

CHAPTER 9

INTERMUNICIPAL COOPERATION

INTRODUCTION

Intermunicipal cooperation can help municipalities increase effectiveness and efficiency in delivery of services. As municipal responsibilities become more complex and demanding, municipalities should continually seek out the best ways to provide the services needed by their communities. One tool in addressing this challenge is intergovernmental cooperation.

Pennsylvania's Intergovernmental Cooperation Law authorizes two or more municipalities to cooperate in the exercise or performance of their respective governmental functions, powers or responsibilities. It also authorizes the formation of councils of governments (COG).

The Borough of Plum is using the Intergovernmental Cooperation Law to provide borough residents with cost effective services and purchases through its membership in three COGs. Plum uses the Turtle Creek COG to administer the borough's Community Development Block Grant program. Plum purchases road salt and other bulk materials through the South Hills Area COG, and it purchases vehicles and equipment via the Central Westmoreland COG.

Advisory Commissions and Other Borough Entities

Planning Commission

The Plum Borough Planning Commission is a seven-member volunteer board that is appointed by borough council. Each member serves a four year term, with terms staggered so that the terms of two members expire in any given year. The planning commission reviews all new subdivisions, land developments, conditional use requests and zoning change requests in the borough. The planning commission serves in an advisory capacity only. Plum Borough Council makes all final decisions concerning any land development in the borough.

Zoning Hearing Board

The Pennsylvania Municipalities Planning Code (MPC) requires that all municipalities with zoning have a zoning hearing board. The primary purpose of the zoning hearing board is to help assure fair and equitable application and administration of the provisions of the municipal zoning ordinance. The zoning hearing board considers applications from residents and property owners for approving special exception uses. The board also considers requests for variances (relief) from provisions of the zoning ordinance when the characteristics of a property make strict application of those provisions impossible without creating an undue hardship on the property owner.

The Plum Borough Zoning Hearing Board is a five-member board appointed by borough council. Since the zoning hearing board is a quasi-judicial body, it has its own solicitor and a court reporter to make stenographic record of board proceedings. Each zoning hearing board member serves a term of five years, and these terms are staggered so that the term of one member expires each year.

Construction Appeals Board

The Pennsylvania Uniform Construction Code (UCC) (Act 45 of 1999) requires that all municipalities administering and enforcing the UCC must have a construction appeals board in place to decide if the provisions of the UCC are being correctly interpreted and applied. The board hears and rules on appeals, requests for variances and requests for extensions of time to complete a project.

The seven members of the Plum Borough Construction Appeals Board are appointed by borough council. As required by the UCC, all members of the board have significant experience and knowledge in the building construction industry. The terms of the members are five years, and the terms are staggered so that the term of one member expires each year.

Plum Borough Municipal Authority

The Plum Borough Municipal Authority is governed by a seven-member board of directors that is appointed by Plum Borough Council. The authority provides the borough with both water and sanitary sewer service. In conjunction with the borough's planning and zoning department, the authority reviews plans to assure that all new sanitary sewer and water line extensions have adequate capacities and meet codes.

The Plum Borough Municipal Authority serves about 9,100 water customers and 8,900 sanitary sewerage customers in Plum. Chapter 4 contains more detailed information about the authority's operations, staffing, facilities, equipment and capacities.

Plum Community Library and Plum Senior Community Center

The Plum Community Library has a seven-member board of directors that is appointed by Plum Borough Council, while the Plum Senior Community Center has a self-appointed 11-13-member board of directors. Both the library and senior center receive funding from the borough via line items of the municipal budget. The borough's appointment of library board members and its financial support for both facilities aid cooperation between the borough and these community assets.

Plum Borough School District

The Plum Borough School District and Plum Borough have established a six-member intergovernmental committee to maintain regular communication between the school district and the borough. The committee consists of two borough council members, two

school board directors, the borough manager, and the school superintendent. It meets about every other month to identify matters of mutual concern and possible opportunities for cooperation.

In March 2010, the school district and the borough established a Local Economic Revitalization Tax Assistance (LERTA) program to encourage commercial development in the borough by offering property tax relief to businesses. (See Chapter 7 Economic Development.) School district property taxes are much greater than borough property taxes, and LERTA programs based solely on municipal taxes are much less effective than such programs that include school district tax relief. The collaboration of the school district and municipality to produce a LERTA program that would provide maximum benefits for borough residents is one example of cooperation between the two entities.

