

**BOROUGH OF SEWICKLEY
ORDINANCE NO. 1310**

AN ORDINANCE OF THE BOROUGH OF SEWICKLEY, ALLEGHENY COUNTY, PENNSYLVANIA, REPEALING ORDINANCE NO. 1216 OF THE BOROUGH OF SEWICKLEY CODE OF ORDINANCES AND ESTABLISHING A NEW CHAPTER, A NEW SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

WHEREAS, the Council of the Borough of Sewickley did adopt Ordinance No. 1216 on June 16, 2003; and

WHEREAS, the Council of the Borough of Sewickley now wishes to repeal Ordinance No. 1216 and substantially amend and restate the Borough of Sewickley Subdivision and Land Development Ordinance in its entirety as a chapter in the Borough of Sewickley Code of Ordinances; and

WHEREAS, the Council of the Borough of Sewickley has determined that the restating of the Subdivision Ordinance would promote, protect and facilitate public health, safety and welfare; and

WHEREAS, the Council of the Borough of Sewickley now wishes to establish rules, regulations and standards governing the subdivision and development of land, including site improvements and setting forth the procedure to be followed by the Planning Commission and the Borough Council in applying and administering these rules, regulations and standards, and providing penalties for the violation thereof; and

WHEREAS, the Council of the Borough of Sewickley, pursuant to the Pennsylvania Municipality Planning Code, has submitted the new Subdivision and Land Development Ordinance to the Allegheny County Department of Economic Development for review and recommendation, and further, the Borough of Sewickley Planning Commission did properly advertise and hold a public hearing on October 3, 2012 and formally recommends adoption; and

WHEREAS, the Council of the Borough of Sewickley has properly advertised and held a public hearing on October 15, 2012, and upon review and consideration of the recommendation of the Borough Planning Commission, Allegheny County Department of Economic Development and the comments of the public, has determined that the new Subdivision and Land Development is appropriate.

NOW, THEREFORE, BE IT ORDAINED and **ENACTED** by the Council of the Borough of Sewickley, Allegheny County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

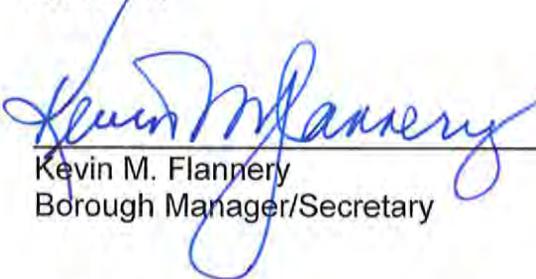
SECTION 1 The repeal of Ordinance No. 1216 and the restating and establishment of a chapter in its entirety with the Borough of Sewickley Subdivision and Land Development Ordinance, dated October 3, 2012, as attached as Exhibit "A".

SECTION 2 The existing subdivision ordinance, Ordinance No. 1216, is hereby superseded by this ordinance and establishment of a chapter of the Borough of Sewickley Code of Ordinances; provided, however, by reason of some procedural irregularity in or impediment to its passage, the superseding effect of this ordinance shall not be applicable, in which event, the aforesaid Subdivision and Land Development Ordinance will have continued to remain in full force and effect.

ORDAINED AND ENACTED into law this 15th day of October, 2012.

ATTEST:

BOROUGH OF SEWICKLEY



Kevin M. Flannery
Borough Manager/Secretary



Robert G. Hague
President of Council

EXAMINED AND APPROVED by me this 15th day of October, 2012.



Brian F. Jeffe
Mayor

Borough of Sewickley

Subdivision and Land Development Ordinance

Adopted October 15, 2012

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

Table of Contents

PART I..... 1

TITLE AND GENERAL PROVISIONS..... 1

§101. Short Title..... 1

§102. Purpose. 1

§103. Subdivision and Land Development Control. 2

§104. Other Regulations Incorporated Herein..... 2

§105. Conflicts Between Regulations and Modifications. 2

§106. Effect of Ordinance..... 3

§107. Effect of Noncompliance. 3

§108. Effect on Prior Applications or Approvals..... 3

§109. Separation of Ownership..... 4

PART II..... 5

DEFINITIONS..... 5

§201. Strict Construction. 5

§202. Abbreviations. 5

§203. Meaning of Words. 6

PART III..... 14

CLASSIFICATIONS OF APPROVALS AND APPLICATIONS 14

§301. General..... 14

§302. Approvals Overview. 15

§302.1 Simple Subdivision..... 15

§302.2 Minor Subdivision and/or Land Development..... 15

§302.3 C-1 Subdivision and/or Land Development. 16

§302.4 Major Subdivision and/or Land Development..... 17

§303 Pre-Application Conference and Sketch Plan..... 18

§303.1 Pre-Application Conference..... 18

§303.2 Sketch Plan. 18

§304 Preliminary Plan Application Requirements..... 19

§304.1 Preliminary Plan Application Requirements and Fee..... 19

Subdivision and Land Development Ordinance

§304.2 Letter of Transmittal.....	19
§304.3 Preliminary Site Plan.....	20
§304.4 Preliminary Grading Plan.....	21
§304.5 Preliminary Parking Plan.	22
§304.6 Preliminary Loading Plan.....	23
§304.7 Preliminary Stormwater Management Plan and Report.....	23
§304.8 Resource Protection Plan and Worksheet.....	23
§304.9 Sewage Facilities Planning Module.....	23
§304.10 Any Application Granting Approval Of Any Zoning Variance, Exception or Interpretation.....	23
§304.11 Any Application For Conditional Use.....	24
§304.12 Any Application Granting Approval Of Any Special Exception.	24
§304.13 Proof of Submission to Other Agencies (PADEP, Allegheny County Conservation District, PennDOT and others as determined by Borough.).....	24
§304.14 Survey (Sealed).....	25
§304.15 Erosion and Sedimentation Plan.	26
§304.16 Typical Cross-Sections Of Each Street Proposed.....	26
§304.17 Photometrics Plan.....	26
§304.18 Building Elevations and Other Architectural Drawings.....	26
§304.19 Landscape Plan.	27
§304.20 Construction Details.....	27
§304.21 Phasing Plan and Schedules.....	27
§304.22 Common Areas Plan and Facilities Management.....	28
§304.23 Level of Service of Water And Sewage Supply	28
§304.24.A Traffic Impact Study.....	28
§304.24.B State Highway Access	28
§304.25 Geotechnical Report and Slope Analysis.....	29
§304.26 Impervious Surface Worksheet.....	29
§304.27 Environmental Assessment.....	29
§304.28.A Wetland Impact.....	30
§304.28.B Phase 1 Environmental Assessment.....	30
§304.28.C Phase 2 Environmental Assessment.....	32
§304.29 Shared Parking Analysis (C-1 Only).....	32

§305 Final Plan Application Requirements..... 32
§305.1 Final Plan Applications. 32
§305.2 Final Plan Application Requirements and Fee. 33
§305.3 Letter of Transmittal. 34
§305.4 Updated/Revised Preliminary Plan Information. 34
§305.5 Final Site Plan. 34
§305.6 Final Grading Plan. 38
§305.7 Utility Plan/Profiles/Data. 38
§305.8 Reserved..... 38
§305.9 Agreement for Dedication of Streets..... 38
§305.10 Parking Agreements. 38
§305.11 Final Landowner and/or Developer's Agreement..... 39
§305.12 Deed Restrictions, Easements and Protective Covenants. 39
§305.13 Homeowner's Association By-Laws And Other Related Documents. 39
**§305.14 Proof of Other Agencies Approval (PADEP, Allegheny County Conservation
District, PennDOT and others as determined by Borough)..... 40**
§305.15 Historic Review Commission Certificate of Appropriateness. 40
§305.16 Tree Commission Approval Letter. 41
**§305.17 As-Built Drawings In Conformance With Allegheny County And Borough
Standards (Digital Format)..... 41**
§306. Phased Plan Approval. 41
§307. Mediation. 41
§308. Approval Resolution. 42
§309. Completion Of Improvements/Improvement Guarantee. 42
§310. Final Release From Improvement Guarantee..... 44
§311. Partial Release From Improvement Guarantee..... 44
§312. Modifications..... 45
§313. Recording of Final Plat..... 46
PART IV 48
INSTALLATION, INSPECTION AND ACCEPTANCE OF IMPROVEMENTS..... 48
§401. General..... 48
§402. Required Improvements..... 48
§403. Inspections. 49

Subdivision and Land Development Ordinance

§406. Acceptance of Improvements.....	49
PART V.....	51
DESIGN STANDARDS.....	51
§501. General.....	51
§502. Land Requirements.	51
§503. Easements and Utilities.	53
§504. Blocks, Lots, Parcels.	54
§505. Streets.....	55
§506. Road Construction – Design Standards.....	59
§507. Calendar Construction Limitations.	62
§508. Sidewalks And Crosswalks.	64
§509. Vegetation.	64
§510. Street Trees.....	65
§511. Development on Private Streets Discouraged.	65
§512. Open Space, Lot Siting, Planting and Beautification for Subdivision and Land Developments.....	65
§513. Erosion and Sediment Control.	66
§514. Floodplain Area Regulations.	69
PART VI.....	73
ADMINISTRATION.....	73
§601. Fees.....	73
§602. Public Hearings.	73
§603. Permits.	73
§604. Liability For Borough Roads.	74
PART VII.....	75
AMENDMENT AND REVIEW BY COUNTY.....	75
§701. Amendments.....	75
§702. County Review.	75
§703. Copy Forwarded.	75
§704. Public Examination.....	75
PART VIII.....	77
ENFORCEMENT REMEDIES.....	77
§801. Violations.	77

§802. Preventative Remedies. 77

PART IX 79

 VALIDITY AND REPEALER..... 79

§901. Validity..... 79

§902. Repealer. 79

§903. The Borough of Sewickley Zoning Ordinance. 79

PART X..... 81

 REQUIRED SIGNATURE AND STAMP BLOCKS 81

§1001. Purpose. 81

§1002. Borough of Sewickley Signature Block..... 81

§1003. Allegheny County Department of Economic Development Signature Block..... 81

§1004. Certification Stamp Blocks 81

PART XI 83

 EFFECTIVE DATE..... 83

§1101. Effective Date. 83

Subdivision and Land Development Ordinance

PART I

TITLE AND GENERAL PROVISIONS

§101. Short Title.

This Chapter shall be known and may be cited, as “The Borough of Sewickley Subdivision and Land Development Ordinance.”

§102. Purpose.

This Chapter is established for the purposes of:

- A. Assuring sites suitable for building purposes and human habitation.
- B. Providing for the harmonious development of the Borough.
- C. Coordinating the proposed development with existing development within the Borough.
- D. Encouraging adequate open spaces, for proper traffic flows, recreation, light and air and for proper distribution of population, thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens.
- E. Protecting the character and social and economic stability of the Borough and to encourage the orderly and beneficial development of the Borough.
- F. Protecting and conserving the value of land throughout the Borough, the value of buildings and improvements upon the land and to minimize the conflicts among the uses of land and buildings.
- G. Guiding public and private policy and action in order to provide adequate and efficient transportation, water supply, sewage, schools, parks, playgrounds, recreation and other public requirements and facilities.
- H. Providing the most beneficial relationship between the uses of land and buildings and the circulation of traffic within the Borough, having particular regard to the avoidance of congestion in the streets and highways and the pedestrian traffic movements appropriate to the various uses of land and buildings, and providing for the proper location and width of streets and building lines.
- I. Establishing reasonable standards of design and procedures for subdivision and re-subdivision, in order to further the orderly layout and use and/or reuse of land; and insuring proper legal descriptions and monumenting of subdivided land.
- J. Promoting and fostering the community development goals and objectives including quality infill, redevelopment and/or adaptive reuse, as identified in the Aleppo-Sewickley-Glen Osborne (ASO) Joint Comprehensive Plan, as amended.

- K. Ensuring that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
- L. Preventing the pollution of air, streams and ponds; assuring the adequacy of drainage facilities; safeguarding the water table; and encouraging the wise use and management of natural resources in order to preserve the community and value of the land.
- M. Preserving the natural beauty and topography of the Borough and ensuring appropriate development with regard to these natural features.
- N. Providing for open spaces through efficient design and layout of the land.
- O. Ensuring that documents prepared as part of land ownership transfer fully and accurately describe the parcel of land being subdivided and new parcels thus created.

§103. Subdivision and Land Development Control.

- A. Subdivision Control. No subdivision, as herein defined, of any lot, tract or parcel of land shall be effected and no street, alley, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, open or dedicated for public use or travel, or for the common use of occupants of buildings abutting or to abut thereon, except in strict accordance with the provisions of this Ordinance.
- B. Land Development Control.
 - 1. Land development, as herein defined, must comply with the regulations contained herein. Such compliance shall include, but not be limited to: the filing of preliminary and final plans, the dedication and improvement of rights-of-way, streets and roads, developers agreement(s), covenants and restrictions as applicable and the payment of fees and charges as established by resolution of Borough Council.
 - 2. Land development plans shall indicate the location of each structure and clearly define each unit and shall indicate public easements, common areas and improvements to public rights-of-way. Developments are subject to the zoning regulations as they apply to use and density requirements, setbacks, parking and other features and shall be indicated on the land development plans.

§104. Other Regulations Incorporated Herein.

See the Code of the Borough of Sewickley - Zoning Ordinance [Chapter 27], Stormwater Ordinance and other applicable ordinances and regulations of the Borough as required.

§105. Conflicts Between Regulations and Modifications.

- A. Whenever there is a difference between the minimum standards specified herein and those included in other Borough ordinances and regulations, the more stringent requirements shall apply.

B. All requests for modification shall be in writing and shall accompany and be part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this Chapter involved and the minimum modification necessary.

C. See also §312. *Modifications.*

§106. Effect of Ordinance.

Hereafter, except in accordance with the provisions of this Chapter, no lot in a subdivision may be sold; no permit to erect any building upon land in a subdivision may be issued; no cuts, grading or filling permitted; no street, walkway, curbs, gutters, street lights, fire hydrants, shade trees, sanitary sewer, storm sewer, water line, utilities or other improvements as may be required herein shall be laid out, constructed, opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon.

§107. Effect of Noncompliance.

Hereafter, except as provided in this Chapter, any plat of any subdivision, street or development of land not approved by the Borough Council in accordance with the provisions and procedure, as set forth herein, shall be null and void.

§108. Effect on Prior Applications or Approvals.

A. From the time an application for approval, whether preliminary or final, is duly filed as provided in this Chapter and while such application is pending approval or disapproval, no change or amendment in zoning, or change in the subdivision or other governing ordinances or plans shall affect the decision on such application adversely to the Applicant, and the Applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the Applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, when an application is properly and finally denied, then any subsequent application shall be subject to the intervening change in governing regulations.

B. When an application for approval of a plat, whether preliminary or final, has been approved or approved subject to conditions acceptable to the Applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the Applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval, the five (5) year period shall be counted from the date of the preliminary approval. See also PA MPC Section 504, as amended.

§109. Separation of Ownership.

- A. Any attempt at division or separation of ownership of portions of a development tract shall constitute a subdivision within the meaning of the term as used in this Chapter and shall require review and approval. "Separation of ownership" as used herein shall not be meant to include normal transfers between individuals involving only a single building lot or single residence.
- B. For developmental purposes only, any separation of ownership, as defined herein, within an apartment development and/or townhouse type of development shall for the purpose of this Chapter, be considered a condominium.
- C. For "condominium," the requirements set forth in FHA Bulletin Series 1400 Suggested Legal Documents for Planned Unit Developments (April, 1973, as amended) and the Uniform Condominium Act of Pennsylvania (as amended) shall be considered minimum standards for the establishment of a condominium association. The Borough may require additional information and documentation from the Applicant to establish that an appropriate plan exists to assure the continued maintenance of common areas.
- D. The final decision as to the propriety of the maintenance guarantees or the plan proposed by the Applicant to deal with these questions shall rest with Borough Council.
- E. In all other land development projects, all subdivisions or separations of ownership (as set forth above), shall otherwise meet all area, bulk, open space, parking and other applicable regulations of the zoning district as set forth in Chapter and amendments of Sewickley Borough.

PART II
DEFINITIONS

§201. Strict Construction.

Unless otherwise expressly stated, the following terms shall, for the purpose of these regulations, have the meaning indicated:

- A. Words used in the present tense include the future, words in the singular number include the plural and words in the plural number include the singular number.
- B. The word “shall” is always mandatory and not merely directory.
- C. The word “may” is permissive.
- D. The word “used” shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used.
- E. The word “occupied” includes arranged, designed, built, altered, converted, rented or leased, or intended to be occupied.
- F. The word “land” shall include water surface.
- G. The word “Council Member” shall mean the elected members of the Borough Council of the Borough of Sewickley, Pennsylvania.
- H. The phrase “Board Member” shall mean the members of the Zoning Hearing Board of the Borough of Sewickley, Pennsylvania.
- I. The word “Manager” shall mean the Borough Manager/Secretary of the Borough of Sewickley, Pennsylvania.
- J. Any reference to the Borough Manager/Secretary, Borough Solicitor, Planning Commission, Borough Engineer or other administrative official of the Borough of Sewickley, Pennsylvania, shall include their designees.

§202. Abbreviations.

- ADA Americans with Disabilities Act
- ASTM American Society for Testing and Materials
- EPA Environmental Protection Agency
- FEMA Federal Emergency Management Agency
- FHA Federal Housing Administration
- HOP Highway Occupancy Permit

HVAC Heating, Ventilating, and Air Conditioning
NPDES National Pollutant Discharge Elimination System
PADEP Pennsylvania Department of Environmental Protection
PennDOT Pennsylvania Department of Transportation
PUC Pennsylvania Public Utility Commission
SALDO Subdivision and Land Development Ordinance

§203. Meaning of Words.

Other terms or words used herein shall be interpreted or defined as follows:

APPLICANT - a landowner or developer, as herein defined, who has filed an application for development, including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT - every application, whether preliminary or final, required to be filed and approved prior to start of construction or development including, but not limited to, an application for a building permit and an application for the approval of a development plan.

