

ORDINANCE NO. 1046

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE  
AMENDING ORDINANCE NO. 375 KNOWN AS THE ZONING  
ORDINANCE

BE IT ORDAINED AND ENACTED BY THE MUNICIPALITY OF MONROEVILLE IN COUNCIL  
ASSEMBLED AS FOLLOWS:

SECTION 1

Article XVII, Section 1701 shall be amended to include the following to be  
designated as Section 1701 a:

All site plans submitted to the Monroeville Planning Department for considera-  
tion in any zoning district within the boundaries if the Municipality of Monroeville  
shall be first considered by the Monroeville Planning Commission at a duly advertised  
meeting.

SECTION 2

Article XVII, Section 1701 b shall be amended to read as follows:

Subsequent to the Planning Commission's recommendations concerning any site plan  
the matter shall then be heard at the next regular duly advertised Monroeville Council  
meeting.

SECTION 3

Article XVII, Section 1701 c shall be amended to read as follows:

Where required, site plan approval by the Monroeville Municipal Council shall  
be a condition precedent to consideration of any application for any type of use or  
building on any tract of land within the Municipality of Monroeville.

SECTION 4

Article V, Section 505 - Paragraph one is amended to read as follows:

EXTERIOR WALL SURFACES: No building shall be erected in this district, whether  
main or accessory, which has any part of any of its exterior wall surfaces composed of  
concrete block or cinder block. Exterior wall surfaces of buildings in this district  
shall be composed of the following materials only, unless an additional material is  
approved by the Monroeville Municipal Council, to be of equal or superior quality and  
aesthetic character when used under the circumstances proposed:

SECTION 5

Article VII, Section 701 - Paragraph one is amended to read as follows:

USE: In this district land and structures may be used and structures may be erected, enlarged, altered, and maintained for the limited uses hereinafter set forth. In addition, any use other than a single-family residential use shall be in accordance with a site plan approved by the Municipal Council. The site plan shall show, as proposed, the location of main and accessory structures on the site and their relation to one another, traffic circulation within the site, the location of vehicular access onto the site, the exterior dimensions of all structures, the provision of automobile parking space, the provisions of other open space on the site, the landscaping, paving, fences and walls on the site, and the location of signs. In approving site plans, the Municipal Council may act on site plans submitted to it, or may act on its own initiative in proposing and approving a site plan. In considering any site plan hereunder, the Planning Commission and Municipal Council shall endeavor to assure safety and convenience of traffic movement, both within the site covered and in relation to access streets, harmonious and beneficial relationship of structures and uses on the site, as well as contiguous properties. To this end the Planning Commissions may recommend and the Municipal Council may limit vehicular access by plan.

SECTION 6

Article VII, Section 801 - Paragraph two is amended to read as follows:

In a "C-1" District the uses shall, in addition to conforming to any and all regulations pertaining thereto that are specifically set forth in this ordinance, be in accordance with a site plan or plans reviewed by the Planning Commission and approved by Municipal Council. The site plan shall show, as proposed, the location of main and accessory structures on the site and in relation to one another; traffic circulation features within the site; the location of vehicular access onto the site, the height and bulk of structures; the provision of automobile parking space; the provision of other open space on the site, the landscaping, paving, fencing and walls on the site; and the display of signs.

Article VIII, Section 801 - Paragraph three is amended to read as follows:

In reviewing or approving the site plans, the Planning Commission or Municipal Council, respectively, may act on site plans submitted to it or may act on its own initiative in proposing or approving a site plan.

Article VII, Section 801 - Paragraph four is amended to read as follows:

In considering any site plan hereunder, the Planning Commission and Municipal Council shall endeavor to assure safety and convenience of traffic movement both within the site covered and in relation to access streets, harmonious and beneficial relationship of structures and uses on the site as well as contiguous properties. To this end the Planning Commission may recommend the Municipal Council may limit vehicular access by plan.