Another connection between the borough and the school district is the school resource officer---a borough police officer who provides various school-related services (e.g., D.A.R.E. instruction and security roles) in the junior and senior high schools during the school year. The school district reimburses the borough for approximately 75% of the school resource officer’s salary and benefits.

Comparison with PA Municipalities Planning Code

Plum Borough has a Unified Development Ordinance (UDO) that consists of 13 articles and contains standards for both zoning and subdivision and land development. The borough should consider the following general and specific suggestions for amending its UDO to help achieve its community development objectives and to be in full compliance with the Pennsylvania Municipalities Planning Code:

Article Four: Land Development Standards

Section 402 – Shorten the time for replacing vegetation that does not survive from three years to one year.

Sections 402.1 and 402.2 – Specify what “appropriate screening” consists of.

Section 404 – Develop a list of acceptable landscaping and buffering vegetation that is more specific than “canopy trees, understory trees, shrubs and evergreens”.

Add: “In any nonresidential development, deciduous trees shall be planted in accordance with the following schedule. These trees shall be in addition to the trees provided in any required buffer area or parking area.

Building Footprint

Requirement

1,000 sq. ft. – 30,000 sq. ft.

One tree for each 1,000 sq. ft. of building footprint

30,001 sq. ft. – 75,000 sq. ft.	A minimum of 30 trees, plus one tree for each 3,000 sq. ft. of building footprint in excess of 30,000 sq. ft.
Over 75,000 sq. ft.	A minimum of 45 trees, plus one tree for each 5,000 sq. ft. of building footprint over 75,000 sq. ft.

The required trees shall be planted in clusters on the site and shall be distributed throughout the site to enhance the open space on the site. The final location of the plantings shall be subject to approval by Plum Borough Council.

Section 411.2 – Increase the size of an off-street parking space to nine feet by twenty feet.

Section 411.3 – Permit pervious parking lot surfaces, if approved by borough engineer.

Section 411.3 – Parking lots having more than 50 parking spaces shall provide landscaped islands at the ends of parking bays. Parking bays with more than 15 parking spaces shall require landscaped islands at intervals of no more than every 10 parking spaces. These landscaped islands shall have a minimum width of six feet and a minimum area of 160 square feet. There shall be at least one shade tree for every 10 parking spaces, with these trees being evenly distributed throughout the lot. Such shade trees shall have a minimum mature height of 30 feet and a minimum clear trunk of at least five feet above finished grade.

Section 413.14 – Directional signs should be listed in Table 501 as a special exception.

Section 414 should be amended by adding the following provisions:

Wooded areas with slopes of 15% or greater shall not be removed or clear cut.

Limit the amount of site clearance permitted on steep slopes and woodlands based on the degree of slope and/or the maturity and size of woodlands.

Trees removed from mature woodlands or steep slopes during development construction shall be replaced on a one-for-one basis, unless the borough approves a lesser ratio or the developer proves to the borough's satisfaction that such reforestation would be detrimental to the long-term health of a wooded area.

Article Four should be amended via the following:

Add disturbance standards to protect prime agricultural land. These disturbance standards could include the identification of prime agricultural lands on proposed development plans and the restriction or prohibition of grading on such lands. Smart growth techniques such as transfers of development rights or density bonuses may also be used to prevent development of farmlands.

Establish incentives (e.g., density bonuses) and standards for applying them that will encourage developers to create permanent open space, employ conservation subdivisions, etc. and thereby help the borough achieve its goal of environmentally sensitive, sustainable development.

For developments proposed in or adjacent to environmentally sensitive areas, require an environmental assessment of the proposed development based on the characteristics of the site and the size and the nature of the development.

Article Five: Land Use

Amend Table 501 via the following:

Add the special exceptions that are listed in Sections 413.14 and 508.

Reduce lot sizes and setbacks to permit more compact development.

Increase the minimum lot area in the R-R zoning district to two acres for parcels without public water or sewer service.

Add “Forestry” as a permitted use in all zoning districts (as required by the PA MPC) and add the PA MPC definition of “Forestry” to Article Thirteen.

