



Text File

Introduced: 6/24/2016

Bill No: 2016-0560, **Version:** 1

Committee: Committee on Land Use and
Economic Development

Status: Passed Finally

Resolution providing for the designation and transfer of certain public properties within the Allentown and South Side Slope neighborhoods to become permanent, public, passive open space under the Greenways for Pittsburgh program.

WHEREAS, the City of Pittsburgh administers the Greenways for Pittsburgh program which consolidates hillside properties into permanent, public, passive open space which serves to benefit the adjacent neighborhoods specifically and the City in general, and

WHEREAS, such a greenway is expected to benefit the Allentown and South Side Slope neighborhoods in many ways, including:

1. Continuing to keep a steep, landslide-prone hillside undisturbed thus contributing to the promotion of hillside stability;
2. Retaining the physical and aesthetic values offered by the wooded slopes; and
3. Promoting efficiency in the provision of public infrastructure and public services through the ability to close and vacate streets and utilities in Greenway areas where development will not occur.

WHEREAS, on May 17, 2016, the City Planning Commission voted unanimously to recommend that the highest and best use of these properties is as permanent, protected, passive open space and that they be designated a Greenway as part of the Greenways for Pittsburgh program.

Be it resolved by the Council of the City of Pittsburgh as follows:

- Section 2.** The Department of Finance is authorized to transfer the Subject Properties within the Allentown and South Side Slope neighborhoods (which are listed in Appendix A) to the Department of Parks and Recreation to become permanent, passive open space named "The Knoxville Incline Greenway" under the City's Greenways for Pittsburgh Program.
- Section 3.** The Department of Finance shall take appropriate action to secure, transfer, and convey all right, title, and interest, if any, in the Subject Properties from the County of Allegheny and School District of the City of Pittsburgh to the City after the properties are transferred to the Department of Parks and Recreation.
- Section 4.** A Neighborhood Stewardship Commitment is required within five (5) years to assure the

continuation of the Greenway. All updates to the Greenways for Pittsburgh program shall apply to the stewardship commitment component.

Section 5. After five (5) years, a report on the status of the Knoxville Incline Greenway shall be made to City Council if one has not been filed.

Section 6. All property owners adjacent to a designated Greenway found to be encroaching on this City-owned property will either cease the encroachment or purchase from the Finance Department the area of encroachment (providing the area is no greater than their existing lot, and the depth and width of the encroachment is no greater than the existing lot) while providing an appropriate barrier or fence, with design approval by the appropriate City of Pittsburgh Department, to prevent further encroachment. The Director of the Department of Finance is hereby authorized to enter into such agreement or agreements, or execute a deed or deeds to effectuate this Section 5. Further, the Director of Finance is hereby authorized to act on the City's behalf to initiate law suits, court actions and / or other legal or equitable relief as may be available to the City pursuant to the laws of the City and the Commonwealth of Pennsylvania for purposes of asserting the City's interests in ejectment, trespass or other declaratory relief as may be available to effectuate this Section 5.