OFFICIAL

TOWNSHIP OF MOON
ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF MOON, ALLEGHENY COUNTY, PENNSYLVANIA, ADOPTING A NEW TOWNSHIP ZONING ORDINANCE AS CHAPTER 27 OF THE MOON TOWNSHIP CODE OF ORDINANCES.

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq*., as amended, authorizes the Township of Moon (the "Township") to regulate zoning in the Township; and

WHEREAS, Chapter 208 of the Moon Township Code of Ordinances, Zoning, as amended, (the "Township Zoning Ordinance") currently regulates zoning within the Township; and

WHEREAS, prior to the consideration of this Ordinance, on _____, 2015, the Township Board of Supervisors enacted Ordinance No. ____, adopting a new codification of Township ordinances known as the Moon Township Code of Ordinances (the "New Codification"); and

WHEREAS, as part of the preparation of the New Codification, the Township prepared revisions to the Township Zoning Ordinance and decided to enact those revisions as part of a new comprehensive zoning ordinance for the Township to be known as Chapter 27 of the Moon Township Code of Ordinances, Zoning; and

WHEREAS, the Township Board of Supervisors desires to adopt a new comprehensive zoning ordinance as set forth in the attached document known as Chapter 27 of the Moon Township Code of Ordinances, Zoning, (hereinafter referred to as "Chapter 27") 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, incorporating the above recitals by reference:

Section 1. The attached Chapter 27 is hereby adopted as the new comprehensive zoning ordinance of the Township. The attached Chapter 27 shall be included as Chapter 27 of the New Codification.

Section 2. It is hereby declared to be the intention of the Township that the Parts, Sections, paragraphs, sentences, clauses and phrases of this Ordinance and Chapter 27 are severable. If any Section, paragraph, sentence, clause or phrase of this Ordinance and/or Chapter 27 is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction, that invalidity shall not

affect any of the remaining Parts, Sections, paragraphs, sentences, clauses or phrases of this Ordinance and/or Chapter 27.

Section 3. Any and all prior ordinances (including but not limited to Ordinance Nos. 543, 548, 557, 572, 585, 586-A, 607, 608, 614, 619-A, 627, 628, 629, 633, 643, 644, 647, 648, 649, 650, 651, and 653) are repealed, in whole or in part, to the extent inconsistent with this Ordinance and the attached Chapter 27 of the Moon Township Code of Ordinances, Zoning.

Section 4. This Ordinance shall take effect in accordance with applicable law.

ORDAINED and **ENACTED** this _____ day of _____, 2015, by the Board of Supervisors of the Township of Moon in lawful session duly assembled.

ATTEST:

TOWNSHIP OF MOON

_____

Jeffrey L. Ziegler
Interim Township Manager/Secretary

By:_____

Marvin D. Eicher
Chairman, Board of Supervisors

(SEAL)

CHAPTER 27 OF THE MOON TOWNSHIP CODE OF ORDINANCES, ZONING

Chapter 27

Zoning

Part 1
General Provisions

§27-101. Title
§27-102. Grant of Power
§27-103. Community Development Objectives
§27-104. Application
§27-105. Use of Property
§27-106. General Interpretation
§27-107. Definitions and Word Usage
§27-108. Federal Fair Housing Act

Part 2
District Regulations

§27-201. Zoning Districts
§27-202. Zoning Map
§27-203. [Reserved]
§27-204. Interpretation of Zoning District Boundaries
§27-205. Permitted Uses, Conditional Uses, and Special Exceptions by Zoning District
§27-206. Uses Not Listed as a Permitted Use, Conditional Use, or Special Exception in Any Zoning District
§27-207. Development Intensity Overview
§27-208. Conventional Lot Development
§27-209. Cluster Lot Development
§27-210. Cottage Home Development
§27-211. Dimensional Requirements
§27-212. Height Requirements
§27-213. Lot, Yard, and Floor Area Requirements
§27-214. Vegetation Preservation and Bufferyards
§27-215. Landscaping

Part 3
Overlay Districts

§27-301. Purpose
§27-302. AZO Airport Zone Overlay District
§27-303. CVO Carnot Village Overlay District
§27-304. MEO Mixed-Use Educational Overlay District
§27-305. TGO Trails and Greenways Overlay District. [Reserved]
§27-306. TDO Transportation District Overlay District. [Reserved]
§27-307. UBO University Boulevard Overlay District
§27-308. Design Guidelines for the CVO District and UBO District

Part 4
Performance Standards

A. General Performance Standards

§27-401. Compliance Required
§27-402. Fire Protection
§27-403. Radioactivity; Electrical Disturbances
§27-404. Noise
§27-405. Vibrations
§27-406. Odors
§27-407. Smoke
§27-408. Air Pollution
§27-409. Glare (External Illumination)
§27-410. Erosion
§27-411. Water Pollution
§27-412. Excavation, Filling and Grading
§27-413. Watercourse Buffers

B. Environmental Performance Standards

§27-421. Purpose
§27-422. Sensitive Natural Resources
§27-423. Applicability
§27-424. Standards
§27-425. Environmental Preservation and Other Incentives

Part 5
Supplemental Regulations

§27-501. Accessory Structures and Uses
§27-502. Temporary Structures and Uses
§27-503. Moved Buildings and Structures
§27-504. Building Separation
§27-505. Clear Sight Triangle
§27-506. Fences and Hedges
§27-507. General Storage
§27-508. Private Swimming Pools
§27-509. Satellite Dish Antennas
§27-510. Radio and Television Antennas
§27-511. Communications Antennas
§27-512. Airport Cargo Facility
§27-513. Animal Grooming Facility
§27-514. Child Day Care Home
§27-515. Day-Care Center
§27-516. Group Residence
§27-517. No-Impact Home-Based Business
§27-518. Residential Recreation Facility
§27-519. Exterior Finishes
§27-520. Screening of Roof Equipment

§27-521. Portable Storage Units for On-Site Storage
§27-522. Traffic Impact Studies
§27-523. Driveways

Part 6
Parking and Loading

§27-601. General Regulations
§27-602. Parking Space and Traffic Aisle Requirements
§27-603. Parking Garage/Structure Requirements
§27-604. Handicapped-Accessible Parking Requirements
§27-605. Setback and Landscaping
§27-606. Loading Facility Requirements

Part 7
Signs

§27-701. Application
§27-702. General Regulations
§27-703. Signs Authorized in All Zoning Districts
§27-704. Signs Authorized in Residential Zoning Districts
§27-705. Signs Authorized in Nonresidential Zoning Districts
§27-706. Billboards

Part 8
Conditional Uses

§27-801. Applicability
§27-802. Application and Approval Procedure
§27-803. Standards and Criteria
§27-804. Adult Oriented Business
§27-805. Agricultural Operations
§27-806. Amphitheater
§27-807. Apartment
§27-808. Assembly or Fabrication Facility
§27-809. Automobile Rental
§27-810. Bed and Breakfast
§27-811. Billboard
§27-812. Boarding House
§27-813. Business or Professional Office
§27-814. Business Services
§27-815. Cargo Facility
§27-816. Cemetery
§27-817. Commercial School
§27-818. Communications Tower
§27-819. Conference and Training Center
§27-820. Correctional Facility
§27-821. Country Club/Golf Course
§27-822. Cultural Center
§27-823. Distribution Center

§27-824. Dormitory
§27-825. Driving Range
§27-826. Exposition Hall
§27-827. Farmers Market
§27-828. Flex Space
§27-829. Freight Terminal
§27-830. Fuel Sales
§27-831. Group Care Facility
§27-832. Heavy Manufacturing
§27-833. Home Occupation
§27-834. Hospital
§27-835. Hotel/Motel
§27-836. International Trade Center
§27-837. Junkyard
§27-838. Kennel
§27-839. Laboratory
§27-840. Landscaping Center
§27-841. Light Manufacturing
§27-842. Massage Therapy Establishment
§27-843. Medical Clinic
§27-844. Medical Office
§27-845. Mixed-Use Development
§27-846. Mixed-Use Educational Development
§27-847. Nightclub
§27-848. Nonresidential Recreation Facility
§27-849. Oil and Gas Operations
§27-850. Outdoor Storage
§27-851. Parking Garage/Structure
§27-852. Pilot Manufacturing
§27-853. Place of Worship
§27-854. Research and Development
§27-855. Restaurant, Low Turnover
§27-856. School
§27-857. School Maintenance Facility
§27-858. Self-Storage Facility
§27-859. Senior Center
§27-860. Shopping Center
§27-861. Stadium
§27-862. Supporting Retail
§27-863. Theater/Auditorium
§27-864. University/College
§27-865. Warehousing
§27-866. Water Storage/Tower
§27-867. Wholesaling
§27-868. All Other Uses Not Authorized in Any Zoning District
§27-869. Deviation from the CVO District and UBO District Requirements
§27-870. Deviation from the Vegetation Preservation, Bufferyards and Landscaping Requirements

Part 9
Special Exceptions

§27-901. Applicability
§27-902. Application and Approval Procedure
§27-903. Standards and Criteria
§27-904. Keeping of Horses
§27-905. Nonconforming Use Enlargement or Expansion

Part 10
Planned Residential Development

§27-1001. Purpose
§27-1002. Authority
§27-1003. Compliance
§27-1004. Pre-Application Conferences
§27-1005. Tentative Plan Application and Approval Procedure
§27-1006. Final Plan Application and Approval Procedure
§27-1007. Recording
§27-1008. Abandonment and Revocation
§27-1009. Improvements
§27-1010. Design Standards
§27-1011. Deviations by Waiver Prior to Final Plan Approval
§27-1012. Enforcement and Modification of Provisions of a Final Approved PRD Plan
§27-1013. Nonseverability

Part 11
Planned Nonresidential Development

§27-1101. Purpose
§27-1102. Compliance
§27-1103. Pre-application Conferences
§27-1104. Master Plan Application and Approval Procedure
§27-1105. Final Plan Application and Approval Procedure
§27-1106. Recording
§27-1107. Abandonment and Revocation
§27-1108. Improvements
§27-1109. Master Plan Amendments
§27-1110. Design Standards
§27-1111. Deviations by Waiver
§27-1112. Nonseverability

Part 12
Nonconforming Uses, Structures, and Lots

§27-1201. Nonconforming Uses
§27-1202. Nonconforming Structures
§27-1203. Nonconforming Lots
§27-1204. Continuation

Part 13
Zoning Hearing Board

§27-1301. General
§27-1302. Membership
§27-1303. Removal of Members
§27-1304. Organization
§27-1305. Expenditures for Services
§27-1306. Conduct of Public Hearings
§27-1307. Decisions
§27-1308. Jurisdiction
§27-1309. Requests for Relief
§27-1310. Variances
§27-1311. Special Exceptions
§27-1312. Parties Appellant
§27-1313. Time Limitations
§27-1314. Stay of Proceedings
§27-1315. Appeals to Court

Part 14
Administration and Enforcement

§27-1401. Zoning Officer
§27-1402. Planning Director
§27-1403. Zoning Certificate
§27-1404. Zoning and Occupancy Permit
§27-1405. Permits for Temporary Structures
§27-1406. Schedule of Fees
§27-1407. Amendments to Zoning Ordinance
§27-1408. Landowner Curative Amendments
§27-1409. Municipal Curative Amendments
§27-1410. Enforcement Remedies

Appendix 27-A
Zoning Map
(Including Overlay District Maps)

Appendix 27-B
Typical Lot and Yard Configurations
and
Definition of Lot Types with Typical Yard Designations

Appendix 27-C
Residential Development Alternatives

Appendix 27-D
Bufferyard and Landscaping Requirements

Appendix 27-E
Hydric Soils

Appendix 27-F
Porous Pavement Detail

Part 1

General Provisions

§27-101. Title.

This Chapter shall be known and may be cited as the "Zoning Ordinance."

(A.O.

§27-102. Grant of Power.

Pursuant to the authority contained in the Pennsylvania Municipalities Code, 53 P.S. §10101 *et seq*., as amended, and the Floodplain Management Act, Act 166 of 1978, as amended, and for the purpose of promoting the health, safety and general welfare of the Township, the Board of Supervisors does hereby enact this Chapter to regulate and restrict height, number of stories, size and location of buildings and other structures, their construction, alteration, extension, repair, maintenance of all facilities and services in or about such buildings and structures, density of lot development, size of lots, yards, courts, and other open spaces, the density of population in relation to land use, and the location and use of buildings, structures, land, and watercourses for trade, industry, commerce, residence, public service and other purposes.

(A.O.

§27-103. Community Development Objectives.

The provisions of this Chapter are intended to achieve the following purposes:

A. To promote and protect the public health, safety, and welfare of the residents and businesses of the Township and of the public generally.

B. To encourage and facilitate orderly community growth and development in accordance with the Comprehensive Plan and Official Map Ordinance [Chapter 14].

C. To provide adequate light, air, amenities, and access to private property.

D. To guide development in order to provide adequate community facilities and utilities.

E. To prevent the overcrowding or incompatible development, or use of land and to prevent the blighting conditions, congestion, and hazard in travel and transportation.

F. To divide the Township into various zoning districts that restrict and regulate therein the location, construction, alteration, and use of buildings, structures, and property.

G. To encourage new development that is well-designed, of high quality and suited to the natural conditions of its site.

H. To encourage the coordinated growth of communities.

I. To encourage compact, efficient, and economic patterns of development.

J. To avoid excessive public costs of scattered development.

K. To prevent development which may be hazardous because of the physical

character of land.

L. To protect and preserve valued natural, historic, and cultural features of the environment.

M. To ensure the provision of public improvements which are necessary and appropriate for the development, and which are coordinated with nearby areas.

N. To provide flexibility in standards and requirements so that the design of development can be fitted to the character of its site and to the community in which it is located.

O. To prevent loss of health, life or property from fire, panic or other dangers.

P. To define and limit the powers and duties of the Township's administrative officers and bodies as addressed by this Chapter.

(A.O.

§27-104. Application.

In interpreting and applying the provisions of this Chapter, the provisions of this Chapter shall be held to be the minimum requirements for the promotion of health, safety, morals and the general welfare of the Township and its citizens. It is not intended by this Chapter to interfere with or abrogate or annul any rules or regulations previously adopted or permits previously issued by the Township which are not in conflict with any provisions of this Chapter, nor is it intended by this Chapter to interfere with or abrogate or annul any easements, covenants, building restrictions, or other agreements between parties; provided, however, that where this Chapter imposes a greater restriction upon the use of the buildings or premises or upon the height of the building, or requires a larger open space than is imposed or required by such ordinance, rules, regulations or permits, or by easements, covenants, building restrictions or agreements, the provisions of this Chapter shall control.

(A.O.

§27-105. Use of Property.

No building, structure, or land shall be constructed, altered, used, or occupied for any purpose or in any manner unless in conformity with this Chapter, the regulations herein specified for the zoning district in which it is located, and all other applicable Township ordinances including, but not limited to, the Construction Code [Chapter 5, Part 1], the Subdivision and Land Development Ordinance [Chapter 22] and the Stormwater Management Ordinance [Chapter 23], and after the lawful issuance of all permits, approvals, and certificates required by this Chapter.

(A.O.

§27-106. General Interpretation.

1. *Requirements*. The regulations set forth by this Chapter within each zoning district shall apply uniformly to each zoning district and shall be held as the minimum requirements for the protection of public health, safety, and general welfare. Wherever the regulations of this Chapter are at variance with the requirements of any other lawfully adopted rules, regulations, deed restrictions, covenants, or ordinances, the most restrictive or that imposing the higher standards shall govern.

2. *Terms and Words*. For purposes of this Chapter, the terms and words used herein shall be interpreted as follows:

A. Words used in the present tense shall include the future.

B. Words used in the singular shall include the plural.

C. The word "person" includes a corporation as well as an individual, or an association of individuals.

D. The word "lot" includes the words "plot" or "parcel."

E. The words "shall" and "will" are always mandatory.

F. The term "may" is always permissive.

G. The words "used" or "occupied" as applied to any land or buildings shall be construed to include the words "intended, arranged or designated to be used or occupied."

(A.O.