SECTION 7

Article VII, Section 804 - Paragraph one is amended to read as follows:

EXTERIOR WALL SURFACES: No building shall be erected in this district, whether main or accessory, which had any part of its exposed exterior wall surface composed of concrete block or cinder block except as hereinafter set forth. Exposed exterior surfaces on such buildings shall be composed of the following materials only, unless an additional material is approved by the Monroeville Municipal Council to be of equal or superior quality and aesthetic character when used under the circumstances proposed.

- a. Brick
- b. Stone
- c. Glass
- d. Metal, only as approved by Monroeville Municipal Council
- e. Marble
- f. Wood for trim purposes only

SECTION 8

Article IX, Section 901 - Paragraph one is amended to read as follows:

USE: In this district, the land and structures may be used, and structures may be erected, altered, enlarged, and maintained for commercial uses listed hereunder (including in each instance Unit Group Building development). Each enterprise shall not be noxious or offensive by reason of emission of odor, smoke, dust, noise, vibration, glaring light, or similar causes, and there shall be no outdoor storage or display of merchandise or material except that offered for sale on the premises. In any "C-2" District, the uses shall in addition to conforming to any and all regulations pertaining thereto that are specifically set forth in this ordinance, be in accordance with a site plan or plans reviewed by the Planning Commission and approved by Municipal Council . . .

Article IX, Section 901 - Paragraph two is amended to read as follows:

In approving site plans, the Planning Commission and Municipal Council may act on site plans submitted to it or may act on its own initiative in proposing and approving a site plan.

Article IX, Section 901 - Paragraph three is amended to read as follows:

In considering any site plan hereunder, the Planning Commission and Municipal Council shall endeavor to assure safety and convenience of traffic movement both within the site covered and in relation to access streets, harmonious and beneficial relationship of structures and uses on the site, as well as contiguous properties. To this end the Planning Commission may recommend and the Municipal Council may limit vehicular access by plan.

Article IX, Section 901 - Paragraph one is amended to read as follows:

EXTERIOR WALL SURFACES: No building shall be erected in this district whether main or accessory, which has any part of its exposed exterior wall surface composed of concrete block or cinder block except as hereinafter set forth. Exposed exterior surfaces on such buildings shall be composed of the following materials only, unless an additional material is approved by the Monroeville Municipal Council to be of equal or superior quality and aesthetic character when used under the circumstances proposed:

- a. Brick
- b. Stone
- c. Glass
- d. Metal, only as approved by the Monroeville Municipal Council
- e. Marble
- f. Wood for trim purposes only

#### SECTION 10

Article X, Section 1001 - Paragraph two is amended to read as follows:

In an "L" District, the uses shall, in addition to conforming to any and all regulations pertaining thereto that are specifically set forth in this ordinance, be in accordance with a site plan or plans reviewed by the Planning Commission and approved by Municipal Council.

Article X, Section 1001 - Paragraph three is amended to read as follows:

In approving any site plan hereunder, the Planning Commission and Municipal Council shall endeavor to assure safety and convenience of traffic movement, both within the site covered and in relation to access street, harmonious and beneficial relationship of structures and uses on the site as well as between such site and contiguous land and structures and adjacent neighborhoods. To this end the Planning Commission may recommend and the Municipal Council may limit vehicular access by plan.

#### SECTION 11

Article X, Section 1004 - Paragraph one is amended to read as follows:

EXTERIOR WALL SURFACES: No building shall be erected in this district, whether main or accessory, which has any part of its exposed exterior wall surface composed of concrete block or cinder block, except as hereinafter set forth. Exposed exterior surfaces on such buildings shall be composed of the following materials only, unless an additional material is approved by the Monroeville Municipal Council, to be of equal or superior quality and aesthetic character when used under the circumstances proposed.

- a. Brick
- b. Stone
- c. Glass
- d. Metal, only as approved by Monroeville Municipal Council
- e. Marble
- f. Wood for trim purposes only

Article X, Section 1004 - Paragraph two is amended to read as follows:

Concrete block may be used for exposed exterior wall surfaces on the rear wall only where upon approval of the Monroeville Municipal Council, such building is so located that such rear wall would not be viewable by passerby or any part of the general public.

