

OFFICIAL

**TOWNSHIP OF MOON
ORDINANCE NO. 585**

AN ORDINANCE OF THE TOWNSHIP OF MOON, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 208 OF THE MOON TOWNSHIP CODE OF ORDINANCES, ZONING, TO ESTABLISH THE CARNOT VILLAGE OVERLAY DISTRICT AND THE UNIVERSITY BOULEVARD OVERLAY DISTRICT AND TO SET FORTH REGULATIONS RELATED THERETO, AND TO ESTABLISH DEFINITIONS FOR CERTAIN OTHER TERMS.

WHEREAS, the Municipalities Planning Code, 53 P.S. §10101 *et seq.*, authorizes the Township of Moon (the “Township”) to regulate zoning and land use in the Township; and

WHEREAS, Chapter 208 of the Moon Township Code of Ordinances, Zoning, regulates zoning and land use within the Township; and

WHEREAS, the Board of Supervisors of the Township of Moon desires to amend Chapter 208 of the Moon Township Code of Ordinances, Zoning in order to establish the Carnot Village Overlay District and the University Boulevard Overlay District, pursuant to the Moon Township Comprehensive Plan, to set forth regulations related thereto, to establish definitions for certain other terms in order to maintain, preserve and protect the public health, safety and welfare.

NOW, THEREFORE, the Board of Supervisors of the Township of Moon hereby ordains and enacts as follows:

SECTION 1. The Township Zoning Map adopted pursuant to Section 208-108 of Chapter 208 of the Moon Township Code of Ordinances, Zoning, is amended by inserting therein the Carnot Village Overlay District and University Boulevard Overlay District as delineated on the map attached hereto, and incorporated herein, as Exhibit “A”.

SECTION 2. Section 208-107.B of Chapter 208 of the Moon Township Code of Ordinances, Zoning, is amended by inserting the underlined text as follows:

ACCESS DRIVE – a public or private thoroughfare that affords a means of access to an abutting property, parking area or street and that has a width in accordance with the Township Construction Standard Details, but in no case shall be less than 20 feet in width.

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COMERCIAL USE – Any permitted land use that is not a single family dwelling, two-family dwelling, quadplex, townhouse, or apartment.

CONSTRUCTION STANDARD DETAILS – The Township’s accepted methods, materials and practices for building and site improvements prepared by the Township Engineer and approved by the Board of Supervisors by Resolution, as may be adopted and amended from time to time. Copies of the current Construction Standard Details are on file in the offices of the Township Manager and the Township Engineer.

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IMPERVIOUS COVERAGE: The percentage of the total lot area, which is covered by impervious material.

IMPERVIOUS MATERIAL: Material which resists the entrance or passing through of water or other liquids.

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LOT LINE – A boundary line of a tract and/or parcel of land used to describe such land and often used in description of contiguous land.

LOT LINE, FRONT – The lot line located at the front yard.

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SIGN – Any structure or device used to attract attention by work or graphic display.

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(r) WALL PROJECTING SIGN – a sign attached or affixed to a wall of a building or structure and protruding from the wall surface in such a way that more than one face of the sign is visible.

SECTION 3. Section 208-200.A. of Chapter 208 of the Moon Township Code, Zoning, is amended by inserting the underlined text as follows:

- A. For the purpose of carrying out the provisions of this Ordinance, the Township is divided into the following zoning and overlay districts, which are shown by the district boundaries on the Zoning Map:

Zoning Districts:

- Residential
- R-1 Semi-Rural Residential
- R-1A Low Density Residential
- R-2 Suburban Residential
- R-3 Medium Density Residential
- R-4 Urban Residential

R-5 High Density Residential

Non-Residential

B-P Business Park
C-1 Neighborhood Commercial
C-2 Highway Commercial
M-1 Industrial
M-X Mixed Use
RT Research/Technology
A-P Airport
ED Educational
OS Open Space

Overlay Districts:

AH Airport Hazard
CV Carnot Village
TG Trails and Greenways
TD Transportation District
UB University Boulevard

SECTION 4. Chapter 208 of the Moon Township Code of Ordinances, Zoning, is amended by restating Section 208-501 in its entirety as follows:

§208-501. Carnot Village Overlay District

- A. **Purpose.** The purpose of this Section is to facilitate the enhancement of the Carnot area. It is the intent of this Section to promote the development of livable streets, which are oriented to and accessible by pedestrians. Development permitted within the Carnot Village Overlay District (“CV District”) shall have specific pedestrian and neighborhood orientation, and shall be linked together through streetscape amenities, including sidewalks, ornamental street lighting, pedestrian-scale signage, street trees, and parking areas.
- B. **District Boundaries.** The boundaries of the CV District are delineated on the Moon Township Zoning Map.
- C. **Community Development Objectives.** The community development objectives for the CV District shall include the following:
- (1) To facilitate the enhancement of the existing mixed use development of the area.
 - (2) To maintain and promote the significance of this area as the heart of Moon Township, which provides neighborhood scale services to Township residents.