§27-107. Definitions and Word Usage.[1]

For purposes of this Chapter, the following words and terms shall have the meanings set forth below unless otherwise expressly stated. Any terms or words not defined herein shall be interpreted consistent with the definitions and meanings referenced in the Subdivision and Land Development Ordinance [Chapter 22].

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 Standard Details, but in no case shall be less than 20 feet in width. An access drive shall not be considered a driveway.

Accessory structure–a detached subordinate building or structure, the use of which is clearly incidental to that of the principal structure or principal use of the land and which is located on the same lot as occupied by the principal structure or use.

Accessory use–a use customarily incidental and subordinate to the principal use and located on the same lot as the principal use.

ADA–the Federal Americans with Disabilities Act, 42 U.S.C. §1201 *et seq*., as amended, and the Federal regulations promulgated thereunder.

Administrative office–same as "business or professional office."

Adult oriented business–an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, escort agency, nude model studio, sexual encounter center, tattoo parlor or body piercing establishment as defined in the Adult Oriented Business License Ordinance, [Chapter 13, Part 7].

Adult Oriented Business License Ordinance–Chapter 13, Part 7, of the Moon Township Code of Ordinances, Adult Oriented Business, as amended.

Agriculture–the science and art of farming, the work of cultivating the soil,

[1]Editor's Note: See also the general definitions contained in Chapter 1, Part 1 of this Code.

producing crops and livestock.

Agricultural operations–an enterprise that is actively engaged in production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural, and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

Airport–the use of land, or building, or structure for facilitating the landing and handling of aircraft and their passengers and freight. Airports shall include the following uses:

(1) *Airport cargo facility*–any building or part thereof, and the adjacent loading areas, where goods, materials or cargo are loaded and/or unloaded to or from aircraft to or from one or more other modes of transportation and where such goods, materials, or cargo are stored. Airport cargo facilities may include improvements that facilitate the maintenance, fueling, storage or dispatching of vehicles, subject to the standards described in §27-512 of this Chapter, but only as an accessory use.

(2) *Airport parking*–an open area of land or a structure, other than a street, used for the long-term or short-term parking of vehicles, with or without a fee being charged, and available to the public or as an accommodation to employees, clients or customers, or for the storage of delivery vehicles and rental cars and the like.

(3) *Airport traffic control facilities and communication facilities*–buildings, towers, observation towers and Navaids reserved for the communication and relay of aviation commands between ground operators and airborne vehicle operators.

(4) *Airport assembly and rehabilitation*–any building or part thereof designated and used for the assembly and rehabilitation of aircraft.

(5) *Airport maintenance, repair and storage hangar*–a building or structure designed and used for the shelter, repair and maintenance of aircraft.

(6) *Airport administrative office*–any building or part thereof in which one or more persons are employed in the management or direction of airport operations and maintenance.

(7) *Airport runway*–surface or strip of ground for the arrival and/or departure of airplanes.

(8) *Airport service facilities*–flight kitchens and aircraft food processing centers which provide direct services to the traveling public and are located on the premises of or are directly related to the Pittsburgh International Airport.

(9) *Airport taxiway*–any surface area used for the moving of airplanes to and from a runway, parking area, apron, terminal and the like.

(10) *Airport terminal*–any building or part thereof in which one or more

persons are employed for airline ticketing, luggage checking facilities, restaurants, bars, retail shops, confections, post office, parcel shipping facilities and janitorial services.

Without limiting the generality of the foregoing, airports may include the following accessory uses in association with the operation of the airport or airline activities: ticket and other offices supporting airport uses; luggage checking facilities and parcel shipping facilities. Outdoor storage, supply yards, and warehouses shall be permitted as accessory uses; provided, any article or material authorized to be stored outside an enclosed structure shall be buffered by 6-foot height opaque fencing, planting, earthen mounds or existing topography to assure that such articles or material cannot be seen from Business Loop 376 (SR 3160), any other public street or adjacent properties. Outdoor storage, supply yards or warehousing shall not be permitted as a primary principal use as defined in this Chapter in the AP District.

Notwithstanding any definition or other provision of this Chapter, this Chapter shall not be construed, applied or interpreted in a fashion which conflicts with or violates any Federal statue or regulation governing aircraft safety, including any applicable regulations of the Federal Aviation Administration. An applicant claiming that the forgoing sentence applies to its proposed use shall submit, prior to or in conjunction with its relevant permit application or other land use application: (a) a description of the proposed use, structure or improvement; (b) the provisions of this Chapter to which such use, structure or improvement is subject; (c) the name and citation of the Federal regulation or requirement to which such use, structure or improvement is subject; (d) a description of the conflict between the provisions of this Chapter and the Federal regulations or requirements; and (e) such other material or data as deemed relevant and necessary by the Zoning Officer. The application shall be referred to the Zoning Hearing Board, which shall determine whether, with regard to the development of the applicant's proposed use, structure or improvement on the applicant's property, there is an actual conflict between the specific standards and requirements of this Chapter and those contained in the cited Federal regulation(s) or requirement(s). If the Zoning Hearing Board determines that an actual conflict exists, the specific standards and requirements of this Chapter shall not be applicable to the applicant's proposed use, structure or improvement, to the extent of any such conflict. Said hearing and decision shall be conducted in accordance with the requirements of §§107 and 908 of the MPC, 53 P.S. §§10107 and 10908.

Alluvial soils–soil material, such as sand, silt or clay that has been deposited on land by streams. Alluvial soils in the Township include Ph–Philo Silt Loam.

Amphitheater–an indoor or outdoor structure or area having tiers of seats, risers, benches or grassy slope rising gradually outward from a central open space or arena where fee-based or nonfee-based events, programs, spectacles and the like are performed or displayed.

Alterations–as applied to a building or structure, means a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing height, or the moving from one location or position to another.

Amusement arcade–a facility that is designed and operated as an amusement center equipped with any combination of five or more mechanical and/or electronic amusement devices, either as the sole use or in combination with other business activity, and which contains no form of slot machine, gambling or wagering. An amusement arcade is permitted as part of an indoor entertainment center or restaurant; all other types of amusement arcades shall be considered a use not expressly listed as a permitted use, conditional use or special exception in any zoning district and subject to the requirements of §27-206 of this Chapter, unless otherwise specifically provided in this Chapter.

Ancillary nonresidential use–a commercial establishment in a planned residential development whose primary function is to supply services and/or products for use within the area of the planned residential development.

Animal grooming facility–an establishment for the grooming and aesthetic enhancement of domestic animals that does not include medical or surgical treatment, or overnight boarding facilities.

Apartment–a separate building containing a designated number of dwelling units having common corridors and stairways and having shared exit and entrance facilities. An apartment shall be considered a multi-family dwelling. The following shall be types of apartments:

(1) *Garden apartment*–an apartment building containing at least three dwelling units, but not more than 10 dwelling units, and not exceeding three stories in height, sometimes designed around courts or common open spaces, often having private balconies or patios.

(2) *High-rise apartment*–an apartment building containing two or more dwelling units per floor, which is four or more stories in height, and which share a common entrance and/or common interior corridor.

Applicant–a landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors, assigns or agents.

Application for development–every application, whether preliminary, tentative, or final, required to be filed and approved prior to start of construction or development including, but not limited to, an application for a zoning and occupancy permit, conditional use, special exception, for the approval of a subdivision plat or plan and/or for the approval of a land development plan.

Architect–a professional architect licensed as such in the Commonwealth of Pennsylvania.

Assembly or fabrication facility–any building or part thereof where premanufactured parts are assembled or fashioned into a finished product for wholesale or retail sale.

Automobile sales, rental, service and repair–a retail establishment which may include one or more of the following: an open area, other than a street, for the display and sale or rental of new or used automobiles and light duty trucks; buildings which may contain offices and showrooms; an area within a completely enclosed building where reconditioning, preparation, accessory installation, repairs and/or servicing of vehicles is performed.

Awning–an architectural projection or shelter projecting from and supported

by the exterior wall of a building and composed of a covering of rigid or nonrigid materials and/or fabric on a supporting framework that may be either permanent or retractable.

Banquet facility–an establishment that is rented by individuals or groups to accommodate private functions for meetings, banquets, weddings, anniversaries and similar celebrations and events.

Banquet room–same as "banquet facility."

Basement–any portion of a building that is partly or completely below ground or the adjacent ground level of the lot.

Bed and breakfast–a detached dwelling which is the principal residence of the operator and in which a maximum of five sleeping rooms are provided for overnight guests for a period of not more than 14 consecutive nights in a 30-day period, with or without breakfast meals, for compensation. This definition shall not include a boarding house, rooming house, domiciliary hostel, group home, motel, or hotel.

Billboard–see definition under "sign."

Board of Supervisors–the Board of Supervisors of the Township.

Boarding house–an establishment, including a fraternity or sorority house, with lodging for five or more persons where meals are regularly prepared and served for compensation and where food is placed upon the table family style, without service or ordering of individual portions from a menu.

Boarding school–a private school at which students reside and receive meals during the school term.

Bufferyard–a landscaped area of a certain depth specified by this Chapter which shall be planted and maintained in trees, grass, ground cover, shrubs, bushes or other natural landscaping material and shall consist of a mix of types and sizes of plant material in accordance with the requirements of this Chapter.

Building–any structure occupied or intended for supporting or sheltering any occupancy.

Building coverage–same as "lot coverage."

Building height–the vertical distance from the average elevation at finished grade level to the highest point of the roof.

Building line–same as "building setback line."

Building line, front–same as "front building setback line."

Building, main or principal–same as "principal building."

Building setback line–a line parallel to a lot line, defining the yard required by this Chapter.

Building setback line, front–the building setback line that is parallel to the front lot line, located at a distance equal to the front yard required by this Chapter for the zoning district in which the lot is located.

Building setback line, rear–the building setback line that is parallel to the rear lot line, located at a distance equal to the rear yard required by this Chapter.

Building setback line, side–the building setback line that is parallel to the side lot line, located at a distance equal to the side yard required by this Chapter.

Business office–same as "business or professional office."

Business or professional office–a building or part of a building in which one or more persons are employed in the management, direction or conducting of business or where professionally qualified persons and their staff serve clients who seek advice or consultation, and which may include the administrative offices of a nonprofit or charitable organization. A business or professional office shall not include a medical office.

Business services–establishments engaged in rendering services to businesses and offices on a fee or contract basis including, but not limited to: advertising and mailing; data processing; secretarial; financial; photocopying; quick printing and fax; office supplies; building maintenance; equipment servicing, rental, leasing and sales; employment service; management and consulting services; and other similar business services.

Car wash–an area of land and/or a structure with machine- or hand-operated facilities used principally for the interior and/or exterior cleaning, washing, polishing, or waxing of motor vehicles and whereas no repairs or sales of petroleum fuel or lubricants are performed.

Cargo facility–a freight terminal that utilizes multiple modes of transportation for the transfer and distribution of goods, materials and cargo. The term "cargo facility" shall not be construed to include an "airport cargo facility," as defined in this Chapter under the definition of "airport."

Cartway–that portion of the street right-of-way that is surfaced for vehicular use, excluding shoulders and berms, as required by the Subdivision and Land Development Ordinance [Chapter 22] or the Township Standard Details.

Cellar–same as "basement."

Cemetery–a burial place or ground for human remains, including a graveyard, mausoleum, and columbarium, but not including a crematorium.

Child day care home–a facility where child care is provided for four, five or six children under the age of 16, who are not relatives of the operator, at any one time for part of a 24-hour day and which is licensed by the Department of Public Welfare as a "child day care home." A child day care home may qualify as a home occupation, as provided for in the conditional use criteria for home occupation. Day care for fewer than four children shall be permitted as a no-impact home-based business.

Church–same as "place of worship."

Clear sight triangle–an area of unobstructed vision at the intersection of two streets, or the intersection of a driveway with a street, measured at the height of a driver's eye, which is assumed to be 3.75 feet above the road surface, between points at a given distance from the intersection of the center lines of the two streets, or of a street and driveway as specified in the Subdivision and Land Development Ordinance [Chapter 22], intended to allow the operators of vehicles approaching simultaneously to see each other in time to anticipate and avoid potential collisions.

Clear-cutting–see definition under "forestry."

Cluster lot development–a residential development design technique that

concentrates residential lots in specific areas of a tract of land to allow the remaining land to be used for recreation, common open space and preservation of sensitive natural resources.

Colluvial soils–soil material, rock fragments, or both, moved by creep, slide or local wash and deposited at the base of steep slopes. Colluvial soils within the Township include ER–Ernest Silt Loam.

Commercial school–an educational establishment that provides specialized instruction and on-site training of business, commercial, clerical, industrial, managerial, trade and/or artistic skills and which does not satisfy the definition of school or university/college in this Chapter.

Commercial–engaging in a business enterprise, activity, or other undertaking for consideration.

Commercial use–any use that is commercial.

Common open space–a parcel or parcels of land or an area of water or a combination of land and water within a land development designed and intended for the use or enjoyment of the residents of and employees in the development, not including streets and off-street parking areas.

Commonwealth–the Commonwealth of Pennsylvania, including departments and agencies thereof.

Communications antenna–any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals including, without limitation, omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission ("FCC") to operate such device. This definition includes free standing antenna, antenna mounted on communications towers ("tower-mounted communications antenna") and antenna mounted on buildings ("building-mounted communications antenna"). This definition does not include satellite dishes, television antennas or amateur radio equipment (including ham or citizen band radio antennae) mounted on private residence and accessory to the residential use of a dwelling.

Communications equipment structure–any unmanned structure, cabinet, or other enclosure containing equipment or control devices for the operation of communication antennas.

Communications tower–a structure, other than a building, such as a monopole, self-supporting or guyed tower, designed and used to hold and facilitate the operation of communications antennas. A communications tower shall include the appurtenant tower-mounted communication antennas and communications equipment structure. The term "communications tower" shall not be construed to include an "airport traffic control facility and communications facility," as defined in this Chapter under the definition of "airport."

Communications tower height–the vertical distance measured from the ground level to the highest point on a communications tower, including any communications antenna mounted on the tower.

Comprehensive plan–the Comprehensive Plan of the Township, as amended.

Comprehensive transportation network–the Township's interconnected system of arterial and collector streets.

Conditional use–an authorized use which may be granted only by the Board of Supervisors pursuant to express standards and criteria prescribed in this Chapter, after review and recommendations by the Planning Commission and a public hearing conducted by the Board of Supervisors pursuant to public notice.

Condominium–a multi-family residential building where each dwelling unit in the building is individually owned and the owner of each unit has an undivided interest in the common areas and facilities of the building and surrounding grounds.

Conference and training center–a facility used for corporate or professional meetings, seminars and/or employee training, but which may include supporting dining and lodging facilities and related recreational facilities as accessory uses.

Consistency–an agreement or correspondence between matters being compared which denotes a reasonable, rational, similar connection or relationship.

Construction–the erection, renovation, repair, extension, expansion, alteration or relocation of a building, structure or site improvements including the placement of mobile homes.

Construction Code–Chapter 5, Part 1 of the Moon Township Code of Ordinances, Construction Code, as amended.

Construction Standard Details–see "Township Standard Details."

Correctional facility–any publicly or privately operated facility housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense, including but not limited to a jail, prison, halfway house, juvenile detention facility, or other facility where individuals are incarcerated or otherwise required to reside pursuant to court order under the supervision of paid staff and personnel.

Cottage home–a detached single-family dwelling constructed as part of a cottage home land development.

Cottage home land development–a single-family land development on one or more contiguous parcels of not more than 20 acres total, held in single ownership at the time of recording, for the purpose of residential cottage homes as prescribed in this Chapter and the Subdivision and Land Development Ordinance [Chapter 22]. The development shall be done as a condominium project, with common ownership of the land.

Country club / golf course–a recreational facility operated by a public or private entity which has, as its principal use, facilities for playing golf and which may include one or more of the following accessory uses: a clubhouse and/or restaurant, locker rooms, pro shop, swimming pool, facilities for racquet sports.

County–Allegheny County, situated in the Commonwealth of Pennsylvania, and any departments and agencies thereof.

County planning agency–the Allegheny County Department of Economic Development or any agency successor thereto.

