onto neighboring uses or properties.
2. Directional fixtures shall be shielded, installed and aimed so they do not project output past the object being illuminated into windows of neighboring uses, skyward or onto a public roadway or pedestrian way.
3. Parking and vehicular pedestrian way lighting for commercial, industrial and institutional uses (except for security lighting and all night business operations) shall be extinguished, using a programmable controller, within one-half hour after the close of business. Safety or security lighting for after-hours

ARTICLE V Design Standards

illumination shall not exceed 25% of the number of fixtures or illuminance permitted for illumination during regular business hours. If there is continued, but reduced, evening activity, the use of dimming circuitry to lower illumination levels by 50% after 11:00 PM or after normal business hours shall be permitted.

4. Vegetative screens shall not be used to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles and appropriate application of fixture mounting height, wattage, aiming angle and placement.
5. The illumination projected from any property onto a residential use shall at no time exceed 0.1 initial footcandle, measured line-of-sight from any point on the receiving property.
6. The illumination projected from any property to a non-residential use shall at no time exceed 1.0 initial footcandle, measured line-of-sight from any point on the receiving property.
7. Unless otherwise governed by local zoning, externally illuminated billboards and signs shall be lighted by fixtures mounted at the top of the billboard or sign and aimed downward. The fixtures shall be designed, shielded and aimed to shield the source from off-site view and to restrict the light output beyond the sign or billboard. At no point on the face of the sign or billboard shall the illumination exceed 30 initial vertical footcandles with a maximum to minimum uniformity ratio not to exceed 6:1.
8. Under canopy lighting, for such applications as gasoline service stations, hotel and theater marquees, fast food and drugstore drive-through facilities, shall utilize flat-lens full cutoff fixtures aimed straight down and shielded in such a manner that the lowest opaque edge of the fixture shall be below the light source at all lateral angles. The illumination of the area directly below the canopy shall not exceed 20 average footcandles and the maximum shall not exceed 30 footcandles.
9. The use of white strobe lighting for tall structures such as smokestacks, chimneys, radio/communication/television towers is prohibited during hours of darkness, except as specifically required by the FAA.

C. Installation

1. New electrical feeds shall be run underground.
2. Poles in parking areas shall be protected by being placed on concrete pedestals at least 30 inches high above the pavement and shielded by bollards or placed a minimum of 5 feet outside the paved area or any wheel stops within landscaped islands or end caps.
3. Except for the lighting authorized by this chapter for certain recreational uses, fixtures not meeting IESNA full-cutoff criteria shall not be mounted in excess of 16 feet above finished grade. Fixtures meeting IESNA full-cutoff criteria shall

ARTICLE V Design Standards

not be mounted in excess of 20 feet above finished grade. For illumination of areas containing more than 100 contiguous parking spaces, a mounting height of 25 feet may be permitted for fixtures meeting IESNA full-cutoff criteria when it can be demonstrated that light trespass and glare control meets the requirements of this chapter.

4. Pole mounted fixtures for horizontal illumination shall be aimed straight down and poles shall be plumb.
- D. Lighting Plan. Where lighting of buildings, signs, parking areas, and other site features is proposed under this §780-522, a photometric plan containing the information required by §780-402C (13) shall be submitted.

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APPENDIX 1 Drafting Standards for Plans for Recording

As of the effective date of this Ordinance, the Allegheny County Department of Real Estate (ACDRE) will only accept plans for recording drawn on paper. Transparencies (mylars) of plans will not be accepted. The drafting standards listed below are the minimum required standards for subdivisions, planned residential developments, and site plans to be recorded in Allegheny County:

1. The paper copy of a plan of subdivision that will be presented to ACDRE for recording must have **both the embossed seal and the ink seal** of the PA licensed land surveyor who prepared the plan. **No plan of subdivision will be accepted that is not sealed as hereby required.**
 - a. In the case of site plan not prepared by a surveyor, the same shall apply in regard to seal of the registered professional engineer, landscape architect or architect who prepared the plan.
2. All plans presented to ACDRE for recording must be original drawings made on good quality white paper. If requested, the County will also sign and seal one (1) mylar copy of the plan for the applicant's use.
3. The minimum acceptable size for record plans is 17" x 22" (reproducible area dimensions), and the maximum acceptable size is 22" x 34" (reproducible area dimensions).
4. All signatures, dates and seals on the copy of the plan presented to ACDRE for recording must be made with permanent **navy blue** ink or felt-tipped pen.
5. All declarations, certifications, notations, areas, lot line descriptions and other information on the plan shall be in permanent black ink and shall be typed or plotted on the plan. The minimum acceptable font size shall be 1/8" (or 10 points).
6. Required certifications for record plans are in Appendix 3. All required certifications, declarations, and other clauses must be provided, and must be signed, witnessed, dated and sealed as required.
7. The minimum acceptable drawing scale for the plat of the actual subdivision is 1" = 100".
8. All boundary lines in the subdivision must be completely described as specified in Appendix 4. All such descriptions must be completely legible. Missing, illegible or incorrect information shall be cause for rejection of the plan.
 - a. Screening, opaque backgrounds, cross-hatching and the like should not be used as they may cause the plan to be rejected if a clear, legible image of the subdivision cannot be obtained.
9. A total plan area, and areas for all of the lots, parcels and other units of land in the subdivision must be provided. All areas must be given both acres and square feet.

APPENDIX 1 Drafting Standards for Plans for Recording

10. All subdivision record plans shall have a title block prepared in accordance with §780-402A.2 and a site location map drawn to scale. Color reproductions of USGS Quad maps may not be used, however, as they are not legible on the plan book record.

The following are the administrative regulations of the Recorder of Deeds for the preparation of plans for recording:

- A. ~~All plats or plans shall be drawn on mylar. Sepias, vellums and reverse print mylars will not be accepted. For recording purposes, the best quality mylars are wash-off or fixed-line mylars.~~
- B. ~~Standard size sheets of drafting material should be used. The actual reproducible area of drawing on a sheet shall not be smaller than 17 inches by 22 inches and shall not be larger than 22 inches by 34 inches.~~
- C. ~~All plats or plans shall be drawn or plotted with black drafting or plotter ink.~~
- D. ~~All dedications, acknowledgments, certifications, approvals, etc., shall be made with black drafting or plotter ink or a varityping process which will enable adequate reproduction.~~
- E. ~~All signatures and dates shall be made with permanent black ink using a felt tipped pen or drafting pen.~~
- F. ~~All plans shall be drawn to a scale no smaller than 100 feet to the inch.~~
- G. ~~All condominium floor plans shall be drawn to a scale no smaller than 1/8 inch to the foot.~~
- H. ~~All plats and plans shall be of sufficient size, within the parameters set forth in Subsection B above, to clearly show all dimensions, notations and other printed matter with sufficient legibility and clarity to permit adequate reproduction.~~

**APPENDIX 2 ACDRE Rules and Regulations Affecting the Preparation of
Subdivision Record Plans**

Subdivision record plans must meet certain minimum standards and requirements in order for the Allegheny County Department of Real Estate (ACDRE) to effect the transfer of real property shown on the subdivision record plan. Applicants are advised that ACDRE may have additional requirements not included herein. ACDRE will from time to time make available guidelines and other helpful information on its website.

1. **Recording a plan of subdivision does not, in and of itself, effect a transfer of title to property.** After the plan of subdivision has been recorded, the landowner/s must record the deed/s of conveyance in order for the title to the property to be transferred from one landowner to another.
2. The plat of the proposed subdivision must include the entire property regardless of the size (area) or configuration of the property.
3. The term “parcel as used by ACDRE means a unit of land assigned a tax parcel identification number. A designated tax parcel may include one or more lots of record.
4. The current deed/s of record for a property in a proposed subdivision must be cited in the title clause on the plan of subdivision.
5. All landowners named in the deed/s of record to a property in a proposed subdivision must be identified on the plan of subdivision and must sign the required landowner declarations.
 - a. If a landowner named in a deed of record is deceased, the name of that landowner must be included in the landowner declarations with the word “deceased” following the owner’s name.
6. If the party signing as landowner is the executor/executrix of an estate they must be clearly identified as such and the Will Book and Page/Estate File Number provided on the plan.
7. The name of a landowner on a plan of subdivision must be cited exactly as it appears in the landowner’s deed/s to the property.
8. If a plan of subdivision includes more than one property, all owners of record of the properties in the subdivision must be identified on the plan of subdivision. All owners of record must be provided with, and must sign, the required landowner declarations.
9. Property may only be subdivided by the landowner or the beneficial landowner of record. If a plan of subdivision is signed by a “beneficial landowner” (see §780-202 Definitions) the appropriate documentation must be recorded with ACDRE and referenced on the plan.
10. If a party with power of attorney signs on behalf of a landowner, the power of attorney instrument must be recorded in the County’s Power of Attorney Books and the volume and page numbers (POA book vl/pg. #) cited on the plan of subdivision.

APPENDIX 2 ACDRE Rules and Regulations Affecting the Preparation of Subdivision
Record Plans

- a. Out of state power of attorney instruments must likewise be recorded in Allegheny County.
11. If a plan of subdivision includes property within a right-of-way vacated by ordinance of the municipality, the ordinance of vacation must be recorded with ACDRE and referenced on the plan.

APPENDIX 3 2 Required Certifications

APPENDIX 3 2 Required Certifications

Note: The information enclosed in parenthesis is information that the applicant must provide on the final plan, as appropriate.

The certifications shown below must be placed on the plan for recording:

1. OWNER'S ADOPTION AND DEDICATION. Slightly different forms are required for individual owners, partnerships, and corporations. If an individual with power of attorney signs on behalf of an owner, the volume and page number in which the power of attorney is recorded must be shown. Signatures must be witnessed.

A. To be Used for Individual Owner or Owners. All owners must sign or the certification may be repeated for multiple owners.

(I/we), owner(s) or beneficial owner(s)* of the land shown on the (Name of plan), hereby adopt this plan as (my/our) (plan of lots or land development) and irrevocably dedicate all streets and other property identified for dedication on the plan to the (municipality). This adoption and dedication shall be binding upon (my/our) heirs, executors, and assigns.

IN WITNESS OF WHICH, to this (I, WE) set (My, Our) hand and seal this _____ day of _____ 20____.