Add “No-Impact Home-Based Business” as a permitted use in all residential zoning districts (as required by the PA MPC) and add PA MPC definition of “No-Impact Home-Based Business” to Article Thirteen.

Article Five should be amended by doing the following:

Add regulations for uses that pose potential environmental or other problems, e.g., Marcellus Shale operations, wind turbines, forestry, etc.

Allow a greater variety of housing types as permitted uses within some residential zoning districts to meet the housing needs of borough residents (or create a new zoning district that accomplishes this purpose). For example, garden apartments are currently not a permitted use in any zoning district.

Increase the number of zoning districts that accommodate a mix of residential and commercial development by allowing some residential uses as conditional uses in one or more of the borough’s three commercial zoning districts.

Establish a Rural Resources zoning district in the northeastern section of the borough. Create regulations for this district that will help maintain the area’s rural character through restrictions on tree removal and grading, maximum developable slopes, etc.

Article Seven: Subdivision

Develop design and construction standards for sidewalks similar to those required for Traditional Neighborhood Developments (Section 7.A. of Ordinance 701-03). On mixed use or residential collector streets, sidewalks should have a minimum width of five feet. Acceptable sidewalk materials may include concrete, stone, unit pavers, and brick.

Amend Article Seven by incorporating provisions for conservation-based subdivisions.

Article Eight: Planned Developments

Section 805.7 – Change to read: “Pedestrian interior walks shall be provided to assist circulation within the planned development or to provide access to community facilities within or adjacent to the planned development.”

Article Nine: Required Improvements

Section 906 – Delete the words “where feasible”, thereby making connections to public sewerage mandatory.

Section 908 – Specify what constitutes “Shade trees of an approved variety”.

Section 908 – After “...not less than one and one-half inches “, add “measured one foot above ground level”.

Article Ten: Applications

Section 1002.5 – Specify other features to be shown on map, e.g., greenways, wetlands, prime agricultural lands, steep slopes, etc.

Article Thirteen: Definitions

Review definitions to insure that all permitted uses, conditional uses and special exceptions listed in Table 501 and Section 508 are defined in Article Thirteen, and that all uses defined in Article Thirteen are actually listed as permitted uses, conditional uses or special exceptions.

Review definitions to eliminate obsolete terms, duplications, ambiguities, inconsistencies, conflicts, omissions, etc. Update and add definitions to incorporate the most current PA MPC terms and definitions.

INTERGOVERNMENTAL PLAN

This section of the comprehensive plan encourages Plum Borough to share services, participate in intergovernmental projects and possibly implement shared services with adjacent municipalities. The following goals and objectives and strategies encourage

intergovernmental cooperation and updating of the borough's Unified Development Ordinance so that it is consistent with the Pennsylvania Municipalities Planning Code.

GOALS AND OBJECTIVES and STRATEGIES

Intergovernmental Cooperation

Goal 1: Participate in intergovernmental programs

Objective A: Continue as a member of Turtle Creek Council of Governments, South Hills Area Council of Governments, and Central Westmoreland Council of Governments.

Strategy

- Budget for annual membership fees
- Continue joint purchasing through councils of governments and through state purchasing programs to maximize savings.

Goal 2: Keep planning commission and zoning hearing board members current with new PAMPC requirements

Objective A: Educate new planning commission members about their duties and responsibilities.

Strategy

- Participate in Local Government Academy Training seminars
- Host a Local Government Training Academy seminar for the planning commission members of Plum Borough and surrounding municipalities

Goal 3: Avoid duplication of utility services

Objective A: Provide potable water service and sanitary sewer service.

Strategy

- Continue to purchase water through Penn-Wilkesburg Joint Authority
- Continue agreement with Oakmont Water Authority to supply water service to appropriate parts of the borough
- Continue agreements with Penn Hills and New Kensington for treatment of sanitary sewerage

Goal 4: Promote shared services

Objective A: Hire a full-time recreation director.

Strategy

- Share a Parks and Recreation Director with a neighboring municipality

Goal 5: Stay current with the PAMPC requirements

Objective A: Keep up-to-date with PA MPC changes.

Strategy

- Update Unified Development Ordinance