Cultural center–a facility operated for the collection of natural, scientific, artistic or literary objects or works of art, or which provides exhibits and

interpretative information on the natural environment botanical or geological exhibits, trails and pathways with interpretive signage, and structures which provide lecture and exhibit space.

Day-care center–a facility, other than a residential dwelling unit, where day care for the elderly or child care and educational instructions are provided for seven or more children under the age of 16 or any number of elderly persons, who are not relatives of the operator, at any one time for part of a 24-hour day, operated for profit, and which is licensed by the Department of Public Welfare as a "daycare center." Day care for fewer than four children shall be permitted as a no-impact home-based business.

Decision–final adjudication of any board or other body granted jurisdiction under any land use ordinance or the MPC to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the Court of Common Pleas of Allegheny County.

Density–the number of dwelling units per acre of land.

Department of Environmental Protection (DEP)–the Department of Environmental Protection of the Commonwealth of Pennsylvania or any agency successor thereto.

Department of Public Welfare (DPW)–the Department of Public Welfare of the Commonwealth of Pennsylvania or any agency successor thereto.

Department of Transportation (PennDOT)–the Department of Transportation of the Commonwealth of Pennsylvania or any agency successor thereto.

Developer–any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or land development; a subdivider.

Development clubhouse–a building owned by a homeowners association or condominium association and located within a specific planned residential development or residential development plan that is used exclusively by the residents of the planned residential development or development plan for social or recreational activities. A clubhouse may include a swimming pool.

Development plan–the provisions for development, including a planned residential development, planned nonresidential development, a land 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, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" shall mean the written and graphic materials referred to in this definition.

Where the provisions of this Chapter require the filing of a development plan, such a plan shall encompass a proposed land development and/or development of property, which in addition to a plat of subdivision (if required by the Township) includes:

(1) All covenants relating to the use of the land.

(2) A topographic and boundary survey of the lot or parcel.

(3) The proposed use, location and bulk of buildings, structures and other

site improvements.

(4) The intensity of use or density of development.

(5) Vegetation, drainage, grading (slopes), roadways, wetlands and waterways, streets, ways, and parking facilities.

(6) Pedestrian circulation routes, common open space and public facilities.

Development ratio–the proportionate area of a sensitive natural resource that is permitted to be developed.

Diameter at breast height (dbh)–the outside bark diameter at breast height 4.5 feet (1.37m) above the forest floor on the uphill side of the tree.

Distribution activities–the activities that are associated with the process of directly marketing, storing, and supplying wholesale goods. In terms of area these activities include, but are not limited to, the following: any building, parking lot, loading dock, bufferyard, setback area, or open space associated with the distribution center.

Distribution center–any building or part thereof where the process of directly marketing and supplying wholesale goods to a retailer or manufacturer is conducted.

Domestic pets–animals, reptiles, fish and/or fowl normally permitted in a house and kept for company or pleasure such as dogs, cats, hamsters, gerbils, canaries, parakeets and similar animals or fowl, but not including: (1) any animal, reptile, fish and/or fowl normally found on a farm; (2) any other animal, reptile, fish and/or fowl normally found in a zoo; or (3) any exotic animal as that term is defined by the Exotic Animal Ordinance [Chapter 2, Part 3]. Domestic pets shall not include a sufficient number of dogs, cats, and/or domestic pets that is permitted to roam freely in a dwelling to constitute a kennel, as defined by this Chapter. Any member of the swine, sheep, poultry, bovine or equidae family of quadrupeds, or reptiles having a venomous or constrictor nature shall not constitute a domestic pet under any provision of this Chapter.

Dormitory–a building used as a group living facility for a student body or other group as an associated use to a university/college, boarding school or commercial school.

Dripline–the perimeter boundary formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of said tree, contacts the ground.

Drive-in theater–a place of public assembly intended for the viewing of motion pictures from the confines of a motor vehicle and may also include accessory uses and structures such as a snack bar, projector building, speaker stands and ticket office.

Drive-through facility–any portion of a building or structure from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transactions.

Driving range–a public or private area operated for the purpose of developing golfing techniques, including par 3 golf courses, but excluding golf courses.

Driveway–a private vehicular access route serving only one parcel or lot which

provides access to a public street or private street, but which does not provide access to any other lot or parcel under separate ownership.

Duplex–same as "two-family dwelling."

Dwelling–a building, portion thereof or other structure used primarily for human habitation (whether permanent or seasonal), providing complete housekeeping facilities for a single family and which includes exclusive sleeping, cooking, eating and sanitation facilities and a separate entrance for each unit. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly accessory, such as an outdoor grill. The word "dwelling" shall not include hotels, motels, fraternity or sorority houses, group residences, institutional facilities, nursing home or similar uses for group residence. Dwelling types shall include the following:

(1) *Single-family dwelling*–a detached residential building which is the only principal structure on the lot, designed exclusively for occupancy by one family, as defined herein, and containing one dwelling unit.

(2) *Two-family dwelling*–a residential building which is the only principal building on the lot, designed exclusively for occupancy by two families living independently of each other; and containing two dwelling units, each with a separate entrance directly to the outside, including double houses and duplexes.

(3) *Multi-family dwelling*–a building containing three or more dwelling units, including units that are located one over the other and/or side by side, but each an independent dwelling relative to utilities, facilities and access. This definition shall include apartments and townhouses.

(4) *Quadplex*–a detached residential building divided by two common party walls into four distinct and separate dwelling units where each dwelling unit has direct access to the outdoors.

(5) *Townhouse*–a residential building consisting of a series of at least three, but not more than 10 dwelling units, which shall not exceed three stories in height, attached to each other by continuous vertical walls without opening from basement to roof, with each dwelling unit having separate access to the outdoors not shared with the access of other dwelling units, and with each dwelling unit located or capable of being located on a separate lot.

Dwelling unit–one or more rooms for living purposes, together with separate cooking and sanitary facilities, which is accessible from the outdoors, either directly or through an entrance hall shared with other dwelling units, and is used or is intended to be used by one family.

Easement–a grant by a property owner for the use, for a specific purpose or purposes, of a strip of land by the general public, a corporation, or a certain person or persons, and as may be required by this Chapter and/or the Township Standard Details. An easement shall not be considered to be separate and distinct from the lot or parcel burdened by the easement for purposes of this Chapter.

Emergency services facility–an area used for the maintenance, fueling, storage, dispatching or parking of vehicles and/or equipment utilized to provide rescue or

ambulatory services, excepting rescue services offered from a fire station, which area may or may not include buildings utilized in connection therewith.

Employee cafeteria / dining room–an eating establishment located within a business establishment which is restricted to employees of the business establishment and their invited guests.

Engineer–a professional engineer licensed as such in the Commonwealth of Pennsylvania.

Environmental Protection Agency (EPA)–the United States Environmental Protection Agency or any agency successor thereto.

Erected–includes built, constructed, reconstructed, moved upon or any physical operations on the land required for the building. Excavation, fill, drainage and the like shall be considered part of the erection.

Essential services–the provisions of distribution systems by public utilities regulated by the Pennsylvania Public Utilities Commission (PUC), municipal authorities, Township or other government agencies of underground or overhead water, sanitary or storm sewers, gas, electrical, telephone, pipes, conduits, cables, towers, fire alarm boxes, traffic signals, hydrants and similar equipment and accessories in connection therewith and where reasonably necessary for the furnishing of adequate services by such public utilities regulated by the PUC, municipal authorities, Township or other governmental agencies for the public health, safety or general welfare. Essential services do not include communications antennas, communications equipment structures, and communications towers.

Exotic Animal Ordinance–Chapter 2, Part 3 of the Moon Township Code of Ordinances, Exotic Animals, as amended.

Exposition hall–a facility devoted principally to the public display or exhibition of products and technology and which may include, as accessory uses, facilities for meeting and/or training.

Family–an individual, or two or more persons related by blood or marriage or adoption, living together in a dwelling unit; or a group of not more than three persons who need not be related by blood or marriage or adoption, living together as a single housekeeping unit in a dwelling unit, and sharing common facilities as considered reasonably appropriate for a family related by blood, marriage or adoption; provided, however, that "family" shall not include boarding houses, dormitories, fraternity houses, sorority houses, group care facilities, group residences, life care facilities, nursing homes, or similar uses.

Farmers market–an establishment or premises where the retail sale of farm products and/or prepared foods produced by local growers occurs.

Federal–the United States of America, including the departments and agencies thereof.

Federal Aviation Administration (FAA)–the Federal Aviation Administration of the United States Department of Transportation or any agency successor thereto.

Federal Emergency Management Agency (FEMA)–the Federal Emergency Management Agency of the United States Department of Homeland Security or any agency successor thereto.

Financial institution–a bank, savings and loan association and other similar

institution that lends money or is engaged in a finance-related business.

Finished grade–the completed surfaces of lots, walks, streets and roads brought to grades as shown on official plans or designs related thereto.

First floor–that floor of a building that is immediately above a basement or, where there is no basement, that floor of a building that is at ground level. A basement shall not be considered a first floor.

First level–same as "first floor."

Fiscal impact analysis–an assessment of the monetary impact of proposed development as related to the potential costs of Township infrastructure services, tax revenues and public facilities.

Fitness center–an indoor facility for personal exercise and physical conditioning, which includes uses such as sport courts, exercise equipment and/or locker rooms that may or may not include a Jacuzzi and/or sauna and retail shops as accessory uses. This use may also be referred to as a health club.

Flex space–a building or buildings that can be divided for use by one tenant or multiple tenants primarily for office, light manufacturing, pilot manufacturing, research and development, warehousing, and associated administrative space.

Floodway–the channel of the watercourse and portions of the adjoining floodplains which are reasonably required to carry and discharge the 100-year frequency flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency flood, it is assumed, absent evidence to the contrary, that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

Floor–a habitable area of uniform vertical elevation that is contained within the outside walls of a building or structure.

Floor, first–see "first floor."

Forestry–the management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes which does not involve any land development.

(1) *Clear-cutting*–a forestry harvesting and regeneration technique that removes all the trees, regardless of size, in an area in one operation.

(2) *Selection cutting*–a forestry harvesting and regeneration technique in which specific trees are removed according to their size and specie.

Freight terminal–a building and adjacent loading area where cargo is stored and where commercial vehicles load and unload cargo on a regular basis, which may or may not include facilities for maintenance, fueling, storage or dispatching or the vehicles. The term "freight terminal" shall not be construed to include an airport cargo facility, as defined in this Chapter under "airport."

Front building setback line–see "building setback line, front."

Front yard–see definition under "yard."

Frontage–the length of a lot line bordering a street that is open to vehicular traffic.

Fuel sales–the retail sale of motor vehicle fuel, including gasoline, diesel, and compressed natural gas.

Funeral home–a building used for the embalming of the deceased prior to burial, but not including, cremation, and for the viewing of the deceased and ceremonies connected therewith before burial or cremation.

Gaming enterprise–an establishment in which legal betting activities, parimutuel wagering activities, gambling activities and the playing of games of chance or mixed chance and skill are conducted and/or permitted under the laws of the United States of America and the Commonwealth of Pennsylvania including, but not limited to, any establishment, business and/or facility regulated and/or licensed by the Pennsylvania State Harness Racing Commission, and the Pennsylvania Gaming Control Board under the Pennsylvania Race Horse Industry Reform Act, 4 P.S. §325.11 *et seq*., as amended, and the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S.A. §1101 *et seq*., as amended. This definition shall include an off-track betting facility as defined herein. For purposes of this Chapter, a gaming enterprise shall be considered a use not expressly listed as a permitted use, conditional use, or special exception in any zoning district and, therefore, subject to the requirements of §27-206 of this Chapter.

Garage, private–see "private garage."

Garden apartment–see definition under "apartment."

Grade, finished–see "finished grade."

Grading Ordinance–Chapter 9, Part 1 of the Moon Township Code of Ordinances, Grading, as amended.

Gross acreage–the total acreage of a lot.

Gross floor area–the sum of the gross horizontal area of several floors of a principal building or buildings located on the same lot. All dimensions shall be measured between exterior faces of walls. For purposes of an accessory structure, gross floor area shall mean the sum of the gross horizontal area of the floor(s) of an accessory structure, as measured between the exterior faces of walls.

Ground floor–same as "first floor."

Groundwater–water source that is located between saturated soil and rock and is capable of supplying wells and springs.

Group care facility–an establishment including, but not limited to, an assisted living facility, independent living facility and personal care home, that provides room and board to persons who are residents by virtue of receiving supervised specialized services limited to health, social and/or rehabilitative services provided by governmental agencies, their licensed or certified agents, or any responsible nonprofit corporation meeting the minimum requirements of the sponsoring agency. Supervision shall be provided by responsible adults whose number shall be determined and certified by the sponsoring agency; however, no less than one responsible adult shall always be in the actual facility on a 24-hour basis. The number of residents shall not exceed 14 persons, excluding supervisory adults and the children of supervisory adults. This category shall not include correctional facilities or other facilities operated by or under the jurisdiction of any government bureau of corrections or similar institution.

Group residence–a dwelling unit in a residential area where room and board are provided to six or fewer unrelated persons of any age who are permanent residents, who are mentally or physically handicapped and who are in need of supervision and specialized services, including necessary staff who may or may not reside in the dwelling and who provide health, social and/or rehabilitative services to the residents; such services being provided by a governmental agency, its licensed or certified agents or any other responsible nonprofit corporation meeting the minimum requirements of the sponsoring agency. This category shall not include facilities operated by or under the jurisdiction of any government bureau of corrections or similar institution.

Grubbing or grubbing activity–the cleaning of underbrush from a well-treed area.

Health club–same as "fitness center."

Heavy manufacturing–the mechanical or chemical transformation of raw materials or substances into new products or other raw materials or any manufacturing process not included in the definition of "light manufacturing."

High-rise apartment–see definition under "apartment."

High turnover restaurant–see definition under "restaurant."

Home occupation–a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling, but which does not meet the requirements of a no-impact home-based business.

Hospital–an establishment that provides diagnostic health services and extensive medical, surgical and/or psychiatric services and/or treatment either through inpatient care or on an emergency outpatient basis.

Hotel–an establishment which provides transient lodging accommodations to the general public in sleeping units which each have independent access to a common interior corridor and which may provide such additional supporting services as restaurants, meeting and banquet rooms, recreation facilities, and living quarters for a resident manager or proprietor.

Hydric soils–soils, classified by the Allegheny County Conservation District, whose major components are conducive to wetland conditions, are located in a high water table and are saturated with water close to the surface most of the year. Hydric soils in the Township include those listed in Appendix 27-E "Hydric Soils in Allegheny County, Pennsylvania."

Impervious coverage–the percentage of the total lot area, which is covered by impervious surface.

Impervious surface–a surface which resists the entrance or passing through of water or other liquids and prevents the percolation of water into the ground.

Indoor entertainment center–any establishment which provides amusement, recreation or entertainment for the general public within a completely enclosed structure for a fee or admission charge including, but not limited to, bowling alleys, billiard and pool halls, and amusement arcade. A gaming enterprise, a nightclub, and/or a shooting range shall not be considered an indoor entertainment center.

Industrial–the manufacturing, compounding, assembling, processing,

packaging or treatment of raw material or other products.

Intermittent stream–a channel or watercourse that shows or contains flowing water only part of the time.

International trade center–a facility for the encouragement and conduct of international trade that may include an exposition hall, conference and training center and business or governmental offices.

Junk–any discarded material, articles or things including, but not limited to, scrap, copper, brass, rope, rags, batteries, paper, trash, rubber debris, water, iron, steel and other old or scrap ferrous or nonferrous material. Any wrecked, ruined, dismantled, abandoned, nonoperable, disabled or junked motor vehicles or parts thereof, or motor vehicles no longer used as such.