ATTEST:

Notary Public Signature of owner(s)

B. To be Used For Partnerships. A general partner must sign.

The (Name of partnership), (owner or beneficial owner)* of the land shown on the (name of plan) hereby adopts this plan as its (plan of lots or land development) and irrevocably dedicates all streets and other property identified for dedication on the plan to the (municipality). This adoption and dedication shall be binding upon the partnership and upon its heirs, executors and assigns.

IN WITNESS OF WHICH, to this (I, WE) set (My, Our) hand and seal this _____ day of _____ 20____.

ATTEST:

Notary Public Signature of general partner

APPENDIX 3 2 Required Certifications

- C. To be Used for Corporations. A corporate officer must sign, and another officer must witness. The corporate seal must be affixed.

By a resolution approved on the _____ day of _____ 20 ____, the Board of Directors of the (Name of corporation), incorporated in the state of (Name of state), (owner or beneficial owner*) of the land shown on the (Name of plan) adopted this plan as its (plan of lots or land development) and irrevocably dedicated all streets and other property identified for dedication on the plan to the (municipality). This adoption and dedication shall be binding upon the corporation and upon its successors and assigns.

(Seal)

Name of Corporation

Signature and title of officer

Signature and of title of authorized officer
witnessing

Date

* Landowner is defined in the Municipalities Planning Code as “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 condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.” Developer is defined as “any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.” An applicant is a “landowner or developer . . . who has filed an application for development, including his heirs, successors, and assigns.” Thus, the adoption and dedication clause may be executed by any person or entity who falls within the MPC definition of landowner or developer.

APPENDIX 3 2 Required Certifications

2. ACKNOWLEDGMENT OF NOTARY PUBLIC. The owner's adoption and dedication must be acknowledged by a notary public. The black notary stamp must be affixed. The following certifications indicate the slightly different language that may be used to acknowledge individual, partnership, and corporate adoptions and dedications.

A. Acknowledgment of Individual Owner's Adoption and Dedication.

Before me, the undersigned Notary Public in and for the Commonwealth of Pennsylvania and County of Allegheny, personally appeared the above named (Name of owner(s)), and acknowledged the foregoing adoption and dedication to be (his, her, their) act.

Witness my hand and notarial seal this ____ day of _____ 20 ____.

My commission expires the ____ day of _____, 20 ____.

(Seal)

Notary Public

B. Acknowledgment of Partnership Adoption and Dedication.

Before me, the undersigned Notary Public in and for the Commonwealth of Pennsylvania and County of Allegheny, personally appeared the above named (Name of general partner), a partner in the firm of (name of firm), and acknowledged the foregoing adoption and dedication to be the act of the partnership.

Witness my hand and notarial seal this ____ day of _____ 20 ____.

My commission expires the ____ day of _____, 20 ____.

(Seal)

Notary Public

C. Acknowledgment of Corporate Adoption and Dedication.

Before me, the undersigned Notary Public in and for the Commonwealth of Pennsylvania and County of Allegheny, personally appeared (Name and title of officer) of the (Name of corporation), who stated that (he/she) is authorized to execute the above adoption and dedication on behalf of the corporation and was present at the meeting at which the action of the corporation was taken to adopt the plan and dedicate public property contained therein to the (Name of municipality).

Witness my hand and notarial seal this ____ day of _____ 20 ____.

My commission expires the ____ day of _____, 20 ____.

APPENDIX 3 2 Required Certifications

(Seal)

Notary Public

3. CERTIFICATION OF TITLE AND CONCURRENCE OF MORTGAGEE WHERE APPLICABLE. The deed book volume and page numbers in which the title to all of the property contained in the plan is recorded must be noted on the plan for recording and certified by the signature of the owner. If there is no mortgage or encumbrance against the property, a statement to that effect is included. If there is a mortgage or encumbrance, the mortgagee must consent to the recording of the plan. Signatures must be witnessed.

A. Certification of Title and No Mortgage.

(I/we) hereby certify that the title to the property contained in the (Name of subdivision or land development) is in the name of _____ and is recorded in deed book volume _____, page _____. (I/we) further certify that there is no mortgage, lien, or other encumbrance against this property.

Witness

Owner

B. Certification of Title With Mortgage and Consent of Mortgagee.

(I/we) hereby certify that the title to the property contained in the (Name of subdivision or land development) is in the name of _____ and is recorded in deed book volume _____, page _____.

Witness

Owner

(Name of mortgagee), mortgagee of the property contained in the (Name of subdivision or land development) consents to the recording of said plan and to the dedications and all other matters appearing on the plan.

Witness

Name, title, and mortgagee

4. SURVEYOR'S CERTIFICATION. Every plan for recording must be prepared by or under the supervision of a registered surveyor, who must certify the accuracy of the survey and affix his seal.

I certify that, to the best of my information, knowledge and belief the survey and plan shown here on are correct and accurate to the standards required.

APPENDIX 3 2 Required Certifications

Date Name

(Seal) _____
Registration number

Where further certification by a registered professional (see § ~~150780~~-11, definition of “registered professional”) is required, in addition to the surveyor’s certification, the certification shall state the portion of the plan for which the signatory is responsible.

5. MUNICIPAL ENGINEER’S CERTIFICATION. The engineer for the municipality in which the plan is located must certify that the plan meets the engineering and design requirements of all applicable municipal ordinances. This is required whether the plan is located in a municipality which has a subdivision and land development ordinance or a municipality in which the County has approval authority. In the latter case, the “applicable” ordinances will not include the subdivision and land development regulations, but may include zoning, stormwater management, floodplain, grading, etc.

I certify that this plan meets all engineering and design requirements of the applicable ordinances of the (Name of municipality), except as departures have been authorized by the appropriate officials of the municipality.

Date Name

(Seal) _____
Registration number

6. MUNICIPAL DECLARATIONS

- A. No Acceptance of Dedication. A declaration must be placed on any plan that shows dedication of streets or other property to the municipality that the dedication imposes no responsibility upon the municipality for acceptance of the dedication, or for the improvement or maintenance of any dedicated facility until the dedication is accepted by ordinance.

The (Name of governing body), of the (Name of municipality) gives notice that, in approving this plan for recording, the (Name of municipality) assumes no obligation to accept the dedication of any streets, land or public facilities and has no obligation to improve or maintain such streets, land or facilities.

APPENDIX 3 2 Required Certifications

Secretary or Manager

Head of governing body

- B. No Building Permits Without Approved Sewage Facilities. Although sewage facilities should be approved by the time of recording, this declaration clarifies that buildings may not be constructed without approval of sewage facilities. The municipal secretary or manager may sign this declaration.

The (Name of municipality) agrees not to issue building permits until the “Planning Module for Land Development” has been approved in accordance with the regulations of the Pennsylvania Department of Environmental Protection.

Date

Authorized municipal official

7. OTHER REQUIRED STATEMENTS

- A. For Plans Where Sewage Facilities are not Required. If a nonbuilding waiver of sewage facilities requirements has been approved, the following statement must be placed on the plan for recording.

As of the date of this plan’s approval by the approving authority, no development of any land contained in this subdivision or land development for any purpose requiring sanitary sewage facilities is planned. No portion of this property has been approved by the municipality or the Department of Environmental ~~Resources~~Protection for the installation of sewage disposal facilities. No sewage permit will be issued for the installation, construction, connection to or use of any sewage collection, conveyance, treatment or disposal system unless the municipality and the DER have both approved sewage facilities planning for the property included in this plan in accordance with the Pennsylvania Sewage Facilities Act (35 P.S. § 750.1 et seq.) And regulations promulgated thereunder. Prior to the transfer of any lot or property included in this plan, any purchaser should contact appropriate officials of the municipality, which is charged with administering the Sewage Facilities Act, to determine what sewage facilities planning is required and the procedure and requirements for obtaining appropriate permits or approvals.

- B. For Plans Requiring Access to State Highways. Section 508(6) of the Municipalities Planning Code requires that no plat requiring access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless the plat contains the following statement:

A highway occupancy permit is required pursuant to § 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the “State Highway Law” before driveway access to a State highway is permitted.

APPENDIX 3 2 Required Certifications

9. PROOF OF RECORDING. The plan must include a signature space for the Recorder of Deeds Department of Real Estate as follows:

Recorded in the office of the Recorder of Deeds Department of Real Estate of the County of Allegheny, Commonwealth of Pennsylvania, in Plan Book Volume _____, Page(s) _____.

Given under my hand and seal this _____ day of _____, 20 _____.

(Seal)

Recorder of Deeds Department of Real Estate

~~NOTE: SIMPLIFIED APPROVAL FOR ATTACHED DWELLING LOT LINES.~~

~~The existing County subdivision regulations contain a provision at §504.3 which states:~~

~~Townhouse and Garden Apartment Lot Lines in cases where a plan is submitted for approval without all lot lines finalized the owner/developer shall be required to certify that he/she will record a survey of final construction for each lot with the Office of the Recorder of Deeds of Allegheny County prior to any conveyance of any part thereof. Said survey of final construction shall be signed by the owner/developer, certified as accurate by a registered surveyor and submitted to the Allegheny County Subdivision Administrator for his/her certification of compliance with original plan prior to recording.~~

~~There is a certification that accompanies the final survey that states that the survey is accurate, tells where the title to the property is recorded included the witnessed and notarized signature of the owner; a surveyor's certification; notation of the County planning agency's review or approval; and the recorder's notation.~~

~~The municipality does not review or approve these surveys of final construction.~~

~~While this procedure may have been acceptable under the Second Class County Code, it exceeds the authority given to the County by the MPC. It was developed to address the common practice of conveying townhouse units by deed without a surveyed description of the land that was being transferred. This created problems for the County's property records.~~

~~If the original subdivision or land development plan shows the large lots on which townhouse or similar structures are to be constructed, then the division of one of those larger lots into smaller divisions is really just a resubdivision or further subdivision, which should be handled like any other subdivision plan. This would include, in municipalities which have ordinances, submission to and approval by the municipality, and review prior to recording by the County.~~

~~Therefore, the certifications contained in the former ordinance that were designed for the recording of townhouse or attached dwelling lot lines have been deleted.~~

APPENDIX 3 2 Required Certifications

~~To cover this situation, this category of subdivision has been added to the definition of “plat adjustment,” which will make it eligible for recording after approval of the signed transparency by the Department. A municipal sign-off, however, would be required in municipalities with ordinances in effect. The County’s expedited processing for minor subdivisions and plat adjustments in this ordinance are offered to municipalities that have their own ordinances if they choose to utilize them and if they are consistent with their own ordinance requirements.~~

APPENDIX 4 3 Standards for Surveys

Surveys shall be performed generally in accordance with standards set forth in the most recent standards published by the Pennsylvania Society of Land Surveyors. Closure requirements, in terms of angular closure and/or lineal ratios of $1/x$, shall relate to the closure of the original random traverse performed to create the outer boundary of the subdivision or site in question. If the survey was performed by survey measurements taken on the actual property lines with no random traversing created, then closure accuracies shall relate to the raw, unadjusted closure of the surveys thus performed. All subsequent survey data created from this field survey shall indicate closures of not less than $1/100,000$ or better.