BLOCK - an area bounded by streets, right-of-ways, streams or other similar natural features.

BOROUGH - the Borough of Sewickley, Allegheny County, Pennsylvania.

BOROUGH COUNCIL - the governing body Borough of Sewickley, Allegheny County, Pennsylvania. **BOROUGH STREET** - a street adopted as a public street by the Borough, or having become a Borough street as legally determined.

BUILDING - any fully enclosed structure having a roof intended for the shelter, housing or enclosure of persons, animals, equipment or belongings and not including Heating, Ventilating, and Air Conditioning (HVAC), mechanical equipment, electrical equipment or trash.

CARTWAY (ROADWAY) - the improved or paved portion or portions of a street available for vehicular or other traffic; the portion or portions between curbs where curbs are used.

CLEAR SIGHT TRIANGLE - an area of unobstructed vision at the intersection of two (2) streets or the intersection of a driveway with a street, intended to allow the operators of vehicles approaching simultaneously to see each other in time to prevent a collision.

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, designed as and intended for the use or enjoyment by the public or residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities. Storm water management facilities such as drainage ways, swales and storm water basins shall not be considered eligible to meet common open space requirements.

COMPLETION BOND/FINANCIAL SECURITY - a bond in cash or with an approved surety company, or other type of financial security, guaranteeing the satisfactory completion of the improvements to and in accordance with this Chapter.

CONDOMINIUM - a lot or a portion of a lot where portion(s) of which are designated for separate ownership and the remainder of which is designated for common ownership solely controlled by the owners of the said portions.

COUNTY - the County of Allegheny, Commonwealth of Pennsylvania.

CROSSWALK - a publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street. **CUT** - an excavation. The difference in vertical elevation between a point on the surface of original ground and a point on the final grade. The material removed in excavation.

DEPARTMENT OF ENVIRONMENTAL PROTECTION (PADEP) - the Pennsylvania Department of Environmental Protection, its bureaus, divisions, departments and/or agencies, as may from time to time be established, or such Department or Departments as may in the future succeed it.

DETENTION POND - an area in which surface water runoff is temporarily stored pending its release at a controlled rate.

DEVELOPER - any landowner, agent of such landowner, or tenant with the permission of such landowner, who proposes, makes, or causes to be made a subdivision of land or land development.

DEVELOPMENT PLAN - the provisions for development of land including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, driveways, sidewalks and parking facilities, common open space, and public facilities. The phrase "provisions of development plan," when used in this Chapter, shall mean the written and graphic materials referred to in this definition.

DRAINAGE - the removal of surface water or groundwater from land by drains, grading or other means, and includes control of runoff to minimize erosion and sedimentation during and after construction or development.

DRAINAGE RIGHT-OF-WAY - the land required for the installation of storm-water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

DRIVEWAY - a vehicular connection from a lot to the right-of-way. A driveway terminates at the right-of-way line and/or the access drive.

DRAINAGE FACILITY - any ditch, gutter, culvert, storm sewer or other structure designed, intended or constructed for the purpose of carrying, diverting or controlling surface water or

groundwater.

DWELLING UNIT - more than one (1) habitable room containing permanent heating, sanitary, sleeping, cooking and eating facilities used or intended to be used as living quarters for a single household or family.

EASEMENT - a grant of one (1) or more property rights for a portion of land by the landowner to and/or for the use by the public, a corporation, or another person or entity.

ENGINEER - an individual licensed and registered to engage in the practice of engineering in Pennsylvania. A professional engineer may not practice land surveying unless licensed as set forth in P.L. 534, No. 230; however, a professional engineer may perform engineering land surveys.

EROSION - the removal of surface materials by the action of natural elements.

EXCAVATION - any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

FILL - any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, transported, or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include the conditions resulting therefrom. Fill also can refer to the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade.

FLOODPLAIN/FLOODWAY - See Chapter 8 of the Code of the Borough of Sewickley.

IMPROVEMENTS TO LAND - a construction or installation including, but not limited to, of any of the following: streets, gutters, culverts, sidewalks, storm sewers, fiber optic cable, water drainage facilities, utilities (gas, electric, telephone services), water system, fire hydrants, sanitary sewers, septic tanks, street signs, street lights and including cuts and/or fills.

LAND DEVELOPMENT - any one (1) of the following activities:

- A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
 1. A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 2. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) 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. Subdivision of land;
- C. "Land development" does not include development which involves:
1. The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) dwelling units, unless such units are intended to be a condominium;
 2. The addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal building; or
 3. The addition or conversion of buildings or rides within the confines of a business establishment which would be considered an amusement park. For the 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 by the proper authorities.

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 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 the land.

LOT - a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

LOT AREA - the area contained within the lot lines of a lot excluding space within any rights-of-way(s) of public streets and ways.

LOT, CORNER - a lot at the junction of and adjoining two (2) or more intersecting streets or at the point of abrupt change of a single street, where the interior angle is less than one hundred thirty-five (135) degrees or the radius of the street line is less than ten (10) feet.

LOT, INTERIOR - a lot other than a corner lot with only one (1) frontage on a street.

LOT OF RECORD - a lot which has been properly recorded in the Office of the Department of Real Estate of Allegheny County, Pennsylvania.

LOT, THROUGH - a lot other than a corner lot with frontage on more than one (1) street.

LOT, WIDTH - the horizontal distance between both side lot lines measured at the required minimum front setback.

MARKER - a metal pipe or pin of at least one half (1/2) inch diameter (preferred three fourths (3/4) inch or seven eighths (7/8) inch and at least twenty four (24) inches in length (preferred thirty (30) inches to thirty six (36) inches) which shall be used for survey purposes.

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 differences, culminating in a written agreement which the parties themselves create and consider acceptable.

MONUMENT - a stone or concrete monument with a flat top at least four (4) inches in diameter or square, containing a copper or brass dowel (plug), and at least twenty four (24) inches in length (preferred thirty (30) inches to thirty six (36) inches. The bottom, sides or radius shall be at least two (2) inches greater than the top, to minimize movements caused by front which shall be used for survey purposes.

NONCONFORMING LOT - a lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

PERFORMANCE GUARANTEE - any security which may be in lieu of a requirement that certain improvements be made before the Borough Council approves a final subdivision or land development plan, including performance bonds, escrow agreements, and other similar collateral or surety agreements.

PERSON - an individual(s), partnership(s), co-partnership(s), association(s), corporation(s), limited liability company(ies), limited liability partnership(s), and any and all other entities.

PLANNING COMMISSION or BOROUGH PLANNING COMMISSION - the Sewickley Borough Planning Commission, appointed by the Borough Council in accordance with the Pennsylvania Municipalities Planning Code, Act 247, as amended.

PLAT, FINAL - a complete and exact map or plan of a subdivision or land development (and including all required supplementary data), prepared for official recording as required by statute, defining property rights as well as proposed streets and other improvements.

PLAT, PRELIMINARY - a tentative map or plan of a subdivision of land development (and including all required supplementary data), in lesser detail than a final plat, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plat.

PLAT OF RECORD - the copy of the final plat which contains the required original endorsements and which is recorded with the County Department of Real Estate.

PRIVATE STREET (see "street") - a right-of-way not adopted or otherwise determined to be a public street by Borough of Sewickley, or not having otherwise been adopted as a County, State or Borough street.

PUBLIC GROUNDS - public grounds includes:

A. Parks, playgrounds, trails, paths and other recreational areas and other public areas.

B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.

C. Publicly owned or operated scenic and historic sites.

PUBLIC HEARING - a formal meeting held pursuant to public notice by the Borough Council or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with the Pennsylvania Municipalities Planning Code, Act 247, as amended.

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 (2) successive weeks in a newspaper of general circulation in the Borough. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

RESERVE STRIP - a parcel of ground in separate (sometimes public) ownership separating a street from the adjacent properties, or from another street.

RE-SUBDIVISION - any subdivision or transfer of land, laid out on a plan which has been approved by the Borough Council which changes or proposes to change property lines and/or public rights-of-way not in strict accordance with approved plan.

RIGHT-OF-WAY - an area of land that is legally described for the public or private provision of access.

RUNOFF - the surface water discharge or rate of discharge of a given area or watershed after a fall of rain or snow, that does not enter the soil but runs off the surface of the land.

SANITARY SEWAGE DISPOSAL, ONSITE - any structure designed to biochemically treat sanitary sewage within the boundaries of an individual lot, or tract of lots.

SANITARY SEWAGE DISPOSAL (PRIVATE) - a sanitary sewage collection system managed and operated under private auspices, in which sewage is carried from individual lots by a system of pipes, to a central treatment and disposal plant, generally serving a neighborhood area.

SANITARY SEWAGE DISPOSAL, PUBLIC - a sanitary sewage collection system, managed and operated by the Borough, in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

SEDIMENTATION - the process by which mineral or organic matter is accumulated or deposited by moving wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is considered sediment.

SEPTIC TANK - a covered watertight settling tank in which raw sewage is biochemically changed into solid, liquid and gaseous states to facilitate further treatment and final disposal.

SHOULDER - the portion of a roadway (cartway) between the curb or gutter and the travelway intended for emergency and parking use.

SLOPE - the face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slope is expressed in a percentage based upon vertical difference in feet/one hundred (100) feet of horizontal distance.

SOIL PERCOLATION TEST - a field test conducted to determine the absorption capacity of soil to a specified depth in a given location for the purpose of determining suitability of soil for onsite sewage disposal.

SOIL STABILIZATION - the chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise to improve its engineering properties.

STREET - includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. Streets are further classified according to the functions they perform:

- A. Arterial. Signalized streets that serve primarily through traffic and provide access to abutting properties as a secondary function, having signal spacings of two (2) miles or less and turn movements at intersections that usually do not exceed twenty (20) percent of total traffic.
- B. Collector. A roadway which typically connect local streets to arterial streets whereas the street may provide land access and traffic circulation within residential, commercial, and industrial areas.
- C. Local Roads. A public street designed to provide access to abutting lots and to discourage through traffic.
- D. Alley. A public thoroughfare which may afford a secondary means for lot access but not intended for general traffic circulation.
- E. Lane. A public thoroughfare, located internal to a lot, which serves as a means of circulation between structures, parking areas and/or access to garages/service aisles.
- F. Cul-de-sac. A dead-end street with a vehicular turnaround at the dead end.

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

SUBDIVIDER - the term "subdivider" shall be synonymous in meaning with developer as defined herein and shall be used interchangeably with same.

SUBDIVISION - the division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other division of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, petition 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 ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

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 pursuant to section 509 of the PA Municipalities Planning Code) 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.

SURFACE DRAINAGE PLAN - a plan showing all present and proposed grades and facilities for storm water drainage.

SURVEYOR - a surveyor registered by the Commonwealth of Pennsylvania.

SWALE - a low lying stretch of land which gathers, or carries, surface water runoff.

TOPSOIL - surface soils and subsurface soils which presumably are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer called the A horizon.

WATERCOURSE - a permanent stream; intermittent stream; river; brook; creek; or a channel or ditch for water whether natural or manmade.

WATER DISTRIBUTION SYSTEM, ONSITE - a system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

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

PART III
CLASSIFICATIONS OF APPROVALS AND APPLICATIONS

§301. General.

- A. The regulations in this Part are intended to assure that adequate information is submitted to permit the Borough to undertake a thorough review of each proposal as related to the development, transportation, environment and other aspects of an application.
- B. Any landowner or developer of land within the Borough desiring approval of a subdivision or land development application shall comply with the following procedures.
- C. Any replatting of recorded plans, or any revisions of approved plans that have not been recorded shall be considered as new applications and shall be required to comply with all requirements of this Chapter, unless the Applicant requests and receives a modification of any requirements from the Borough Council pursuant to this Chapter.
- D. Any application for replatting or revision that is limited to a survey correction may be approved without review provided no changes have been made to Zoning or SALDO. The application should be accompanied by a statement from a Professional Engineer that the plan has not been altered from the original.
- E. All applications shall reflect the contents for submission reflected on Table 1: Subdivision and/or Land Development Submission Requirements. Completion and timing of Staff and County reviews shall occur in accordance with applicable law. The Zoning Officer may call on staff for review of submissions at any time during the review process.
- F. All applications shall be in accordance with the Allegheny County Subdivision and Land Development Ordinance Sections 101, 103, 301, 302, 304, 305 and 306, as applicable to or containing relevant information to the Subdivision and/or Land Development. Plans shall also be prepared in accordance with Appendices 1 and 2 of the Allegheny County Subdivision and Land Development Ordinance.
- G. All applications shall include any additional information that is required by the Planning Commission, Borough Council, Zoning Officer, or Borough Engineer to comply with the intent of this Ordinance.
- H. Refer to Appendix 1 of this Chapter for a sampling of prototypical drawing examples related to the various approvals.
- I. Refer to Appendix 2 of this Chapter for a list of the Approval Process Diagrams available on file at the Borough Municipal Administrative Office.

§302. Approvals Overview.

- A. Four (4) types of approvals regulate lot revisions, lot consolidations, subdivisions and land development. See Table 1: Subdivision and/or Land Development Submission Requirements, at the end of Part III, for the applicability of each approval type. The four (4) approvals include:
1. Simple Subdivision.
 2. Minor Subdivision and/or Land Development.
 3. C-1 Subdivision and/or Land Development.
 4. Major Subdivision and/or Land Development.

§302.1 Simple Subdivision.

- A. Applicants are required to apply for and receive a simple subdivision approval from the Borough in accordance with the following.
1. Recommendations and Approvals.
 - a) In the case of simple subdivision, as defined by this Part, only a final plan, application and filing fee shall be required, provided that all requirements for submission of a final plan application are met. In addition, the Borough may require a topographical survey and a plan of utility and sewer access to be submitted as part of the final plan application in simple subdivisions where warranted by physical conditions.
 - b) The Borough Staff shall review and forward an Application with consideration for Borough Council approval or denial. Borough Staff reserves the right to present any points of discussion regarding simple subdivisions to Planning Commission for discussion prior to consideration for approval or denial by Borough Council.
 - c) The Borough Council shall be responsible for approving or denying simple subdivision in accordance with Section 508 of the Pennsylvania Municipalities Planning Code.
 2. Conferences. A pre-application conference with the Borough Staff is suggested prior to the submission of a final plan application.
 3. Applicants are required to provide an escrow fee for plan review and legal opinion of solicitor.

§302.2 Minor Subdivision and/or Land Development.

- A. Applicants are required to apply for and receive a minor land development approval from the Borough in accordance with the following criteria:

1. Recommendations and Approvals.
 - a) Application requirements as shown on the Subdivision and/or Land Development Requirement Table shall be submitted for all Minor Land Developments.
 - b) The Borough Staff shall review and forward an Application to the Planning Commission regarding Minor Land Development. Borough Staff comment resulting from said review shall accompany the Application forwarded.
 - c) The Planning Commission shall recommend Application approval or denial to the Borough Council regarding minor land development.
 - d) The Borough Council shall be responsible for approving or denying minor land developments in accordance with Section 508 of the PA Municipalities Planning Code. When necessary for the protection of public welfare, persons and lot, the Borough Council may conditionally approve a Minor Land Development subject to compliance with provisions and standards defined in this Part. The conditions of approval shall be specified, in writing, in the required notice of approval.
2. Conferences.
 - a) A pre-application conference is recommended with the Planning Commission prior to the submission of a final application. Refer to §303 for the requirements of a pre-application conference.
3. Applicants are required to provide an escrow fee for plan review and legal opinion of solicitor.

§302.3 C-1 Subdivision and/or Land Development.

A. Applicants are required to apply for and receive a minor land development approval from the Borough in accordance with the following criteria:

1. Recommendations and Approvals.
 - a) Application requirements as shown on Table 1: Subdivision and/or Land Development Submission Requirements, at the end of Part III, shall be submitted for all C-1 Land Developments.
 - b) The Borough Staff shall review and forward an Application to the Planning Commission regarding C-1 Land Development. Borough Staff comment(s) resulting from said review shall accompany the Application forwarded.
 - c) The Planning Commission shall recommend Application approval or denial to the Borough Council regarding C-1 land development.
 - d) The Borough Council shall be responsible for approving or denying minor land developments in accordance with Section 508 of the PA Municipalities Planning

Code. When necessary for the protection of public welfare, persons and lot, the Borough Council may conditionally approve a C-1 land development subject to compliance with provisions and standards defined in this Part, the Borough Zoning Ordinance and any other additional Borough requirements deemed necessary. The conditions of approval shall be specified, in writing, in the required notice of approval.

2. Conferences.
 - a) A pre-application conference is recommended with the Planning Commission prior to the submission of a final application. Refer to §303 for the requirements of a pre-application conference.
3. Applicants are required to provide an escrow fee for plan review and legal opinion of a solicitor.

§302.4 Major Subdivision and/or Land Development.

A. Applicants are required to apply for and receive both preliminary and final approval for a major land development approval from the Borough in accordance with the following criteria:

1. Recommendations and Approvals.
 - a) Application requirements as shown on Table 1: Subdivision and/or Land Development Submission Requirements, at the end of Part III, shall be submitted for all Major Land Developments.
 - b) The Borough Staff shall review and forward the Application to the Planning Commission regarding Major Land Development. Borough Staff comment resulting from said review shall accompany the Application forwarded.
 - c) The Planning Commission shall recommend Application approval or denial to Borough Council regarding Major Land Development.
 - d) Borough Council shall be responsible for approving or denying major land developments whether preliminary or final. When necessary for the protection of public welfare, persons and lot, the Borough Council may conditionally approve a major land development subject to compliance with the provisions and standards defined in this Part, the Borough Zoning Ordinance and any other additional Borough requirements deemed necessary. The conditions of approval shall be specified, in writing, in the required notice of approval.
2. Conferences.
 - a) A pre-application conference is recommended with the Planning Commission prior to the submission of a preliminary plan application. Refer to §303 for the requirements of a pre-application conference.