- (3) To facilitate safe pedestrian access through the development of streetscape amenities.
- (4) To provide for a mix of mutually supportive uses that are unified by the streetscape design.
- (5) To maintain the diverse mix of uses in this district such as: high-density residential, office, retail, education and government services. To implement a community objective from the Moon Township Comprehensive Plan.
- (6) To permit uses that promote conversion or reuse of existing buildings in a manner that maintains the character and scale of existing development within the CV District.
- (7) To recognize the historical significance of the area known as Carnot.

D. **Permitted Uses.** Uses shall be permitted within the CV District as defined within the respective underlying zoning district in accordance with §208-203 and Table 1 (Permitted and Conditional Uses and Uses by Special Exception) of this Chapter.

E. **Implementation of CV District Requirements.** Improvements within the CV District shall comply with the design standards referenced in Table 11 of this Chapter as follows:

- (1) New Construction. In the event a new building is to be constructed, all the design standards checked in column (1) of Table 11 shall apply to the entire lot on which the new building is located.
- (2) Other Improvements requiring Building Permit. In the event any other improvement requiring a building permit and having an estimated construction cost exceeding \$100,000 is to be constructed, those design standards checked in column (2) of Table 11 shall apply to the entire lot upon which the improvement is to be constructed.
- (3) Item being improved. In the event the specific item checked in Column (3) of Table 11 is to be replaced, altered or expanded and the cost is in excess of \$5,000, as determined by the Township, each such item shall comply with the design standards for that specific item.
- (4) Change in Use. In the event a business is applying for an occupancy permit and the use is different from the previous use in that space, those design standards checked in column (4) shall apply to the entire lot upon which the business is proposing to occupy. This section shall not apply to multi-tenant buildings, when the gross floor area occupied by the changed use consists of less than 25% of the total gross floor area in a multi-tenant building.

(Table 11)

	(1) New Construction	(2) Building Permit Exceeding \$100,000	(3) Item Being Improved	(4) Change in Use
Building Setback, Placement, Size, Height and Coverage (section 208-501 F.(1))	✓	✓ *		
Minimum Landscaping Requirements (section 208-501 F.(2))	✓	✓		
Architectural Materials and Building Orientation (section 208-506 A.)	✓	✓ *		
Sidewalks and Walkways (section 208-506 B.)	✓	✓		✓
Pedestrian Lighting (section 208-506 C.)	✓	✓		
Streetscape Plantings (section 208-501 F.(3))	✓	✓		✓
Driveways /Curb Cuts (section 208-506 D.)	✓		✓	
Off- Street Parking Areas (section 208-506 G)	✓		✓	
Signage (section 208-501 F.(4))	✓		✓	✓
Building Mechanical System (section 208-506 E.)	✓		✓	
Loading and Storage Areas (section 208-506 F.)	✓		✓	

* only applies to the expansion of the building footprint

F. District Requirements

(1) Building Setback, Placement, Size, Height and Coverage.

(a) **Yard and Setback Requirements:**

[1] Front Yard:

[a] Minimum Front Yard Building Setback: 35 feet

[2] Side Yard:

[a] 5 feet when a commercial use abuts another commercial use and the adjoining property is in either the CV or UB districts.

[b] 10 feet if the adjoining use is in the CV or UB district and the adjoining use is not a commercial use.

[c] The side yard setback of the underlying zoning district when the adjoining use is not in the CV or UB districts.

[3] Rear Yard: 30 feet

(b) **Retail Store and Commercial Use Requirements:**

[1] No individual retail store shall exceed 15,000 square feet of gross floor area. Pharmacies in the CV district may be up to 15,000 square feet.

[2] The aggregate retail and commercial uses in one building or structure shall not exceed 20,000 square feet in gross floor area.

[a] **Enhanced Pedestrian Space and Amenity Incentive:** An additional 5,000 square feet in gross floor area, for a maximum of 25,000 square feet in gross floor area, is permitted, when a development or use incorporates enhanced pedestrian spaces and amenities. Enhanced pedestrian spaces and amenities consist of a combination of features such as plazas, courtyards, arcaded pedestrian walkways, outdoor seating, widened sidewalks or pedestrian pathways, benches, shelters, street furniture, public art or kiosks.

(c) **Maximum Impervious Coverage:** 80% per lot.

(d) **Maximum Building Coverage:** 50% per lot.

(e) **Minimum Lot Width:** 65 feet at the front building line.

(f) **Minimum Lot Area:** 10,000 square feet.

(g) **Maximum Building Height:** 40 feet. Chimneys, spires and similar projections may exceed the prescribed height limitations by not more than 25%.

(h) **Temporary Outdoor Seating:** Temporary outdoor seating is permitted to encroach upon the public sidewalk provided that a five

foot (5') clear sidewalk passage is maintained for pedestrian passage and the temporary seating does not encroach into the clear sight triangle.