Junk vehicle–any vehicle which is without a currently valid license plate or State registration and is in a rusted, wrecked, discharged, dismantled, partly dismantled, inoperative, or abandoned condition, or for which the certificate of title has been returned to PennDOT in accordance with the provisions of the State Vehicle Code, or which by its appearance is unsightly and not in repairable condition, or which has been declared abandoned according to provisions of Township ordinances or the State Vehicle Code. Where a certificate of junk has been issued by PennDOT, such certificate shall be conclusive evidence that the subject vehicle is a junk vehicle; however, where no such certificate has been issued or applied for, the failure to have the vehicle licensed shall be prima facie evidence that the subject vehicle is a junk vehicle. Also included in this definition is any trailer, semitrailer or any other article which would be classified as a vehicle, as well as any disabled, abandoned, nonoperable, nonregistered, wrecked, ruined or dismantled motor vehicle.

Junkyard–any yard, lot or place covered or uncovered, outdoors or in an enclosed building, containing junk as defined herein, upon which occurs one or more acts or buying, keeping, storing, accumulating, dismantling, processing, recycling, salvaging, selling, or offering for sale, any such junk, in whole units or by parts, or any premises used for the storage of junk vehicles. This definition shall not include a transfer station, licensed or permitted by the Commonwealth of Pennsylvania, or a recycling center, licensed or permitted by the Township. In no district shall this use be considered to be accessory or incidental to another use.

Keeping of horses–maintaining horses and/or ponies for personal use of the residents of the lot, not involving any profit-making activity such as boarding, riding instruction or training of horses owned by persons other than residents of the lot.

Kennel–an establishment where 6 or more domestic pets that are 6 months or older are kept, bred, trained, or boarded at any one time, whether for profit or not. A kennel shall not be considered a no-impact home-based business, or a home occupation, or an accessory use to a residential dwelling, unless specifically permitted by this Chapter.

Laboratory–a building or portion of a building in which is located facilities for scientific or technical research, investigation, testing, experimentation, or observation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. A laboratory shall not be

considered a medical clinic, as defined in this Chapter.

Land development–shall be defined as:

(1) Any of the following activities:

(a) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

1) A group of two 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.

2) The division or allocation of land or space, whether initially or cumulatively, between or among two 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) A subdivision of land.

(c) Development in accordance with §503(1.1) of the MPC, 53 P.S. §10503(1.1).

(2) As used in this definition of "land development", the term "improvement" shall include, but not be limited to:

(a) Construction of a new principal building.

(b) Construction of an addition to an existing building.

(c) A change in the use of an existing building or lot resulting in an increase in the area of the lot covered by a building and/or an impervious surface.

(d) Construction, reconstruction, and/or renovation of an existing principal building the cost of which is equal to or greater than 40 percent of the fair market value of the subject property as established by the current Allegheny County property assessment records.

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 or she is authorized under the lease to exercise the rights of the landowner; or other persons having a proprietary interest in the land.

Landscape architect–a landscape architect licensed as such in the Commonwealth of Pennsylvania.

Landscape wall–a wall less than three feet in height and used in the art of modifying the features of a landscape solely for aesthetic purposes.

Landscaping center–any land used to raise trees, shrubs, flowers, and other plants for wholesale or retail purposes or for transplanting.

Level of service (LOS)–a qualitative measure describing operational conditions within a traffic stream; generally described in terms of such factors as speed, freedom to maneuver, traffic, interruptions, comfort, convenience, and safety. Levels of service are designated A through F, with LOS A indicating the best

service and LOS F indicating the worst service.

Library–a public facility in which literary, musical, artistic, or reference materials, including, but not limited to, books, manuscripts, computers, recordings, or films, are kept for use by or loaning to patrons of the facility, but are not normally offered for sale. An adult oriented business shall not be considered a library.

Life care facility–a facility for the transitional residency of elderly and/or disabled persons, progressing from independent living in single-family units to congregate apartment living where residents share common meals and culminating in a full health and continuing care nursing home facility.

Light manufacturing–the processing and fabrication of certain materials and products where no process involved produces noise, vibration, air pollution, fire hazard or noxious emission which will disturb or endanger neighboring properties. "Light manufacturing" includes the production of the following goods: home appliances; electrical instruments; office machines; precision instruments; electronic devices; timepieces; jewelry; optical goods; musical instruments; novelties; wood products; printed material; lithographic plates; type composition; machine tools; dies and gauges; ceramics; apparel; lightweight metal castings; film processing; light sheet metal products; plastic goods; pharmaceutical goods; and food products, but not animal slaughtering or curing nor rendering of fats.

Livestock–animals used or raised on a farm, whether for home use or profit including, but not limited to, cattle, horses, pigs, sheep, chickens and turkeys.

Loading facilities–the total composite of all off-street structures and facilities for a loading and unloading area to include, but not limited to, the loading space(s), docking approach, access drive(s) and all related accessory facilities.

Loading space–an off-street space or berth on the same lot with a building or contiguous to a group of buildings, for the temporary stopping of commercial vehicles while loading or unloading merchandise or materials and which abuts upon an appropriate means of vehicular access.

Logging–see "forestry."

Lot–a tract of land in a plan of subdivision or any other parcel of land described in a deed or legal instrument pursuant to the laws of the Commonwealth of Pennsylvania intended to be used as a unit for development or transfer of ownership. General illustrations of lots are provided in Appendix 27-B.

Lot area–the area of a lot measured on a horizontal plane bounded by all lot lines of the subject lot, exclusive of any area within a street right-of-way.

Lot coverage–that percentage of the total lot area which is covered by all principal and accessory structures, including any parking structure/garage, on the lot.

Lot depth–the mean horizontal distance between the front lot line and rear lot line.

Lot line–a boundary line of a lot, which may be used to describe such lot and often used in description of a contiguous lot.

Lot line, front–a lot line separating the lot from the street.

Lot line, rear–the lot line not intersecting a front lot line that is most distant from and most closely parallel to the front lot line. A lot bounded by only three lot lines will not have a rear lot line.

Lot line, side–any lot line which is not a front lot line or a rear lot line.

Lot of record–a lot which is part of a subdivision plat duly recorded in the office of the Allegheny County Department of Real Estate identified in those records by plan book volume and page number or other similar approved recording citation.

Lot width–the mean horizontal distance across the lot between the side lot lines, measured at the front building setback line unless otherwise stated.

Low turnover restaurant–see definition under "restaurant."

Manufacturing–the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products and the blending of materials.

Massage therapy establishment–any business or part thereof where massage services are provided by a person having graduated from a massage therapy training program approved by the Pennsylvania State Board of Private Licensed Schools, or equivalent agency if trained in another State, by a person certified through a massage therapy certification exam approved by the National Commission for Certifying Agencies, by a person certified through the National Certification Board for Therapeutic Massage and Bodywork, or by a person who is a practitioner or higher level member of the American Massage Therapy Association (AMTA), Associated Bodywork and Massage Professionals (ABMP), or International Massage Association (IMA).

Mechanical penthouse for rooftop equipment–a fully or partially roofed and walled enclosure or screening, constructed on the top of a building solely to enclose heating, ventilation, air conditioning, electrical, or other mechanical and/or public safety equipment that serves the building on which it is erected, and which is designed to protect such equipment from the elements in order to extend the equipment's longevity or to provide for the safe year-round maintenance of the equipment, that is neither designed, nor is permitted to be used, as regularly occupied space.

Medical clinic–an establishment, excluding a medical office and business or professional office, where two or more medical professionals licensed by the Pennsylvania Department of Health provide diagnostic health, medical, surgical and/or psychiatric services and/or treatment to the general public, where patients are not provided with board or kept overnight, and shall include such uses as reception areas, waiting areas, consultation rooms, x-ray and minor operating rooms and a dispensary, provided that all such uses have access only from the interior of the building or structure.

Medical office–an establishment where one or more licensed medical professionals, provide diagnosis and treatment by appointment to the general public, without surgical procedures or pharmacy, where patients are not provided with board or kept overnight, and shall include such uses as reception areas, offices, consultation rooms, and x-ray, provided that all such uses have access only from the interior of the building or structure.

Menu board–see definition under "sign."

Methadone treatment facility–a facility owned and operated by a private for-profit entity, a private nonprofit entity or the Allegheny County Department of Human Services Bureau of Drug and Alcohol where the drug "methadone" or similar substances are prescribed and administered for the treatment, maintenance or detoxification of persons. A methadone treatment facility shall be considered a medical clinic, as defined by this Chapter.

Military facilities–land and/or buildings owned and/or operated by the United States Department of Defense or approved for the training of military personnel, maintenance and development of military vehicles and equipment and/or administrative purposes.

Mineral extraction–mineral extraction shall include all activity which removes from the surface or beneath the surface of the land some material, mineral resource, natural resource or other element of economic value by means of mechanical excavation necessary to separate the desired material from an undesirable one; or to remove the strata or material which overlies or is above the desired material in its natural condition and position. Open pit mining includes, but is not limited to, the excavation necessary to the extraction of sand, gravel, topsoil, limestone, sandstone, coal, clay, shale and iron ore. Oil and gas extraction, excavation for the purposes of grading a building lot or roadway and the removal of grass or sod for landscaping, or the removal of materials from a lot for use on that same lot shall not be considered mineral extraction.

Minerals–any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse and peat.

Mixed-use educational development–the development of a tract of land by a university/college for a combination of those uses permitted in the MEO Mixed-Use Educational Overlay District, as set forth in §27-205 and Table 27-1 (Use Table) of this Chapter.

Mixed-use development–the development of a single tract of land where commercial and industrial land uses permitted within a mixed-use district are combined.

Mobile home–a transportable single-family dwelling intended for permanent occupancy, contained in one unit or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor incidental unpacking and assembly operations.

Mobile home lot–a parcel of land in a mobile home park improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

Mobile home park–a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots.

Motel–an establishment which provides transient lodging accommodations to the general public in units which each have independent access directly to the outside and which may provide such additional supporting services as restaurants, meeting and banquet rooms, recreation facilities, and living quarters for a resident manager or proprietor.

Multi-family development–any land development which proposes three or more multi-family dwelling units.

Municipalities Planning Code (MPC)–the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq*., as amended and re-enacted.

Natural gas–a fossil fuel consisting of a mixture of hydrocarbon gases, primarily methane, and possibly including ethane, propane, butane, pentane, carbon dioxide, oxygen, nitrogen and hydrogen sulfide and other gas species. The term includes natural gas from oil fields known as associated gas or casing head gas, natural gas fields known as nonassociated gas, coal beds, shale beds and other formations. The term does not include coal bed methane.

Natural gas compressor station–a facility designed and constructed to compress natural gas that originates from a natural gas well or collection of such wells operating as a midstream facility for delivery of Natural Gas to a transmission pipeline, distribution pipeline, Natural Gas Processing Plant or underground storage field, including one or more Natural Gas compressors, associated buildings, pipes, valves, tanks and other equipment.

Natural gas processing plant–a facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets, but not including facilities or equipment that are designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from natural gas.

Navaids–communication devices utilized in aiding the navigation of aircraft.

Neighborhood convenience store–an establishment primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, and limited household supplies and hardware. Neighborhood convenience stores shall not include fuel pumps or the selling of fuel for motor vehicles. Typical uses include neighborhood markets and country stores.

Net floor area–the total of the floor areas of a building, measured from the interior faces of walls, excluding stairwells and elevator shafts, common hallways which are not leasable space, lobbies, rest rooms, storage (except in conjunction with warehouses and other industrial uses) and equipment rooms, food preparation areas in a restaurant, interior vehicle parking or loading areas and any other areas not accessible to the general public.

Nightclub–a commercial enterprise (including all or a portion of a restaurant, bar, hotel or motel) which offers dancing and entertainment, either live or recorded, and may be characterized by low light levels, closely packed tables and/or a dance floor, whether or not the consumption of alcoholic beverages is permitted or allowed on the premises. Nightclubs shall not include banquet facilities, private clubs, recreation facilities or other buildings used primarily for social gatherings of

members of condominiums, cooperatives, homeowner associations, civic, charitable or fraternal organizations which periodically have dances, stage shows, or music, and alcoholic beverage consumption and admission fees. For purposes of this definition, entertainment shall not include television viewing of sporting events, programs, or movies.

No-impact home-based business–a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pick up, delivery or removal functions to or from the premises, in excess of those normally associated with residential use, and which otherwise complies with the requirements of §27-517 of this Chapter.

Nonconforming building or structure–a structure, or part of a structure, manifestly not designed to comply with the applicable minimum yard or other dimensional requirements of this Chapter, or an amendment hereafter enacted, which lawfully existed prior to the enactment of this Chapter or any subsequent amendment. Such nonconforming structures include, but are not limited to, nonconforming signs.

Nonconforming lot–a lot which does not comply with the applicable area and dimensional requirements of this Chapter, or an amendment hereinafter enacted, which lawfully existed prior to the enactment of this Chapter or any subsequent amendment.

Nonconforming use–a use, whether of land or of structure, which does not comply with the applicable use provisions of this Chapter, or amendment hereafter enacted, which lawfully existed prior to the enactment of this Chapter or any subsequent amendment.

Nonresidential–any use other than single-family dwelling, two-family dwelling, multi-family dwellings, or quadplex.

Nonresidential recreation facility–see definition under "recreation facility."

Nonresidential use–any use that is nonresidential. Also, an institutional use in which persons may reside, such as a dormitory, correctional facility, nursing home, or hospital shall be considered a nonresidential use.

Nonsensitive resource area–any land that does not contain sensitive natural resources and as otherwise defined in §27-422 of this Chapter.

Nursery–same as "landscaping center."

Nursing home–an establishment, licensed by the Commonwealth of Pennsylvania, engaged in providing a patient nursing and health-related personal care, utilizing in whole or part licensed and/or registered nurses, excluding hospital services and excluding day-to-day personal care which is not health care by licensed or registered nurses.

Office–same as "business or professional office."

Office, business or professional–see "business or professional office."

Official Map–the Township Official Map established by the Official Map Ordinance [Chapter 14].

Official Map Ordinance–Chapter 14 of the Moon Township Code of Ordinances,

Official Map, as amended.

Off-track betting facility–a facility in which pari-mutuel wagering is conducted by a licensed racing entity, other than the horse racetrack where live racing is conducted, pursuant to the Pennsylvania Race Horse Industry Reform Act, 4 P.S. §325.101 *et seq*., as amended. For purposes of this Chapter, an off-track betting facility shall be considered a gaming enterprise, as defined herein.

Oil and gas operations–the term includes the following:

(1) Well location assessment, including seismic operations, well site preparation, construction, drilling, hydraulic fracturing and site restoration associated with an oil or gas well of any depth.

(2) Water and other fluid storage or impoundment areas used exclusively for oil and gas operations.

(3) Construction, installation, use, maintenance and repair of:

(a) Oil and gas pipelines.

(b) Natural gas compressor stations.

(c) Natural gas processing plants or facilities performing equivalent functions.

(4) Construction, installation, use, maintenance and repair of all equipment directly associated with activities specified in subparagraphs (1), (2) and (3), to the extent that:

(a) The equipment is necessarily located at or immediately adjacent to a well site, impoundment area, oil and gas pipeline, natural gas compressor station or natural gas processing plant.

(b) The activities are authorized and permitted under the authority of a Federal or Commonwealth agency.

Open space–public or private land used for passive recreation, resource protection, amenity and/or buffers, not including any area of a lot, any part of an existing or future street right-of-way, easement of access, or areas set aside for public or private utilities, stormwater facilities, and easements.

Outdoor storage–the storage of materials, equipment, containers, and/or trailers outside of a completely enclosed building. The term "outdoor storage" shall not be construed to include: (1) outdoor storage of motorized vehicles (such as automobiles, boats and buses) that do not constitute junk vehicles; or (2) outdoor storage conducted as an accessory use in association with the operation of an airport, as that term is defined in this Chapter, provided the requirements contained in the definition of "airport" contained in this Section are met.

Owner–same as "landowner."

Overlay district–a zoning district that encompasses one or more underlying zoning districts and that imposes additional requirements or provisions above that required by the underlying zoning district.

Park–an area specifically designed for outdoor use for active or passive recreation purposes, open space and/or sports that offers all of its activities and services to the general public for no fee or charge; provided, however, a park owned by the Federal, State, County and/or Township may charge fees for usage or

activities that are established by the appropriate governing body or governmental entity. A park shall also include a parcel of land owned by a homeowners association or condominium association, as part of a Township-approved subdivision, land development and/or planned residential development, that is dedicated, either publicly or privately, specifically for the use as a park, open space, and/or active or passive recreation area.