All care and diligence will be extended to assure that any survey correctly reflects the property or right-of-way lines as originally established, and honors to the largest degree possible, all rights of adjoining and the parent tract. **All surveys shall be performed in the field, and no office developed subdivisions will be accepted.** Copies of field data and calculations may be requested at the option of the Department. All bearing notations should show degrees, minutes and seconds with the appropriate quadrant, such as northeast, southwest, etc. Linear dimensions shall be shown to not less than $1/100$ of a foot on all measurements. Full centerline and right-of-way geometry shall be shown. Curve data in the form of arc, delta, radius, cord and tangent should be provided on all streets. In the case of redundant arc segments within a fully defined arc length on a right-of-way only, such arc segments may be limited to arc, delta and radius.

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APPENDIX 5 4 Stormwater Management Provisions for Subdivisions and Land Developments Where Municipal Regulations Are Not in Effect

APPENDIX 5–4 Stormwater Management Provisions for Subdivisions and Land Developments Where Municipal Regulations Are Not in Effect

§A5-4-1. General provisions

A. Purpose. These regulations are adopted and implemented to achieve the following general purposes and objectives:

1. To manage and control stormwater runoff resulting from land alteration and disturbance activities.
2. To utilize and preserve the desirable existing natural drainage systems and to preserve the flood-carrying capacity of streams.
3. To encourage natural infiltration of rainfall to preserve groundwater supplies and stream flows.
4. To provide for adequate maintenance of all permanent stormwater management structures in the municipality.
5. Manage stormwater as a resource.
6. Preserve and utilize existing natural features.
7. Manage stormwater as close to the source as possible.
8. Sustain the hydrologic balance of surface and ground water.
9. Disconnect, decentralize and distribute sources and discharges.
10. Reduce stormwater runoff rates and volumes.
11. Prevent potential water quality and quantity problems.
12. Integrate stormwater management into the initial site design process

B. Applicability. These provisions shall apply to all subdivisions and land developments which will affect stormwater runoff characteristics and which are not subject to municipal stormwater management regulations.

C. Liability disclaimer.

1. Neither the granting of any approval under these stormwater management provisions, nor compliance with these provisions, or with any condition imposed by a County or municipal official hereunder, shall relieve any person from any responsibility for damage to persons or property resulting therefrom, or as otherwise imposed by law, nor impose any liability upon the County or municipality for damages to persons or property.
2. The granting of a permit which includes any stormwater management facilities shall not constitute a representation, guarantee or warranty of any kind by the County or municipality, or by any official or employee thereof, of the practicability or safety of any structure, use or other plan proposed, and shall

APPENDIX 5 4 Stormwater Management Provisions for Subdivisions and Land Developments Where Municipal Regulations Are Not in Effect

create no liability upon or cause of action against such public body, official or employee for any damage that may result pursuant thereto.

§A5-4-2. Stormwater management performance standards

A. General standards.

1. The following provisions shall be considered the overriding performance standards against which all proposed stormwater control measures shall be evaluated. Any landowner and any person engaged in the alteration or development of land which may affect stormwater runoff characteristics shall implement such measures as are reasonably necessary to prevent injury to health, safety or other property. Such measures shall include such actions as are required: The basic requirements for controlling stormwater volume and maintaining stormwater quality are stated in two Control Guidelines.
 - a. To assure that the maximum rate of stormwater runoff is no greater after development than prior to development activities. CG1 – Do not increase the post-development runoff volume for the 2 yr/24 hour storm event. Pre-development pervious, non-forested areas must be assumed to be pervious meadowland (good condition). For redevelopment areas, 20% of existing impervious areas must be assumed to be meadowland (good condition).
 - b. To manage the quantity, velocity and direction of resulting stormwater runoff in a manner which otherwise adequately protects health property from possible injury. CG2 – For areas of 1 acre or less, the first 2 inches of stormwater must be captured from all impervious areas. At least the first 1 inch of stormwater shall be permanently removed from runoff. At least the first ½ inch must be infiltrated. The second ½ inch may be infiltrated, reused, evaporated or transpired (biological uptake). The second inch of stormwater must be released over 24 to 72 hours.
 - c. In addition the controls must be designed to maintain water quality as described in the PADEP Stormwater BMP Manual.
2. The stormwater management plan for the development site must consider all the stormwater runoff flowing over the site.
3. No discharge of toxic materials shall be permitted into any stormwater management system.

B. Specific standards.

1. Storm frequencies. Stormwater management facilities on all development sites shall control the peak stormwater discharge for the two-, ten-, twenty-five and one-hundred-year storm frequencies. The SCS twenty-four-hour, Type II Rainfall Distribution shall be used for analyzing stormwater runoff for both pre- and post-development conditions. The Precipitation Frequency Atlas of the United States”, NOAA Atlas 14, available online at <http://hdsc.nws.noaa.gov/hdsc/pfds> should be consulted for twenty-four- hour

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total rainfall for various areas of Allegheny County. The twenty-four hour total rainfall these storm frequencies depths for the Pittsburgh International Airport (as of May 6, 2011) are:

Storm Frequency	Rainfall Depth (inches)
2-year	2.50 <u>2.3</u>
<u>5-year</u>	<u>2.9</u>
10-year	3.61 <u>3.3</u>
25-year	4.31 <u>3.9</u>
100-year	5.71 <u>4.9</u>

(For additional information or data on other storm return periods, consult the "Rainfall Duration Frequency Tables for Pennsylvania," produced by PennDER, Office of Resource Management, Bureau of Dams and Waterways Management, Division of Stormwater Management, Harrisburg, February 1983. "Precipitation Frequency Atlas of the United States", NOAA Atlas 14, available online at <http://hdsc.nws.noaa.gov/hdsc/pfds>)

2. Calculation methods.

- a. Development sites. For the purpose of computing peak flow rates and runoff hydrographs from development sites, calculations shall be performed using one of the following: SCS publications, Technical Release (TR) 55 or 20, HEC I HMS 2003, or Penn State Runoff Model.
- b. Stormwater collection/conveyance facilities. For the purposes of designing storm sewers, open swales and other stormwater runoff collection and conveyance facilities, any of the above calculation methods or the Rational Method may be used. Rainfall intensities for design should be obtained from the Pennsylvania Department of Transportation rainfall charts.
- c. Predevelopment conditions. Predevelopment conditions shall be assumed to be those which exist on any site at the time of filing an application for approval of a subdivision or land development. Hydrologic conditions for all areas with pervious cover (i.e., fields, woods, lawn areas, pastures, cropland, etc.) shall be assumed to be in "good" condition, and the lowest recommended SCS runoff curve number (CN) shall be applied for all pervious land uses within the respective range for each land use and hydrologic soil group.
- d. Routing of hydrographs through detention/retention facilities for the purpose of design those facilities shall be accomplished using the Modified-Plus Method or recognized reservoir routing method subject to the approval of the Allegheny County Planning Department (Department).

3. Release rate percentage.

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- a. Definition. The release rate percentage defines the percentage of the predevelopment peak rate of runoff that can be discharged from an outfall on the site after development. It applies uniformly to all land development or alterations. The release rate for all development sites in watersheds where watershed stormwater management plans have not been adopted shall be 100%.
- b. Procedure for use.
 1. Compute the pre- and post-development runoff hydrographs for each stormwater outfall on the development site using an acceptable calculation method for the two-, ten-, twenty-five- and one-hundred-year storms. Apply no on-site detention for stormwater management but include any techniques to minimize impervious surfaces and/or increase the time of concentration for stormwater runoff rate and the runoff volume are less than or equal to the predevelopment peak runoff rate and volume, then additional stormwater control shall not be required at that outfall. If the post-development peak runoff rate and volume are greater than the predevelopment peak runoff rate and volume, then stormwater detention will be required and the capacity of the detention facility must be calculated in the manner prescribed below.
 2. Multiply the release rate percentage by the predevelopment rate of runoff from the development site to determine the maximum allowable release from any detention facility for the four prescribed storm events.
 3. Design the outlet control facilities and size the volume of the detention facility using the calculated post development hydrograph and accepted hydrograph routing procedures in consideration of the maximum allowable release rate.

§A5-4-3. Design criteria for stormwater management controls

A. General criteria.

1. Applicants may select runoff control techniques, or a combination of techniques, which are most suitable to control stormwater runoff from the development site. All controls shall be subject to approval of the Department and municipal engineer. The Department or municipal engineer may request specific information on design and/or operating features of the proposed stormwater controls in order to determine their suitability and adequacy in terms of the standards of these provisions.
2. The applicant should consider the effect of the proposed stormwater management techniques on any special soil conditions or geological hazards which may exist on the development site. In the event such conditions are identified on the site, the Department or municipal engineer may require in-

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depth studies by a competent geotechnical engineer. Not all stormwater control methods may be advisable or allowable at a particular development site.

3. The stormwater management practices to be used in developing a stormwater management plan for a particular site shall be selected according to the following order of preference:
 - a. Infiltration of runoff on site.
 - b. Flow attenuation by use of open vegetated swales and natural depressions.
 - c. Stormwater detention/retention structures.
4. Infiltration practices shall be used to the extent practicable to reduce volume increases and promote groundwater recharge. A combination of successive practices may be used to achieve the applicable minimum control requirements. Justification shall be provided by the applicant for rejecting each of the preferred practices based on actual site conditions.