#### SECTION 12

Article XI, Section 1101 - Paragraph two is amended to read as follows:

In an "M-1" District, the uses shall, in addition to conforming to any and all regulations pertaining thereto that are specifically set forth in this ordinance, be in accordance with a site plan or plans approved by Municipal Council.

Article XI, Section 1101 - Paragraph four is amended to read as follows:

In approving site plans, the Planning Commission and Municipal Council may act on site plans submitted to it or may act on its own initiative in proposing and approving a site plan.

Article XI, Section 1101 - Paragraph five is amended to read as follows:

In considering any site plan hereunder, the Planning Commission and Municipal Council shall endeavor to assure safety and convenience of traffic movement both within the site covered and in relation to access streets, harmonious and beneficial relationship of structures and uses on the site as well as contiguous properties. To this end the Planning Commission may recommend and the Municipal Council may limit vehicular access by plan.

#### SECTION 13

Article A-XI, Section A-1101 - Paragraph two is amended to read as follows:

In an "M-1 A" District, the use, in addition to conforming to any and all regulations pertaining thereto that are specifically set forth in this ordinance, shall be in accordance with a site plan or plans approved by the Monroeville Municipal Council . .

Article A-XI, Section A-1101 - Paragraph three is amended to read as follows:

In approving site plans the Planning Commission and Municipal Council may act on site plans submitted to it or may act on its own initiative in proposing or approving a site plan.

Article A-XI, Section A-1101 - Paragraph four is amended to read as follows:

In considering any site plan hereunder the Planning Commission and Municipal Council shall endeavor to assure safety and convenience of traffic movement, both within the site covered and in relation to access streets, harmonious and beneficial relationship of structures and uses on the site as well as surrounding properties. To this end the Planning Commission may recommend and the Municipal Council may limit vehicular access by plan.

Article A-XI, Section A-1101 - Paragraph five is amended to read as follows:

No permits shall be issued for the erection of structures for excavation or grading or for any area or site development unless and until such site, building or development plans have been finally approved by the Monroeville Municipal Council.

Article A-XI, Section A-101 - Paragraph six is amended to read as follows:

No permit for the use or occupancy of such structures or areas so built or developed within any "M-1 A" District shall be issued nor shall such occupancy or use be permitted unless and until the building and development shall be completed strictly according to such plans as approved by the Monroeville Municipal Council.

#### SECTION 14

Article A-XI, Section A-1104.5 - Paragraph one is amended to read as follows:

Where a side or rear yard abuts any "R" District its size shall be increased from twenty (20) feet to forty (40) feet and there shall be planted and maintained within such a yard a line of hedges, bushes, shrubs or trees of sufficient height and density as will, in the opinion of the Municipal Council, adequately screen the use in this district from such "R" District. Such line of planting shall extend parallel to and along the entire length of the abutting "R" District line unless the Municipal Council shall determine that a lesser distance shall be adequate to fully accomplish the same purpose.

#### SECTION 15

Article A-XI, Section A-1107 - Paragraph one d is amended to read as follows:

- d. Curbs, guard rails, walls and fences where the materials and use thereof are approved by the Municipal Council.

#### SECTION 16

Article A-XI, Section A-1108 - Paragraph one is amended to read as follows:

EXTERIOR WALL SURFACES. No building shall be erected in this district, whether main or accessory, which has any part of its exterior wall surface composed of concrete block or cinder block, except as hereinafter set forth. Exterior surfaces on such buildings shall be composed of the following materials only, unless an additional material is approved by the Monroeville Municipal Council, to be of equal or superior quality and aesthetic character when used under the circumstances proposed:

- a. Brick
- b. Stone
- c. Glass
- d. Metal, only as approved by Monroeville Municipal Council
- e. Marble
- f. Wood

Article A-XI, Section A-1108 - Paragraph two is amended to read as follows:

Concrete block may be used for exterior wall surfaces on the rear wall only where upon approval of the Monroeville Municipal Council such building is so located that such rear wall should not be viewable by passersby or any part of the general public.