- (2) Minimum Landscaping Requirement. 10% of a lot shall be landscaped in accordance with the requirements of §208-213 and §208-214 of this Chapter.
- (3) Streetscape Plantings. Bufferyards, as defined in §208-107 of this Chapter, shall be provided for along the Beaver Grade Road and Carnot Road right-of-way, subject to the following restrictions:
 - (a) The bufferyard shall be no less than 10 feet wide.
 - (b) The bufferyard shall be provided along the entire frontage of the parcel, except for entranceways for vehicles.
 - (c) The bufferyard shall be comprised of an existing stand of mature trees or a new planting of an approved species of trees, pursuant to Appendix B of this Chapter and the Township Construction Standard Details, having a minimum caliper of 2 ½ inches and located no more than 30 feet apart. All other areas of the bufferyard shall be maintained with grass or other Township approved ground cover.
 - (d) No structure within the CV District shall be within the bufferyard. Sidewalks, pedestrian amenities and temporary outdoor seating may be located within a bufferyard so long as the feature does not encroach into the clear sight triangle.
 - (e) Parking shall not be permitted within the public right-of-way or the bufferyard.
 - (f) The side and rear property lines of property within the CV District shall comply with the buffer yard requirements contained in §208-213 of this Chapter.
- (4) Signage. Signs shall be permitted as provided for in Article IV of this Chapter, with the following additions and exceptions:
 - (a) **Wall Projecting Signs.** Wall projecting signs shall be permitted, provided that the lower edge of the sign is a minimum of 10 feet above grade, it does not extend more than six feet from the building wall, and does not extend higher than the first floor or 15 feet, whichever is less. The maximum sign area shall not exceed 10 square feet per sign face.

(b) **Window Signs.** Window signs shall be permitted under the following conditions:

[1] Window signs (which include posters, signs, symbols and other identification of, or information about, the occupant or activity and/or use of the premises) shall be permitted within the allowable total sign area applicable to the building; however in no case shall window signs exceed 25% of the total window area of the front of the building.

[2] Neon window signs shall be permitted in cases where they are custom designed to be compatible with the architectural character and exterior color of the building.

[3] Electronic window signs shall be permitted; however electronic window signs shall not exceed 10% of the total window area of the front of the building.

[4] Window signs shall be limited to ground floor or first floor windows only.

(c) **Wall Signs.** Wall signs, as permitted by Article IV of this Chapter, shall be located on any wall of the building facing a public street.

(d) **Ground Signs.** Ground signs, as permitted by Article IV of this Chapter, shall contain materials that are compatible with the principle structure on that property. Multiple tenants sharing a building and/or lot shall integrate their signs onto one common ground sign. Ground signs may incorporate an electronic changeable sign under the following conditions:

[1] Electronic signs shall be incorporated into the total sign area applicable to a freestanding ground sign, however in no case shall the electronic sign exceed 20% of the total area for a freestanding sign.

[2] The electronic sign shall be programmed to change messages no more than once per 30 seconds.

[3] Electronic signs are permitted for properties that are five (5) acres or greater.

(e) **Sandwich Board Signs.** Signs which provide a menu option for the particular use and which are displayed only during normal business hours may be permitted to be placed on the sidewalk immediately in

front of the use, provided that a 5 foot clear pedestrian passage is maintained. Only one sandwich board shall be permitted per building. Sandwich board signs shall not exceed 10 square feet in area per sign face.

(f) **Prohibited Signs.** The following signs are not permitted in the CV District:

- [1] Plastic awnings that are illuminated or act as a sign.
- [2] Banners (except for special community events).
- [3]. Pennants/streamers.
- [4] Portable signs [with the exception of sandwich board signs as provided for in §501.F(4)(e)].
- [5] Mobile placards.
- [6] Flashing or blinking signs.
- [7] Signs with moveable parts.
- [8] Billboards.
- [9] Signs on roofs, dormers and balconies.

G. **Conditional Use.** Deviation from the requirements of §208-501 shall be permitted only as a conditional use in accordance with the requirements of §208-858 and Article VIII of this Chapter.

H. **Applicability.** All other applicable standards and requirements as set forth in this Chapter, Chapter 188 [Subdivision and Land Development] and other Township ordinances shall apply to the CV District. Where a conflict arises between the requirements of this Section and other sections of this Chapter, Code or other Township ordinances, the requirements of this Section shall govern. The standards of the CV District contained in this Section shall apply to all properties that are within the boundaries of the CV District as delineated on the Moon Township Zoning Map.