B. Criteria for infiltration systems.

1. Infiltration systems shall be sized and designed based upon local soil and groundwater conditions.
2. Infiltration systems greater than three feet deep shall be located at least 10 feet from basement walls.
3. Infiltration systems shall not be used to handle runoff from commercial or industrial working or parking areas. This prohibition does not extend to roof areas which are demonstrated to be suitably protected from the effects of the commercial/industrial activities.
4. Infiltration systems may not receive runoff until the entire drainage area to the system has received final stabilization.
5. The stormwater infiltration facility design shall provide an overflow system with measures to provide a nonerosive velocity of flow along its length and at the outfall.

C. Criteria for stormwater detention facilities.

1. If detention facilities are utilized for the development site, the facility(ies) shall be designed such that post-development peak runoff rates from the developed site are controlled to the pre-development peak rate of runoff for the two-, ten-, twenty-five- and one-hundred-year storm frequencies.
2. All detention facilities shall be equipped with outlet structures to provide discharge control for the four designated storm frequencies. Provisions shall also be made to safely pass, at minimum, the post-development one-hundred-year storm runoff without breaching or otherwise damaging (i.e., impairing the continued function of) the facilities.

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3. Where detention facilities will be utilized, multiple use facilities, such as wetlands, lakes, ballfields or similar recreational/ open space uses are encouraged wherever feasible, subject to the approval of the municipality and Pennsylvania Department of Environmental Resources' Chapter 105 Regulations.
 4. Other considerations which should be incorporated into the design of the detention facilities include:
 - a. Inflow and outflow structures shall be designed and installed to prevent erosion, and bottoms of impoundment type structures should be protected from soil erosion.
 - b. Control and removal of debris both in the storage structure and in all inlet or outlet devices shall be a design consideration.
 - c. Inflow and outflow structures, pumping stations, and other structures shall be designed and protected to minimize safety hazards.
 - d. The water depth at the perimeter of a storage pond should be limited to that which is safe for children. This is especially necessary if bank slopes are steep or if ponds are full and recirculating in dry periods. Restriction of access (fence, walls, etc.) may be necessary depending on the location of the facility.
 - e. The combined side slopes of storage ponds/detention basin embankments shall not exceed a ratio of two and one-half to be less than five to one horizontal to vertical dimensions (e.g. one side 2:1 and the other side 3:1 or flatter).
 - f. Landscaping shall be provided for the facility which harmonizes with the surrounding area.
 - g. Facility shall be located to facilitate maintenance, considering the frequency and type of equipment that will be required.
- D. Criteria for collection/conveyance facilities. (NOTE: Specific design and construction details required or recommended herein may be modified after consultation with the municipal engineer in order to reflect the municipality's standard practices, local conditions and preferences.)
1. All stormwater runoff collection or conveyance facilities, whether storm sewers or other open or closed channels, shall be designed in accordance with the following basic standards:
 - a. All sites shall be graded to provide drainage away from and around the structure in order to prevent any potential flooding damage.
 - b. Lots located on the high side of streets shall extend roof and french drains to the curb line storm sewer (if applicable). Low side lots shall extend roof and french drains to a stormwater collection/

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- conveyance/control system or natural watercourse in accordance with the approved stormwater management plan for the development site.
- c. Collection/Conveyance facilities should not be installed parallel and close to the top or bottom of a major embankment to avoid the possibility of failing or causing the embankment to fail.
 - d. All collection /conveyance facilities shall be designed to convey the twenty-five-year storm peak flow rate from the contributing drainage area and to carry it to the nearest suitable outlet such as a stormwater control facility, curbed street, storm sewer or natural watercourse.
 - e. Where drainage swales or open channels are used, they shall be suitably lined to prevent erosion and designed to avoid excessive velocities.
2. Wherever storm sewers are proposed to be utilized, they shall comply with the following criteria:
- a. Where practical, designed to traverse under seeded and planted areas. If constructed within 10 feet of road paving, walks or other surfaced areas, drains shall have a narrow trench and maximum compaction of backfill to prevent settlement of the superimposed surface or development.
 - b. Preferably installed after excavating and filling in the area to be traversed is completed, unless the drain is installed in the original ground with a minimum of three feet cover and/or adequate protection during the fill construction.
 - c. Designed:
 1. With cradle when traversing fill areas of indeterminable stability.
 2. With anchors when gradient exceeds 20%.
 3. With encasement or special backfill requirements when traversing under a paved area.
 - d. Designed to adequately handle the anticipated stormwater flow and be economical to construct and maintain. The minimum pipe size shall be 15 inches in diameter.
 - e. Drain pipe, trenching, bedding and backfilling requirements shall conform to the requirements of the municipality and/or applicable PennDOT Specifications, Form 408.
 - f. All corrugated metal pipe shall be polymer coated, and with asbestos bonding and paved inverts where prone to erode. Pipe within a municipal right-of-way shall be reinforced concrete pipe with a minimum diameter of 15 inches.

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- g. Storm inlets and structures shall be designed to be adequate, safe, self-cleaning, and unobtrusive and consistent with municipal standards.
- h. Appropriate grates shall be designed for all catch basins, stormwater inlets, and other entrance appurtenances.
- i. Manholes shall be designed so that the top shall be at finished grade and sloped to conform to the slope of the finished grade. Top castings of structures located in roads or parking areas shall be machined or installed to preclude "rattling."
- j. Where a proposed sewer connects with an existing storm sewer system, the applicant shall demonstrate that sufficient capacity exists in the downstream system to handle the additional flow.
- k. Storm sewer outfalls shall be equipped with energy dissipation devices to prevent erosion and conform with applicable requirements of the Pennsylvania DER for stream encroachments (Chapter 105 of Pennsylvania DER Rules and Regulations).

§A5-4-4. Erosion and sedimentation controls

- A. An erosion/sedimentation pollution control plan shall be provided in accordance with the Pennsylvania Erosion/Sedimentation Regulations (25 Pa.Code Chapter 102), the standards and guidelines of the Allegheny County Conservation District and the Allegheny County Subdivision and Land Development Ordinance.
- B. Proposed erosion/sedimentation control measures shall be submitted with the stormwater management plan as part of the preliminary and final applications.

§A5-4-5. Maintenance of stormwater management controls

- A. Maintenance responsibilities.
 - 1. The stormwater management plan for the development site shall contain an operation and maintenance plan prepared by the developer and approved by the municipality after recommendation by the municipal engineer. The operation and maintenance plan shall outline required routine maintenance actions and schedules necessary to insure proper operation of the facility(ies).
 - 2. The stormwater management plan for the development site shall establish responsibilities for the continuing operation and maintenance of all proposed stormwater control facilities, consistent with the following principles:
 - a. If a development consists of structures or lots which are to be separately owned and in which streets, sewers, and other public improvements are to be dedicated to the municipality, stormwater control facilities should also be dedicated to and maintained by the municipality.
 - b. If a development site is to be maintained in single ownership, or if sewers and other public improvements are to be privately owned and

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maintained, then the ownership and maintenance of stormwater control facilities should be the responsibility of the owner or private management entity.

- c. The municipal governing body, upon recommendation of the municipal engineer, shall make the final determination on ownership of facilities and continuing maintenance responsibilities prior to final approval of the stormwater management plan.

B. Maintenance agreement for privately owned stormwater facilities.

1. Prior to final approval of the site's stormwater management plan, the property owner shall sign and record a maintenance agreement covering all stormwater control facilities which are to be privately owned. The agreement shall stipulate that:

- a. The owner shall maintain all facilities in accordance with the approved maintenance schedule and shall keep all facilities in a safe and attractive manner.
- b. The owner shall convey to the municipality easements and/or rights-of-way to assure access for periodic inspections by the municipality and maintenance if required.
- c. The owner shall keep on file with the municipality the name, address and telephone number of the person or company responsible for maintenance activities; in the event of a change, new information will be submitted to the municipality within 10 days of the change.
- d. If the owner fails to maintain the stormwater control facilities following due notice by the municipality to correct the problem(s), the municipality may perform the necessary maintenance work or corrective work; and the owner shall reimburse the municipality for all costs.

2. Other items may be included in the agreement when determined necessary to guarantee the satisfactory maintenance of all facilities. The maintenance agreement shall be subject to the review and approval of the municipal solicitor and governing body.

C. Municipal Stormwater Maintenance Fund. (NOTE: This provision is an example of one way that a municipality could establish a special fund to finance its maintenance and inspection activities for stormwater retention/detention facilities. It is an optional provision. If a municipality is interested in establishing such a fund, it is recommended that it consult with its solicitor for legal requirements and procedures.)

1. Persons installing stormwater storage facilities shall be required to pay a specified amount to the Municipal Stormwater Maintenance Fund to help defray costs of periodic inspections and maintenance expenses. The amount of the deposit shall be determined as follows:

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- a. If the storage facility is to be privately owned and maintained, the deposit shall cover the cost of periodic inspections performed by the municipality for a period of 10 years, as estimated by the municipal engineer. After that period of time, inspections will be performed at the expense of the municipality.
 - b. If the storage facility is to be owned and maintained by the municipality, the deposit shall cover the estimated costs for maintenance and inspections for 10 years. The municipal engineer will establish the estimated costs utilizing information submitted by the applicant.
 - c. The amount of the deposit to the fund shall be converted to present worth of the annual series values. The municipal engineer shall determine the present worth equivalents which shall be subject to the approval of the governing body.
2. If a storage facility is proposed that also serves as a recreation facility (e.g., ballfield, lake), the municipality may reduce or waive the amount of the maintenance fund deposit based upon the value of the land for public recreation purposes.
 3. If at some future time a storage facility (whether publicly or privately owned) is eliminated due to the installation of storm sewers or other storage facility, the unused portion of the maintenance fund deposit will be applied to the cost of abandoning the facility and connecting to the storm sewer system or other facility. Any amount of the deposit remaining after the costs of abandonment are paid will be returned to the depositor.

Editor's Note: The required deposit would be equal to an amount that with the interest would generate sufficient income annually to pay the maintenance and inspection costs over 10 years. If the estimated maintenance/ inspection cost is \$500 per year, instead of requiring a deposit of \$5,000 (\$500 x 10 years), the deposit would be reduced to \$3,690 with the present worth approach, assuming a six-percent annual interest rate and that the funds would be reduced to zero at the end of the 10 years.