#### SECTION 17

Article XII, Section 1201 - Paragraph one is amended to read as follows:

USE: In this district land and structures may be used and structures may be erected, altered, enlarged, and maintained for the limited special uses hereunder, but including the retail sale of products when such sale is clearly incidental to the permitted industrial use. In any "M-2" District, the uses shall, in addition to conforming to any and all regulations pertaining thereto that a site plan or plans approved by the Municipal Council. The site plan shall show, as proposed, the location of main and accessory structures on the site, and in relation to one another, traffic circulation feature within the site, the location of vehicular access onto the site, the height and bulk of structures, the provision of automobile parking space, the provision of other open space on the site, the landscaping, paving, fences and walls on the site, and the display of signs. In approving site plans, the Planning Commission and Municipal Council may act on site plans submitted to it, or may act on its own initiative in proposing and approving a site plan. In considering any site plan hereunder, the Planning Commission and Municipal Council shall endeavor to assure safety and convenience of traffic movement, both within the site covered in relation to access streets, harmonious and beneficial relationship of structures and uses on the site, as well as contiguous properties. To this end the Planning Commission may recommend and the Municipal Council may limit vehicular access by plan.

#### SECTION 18

Article XIII, Section 1301.6 - Paragraph one is amended to read as follows:

Where approval of site plan or plans by the Council is prerequisite to the issuance of a permit, action shall be taken by the Council, either approving or disapproving, within sixty-five (65) days from the date the site plan is first considered by Municipal Council. Failure of the Council to so act shall be considered approval of the plan or plans as submitted.

#### SECTION 19

Article XIII, Section 1301.11 - Paragraph one - Last sentence is amended to read as follows:

" . . . The size and location of such trash room area or separate structure shall be subject to the approval of the Municipal Council as part of the site plan review."

SECTION 20

Article XIII, Section 1304.14 - Paragraph one is amended to read as follows:

Every parcel of land hereafter used as a parking area shall be paved and maintained as specified by the Department of Public Works (Appendices to Subdivision Regulations) in cement concrete, or bituminous asphalt laid over a base of crushed stone compacted to not less than 6" in depth or such other surfacing of any equivalent or superior character if the same is first approved by the Municipal Council . . .

SECTION 21

Article XIII, Section 1304.16 is amended to read as follows:

Parking Area Traffic Control. All parking areas which are laid out in more than two rows of parking stalls shall have traffic control structures erected thereon in locations where deemed necessary by the Municipal Council for the safe and efficient flow of internal vehicular and pedestrian traffic. Such structures shall consist of poured concrete curbs, sidewalks or parking aisle separators, extending not less than six (6) inches above the finished surface of the lot, or planted and landscaped areas, or other equivalent devices as may be approved by the Municipal Council. Any such planted area shall be protected by poured concrete curbing to prevent vehicle encroachment thereon.

SECTION 22

Article XIII, Section 1304.19 is amended to read as follows:

The Municipal Council may approve alternate parking design standards for special situations such as dead car storage areas, attendant parking facilities, long term parking facilities, etc. The Council must have reasonable assurance that the special situation will be continuous and permanent, and that the proposed standards are adequate.

SECTION 23

Article XIII, Section 1306.7 - Paragraph one is amended to read as follows:

A NONCONFORMING USE or a NONCONFORMING STRUCTURE . . . "special exception" permitted by the Zoning Hearing Board, a use requiring approval of site plan by the Municipal Council, etc. . .