Parking lot–an area utilized to meet the parking requirements of this Chapter, including the parking aisles that provide access to the parking spaces, but not including any streets or driveways that provide access to the parking lot.

Parking space–an off-street space available for the parking of a vehicle. Occupancy of one space shall not restrict ingress or egress to another space.

Parking structure / garage–a building with multiple stories of off-street parking spaces where vehicles are temporarily stored, with or without a nominal fee, in association with occupational, commercial, entertainment, municipal, educational or residential use.

Passive recreation–recreation facilities that generally do not require a developed site, involve existing natural resources, and have a minimal impact on the subject property and adjacent properties.

Patio–an outside surfaced area having no roof and no more than three sides walled or fenced and which is considered a part of the principal building.

Permanent foundation–an underlying prepared base or support of cemented concrete blocks or similar masonry placed upon a footer (the footer must be below the frost line) upon which a structure is placed and completely encloses the structure exclusive of half-windows, windows or doors.

Permitted use–an authorized use allowed by right, which may be granted by the Zoning Officer upon compliance with the requirements of this Chapter.

Person–unless otherwise specified, person shall mean the singular and plural, male or female, firm, business, partnership, association, limited liability company or corporation, or any other legal entity.

Personal health care facility–same as "nursing home."

Personal services–any enterprise providing domestic commodities and services pertaining to the person, their apparel or personal effects commonly carried on or about the person including, but not limited to, shoe repair, tailoring, clothes cleaning, watch repairing, barbershops, beauty parlors and related activities.

Pharmacy–a retail store not exceeding 7,000 square feet of gross floor area which primarily sells prescription drugs, patient medicines, and surgical and sickroom supplies.

Pilot manufacturing–an establishment or part thereof which may be used to test concepts and ideas and determine physical layouts, material flows and processes, types of equipment required, costs and other information necessary prior to undertaking full-scale production, and which may include the conduct of small-scale product runs under simulated production conditions.

Place of worship–an institution of any denomination where people regularly observe, practice or participate in religious or spiritual services, meetings, or

activities.

Planned nonresidential development (PNRD)–a development of land controlled by one landowner to be developed as a single entity for a combination of nonresidential uses, and limited residential uses, in accordance with the provisions of this Chapter and Part 11 hereof.

Planned residential development (PRD)–a development of land controlled by one landowner to be developed as a single entity for a number of dwelling units or a combination of residential and nonresidential uses in accordance with the provisions of this Chapter and Part 10 hereof.

Planning Commission–the Planning Commission of the Township.

Planning Director–the Planning Director of the Township, the authorized designee of the Township Manager and/or the authorized designee of the Board of Supervisors.

Plat–a map or plan, either preliminary or final, presented to the Township for approval, indicating the subdivision, consolidation or redivision of land or a land development.

Playground–an area specifically designed for outdoor recreational use by children that offers all of its activities and services to the general public for no fee or charge. A playground shall also include a parcel of land or portion thereof owned by a homeowners association or condominium association, as part of a Township-approved subdivision, land development and/or planned residential development, specifically designed for outdoor recreational use by children.

Porch–a covered structure projecting from the front, side or rear wall of a building and which is considered a part of the principal building.

Porous pavement–a specialized bituminous (asphalt) paving mixture with a crushed stone storage bed below designed to serve as a storage/infiltration structure or a sub-surface detention basin.

Portable storage unit–a container, that is not affixed to the land, that is designed for temporary, short-term storage.

Post office–a facility owned and maintained by the United States Postal Service for the purpose of distributing mail to the public.

Premises–any lot, parcel or tract of land and any building constructed thereon.

Previously disturbed land–land whose topography has been altered by the activities of man prior to the enactment of *Ord. 543* on December 18, 2002. Previously disturbed land shall include, without limitation, strip-mined areas and high walls adjacent thereto, shallow mining which has created a likelihood of subsidence, waste disposal, previous grading for development, mineral removal, borrow and fill areas. Previously disturbed land shall not include disturbances such as landslides, natural erosion or other acts of God. Land which has been subject to forestry or agriculture shall not be considered previously disturbed land.

Principal building or structure–the building(s) or structure(s) on a lot in which the principal use or uses are conducted.

Principal use–the main use of land or structures, as distinguished from a subordinate or an accessory use.

Private–owned, operated or controlled by an individual, group of individuals, association or corporation, not for profit, and restricted to members who meet certain qualifications and their guests.

Private club–any establishment operated by a private organization for social, recreational, educational, fraternal or social purposes, but open only to members and their guests and not to the general public.

Private garage–an accessory building or a portion of the residential principal building used for the storage of one or more motor vehicles, equipment, or personal property of the occupants of the residential principal building on the subject property, provided that no business, occupation, or commercial activity is conducted therein.

Private improvements–all roads, streets, walkways, gutters, stormwater management facilities, curbs, sewers, and other facilities to be owned, maintained, or operated by a private entity as an individual, corporation, or homeowners association for which plans and specifications must comply with the provisions of this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], the Township Standard Details, and all other Township ordinances and regulations.

Professional office–same as "business or professional office."

Property line–same as "lot line."

Public hearing–a formal meeting held pursuant to public notice by the Board of Supervisors, Planning Commission or Zoning Hearing Board, intended to inform and obtain public comment, prior to taking action in accordance with the MPC and/or this Chapter.

Public improvements–all streets, walkways, gutters, stormwater management facilities, curbs, sewers, and other facilities to be dedicated to and accepted by or maintained by the Township or other public entity for which plans and specifications must comply with the provisions of this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], the Township Standard Details, and all other Township ordinances and regulations.

Public meeting–a forum held pursuant to notice under the Pennsylvania Sunshine Act, 65 Pa.C.S.A. §701 *et seq*., as amended.

Public notice–notice published once each week for 2 successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the public hearing and the particular nature of the matter to be considered at the public hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the public hearing.

Public sewer system–a municipal sanitary sewer system approved and permitted by DEP and owned and operated by a municipality or a municipal authority.

Public utility–a system providing distribution of water, gas, electric, or telephone services, or the collection and disposal of waste water, such system operating as a municipal authority or under the rules and regulations of the Public Utility Commission (PUC). This definition does not include any system or device used for the transmission or reception of radio, television, wireless telephone,

pager, commercial mobile radio service or any other wireless communications signals.

Public Utility Commission (PUC)–the Pennsylvania Public Utility Commission or any agency successor thereto.

Public utility transmission tower–a structure, owned or operated by a public utility regulated by the Public Utility Commission (PUC), designed and used to support overhead electricity, telephone, or other transmission lines.

Public water system–a municipal water supply facility approved and permitted by DEP and owned and operated by a municipality or a municipal authority, or a water supply facility owned by a public utility and operated in accordance with a certificate of public convenience granted by the Public Utility Commission (PUC).

Public right-of-way–land reserved by way of public ownership or dedication for use as a road, street, alley, crosswalk, pedestrian way, sidewalk, trail, or other public purpose.

Public works–facilities and structures owned by a governmental entity and used for the storage, treatment, and distribution of potable water, the collection of sewage and/or the maintenance of municipal streets, structures, and other municipal utilities.

Quadplex–see definition under "dwelling."

Racetrack–a course or facility where motor vehicles including, but not limited to, automobiles, trucks, go-carts, motorcycles, model airplanes and similar vehicles, are driven and/or operated for recreation, testing and/or competition; or any course or facility where animals are raced for competition. For purposes of this Chapter, a racetrack shall be considered a use not expressly listed as a permitted use, a conditional use, or a special exception in any zoning district and, therefore, subject to the requirements of §27-206 of this Chapter.

Rear building setback line–see "building setback line, rear."

Rear yard–see definition under "yard."

Recreation facility–an establishment offering recreation, sports or leisure time activities, and for purposes of this Chapter "recreation facility" is specifically defined and delineated as nonresidential recreation facility and residential recreation facility defined below; provided, however, a gaming enterprise, indoor entertainment center, nightclub, racetrack, shooting range and/or stadium shall not be considered a recreation facility.

(1) *Nonresidential recreation facility*–a recreation facility that is conducive to a nonresidential zoning district and that satisfies the standards, criteria and requirements of this Chapter, including but not limited to those contained in §27-848 of this Chapter.

(2) *Residential recreation facility*–a recreation facility that is conducive to a residential zoning district and that satisfies the standards, criteria and requirements of this Chapter, including, but not limited to, those contained in §27-518 of this Chapter.

Red beds–landslide-prone soils including the following soil types as defined by the Allegheny County Conservation District:

(1) Ev–Ernest-Vandergrift silt loam.

(2) Gp or GQ–Gilpin-Upshur complex.

(3) Gr–Gilpin-Vandergrift silt loam.

Research and development–any establishment, including laboratories, which carries on investigation in the natural, physical, or social sciences and engineering and development as an extension of such investigation with the objective of creating end products and which may include supporting storage and transportation facilities and pilot manufacturing, as defined by this Chapter, as an accessory use.

Residential–any single-family dwelling, two-family dwelling, multi-family dwelling, or quadplex use.

Residential recreation facility–see definition under "recreation facility."

Residential use–any use that is residential.

Restaurant–an establishment where the principal business is the sale of food and beverages to the public in a ready-to-consume state, where the food preparation is completed in the on-site kitchen, and where the design or principal method of operation consists of one or more of the following:

(1) *High turnover restaurant*–a restaurant where food is inexpensive or moderately priced and the customer turnover time is generally less than 1 hour, including drive-through restaurants and take-out establishments.

(2) *Low turnover restaurant*–a restaurant where food is more expensively priced than in a high turnover restaurant and where the customer turnover time is generally 1 hour or longer.

(3) *Drive-through restaurant*–a restaurant which includes a principal building and adjoining parking area used for the purpose of furnishing food and beverages to the public normally for consumption outside the confines of the principal building, or in vehicles parked upon the premises, regardless of whether or not seats are provided inside for patrons.

A restaurant does not include establishments where food service is subordinate or incidental to the consumption of alcoholic beverages, to entertainment, to the sale of merchandise or nonfood related services.

Retail store–a business establishment located entirely within an enclosed building which sells goods, services or merchandise to the general public for personal, household or office consumption and which shall not include wholesaling, manufacturing or processing of the goods offered for sale. An adult oriented business shall not be considered a retail store.

Right-of-way–a land set aside for use as a street, alley or other means of travel.

Right-of-way line–see "street right-of-way line."

Satellite dish antenna–a device incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow disk cone, horn, or cornucopia. Such a device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include, but not be limited to, what are commonly referred to as satellite earth stations, TVROs (television reception only satellite dish

antennas), and satellite microwave antennas.

School–a public or private establishment approved by the Commonwealth of Pennsylvania to provide formal academic and/or vocational education at the elementary and secondary levels.

School maintenance facility–facilities, structures or property owned by a school used exclusively for the storage of equipment, vehicles or materials to maintain school buildings and property.

Screen–a masonry wall, solid board fence with finished side toward an adjacent use or a screen planting used to conceal from the view of the occupants of an adjoining use, the structures and uses on the premises on which the visual screen is located.

Selection cutting–see definition under "forestry."

Self-storage facility–a building or group of buildings in a controlled access and fenced compound that contains various sizes of individual compartmentalized and controlled-access rooms, stalls and/or lockers for the storage of the customer's goods and belongings.

Senior center–a building without overnight sleeping facilities or accommodations that is used to provide daytime care, education, entertainment and dining services to elderly persons.

Sensitive natural resources–unique and environmentally fragile lands that are susceptible to negative ecological impacts created by land development and as further identified in Part 4B of this Chapter.

Sensitive resource area–any land that contains sensitive natural resources.

Service structure–an accessory structure in the form of a propane tank, dumpster, air conditioning unit and condenser, electrical transformer, and other similar equipment or element providing service to a building or lot.

Sexually-oriented business–same as "adult oriented business."

Shed–an accessory building used for the storage of equipment or personal property of the occupants of a residential principal building on the subject property, provided that no business, occupation, or commercial activity is conducted therein.

Shopping center–a group of commercial businesses developed, owned and maintained as a single entity and sharing a common parking lot.

Side building setback line–see "building setback line, side."

Side yard–see definition under "yard."

Sight distance–the maximum extent of unobstructed vision (in a horizontal or vertical plane) along a street from a vehicle located at any given point on the street. The safe stopping sight distance for the vertical curves on roadway pavement shall be calculated with an eye level of 3.75 feet above the pavement. (See "clear sight triangle").

Sign–any surface fabric, device or structure bearing lettered, pictorial or sculptured matter intended, designed, or used to convey information visually and exposed to public view, which directs attention to an object, product, place, activity, person, institution, organization, or business. The term "sign" does not apply to a flag, emblem or insignia of a nation, political unit, school, or religious group.

(1) *Animated sign*–a changeable sign which employs actual motion or the illusion of motion.

(2) *Arcade sign*–a sign suspended beneath a ceiling of an arcade, a roof or marquee containing only the name of a business for the purpose of assisting pedestrian traffic traveling under the arcade, roof or marquee to identify the location of establishments within a shopping center or similar building.

(3) *Awning sign*–a sign displayed on or attached flat against the surface or surfaces of an awning.

(4) *Billboard*–an off-premises sign which advertises a business, organization, establishment, activity, event, person, product or service not principally located or sold on the premises where the billboard is located.

(5) *Bulletin board sign*–a changeable sign, in the form of a freestanding ground sign, designed and used to announce events, such as those used by places of worship and schools.

(6) *Business identification sign*–a sign which contains the name, address and/or goods, services, facilities or events available on the premises.

(7) *Changeable sign*–a sign with the capability of content change by means of manual or remote input, including signs which are:

(a) *Electrically activated changeable sign*–a changeable sign whose message copy or content can be changed by electrical or digital means on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. Electronic message signs, animated signs and digital signs shall be considered electrically activated changeable signs.

(b) *Manually activated changeable sign*–a changeable sign whose message copy or content can be changed manually.

(8) *Construction sign*–a temporary sign announcing the name of contractors, mechanics or artisans engaged in performing work on the premises.

(9) *Development sign*–a temporary sign erected during the period of construction and/or development of a property by the contractor and developer or their agent.

(10) *Electronic message sign*–an electrically activated changeable sign whose variable message capability can be electronically programmed.

(11) *Flashing sign*–any illuminated sign or device in which the artificial light is not maintained stationary and/or constant in intensity and color at all times.

(12) *Freestanding sign*–a sign permanently affixed to the ground and not attached to any building or other structure, including:

(a) *Ground sign*–a sign that is affixed to the ground by means of a permanent foundation other than a freestanding frame, mast or pole.

(b) *Pole sign*–a sign erected and maintained on a free-standing frame, mast or pole.

(13) *Gross sign surface area*–the entire area within a single continuous perimeter enclosing the extreme limits of a sign, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding necessary supports or uprights upon which such sign is placed. For signs utilizing individual letters or figures or characters mounted directly on the wall or face of a structure, the gross sign surface area shall be the entire area within a single continuous perimeter enclosing the extreme limits of the sign. For two-sided signs, only one sign face is counted in computing the gross sign surface area of the sign.

(14) *Ground sign*–see definition of "ground sign" under "freestanding sign."

(15) *Identification sign*–a sign used to identify only the name of the individual or organization occupying the premises, the profession of the occupant, the name of the building on which the sign is displayed, and the address of the property.

(16) *Indirectly illuminated sign*–a sign which is lighted by means of lamps or lighting devices external to, and reflected on, the sign, which lighting is stationary and constant in intensity and color at all times and which is shielded so that the illumination is concentrated on the face of the sign and there is no spillover of illumination or glare beyond the face of the sign.

(17) *Internally illuminated sign*–a sign which is lighted by means of lamps or lighting devices internal to the sign, which lighting is either behind the face of the sign or is an integral part of the sign structure and the advertising effect.

(18) *Menu board*–a freestanding sign oriented to the drive-through lane for a high-turnover restaurant that advertises the menu items available from the drive-through window of such restaurant.

(19) *Moving sign*–any sign or any part thereof located on said sign which oscillates, rotates or moves.