3. Applicants are required to provide an escrow fee for plan review and legal opinion of solicitor.

§303 Pre-Application Conference and Sketch Plan.

§303.1 Pre-Application Conference.

- A. A voluntary pre-application conference with the Planning Commission and staff is recommended prior to the submission of a preliminary plan application. The conference requires no formal application or fee.
- B. Any materials submitted for a pre-application conference shall not be considered as a part of an application for preliminary or final review. These opportunities are afforded to the Applicant to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation.
- C. The Applicant shall notify the Borough at least fifteen (15) calendar days prior to the regular meeting of the Planning Commission regarding his/her desire to attend a pre-application conference with the Planning Commission.

§303.2 Sketch Plan.

- A. As part of the pre-application conference, a subdivision and/or land development sketch plan may be submitted by an Applicant as a basis for informal discussion with the Planning Commission.
- B. Sufficient information shall be provided on the sketch plan to clearly indicate the character and extent of the proposed subdivision or land development and its relationship to existing natural features and public facilities within the area in which the land is situated. Such submission should include a concept establishing the location of the development, proposed circulation, open space, and any other features pertinent to the development. The base information illustrated on the sketch plan is recommended to be at a minimum scale of one (1) inch to fifty (50) feet.
- C. At its regular meeting following the receipt of the Applicant's pre-application submission and related review comments, the Planning Commission shall:
 1. Review the Applicant's pre-application submission.
 2. Review any comments reported by Borough Staff, as applicable.
 3. Review if the subdivision and/or land development is located where a flood hazard exists as identified in written correspondence prepared by the Applicant's Land Surveyor or Engineer of Record. Correspondence is also to be submitted in digital format at the request of the Borough.

§304 Preliminary Plan Application Requirements.

- A. Preliminary plan applications shall be prepared in conformance with the provisions of this Part and any other applicable requirements of Borough law. The preliminary plan application shall not be considered to be complete and properly filed unless and until all items required have been submitted and confirmed by the Zoning Officer. The Borough shall check the plans, documents and fees to determine if they are in proper form and contain all the information. If defective, the application will be returned to the Applicant with a statement that the application is incomplete within the twenty-six (26) day period; otherwise, the application shall be deemed filed as of the submission date. Acceptance shall not constitute a waiver of any deficiencies.

§304.1 Preliminary Plan Application Requirements and Fee.

- A. A preliminary plan application shall demonstrate conformance with the design standard requirements of Part 5 of this Chapter. All preliminary plan applications shall include the Borough application form plus any additional information, copies and fees as required by the Borough.
- B. A minimum of eighteen (18) copies of the preliminary plan application, including one (1) copy for each municipality within a one-half (1/2) mile of the site is required. A minimum of three (3) sets shall be twenty-four (24) inches x thirty-six (36) inches. One (1) electronic file in PDF file format and one electronic file in a CADD file format, acceptable to the Borough, shall be submitted of all plans, maps, and drawings.
- C. Filing/review fee (see schedule available at Borough office). The fee shall be submitted in the form of a check or money order payable to the Borough of Sewickley.
1. Review fees shall include the reasonable and necessary charges by the Borough professional consultants or engineer for review and report to the Borough and shall be set by resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Borough Engineer, but in no event shall be the fees exceed the rate or cost charged by the engineer or consultant to the Borough when fees are not reimbursed or otherwise imposed on Applicants.
 2. In the event the Applicant disputes the amount of any such review fees, Section 503.1 of the Pennsylvania Municipalities Planning Code shall apply.

§304.2 Letter of Transmittal.

A letter of transmittal identifying the proposed activity, the purpose of the development, lot/block reference(s), date, and any other pertinent information shall accompany the preliminary plan application.

§304.3 Preliminary Site Plan.

- A. The Preliminary Site Plan shall have all information required for the survey (See §304.14) as described in this Part. The following shall also be provided at the time of submission:
1. Intended name of plan or development.
 2. Date of plan, graphic scale and site location map of plan.
 3. Name, address and phone number of current land owner(s) and Applicant(s).
 4. Zoning Legend. A zoning legend shall be made part of the Final Site Plan. The legend shall show all pertinent zoning requirements such as, but not limited to, set back requirements, zoning district, parking requirements, existing use, any variances required, applied for or granted, modifications required, applied for or granted, etc. This legend shall be incorporated into the title sheet.
 5. Name and address of the registered professional who prepared the site plan with registration number and seal affixed.
 6. North arrow, properly affixed and basis of demarcation.
 7. Graphic scale.
 8. Legend.
 9. Existing zoning boundaries on the lot, if any.
 10. Accurately depict all known survey points with description as to type, location and material.
 11. Existing lot boundary lines, right-of-way lines or easements for streets and utilities, and proposed lot lines with accurate dimensions, bearings or radii and arcs of all corners.
 12. Post Office approved name and legally established right-of-way width of each existing or proposed street or right-of-way.
 13. Proposed lot lines shown with a number to identify each proposed lot on the site and the approximate area (in square feet) of each lot.
 14. Location of existing buildings by surveyed distance shown from structure to front, side or rear lot lines.
 15. Proposed building front setback lines of all existing or proposed lots.

16. The layout of the proposed lots, with approximate dimensions, including setback and/or buildings lines.
17. The proposed location of all sanitary sewer and stormwater management structures.
18. A parking plan indicating location of parking area(s), arrangement of spaces, access lanes and number of cars to be accommodated; the configuration of proposed building(s) and all other significant planned facilities.
19. If required or provided, location size and general layout of public areas, open space and recreation areas.
20. A separate written statement on the preliminary site plan indicating any requested modifications to the provisions of this Chapter or variances, exceptions or interpretation from the Borough Zoning Ordinance.
21. A description of the soil types located on the lot, delineating all landslide prone areas as well as any mined-areas.
22. Plans shall show existing and proposed building locations and waiver from the regulations herein established and citing the reasons for same.
23. In addition to the location of proposed buildings, the following utility lines shall be illustrated: sanitary sewer, storm sewer, water, gas, petroleum and high pressure gas lines indicating line size. As applicable, the following shall also be indicated: manholes, fire hydrants, utilities and other visible elements in the system on or adjacent to the lot proposed to be developed.
24. Wetlands, streams, flood plains and FEMA designations on the lot.
25. Environmentally sensitive areas on the lot.
26. Gas wells on the lot.
27. Easements proposed or existing.
28. Separate written proof of sewer availability.
29. Names of owners of record of adjoining lands.
30. Total acreage of the overall tract and if applicable each proposed lot in square feet and acreage to one/one-thousandth (1/1000) acre.
31. Parcel block and lot numbers.

§304.4 Preliminary Grading Plan.

- A. Preliminary Grading Plan shall be submitted and shall include the following:

1. Written and graphic scale in a form acceptable to the Borough and engineering standards. The preliminary grading plan shall be at a scale of one (1) inch to fifty (50) feet or larger.
2. North arrow.
3. The existing contours of the lot (s).
4. Proposed contours of the lot (s) after completion of the excavation, cuts, grading and filling.
5. The preliminary grading plan's contour interval shall be as follows:
 - a) Not more than two (2) foot intervals where the slope will be greater than ten (10) percent and less than fifty (50) percent. Not more than ten (10) foot intervals where the slope will be greater than fifty (50) percent.
 - b) Not more than one (1) foot intervals where the slope will be equal to or less than ten (10) percent.
6. Existing and proposed catch basins, manholes, headwalls and other drainage structures with top and invert elevations on the applicable Storm Water Management Plan.
7. Existing and proposed buildings, structures, roads, sidewalks, curbs, parking areas and any other physical improvements.
8. Grading within or near a stream bank must be noted.
9. Grading within or near a floodplain area must be noted and if applicable, the impact the grading will have on the floodplain.
10. A surface drainage map showing the impact upon runoff prior, during and post grading activities.
11. A vegetation plan showing types of existing vegetation existing on site and areas of proposed removal.

§304.5 Preliminary Parking Plan.

The Applicant shall submit a preliminary parking plan demonstrating how the off-street parking requirements will be met. The preliminary parking plan shall utilize the preliminary site plan as a background and shall illustrate all existing and proposed parking for the development. Parking space counts shall also be provided for each parking area. The location and design of off-street parking areas showing size and location of bays, aisles, and barriers and the proposed direction of movement shall be provided as well as access points into and out of the parking areas. The preliminary parking plan shall conform to the drawing

standards as outlined for the preliminary site plan. If applicable, a shared parking analysis as identified §304.29 of this Ordinance shall be attached to the submission.

§304.6 Preliminary Loading Plan.

The Applicant shall submit a preliminary loading plan demonstrating how loading space requirements will be met including accessibility. The preliminary loading plan shall utilize the preliminary site plan as a background and shall illustrate proposed loading areas for the development. Parking space counts shall also be provided for each parking area. The preliminary loading plan shall conform to the drawing standards as outlined for the preliminary site plan.

§304.7 Preliminary Stormwater Management Plan and Report.

- A. Land development plans shall be based on a stormwater management study performed in accordance with the Storm Water Management Ordinance #1233 of the Code of the Borough of Sewickley relating to stormwater management. A copy of said study shall be submitted.
- B. Where applicable, if the Allegheny County Conservation District or the PADEP has reviewed a Storm Water Management Plan in accordance with PA Chapter 102 regulations that differ from the requirements set forth in the Storm Water Management Ordinance 1233, the completed and approved documents authorizing the design and discharge together with a written request for modification from the Ordinance shall be submitted.

§304.8 Resource Protection Plan and Worksheet.

Official copies of the Resource Protection Worksheet are available through the Zoning Officer and shall be completed to determine the initial net buildable area of the lot. See §504 of the Borough Zoning Ordinance for details.

§304.9 Sewage Facilities Planning Module.

- A. Where applicable, if an exemption from the Sewage Facilities Planning Module has been requested or granted in accordance with the rules and regulations of the PADEP, the completed or approved forms shall be submitted with the application.
- B. Where applicable, a Sewage Facilities Planning Module shall be the responsibility of the Applicant and shall be prepared in accordance with the rules and regulations of the Pennsylvania Department of Environmental Protection. The completed module shall accompany the preliminary plan application.

§304.10 Any Application Granting Approval Of Any Zoning Variance, Exception or Interpretation.

Written correspondence of Approval by the Zoning Hearing Board for any zoning variance related to the proposed development shall be provided. The Applicant shall provide all materials as submitted to the Zoning Hearing Board including any reports, maps, or other

documents. For any application, the Borough may require the land development application and variance/exception/interpretation application be submitted by the applicant and/or be reviewed by the Borough simultaneously.

§304.11 Any Application For Conditional Use.

Written correspondence requesting any conditional use(s) related to the proposed development shall be provided. The Applicant shall provide all materials any reports, maps, or other documents which support the request for said conditional use(s). For any application, the Borough may require the land development application and conditional use application be submitted by the applicant and/or be reviewed by the Borough simultaneously.

§304.12 Any Application Granting Approval Of Any Special Exception.

Written correspondence of approval by the Zoning Hearing Board for any special exception related to the proposed development shall be provided. The Applicant shall provide all materials as submitted to the Zoning Hearing Board including any reports, maps, or other documents. For any application, the Borough may require the land development application and special exception application be submitted by the applicant and/or be reviewed by the Borough simultaneously.

§304.13 Proof of Submission to Other Agencies (PADEP, Allegheny County Conservation District, PennDOT and others as determined by Borough.)

- A. A listing of the necessary approvals and permits that will be required for the proposed development from the Borough, County, Commonwealth or Federal agencies shall be submitted.
- B. Approval of the preliminary plan application by the Borough Council may be conditioned upon receipt of approvals from County, State or Federal agencies. Therefore, proof of submission during the preliminary plan application process is required to avoid any issues throughout the final plan application process.
- C. Proof of submission of review requests/responses and permit applications may include, but not limited to:
 - 1. Pennsylvania Department of Transportation Highway Occupancy Permits.
 - 2. Pennsylvania Department of Transportation Traffic Signal Permits.
 - 3. Pennsylvania Department of Environmental Protection Sewerage Planning Module (or Exemption if applicable).
 - 4. Pennsylvania Department of Environmental Protection National Pollutant Discharge Elimination System Permits.
 - 5. Pennsylvania Department of Environmental Protection Water Obstruction and Encroachment Permits.

6. Pennsylvania Department of Economic Development and/or Federal Emergency management Agency Floodplain Permits.
7. Allegheny County Conservation District Proof of Submission.
8. Borough of Sewickley Wastewater Treatment Department and Sewickley Water Authority Proof of Submission.
9. Include proof that the PA Department of Community and Economic Development, the Federal Insurance Administrator, or other applicable local/state/federal agency, has been notified whenever any such activity is proposed that impacts an identified flood-prone area.
10. Proof of submission of the Borough of Sewickley Zoning request unless otherwise identified by the Borough.

§304.14 Survey (Sealed).

- A. The Applicant shall submit an engineering land survey of the lot certified by an Engineer or Professional Land Surveyor. The survey shall be at a scale of not more than one (1) inch equals one hundred (100) feet. The plan shall be drawn in accordance with standard land surveying practices, and using standard map symbols to clearly indicate the following:
 1. Name of the proposed project.
 2. Location map showing the subdivision/land development location within the boundaries of the Borough (including major transportation routes, title, north arrow and graphic scale).
 3. Existing lot lines, adjacent lot owner(s) names, lot and block numbers and recorded subdivision name with recording information.
 4. Name, address of current land owner(s), Applicant and firm that prepared the survey.
 5. The entire existing lot boundary with bearings and distances as surveyed.
 6. The total acreage of the entire existing land.
 7. Zoning information legend (to include, but not limited to: district, minimum lot size, density, requirements) showing both required and proposed conditions.
 8. Streets abutting the lot, indicating names, right-of-way widths and cartway widths and ownership (federal, state, county, municipal or private).
 9. Existing and proposed easements, indicating location, width, purpose and lessee.
 10. Location of existing buildings, sanitary sewer, storm sewer, water, gas, petroleum and high pressure gas lines indicating line size, manholes, fire hydrants, utilities and other visible elements in the system on or adjacent to the lot proposed to be developed.

11. Existing contours at a minimum vertical interval of two (2) feet.
12. A description of the lot locating proposed, existing and pre-existing gas and oil wells, location maps, dates of operation, and lease holder(s) shall be provided.
13. Where practical, datum to which contour elevations refer shall refer to known, established elevations.
14. Monument locations.

§304.15 Erosion and Sedimentation Plan.

A copy of the erosion and sedimentation plan as filed with the Allegheny County Conservation District including a copy of the transmittal letter and evidence of Allegheny County Conservation District adequacy letter shall be provided. NPDES authorization letter shall be provided.

§304.16 Typical Cross-Sections Of Each Street Proposed.

- A. Typical street cross-sections for each proposed street and typical cross-sections for any existing street that will be improved shall be provided. Cross-sections shall be drawn to scale one fourth (1/4) inch to one (1) foot and shall be sealed by a registered engineer or land surveyor.
- B. All street cross-sections shall include all information in accordance with the Borough standards.

§304.17 Photometrics Plan.

The Photometrics Plan shall describe the maximum illumination values and average illumination value required. The location and effect of outdoor lighting on streets and residential lots in the line of sight of proposed lighting shall be provided by the Applicant. A computer-generated lighting model with point-by-point illumination of all proposed lighting and areas expected to be illuminated, if applicable, is required. The lighting model shall include buildings, structures, parking areas and lot lines and shall be provided at the same scale as the final site plan.

§304.18 Building Elevations and Other Architectural Drawings.

- A. Building elevations and other architectural drawings shall be provided for all developments other than single family residential.
- B. Building elevations and other architectural drawings containing the following information shall be provided. Elevations and drawings shall be illustrated to scale (no less than one fourth (1/4) inch to one (1) foot) showing:

1. Drawings or elevations depicting the front, rear and side facades of all proposed buildings including building's architectural features, exterior building materials, colors and/or finishes.
2. The drawings or elevations shall indicate the height of the building in feet and number of stories and the building's relationship to the finished grade immediately surrounding the building.
3. Spot elevations designating the existing and proposed grading.

§304.19 Landscape Plan.

- A. A landscape plan shall be provided for all developments other than single family residential.
- B. A landscape plan shall be provided in accordance with the Borough Zoning Ordinance and shall contain the following:
 1. Preliminary site plan as a background.
 2. Approximate locations and spacing of all proposed plant material with typical dimensions at maturity by species. Existing vegetation to remain shall also be illustrated.
 3. Botanical and common names of all plant species, their sizes and quantities as noted in a Plant Schedule and as individual call-outs on the graphic.
 4. Street trees, specimen trees and accompanying shrubs and/or groundcover landscaping in accordance with the Borough Shade Tree Commission requirements. See the Code of the Borough of Sewickley relating to Street Trees.

§304.20 Construction Details.

- A. Construction details shall be provided for all construction in accordance with Borough standards. Details shall include, but not be limited to utilities, pavement, walls, and landscaping.

§304.21 Phasing Plan and Schedules.

- A. If the Applicant intends to develop land in phases, a Phasing Plan shall be required showing total lot phasing. If a subdivision and/or land development is planned as a phased development, the plan shall specify how many phases, phasing boundaries and the proposed time frame necessary to complete each phase.
- B. Where the Applicant proposes the development of a subdivision or land development in separate phases over a period of years, the Borough authorizes submission of the final plan applications subject to guarantees that public improvements will be provided in future phases.

- C. All applications for final approval of future phases must conform to the preliminary plan application as previously approved by the Borough. Any phase that contains substantive changes to the previously approved in the preliminary plan will represent a major modification to the application and will require complete resubmission of the preliminary plan application in accordance with this Chapter.
- D. Each phase, except for the last phase, shall contain a minimum of twenty five (25) percent of the total number of dwelling units as depicted on the preliminary site plan unless the Borough approves a lesser percentage for one (1) or more of the phases.

§304.22 Common Areas Plan and Facilities Management.