SECTION 5. Chapter 208 of the Moon Township Code, Zoning, is amended by inserting a new Section 208-505 as follows:

§205-505. University Boulevard Overlay District

- A. **Purpose.** The purpose of this Section is to encourage the development and redevelopment of a commercial corridor that links a variety of uses through streetscape amenities and design treatments which include sidewalks, streetlighting, landscaping, street trees, building facades, screened and pedestrian friendly parking areas and coordinated signage.
- B. **District Boundaries.** The boundaries of the University Boulevard Overlay District (UB District) are delineated on the Moon Township Zoning Map.
- C. **Community Development Objectives.** The community development objectives for the UB District shall be as follows:
- (1) To create a district with regional scale mixed use development serving a trade area defined in the Beers School Road Strategic Plan.
 - (2) To establish a safe environment for pedestrians who utilize facilities along University Boulevard such as: schools, shopping centers, hotels, restaurants and public transportation.
 - (3) To implement an action item in the Moon Township Comprehensive Plan's Action Plan.
- D. **Permitted Uses.** Uses shall be permitted in the UB District as defined within the respective underlying zoning district in accordance with §208-203 and Table 1 (Permitted and Conditional Uses and Uses by Special Exception) of this Chapter.
- E. **Implementation of UB District Requirements.** Improvements within the UB District shall comply with design standards referenced in Table 12 of this Chapter as follows:
- (5) **New Construction.** In the event a new building is to be constructed, all the design standards checked in column (1) of Table 12 shall apply to the entire lot on which the new building or structure is located.
 - (6) **Other Improvements Requiring Building Permit.** In the event any other improvement requiring a building permit and having an estimated construction cost exceeding \$200,000 is to be constructed, those design standards checked in column (2) of Table 12 shall apply to the entire lot upon which the improvement is to be constructed.
 - (7) **Item Being Improved.** In the event the specific item checked in column (3) of Table 12 is to be replaced, expanded or altered and the cost is in excess of \$5,000, as determined by the Township, each such item shall comply with the design standards for that specific item.

- (8) Change in Use. In the event a business is applying for an occupancy permit and the use is different from the previous use in that space, those design standards checked in column (4) shall apply to the entire lot upon which the business is proposing to occupy. This section shall not apply to multi-tenant buildings, when the gross floor area occupied by the changed use consists of less than 25% of the total gross floor area in a multi-tenant building.

(Table 12)

	(1) New Construction	(2) Building Permit Exceeding \$200,000	(3) Item Being Improved	(4) Change in Use
Building Setback, Placement, Size, Height and Coverage (section 208-505.G (1))	✓	✓ *		
Streetscape Plantings (section 208-505.G (2))	✓	✓		✓
Sidewalks (section 208-506 B.)	✓	✓		✓
Pedestrian Lighting (section 208-506 C.)	✓	✓		
Driveway/ Curbcuts (section 208-506 D.)	✓		✓	
Off-Street Parking Areas (section 208-506.G)	✓		✓	
Architectural Materials and Building Orientation (section 208-506 A.)	✓		✓	
Signage (section 208-505.G (3))	✓		✓	✓
Building Mechanical System (section 208-506 E.)	✓		✓	
Loading and Storage Areas (section 208-506 F.)	✓		✓	

*only applies to the expansion of the building footprint

F. District Requirements

- (1) Building Setback, Placement, Size, Height and Coverage.

- (a) **Front Yard Setback.**

[1] Minimum Front Yard Building Setback: 35 feet.

- (b) **Other Requirements Applicable.** Uses and developments shall comply with all other requirements (lot area, lot width, side and rear yards, coverage, height, etc.) of the respective underlying zoning district.

- (2) Streetscape Plantings. Bufferyards, as defined in §208-107 of this Chapter, shall be provided for along the University Boulevard right-of-way, subject to the following restrictions:
- (a) The bufferyard shall be no less than 10 feet wide.
 - (b) The bufferyard shall be provided along the entire frontage of the parcel, except for entranceways for vehicles.
 - (c) The bufferyard shall be comprised of an existing stand of mature trees or a new planting of an approved species of trees, pursuant to Appendix B of this Chapter and the Township Construction Standard Details, having a minimum caliper of 2 ½ inches and located no more than 30 feet apart. All other areas of the bufferyard shall be maintained with grass or other Township approved ground cover.
 - (d) No structure within the UB District shall be within 10 feet of the bufferyard or within 25 feet of the street right-of-way.
 - (e) The side and rear property lines of property within the UB District shall comply with the buffer yard requirements contained in §208-213 of this Chapter.
- (3) Signage. Signs shall be permitted as provided for in Article IV of this Chapter, with the following additions and exceptions:
- (a) **Window Signs**. Window signs shall be permitted under the following conditions:
 - [1] Window signs (which include posters, signs, symbols and other identification of, or information about, the occupant or activity and/or use of the premises) shall be permitted within the allowable total sign area applicable to the building; however in no case shall window signs exceed 25% of the total window area of the front of the building.
 - [2] Neon window signs shall be permitted in cases where they are custom designed to be compatible with the architectural character and exterior color of the building.
 - [3] Electronic window signs shall be permitted; however electronic window signs shall not exceed 10% of the total window area of the front of the building.