(20) *Notification sign*–signs bearing legal and/or property notices such as "no trespassing," "private property," "no turnaround," "safety zone," "no hunting" and similar messages, and signs posted by a governmental agency for traffic control or the safety of the general public.

(21) *Off-premises directional sign*–a sign, other than a "billboard," erected by a governmental agency and which directs the public to an establishment, activity, person, product or service which is not sold, produced or available on the premises on which the sign is located.

(22) *On-premises directional sign*–a sign which directs and/or instructs vehicular or pedestrian traffic to parking areas, entrances, exits, loading areas, and similar facilities on the premises on which the sign is located, and which shall contain no advertising other than the business name or logo.

(23) *Overhanging sign*–a sign, other than a wall sign or arcade sign, affixed to a building or wall whose leading edge extends beyond such building or wall more than 12 inches including marquees or similar structures used for business identification.

(24) *Pole sign*–see definition of "pole sign" under "freestanding sign."

(25) *Political sign*–a temporary sign which indicates the name, cause or affiliation of anyone seeking public office or which refers to an issue concerning which a public election is scheduled to be held.

(26) *Portable sign*–a sign that is not attached to the ground or surface upon which it is located and which advertises the business conducted on the premises. This definition includes a wheeled sign.

(27) *Real estate sign*–a temporary sign advertising the sale or rental of a premise. The sign may also bear the words "sold," "sale pending" or "rented" across the sign face or attached.

(28) *Residential identification sign*–a sign containing only the name and address of the occupant of the premises.

(29) *Residential plan identification sign*–a permanent wall or freestanding ground sign containing only the name and address of a subdivision plan or a multi-family building or development.

(30) *Roof sign*–a sign erected and maintained upon or above the roof of any building which projects no more than 6 feet above the roof.

(31) *Sandwich board sign*–a temporary sign which is placed in front of the entrance to the premises and advertises daily specials or other current matters related to the business conducted on the premises, and which is removed at the close of each day of business.

(32) *Sign area*–see "gross sign surface area."

(33) *Sign face*–the area or display surface of a sign, including the advertising surface and any framing, trim, or molding, used for the message on a single pane.

(34) *Temporary community event sign*–a temporary sign of a decorative, festive and/or informative nature announcing activities, promotions or events having a broad community interest.

(35) *Temporary special event sign*–a temporary sign that may include a banner, flag, pennant or similar display constructed of durable material, whose sole purpose is to advertise a special event.

(36) *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.

(37) *Wall sign*–a sign attached to and erected parallel to the face of an outside wall of a building, projecting outward no more than 12 inches from the wall of the building.

(38) *Window display sign*–a sign or group of signs affixed to the inside of a display window in a commercial establishment which advertises a product or service available on the premises or which announces or promotes a special sale or event.

Sketch plan–an informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings, with the general layout of a proposal prepared in accordance with the Subdivision and Land Development

Ordinance [Chapter 22].

Social service agency–an establishment providing one or more social services for an individual or family limited to counseling, referral, temporary or disaster relief, welfare service, or similar human support services. A medical clinic shall not be considered a social service agency.

Special exception–an authorized use of a structure or land which may be granted only by the Zoning Hearing Board after public hearing and in accordance with express standards and criteria specified in this Chapter. Also referred to as a "use by special exception."

Stadium–a large, open or enclosed place used for athletic competitions and major events and partly or completely surrounded by tiers of seats for spectators.

State–same as "Commonwealth."

Steep slope–an area where the inclination (vertical distance over horizontal distance) of the land's surface is 15 percent or greater, and encompassing a vertical grade differential of 10 feet within the slope. Slope is calculated based upon contours at intervals of not more than 5 feet where the slope is greater than 10 percent and at intervals of not more than 2 feet where the slope is 10 percent or less.

Stormwater Management Ordinance–Chapter 23 of the Moon Township Code of Ordinances, Stormwater, as amended.

Story–that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the surface of any floor and the ceiling next above it. A basement shall be counted as a story when more than one-half of such basement height is above the finished grade of the lot.

Street–a strip of land, including the entire right-of-way and cartway, utilized as a means of vehicular and pedestrian travel for more than one lot or parking compound. Street includes 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; however, "street" shall not include a driveway. Streets within the Township shall be defined and classified in accordance with the definitions and classifications set forth in the Subdivision and Land Development Ordinance [Chapter 22].

Street right-of-way line–a line defining the edge of a street right-of-way and separating the street from abutting property or lots. Also known as the "street line" and/or "right-of-way line."

Street tree–a tree planted in the front yard 12 feet from the front property line and whose use is intended, in conjunction with other street trees, to create a tree-lined street.

Structural alteration–any change in the support members of a building such as bearing walls, columns, beams or girders; changes in the means of ingress and/or egress; enlargement of floor area or height of a structure; or relocation from one position to another.

Structure–any man-made object having an ascertainable stationary location on or in land or water, whether or not it is affixed to the land. The term "structure"

includes, but is not limited to, buildings, gazebos, storage sheds or containers, portable storage units, free-standing posts, communications equipment structure, communications towers, pillars, and similar objects.

Structure height–the vertical distance from the average elevation at finished grade level to the highest point of the structure.

Subdivision–the division or re-division of a lot, tract or parcel of land, by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition 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 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Subdivision and Land Development Ordinance (SALDO)–Chapter 22 of the Moon Township Code of Ordinances, Subdivision and Land Development, as amended.

Supply yard–a commercial establishment storing or offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain and similar goods. "Supply yards" do not include the wrecking, salvaging, dismantling or storage of automobiles, similar vehicles and junk. The term "supply yard" shall not be construed to include supply yards conducted as an accessory use in association with the operation of the airport, provided the requirements contained in the definition of "airport" contained in this Section are met.

Supporting retail–selected retail stores, which are compatible with and support the principal uses authorized in a business park.

Surveyor–a professional land surveyor licensed as such in the Commonwealth of Pennsylvania.

Temporary structure–a building or structure intended to be used for a period of 6 months or less, including, but not limited to, construction or land sales trailers, tents, bleachers, air-supported structures, seasonal displays, and similar structures.

Theater / auditorium–an establishment inside a completely enclosed building devoted to showing motion pictures and/or live dramatic or musical performances. An adult oriented business shall not be considered a theater/auditorium.

Townhouse–see definition under "dwelling."

Township–the Township of Moon, located in Allegheny County, Pennsylvania.

Township facilities–buildings, structures and/or land owned, occupied, controlled and/or operated by the Township or any of its agencies and used to provide services to the residents of the Township. Township facilities shall include, but not be limited to, administrative offices, public works buildings, storage yards, libraries, police department facilities, fire department facilities, recreation facilities, parks and playgrounds.

Township Engineer–a professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed by the Board of Supervisors to serve as the Engineer for the Township.

Township Forester–a professional forester duly retained and/or designated by

the Board of Supervisors, and/or the authorized designee of the Township Manager, to serve as the Forester of the Township.

Township Landscape Consultant–a professional arborist, landscape architect, or landscape consultant duly retained and/or designated by the Board of Supervisors, and/or the authorized designee of the Township Manager, to serve as the Landscape Consultant of the Township.

Township Manager–the Manager of the Township duly appointed by the Board of Supervisors, his authorized designee and/or the authorized designee of the Board of Supervisors.

Township Solicitor–the Solicitor of the Township duly appointed by the Board of Supervisors pursuant to the requirements of Article XI of the Second Class Township Code, 53 P.S. §§66101–66103, as amended, and/or his authorized designee.

Township Standard Details–the Township's accepted methods, materials, designs, details, and practices for construction, repair, and replacement of certain private improvements and public improvements prepared by the Township Engineer and approved by the Board of Supervisors by resolution, as may be amended from time to time. Copies of the current Township Standard Details are on file in the offices of the Township Manager.

Traffic network analysis–a technical report, submitted by a professional traffic engineer, which projects the trip generation of a land development and the anticipated trip impact on the Township's comprehensive transportation network.

University / college–an educational institution, other than a commercial school, authorized by the Commonwealth of Pennsylvania to award baccalaureate or higher degrees, including, principal uses for classrooms, libraries, auditoriums, gymnasiums, stadiums, administrative offices, dormitories and dining facilities, boarding houses, maintenance and operating facilities as well as ancillary uses, such as research facilities, retail services and businesses that support student, faculty and staff needs.

Use–the specific purpose for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

Use by special exception–same as "special exception."

Utility services–facilities that transmit and/or distribute to the general public electric power, cable television and telephone communications.

Variance–a grant of relief, pursuant to the provisions of this Chapter, by the Zoning Hearing Board permitting a developer or a landowner to use a property in a manner not wholly in accordance with this Chapter and the MPC, but specifying what modifications to strict conformance with this Chapter are permitted.

Veterinary services–an establishment owned and operated by a veterinarian medical doctor(s), certified in the Commonwealth of Pennsylvania, for the medical or surgical treatment of domestic, agricultural or zoological animals but excluding the boarding and grooming of animals not subject to medical or surgical treatment.

Warehouse–same as "warehousing."

Warehousing–an establishment for the storage and handling of freight or

merchandise, but not including, the maintenance or fueling of commercial vehicles. The term "warehousing" shall not be construed to include warehousing conducted as an accessory use in association with the operation of an airport or airline activities in the AP District, provided the requirements contained in the definition of "airport" contained in this Section are met.

Watercourse–a channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

Water storage / tower–any natural or man-made receptacle or facility or the collection and/or storage of water, whether permanent or temporary, used either for swimming, boating or other recreational purpose or as part of a public water supply system.

Wellhead–the component at the surface of an oil well or natural gas well that provides the structural and pressure-containing interface for the drilling and production equipment.

Wetland–an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances, does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include, but are not limited to, swamps, bogs and similar areas. Wetlands shall be identified by a person appropriately qualified and trained to delineate wetlands, using the current delineation manual and other protocols and guidance required by the DEP, the EPA, and/or the Army Corps of Engineers.

Wholesale–same as "wholesaling."

Wholesaling–an establishment engaged in selling merchandise to retailers, institutional, commercial or professional business customers or other wholesalers rather than to the general public or acting as a broker for such merchandise sales.

Woodshop / mill work–a facility used for the manufacture of furniture, cabinets, pressed pulp products or other wood products for retail sale to customers but shall not include a wood distillation plant or other similar type use.

Yard–an open space adjacent to a lot line, open and unobstructed from the ground to the sky, except as otherwise provided in this Chapter. Typical yard configurations are illustrated in Appendix 27-B.

(1) *Front yard*–a yard extending across the full width of the lot and extending back in depth the required minimum distance from the front lot line to the parallel front building setback line.

(2) *Rear yard*–a yard extending across the full width of the lot and extending forward in depth the required minimum distance from the rear lot line to the parallel rear building setback line.

(3) *Side yard*–a yard extending the required minimum distance between the side lot line and the parallel side building setback line.

Zoning and occupancy permit–a permit issued by the Zoning Officer which is required by this Chapter prior to: the commencement of a use; the construction, reconstruction, alteration, remodeling, enlargement, movement, occupancy or use of a building, structure or lot; the change in use of a building, structure or lot; any change to, or enlargement or extension of a nonconforming use; and/or the

construction, reconstruction, alteration or movement of a retaining wall.

Zoning certificate–a document issued by the Zoning Officer upon a request to certify: the correct zoning classification; the compatibility of existing land uses; the compatibility of proposed land uses; and/or the legal status of a nonconforming use, structure or lot.

Zoning district–a finite area of land, as designated by its boundaries on the Zoning Map, throughout which specific and uniform regulations govern the use of land and/or the location, size and use of buildings. The term "zoning district" shall include "overlay districts."

Zoning Hearing Board–the Zoning Hearing Board of the Township.

Zoning Map–the official Township map(s) delineating the zoning districts of the Township, together with all amendments subsequently adopted, which are incorporated in and made a part of this Chapter by reference thereto.

Zoning Officer–that individual duly appointed and/or designated by the Township Manager who shall be responsible for administering and enforcing this Chapter. The Zoning Officer shall comply with the requirements of §614 of the MPC, 53 P.S. §10614, as amended.

Zoning Ordinance–this Chapter, as amended, which is identified as Chapter 27 of the Moon Township Code of Ordinances, Zoning, as amended.

(A.O.

§27-108. Federal Fair Housing Act.

Notwithstanding any definition or any other provision of this Chapter, no definition or other provision of this Chapter shall be construed, applied or interpreted in a fashion which violates the Federal Fair Housing Act, 42 U.S.C. §3601 *et seq*., as amended, and as interpreted by any court of competent and binding jurisdiction.

(A.O.

Part 2

District Regulations

§27-201. Zoning Districts.

1. For purposes of this Chapter, the Township is divided into the following zoning districts and overlay districts, which are shown by the district boundaries on the Zoning Map:

A. *Residential Zoning Districts*. For purposes of this Chapter, the following zoning districts shall be referred to as "residential zoning districts":

(1) R-1 Semi-Rural Residential District.

(2) R-1A Low Density Residential District.

(3) R-2 Suburban Residential District.

(4) R-3 Medium Density Residential District.

(5) R-4 Urban Residential District.

(6) R-5 High Density Residential District.

B. *Nonresidential Zoning Districts*. For purposes of this Chapter, the following zoning districts shall be referred to as "nonresidential zoning districts":

(1) BP Business Park District.

(2) C-1 Neighborhood Commercial District.

(3) C-2 Highway Commercial District.

(4) M-1 Industrial District.

(5) MX Mixed-Use District.

(6) RT Research/Technology District.

(7) AP Airport District.

(8) ED Educational District.

(9) OS Open Space District.

C. *Overlay Districts*.

(1) AZO Airport Zone Overlay District.

(2) CVO Carnot Village Overlay District.

(3) MEO Mixed-Use Educational Overlay District.

(4) TGO Trails and Greenways Overlay District (Reserved).

(5) TDO Transportation District Overlay District (Reserved).

(6) UBO University Boulevard Overlay District.

2. The overlay districts shall be an addition to, and not a replacement for, the underlying zoning district designation for properties located within the overlay districts.

(A.O.

§27-202. Zoning Map.

The boundaries of the Township zoning districts hereby established are shown on the Zoning Map attached hereto and incorporated herein at Appendix 27-A. This Zoning Map and all of the notations, references and other data shown thereon are hereby incorporated by reference into this Chapter and shall be as much a part of this Chapter as if all were fully described herein.

(A.O.

§27-203. [Reserved].

(A.O.

§27-204. Interpretation of Zoning District Boundaries.

1. Where uncertainty exists as to the boundaries of any zoning district as shown on the Zoning Map, the following rules shall apply:

A. Zoning district boundary lines are intended to follow or be parallel to the centerline of streets, and streams and to lot or property lines as they exist on a recorded deed or plan of record in the Allegheny County Department of Real Estate at the time of the adoption of this Chapter, unless such zoning district boundary lines are fixed by dimensions as shown on the Zoning Map.

B. Where a zoning district boundary is not defined by paragraph .A, above, and the apparent zoning district boundary is within 10 feet of a lot line, rights-of-way centerline, street centerline, stream channel centerline, or municipal boundary, then the zoning district boundary shall be considered such nearest line or boundary, unless specifically shown otherwise.

C. Where a zoning district boundary does not follow lot lines, the location of such boundary, unless the same is indicated by dimensions, shall be determined by the use of the scale appearing on the Zoning Map.

2. When there is disagreement on the location of zoning district boundaries, a determination shall be made by the Planning Director, with appeal from the determination of the Planning Director made to the Zoning Hearing Board.

(A.O.

§27-205. Permitted Uses, Conditional Uses, and Special Exceptions by Zoning District.

1. The permitted uses, conditional uses and special exceptions for each zoning district are set forth in Table 27-1 "Use Table: Permitted Uses, Conditional Uses, and Special Exceptions" of this Chapter, which may be referred to herein as the "Use Table."

2. As used in Table 27-1 (Use Table) of this Chapter:

A. The letter "P" denotes a permitted use by right, subject to the requirements specified by this Chapter and after a zoning and occupancy permit has been issued in accordance with Part 14 of this Chapter.