§A5-4-6. Stormwater plan requirements

- A. General requirements. No final subdivision/land development plan shall be approved, no permit authorizing construction issued, or any earthmoving or earth ~~land~~ disturbance activity initiated until the final stormwater management plan for the development site is approved in accordance with these provisions.
- B. Exemptions for small developments.
 1. At the time of application, the Department shall determine if the subdivision/land development qualifies as a "small development" and, therefore, is eligible for a simplified stormwater plan submission. For the purpose of these provisions, a small development is any subdivision or land development which results in (or will result in when fully constructed) the

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creation of 5,000 or less square feet of impervious area and one acre or less of any land cover change.

2. Applications for small developments shall include a plan which describes the type and location of proposed on-site stormwater management techniques or the proposed connection to an existing storm sewer system. The plan should show accurately site boundaries, two-foot interval contours, locations of watershed boundaries on the site (if applicable), and any watercourses, floodplains or existing drainage facilities or structures located on the site. Contingent upon the approval of the Department and municipal engineer, alternative runoff computational techniques such as the Rational Method may be used where applicable. The Department reserves the right to require that the plan be prepared by a registered professional engineer, surveyor or landscape architect.
3. The Department and the municipal engineer shall review and approve the proposed provisions for stormwater management in accordance with the standards and requirements of this section.

C. Stormwater plan contents.

1. General format. The stormwater plan shall be drawn to a scale of not less than one inch equals 200 feet. All sheets shall contain a title block with name and address of applicant and engineer, scale, North arrow, legend and date of preparation.
2. Existing and proposed features. The plan shall show the following:
 - a. Location. Provide a key map showing the location of the development site. On all site drawings, show the boundaries of watershed(s) located on the development site and identify watershed names(s).
 - b. Floodplain boundaries. Identify one-hundred-year floodplains, if any, on the development site based on the municipal Flood Insurance Study maps.
 - c. Natural features. Show all bodies of water (natural or artificial), watercourses (permanent and intermittent), swales, wetlands and other natural drainage courses on the development site, or which will be affected by runoff from the development.
 - d. Soils. Provide an overlay showing soil types and boundaries within the development site (consult County, the Natural Resources Conservation Service (NRCS) ~~SCS~~ and US Geological Survey for information).
 - e. Contours. Show existing and final contours at intervals of two feet; in areas with slopes greater than 15%, five-foot contour intervals may be used.
 - f. Land cover. Show existing and final land cover classifications as necessary to support and illustrate the runoff calculations performed.

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Copies of permit applications may be requested by the Department where they may be helpful for the plan review.

8. Maintenance program. The application shall contain a proposed maintenance plan for all stormwater control facilities in accordance with the following:
 - a. Identify the proposed ownership entity (e.g., municipality, property owner, private corporation, homeowner's association or other entity).
 - b. Include a maintenance program for all facilities, outlining the type of maintenance activities, probable frequencies, personnel and equipment requirements, and estimated annual maintenance costs.
 - c. Identify method of financing continuing operation and maintenance if the facility is to be owned by other than the municipality or governmental agency.
 - d. Submit any legal agreements required to implement the maintenance program and copies of the maintenance agreement as required by these provisions.
9. Financial guarantees. Financial guarantees shall be provided in accordance with the provisions of the Allegheny County Subdivision and Land Development Ordinance and § 509 of the Pennsylvania Municipalities Planning Code.

§A5-4-7. Plan review procedures

A. Preapplication phase.

1. Before submitting the stormwater plan, applicants are urged to consult with the municipality, Allegheny County Planning Department and Allegheny County Conservation District on requirements for safely managing runoff from the development site in a manner consistent with municipal, County and State regulations. These agencies may also be helpful in providing necessary data for the stormwater management plan.
2. Applicants are encouraged to submit a sketch plan with a narrative description of the proposed stormwater management controls for general guidance and discussion with the Department.
3. The preapplication phase is not mandatory; any review comments provided by the Department are advisory only and do not constitute any legally binding action on the part of the County.

B. Stormwater plan reviews.

1. Submission of plans. Stormwater applications shall be submitted to the Department with the preliminary and final subdivision/land development applications.
2. Notification of affected municipalities. The Department shall notify municipalities upstream and downstream of the development site, which may be affected by the stormwater runoff and proposed controls for the site. Copies

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of the plans shall be made available by the applicant to any municipality upon request. Comments received from any affected municipality will be considered by the Department in its review.

3. Municipal review. A copy of the stormwater management plan, along with all runoff calculations, shall be forwarded by the applicant to the municipality in which the proposed development is located for review by the municipality and its engineer.
 - a. The municipal engineer shall review the stormwater management plan based on the requirements of any applicable municipal ordinances, the requirements of these provisions and good engineering practice.
 - b. A report of the findings shall be returned to the Department within 30 days.
4. Department review and determination. The Department shall review the plan and shall approve it if it complies with the provisions of this Appendix 5-4, is acceptable to the municipality in which the development is located, and will not create any harmful impacts downstream from the development site.

APPENDIX 6-5 Wellhead Protection Provisions

The wellhead protection provisions in this Appendix are taken from the Wellhead Protection Model Ordinance developed by the Allegheny County Health Department, Division of Drinking Water and Waste Management, 1995. Applicants must also comply with Title 25, PA Code Chapter 109.

ARTICLE I General Provisions

§A65-1. Statement of findings

The County of Allegheny finds that:

- A. The groundwater underlying the County is a major source of its existing and future water supply, including drinking water.
- B. The groundwater aquifers are integrally connected with, are recharged by, and flow into the surface waters, lakes and streams which constitute a major source of drinking water for the region.
- C. Accidental spills and discharges of toxic and hazardous materials may threaten the quality of such groundwater supplies and related water resources in the County posing potential public health and safety hazards.
- D. Unless preventive measures are adopted to control the discharge and storage of toxic and hazardous materials within the municipality, spills and discharges of such materials will predictably occur and with greater frequency and degree of hazard by reason of increasing construction, commercial and industrial development, population and vehicular traffic in the County.

§A65-2. Purpose

The purpose of these provisions is to protect the public health, safety and welfare through the preservation of the County's major groundwater resources to ensure a future supply of safe and healthful drinking water for the County, local residents and employees and the general public. The designation of Wellhead Protection Areas I and II and careful regulation of land use, physical facilities and other activities within these areas can reduce the potential for groundwater contamination.

§A65-3. Applicability

- A. These provisions shall only apply to those areas of the municipality which are located within Wellhead Protection Areas I and II surrounding a protected public water supply well as delineated on an official map. A map of the Wellhead Protection Areas may be obtained from the Allegheny County Health Department (ACHD).
- B. These provisions regulate the following land uses, physical facilities and activities which have the potential to contaminate groundwater:
 1. Light industry.
 2. Sewage disposal.

APPENDIX 6 5 Wellhead Protection Provisions

3. Manufacturing.
4. Injection wells.
5. Storage tanks, underground and aboveground.
6. Disposal facilities, solid waste, dumpsites.
7. Subdivisions.
8. Land developments.

§A65-4. Conflicts with other ordinances

If any provisions in the municipality's ordinances are inconsistent with any of the provisions of this Appendix 6-5, the stricter standard shall apply.

§A65-5. Compatibility with other ordinance requirements

Approvals issued pursuant to these provisions do not relieve the applicant of the responsibility to secure the required permits or approvals for activities regulated by other applicable code, rule, act or ordinance.

ARTICLE II Definitions

§A65-6. Terms defined

As used in this Appendix, the following terms shall have the meanings indicated:

ACHD

The Allegheny County Health Department.

AGRICULTURAL OPERATIONS

Those operations which include tilling, cultivation and animal husbandry, and which qualify as earthmoving pursuant to DEP Chapter 102 Rules and Regulations.

CONE OF DEPRESSION

The area surrounding a pumping well within which the water table elevation has been lowered due to groundwater withdrawal.

CONSERVATION DISTRICT

The Allegheny County Conservation District.

CONSERVATION PLAN

An erosion and sedimentation control plan prepared for agricultural properties as required by Chapter 102 of the DEP Rules and Regulations and as reviewed and approved by the Conservation District.

DEP

The Pennsylvania Department of Environmental Protection.

DETENTION POND

A basin designed to retard stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate through a defined outlet structure.

ENVIRONMENTAL HAZARD SURVEY FORM

A document authorized by the Pennsylvania Worker and Community Right-to-Know Act which, if required by the Department of Labor and Industry for a facility, describes the hazardous substances emitted, discharged or disposed of from the workplace.

EPA

The Federal Environmental Protection Agency.

HAZARDOUS MATERIAL

A product or waste, or combination of substances that because of the quantity, concentration, physical, chemical or infectious characteristics, if not properly treated, stored, transported, used or disposed of, or otherwise managed, would create a potential threat to public health through direct or indirect introduction into groundwater resources and the subsurface environment which includes the soil and all subsequent materials located below. Such hazardous material includes, but is not limited to, materials which may be included on one or more of the following lists:

- A. Occupational Safety and Health Act, 29 CFR Part 1910, Subpart Z, Extremely Hazardous Substance List.
- B. American Conference of Governmental Industrial Hygienists, Threshold Limit Values for Chemical Substances and Physical Agents in the Work Environment (latest edition).
- C. National Toxicology Program, Annual Report on Carcinogens (latest edition).
- D. International Agency for Research on Cancer Monographs (latest edition).
- E. Commonwealth of Pennsylvania, Department of Labor and Industry, Hazardous Substance List (latest edition).
- F. "Hazardous substances" defined pursuant to § 311 of the Federal Clean Water Act.
- G. "Toxic materials" defined pursuant to § 307 of the Federal Clean Water Act.
- H. "Hazardous wastes" defined pursuant to Chapter 75 of the DEP Rules and Regulations.
- I. "Hazardous Wastes" defined pursuant to § 101 of the Federal Resource Conservation and Recovery Act.

HAZARDOUS SUBSTANCE SURVEY FORM

A document required by the Pennsylvania Worker and Community Right-to-Know Act which provides a listing of all hazardous substances found in the workplace.