All development proposals involving land or facilities that will be commonly owned among more than one (1) title-holder shall include a diagram illustrating the location(s) and extent of said land at the time of plan application. The ownership and method of assuring perpetual maintenance to be applied to those areas which are to be used for recreational or other common purposes shall be defined and recorded in a manner that the solicitor finds acceptable. The Plan shall be provided at the same scale as the Preliminary and Final Site Plans, as applicable.

§304.23 Level of Service of Water And Sewage Supply

If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision and/or land development, Applicants shall present evidence to the Planning Commission that the subdivision and/or land development is to be supplied by the Sewickley Water Authority and sewage will be provided by the Borough of Sewickley Wastewater Treatment Department. This evidence shall take the form of 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 in question, whichever is appropriate, submitted to the Borough.

§304.24.A Traffic Impact Study.

The Borough shall require a traffic impact study for land development or change in land use generating trips in addition to the adjacent roadways' existing peak hour volumes in cases where known traffic deficiencies as listed in the Trans Associates (TA) Route 65 study exist in the area of the proposed development or as the result of a proposed change in use. Development generating less than seventy five (75) trips per peak hour shall be required to submit a Traffic Impact Study Type A. Development generating seventy five (75) per peak hour or more trips shall require the submission of a Traffic Impact Study Type B. See §701.B of the Borough Zoning Ordinance for specific requirements.

§304.24.B State Highway Access

The Applicant shall obtain a copy of the submitted application and approved permit for a Highway Occupancy Permit (H.O.P.) for plans that require access to a highway

(Pennsylvania Route or United States Route) under the jurisdiction of the Pennsylvania Department of Transportation. The H.O.P. plan shall contain a notice that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1424, No. 428), known as the "State Highway Law", before driveway access to a state highway is permitted.

§304.25 Geotechnical Report and Slope Analysis.

A professional geotechnical engineer licensed in the Commonwealth of Pennsylvania shall complete a quantitative slope stability analysis of proposed cut slopes and fill embankments. At minimum, test boring and relevant laboratory soil or rock test results, site groundwater and surface water findings, anticipated surcharge and/or hydrostatic loads/conditions and any other factors affecting the proposed slopes should be included in the analysis. The slope stability analysis must be based on a method accepted by the geo-technical engineering community, and that has been published in an accepted engineering text book, journal, or proceedings. The analysis should ultimately provide a factor of safety (FS) against movement/failure of the proposed slope. A slope will generally be considered stable in the long-term when the $FS \geq 1.5$, unless special circumstances, as approved by the Borough, should be allowed. Various slope/embankment construction scenarios can be analyzed by the engineer, but no proposed slopes/embankments indicating a FS less than that approved will be deemed acceptable.

The slope analysis shall also depict the location of slopes with grades between fifteen (15) percent and twenty five (25) percent and those that exceed twenty five (25) percent in gradient. Each category shall be depicted with a different color or grey shading or pattern. A statement that the proposed subdivision or land development will not cause any environmental hazard or subsidence shall also be included on the slope analysis.

An Applicant shall review and note their site location in relation to landslide prone areas as designated by the Commonwealth of Pennsylvania's available mapping.

§304.26 Impervious Surface Worksheet.

Official copies of the Impervious Surface Worksheet are available through the Zoning Officer and shall be submitted to the Zoning Officer as part of a preliminary land development application. See §416 of the Borough Zoning Ordinance for specific requirements related to the worksheet. §304.27 Environmental Assessment.

The location of relevant natural features as stated under the National Pollutant Discharge Elimination System (NPDES) Permit requirements including, but not limited to, streams, other natural watercourses, wetlands, general land cover, significant tree masses and other significant natural features shall be illustrated on an environmental analysis base map at the same scale as the preliminary site plan.

§304.28.A Wetland Impact

The Applicant shall include on the plans a statement that no development will occur within wetland areas. If development is proposed within wetlands, Applicant shall obtain appropriate permits from federal and state regulating agencies. Also, Borough may require an environmental study to determine impacts to the wetlands in addition to recommending improvements to mitigate the impacts.

§304.28.B Phase 1 Environmental Assessment.

- A. Purpose: A Phase 1 Environmental Assessment Report shall be submitted that evaluates whether a lot is likely to have suffered environmental degradation. It involves non-intrusive investigative techniques to establish whether the lot is likely to be contaminated and if so, to initiate the next level of Environment Assessment.
- B. Content: An Environmental Assessment, in general conformance with the guidelines established under ASTM Standards on Environmental Assessments, shall contain the following:
 - 1. Records Review.
 - a) Review of records from standard sources as accepted by the Pennsylvania Department of Environmental Protection that are reasonably ascertainable to identify known environmental conditions for the site as well as the immediate surrounding area.
 - b) Review federal, state and local databases, including CERCLIS, NPL, RCRA notifiers, open dumps, ERNS, FINDS and USTs to determine if the subject lot is identified therein regarding spills, discharges and hazardous waste sites.
 - c) Review site historical records to assess previous uses of the site as they may relate to current environmental conditions.
 - d) Review chain-of-title documents and practical reviewable materials such as aerial photographs, Sanborn fire insurance maps, zoning and land use records or historical maps to assess the previous uses of lot.
 - 2. Site Reconnaissance: The site reconnaissance shall assess, to the extent to which they can be visually or physically observed, the following:
 - a) Current land use.
 - b) Previous uses.
 - c) Current uses of adjacent properties.
 - d) Previous uses of adjacent properties.

- e) Hazardous and petroleum substances storage and use.
 - f) Evidence of above or below ground storage tanks.
 - g) Drums or unidentified storage containers.
 - h) Electrical equipment with known or suspected PCBs.
 - i) Pools of free liquid, stains or corrosion or odors.
 - j) A general description of the presence of floor drains, sumps/pits, septic systems and wells.
 - k) Stressed vegetation or dead vegetation.
 - l) Signs of oil and gas well development.
3. Interviews of persons familiar with the site: Topics of interviews with those familiar with the site shall include, but not be limited to the following:
- a) Past uses of the site.
 - b) Site modifications.
 - c) Regulatory compliance (to identify obvious potential indicators of the existence of environmental conditions).
 - d) Information regarding the presence and locations of:
 - (1) Burial sites.
 - (2) Oil and/or gas wells or leases of the same.
4. Report preparation.
- a) Evaluate data, findings and recommendations resulting from (1), (2) and (3) of this Section.
 - b) Prepare and submit a written report summarizing and detailing the above results.
- C. Findings: If the Environmental Site Assessment report indicates that the lot is likely to be degraded, then the Applicant must conduct a Site Investigation in accordance with the ASTM guidelines for a Site Investigation to identify areas of the lot impacted by environmental degradation and a Remedial Investigation / Feasibility Study to identify the full extent of soil and ground water contamination and to identify and evaluate the feasibility of remediation alternatives. The Site Investigation and Remedial Investigation / Feasibility Study evaluations shall be in conformance with the guidelines of the governing state or federal regulatory agency.

D. Waiver: The Borough Council may waive the requirements of this Section, upon the Applicant's written request and recommendations from the Planning Commission. Grounds for a waiver include, but are not limited to:

1. A proposal presenting a suitable alternative that conforms to the intent of this Ordinance.
2. Existing physical characteristics of the lot that prevent conformance with requirements.

§304.28.C Phase 2 Environmental Assessment.

A Phase 2 environmental assessment including all plans, narrative, and supporting information as required by the Pennsylvania Department of Environmental Protection or its approved equivalent shall be provided. The following situations, but not limited to such situation, may specifically require a Phase 2 Environmental Assessment based upon determination from the Pennsylvania Department of Environmental Protection:

- A. For an application for change of use.
- B. When the regulatory agency suspects toxic conditions on the site.

§304.29 Shared Parking Analysis (C-1 Only).

- A. The Applicant shall obtain an electronic copy of the C-1 Parking Model from the Zoning Officer. The Applicant shall submit one (1) electronic and one (1) hard copy of the completed C-1 Parking Model to the Zoning Officer as part of the preliminary plan application and final plan application requirements. See §1001 of the Borough Zoning Ordinance for more details.

§305 Final Plan Application Requirements.

- A. Final plan applications shall be prepared in conformance with the provisions of this Part and any other applicable requirements of Borough law. The final plan application shall not be considered to be complete and properly filed unless and until all items required have been submitted and confirmed by the Zoning Officer. The Borough shall check the plans, documents and fees to determine if they are in proper form and contain all the information. If defective, the application will be returned to the Applicant with a statement that the application is incomplete within the twenty-six (26) day period; otherwise, the application shall be deemed filed as of the submission date. Acceptance shall not constitute a waiver of any deficiencies.

§305.1 Final Plan Applications.

- A. After a preliminary plan application has been approved by the Borough, the Applicant may proceed by submitting a final plan application within such time periods as set forth by law. Final plans shall be prepared in accordance with the additional requirements of

this Chapter and shall provide sufficient design information to demonstrate compliance with the requirements of Part 5 of this Chapter.

- B. For those Applicants not required to obtain preliminary plan application approval, the final plan application shall include all information required on the Subdivision and/or Land Development Requirement Table.
- C. A final plan application shall not be considered to be complete and properly filed unless and until all items required by this Chapter, including the application fee and the application form provided by the Borough, have been received at least twenty-six (26) days prior to the Planning Commission meeting.

§305.2 Final Plan Application Requirements and Fee.

- A. Final plan applications shall be prepared in conformance with the provisions of this Chapter and any other additional applicable Borough requirements of law. The Borough shall check the final site plans and documents to determine if they are in proper form and contain all the information. If defective, the application may be returned to the Applicant with a statement that the application is incomplete within the ten (10) day period; otherwise, the application shall be deemed filed as of the submission date. Acceptance shall not constitute a waiver of any deficiencies.
- B. All final plan applications shall include the following, plus any additional information and copies as required by the Borough.
 - 1. One (1) application form as specified and obtained from the Borough.
 - 2. A minimum of eighteen (18) copies of the final site plan, including one (1) copy for each municipality within a one-half (1/2) mile of the site shall be submitted. A minimum of three (3) sets shall be twenty-four (24) inches x thirty-six (36) inches. One (1) electronic file shall be submitted in .PDF file format of all plans, maps, and drawings.
 - 3. Filing/review fees (see schedule available at Borough office). The fee shall be submitted in the form of a check or money order payable to the Borough of Sewickley.
 - a) Review fees shall include the reasonable and necessary charges by the Borough professional consultants or engineer for review and report to the Borough and shall be set by resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Borough Engineer, but in no event, shall the fees exceed the rate or cost charged by the engineer or consultant to the Borough when fees are not reimbursed or otherwise imposed on Applicants.
 - b) In the event the Applicant disputes the amount of any such review fees, Section 503 (1) of the Pennsylvania Municipalities Planning Code shall apply.

4. Inspection and Engineering Fees - Inspection and engineering fees according to the resolution of Borough Council as updated time to time, in the form approved by the Borough, shall be provided.

§305.3 Letter of Transmittal.

A letter of transmittal identifying the proposed activity, the purpose of the development, lot numbers, date, and any other pertinent information shall accompany the application.

§305.4 Updated/Revised Preliminary Plan Information.

- A. Items 304.14 thru 304.29 in the Preliminary Plan Application requirements shall be resubmitted as part of the Final Plan Application Requirements with information revised per Borough comments and updated per latest available design.

§305.5 Final Site Plan.

- A. The Final Site Plan shall be provided in an accurate and final form appropriate for recording. Final Site Plans shall be submitted on sheets measuring twenty four (24) inch by thirty six (36) inch, or other size requested by the Allegheny County Department of Real Estate. Where necessary to avoid sheets larger than the maximum size prescribed above, final site plans shall be drawn on multiple sheets and accompanied by a key diagram showing relative location of the sections.

All final plan application drawings shall be drawn at a scale of either one (1) inch equals fifty (50) feet or smaller (e.g. 1"=20"). The final site plan shall be in such a format and/or such material as is required for recording by the Allegheny County Department of Real Estate office. All Preliminary Site Plan requirements as listed in §304.3 shall be included in the Final Site Plan. The Final Site Plan shall also meet the following requirements:

1. Copy of the approved preliminary plan.
2. 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:
 - a. Title block, placed in the lower right hand corner and containing the following information:
 - 1) The name and location of the subdivision or land development, the plan date and the date of any revisions.
 - 2) The name and plan book volume and page numbers of the previously recorded plan, if any.
 - 3) Name, address and phone number of the owner of record and the developer.
 - 4) Name, address and phone number of the firm that prepared the plans, and the name, seal and registration number of the surveyor who prepared the plan.

- 5) Sheet number, North arrow and graphic scale.
- b. Tract boundaries, right-of-way lines of streets, easements and other right-of-way lines with accurate distances to hundredths of a foot and bearings to 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 the Allegheny County Subdivision and Land Development Ordinance.
- c. Complete curve data for all curves included in the final plat, including radius, arc length, chord bearing and chord distance.
- d. Location, type and size of all monuments and lot line markers. State whether found, set or to be set.
- e. Approved street names and street right-of-way widths.
- f. Lot numbers, lot dimensions, lot areas in square feet and building setback lines.
- g. Tabulation of area data in acres and square feet, including lots, parcels, units, areas dedicated for rights-of-way, etc., and total plan area.
- h. Lot and block or tax map parcel numbers.
- i. Easements and rights-of-way for all public and private improvements, including widths, purposes and limitations, if any.
- j. Accurate dimensions, acreage and purpose of any property to be reserved as public or common open space.
- k. Indication of platting of adjacent property and the names of the adjacent property owners.
- l. Site location map, prepared in accordance with the Allegheny County Subdivision and Land Development Ordinance.
- m. All required municipal certifications, which shall include the municipal engineer.
- n. Certification of plat preparation and accuracy by a registered surveyor.
- o. Certification of the dedication of streets and other property.
- p. All other certifications, dedications and acknowledgments, as required by Appendix 3 of the Allegheny County Subdivision and Land Development Ordinance and the Allegheny County Department of Real Estate.
- q. 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 in accordance with the Act of June 1, 1945, known as the "State Highway Law."

- r. Notation on the plan of any modifications or waivers granted to the provisions of this chapter.
3. Land development plans. In addition to the above final requirements, land development plans shall include the following information:
- a. Final site plan, including building locations, parking areas, roads and access drives, landscaping and bufferyards in accordance with this chapter.
 - b. Final grading plan. 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.
 - c. Final stormwater management plan, including all final calculations.
 - d. 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.
 - e. Dimensioned site layout plan.
 - f. Final photometric plan.
4. 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:
- a. Conformity with the design standards specified in this chapter.
 - b. 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.
 - c. At least a typical cross-section 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.
 - d. The location of all existing and proposed sanitary sewers, storm sewers, manholes, catch basins and endwalls within the site, and all necessary extensions thereof beyond the site.
 - e. By plan, all pipe sizes, distances and directions of flow. Show sanitary sewer wye locations, including a station for each wye as measured from the downstream manhole.

- f. By profile, all pipe sizes, materials, distances and grades; and, top and invert elevations of all manholes, catch basins and endwalls. Show existing and proposed ground.
 - g. All construction details for stormwater detention facilities, including any intake control structures, discharge control structures, underground storage tanks, sumps and stormwater detention basins.
 - h. The locations of all other existing and proposed utilities including gas, water, fire hydrants, electric, telephone and cable TV.
 - i. All easements and rights-of-way for public improvements.
5. 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:
 - a. Allegheny County Conservation District adequacies and permits.
 - b. Federal Aviation Administration and PennDOT Bureau of Aviation approvals where required.
 - c. Pennsylvania Department of Environmental Protection sewage facilities permits, general permit, wetland encroachment permits, stream encroachment/obstruction permits, etc.
 - d. County of Allegheny and Commonwealth of Pennsylvania permits for any proposed roads or driveways.
 - e. Water supply certification
 - f. Letters of intent to provide service from utilities companies.
 - g. A copy of comments received, if any, from Allegheny County Health Department on the stormwater management plan.
6. Final Zoning Chart
7. When required by the Borough, additional information related to infill, redevelopment and or replacement in accordance with the Borough requirements. See Chapter 27.
8. If required under the Borough Zoning Ordinance Part VI, locations of street trees, groundcover/landscaping and sidewalks.
9. Where applicable, plans of bridges and other improvements and shall contain sufficient information to provide complete working plans for the proposed construction including calculations and required Pennsylvania Engineer's Seal.

10. Where individual onsite water supply systems are proposed, certification of the acceptability of the water supply system by the State Department of Environmental Protection must be submitted wherever their approval is required.
11. Other certificates of approval as may be required by the Borough Engineer, Planning Commission and the Borough Council.

§305.6 Final Grading Plan.

- A. A Final Grading Plan, illustrating final grades of all lots and a surface drainage plan by arrows showing the direction of runoff on each lot, shall be submitted and shall also include all items required under the Preliminary Grading Plan Section of this Part. The final grading plan shall also clearly delineate the following:
 1. Proposed center line grade of streets with percent of grade of tangents, including grades at intersections.

§305.7 Utility Plan/Profiles/Data.

A written statement shall be provided indicating that within ninety (90) days, plans, profiles, and data for all utilities including but not limited to electric, water, phone, gas, and cable lines shall be provided. Utility locations, where proposed, shall be imposed to a copy of the Final Site Plan.

§305.8 Reserved.

§305.9 Agreement for Dedication of Streets.

When the Borough accepts dedication of all or some of the streets within the proposed subdivision/land development following completion, the Borough Council shall require the posting of financial security to secure the structural integrity of the streets in accordance with the design and specifications as depicted on the final site plan. The term for financial security for the maintenance of the streets shall be eighteen (18) months and the amount shall not exceed fifteen (15) percent of the actual cost of installation.

If there are conditions related to the dedication of streets or related issues, those conditions and issues shall be noted in the developer's agreement.

§305.10 Parking Agreements.

A shared parking agreement shall be provided in a format satisfactory to the solicitor and shall specify the names of the entity with whom the agreement has been made, quantity of spaces, location, lease terms and uses to be served by the off-site parking spaces, as well as any other mutual agreements. The final Shared Parking Agreement shall be made a part of the Final Landowner and/or Developer's Agreement.