SECTION 24

Article XIII, shall be amended to include the following Section 1309: SITE PLAN SUBMISSION PROCEDURE

1. CONSULTATION WITH THE PLANNING DEPARTMENT relating to:
  - a. proper zoning
  - b. constraints of the building code
  - c. fire protection
  - d. other applicable ordinance and laws
  - e. completion of site plan and/or other application forms provided by Planning Director and Planning Department

2. CONSULTATION WITH THE MUNICIPAL FIRE OFFICIAL regarding site plan constraints.
3. CONSULTATION WITH THE MUNICIPAL ENGINEER on site plan constraints.
4. SITE PLAN CRITERIA of the entire property drawn accurately and legibly by a registered engineer or surveyor, architect, planner or an able draftsman in one of these professions. Plan shall indicate:
  - (a) Metes and bounds of all property lines,
  - (b) Access to and from the site,
  - (c) Public facilities such as sanitary and storm sewers, water supply and an indication of surface water runoff,
  - (d) Location of proposed structure on the property considering all setback criteria,
  - (e) The location of parking facilities with delineation and dimensions of parking spaces,
  - (f) Primary and secondary means of ingress/egress,
  - (g) The location of the proposed structure on the property, its total square footage and ground floor elevation,
  - (h) Existing and proposed contour lines at 2' intervals within the property and at least 100' beyond the property lines,
  - (i) A title block giving name of development, name or owner of property, north point, date and scale -- not smaller than 1" = 50',
  - (j) Rendering
  - (k) Schematic elevations at an appropriate architectural scale,
  - (l) Key map showing adjacent highway configuration at a scale of not less than 1" = 100'.
5. SITE PLAN SUBMISSION - Plan must be completed and submitted to the Department of Planning at least three weeks prior to the meeting at which the Planning Commission is scheduled to consider the plan. This plan should be accompanied by a check in the amount of \$100.00 made payable to the Municipality of Monroeville.
6. The foregoing is intended to be the minimum requirements and the Planning Commission and Council may require other data on the site plan consistent with good planning principals and law.

SECTION 25

Article XIV, Section 1400.8 - Last sentence is amended to read as follows:

. . . Temporary signs shall be permitted to advertise grand openings, distress sales, change in ownership; or temporary businesses which have been approved by the Municipal Council or the Zoning Hearing Board.

SECTION 26

Article IX, Section 1501 (1) is amended to read as follows:

(1) Approval of site plan and location by Municipal Council.

SECTION 27

Article XV, Section 1501.13 c is amended to read as follows:

c. The Municipal Council shall determine that the proposed use is related to its potential service area and is in keeping with principles of the adopted master plan.

SECTION 28

Article XV, Section 1502.1 - Paragraph one is amended to read as follows:

Written applications for the approval of the uses referred to in this Article shall be filed in the public office of Planning and Development upon forms prescribed for that purpose by that office together with application for occupancy certificate as required by Section 1603. Upon the filing of such application for occupancy . . .

SECTION 29

Article XVII, Section 1711 - Paragraph one is amended to read as follows:

ADVERTISEMENT: All site plans hereinbefore required to be submitted to the Planning Commission for review and recommendation to Municipal Council and shall be set for public hearing before the Commission. Notice of the time, place, and purpose of such hearing shall be given not less than seven (7) days prior to the date thereof by the following methods:

- (a) same
- (b) same
- (c) same
- (d) same

All site plans submitted to the Municipal Council for consideration after Planning Commission recommendation shall be advertised for public hearing in accordance with the law requiring notice of the matters to be heard at Municipal Council regular meetings.

Article XVII, Section 1711.1

(Same)

Article XVII, Section 1711.2

(Same)

SECTION 30

SEVERABILITY: The provisions of this ordinance are severable and any section, sentence, phrase, paragraph or other part hereof which are found unconstitutional, illegal or enforceable shall not in any way invalidate any of the provisions of this ordinance which shall remain in full force and effect.

SECTION 31

REPEALER: Any ordinance, resolution or policy of the Municipality of Monroeville inconsistent with any of the provisions with this ordinance and hereby repealed and null and void.

ORDAINED AND ENACTED into a law this 14th day of December, 1976.

(SEAL)

ATTEST:

MUNICIPALITY OF MONROEVILLE

S/ Marshall W. Bond  
Municipal Manager

S/ R. E. Droske  
Mayor