LARGE-VOLUME SUBSURFACE SEWAGE DISPOSAL SYSTEM

A sewage disposal facility which is designed to discharge directly to the soil profile, whether natural or enhanced, and which has a design capacity in excess of 10,000 gallons per day.

LIGHT INDUSTRY

Industrial, commercial, public or retail establishments which engage in manufacturing, fabrication or service activities and which appear on the following list:

- A. Bulk agricultural products dealers and distributors.
- B. Mining and quarrying.
- C. Highway deicing material storage.
- D. Textile and apparel products.
- E. Lumber and wood preserving.
- F. Printing and publishing.
- G. Chemical products.
- H. Leather products.
- I. Mineral products, glass and cement.
- J. Metal products.
- K. Machine shops.
- L. Electronics and electronic equipment.
- M. Transportation maintenance.
- N. Scrap trade and metal container recyclers.
- O. Chemical and petroleum storage and sales.
- P. Automotive repair, services and related parking.
- Q. Personal services, laundry, pest control and photo finishing.
- R. Repair services, furniture, welding and septage services.
- S. Amusement and recreation.
- T. Educational, medical and engineering laboratories.

MANUFACTURING

Industrial establishments which produce primary products from raw materials.

NUTRIENT MANAGEMENT PLAN

A document applicable to agricultural properties which describes the storage, handling and application of fertilizers, including manure, related to agricultural production.

PERSON

An individual, association, public or private corporation for profit or not-for-profit, partnership, firm, trust, estate, department, board, bureau or agency of the commonwealth, political subdivision, municipality, district authority or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

PESTICIDE MANAGEMENT PLAN

A document applicable to agricultural properties which describes the storage, handling and application of products to control pests and undesirable vegetation related to agricultural production.

POLLUTION INCIDENT PREVENTION (PIP) PLAN

An environmental emergency response document authorized by Chapter 101 of the DEP Rules and Regulations which is applicable to facilities which handle materials with the potential for accidental pollution of the waters of the Commonwealth. Specific requirements for a PIP plan are contained in "Guidelines for the Development and Implementation of Environmental Emergency Response Plans," PADEP, September 1990.

PREPAREDNESS, PREVENTION AND CONTINGENCY (PPC) PLAN

An environmental emergency response document required by the Federal Resource Conservation and Recovery Act to facilities which generate, store, treat or dispose of hazardous wastes. Hazardous wastes are those defined within the DEP regulations or other wastes which meet specific characteristic tests.

PROFESSIONAL

A person who, by education, experience, certification or licensure, has a demonstrated expertise in a particular field.

PROTECTED PUBLIC WATER SUPPLY WELL

Any well used or intended to be used as a groundwater supply source as part of a public water supply system for which wellhead protection areas have been established.

RETENTION POND

A basin designed to retard stormwater runoff, by temporarily storing the runoff, which does not have a defined outlet structure and which empties through a combination of evaporation, transpiration and infiltration.

SARA TITLE III OFF-SITE PLAN

A document required by the Federal Superfund Amendments and Reauthorization Act (SARA) which applies to employers who have extremely hazardous substances in the workplace. The document identifies the transportation route of extremely hazardous substances, a description of the workplace and a risk analysis of the operation to the surrounding community.

SARA TITLE III TIER I AND TIER II REPORTS

Documents required by the Federal Superfund Amendments and Reauthorization Act (SARA) which apply to employers who have extremely hazardous substances in the workplace. The Tier I document lists the amounts and locations within the workplace of extremely hazardous substances by type of hazard (e.g., fire, explosion, acute health hazard). The Tier II document provides a listing of each specific extremely hazardous substance in the workplace and each specific hazardous substance exceeding 10,000 pounds on site at any one time.

SEWAGE

Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation, or which constitutes pollution under the Act of June 22, 1937 (P.L. 1987, No. 394), known as the "Clean Streams Law," as amended.

SEWAGE DISPOSAL SYSTEM

A combination of piping, tanks or other facilities for the collection, conveyance, treatment and disposal of sewage.

SEWAGE ENFORCEMENT OFFICER (SEO)

The official hired by the municipality who issues and reviews sewage system disposal permits and conducts such inspections and investigations as are necessary to implement the provisions of the Pennsylvania Sewage Facilities Act.

SEWAGE SLUDGE

The coarse screenings, grit and dewatered or air-dried products of sewage treatment, septic and holding tank pumpings and any other residues from sewage collection and treatment systems which require disposal.

SINKHOLE

A closed, generally circular, depression in the land surface of variable depths and width, characterized by a distinct breaking of the ground surface, and formed by solution of carbonate bedrock and downward movement of soil into bedrock voids or by collapse of underlying caves.

SPILL PREVENTION CONTROL AND COUNTERMEASURE (SPCC) PLAN

An environmental quality emergency response document required by the Federal Clean Water Act for facilities which handle hazardous substances as defined in the Clean Water Act. The plan requirements are virtually the same as for a PIP plan.

SPILL PREVENTION RESPONSE (SPR) PLAN

An environmental emergency response document required by the Pennsylvania Storage tank and Spill Prevention Act (STSPA) for facilities with an aboveground storage tank exceeding a volume of 21,000 gallons. The plan requirements are specified in §§ 902 and 903 of the STSPA. A downstream notification requirement applies to regulated tanks adjacent to surface waters.

STORAGE OF HAZARDOUS MATERIAL

The containment of hazardous material on a temporary basis in such a manner as not to constitute disposal of such waste. It shall be presumed that the containment of hazardous material in excess of one year constitutes disposal. This presumption can be overcome by clear and convincing evidence to the contrary.

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STORAGE TANK; ABOVEGROUND

A tank which contains substances as regulated under the Storage Tank and Spill Prevention Act (STSPA) which meets the following criteria: a stationary tank with 250 gallons or more of capacity with greater than 90% of its capacity aboveground. Specific exceptions to this definition are included within the STSPA.

STORAGE TANK; UNDERGROUND

A tank which contains substances as regulated under the Storage Tank and Spill Prevention Act (STSPA) which meets the following criteria: a tank with 110 gallons or more of capacity with 10% or greater of its capacity beneath the ground surface. Specific exceptions to this definition are included within the STSPA.

UNDERGROUND INJECTION WELL

A bored, drilled, driven or dug well for the emplacement of fluids into the ground (except drilling muds and similar materials used in well construction).

WASTE

Garbage, refuse and other discarded materials, including, but not limited to, solid and liquid materials resulting from municipal, industrial, commercial, institutional, agricultural and residential activities.

WELLHEAD PROTECTION AREA I; WELLHEAD ZONE (WHZ)

That area of the land surface within a four-hundred-foot radius of the protected public water supply wells.

WELLHEAD PROTECTION AREA II; ZONE OF CONTRIBUTION (ZOC)

That area of the land surface which, through recharge or other means, provides water to sustain the yield of a protected public water supply well.

ARTICLE III Wellhead Protection Requirements

§A65-7. General requirements

No land use, physical facilities or activity specified in § A56-3 shall occur within Wellhead Protection Area I or II except in strict conformance with these provisions.

§A65-8. Wellhead protection areas

- A. Mapping of Wellhead Protection Areas. To implement the provisions of this Wellhead Protection Ordinance, wellhead protection areas surrounding protected public water supply wells are hereby established. The boundaries of Wellhead Protection Areas I and II are shown on an official map which is available for inspection at the ACHD. Should any person challenge the boundary of Wellhead Protection Area I or II, it shall be the responsibility of that person to retain a recognized professional with competence in the field to determine more accurately the precise boundary of the disputed area. The final boundary to be used will be determined by the ACHD with assistance from the municipal engineer and/or a professional hydrogeologist, as appropriate.

APPENDIX 6 5 Wellhead Protection Provisions

B. Prohibitions within Wellhead Protection Areas I and II:

1. Except as provided in Article IV, the following land uses, physical facilities and activities are prohibited:
 - a. Facilities which generate, store, treat or dispose of hazardous material and which are required to maintain a Pollution Incident Prevention (PIP); Spill Prevention Control and Countermeasure (SPCC); Preparedness, Prevention and Contingency (PPC); Spill Prevention and Response (SPR); or Superfund Amendments and Reauthorization Act (SARA) Title III Off-Site Plan.
 - b. Bulk agricultural products dealers and distributors.
 - c. Large-volume subsurface sewage disposal systems.
 - d. Large-volume spray irrigation sewage disposal systems.
 - e. Underground injection wells.
 - f. Aboveground storage tanks.
 - g. Underground storage tanks.
 - h. Waste disposal facilities.
 - i. Land application of sewage sludge.
 - j. Stormwater retention facilities.
 - k. Unlined stormwater detention facilities.
 - l. Operations and/or facilities which are involved with the manufacture, storage or processing of materials and which fall within the following categories:
 1. Bulk agricultural products dealers and distributors.
 2. Mining and quarrying.
 3. Highway de-icing material storage.
 4. Textile and apparel products.
 5. Lumber and wood preserving.
 6. Printing and publishing.
 7. Chemical products.
 8. Leather products.
 9. Mineral products, glass and cement.
 10. Metal products.
 11. Machine shops.
 12. Electronics and electronic equipment.

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13. Transportation maintenance.
14. Scrap trade and metal container recyclers.
15. Chemical and petroleum storage and sales.
16. Automotive repair, services and related parking.
17. Personal services, laundry, pest control and photo finishing.
18. Repair services, furniture, welding and septage services.
19. Amusement and recreation.
20. Educational, medical and engineering laboratories.

ARTICLE IV General Regulations

§A65-9. Continuation of existing land uses, physical facilities and activities

Any land use, physical facility or activity prohibited within Article III lawfully in existence within Wellhead Protection Area I or II prior to the effective date of these provisions may continue to exist on the parcel upon which it is located subject to meeting existing applicable federal, state and local regulations including the requirements included within Article VI.

§A65-10. Existing sewage disposal problems.

Notwithstanding the provisions of Article III, large -volume subsurface sewage disposal systems may be used if necessary to solve disposal problems associated with existing development.

§A65-11. Public water supply projects.

Notwithstanding the provisions of Article III, public water supply projects which require the use of chemicals for disinfection or treatment will be allowed in all wellhead protection areas subject to their approval, construction and operation in accordance with DEP regulations.