B. The letter "C" denotes a use that is permitted by conditional use, subject to the requirements specified by this Chapter and provided that the Board of Supervisors grants the conditional use approval pursuant to Part 8 of this Chapter.

C. The letter "S" denotes a use that is permitted by special exception, subject to the requirements specified by this Chapter and provided that the Zoning Hearing Board grants the special exception approval pursuant to Part 9 of this Chapter.

(A.O.

§27-206. Uses Not Listed as a Permitted Use, Conditional Use, or Special Exception in Any Zoning District.

Uses which are not specifically listed as a permitted use, conditional use, or special exception in any zoning district shall be permitted as a conditional use in the M-1 Industrial District and RT Research and Technology District pursuant to the procedures and requirements of Part 8 hereof provided that the applicant demonstrates that the proposed use complies with the general standards and criteria of §27-803.1 and the express standards and criteria of §27-868.

(A.O.

Table 27-1
Use Table: Permitted Uses, Conditional Uses, and Special Exceptions

	Residential						Nonresidential									
P Permitted Use **C Conditional Use** **S Special Exception** **Authorized Uses**	R-1	R-1A	R-2	R-3	R-4	R-5	ED	OS	M-1	BP	MX	RT	C-1	C-2	AP	MEO
Accessory Use (subject to the requirements of §27-501)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Adult Oriented Business									C							
Agricultural Operations	C															
Airport Administrative Office															P	
Airport Assembly and Rehabilitation															P	
Airport Cargo Facility															P	
Airport Maintenance, Repair, and Storage Hanger															P	
Airport Parking															P	
Airport Runway															P	
Airport Service Facilities															P	
Airport Taxiway															P	
Airport Terminal															P	
Airport Traffic Control Facilities and Communication Facilities															P	
Amphitheater							C	C								
Animal Grooming Facility	P	P	P						P		P	P	P	P		P
Apartment, Garden						P							C	C		C

	Residential						Nonresidential									
P Permitted Use **C Conditional Use** **S Special Exception** **Authorized Uses**	R-1	R-1A	R-2	R-3	R-4	R-5	ED	OS	M-1	BP	MX	RT	C-1	C-2	AP	MEO
Apartment, High Rise						P								C		C
Assembly or Fabrication Facility									P			P			C	
Automobile Rental											P			P	P	P
Automobile Repair and Service									P		P		P	P		P
Automobile Sales											P			P		P
Bed and Breakfast	C	C	C	C	C	C							P			
Billboard									C		C	C				
Boarding House							C									
Business or Professional Office									P	P	P	P	P	P	P	P
Business Services									P	P	P	P	P	P	P	P
Car Wash													P	P		P
Cargo Facility									P			C			C	
Cemetery	C	C						C							C	
Child Day Care Home							P			P	P	P	P	P	P	P
Cluster Lot Development	P	P	P	P				P								
Commercial School									P		P	P		P	P	P
Communications Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Communications Tower									C			C			C	
Conference and Training Center									P	P	P	P		P	C	P
Correctional facility									C							

	Residential						Nonresidential									
P Permitted Use **C Conditional Use** **S Special Exception** **Authorized Uses**	R-1	R-1A	R-2	R-3	R-4	R-5	ED	OS	M-1	BP	MX	RT	C-1	C-2	AP	MEO
Cottage Home Development	P	P	P	P												
Country Club/Golf Course	C	C	C	C	C	C		P		C	C	P		C		
Cultural Center							C	C								C
Day-Care Center							P			P	P	P	P	P	P	P
Distribution Center									P			C			C	
Dormitory							C									C
Drive-in Theater											P					
Drive-through Facility											P	P		P		P
Driving Range								P		P	C	P		C		
Dwelling, Quadplex					P	P							P			
Dwelling, Single-Family	P	P	P	P	P	P		P								
Dwelling, Two-Family					P	P										
Emergency Services Facility									P		P	P	P	P	P	P
Employee Cafeteria or Dining Room							P		P	P		P			P	
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Exposition Hall															C	
Farmers Market	C							P			P		P	P		P
Financial Institution										P	P	P	P	P	P	P
Fitness Center							P			P	P	P	P	P		P
Flex Space									P	C		P			C	

	Residential						Nonresidential									
P Permitted Use **C Conditional Use** **S Special Exception** **Authorized Uses**	R-1	R-1A	R-2	R-3	R-4	R-5	ED	OS	M-1	BP	MX	RT	C-1	C-2	AP	MEO
Forestry	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Freight Terminal									P						C	
Fuel Sales									P		P	P	C	P		P
Funeral Home											P		P	P		P
Group Care Facility					C	C							C	C		C
Group Residence	P	P	P	P	P	P										
Heavy Manufacturing									C							
Home Occupation	C	C	C	C	C	C										
Hospital											P			P	C	P
Hotel/Motel										P	P	P		P	P	P
Indoor Entertainment Center											P		P	P		P
International Trade Center												C			C	
Junkyard									C							
Keeping of horses	S	S	S					S								
Kennel									C					C		
Laboratory									P	C		P			C	
Landscaping Center (Retail)	C								P		P		P	P		P
Landscaping Center (Wholesale)	P								P		P			P		
Library							P			P	P	P	P	P		P
Life Care Facility											P			P		P

	Residential						Nonresidential									
P Permitted Use **C Conditional Use** **S Special Exception** **Authorized Uses**	R-1	R-1A	R-2	R-3	R-4	R-5	ED	OS	M-1	BP	MX	RT	C-1	C-2	AP	MEO
Light Manufacturing									P			P			C	
Massage Therapy Establishment													C	C		C
Medical Clinic									C	C	C			C	C	C
Medical Office										P	P		P	P	C	P
Military Facilities									P			P			P	
Mineral Extraction									P			P				
Mixed-Use Development									C		C					
Mixed-Use Educational Development																C
Mobile Home Park					P	P										
Neighborhood Convenience Store													P	P		P
Nightclub									C							
No-Impact Home-Based Business	P	P	P	P	P	P										
Nursing Home											P		P	P		P
Oil and Gas Operations								C			C	C			C	
Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Outdoor Storage									C					C	C	
Park and Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Parking Structure/Garage						C	C		C	C	C	C	C	C	P	C
Personal Services											P		P	P		P
Pharmacy											P		P	P		P

	Residential						Nonresidential									
P Permitted Use **C Conditional Use** **S Special Exception** **Authorized Uses**	R-1	R-1A	R-2	R-3	R-4	R-5	ED	OS	M-1	BP	MX	RT	C-1	C-2	AP	MEO
Pilot Manufacturing									P	C		P			P	
Place of Worship	C	C	C	C	C	C	P		P	P	P	P	P	P	P	P
Planned Nonresidential Development (PNRD)									C	C	C	C	C		C	
Planned Residential Development (PRD)	P	P	P	P	P	P										
Post Office										P			P	P	P	P
Private Club											P		P	P		P
Public Works									P			P			P	
Recreation Facility, Nonresidential									C	C	C	C	C	C	C	C
Recreation Facility, Residential	P	P	P	P	P	P	P	P								
Research and Development									P			P			C	
Restaurant, High Turnover with Drive-through											P			P		P
Restaurant, High Turnover without Drive-through											P		P	P		P
Restaurant, Low Turnover										C	P	P	P	P	C	P
Retail Store											P		P	P		P
School	C	C	C	C	C	C	P									
School Maintenance Facility							P		P		C		C	C	C	
Self-Storage Facility									C							
Senior Center								C			P		P	P		P
Shopping Center											P		C	P		P

	Residential						Nonresidential									
P Permitted Use **C Conditional Use** **S Special Exception** **Authorized Uses**	R-1	R-1A	R-2	R-3	R-4	R-5	ED	OS	M-1	BP	MX	RT	C-1	C-2	AP	MEO
Social Service Agency											P		P	P		P
Stadium							C									
Supply Yard									P							
Supporting Retail							C			C		C			C	
Theater/Auditorium (Theater)							P				C		C	C	C	C
Townhouse					P	P							P			
Township Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
University/College							P					C			C	
Utility Services									P			P				
Veterinary Services									P		P		P	P		P
Warehousing									P			C			C	
Water Storage/Tower	C								P					C		
Wholesaling									P			C			C	
Woodshop/Millwork									P							
All Other Uses Not Specifically Listed in Any Zoning District									C			C				

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§27-207. Development Intensity Overview.

1. *General*. Any permitted structure or use which is erected, added to, structurally altered, or initiated shall be located on a lot having not less than the minimum requirements set forth by this Chapter, except as provided for in §27-213.6.

2. *Residential Development Alternatives*. In order to provide housing diversity, maintain development flexibility, encourage efficient land development, promote environmental sensitivity, and enhance open space conservation, the following three residential development alternatives are available to a developer and/or landowner:

A. Conventional lot development.

B. Cluster lot development.

C. Cottage home development.

General illustrations of the development alternatives are provided in Appendix 27-C of this Chapter. The intensity of residential developments shall comply with one of the above-referenced residential development alternatives.

3. *PRD and PNRD*. The intensity of any planned residential development (PRD) and planned nonresidential development (PNRD) shall comply with the requirements of Parts 10 and 11 of this Chapter, respectively.

4. *Nonresidential Development*. The intensity of all nonresidential developments shall comply with the density, yard, setback, height, and lot coverage requirements defined by Table 27-2, "Nonresidential Development Intensity Requirements," and Table 27-5, "Dimensional Requirements," of this Chapter.

Table 27-2
Nonresidential Development Intensity Requirements

Zoning District	Minimum Site Size (Acres)	Minimum Lot Area
C-1		10,000 SF
C-2		20,000 SF
M-1		1 Acre
BP	10	1 Acre
MX	10	1 Acre
RT	10	1 Acre
AP	100	10 Acres
ED	10	1 Acre
OS		

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§27-208. Conventional Lot Development.

1. Conventional lot development shall be permitted in all residential zoning

districts. No lot located within a conventional lot development shall be less than the minimum lot area per dwelling unit as defined by Table 27-3, "Conventional Lot Development Density Requirements," of this Chapter.

2. All conventional lot developments shall comply with the minimum yard, setback and lot coverage requirements defined in Table 27-5, "Dimensional Requirements," of this Chapter.

3. The maximum number of dwelling units permitted on a conventional lot development site is determined by the following formula:

Maximum Dwelling Units = DU/Acre x (A + 0.54 x B)

Where:

(1) "DU/Acre" is the maximum conventional lot density found in Table 27-3, (Conventional Lot Development Density Requirements).

(2) "A" is the area of the site (in acres) containing less than 15 percent slope.

(3) "B" is the area of the site (in acres) containing 15 percent or greater slope.

Table 27-3
Conventional Lot Development Density Requirements

Zoning District	Minimum Lot Area Per Dwelling Unit (square feet)	Maximum Conventional Lot Density (Dwelling Units Per Acre)
OS	435,600 SF	0.10
R-1	40,000 SF	1.08
R-1A	40,000 SF	1.08
R-2	20,000 SF	2.2
R-3	12,000 SF	3.63
R-4, C-1	5,445 SF	8.00
R-5, C-2, ED	3,630 SF	12.00

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§27-209. Cluster Lot Development.

1. Cluster lot development allows the redistribution of density from sensitive resource areas to nonsensitive resource areas in order to encourage preservation of sensitive resource areas.

2. Cluster lot development is voluntary and not required.

3. The lot area and dimensional requirements proposed for any cluster lot development shall not be less than those set forth in Table 27-4, "Cluster Lot Development Density and Dimensional Requirements," of this Chapter.

4. Cluster lot development is a permitted use in the following residential zoning

districts: R-1 District, R-1A District, R-2 District, R-3 District, and OS District. Except as provided in this Section, the cluster lot development shall comply with the requirements of the underlying zoning district in which the development is located.

5. The balance of the land not utilized for residential lots shall be reserved as common open space. Ownership and maintenance of the common open space shall be determined prior to final plan application approval via the alternatives outlined in §27-1010.2.L of this Chapter.

6. Where practical, common open spaces shall be contiguous and easily accessible. The common open space shall, to the greatest extent practical, include the undisturbed sensitive natural resource areas defined by the requirements of Part 4B of this Chapter.

7. The maximum permitted density for a cluster lot development shall be the same as what could be proposed under a conventional lot development on the site. See §27-208.3 for the formula for calculating such density.

Table 27-4
Cluster Lot Development Density and Dimensional Requirements

Zoning District	Minimum Lot Area Per Dwelling Unit (square feet)	Minimum Lot Frontage (feet)	Minimum Building Setbacks (feet)			
			Front Yard at Local Street	Front Yard at Arterial/Collector Street	Side Yard	Rear Yard
OS	40,000	100	40	50	12	25
R-1	20,000	70	30	40	12	25
R-1A	20,000	70	30	40	12	25
R-2	12,000	65	25	35	8	25
R-3	9,000	65	25	35	8	25

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§27-210. Cottage Home Development.

1. *General*.

A. Cottage home development allows the redistribution of density from sensitive resource areas to nonsensitive resource areas in order to encourage preservation of sensitive resource areas.

B. Cottage home development is voluntary and not required.

C. Cottage home development is a permitted use in the following residential districts: R-1 District, R-1A District, R-2 District, R-3 District, and OS District. Except as provided in this Section, the cottage home development shall comply with the requirements of the underlying zoning district in which the development is located.

D. The development shall be done as a condominium or other similar property ownership structure with common ownership of the land within the development site.

E. Cottage home land development plans shall be designed by a registered landscape architect or engineer based on a current topographical survey prepared by a registered surveyor.

2. *Gross Site Requirements*.

A. *Gross Site Frontage*. The site of the proposed development shall have a minimum frontage of 150 feet. Any vehicular access point to an existing public street shall comply with this minimum frontage requirement.

B. *Access*. Less than 20 units may connect to a local street, 20 units or more must connect to an arterial street or collector street.

3. *Density*. The maximum permitted density for a cottage home development shall be the same as what could be proposed under a conventional lot development on the site. See §27-208.3 for the formula for calculating such density.

4. *Setback and Buffer Requirements*.

A. Yard setbacks for dwelling units shall be a minimum of 50 feet from all perimeter property lines and a minimum of 15 feet from the edge of paving on all internal private driveways within the development.

B. In the case where the garage door faces the internal private driveway, the face of the garage shall maintain a minimum 20-foot distance from the edge of the driveway.

C. Adjacent dwelling units shall be separated by at least 16 feet or greater separation distance required by the Construction Code [Chapter 5, Part 1].

D. A minimum 30-foot setback shall be maintained from all internal streets within the plan.

E. Bufferyards and landscaping shall be maintained in accordance with §§27-214 and 27-215 of this Chapter.

5. *Building Requirements*.

A. *Garage Door Orientation*. To the maximum extent practical, garage doors of dwelling units shall not face the internal private driveway.

6. *Parking, Driveway, Internal Streets*.

A. Each dwelling unit shall provide at least two parking spaces per unit.

B. Visitor parking spaces shall be provided at the rate of at least one-half parking space per dwelling unit.

C. If internal streets are utilized to develop a cottage home development, the internal streets shall be designed as a private street to be maintained by a homeowners association or condominium association. For purposes of this Section, the term "internal street" shall mean a privately maintained street that serves the internal street network within a cottage home development being a minimum of 20 feet in width, excluding curbs.

7. *Common Open Space*. A minimum of 40 percent of the gross site area shall be set aside as common open space area within the development. Where practical, common open spaces shall be contiguous and easily accessible. The common open space shall, at a minimum, include the undisturbed sensitive resource areas defined by the requirements of Part 4B of this Chapter. The common open space shall include, but not be limited to, landscaped plazas, grass areas, fountains, sitting areas, and similar areas

designed by a landscape architect. The common open space shall not include areas used as buildings, driveways, internal streets or any other space that does not contribute to the quality of the environment. The common open space shall be located in such a manner to provide the maximum number of dwelling units easy access to the common open space areas. In addition, a minimum of 5 percent of the common open space areas shall be dedicated to passive recreation areas as agreed upon by the Township and developer during the approval process.

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§27-211. Dimensional Requirements.

1. The minimum dimensional requirements for lots, buildings, and structures in each zoning district shall be provided as shown in Table 27-5 (Dimensional Requirements) of this Chapter, unless otherwise provided in this Chapter.