- [4] Window signs shall be limited to ground floor or first floor windows only.
- (b) **Prohibited Signs.** The following signs are not permitted in the UB District:
- [1] Plastic awnings that are illuminated or act as a sign.
 - [2] Pennants/streamers.
 - [3] Portable signs.
 - [4] Mobile placards.
 - [5] Flashing or blinking signs.
 - [6] Signs with moveable parts.
 - [7] Billboards.
 - [8] Signs on roofs, dormers and balconies.
- (c) **Sign Orientation.** All signs should be oriented to pedestrians and/or persons in vehicles on streets within the immediate neighborhood.
- (d) **Multiple Tenant Signs.** Multiple tenants sharing a building and/or lot shall integrate their freestanding signs onto one common sign.
- (e) **Freestanding Signs.** Freestanding signs shall incorporate landscaping in accordance with an approved landscape plan and the Township Construction Standard Details. Freestanding signs may incorporate an electronic changeable sign under the following conditions:
- [1] Electronic signs shall be incorporated into the total sign area applicable to a freestanding sign, however in no case shall the electronic sign exceed 20% of the total area for a freestanding sign.
 - [2] The electronic sign shall be programmed to change messages no more than once per 30 seconds.
 - [3] Electronic signs are permitted for properties that are five (5) acres of greater.

- (f) **Ground Signs.** Ground signs, as permitted by Article IV of this Chapter, shall contain materials that are compatible with the principle structure on that property. Multiple tenants sharing a building and/or lot shall integrate their signs onto one common Ground sign. Ground signs may incorporate an electronic changeable sign under the following conditions:
 - [1] Electronic signs shall be incorporated into the total sign area applicable to a freestanding ground sign, however in no case shall the electronic sign exceed 20% of the total area for a freestanding sign.
 - [2] The electronic sign shall be programmed to change messages no more than once per 30 seconds.
 - [3] Electronic signs are permitted for properties that are five (5) acres or greater.
 - [4] Ground signs shall be limited to a maximum height of 10 feet.

- G. **Conditional Use.** Deviation from the requirements of §208-505 shall be permitted only as a conditional use in accordance with the requirements of §208-858 and Article VIII of this Chapter.
- H. **Applicability.** All other applicable standards and requirements as set forth in this Chapter, Chapter 188 [Subdivision and Land Development] and other Township ordinances shall apply to the UB District. Where a conflict arises between the requirements of this Section and other sections of this Code or other Township ordinances, the requirements of this Section shall govern. The standards of the UB District contained in this Section shall apply to all properties that are within the boundaries of the CV District, as referenced on the Moon Township Zoning Map, or a supplement thereto.

SECTION 6. Chapter 208 of the Moon Township Code of Ordinances, Zoning, is amended by inserting a new Section 208-506 as follows:

208-506 **Design Guidelines for the Carnot Village and University Boulevard Overlay Districts**

- A. **Architectural Materials and Building Orientation.**
 - (1) Ground-Floor Transparency. The street-level façade of any building facing a public street or access drive shall provide clear or tinted glass or tinted material between the height of 3 feet and 8 feet above the walkway grade for at least 60% of the horizontal length of the building and/or structure. No more than two sides of any one building

shall be subject to these provisions. The transparent material shall be clear or tinted in a manner that maintains transparency. In addition, surface treatments such as cornices, brackets, window and door moldings and details, recesses, projections, awnings decorative finish materials and other architectural articulation shall be required along 100% of the horizontal length of any wall. Buildings containing 50,000 square feet or more of gross floor area shall be required to provide transparent material along only one side of the building, with additional landscape buffering along those sites not containing the required transparency pursuant to a Township approved landscape plan and in accordance with Appendix B of this Chapter and the Township Construction Standard Details.

(2) Facades.

- (a) Buildings which exhibit long, flat facades and continuous linear strip development are prohibited. No horizontal length or uninterrupted curve of a façade shall exceed 100 feet without a change in plane, material, or scale.
- (b) Exterior façade colors shall be subtle, neutral or earth tone colors. The use of high-intensity, metallic and fluorescent colors is prohibited.

(3). Exterior Wall Materials.

- (a) Exterior wall materials not permitted include:
 - [1] Large split-face block (e.g. size of 8 inches by 16 inches or greater).
 - [2] Tilt-up concrete panels.
 - [3] Prefabricated metal panels.
 - [4] Standard concrete masonry units (CMU).
- (b) Comparable materials may be approved by the Township Board of Supervisors, including but not limited to:
 - [1] Solid split-face masonry units 4 inches by 16 inches.
 - [2] Prefabricated architecturally designed concrete masonry panels.
 - [3] Stucco, as accent material.