ARTICLE V Subdivision and Land Development

§A65-12. General requirements.

No subdivision or land development shall occur within Wellhead Protection Area I or II except in strict conformance with these provisions.

§ A65-13. Wellhead protection areas mapping.

- A. To implement the provisions of this Wellhead Protection Ordinance, wellhead protection areas surrounding protected public water supply wells are hereby established. The boundaries of Wellhead Protection Areas I and II are shown on an official map which is available at the ACHD.
- B. Should any person challenge the boundary of Wellhead Protection Area I or II, it shall be the responsibility of that person to retain a recognized professional with competence in the field to determine more accurately the precise boundary of the

disputed area. The final boundary to be used will be determined by the ACHD with assistance from the municipal engineer and/or a professional hydrogeologist, as appropriate.

§A65-14. Wellhead protection area restrictions.

- A. Subdivisions and land developments within Wellhead Protection Area I or II for which stormwater management controls are required pursuant to the subdivision and land development ordinance shall be designed consistent with the following:
 1. Stormwater retention basins shall be prohibited.
 2. Stormwater detention basins shall be designed with an impermeable liner to prohibit the infiltration of impounded water to the subsurface.
- B. Subdivisions and land developments within Wellhead Protection Area I or II as designated on the official map shall have the following preliminary plan requirements in addition to those requirements of the subdivision and land development ordinance:
 1. A recognized professional with competence in the field shall review aerial photographs, soils, geologic and other available related data as the data relates to the subject property. The professional shall also conduct a site inspection of the property.
 2. Based on the work required in Subsection C(1), the professional shall prepare a map of the site showing all karst features or feature indicators. The mapping shall indicate, but shall not be limited to, the following:
 - a. Closed depressions.
 - b. Open sinkholes.
 - c. Seasonal high water table indicators.
 - d. Outcrops of bedrock.
 - e. Surface drainage into ground.
 - f. "Ghost lakes" after rainfall.
 - g. Lineaments and faults.
 - h. Limonite excavations and quarries.
 - i. Geologic contacts.
 3. Based upon the work performed in Subsection C(1) and (2), the professional shall determine what further testing should be done by the applicant to ensure compliance with the performance standards set forth in Subsection D. Testing methodology shall be reasonable under the circumstances, including: the scale of the proposed development, and the hazards revealed by examination of available data and site inspection.
 4. The applicant shall cause the additional testing established in Subsection C(3) to be done. A study report shall be submitted and referred to the municipal

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engineer. This study shall include a map of the area, all test results, and a recommendation on the mitigating measures to be taken to meet the standards of Subsection C.

5. The Municipal Engineer shall report to the Planning Commission, with a copy to the landowner, his or her opinion as to the adequacy of the study and as to the capability of the site to support the proposed development in a manner in which the risks attendant to the development in carbonate areas are either eliminated or minimized. Recommendations for site development including stormwater management, the layout of utility lines, grading and building location may be included. Additional studies or testing as deemed necessary by the municipal engineer in order to produce an adequate study given the scale of the proposed development and the hazards revealed may be required of the applicant.

C. Subdivision and land developments within Wellhead Protection Areas I and II as delineated on the official map shall have the following design requirements:

1. All buildings, structures, impervious surfaces and utilities shall be so situated, designed and constructed as to minimize the risk of new sinkhole formation and of the accelerated introduction of contaminants and pollution into the wellhead protection area through existing or future sinkholes.
2. Stormwater shall not be redirected into a sinkhole.

ARTICLE VI Special Wellhead Protection Provisions

§A65-15. General requirements.

No land use, physical facility or activity specified in § 105 shall occur within Wellhead Protection Area I or II except in strict conformance with the requirements of this article.

§A65-16. Wellhead protection area requirements.

The following land uses, physical facilities and activities, located within Wellhead Protection Area I or II which are specifically allowed in Article III or Article IV of these provisions, shall meet the following conditions:

Land Use, Physical Facility or Activity	Conditions
Facilities which generate, store, treat or dispose of hazardous material which are required to maintain a Pollution Incident Prevention (PIP); Spill Prevention Control and Countermeasure (SPCC); Preparedness, Prevention and Contingency (PPC); Spill Prevention Response (SPR); or SARA Title III Off-Site Plan	A current PIP, SPCC, PPC, SPR or SARA Title III Off-Site Plan must be filed with the municipality.
A current Hazardous Substance Survey Form, Environmental Hazard Survey Form and SARA Title III Tier I and Tier II Report must be filed with the municipality.	

APPENDIX 6 5 Wellhead Protection Provisions

Land Use, Physical Facility or Activity	Conditions
<p>Bulk agricultural products dealers and distributors</p> <p>A current Hazardous Substance Survey Form, Environmental Hazard Survey Form and SARA Title III Tier I and Tier II Report must be filed with the municipality.</p>	<p>At a minimum, a current plan meeting the requirements of a PIP Plan must be filed with the municipality.</p>
<p>Large-volume subsurface sewage disposal systems and large-volume spray irrigation sewage disposal systems</p> <p>DEP-required water quality monitoring reports must be filed with the municipality.</p>	<p>A current permit from the Department of Environmental Protection must be filed with the municipality.</p>
<p>Underground injection wells (Classes I, II, III and V)</p>	<p>A current registration from the Environmental Protection Agency must be filed with the municipality.</p>
<p>Aboveground storage tanks and underground storage tanks</p>	<p>A current registration from the Department of Environmental Protection must be filed with the municipality.</p>
<p>Waste disposal facilities</p> <p>A current PPC plan, if required for the facility by DEP regulations, must be filed with the municipality</p> <p>DEP-required water quality monitoring reports must be filed with the municipality.</p> <p>DEP-required water pollution abatement plans must be filed with the municipality.</p>	<p>A current permit from the Department of Environmental Protection must be filed with the municipality.</p>
<p>Agricultural operations</p> <p>Within areas of carbonate bedrock as delineated in Appendix A, the Conservation Plan prepared according to Chapter 102 of DEP regulations must include the identification of sinkholes and a mitigation plan.</p>	<p>The Conservation Plan prepared according to Chapter 102 of DEP regulations must include a Pesticide Management Plan and a Nutrient Management Plan.</p>
<p>Sewage disposal facilities</p> <p>On-lot sewage disposal systems must be inspected by the Sewage Enforcement Officer (SEO) and any necessary repairs or maintenance must be performed prior to the expansion or conversion of the land use served.</p> <p>On-lot sewage disposal systems must be inspected by the Sewage Enforcement Officer and any necessary repairs or maintenance must be performed prior to transfer of property ownership.</p>	<p>Sewage disposal facilities must be operated and maintained to prevent discharge of untreated or partially treated sewage to the surface or groundwaters</p>

ARTICLE VII Inspections

§A65-17. Municipal inspections.

- A. The municipal engineer or his designate shall be authorized to inspect the following facilities located within Wellhead Protection Area I or II for purposes of determining compliance with these provisions and any federal or state permit or regulation requirements upon direction by the governing body:
1. Facilities with PIP, SPCC, PPC, SPR or SARA Title III Off-Site Plans.
 2. Bulk agricultural products dealers and distributors.
 3. Large-volume subsurface sewage disposal systems.
 4. Large-volume spray irrigation sewage disposal systems.
 5. Underground and aboveground storage tanks.
 6. Underground injection wells.
 7. Waste disposal facilities.
 8. Sewage sludge land application sites.
 9. Other industrial and commercial facilities.
- B. This schedule of inspections shall be determined by the municipality for each type of facility. Inspectors shall be responsible for reporting any violations to the municipality. The municipality shall inform ACHD, DEP or EPA, as appropriate, of any possible violations of their regulations for the purpose of follow-up actions by those agencies.

§A65-18. Inspections by County Conservation District.

The County Conservation District shall be authorized to inspect the following activities located within Wellhead Protection Area I or II on an as-needed basis:

- A. Earthmoving activities covered by an Erosion and Sedimentation Plan under Chapter 102 of DEP regulations.

§A65-19. Right of entry.

Upon presentation of the proper credentials, duly authorized representatives of the municipality may enter at reasonable times upon any property within a wellhead protection area to investigate or ascertain whether the requirements of this Appendix are being met.

ARTICLE VIII Wellhead Protection Area Map

§A65-20. Official map.

The official map depicting Wellhead Protection Areas I and II, which is available at the ACHD, is declared to be a part of these provisions.

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APPENDIX 7 & Status of Municipal Land Use Regulations

APPENDIX 7 & Status of Municipal Land Use Regulations

~~Municipalities That Have not Adopted a Subdivision and Development Ordinance.~~ This following information was correct as of the date of preparation of this chapter. However, as the status of land use regulations in a municipality can change at any time, the municipality in which a subdivision or land development is proposed should be contacted for current information. (If date provided below, adoption of the principle ordinance or plan pre-dates adoption of the MPC.)