§305.11 Final Landowner and/or Developer's Agreement.

- A. As a condition of granting final plan application approval, the Borough shall require that the Landowner and/or Developer execute a development agreement with the Borough in a form acceptable to the Borough Solicitor, containing provisions that are reasonably required to ensure compliance with any conditions of approval, any ordinance or regulation of the Borough and to guarantee the proper installation of onsite improvements related to the subdivision and/or land development, and provisions necessary to indemnify the Borough in connection with such subdivision and/or land development.
- B. If the Applicant fails to execute the development agreement within ninety (90) days of the date of final plan approval, or fails to initiate construction within one (1) year of the date of execution of the development agreement, final plan application approval shall expire, unless the Applicant/Landowner and/or Developer submits a written request for an extension prior to the expiration of the one (1) year period and the Borough Council grants the request in writing. In the event that the final plan application approval expires, the Applicant shall resubmit a final plan application for approval.

§305.12 Deed Restrictions, Easements and Protective Covenants.

- A. Deed restrictions, easements and protective covenants, if any, shall be provided in a form for recording. Provisions within any declaration of covenants and restrictions shall include:
 - 1. Definitions.
 - 2. General plan of development.
 - 3. Use restrictions and management responsibilities.
 - 4. Resolution of document conflicts.

§305.13 Homeowner's Association By-Laws And Other Related Documents.

- A. Provisions within any Homeowners' Association Bylaws shall include procedures related to:
 - 1. Association Membership.
 - 2. Board of Directors.
 - 3. Association and Election Voting Rules.
 - 4. Officers.
 - 5. Books and Records.
 - 6. Amendments to Bylaws.

7. Adoption of Bylaws.

§305.14 Proof of Other Agencies Approval (PADEP, Allegheny County Conservation District, PennDOT and others as determined by Borough).

- A. Approval of the final plan application by the Borough Council shall be conditioned upon if Allegheny County, State or Federal agencies disapprove the development. It shall be the Applicant's responsibility to obtain all necessary approvals from Allegheny County, State and Federal agencies and submit these approvals to the Borough including a notification from PADEP regarding a Sewer Facilities Plan Revision approval or waiver (as applicable).
- B. Proof of approval of requests/responses and permit applications shall be including, but not limited to:
 - 1. Pennsylvania Department of Transportation Highway Occupancy Permits.
 - 2. Pennsylvania Department of Transportation Traffic Signal Permits.
 - 3. Pennsylvania Department of Environmental Protection Sewerage Planning Module (or Exemption if applicable).
 - 4. Pennsylvania Department of Environmental Protection National Pollutant Discharge Elimination System Permits.
 - 5. Pennsylvania Department of Environmental Protection Water Obstruction and Encroachment Permits.
 - 6. Pennsylvania Department of Economic Development and/or Federal Emergency management Agency Floodplain Permits.
 - 7. Borough of Sewickley Wastewater Treatment Department and Sewickley Water Authority Approval.
 - 8. In addition, where any alteration or relocation of a stream or watercourse is proposed, documentation shall be submitted indicating that all affected adjacent municipalities have been notified of the proposed alteration or relocation. The Pennsylvania Department of Community and Economic Development and the Federal Insurance Administrator, or other applicable agency, shall also be notified whenever any such activity is proposed.
 - 9. Borough of Sewickley Zoning Approval unless otherwise identified by the Borough.

§305.15 Historic Review Commission Certificate of Appropriateness.

- A. This provision applies to properties containing sites that are located within one of the historic districts of the Borough. The Certificate of Appropriateness shall be submitted as part of the final application.

§305.16 Tree Commission Approval Letter.

The Applicant of the proposed development shall submit a letter from the Borough Tree Commission regarding their review and comments of the proposed Landscape Plan(s) applicable to the project.

§305.17 As-Built Drawings In Conformance With Allegheny County And Borough Standards (Digital Format).

Upon completion of the public and/or private improvements in a plan, “as-built” plans and profiles of the subdivision and/or land development public and/or private improvements, as constructed shall be filed with the Borough Zoning Officer by the Applicant within ten (10) days of the mailing of the Notice of Completion. The “as-built” plans and profiles shall indicate all public improvements, as constructed and shall show the top and invert elevations for all manholes, inlets and sewer structures; the distance between all manholes, inlets and sewer structures; wye (“y”) locations on all sanitary sewers; and significant changes to the street profiles as approved. An electronic form of the plan compatible with the Allegheny County and the Borough’s digital format and a print of each “as-built” drawing for public and/or private improvement shall be submitted. “As-built” plans and profiles shall be marked “as-built” and shall contain the final grade of all sanitary and storm sewers and appurtenances.

§306. Phased Plan Approval.

- A. Where the Applicant proposed the development of a subdivision or land development in separate phases over a period of years, the Borough authorizes submission of the final plan applications, subject to such requirements or guarantees for public improvements in future phases which are essential for the protection of the public welfare and any existing or proposed phase of the plan.
- B. All phases must conform to the preliminary plan application as previously approved by the Borough. Any phase that contains substantive changes in the number of lots, location of lots, buildings or streets previously approved in the preliminary plan will require complete resubmission of the preliminary application in accordance with this Chapter.
- C. Each phase, except for the last phase, shall contain a minimum of twenty five (25) percent of the total number of dwelling units as depicted on the preliminary plan unless the Borough approves a lesser percentage for one or more of the phases.

§307. Mediation.

- A. The Borough may offer the mediation option as an aid in completing the proceedings authorized by this Part. Mediation shall supplement, not replace, the defined procedures in this Part once they have been formally initiated. Nothing in this Section shall be interpreted as expanding or limiting Borough police powers or as modifying any principles of substantive law.

- B. 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. In offering the mediation option, the Borough Council shall assure that 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 municipal zoning and subdivision procedures and demonstrated skills in mediation.
 3. Completing mediation, including time limits for such completion.
 4. Suspending time limits otherwise authorized in this Part or in the Pennsylvania Municipalities Planning Code provided that there is written consent by the mediating parties and by an Applicant or the Commissions 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 appropriate decision making body pursuant to the authorized procedures set forth in this Part. 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.

§308. Approval Resolution.

When requested by the applicant, in order to facilitate financing, the Borough Council shall furnish the landowner and/or developer with a signed copy of a resolution indicating approval of the final plat contingent upon the landowner and/or developer obtaining a satisfactory completion bond. The final plat shall not be signed nor recorded until the completion bond and development agreement are executed. The resolution shall expire and be deemed to be revoked if the completion bond and development agreement are not executed within ninety (90) calendar days, unless the Commissions grants a written extension. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the landowner and/or developer.

§309. Completion Of Improvements/Improvement Guarantee.

- A. No plan shall be given final approval by the Borough Council unless the public improvements required by this Chapter have been installed in accordance with the standards set forth in Part 5.

- B. In lieu of the completion of any improvements(s) required prior to, and as a condition for, final approval, the Applicant shall provide for the deposit, in a form acceptable with the Borough of financial security in an amount sufficient to the Borough to cover the costs of such improvement(s) or common amenities.
- C. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten (110) percent of the cost completion estimated by the landowner and/or developer. Annually, the Borough may adjust the amount of the financial security by comparing the actual cost of the improvement(s) which have been completed and the estimated cost for the completion of the remaining improvement(s) as of the expiration of the ninth (90) day after either the original date schedule for completion, or a rescheduled date of completion. Subsequent to the annual adjustment, the Borough may require the landowner and/or developer to post additional security in order to assure that the financial security equals one hundred ten (110) percent.
- D. The amount of the financial security required shall be based upon an estimate of the cost of completion of the required improvement(s), submitted by the Applicant and prepared by a registered professional engineer and certified by such engineer to be fair and reasonable estimate of such cost. The Borough Engineer shall review the proposed estimate and make a recommendation to the Borough Council as to acceptance and may provide an estimate if deemed unacceptable.
 - 1. If the Applicant and the Borough cannot agree upon an estimate, then the estimate shall be recalculated and recertified by another registered professional engineer chosen mutually by the Applicant and the Borough. The estimate by the third engineer shall be deemed as the final estimate.
 - 2. If a third engineer is selected, the fees for services shall be evenly divided between the Applicant and the Borough.
- E. If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10) percent for each one-year period beyond the first anniversary date from posting of financial security or to an amount equal to one hundred ten (110) percent of the revised cost of completing the improvement(s) as established on or about the one-year anniversary of the original posting. The revised costs shall be determined by using the same manner as described for the initial financial security.
- F. When the Borough accepts dedication of all or some of the required improvement(s) following completion, the Borough Council shall require the posting of financial security to secure the structural integrity of the improvement(s) in accordance with the design and specifications as depicted on the final plan. The term for financial security for the maintenance of the improvement(s) shall be eighteen (18) months and the amount shall not exceed fifteen (15) percent of the actual cost of installation.

§310. Final Release From Improvement Guarantee.

- A. When the Applicant has completed all of the necessary and appropriate improvements, he/she shall notify the Borough, in writing, by certified or registered mail, of the completion of said improvements, and shall also send a copy to the Borough Engineer. The Borough shall, within ten (10) days after receipt of such notice, direct the Borough Engineer to inspect all of the installed improvements.
- B. Within thirty (30) days of authorization by the Borough Council, the Borough Engineer shall file a report, in writing, of the result of the inspection. A copy shall also be forwarded to the Applicant by certified or registered mail. The report shall detail the improvements and shall indicate approval or rejection, in whole, or in part of the improvement(s). Rejection, in whole, or in part of the improvement(s) shall contain a statement of reasons for such recommendation.
- C. The Borough shall notify the Applicant within fifteen (15) days of receipt of the engineer's recommendation, in writing, by certified or registered mail, of the action by the Borough Council.
- D. If any portion of the said improvement(s) shall not be approved, or shall be rejected by the Borough, the Applicant shall proceed to complete the same and, upon completion, the same procedure of notification as identified above shall be followed.
- E. The Applicant shall reimburse the Borough for the reasonable and necessary fees based upon a schedule established by ordinance or resolution. Such fees shall be those customarily paid for engineering or consulting work performed in the Borough.
- F. Billing, Reimbursements and Disputes. See Pennsylvania Municipalities Planning Code Section 510, as amended.

§311. Partial Release From Improvement Guarantee.

- A. As the work of installing the required improvements proceeds, the Applicant may request the Borough to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work.
- B. Any such requests must be in writing and describe the portion of the work claimed to be completed and the amount of security requested to be released.
- C. The Borough shall have forty-five (45) days from receipt of such request to have the Borough Engineer certify in writing to the Borough that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Borough shall authorize release by the bonding company or lending institution of an amount as estimated by the Borough Engineer fairly representing the value of the improvements completed, or if the Borough fails to act within said forty-five-day period the release of funds shall be deemed approved. Notwithstanding anything

to the contrary, the Borough may, prior to final release at the time of completion and certification by its appointed Engineer, require retention of ten (10) percent of the estimated cost of improvements.

- D. If any portion of the said improvement(s) shall not be approved, or shall be rejected by the Borough, the Applicant shall proceed to complete the same and, upon completion, the same procedure of notification as identified above shall be followed.
- E. The Applicant shall reimburse the Borough for the reasonable and necessary fees based upon a schedule established by ordinance or resolution. Such fees shall be those customarily paid for engineering or consulting work performed in the Borough.
- F. Billing, Reimbursements and Disputes. See Pennsylvania Municipalities Planning Code Section 510, as amended.

§312. Modifications.

- A. Where the Applicant shows to the satisfaction of the Borough that the literal compliance with any mandatory provision of these regulations and causes undue hardship to the Applicant because of peculiar conditions pertaining to the particular property, the Borough may grant a modification to one or more provisions of this Chapter. Such modification, however, shall not have the effect of nullifying the intent and/or purpose of this Chapter.
- B. In granting any modification, the Borough may impose such conditions as will substantially secure the objectives of the standards and requirements of this Chapter.
- C. All requests for modification of any standard and/or requirement contained in this Chapter shall be made in accordance with the following procedure:
 - 1. The request shall be made in writing and shall accompany the preliminary plan application. The request shall include:
 - a) A full description of the unreasonableness or hardship on which the request is based, and any, peculiar circumstances.
 - b) A full description of the alternative standard proposed to provide equal or better results.
 - c) The section(s) of this Chapter that are requested to be modified and the minimum modification necessary to relieve the hardship.
 - 2. The request for modification shall be reviewed by the Planning Commission during preliminary plan review to determine compliance with the requirements in subsection C.1, above, and shall be recommended for action to the Borough Council.

3. The Borough Council, after receipt of the Planning Commission recommendation, shall complete its own review and shall grant or reject the required modification.
4. If the modification is granted, a note shall appear on the final plan for recordation.
5. The Borough Council shall keep a written record of all action on all requests for modifications.

§313. Recording of Final Plat.

- A. Upon approval of a final plat by the Borough, the Applicant shall, within ninety (90) days of such final approval or ninety (90) days after the date of delivery of an approved plat signed by the governing body, following completion of conditions imposed for such approval, whichever is later, record such plat in the Allegheny County Department of Real Estate. The Allegheny County Department of Real Estate shall not accept any plat for recording, unless such plat officially notes the approval of the Borough Council and the review of the Allegheny County planning agency or its designee. The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat. Approval Certification shall be in accordance with County and/or Borough language as outlined and/or referenced in this Part and Part X: Required Signature and Stamp Blocks.
- B. In the event that the plan has not been recorded within the required ninety (90) calendar days, the President of Borough Council and the Chairman of the Planning Commission are authorized to reinstate the Borough's approval for recording upon receiving a report from the Borough Engineer that there are not changes in the subdivision or land development plan previously granted approval and that all requirements of this Part regarding posting of a complete plan is submitted for reinstatement of approval within ninety (90) calendar days following the expiration of the original ninety (90) calendar days from the date of final approval.
- C. Any request for final approval, which is submitted after one hundred eighty (180) calendar days from the date of the original granting of final approval, shall be required to resubmit an application for final approval in conformance with the requirements of this Ordinance.
- D. Upon recording of the final plat in the office of the Allegheny County Department of Real Estate, the Applicant shall deliver to the Borough two (2) paper prints of the final plat as recorded. In addition to the two paper prints, the Applicant must submit one Mylar and one copy of the final plat in an electronic format compatible with the Borough's geographic information system (GIS).
- E. At the time of final plat submission, the Applicant shall be required to pay a recorded plan deposit in an amount determined from time to time by resolution of the Borough Council.

- F. Said deposit shall be returned to the Applicant when the Borough receives the two (2) signed and recorded paper prints of the final plat, the one (1) Mylar and the one (1) electronic copy, or when the Applicant has officially withdrawn the application.

PART IV

INSTALLATION, INSPECTION AND ACCEPTANCE OF IMPROVEMENTS

§401. General.

- A. No improvements shall be installed, or work begun, unless the following has been accomplished:
 - 1. All necessary plans, profiles and specifications for the improvements have been submitted to, and approved by, the Borough.
 - 2. The completion bond/financial security has been provided.
 - 3. A fully executed developer's agreement has been submitted.
 - 4. All required permits have been obtained.
 - 5. PA One Call is made.
- B. The Applicant shall notify the Borough at least forty eight (48) hours prior to beginning any installation of public improvements in an approved plan.

§402. Required Improvements.

The following improvements, as shown on the recorded plan, shall be provided by the Applicant in accordance with the details and/or specifications cited in Part 5 and Appendix 3 of this Ordinance. The Applicant shall give a certified copy of the recorded plan to Borough.

- A. Cartway paving.
- B. Curbs.
- C. Sidewalks and crosswalks.
- D. Monuments.
- E. Street signs.
- F. Sanitary sewage disposal.
- G. Water supply and fire hydrants.
- H. Stormwater management facilities.
- I. Erosion and sedimentation control measures.
- J. Street trees.