- (4) Roofs. All structures with flat roofs must have parapets concealing flat roofs and rooftop equipment. Variations in the roof form and profile are encouraged for large roof areas.
- (5) Doorways and Entrances. All buildings shall provide a prominent and highly visible street-level doorway or entrance along the front or side of the building which faces a public street.
- (6) Frontage. Storefronts and display windows are encouraged along frontages. There shall be at least one entrance accessible to the public for every 100 feet of frontage.
- (7) Ground Floor. The ground floor along store frontages shall be architecturally distinguished from the upper floors by: change in material; scale of openings; change of plane; string courses; or other similar means.
- (8) Design Elements. All buildings shall incorporate a minimum of 4 of the following design elements:
 - (a) Pitched roof forms.
 - (b) Roof overhangs or cornices.
 - (c) Arcaded pedestrian walkways.
 - (d) Display Windows.
 - (e) Pilasters, string courses, character lines or other such means of subdividing the façade.
 - (f) Clock or Bell towers.
 - (g) Decorative planters or planting areas a minimum of 5 feet in width, integrated into the building design.
 - (h) At least two wall surface materials or colors.
- (9) Corporate Identities. Treatments on buildings that constitute a corporate identity are discouraged and therefore shall be limited to the greatest extent possible.

B. Sidewalks and Walkways

- (1) Sidewalks are required.

- (2) Sidewalks shall be constructed in accordance with the Township Construction Standard Details and installed to connect to the lot line of adjacent parcels. Sidewalks shall be a minimum of 5 feet in width and shall ideally be located so as to provide a landscaped planting strip between the street curb and sidewalk. Sidewalks may be located within the required bufferyard.
- (3) A continuous internal walkway shall be provided from the public sidewalk along the street to the principal customer entrance of any retail, commercial or office use. This internal walkway must feature landscaping, benches, and other pedestrian amenities for no less than 50% of its length. Internal walkways shall be distinguished from driving surfaces through the use of materials containing contrasting color and textures than the driving surface special pavers, bricks or scored concrete to enhance pedestrian safety and the attractiveness of the walkways.

C. **Pedestrian lighting.** Pedestrian lights are required. The type, style, operation and location of pedestrian lights shall be in accordance with the Township Construction Standard Details. Illumination levels shall provide for adequate safety, yet not detract from or overly emphasize the street or create a distraction for the traveling public. Along collector streets within the UB District, pedestrian lighting shall not exceed 15 feet in height and shall be provided in accordance with the Township Construction Standard Details and a Township approved photometric plan. Pedestrian lights shall be installed adjacent to all sidewalks and walkways.

D. **Driveways/Curb Cuts.**

- (1) Shared Driveway Entrances. In order to reduce pedestrian and vehicular conflict shared driveway entrances and access drives are encouraged
- (2) Number of Driveway Entrances. The number of driveway entrances is limited to two (2) per parcel, unless a traffic study recommends otherwise. Vehicular access to parcels shall be through arterial or collector streets or access drives. Parcel access through local streets is discouraged and will only be permitted in rare instances such as the local street is the only feasible way to access the parcel because of exceptional topographical constraints or if the local street is entirely within a commercial district.

- (3) Spacing. Spacing of driveway and access drive entrances shall be determined in accordance with the following schedule:

Speed Limit (mph)	Minimum Spacing (feet)
25 or less	105
30	125
35	150
40	185
45 or more	230

These spatial limitations are based on average vehicle acceleration and deceleration rates and are considered necessary to maintain safe traffic operation. Spacing shall be measured from the midpoint of each driveway and/or access drive.

- (4) Township Construction Standard Details. Driveways, access drives and curb cuts shall comply with the Township Construction Standard Details.
- (5) Incentive Bonus. When two adjacent property owners agree to combine access points without proceeding under §208-858, the property owners shall be entitled to an incentive bonus, in which case the required number of parking spaces would be reduced by 15% for each development, or the building coverage of each development may be increased by 10%. The selection of the specific incentive bonus shall be at the discretion of the property owners.
- (6) Alignment. Driveways, access drives and curb cuts shall have direct alignment with driveways, access drives and curbs cuts on opposing lots.

E. **Building Mechanical Systems**. All building mechanical systems such as air-conditioning units, exhaust systems, satellite dishes, fire escapes, elevator housing, and other similar elements (including dumpsters) shall be integrated into the overall design and character of the building and shall be screened from view of all public streets and adjacent properties. The use of exterior mechanical systems shall be limited to the greatest extent possible. Landscaping and other screening devices, including decorative fencing, shall be used to soften the view of these features from adjoining properties, pursuant to an approved landscape plan.

F. **Loading and Storage Areas**. Loading docks, trash collection, and similar facilities, shall be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.

Loading dock facilities shall be screened by a solid masonry wall at least 6 feet in height. Trash collection and similar facilities shall be completely enclosed within a masonry wall or fence, at least 6 feet high, on three sides and a self-closing opaque gate on the fourth side so as to maintain a 100% visual blockage on all sides. Dumpster areas shall have hardened, stabilized surfaces constructed to prevent accumulation of stormwater runoff.