Municipality	Class	Subdivision and Land Development Ordinance	Zoning Ordinance	Comprehensive Plan
Aleppo	Township	yes	yes	no yes
Aspinwall	Borough	yes	yes	no yes
Avalon	Borough	no	yes	yes
Baldwin	Borough	yes	yes	yes no
Baldwin	Township	yes no	yes	no
Bell Acres	Borough	yes	yes	yes
Bellevue	Borough	no	yes	yes
Ben Avon	Borough	no	yes	yes
Ben Avon Heights	Borough	no	yes	no
Bethel Park	Borough	yes	yes	yes
Blawnox	Borough	no yes	yes (1963)	no yes
Brackenridge	Borough	no	yes (1958)	no
Braddock	Borough	no	yes	yes ;1998no
Braddock Hills	Borough	yes	yes pending; 3/98	no
Bradford Woods	Borough	yes	yes	yes
Brentwood	Borough	yes	yes	yes ; Jan/98
Bridgeville	Borough	yes	yes	yes
Carnegie	Borough	yes (1962)	yes	yes
Castle Shannon	Borough	yes no	yes	yes
Chalfant	Borough	no	yes	no
Cheswick	Borough	yes	yes	no (1959)
Churchill	Borough	yes	yes	yes (1959)
Clairton	City of	yes	yes	yes
Collier	Township	yes	yes	yes
Coraopolis	Borough	no yes	yes	no yes
Crafton	Borough	yes	yes	yes
Crescent	Township	yes	yes	yes
Dormont	Borough	yes	yes	yes
Dravosburg	Borough	no	yes	no yes
Duquesne	City of	yes	yes	yes
East Deer	Township	yes	yes	no yes
East McKeesport	Borough	yes no	yes	no

APPENDIX 7 & Status of Municipal Land Use Regulations

Municipality	Class	Subdivision and Land Development Ordinance	Zoning Ordinance	Comprehensive Plan
East Pittsburgh	Borough	no yes	yes	yes
Edgewood	Borough	yes	yes	yes
Edgeworth	Borough	yes	yes	yes
Elizabeth	Borough	yes no	yes	yes no
Elizabeth	Township	yes	yes	yes
Emsworth	Borough	yes	yes	yes; 1/11/98
Etna	Borough	no	yes	yes
Fawn	Township	yes	yes	yes
Findlay	Township	yes	yes	yes
Forest Hills	Borough	yes	yes	yes
Forward	Township	yes	yes	yes
Fox Chapel	Borough	yes	yes	yes
Franklin Park	Borough	yes	yes	yes
Frazer	Township	yes	yes	yes
Glassport	Borough	yes (1952)	yes	yes
Glenfield	Borough	no	yes	no
<u>Glenn Osborne</u>	<u>Borough</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>
Green Tree	Borough	yes	yes	yes
Hampton	Township	yes	yes	yes
Harmar	Township	yes	yes	yes (1959)
Harrison	Township	yes	yes	yes
Haysville	Borough	no	no	no yes
Heidelberg	Borough	no	yes	no (pending)
Homestead	Borough	yes	yes	yes
Indiana	Township	yes	yes	yes
Ingram	Borough	no yes	yes	no yes
Jefferson	Borough	yes	yes	yes
Kennedy	Township	yes	yes	no
Kilbuck	Township	yes	yes	yes
Leet	Township	yes	yes	no yes
Leetsdale	Borough	yes	yes	no yes
Liberty	Borough	yes	yes	yes no
Lincoln	Borough	yes	yes	yes
Marshall	Township	yes	yes	yes
McCandless	Township of	yes	yes	yes
McDonald	Borough		yes	
McKees Rocks	Borough	yes no	yes	yes
McKeesport	City of	yes	yes	no yes
Millvale	Borough	no	yes	no yes
Monroeville	Borough Municipality	yes	yes	yes
Moon	Township	yes	yes	yes

APPENDIX 7 & Status of Municipal Land Use Regulations

Municipality	Class	Subdivision and Land Development Ordinance	Zoning Ordinance	Comprehensive Plan
Mount Lebanon	Township Municipality	yes	yes	yes
Mount Oliver	Borough	yes	yes	yes
Munhall	Borough	yes	yes	no yes
Neville	Township	no	yes	yes no
North Braddock	Borough	no	yes	yes
North Fayette	Township	yes	yes	yes no
North Versailles	Township	yes	yes	no
Oakdale	Borough	yes no	yes	no
Oakmont	Borough	yes no	yes	yes no
O'Hara	Township	yes	yes	yes
Ohio	Township	yes	yes	yes no
Osborne	Borough	yes	yes	yes
Penn Hills	Township Municipality	yes	yes	yes
Pennsbury Village	Borough	no	no	no
Pine	Township	yes	yes	yes
Pitcairn	Borough	no	yes	yes
Pleasant Hills	Borough	yes	yes	no
Plum	Borough	yes	yes	yes
Port Vue	Borough	yes	yes (1965)	yes no
Rankin	Borough	yes	yes	yes
Reserve	Township	yes	yes	no yes
Richland	Township	yes	yes	yes
Robinson	Township	yes	yes	yes
Ross	Township	yes	yes	yes
Roslyn Farms	Borough	yes	yes	yes
Scott	Township	yes	yes	yes (pending)
Sewickley	Borough	yes	yes	yes
Sewickley Heights	Borough	yes	yes	yes
Sewickley Hills	Borough	yes	yes	yes
Shaler	Township	yes (1954)	yes	no yes
Sharpsburg	Borough	yes	yes	no
South Fayette	Township	yes	yes	yes
South Park	Township	yes	yes	yes
South Versailles	Township	yes	yes	yes
Springdale	Borough	yes (1955)	yes	yes (1959)
Springdale	Township	yes (1958)	yes	yes (1959)
Stowe	Township	no	yes	no yes
Swissvale	Borough	yes	yes	yes
Tarentum	Borough	no	yes	yes
Thornburg	Borough	yes	yes	yes
Trafford	Borough	yes	yes	

APPENDIX 7 & Status of Municipal Land Use Regulations

Municipality	Class	Subdivision and Land Development Ordinance	Zoning Ordinance	Comprehensive Plan
Turtle Creek	Borough	yes	yes	no
Upper St. Clair	Township	yes	yes	yes
Verona	Borough	yes	yes	no yes
Versailles	Borough	no	yes	yes no
Wall	Borough	yes no	yes	no
West Deer	Township	yes	yes	yes
West Elizabeth	Borough	no	no	no
West Homestead	Borough	yes; 3/10/98	yes	yes no
West Mifflin	Borough	yes	yes	no yes
West View	Borough	yes	yes	yes
Whitaker	Borough	no yes	no yes	no
White Oak	Borough	yes	yes	yes
Whitehall	Borough	yes	yes	yes no
Wilkins	Township	yes	yes	yes
Wilkinsburg	Borough	yes	yes	yes
Wilmerding	Borough	yes	yes	yes no

APPENDIX 8 7 Summary of Procedures and Requirements

APPENDIX 8 7 Summary of Procedures and Requirements

This chart provides compares in summary form some of the articles and major sections of this chapter which apply to subdivision and land development applications in municipalities that have enacted a subdivision and land development ordinance, with those that apply to subdivision and land development applications in municipalities that have not enacted a land development ordinance. However, this chart is provided as a convenience only and is not conclusive. The applicant is urged to read the chapter carefully, and to consult with the Department, for a thorough understanding of relevant procedures and applicable provisions.

Allegheny County Subdivision and Land Development Ordinance of 19982011	Municipality with a Subdivision and Land Development Ordinance	Municipality without a Subdivision and Land Development Ordinance
Article I	§§ 150-1780-101 and 150-3780-103 are applicable or contain relevant information	Applicable
Article II	Not applicable	Applicable
Article III	§§ 150-12780-301 , 150-13780-302 , 150-15780-304 , 150-16780-305 and 150-17780-306 are applicable or contain relevant information	§§ 150-12780-301 , 150-14780-303 , 150-16780-305 and 150-17780-306 are applicable
Article IV	Not applicable	Applicable
Article V	Not applicable	Applicable
Article V, § 150-23780-503 , Grading	Not applicable	If the municipality has enacted a separate grading ordinance, that ordinance governs. However, other related standards contained in Article V may govern, if stricter than those in the municipal grading ordinance.
Article V, § 150-32780-512F , Bufferyards	Not applicable	If there are standards for bufferyards in the municipal zoning ordinance, those standards will govern.
Article V, § 150-35780-515 , Stormwater management	Not applicable	If the municipality has adopted a stormwater management regulations, the municipal regulations apply.
Article V, § 150-37780-517 , Parks, open space and recreation facilities	Not applicable	If the municipality has not formally adopted a recreation plan, the requirements of this section are voluntary.
Article V, § 150-40780-520 , Parking facilities	Not applicable	If there are standards for parking in the municipal zoning ordinance, those standards will in general

APPENDIX 8 7 Summary of Procedures and Requirements

Allegheny County Subdivision and Land Development Ordinance of 1998<u>2011</u>	Municipality with a Subdivision and Land Development Ordinance	Municipality without a Subdivision and Land Development Ordinance
		govern. However, certain exceptions may apply (see § 150-40 <u>780-</u> <u>520A</u> (1)).

APPENDIX 9 8 Calculation of Maximum Acreage Available for Development

- ~~A. Calculate the acreage total of each existing protected natural resource.~~
- ~~B. Multiply the acreage total of each resource by the percentage of total acreage available for development.~~
- ~~C. On that portion of the site where two or more resources overlap, that existing protected resource which has the lowest percentage of total acreage available for development shall be calculated.~~
- ~~D. The balance of the site area is the acreage of the land with no existing protected resources.~~
- ~~E. The total acreage available for development is the sum of the acreage in that column.~~

STEP 1: Determine the number of acres in each of the protected natural resource categories shown on the table below. Insert in Column 2 of the table.

[Consult the definitions in §780-202 of this Ordinance for a description of each category.]

STEP 2: Multiply the acreage shown in Column 2 for each resource by the percentage of the acreage with a protected resource that is allowed to be developed that is given in Column 3 and enter the result in Column 4.

[The percentages given in Column 3 are based on the regulations in Article V of this Ordinance.]

STEP 3: If two (2) or more resources exist on a portion of the site, select the resource with the lowest percentage allowed to be developed and apply it to that portion of the site where several resources overlap.

STEP 4: Enter the acreage for the balance of the site which has no existing protected resources in Column 2. Multiply the number in Column 2 by 100%. Enter the result in Column 4.

STEP 5: Sum the numbers in Column 4 to determine the maximum acreage on the site that is allowed to be developed under this Ordinance's regulations.

APPENDIX 9 8 Calculation of Maximum Acreage Available for Development

<u>COLUMN 1</u>	<u>COLUMN 2</u>	<u>COLUMN 3</u>	<u>COLUMN 4</u>
Existing Protected Resources and Balance of Site Area	Acreage Total	Percentage of Total Acreage Available for Development	Acreage Available for Development
Wetlands and setback area	_____	0%	_____
Watercourses and setback area	_____	0%	_____
Landslide-prone areas*	_____	0%	_____
Flood prone areas*	_____	0%	_____
Slopes in excess of 40%	_____	0%	_____
Slopes between 25% and 40%	_____	70%	_____
Mature woodlands	_____	50%	_____
Other woodlands	_____	75%	_____
Other resources protected by municipal, state or federal law	_____	**	_____
Balance of site		100%	_____
Total acreage available for development			_____

* As provided for in Article V of this chapter.

** As provided for in applicable law.

Baker