Table 1: Subdivision and / or Land Development Submission Requirements

Legend

- Item is Recommended for Submission
- ◆ Item is Required for Submission
- Not Applicable

		Type of Application Submission			
Applicability	Ordinance Section	Simple Subdivision	Minor Subdivision and/or Land Development	C-1 Development	Major Subdivision and/or Land Development
		<ul style="list-style-type: none"> • Lot revisions that do not create new lots or buildings or public improvements • Revisions of easements and/or right of ways 	<ul style="list-style-type: none"> • A single-family residential development that creates two (2) to four (4) lots or up to four (4) dwelling units on a single parcel • A nonresidential development with 7,000 square feet or less of gross floor area located in any other permissible Zoning District besides C-1 • Consolidation of existing lots 	<ul style="list-style-type: none"> • A nonresidential development or mixed use building with 7,000 square feet or less of new gross floor area located in the C-1 District 	<ul style="list-style-type: none"> • A single-family residential development that creates five (5) or more lots • All multi-family residential development • A non-residential development with 7,001 square feet or more of new • All planned residential and/or non-residential • All subdivisions and development that constitute conditional uses or uses by special exception • All mobile home parks
Pre-Application Submission (Voluntary)					
Reviewing Body					
Submission Requirements					
1	Pre-Application Conference		□	□	□
Preliminary Plan Application Submission					
Recommending Body					
Approving Body					
Submission Requirements					
1	Preliminary Plan Application Form & Fee	304.1		◆	◆
2	Letter of Transmittal	304.2	◆	◆	◆
3	Preliminary Site Plan	304.3		◆	◆
4	Preliminary Grading Plan	304.4			◆
5	Preliminary Parking Plan	304.5		◆	◆
6	Preliminary Loading Plan	304.6			◆
7	Sewage Facilities Planning Module	304.9		◆	◆
8	Level of Service of Water and Sewage Supply	304.23			◆
9	Preliminary Stormwater Management Plan and	304.7		◆	◆
10	Resource Protection Plan and Worksheet	304.8			◆
11	Survey (Sealed)	304.14	◆	◆	◆
12	Erosion and Sedimentation Plan	304.15			◆
13	Traffic Impact Study	304.24.A			◆
14	Typical Cross Sections of Each Street Proposed	304.16			◆
15	Photometrics Plan	304.17	◆	◆	◆
16	Geotechnical Report and Slope Analysis	304.25			◆
17	Building Elevations and Other Architectural	304.18		◆	◆
18	Landscape Plan	304.19		◆	◆
19	Impervious Surface Worksheet	304.26	◆	◆	◆
20	Construction Details	304.20	◆	◆	◆
21	Phase 1 Environmental Assessment	304.27.B		◆	◆
22	Phase 2 Environmental Assessment (if required by Phase 1 Assessment)	304.27.C			◆
23	Phasing Plan and Schedules	304.21			◆
24	Common Areas Plan and Facilities Management	304.22			◆
25	State Highway Access	304.24.B	◆	◆	◆
26	Environmental Assessment	304.27		◆	◆
27	Wetland Impact	304.27.A	◆		◆
28	Shared Parking Analysis (C-1 Only)	304.28		◆	◆
29	Any application/decision granting approval of any zoning variance, exception, or interpretation	304.10	◆	◆	◆
30	Any application/decision for conditional use	304.11	◆	◆	◆
31	Any application/decision granting approval of any special exception	304.12	◆	◆	◆
32	Proof of Submission to Other County, State, and Federal Agencies (PA DEP, County Conservation District, PennDOT and others as determined by the	304.13			◆
Final Plan Application Submission					
Recommending Body					
Approving Body					
Submission Requirements					
1	Final Plan Application Form & Fee	305.2	◆	◆	◆
2	Letter of Transmittal	305.3	◆	◆	◆
3	Final Site Plan	305.5		◆	◆
4	Final Grading Plan	305.6		◆	◆
5	Utility Plan/Profiles/Data	305.7	◆	◆	◆
6	Level of Service of Water and Sewage Supply	305.4			◆
7	Survey (Sealed)	305.4	◆	◆	◆
8	Erosion and Sedimentation Plan	305.4			◆
9	Traffic Impact Study	305.4			◆
10	Typical Cross Sections of each street proposed	305.4			◆
11	Photometrics Plan	305.4	◆	◆	◆
12	Geotechnical Report and Slope Analysis	305.4			◆
13	Building Elevations and Other Architectural	305.4		◆	◆
14	Landscape Plan	305.4		◆	◆
15	Impervious Surface Worksheet	305.4	◆	◆	◆
16	Phase 1 Environmental Assessment	305.4		◆	◆
17	Phase 2 Environmental Assessment (if required by Phase 1 Assessment)	305.4			◆
18	Phasing Plan and Schedules	305.4			◆
19	Common Areas Plan and Facilities Management	305.4			◆
20	Shared Parking Analysis (C-1 Only)	305.4		◆	◆
21	Agreement for Dedication of Streets	305.9	◆	◆	◆
22	Parking Agreements	305.10	◆	◆	◆
23	Any application/decision granting approval of any zoning variance, exception, or interpretation	304.10	◆	◆	◆
24	Any application/decision for conditional use	304.11	◆	◆	◆
25	Any application/decision granting approval of any special exception	304.12	◆	◆	◆
26	Final Landowner and/or Developer's Agreement	305.11	◆	◆	◆
27	Deed Restrictions/ Easements and Protective	305.12	◆	◆	◆

Borough of Sewickley
 Subdivision and Land Development Ordinance

Legend

- Item is Recommended for Submission
- ◆ Item is Required for Submission
- Not Applicable

		Type of Application Submission			
Applicability	Ordinance Section	Simple Subdivision	Minor Subdivision and/or Land Development	C-1 Development	Major Subdivision and/or Land Development
		<ul style="list-style-type: none"> • Lot revisions that do not create new lots or buildings or public improvements • Revisions of easements and/or right of ways 	<ul style="list-style-type: none"> • A single-family residential development that creates two (2) to four (4) lots or up to four (4) dwelling units on a single parcel • A nonresidential development with 7,000 square feet or less of gross floor area located in any other permissible Zoning District besides C-1 • Consolidation of existing lots 	<ul style="list-style-type: none"> • A nonresidential development or mixed use building with 7,000 square feet or less of new gross floor area located in the C-1 District 	<ul style="list-style-type: none"> • A single-family residential development that creates five (5) or more lots • All multi-family residential development • A non-residential development with 7,001 square feet or more of new • All planned residential and/or non-residential • All subdivisions and development that constitute conditional uses or uses by special exception • All mobile home parks
28	Homeowner's Association By-Laws and other related documents	305.13	◆	◆	◆
29	Proof of Approval from Other County, State, and Federal Agencies (PA DEP, County Conservation District, PennDOT and others as determined by	305.14	◆	◆	◆
30	Historic Review Commission Approval Letter	305.15	◆	◆	◆
31	Construction Details	305.4	◆	◆	◆
32	State Highway Access	305.4	◆	◆	◆
33	Environmental Assessment	305.4	◆	◆	◆
34	Wetland Impact	305.4	◆	◆	◆
35	Tree Commission Approval Letter	305.16	◆	◆	◆
36	As-built drawings in conformance with Allegheny County and Borough standards (digital format)	305.17	◆	◆	◆

K. Street lights.

§403. Inspections.

- A. Once the installation of improvements has been approved, in accordance with §310 while work is in progress, the Applicant shall notify the Borough at least forty eight (48) hours prior to the time that the following required progress inspections are warranted:
 - 1. Inspection of sub-grade of streets prior to laying of base.
 - 2. Inspection of base prior to final paving of streets.
 - 3. Inspection of installed water lines, sanitary sewer lines, storm sewers and drainage facilities before they are covered.
- B. The inspector shall prepare a written report of all inspections, with a copy being submitted to the Borough for their files.
- C. The inspection of sanitary sewer installations shall be in accordance with the procedures of the applicable sanitary authority with a copy of any notices or reports being submitted to the Borough.
- D. When it is evident that any street in a partially completed plan of lots may be extensively used by construction vehicles hauling building materials and equipment, and where such street, if completed, may be damaged during the course of construction of houses on lots abutting the right-of-way within which the street is centered, the Borough shall require the Applicant to complete eighty (80) percent of the dwelling units prior to the final paving of the street or otherwise be responsible for damage through the posting of an additional bond including, but not limited to, streets and other required improvements.

§406. Acceptance of Improvements.

- A. Every street, sewer, drainage facility or other required improvement shown on the recorded plan shall remain as a private improvement, and the Borough shall have no responsibility with respect to maintenance, repair or replacement until such time as the improvement has been offered for dedication to the Borough, inspected, approved and accepted by resolution or ordinance.
- B. No public improvement(s) required by this Chapter shall be accepted by ordinance or resolution or the Borough Council unless, prior thereto, the following shall be submitted to the Borough:
 - 1. A dedication of the installed improvements in a form acceptable to the Borough Solicitor.
 - 2. Two (2) sets of “as-built” plans.

3. A certificate or notification by the Borough Engineer or other person designated by the Borough, that the improvements have been constructed in accordance with the standards established by this Chapter.
4. The results of core boring tests for composition and thickness of paving, prepared by a qualified testing firm. The location and size of the borings shall be in accordance with PennDOT Form 408, or as determined by the Borough Engineer.

PART V

DESIGN STANDARDS

The following land subdivision principles, standards and requirements shall be applied by the Borough Council in evaluating the plans for proposed subdivisions and shall be the minimum requirements.

§501. General.

This Part sets forth design standards and requirements for all subdivision and land development proposals. The following standards and requirements shall be applied by the Borough in evaluating the plans for proposed subdivisions and land developments and shall be the minimum requirements. Any application fee for development shall conform to the standards set forth in this Part, unless a modification is granted under the provisions of this Chapter.

- A. All plans shall be prepared in compliance with any applicable municipal ordinance, including the Zoning Ordinance in effect, and in compliance with any requirement imposed by any local, State, or Federal entity exercising valid regulatory authority.
- B. When other local regulations, or State Federal statutes impose more restrictive standards and requirements than those contained herein, the more restrictive standards shall be observed.
- C. Unless otherwise specified by the Borough, The requirements of Allegheny County Subdivision and Land Development Ordinance, Appendix 1: Drafting Standards for Plans for Recording, shall be applicable.
- D. Refer to Appendix 3 for Borough Roadway and Storm Sewer Improvements Details.

§502. Land Requirements.

Land shall be subdivided only for the purposes for which the subdivision has been approved or proposed.

- A. A Preservation of Natural Features: Applicant shall make every effort to preserve shade trees, other salient natural features, keep cut-fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff. Whenever possible Applicant shall preserve trees, scenic points, historic spots and other community assets and landmarks. All subdivisions over five (5) acres in size shall include a comprehensive environmental analysis prepared by a qualified environmental engineer. Such environmental analysis shall include:

1. A description of the project.
 2. A map indicating:
 - a) Limits of the following slope areas:
 - (1) Zero (0) to fifteen (15) percent.
 - (2) Sixteen (16) to twenty five (25) percent.
 - (3) Over twenty five (25) percent.
 - b) All natural watercourses and wetlands.
 - c) Undermined areas with less than one hundred (100) feet overburden.
 - d) Landslide prone area.
 - e) Soil type.
 3. An assessment of the impact of the proposed development on those items identified in subsection (2) above.
 4. A list of steps proposed to mitigate environmental damage to the site during construction in accordance with latest revision of EPA Clean Water Act.
 5. Evidence that the analysis was completed by a qualified environmental engineer.
- B. Subsidence. Land subject to subsidence or underground fires shall either be made safe for the purpose for which it is to be used, or such land shall be set aside for uses which shall not endanger life or property or further aggravate or increase the existing menace.
- C. Flood Prone Areas. Portions of land which are poorly drained, subject to periodic flooding, or are in a designated FEMA floodplain or floodway shall be developed in accordance with Chapter VIII of the Borough code and also any applicable Pennsylvania Department of Environmental Protection regulations.
- D. Grading, Excavating and Filling. No change shall be made in the contour of the land, no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced unless approved in the preliminary and final plat, and where applicable reviewed and approved by the Allegheny County Conservation District. Such approval shall be based on the preliminary grading plan for minimizing erosion and sedimentation, controls for excessive slope areas, grading regulations, and storm drainage regulations in this Chapter, and as may be required by applicable regulatory agencies having jurisdiction thereof.
- E. Land subject to hazards of life, health and safety shall not be subdivided until such hazards have been reviewed or corrected.

- F. All portions of a tract being subdivided or developed shall be taken up in lots, streets, public lands, or other proposed uses so that remnants and landlocked areas shall be avoided.

§503. Easements and Utilities.

Easements with a minimum width of twenty (20) feet shall be provided in all subdivisions and land developments for poles, wires, conduits, storm drains, sanitary sewers, gas, water and heat mains and/or other utility lines intended to service the abutting lots, tracts or parcels. Additional widths may be required if more than one (1) utility is located in the same easement. Easements shall be centered on or adjacent to rear or side lot lines. No structures or trees shall be placed within such easements. The Applicant shall comply with the Pennsylvania Public Utility Commission (PUC) order of July 8, 1973, which requires electric and telephone service in residential developments to be placed underground. Where a subdivision is traversed by a water course, there shall be provided a drainage easement or right-of-way, conforming substantially with the line of such water course and with such width as will be adequate to preserve natural drainage and provide sufficient width for maintenance. Applicants shall avail themselves of the facilities provided by the various authorities or public utility companies in determining the proper locations for utility line easements.

A. Water Supply.

1. All properties in subdivisions shall connect with an approved public water supply system, if available. The subdivider shall construct a system of water mains which are to be connected to the public water system serving the Borough wherever same is available. Subdivisions of three (3) lots or less, which are located one (1) thousand (1,000) feet beyond the existing system may be exempted from this requirement by the Borough Council. If the water distribution system cannot be tied-in with an approved public system, an individual well or spring must be installed and operated in full compliance with the latest Pennsylvania Department of Environmental Protection specifications covering such facilities. All land developments of other types must be equipped with a public water supply system, approved as adequate by the Borough Council.
2. The plans for the installation of the mains of a water distribution system shall be prepared with the cooperation of the applicable public water authority, and reviewed and approved by its engineer. A statement of approval from the Borough shall be submitted to the Borough Council.
3. Upon completion of water distribution and supply system, one (1) copy of the plans for the system shall be filed with the Borough Council. The plan shall also be reviewed and approved by the Department of Environmental Protection.
4. Fire Hydrants. It will be the responsibility of the Applicant to provide all subdivisions and land developments with fire hydrants. Hydrants shall be installed with the installation of the water lines or as soon as they become available. The location of the

hydrants shall be approximately every one thousand (1,000) feet and shall be subject to approval by the Borough on the final plat.

B. Sanitary Sewage Disposal.

1. Each property shall connect with an approved public sewer system. Where the sewer is not yet provided the Applicant shall install the sewer line, including lateral connections as may be necessary to provided adequate service to each lot when connection with the sewer system is made. The sewer lines shall be suitably capped at the limits of the subdivision or development, and the laterals shall be capped at the street right-of-way line.
2. All plats submitted for approval must show sanitary drains separated from all other drains. No stormwater shall be permitted in sanitary drains.
3. All plats, designs, and data of any new sewage system or for extension for tapping into any existing system shall be submitted to the Borough for approval and be subject to all their requirements.
4. The subdivider shall contract the necessary and required sanitary sewer lines which shall, when possible, be connected to the public sewer system serving the Borough or a portion thereof.
5. If, in the opinion, of the Allegheny County Health Officer, the Borough Engineer and/or the Borough Council, factors exist which would create a public health and sanitation problem if a certain area is developed, the Board shall not, in those cases, approve the subdivision and platting of such area until such factors are corrected by an adequate sanitary sewer system.

C. Propane. All propane installation shall be subject to prior approval of the Borough Engineer or other person designated by the Borough and the Pennsylvania Department of Labor and Industry.

§504. Blocks, Lots, Parcels.

A. Blocks.

1. Layout. The length, width and shape of blocks shall be determined with due regard to:
 - a) Provision of adequate sites for buildings of the type proposed.
 - (1) Any other zoning requirements.
 - (2) Topography.
 - b) Street intersection requirements as outlined in §505(F) of this Chapter.

- c) Provision of adequate service areas for deliveries, pickups, and the like including, but not limited to those related to non-residential development.
2. Length in Residential Districts. Blocks shall have a minimum length of two hundred (200) feet and a maximum length of one thousand (1,000) feet.
 - a) Any other zoning requirements;
 - b) In the design of blocks (fronting on minor streets) longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection. Where practicable, blocks along arterial and collector streets shall not be less than one thousand (1,000) feet long.
3. Length in Commercial and Industrial Districts. Blocks in commercial and industrial areas may vary from the elements of design detailed above, if required by the nature of the use. Any subdivision of land or land development in the commercial or industrial districts shall take into consideration the feasibility of creating roads on the lot that minimize intersections with arterial, collector or local roads. In all cases, however, adequate provisions shall be made for off street parking and loading areas as well as for traffic circulation and parking for employees and customers.
4. Depth. Residential blocks including those for garden apartment, condominium or townhouse developments, shall be of sufficient depth to accommodate two (2) tiers of lots, except:
 - a) Where through lots are required along a major traffic street.
 - b) Where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Planning Commission may approve a single tier of lots.
5. Lot or Parcel Numbers. Lot numbers or lettered parcels shall be assigned and approved prior to filing the final subdivision and/or land development plat.
6. Building Setback Lines on Lots and Parcels. Building lines of lots or parcels from street right-of-ways (public or private) shall not be less than those required by the appropriate zoning classification under Borough Zoning Code, as amended, for the zoning district in which they are located.

§505. Streets.

A street, whether dedicated to the Borough or privately maintained, shall be defined as any right-of-way intended for general public use as access to single family homes, townhouse or garden apartments, condominiums, commercial centers, industrial centers, or any other land development. All provisions in the Part shall be equally applicable and binding for both dedicated and privately maintained streets, where said streets serve more than one (1) dwelling.

A. General Standards:

1. All streets intended for public use shall be paved to full cartway width. In all cases, paving materials and workmanship shall conform to any and all applicable Borough standards, including all Pennsylvania Department of Transportation Standards adopted by the Borough. The proposed street system shall extend existing or recorded streets at the same width, but in to case at less than the required minimum width, and be so located as to allow proper development of surrounding properties.
2. Where a subdivision or land development abuts an existing street of improper width or alignment, the Borough Council may require the dedication of land sufficient to widen the street, or correct the alignment.
3. Minor streets shall be laid out so as to discourage through traffic. Connector and collector streets should be provided to adequately provide for the expected flow to traffic from minor streets.
4. Streets in and bordering a subdivision or land development shall be coordinated, and be of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic, and facilitate fire protection.
5. Proposed streets shall be planned suitable to the contour of the land, to provide buildable lots, to have a suitable alignment and grade, and to be able to drain properly in accordance with the standards established by this or other ordinances.
6. Partially completed streets shall not be approved in a development plan, but all streets shall be constructed as soon as feasible under the construction schedule in accordance with the designations under approved final plat.
7. Streets intended for the interior circulation of traffic in land development shall be designed so that no street providing parking spaces shall be used as a through street. The Applicant shall be responsible for installing centerline markings and traffic direction and control signs on such streets.
8. Street name signs shall be installed by the Applicant at each street intersection in accordance to type of materials, design and standards established by the Borough.
9. Street lighting system shall be installed in all developments involving multi-family dwellings and at all intersections with existing Borough streets/roads. Street lights may also be required where a hazard exists as determined by the Borough Council.

B. Street Widths.

Street Type	Minimum Required Width	Feet
Collector	Right-of-way	50
	Cartway	24
Local	Right-of-way	50

	Cartway	20
Permanent Cul-de-sac	Right-of-way (radius)	50
	Cartway (radius)	40
Split Street (having a median with a separate lane of traffic for each direction)	Right-of-way	70
	Cartways (each)	16

1. Additional right-of-way and cartway widths may be required to the Borough Council for various reasons including, but not limited to:

- a) The type of land development.
- b) Public safety and convenience.
- c) Allowance for anticipated traffic volume.
- d) The size of vehicles frequenting the development.
- e) Parking lanes.
- f) The loading of school buses or other public transportation.