G. Off-Street Parking Areas.

- (1) Design. Off-street parking areas shall be designed to reduce the negative visual effects of vast paved areas and contain landscaped planting islands and defined landscaped pedestrian walkways.
 - (a) Off-street parking spaces shall be provided as required in §208-401 and Table 9 (Minimum Parking and Loading Requirements) for the respective use, except as otherwise provided herein.
 - (b) Parking areas shall be broken into modules separated by landscaping, a public street, a building, a landscaped pedestrian walkway or a defined access driveway. The size of any surface parking area (module) shall be limited to 150 vehicles bounded by a public street, building, landscaped pedestrian walkway or a structurally defined access drive.
 - (c) Terminal islands shall be installed at both ends of each single unbroken row of parking containing 20 parking stalls. Terminal islands shall be a minimum of 15 feet in length and a minimum of 10 feet in width. Terminal islands shall be landscaped in accordance with a Township approved landscape plan.
 - (d) Clearly defined and marked pedestrian parking area walkways shall be required within parking areas when parking spaces are located more than 200' from an entrance used by the public and be provided for the length of the parking area to the entrances of establishments. The continuous pedestrian parking area walkway shall be distinguished from driving surfaces through the use of materials containing contrasting color and texture from the driving surface. Such pedestrian parking area walkways shall be a minimum of 11 feet in width to accommodate a 5 foot walkway and a 6 foot planting strip, in accordance a Township approved landscape plan and with Appendix B of this Chapter and the Township Construction Standard Details.

Off-street parking areas shall be landscaped in

accordance with the requirements of §208-214 of this Chapter.

- (2) Location. No corner lots in the UB and CV Districts shall be used solely for off-street parking areas, unless the parking area serves as a shared parking area.
- (3) Screening of Parking Areas. Parking areas shall be screened from the view of public streets and access drives. Permitted screening materials include: landscaping materials (continuous hedgerow a minimum of 3½ feet in height with shade trees planted 30 feet on center based upon the type of tree required to create continuous canopy); a combination of either an architectural masonry wall or other alternative fencing (not to exceed 4 feet in height); ornamental metal fencing with brick piers; or a combination thereof. The screening shall be in accordance with a Township approved landscape plan, Appendix B of this Chapter and the Township Construction Standard Details. Wire fabric fencing or similar materials are prohibited. The wall height may be varied. Landscaped planting beds used to screen parking areas shall be a minimum of 8 feet in width and shall include a combination of plant materials pursuant to a Township approved landscaping plan and in accordance with Appendix B of this Chapter and the Township Construction Standard Details. The required screening may be located within a required bufferyard provided that the screening does not encroach into the clear sight triangle.
- (4) Interconnection of Off-Street Parking Areas. To reduce congestion and the number of curb cuts along public streets and to facilitate emergency vehicle access, parking areas shall be designed to facilitate connection to adjacent parcels in the CV and/or UB districts through an access drive. Access drives shall be constructed parallel to the public street to which the use fronts or is located along. The intent of this provision is to provide a secondary point of access in a grid pattern to properties located within the UB and CV Districts. Access drives shall be constructed in accordance with the Township Construction Standard Details. The access drive constructed shall be extended to the lot line and connect with an existing access drive on an adjacent parcel. If an access drive does not exist on the adjacent parcel, the access drive shall be constructed to the lot line to facilitate a future connection to the adjacent parcel.
- (5) Off-Street Parking Area Lighting. Streetlights shall be provided within off-street parking areas in accordance with the Township Construction Standard Details. The type, style, operation and location

of streetlights shall be in accordance with the Township Construction Standard Details.

- (a) **Nonresidential Off-Street Parking Areas.** Lighting structures shall not exceed 25 feet in height and shall be in accordance with the Township Construction Standard Details and a Township approved photometric plan .
- (b) **Residential Off-Street Parking Areas.** Streetlights shall be required for all off-street parking areas and shall not exceed 15 feet in height and shall be in accordance with the Township Construction Standard Details and a Township approved photometric plan .

H. **Conditional Use.** Deviation from the requirements of §208-506 shall be permitted only as a conditional use in accordance with the requirements of §208-858 and Article VIII of this Chapter.

SECTION 7. Chapter 208 of the Moon Township Code of Ordinances, Zoning, is amended by inserting a new Section 208-858 as follows:

§208-858 CV District and UB District Deviations

Deviations from the requirements of §208-501, Carnot Village Overlay District, §208-505, University Boulevard Overlay District, and §208-506, Design Guidelines for the Carnot Village and University Boulevard Overlay Districts, shall be permitted as conditional uses subject to the following:

A. **All Deviations:**

- (1) Buildings and structures shall be designed to minimize conflicts between uses and shall be constructed in accordance with the Township's Construction Standard Details.
- (2) The proposed deviations illustrate that the intent of §208-501, §208-505 and §208-506 can be more effectively met in whole or in part, through the proposed alternative means.
- (3) A traffic impact study shall be submitted in accordance with Chapter 188, Subdivision and Land Development, where the proposed development and/or use, according to the Institute of Transportation Engineers (ITE) standards, will generate 100 trips in addition to the adjacent roadway's peak hour volumes.
 - (a) Whenever, as a result of additional traffic generated by a proposed development, the traffic impact study determines the need for a traffic

signal or regulatory sign at or near the lot, the developer/land owner shall be responsible for contributing the pro rata share of the cost of all said devices and signs attributable to the proposed development.

- (b) Whenever, as a result of additional traffic generated by a proposed development, the traffic impact study determines the need for additional traffic lanes (acceleration, deceleration or tuning) or other traffic improvements, the developer/land owner shall be responsible for contributing the pro rata share of the cost of all said improvements attributable to the proposed development.

B. Building Setback Deviations:

- (1) The applicant may deviate from the building setbacks to minimize any impacts to abutting residential uses.
- (2) That the deviation, if authorized, will represent the minimum deviation that will afford relief and will represent the least modification possible of the building setback regulation.
- (3) In the case of lots exceeding five (5) acres that it is impractical to maintain the maximum front building setback due to the large size of the property. In this situation the applicant must construct multiple structures and maintain the maximum front building setback as much as feasibly possible.

C. Driveway, Access Drive and Curb Cut Related Deviations:

- (1) The proposed driveway/access plan demonstrates that the proposed driveway, access drive and/or curb-cut complies with the applicable clear sight triangle requirements of this Chapter and will not create turning conflicts with any driveways, access drives and/or curb-cuts in the vicinity of the proposed development and/or use, as confirmed by the Township Traffic Engineer.
- (2) The proposed driveway/access plan illustrates that the intent of §208-506 can be more effectively met in whole or in part, through the proposed alternative means, as confirmed by the Township Traffic Engineer.

D. Parking Related Deviations:

- (1) The proposed parking plan illustrates that the intent of §208-506 can be more effectively met in whole or in part, through the proposed alternative means. For existing parking areas, at a minimum a Restriping Plan must be submitted to determine how landscaping will be incorporated into parking lots. The plan should include compact car spaces and allow vehicle overhang over landscape medians to provide a balance of parking and landscaping.

- (2) The proposed parking plan minimizes impervious surfaces through the use of compact car spaces, vehicle overhangs, pervious pavements or other techniques and materials.
- (3) If a public-owned parking lot is provided within the respective overlay district, and is within 600 feet of the proposed development and/or use, then the applicant may be permitted to offset a portion of the required off-street parking spaces to the public-owned parking lot if space is determined available.

E. Landscape and Bufferyard Related Deviations:

- (1) The proposed landscape plan preserves and incorporates existing vegetation in excess of the minimum standards set forth in §§208-213, 208-214 and §208-501, §208-505 or §208-506 and demonstrates innovative design and use of plant material.
- (2) The landscape plan illustrates that the intent of §§208-213, 208-214 and §208-501, §208-505 or §208-506 can be more effectively met in whole or in part, through the proposed alternative means.
- (3) Natural land characteristics or existing vegetation on the proposed development site would achieve the intent of §§208-213, 208-214 and §208-501, §208-505 or §208-506.
- (4) Innovative landscaping or architectural design is employed on the proposed development site to achieve a screening effect that is equivalent to the screening standards of §§208-213, 208-214 and §208-501, §208-505 or §208-506.
- (5) The required landscaping or buffering would be ineffective at maturity due to topography or the location of the improvements on the site.
- (6) A Restriping Plan must be submitted to determine how landscaping will be incorporated into existing parking lots. The plan should include compact car spaces and allow vehicle overhang over landscape medians to provide a balance of parking and landscaping. In general, reduced area of parking lot planting islands are discouraged, but may be considered when plantings are proposed to be added to an existing parking area and where pervious pavements of at least three feet in width surround the reduced size planting area.
- (7) Where on-site transfer of landscaping and bufferyard requirements are not practical, the applicant may pay a fee in lieu of and equal in value to the net

vegetation being forgone to the Township for the express purpose of planting and beautification of the Township.

SECTION 8. Any and all prior Ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

SECTION 9. This Ordinance shall take effect in accordance with applicable law.

ORDAINED and **ENACTED** this ____ day of _____, 2005, by the Board of Supervisors of the Township of Moon, in lawful session duly assembled.

ATTEST:

TOWNSHIP OF MOON

Gregory G. Smith
Township Manager/Secretary
(SEAL)

By: _____
Alexander J. Ropelewski
Chairman, Board of Supervisors

EXHIBIT "A"

TOWNSHIP ZONING MAP OVERLAY DISTRICTS