C. Street Grades. There shall be a minimum centerline grade of two (2) percent. Grades shall be designed for maximum visibility. Centerline grades shall not exceed the following:

Arterial Street	Five (5) percent
Collector Street	Eight (8) percent
Local Street	Twelve (12) percent
Alley	Twelve (12) percent
Lane	Twelve (12) percent
All street intersections	Four (4) percent

D. Horizontal Curves: Proper sight distance must be provided with respect to horizontal alignment. Measured along the centerline five (5) feet above grade, horizontal curves shall be provided to permit the following minimum sight distances:

Arterial Street	Two hundred (200) feet
Collector Street	Two hundred (200) feet
Local Street	One hundred (100) feet

Alley One hundred (100) feet

Lane One hundred (100) feet

E. Vertical Curves. Proper sight distance must be provided with respect to vertical alignment. Measured along the centerline five (5) feet above minimum sight distances.

F. Intersection.

1. Streets shall intersect as nearly as possible at right angles. No more than two (2) streets shall intersect at the same point. Intersections with collector streets shall be located not closer than one thousand (1,000) feet apart, measured from the centerline of the major street.

2. Intersections with connector streets shall be at intervals not less than eight hundred (800) feet.

3. Intersections with minor streets shall be at intervals not less than five hundred (500) feet.

4. Staggered intersections shall be provided on collector streets at a minimum distance of five hundred (500) feet; on connector or minor streets at not less than two hundred (200) feet as measured from centerline to centerline along the street common to both intersections.

5. Intersections shall be rounded by a tangential arc with a minimum radius of:

a) Twenty-five (25) feet for intersections involving only minor streets.

b) Thirty (30) feet for all intersections involving a connector or collector street.

G. Sight Distance at Intersections and Obstructions. Embankments, fences, hedges, shrubbery, walls, planting (except for trees and grass) or other obstructions including signs, shall not be located within the right-of-way and shall not obscure any intersection. A clear sight triangle shall be maintained at intersections, so that measured along the centerline, there shall be a clear sight triangle of seventy five (75) feet minimum, from the point of intersection. No obstruction to view will be permitted in this area above the height of two and one half (2 ½) feet and below ten (10) feet.

H. Cul-de-sacs and Temporary Dead-end Streets.

1. Cul-de-sac streets, permanently designed as such, shall not exceed five hundred (500) feet in length. The centerline grade on a cul-de-sac street shall not exceed eight (8) percent.

2. Dead-end streets shall be prohibited except for future access to an adjoining property or because of authorized stage development. Such streets shall be provided with a temporary, all-weather turnaround, within the subdivision or development, and the

use of such turnaround shall be guaranteed to the public until such time as the street is extended. The outer paving radius shall be forty (40) feet. Temporary dead-end streets shall not exceed one thousand (1,000) feet in length.

I. Street Names.

1. Proposed streets which are obviously in alignment with others already existing and named, shall bear the names of the existing streets.
2. In no case shall the name of a proposed street duplicate or be phonetically similar to an existing street name in either the Borough or the postal district in which located. The Applicant shall submit the proposed street names to the Borough at the time the preliminary discussions are held and prior to filing a preliminary plat.

§506. Road Construction – Design Standards.

A. Stakeout. In order to assure the Borough Staff and the Borough Engineer that the road is being paved in the center of the right-of-way and in accordance with all grades that may have heretofore been approved, the contractor, Applicant and/or road builder must present an affidavit signed by a minimum licensed Pennsylvania Title Surveyor, that he has established the recorded and/or legal right-of-way on the ground by a survey on the ground and has set construction stakes to the desired construction offset distance at points along the road not exceeding fifty (50) foot intervals and has established reference elevation on said stakes to effect the construction of the road in accordance with all plans that have been previously approved.

B. Grading.

1. All streets shall be graded to the full width of the right-of-way and the adjacent side slopes graded to blend with the natural lay of the land, or in accordance with the cross section presented, to the satisfaction of the Borough Engineer. The slope of the ground of the entire right-of-way line must be graded toward the paving, to the satisfaction of the Borough Engineer or other designated Borough officials. An alternate grading plan may be submitted to the Planning Commission and approved by the Borough Engineer. When filling operations are required, all topsoil must be removed and the surface roughed up or scarified in order to assure a good bond between the filled ground and virgin ground. (If the lateral slope upon which the fill is to be made is deemed too steep for scarifying to make bond, then the virgin ground must first be benched and the fill placed upon the benches). Drainage for any springs, wet areas, existing streams or wet weather gullies encountered while preparing for filling operations must be approved by Sewickley Borough before filling can be commenced. Fills must be built up with six (6) inch layers of suitable rockfree, nonfrozen material, each layer being well compacted with an approved sheep's foot ten (10) ton roller or equivalent approved by Sewickley Borough, and well crowned and drained to prevent soaking and spongy areas. Where fill materials are necessary to establish uniform grades, compacting shall be required to ninety five (95) percent density and shall be so certified by a qualified soils technician. No paving shall be

placed in any fill area until at least two (2) months have elapsed since the filling operation was completed. A slope of two (2) horizontal to one (1) vertical foot beyond the right-of-way line in cut or fill shall be required as the maximum slope, except for extraordinary situations approved by Sewickley Borough.

2. Street cross sections for all streets shall be in accordance with the standards established by Sewickley Borough or elsewhere herein. All details of the cross section, crowns, curb, pavement, subgrade and roadside ditches shall conform to the designated cross section. (State approval shall also be obtained where necessary).
3. The subgrade shall be well rolled with an approved three (3) wheel, ten (10) ton minimum roller, crowned in conformance with the finished surface crown and must be perfectly smooth, free of spongy areas as well as drained with approved subgrade drains and/or bleeders, the bleeders draining into approved dry wells (constructed at a minimum distance of three (3) feet from the edge of paving), lateral drains, storm sewers or drop inlets. In all cases the flow lines of the aforementioned dry wells, lateral drains, storm sewers and drop inlets must be at least eighteen (18) inches to three (3) feet below the lowest part of the subgrade. All drainage must be constructed and in operation before any fine grading, berm construction or filling commenced. The width of the sub-grade shall include the area to be paved, plus the area of any curbs, berms or sidewalks.

C. Berms. Where required, built-up rolled berms shall be constructed along each edge paving using suitable and approved material (which shall not include red dog or ashes) with a minimum width of three (3) feet and sloping toward the paving at a minimum slope of two (2) inches per foot, using the top of the curb for the start of the upward slope. The berm shall be constructed before the curb or base is constructed and simultaneously with the fine grading of the subgrade.

D. Sub-base.

1. Where required, the applicant shall place a six (6) inch compacted subbase consisting of stone material which shall meet the PennDOT Publication 408 specifications, placed and spread evenly and extensively rolled in place with a three (3) wheel, ten (10) ton roller while maintaining the crown.
2. Where conditions warrant, subsurface drainage systems shall be installed. Generally, this will mean that subsurface drainage must be installed in the high side of any cut unless approved otherwise.
3. Where conditions warrant, a geotextile shall be installed for the separation of subgrade and sub-base aggregate. Geotextiles shall meet the PennDOT Publication 408 specifications for "Furnishing and Installing Geotextiles."

E. Base Course. The applicant shall construct a base course in accordance with either of the following alternatives, the Borough reserving the right to specify either alternative and/or to modify either alternative:

1. A stone base, properly drained, at least eight (8) inches thick, placed in two (2) layers each approximately four (4) inches thick, the material to be in accordance with the Specifications of the Pennsylvania Department of Transportation, Form 408. (This base must be used under any concrete paving.)
 2. An ID-2 Asphaltic Concrete Base Course (Black Base), properly placed and compacted to a minimum thickness of five and one half (5½) inches, the material and installation to be in accordance with the Specifications of the Pennsylvania Department of Transportation, Form 408.
 3. The applicant shall install said base before any excavation or construction of dwelling units or building units is undertaken.
- F. Binder Course. Where the use of the stone base has been selected and approved the Applicant shall place ID-2 Asphaltic Concrete Binder Course material and properly compact to a minimum thickness of two inches.
- G. Curbing.
1. All concrete curbs installed within the Borough shall be twenty four (24) inches deep and four thousand (4,000) psi concrete in nature.
 2. The base course portion under the wedge-type curb must be installed at the time of the base course installation and must extend a minimum of six (6) inches beyond the back of the curb.
 3. The curb shall be constructed before the wearing surface is placed using either ID-2 Asphaltic Concrete Base material or ID-2 Asphaltic Concrete Binder material, depending on the overall design of the road, and shall be machine spread and machine rolled, all materials to be prepared in a plant approved by the Pennsylvania Department of Transportation Specification, Form 408.
 4. The curb must be properly barricaded and protected from any traffic or vehicles of any kind until it has been thoroughly set up and all voids on the grass plot side have been completely backfilled, the backfill being placed with proper and approved tamping equipment in maximum four (4) inch layers. No traffic or vehicles of any kind will be permitted to pass over this curb except through driveway approaches.
- H. Design Standards.
1. Wearing Course.
 - a) After placing the ID-2 Asphaltic Concrete Base Course (five and one half (5 ½) inches) or the ID-2 Asphaltic Concrete Binder Course (two (2) inches), the Applicant shall place ID-2 Wearing Surface Course material over the entire base or binder course (including curbs) and properly compact to a minimum thickness of one and one half (1 ½) inches.

- b) After home and other construction is ninety (90) percent complete, the Applicant shall place ID-2 Wearing Surface Course material over the entire wearing surface (including curbs) and properly compact to a minimum thickness of one (1) inch.
- c) All materials shall be placed and compacted using approved spreaders and rollers in compliance with Pennsylvania Department of Transportation, Form 408.

I. Concrete Streets and Concrete Curb Construction.

- 1. If concrete street and/or concrete curb construction is desired or required because of heaving or industrial use of street or road, all plans, materials, specifications, construction and inspection of this type of street or road must be approved by the Borough Council and the Borough Engineer.
- 2. The specifications and construction must comply to Portland Cement Association Recommended Standards, latest edition, titled "Design of Concrete Pavement for City Streets." The width of the streets shall be as set forth elsewhere in this Subdivision Chapter. A special street width for divided highways in an enlarged overall street right-of-way width shall be permitted, but each of said parallel cartways shall have a minimum width of fifteen (15) or sixteen (16) feet, including twenty-four (24) inch concrete curbs. (The special street width must be approved as a special use only when unusual topography, natural conditions or traffic exist and warrant such exceptions. This use may be approved or required through special action by the Borough Council.)

§507. Calendar Construction Limitations.

- A. Road construction such as filling, berming, subgrade, fine-grade construction, base construction or surface construction cannot be commenced before April 1 and must be completed before October 31 of the same year, unless special permission is granted by the Borough Council otherwise. (It is assumed that the weather conditions between these dates will be ideal for road construction; however, if adverse weather conditions occur between these dates the contractor or builder must abide by the judgment of the Borough Council, their agents, or assigns, in regard to permissible construction weather conditions.)
- B. Testing And Repair.
 - 1. Prior to acceptance by the Borough, all roads shall be core bored at locations to be determined by the Borough Engineer, by a reputable firm certified to do such work. All cores shall be tested for compliance with all applicable paving regulations and shall include, as a minimum, standard test for thickness, material gradation and compaction, and the Borough shall be furnished with three (3) copies of a written report setting forth the test results. All costs associated therewith are to be paid by the Applicant.

2. All paving must be in complete compliance with Pennsylvania Department of Transportation, Form 408, and the Borough may subject the finished road to any additional testing set forth therein.
3. All roads shall have a smooth, uniform, finished surface. The Applicant shall replace or resurface any areas which do not meet the testing requirements or do not have a smooth, uniform appearance due to patches, spalling, poorly butted joints, etc., regardless of the results of any tests. Any replacement or resurfacing shall be made in a neat, workmanlike manner extending the entire width of the road, at right angles to the centerline, the extent of the replacement or resurfacing to be determined by the Borough Engineer.

C. Acceptance of Streets.

1. Prior to acceptance of any streets and after all road construction has been completed, the Applicant and/or contractor, under the direct guidance of a licensed Pennsylvania Surveyor, must install concrete monuments with a minimum size of four (4) inches in diameter, four (4) inches square and three (3) feet long, the center being marked with a one half (1/2) inch minimum brass wire or bar plug, at all intersections and points of curvature in order to amply mark the right-of-way before the construction of the road can be considered as complete and fully prepared for the Borough to accept the maintenance responsibilities.
2. The Applicant shall be required to furnish the Borough with a maintenance bond prior to the acceptance of any streets by the Borough. Such bonding, with a corporate surety company approved by the Borough Council, shall be in the amount of fifteen (15) percent of the construction value and shall be for a period of eighteen (18) months commencing with the date of acceptance of said streets by the Borough and shall specifically protect the Borough from defects of inferior materials and workmanship or damage caused by the Applicant and those employed by or under contract to him.
3. Applicant or contractor must conform to weight limits restriction ordinance.

D. Monuments.

1. All streets shall be monumented and monument locations shall be shown on the recorded plat. All angle points in the boundary of any subdivision shall be monumented. All lot corners and angle points shall be located by iron pins. All monuments and iron pins shall be placed by a minimum licensed Pennsylvania Title Surveyor so that the scored (by an indented cross in the top of the monument) point shall coincide exactly with the point of intersection of the lines being monumented.
2. Monuments and iron pins shall be set so their top is level with the finished grade of the surrounding area.

§508. Sidewalks And Crosswalks.

A. Sidewalks.

1. All development shall provide sidewalks unless otherwise recommended by Borough Planning Commission and/or Borough Council.

B. Crosswalks.

1. Crosswalks required between streets whenever necessary to facilitate pedestrian circulation and to give access to community facilities, such as parks, playgrounds or schools.
2. Such crosswalks have a right-of-way width of not less than ten (10) feet and have a paved walk five (5) feet in width.

- C. Sidewalks and crosswalks shall have a minimum gradient of one (1) percent and maximum gradient of ten (10) percent. ADA handicapped access, ramp gradients, railing requirements and treatment of pavement surfacing shall comply with applicable requirements of the Pennsylvania Department of Labor and Industry.

§509. Vegetation.

- A. Conservation. Development shall be planned so as to minimize the removal of existing trees, shrubs and ground cover and to minimize the amount of land covered by impervious surfaces. All plans shall be submitted to the Allegheny County Conservation District.
- B. Noise Control. Street trees along local and collector streets in residential areas may be required as a buffer every twenty-five (25) feet or in accordance with the established tree pattern of the street(s) on which the lot exists.
- C. Screening. Wherever natural screening is being planted to meet a screening requirement of the Borough Zoning Ordinance, such screen shall consist of fifty (50) percent evergreen or evergreen-type hedges and fifty (50) percent shrubs and deciduous trees

inter-planted with a variety and size, at the time of planting, that will attain a height of at least six (6) feet within three (3) years.

Furthermore, subdivision and land development plans shall provide for such screening as follows:

1. Where nonresidential uses abut residential uses.
2. Where residential uses abut any railroad right-of-way or arterial highway.
3. Along the perimeter of any outdoor storage area, common utility yard or outdoor equipment area in multiple residential developments.
4. Elsewhere, as deemed necessary by the Planning Commission and the Borough Council.

D. Windbreaks. The use of planting rows to serve as windbreaks to control the drifting of snow across public and private roadways shall be required.

§510. Street Trees.

Street trees installed within the Borough shall comply with the Borough of Sewickley Tree Commission and Tree Ordinance.

§511. Development on Private Streets Discouraged.

- A. It is the policy of this Borough that all subdivided lands shall have immediate access to a public street. Because of unique property configuration and location, this Borough recognizes the need for limited exceptions to the foregoing general policy.
- B. No subdivision will be approved on a private street or road if more than two (2) lots already front on such street or road or if after subdivision more than two (2) lots will front on such private street or road.

§512. Open Space, Lot Siting, Planting and Beautification for Subdivision and Land Developments.

- A. In order to promote the highest environmental quality possible, the degree to which the Applicant of a subdivision or land development plan has preserved existing salient natural features and land forms intrinsic to the site, shall be assessed. Terms of approval of a plat may be subject to the manner in which the layout or design of the plan has preserved existing natural features such as, but not limited to, trees, wooded areas and watercourse.
- B. Open Space. Where the Applicant is offering for dedication, or is required by ordinance to establish a reservation of open space or preserve an area of scenic or historic importance, a "limit of work," which will confine excavation, earth moving procedures

and other changes to the landscape, may be required to ensure preservation and prevent despoliation of the character of the area in open space.

- C. Tree Preservation. Whenever possible, trees shall not be removed unless they are located within the proposed street right-of-way, within the proposed building area, or within utility locations and equipment access areas. In areas where trees are retained, the original grade level shall be maintained, if possible, so as not to disturb the trees.
- D. Topsoil Preservation. All of the topsoil from areas where cuts and fills have been made should be stockpiled and redistributed uniformly after grading. All areas of the site shall be stabilized by seeding or planting on slopes of less than ten (10) percent and shall be stabilized by sodding on slopes ten (10) percent or more and planted in ground cover on slopes twenty (20) percent or greater.
- E. Landscaping. For all multifamily, apartment, office, commercial, and industrial subdivisions or land developments, a landscaping plan shall be provided and shall include sufficient plantings for the required open space, planting strips, screenings, formal gardens, shade trees and natural barriers.
- F. Buffer Planting Requirements. Buffer yard requirements should be as specified in the Borough Zoning Ordinance.
- G. Preserved Landscaping. When there is a conscientious effort to preserve the existing natural integrity and character of a site and where such preservation effectuates areas of woodland and trees comparable to required planting improvements, i.e., landscaping and buffer screening, the plan may be approved in lieu of additional landscaping requirements.
- H. Trees. The planting of trees within the street right-of-way line shall not be permitted without the consent of the Borough. The planting of any trees within the private property of each residential lot shall be at the discretion of the landowner and/or developer.
- I. Watercourse Protection. Where a subdivision or land development is traversed by a natural watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage.

§513. Erosion and Sediment Control.

- A. General Purpose.
 - 1. The Borough Council finds that the minimization of erosion and control of sedimentation in connection with land development and subdivision are in the public interest, affecting public health, safety and welfare, and therefore those regulations governing erosion control and sedimentation control are necessary for the Borough.
 - 2. No changes shall be made in the contour of the land, no grading, excavating, removal or destruction to the topsoil, trees or other vegetative cover of the land shall be

- commenced until such time that a plan for minimizing erosion and sedimentation has been processed with and reviewed by the Borough Engineer and/or the Allegheny County Conservation District, or there has been a determination by the above entities that such plans are not necessary.
3. No subdivision or land development plan shall be approved unless: (i) there has been an Erosion and Sedimentation Control Plan approved by the Borough Council that provides for minimizing erosion and sedimentation, and an improvement bond or other acceptable securities are deposited with the Borough in the form of an escrow guarantee which will ensure installation and completion of the required improvements; or (ii) there has been a determination by the Borough Council that a plan for minimizing erosion and sedimentations is not necessary.
 4. Where not specified, measures used to control erosion and reduce sedimentation shall as a minimum meet the standards and specification of the Allegheny County Soil and Water Conservation District, the State Clean Streams Act, and shall comply with applicable regulations of the Department of Environmental Protection. The Borough Engineer, or other officials as designated, shall ensure compliance with the appropriate specifications, copies of which are available from the Soil and Water Conservation District.
- B. Performance Principles. The following measures are effective in minimizing erosion and sedimentation and shall be included where applicable in the control plan:
1. Stripping of vegetation, regrading or other development shall be done in such a way that will prevent all but minor erosion.
 2. Development plans shall preserve salient natural features, keep cut-fill operation to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff.
 3. Whenever feasible, natural vegetation shall be retained, protected, and supplemented.
 4. The disturbed area and the duration of exposure shall be kept to a practical minimum.
 5. Disturbed soils shall be stabilized as quickly as practicable.
 6. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
 7. The permanent final vegetation and structural erosion control and drainage measures shall be installed as soon as practical in the development.
 8. Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps, or similar measures.

C. Grading for Erosion and Other Environmental Controls. In order to provide suitable site for building and other uses, improve surface drainage, and control erosion, the following requirements shall be met:

1. Streets shall be improved to a mud free or otherwise permanently passable condition as one of the first items of work done on a subdivision or development. The wearing surface shall be installed as approved in the final plan.
2. Provisions shall be made to prevent surface water from damaging the cut face of excavation or the sloping surfaces of fills, by installation of temporary or permanent drainage across or above these areas.
3. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
4. Fills placed adjacent to watercourses shall have suitable protection against erosion during periods of flooding.
5. During grading operations, necessary measures for dust control will be exercised.
6. Grading equipment will not be allowed to enter into flowing streams, unless permitted by the Pennsylvania Department of Environmental Protection.

D. Responsibility.

1. Whenever sedimentation damage is caused by stripping vegetation, grading or other development, it shall be the collective responsibility of the Applicant, and of the contractor, person, corporation and other entity causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at this expense as quickly as possible.
2. Maintenance of all erosion and sedimentation control facilities during the construction and development period is the responsibility of the Applicant.
3. It is the responsibility of any Applicant, and any person, corporation, or other entity doing any act on or across a communal stream, watercourse or swale, or upon the floodplain or right-of-way, to maintain as nearly as possible in its present state the stream, watercourse, swale, floodplain or right-of-way during the pendency of the activity to return it to its original or equal condition after such activity is completed.
4. The Applicant shall provide and install, at his expense, in accordance with Borough requirements, all drainage and erosion control improvements (temporary and permanent) shown on the Erosion and Sediment Control Plan.

E. Compliance with Regulations and Procedures.

1. The Borough Council, in its consideration of all preliminary plans of subdivision and land development, shall condition its approval upon the execution of erosion and sediment control measures.

2. The installation and design of the required erosion and sediment control measures shall be in accordance with standards and specifications of the Allegheny County Soil Conservation District and EPA Clean Water Act.
3. Stream Channel Construction. Stream channel construction on watersheds with drainage areas in excess of one half (1/2) square mile, or in those cases where downstream hazards exist, will conform to criteria established by the Pennsylvania Department of Environmental Protection.

§514. Floodplain Area Regulations.

A. Purpose. The specific purposes of these special provisions are:

1. To regulate the subdivision or development of land within any Designated Floodplain Area in order to promote the general health, welfare and safety of the community.
2. To require that each subdivision lot in flood prone areas be provided with a safe building site with adequate access; and that public facilities which serve such uses be designed and installed to preclude flood damage at the time of initial construction.
3. To prevent individuals from buying lands which are unsuitable for use because of flooding by prohibiting the improper subdivision or development of unprotected lands within the designated floodplain districts.

B. Abrogation and Greater Restrictions. To the extent that this Section imposes greater requirements or more complete disclosure than any other provisions of this Part, in any respect, or to the extent that the provisions of this Section are more restrictive than such other provisions, it shall control such other provisions of this Part.

C. Disclaimer of Municipal Liability. The grant of a permit or approval of a plan for any proposed subdivision or land development to be located within any designated floodplain area shall not constitute a representation, guarantee or warranty of any kind by the Borough or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the Borough, its officials, employees or agents.

D. Application Procedures and Requirements.

1. Pre-Application Procedures.

- a) Prior to the preparation of any plans, it is suggested that prospective developers consult with the Pennsylvania Department of Environmental Protection concerning soil suitability when onsite sewage disposal facilities are proposed.
- b) Prospective developers shall consult with PADEP Soil and Waterways Management District representative concerning erosion land sediment control and the effect of geologic conditions on the proposed development. At the same time,

a determination should be made as to whether or not any flood hazards either exist or will be created as a result of the subdivision or development.

2. Preliminary Plan Requirements. The following information shall be required as part of the preliminary plan and shall be prepared by a registered engineer or surveyor:
 - a) Name of engineer, surveyor, or other qualified person responsible for providing the information required in this subsection.
 - b) A map showing the location of the proposed subdivision or land development with respect to any Designated Floodplain Area, including information on, but not limited to, the one-hundred (100) year flood elevations, boundaries of the floodplain area or areas, proposed lots and sites, fills, flood or erosion protective facilities, and areas subject to special deed restrictions.
 - c) Where the subdivision or land development lies partially or completely within any designated floodplain area, or where the subdivision or land development borders on a floodplain area, the preliminary plan map shall include detailed information giving the location and elevation of proposed roads, public utilities and building sites. All such maps shall also show contours at intervals of five (5) feet, and shall identify accurately the boundaries of the floodplain areas.
3. Final Plan Requirements. The following information shall be required as part of the final plan and shall be prepared by a registered engineer or surveyor:
 - a) All information required for the submission of the preliminary plan incorporating any changes requested by the Borough Council.
 - b) A map showing the exact location and elevation of all proposed buildings, structures, roads and public utilities to be constructed within any Designated Floodplain Area. All such maps shall show contours at intervals of five (5) feet within the floodplain area and shall identify accurately the boundaries of the flood-prone areas.
 - c) Submission of the final plan shall also be accompanied by all required permits and related documentation from the Department of Environmental Protection, and any other Commonwealth agency, or local municipality where any alteration or relocation of a stream or watercourse is proposed. In addition, documentation shall be submitted indicating that all affected adjacent municipalities have been notified in advance of the proposed alteration or relocation. The Department of Community Affairs, and the Federal Insurance Administration shall also be notified in advance of any such proposed activity, and proof of such notification shall be submitted in advance of the Planning Commission meeting at which such plan is to be considered.

E. Design Standards and Improvements in Designated Floodplain Areas.

1. General.

- a) Where not prohibited by this or any other laws or ordinances, land located in any designated floodplain area may be platted for development with the provisions that the landowner and/or developer construct all buildings and structures to preclude flood damage in accordance with this and any other laws and ordinances regulating such development.
 - b) No subdivision or land development, or part thereof, shall be approved if the proposed development or improvements will individually or collectively, increase the one hundred (100) year flood elevation more than one (1) foot at any point.
 - c) Building sites for residences or any other type of dwelling or accommodation shall not be permitted in any floodway area. Sites for those uses may be permitted outside the floodway area in a floodplain area if the lowest floor (including basement) is elevated to the regulatory flood elevation. If fill is used to raise the elevation of a site, the fill area shall extend laterally for a distance of at least fifteen (15) feet beyond the limits of the proposed structures.
 - d) Building sites for structures or buildings other than for residential uses shall not be permitted in any floodway area. Sites for such structures or buildings outside the floodway in a floodplain area shall be protected. However, the Borough Council may allow the subdivision or development of areas or sites for commercial and industrial uses at an elevation below the regulatory flood elevation if the landowner and/or developer otherwise protects the regulatory flood elevation and if the landowner and/or developer otherwise protects the area to that height or assures that the buildings or structures will be flood proofed to the regulatory flood elevation.
 - e) If the Borough Council determines that only a part of a proposed plat can be safely developed, it shall limit development to that part and shall require that development proceed consistent with this determination.
 - f) When a developer does not intend to develop the plat himself and the Borough Council determines that additional controls are required to insure safe development, they may require the landowner and/or developer to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on every recorded plat.
2. Drainage Facilities.
- a) Storm drainage facilities shall be designed to convey the flow of surface water without damage to person or property. The system shall insure drainage at all points along streets, and provide positive drainage away from buildings and onsite waste disposal sites.
 - b) Plans shall be subject to the approval of the Borough Council. The Borough Council may require a primary underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent

floods. Drainage plans shall be consistent with local, county and regional drainage plans. The facilities shall be designed to prevent the discharge or excess runoff onto adjacent properties.

- F. Streets and Driveways. The finished elevation of proposed streets and driveways shall not be more than the one (1) foot below regulatory flood elevation. Profiles and elevations of streets and driveways to determine compliance with this requirement and as required by other provisions of this Part shall be submitted with the final plan.
- G. Sewer Facilities. All sanitary sewer systems located in any designated floodplain area, whether public or private, shall be flood proofed up to the regulatory flood elevation.
- H. Water Facilities and Other Utilities and Facilities. All other public or private utilities and facilities, including gas and electric, shall be elevated or flood proofed up to the regulatory flood elevation.

PART VI
ADMINISTRATION

§601. Fees.

- A. The Borough Council shall establish by resolution, a collection procedure and Schedule of Fees to be paid hereunder by the landowner and/or developer at the time of filing a preliminary plan. Said resolution shall also establish a fee for public hearings.
- B. Review fees shall be assessed for each subdivision and land development preliminary and final application, based on a specific fee schedule adopted by resolution reflecting the actual costs incurred by the Borough in reviewing the plan.
- C. In the event a developer initiates revisions to a plan, the revised application and plan shall be accompanied by a fee in an amount determined by the Borough, to cover the costs incurred to process and review the plan. Developer is not responsible to pay for the revisions required by the Planning Commission or Borough Council.
- D. In order to defray a portion of the cost incurred by the Borough in inspecting the installation of the improvements required by this Chapter, and to ensure compliance with these regulations, the landowner and/or developer shall present a check or money order, made payable to the Borough, in an amount equal to two (2) percent of the estimated cost of the improvement(s) used in the determination of the construction guarantee, as determined by the Borough Engineer. This fee is separate from and in addition to any application fees required by the Borough. The fee shall be paid at the time of submission of the development agreement, and kept in a separate account used solely for the purposes this Section. Upon completion of all inspections and other requirements, the remainder of the funds held in this account retained by the Borough shall be returned to the landowner and/or developer along with an itemized statement evidencing the expenditures of the funds from the account. This fee shall be paid at the time of submission of the development agreement.
- E. Said Schedule of Fees shall be posted in the municipal offices and shall be available for inspection upon request.
- F. No final plan shall be approved unless and until all fees and charges are paid in full.

§602. Public Hearings.

Before acting on an application for approval, the Borough Council and/or the Planning Commission, shall hold a public hearing thereon, pursuant to public notice, as defined by this Chapter.

§603. Permits.

No lot in a subdivision shall be sold, no permit to erect, alter or repair any building upon land in a subdivision or development shall be issued, and no building shall be erected in a

subdivision or development, until a final plan has been approved by the Borough and properly recorded, and further, until the required improvements have been constructed or their construction guaranteed.

§604. Liability For Borough Roads.

Where any road, public in the Borough, including the pave area, gutters, utilities and the right-of-way, is hereafter damaged in any manner whatsoever, the person or persons directly responsible for said damage, the subcontractor and/or general contractor for whom said persons or his superiors work, or with whom they have contracted, shall be jointly liable for any and all damage to said Borough roads, and shall repair said damage within ninety (90) days of any written notification by the Borough. All repairs shall meet Borough standards and shall be subject to Borough inspection.

PART VII

AMENDMENT AND REVIEW BY COUNTY

§701. Amendments.

Amendments to this Chapter shall become effective only after a public hearing held by the Borough Council pursuant to public notice. The Planning Commission shall make recommendations to the Borough Council on any amendment, within thirty (30) days prior to the date of the public hearing.

§702. County Review.

A copy of the proposed amendment shall be forwarded to the Allegheny County Planning Department for review and recommendation in accordance with the Pennsylvania Municipalities Planning Code.

§703. Copy Forwarded.

Within thirty (30) days after adoption, the Borough Council shall forward a certified copy of any amendment to this Chapter to the Allegheny County Department of Economic Development for their files.

§704. Public Examination.

The text of any amendment to this Chapter may be examined at a place designated by the Borough Council prior to its consideration and in accordance with PA Municipalities Planning Code Section 506(a).

This page intentionally left blank.

PART VIII
ENFORCEMENT REMEDIES

§801. Violations.

- A. 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 this Ordinance. Per Pennsylvania Municipalities Planning Code Section 515.2 Jurisdiction, District Justices shall have initial jurisdiction in proceedings brought under this Section.
- B. Any such person, partnership or corporation, including the members of such partnership or the officers of the corporation, or the agent of any of them, responsible in law or in fact for such violation, upon being found liable hereof in a civil enforcement proceeding commenced by the Sewickley Borough, must pay a judgment of not more than five (500) dollars plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. Each day that a violation continues shall be a separate violation.
- C. No judgment shall commence or be imposed or payable until the District Justice having jurisdiction determines the date of violation.
- D. If the defendant neither pays nor timely appeals the judgment, the Borough shall enforce the judgment pursuant to the rules of civil procedure.
- E. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Borough the right to commence any action for enforcement.
- F. Any fines or judgments collected shall be deposited in the Borough's General Fund.

§802. Preventative Remedies.

- A. In addition to other remedies, the Borough may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations or to prevent illegal occupancy of a building, structure or premises. A description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- B. The Borough may refuse to issue any permit, or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Chapter. This authority to deny such a permit or approval shall apply to any of the following Applicants:

1. The landowner of record at the time of such violation.
2. The vendee or lessee of the landowner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
3. The current landowner of record who acquired the property subsequent to the time of violation without regard as to whether such current landowner had actual or constructive knowledge of the violation.
4. The vendee or lessee of the current landowner 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. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Borough 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.

PART IX
VALIDITY AND REPEALER

§901. Validity.

- A. Should any section, clause, provision or provision of this Chapter be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect or impair the validity of any other section, clause, provision or portion of this Chapter.
- B. It is hereby declared to be the intent of the Borough Council that this Chapter would have been adopted by the Borough had such invalid or unconstitutional provisions not been included herein, and the remaining portions of this Chapter shall remain in effect as though the portion declared invalid or unconstitutional had never been a part hereof.
- C. Continuation. The modification or repeal of any prior ordinance, resolution or regulation by this ordinance amendment shall not annul or other relieve any party from any permit issued, condition imposed, approval granted, approval denied, order issued, or violation, penalty or other liability incurred pursuant to such affected ordinance, resolution or regulation.

§902. Repealer.

All resolutions, ordinances or amendments to ordinances, or parts of resolutions or ordinances inconsistent herewith, are hereby repealed as stated or deleted in their entirety in the prefatory paragraph of this ordinance amendment. Specifically, the prior subdivision ordinance shall be repealed in its entirety.

§903. The Borough of Sewickley Zoning Ordinance.

Nothing herein contained shall be interpreted to permit any waiver or modification of the restrictions or requirements of the Borough's Zoning Ordinance, as amended.

This page intentionally left blank.

PART X

REQUIRED SIGNATURE AND STAMP BLOCKS

§1001. Purpose.

The purpose of the Signature and Stamp Blocks is to officially acknowledge the Borough's decision on submitted and approved Drawings. As applicable, the Borough may require additional certifications, as outlined by Allegheny County as included in the Allegheny County Subdivision and Land Development Ordinance, Appendix 2: Required Certifications.

§1002. Borough of Sewickley Signature Block.

Area for the following signature block shall be included on the plan set submittal, allowing two (2) signature lines for the Borough Council President and the Borough Secretary. The Signature Block shall read: **Approved by the Borough of Sewickley by resolution on this ___ day of _____, and shall become effective immediately.**

§1003. Allegheny County Department of Economic Development Signature Block.

See Appendix 2 of the Allegheny County Subdivision and Land Development Ordinance.

§1004. Certification Stamp Blocks

Certification Stamp Blocks, size 2" by 2 ¼", shall also be included for each of the following entities/project team members:

- Sewickley Borough Council
- Sewickley Borough Planning Commission
- Borough Staff Representative
- Allegheny County Department of Real Estate
- Allegheny County Department of Economic Development
- Surveyor
- Engineer (as applicable)
- Architect (as applicable)
- Landscape Architect (as applicable)
- Notary
- Any other required seal identified by the Allegheny County Subdivision and Land Development Ordinance

This page intentionally left blank.

PART XI

EFFECTIVE DATE

§1101. Effective Date.

This Chapter is ordained and enacted this ____ day of _____, and shall become effective on the ____ day of _____.