2. Any development of a lot shall conform to the dimensional requirements of the zoning district in which it is located, as well as, if applicable to the lot, any additional overlay district provisions as identified in Part 3 of this Chapter.

3. Lot frontage shall be measured at the street right-of-way line.

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Table 27-5
Dimensional Requirements

Zoning District	Minimum Lot Frontage (Feet)	Minimum Building Setbacks (Feet)			Maximum Building and Structure Height (Feet)	Maximum Lot Coverage
		Front Yard	Side Yard	Rear Yard		
R-1	100	50	15	30	40	20%
R-1A	100	50	15	30	40	20%
R-2	70	35	10	30	40	30%
R-3	70	35	10	30	40	35%
R-4	65	35	10	30	40	40%
R-5	65	35	10	30	40	40%
C-1	65	35	10	30	40	50%
C-2	100	50	10	20	40	75%
M-1	100	50	20	50	40	50%
BP	150	50	50	50	40	40%
MX	150	50	50	50	40	75%
RT	150	50	20	50	40	75%
AP	300	150	100	100	40	50%
ED		35	20	30	40	40%
OS	120	50	15	30	40	10%

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§27-212. Height Requirements.

1. In the R-1 District, R-2 District, R-3 District and OS District, no structure shall exceed 40 feet in height above the average ground level immediately adjacent to the structure. In any other district, no structure shall exceed 40 feet in height above the average ground level immediately adjacent to the structure, except that the maximum height may be increased, provided that all front, side and rear yard depths are increased by 1 foot for each additional foot of height over 40 feet. No structure shall exceed a height of 100 feet unless otherwise provided by this Chapter.

2. No parking garage/structure shall exceed 40 feet in height above the average ground level immediately adjacent to the parking garage/structure. No height increases to parking garages/structures shall be permitted based upon increased yard depths as defined in subsection .1.

3. *Exceptions*. The maximum building and structure height limitations of this Chapter shall not apply to the following, provided that they do not constitute a hazard to the airport and that they comply with the AZO Airport Zone Overlay District requirements of Part 3 of this Chapter: church spires, belfries, monuments, tanks, water and fire towers, stage towers and scenery lofts, cooling towers, ornamental towers, spires, chimneys, elevator bulkheads, smokestacks, conveyors, flagpoles, rooftop equipment, screening of rooftop equipment, and mechanical penthouses for rooftop equipment, whether or not fully enclosed.

4. *Accessory Structures*. See §27-501.3 of this Chapter.

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§27-213. Lot, Yard, and Floor Area Requirements.

1. In all residential districts the requirements listed in Table 27-3 (Conventional Lot Development Density Requirements) and Table 27-5 (Dimensional Requirements) are applicable, except that cluster lot developments shall be permitted to use the minimum requirements in Table 27-4 (Cluster Lot Development Density and Dimensional Requirements) where the requirements in Table 27-5 (Dimensional Requirements) are greater and cottage home developments shall use the setbacks and frontage requirements in §27-210 of this Chapter.

2. In all nonresidential districts the requirements in Table 27-2, "Nonresidential Development Intensity Requirements," and Table 27-5, "Dimensional Requirements," are applicable.

3. Any lot of record in the BP Business Park District, RT Research/Technology District, or MX Mixed-Use District legally existing and held in separate ownership from adjacent lots or parcels on the effective date of this Chapter may be used for any permitted use by right or any conditional use or use by special exception authorized in the district in which it is located even though the lot does not meet the minimum site area required for a business park or mixed-use district development, provided that all other requirements of the zoning district for the proposed use shall be met.

4. Lots, which abut more than one street, shall provide the required front yards along every street. The side yard shall be opposite the front yard. The configurations of the Township's lots are illustrated in Appendix 27-B of this Chapter.

5. All structures, whether attached to the principal building or structure or not

and whether open or enclosed, including porches, carports, balconies, decks or any platforms in excess of 12 inches above the nearest ground which has not been mounded against or in conjunction with the development of the platform (i.e., that ground which has come to be, prior to the development of the platform, the normal grade level), shall not project into any minimum required front yard, side yard, or rear yard, except as provided for in Part 5 of this Chapter.

6. Any lot of record existing at the effective date of this Chapter may be used for the erection of a building or structure conforming to the use regulations of the zoning district in which it is located, even though its area and width are less than the minimum requirements of this Chapter, provided that all other requirements of the district can be met.

7. All sanitary sewage facilities, including, but not limited to, on-lot septic tanks, shall be constructed and installed in accordance with the applicable requirements of the Department of Environmental Protection (DEP), the Allegheny County Health Department (ACHD), and the MTMA.

8. Any portion of a lot once used as a yard or as lot area per dwelling unit in compliance with the lot area requirements of the district regulations of this Chapter shall not be counted again as required yard or lot area per dwelling unit for another building.

9. No structure or use of land which has nonconforming yards may be enlarged or expanded in any manner which will further reduce the minimum dimension of such nonconforming yards as outlined in Part 12 of this Chapter.

10. *Uses, Structures or Buildings per Lot*.

A. Only one single-family detached dwelling unit, one mobile home or one two-family detached dwelling, together with its permitted accessory structures, shall be located on any single lot. A development proposing two or more single-family detached dwellings, mobile homes or two-family detached dwellings on one lot shall not be permitted, except in accordance with Part 10 of this Chapter, or §27-210 (Cottage Home Developments) of this Chapter.

B. Two or more multi-family dwelling structures are permitted on one lot, provided that the following requirements are satisfied:

(1) The minimum lot area per dwelling unit, as provided for in Table 27-3 (Conventional Lot Development Density Requirements) and Table 27-4 (Cluster Lot Development Density and Dimensional Requirements) of this Chapter, is required.

(2) Any portion of a lot once used as lot area per dwelling unit shall not be utilized again for another required lot area per dwelling unit.

(3) The development shall conform to the minimum lot width requirement of the zoning district in which it is located.

(4) The development shall conform to all yard requirements around the perimeter of the lot for the zoning district in which it is located.

(5) An adequate, Township-approved access shall be provided to a street for municipal services such as fire, police, emergency vehicles, and other service vehicles.

(6) Every principal building or structure shall be separated from any

other principal building or structure by at least 30 feet or greater separation distance required by the Construction Code [Chapter 5, Part 1].

C. A nonresidential development in which two or more principal buildings or structures are proposed on one lot shall be permitted, provided that the following requirements are satisfied:

(1) The development does not exceed the maximum lot coverage as required by this Chapter.

(2) The development shall conform to the minimum lot area and minimum lot width requirements of the zoning district in which it is located.

(3) The development shall conform to all the yard, bufferyard and landscape requirements around the perimeter of the lot for the zoning district in which it is located.

(4) An adequate, Township-approved access shall be provided to a street for municipal services such as fire, police, emergency vehicles, and other service vehicles.

11. *Allowable Yard Projections*.

A. *General*. Eaves, cornices, or other similar architectural features shall be permitted to project into a required yard no more than 12 inches. Chimneys shall be permitted to project no more than 2 feet, provided the width of any side yard is not reduced to less than 10 feet.

B. *Front Yards*. Open, unenclosed ramps, porches, platforms, or landings, not covered by a roof, shall be permitted to extend no more than 6 feet into the required front yard, provided such porch does not extend above the first floor and is no more than 6 feet above grade at any point.

C. *Rear Yards*. Windows shall be permitted to project into a required rear yard no more than 2 feet.

12. *Yard and Bulk Requirements for Two-Family, Quadplex and Multi-family Dwellings*. Notwithstanding the requirements of §27-211 (Dimensional Requirements), two-family, quadplex and multi-family dwellings permitted in the R-4 District, R-5 District, and C-1 District shall be subject to the yard and bulk requirements of this subsection, as long as the uses are connected to a public sewer system and a public water system. Where no requirement is listed in this subsection, the requirement of the underlying zoning district shall govern:

A. Minimum lot area (dwelling attached by at least two sides)–2,000 square feet.

B. Minimum lot area (dwellings attached by one side only)–3,000 square feet.

C. Minimum lot frontage at the street right-of-way line–22 feet.

D. Minimum lot frontage at the front building setback line–22 feet.

E. Minimum side yard (at attached dwelling party wall)–none; accessory structure–5 feet.

F. Minimum side yard (end dwelling units)–10 feet; accessory structure–5 feet.

G. Minimum distance between principal buildings–30 feet.

13. *Lease Lots*. A lease lot related to a an unmanned communications tower or unmanned essential services shall not be required to comply with the minimum lot size, minimum lot width and maximum lot coverage requirements of the zoning district in which the lease lot is located provided that the fee simple lot on which the proposed unmanned communications tower or unmanned essential services is located complies with these requirements.

14. *Floor Area*. No residential dwelling unit shall have a gross floor area of less than 720 square feet.

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§27-214. Vegetation Preservation and Bufferyards.

Vegetation preservation and bufferyards are governed by the specifications in this Section and the provisions of the MPC.

A. *Vegetation Preservation*. The removal of trees, shrubbery, foliage, grass or other natural growth shall be permitted only when in conformance with the provisions of this Chapter, the Moon Township Code of Ordinances, as amended, and any other Township ordinance regulating subdivision, land development, logging and forestry activities. Grubbing activity shall be permitted with the expressed approval of the Zoning Officer. A landscape plan complying with the provisions of this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], and any other applicable Township ordinance, shall be prepared and submitted at the time of submission of an application for final subdivision, land development, and/or PRD approval, or at the time of submission of a zoning and occupancy permit application if the project does not constitute a subdivision or land development; provided, however, this landscape plan requirement shall not apply to the construction of a single-family detached dwelling that does not constitute a land development, as defined in this Chapter. This landscape plan shall be prepared and sealed by a landscape architect.

B. *Restrictions on Cutting and Clearing Vegetation*.

(1) Forestry activities of timber harvesting, and/or logging, whether by clear-cutting, selection cutting or other common practice, shall be permitted in any zoning district. All forestry activities shall comply with the Logging Ordinance [Chapter 13, Part 6].

(2) The cutting of trees and/or clearing of vegetation is prohibited (a) within 40 feet of a property line, or (b) within the maximum bufferyard which could be applicable to the subject property as required by §27-214 of this Chapter, or (c) within the minimum yard areas required by this Chapter, whichever is greater. Grubbing activity is permitted where the purpose is to improve the appearance of the property.

(3) In addition to any other remedy available to the Township and in the event that the construction of structures and/or infrastructure on the lot does not commence despite an approved development plan within 6 months of the completion of the clearing operations as determined by the Township, a landowner and/or developer shall reforest the disturbed site in accordance with requirements of Bufferyard 1 or, where applicable the special bufferyard as set forth in §27-214.F of this Chapter, utilizing the Forest Style Plantings as

illustrated in Appendix 27-D of this Chapter. Should this 6-month period fall during a season not conducive to planting, the Township may permit the developer and/or landowner to delay this reforestation until a time more conducive to growth, but shall commence no later than April 1. Furthermore, at the time of the development plan approval, the Township shall require that performance security in an amount recommended by the Township Engineer and otherwise in compliance with the Financial Security Ordinance [Chapter 1, Part 7] be provided, in the favor of the Township, to guarantee this reforestation. The lot must be reforested with a species comparable to the predominant species on the lot prior to the commencement of the clearing operations.

(4) The landscape plan required by §27-214.A shall show the location and species of all existing trees 12 inches or greater in diameter at breast height ("dbh"). In cases where the wooded area on the property is greater than 1 acre, the applicant may locate trees 12 inches or greater dbh from a representative wooded area on the subject property that is 100 feet by 100 feet in area and utilize that representative sample to determine the number of trees 12 inches or greater dbh on the remaining wooded portion of the property. Applicants are encouraged to maximize the retention of all healthy existing trees 6 inches or more dbh. All trees, including those not listed in Appendix 27-D, are subject to approval by the Township Landscape Consultant with respect to health, location and species type. Trees to be preserved should not be disturbed within the dripline. Any change to the existing grade within the dripline shall disqualify the opportunity for credits. A developer preserving existing approved trees shall be entitled to the following credits from the bufferyard requirements of §27-214 of this Chapter:

(a) Eighteen-inch dbh or greater tree located in required bufferyards–6 trees.

(b) Eighteen-inch dbh or greater tree located outside required bufferyards–7 trees.

(c) Twelve-inch to 18-inch dbh tree located in required bufferyards–four trees.

(d) Twelve-inch to 18-inch dbh tree located outside required bufferyards–five trees.

(e) Six-inch to 12-inch dbh tree located in required bufferyards–two trees.

(f) Six-inch to 12-inch dbh tree located outside required bufferyards–three trees.

C. *Bufferyards*. Bufferyards shall be required in conjunction with the development of any lot as defined by Table 27-6, "Bufferyards" and as further illustrated and defined in Appendix 27-D of this Chapter.

Table 27-6
Bufferyards

Development Proposed	Required Bufferyards		
	1	2	3
Any Use in Any Residential District Other than a Single-Family Detached Dwelling, Two-Family Dwelling, or Open Space			
Adjoining property in any residential district	X		
Adjoining property in any other district		X	
Any Use in C-1, C-2 or MX District			
Adjoining property in any residential district	X		
Adjoining any multi-family use, or property in any ED, OS, M-1, BP or AP District		X	
Adjoining any property in any C-1, C-2, MX or RT District			X
Any Use in the BP District			
Adjoining any property in any residential district	X		
Adjoining any property in other district		X	
Any Use in RT, M-1 or AP District			
Adjoining any property in any residential district	X		
Adjoining any property in any C-1, C-2, BP, OS, ED or MX District		X	
Adjoining any property in any M-1, RT or AP District			X
Any Use in ED District			
Adjoining any property in any residential district	X		
Adjoining any property in any other district		X	

(1) *Vegetation within Bufferyards.*

(a) The minimum spacing, size and quantity of vegetation planted within a bufferyard shall be prescribed by §27-214.C and Appendix 27-D of this Chapter. If a minimum spacing is not specifically prescribed in §27-214.C and/or Appendix 27-D of this Chapter, then the minimum spacing shall comply with accepted landscape conservation practices.

(b) Any existing trees located within the required bufferyard that are a minimum of 6 inches dbh in accordance with American Nursery Association standards shall count as required trees within the bufferyard. At no point, however, shall any existing trees and required trees be separated at a distance greater than the distance specified by accepted landscape conservation practices.

(c) All trees required to be planted within the bufferyard shall be a

minimum of 2½ inches dbh in accordance with American Nursery Association standards and shall be planted in accordance with accepted landscape conservation practices. All required trees shall be a minimum of 6 feet at the time of planting as measured from the ground adjacent to the planted tree to the top of the tree.

(2) *Bufferyard Requirements*. Bufferyards 1, 2 and 3 listed in Table 27-6 (Bufferyards) are defined as follows:

(a) *Bufferyard 1*. Bufferyard 1 shall be 40 feet wide extending back in depth from the lot line. The minimum spacing, quantity and type of vegetation planted within Bufferyard 1 shall be as prescribed by this Section and Appendix 27-D. The Forest Style Planting Conceptual Plan, as illustrated in Appendix 27-D, shall be required along any property line or portion thereof adjoining property in a residential zoning district. For all other property lines or portions thereof, the developer shall have the option to use the Forest Style Planting Conceptual Plan or the Prairie Style Planting Conceptual Plan, as illustrated in Appendix 27-D.

(b) *Bufferyard 2*. Bufferyard 2 shall be 20 feet wide extending back in depth from the lot line. The minimum spacing, quantity and type of vegetation planted within Bufferyard 2 shall be as prescribed by this Section and Appendix 27-D. The Forest Style Planting Conceptual Plan, as illustrated in Appendix 27-D, shall be required along any property line or portion thereof adjoining property in a residential zoning district. For all other property lines or portions thereof, the developer shall have the option to use the Forest Style Planting Conceptual Plan or the Prairie Style Planting Conceptual Plan, as illustrated in Appendix 27-D.

(c) *Bufferyard 3*. Bufferyard 3 shall be 10 feet wide extending back in depth from the lot line. The minimum spacing, quantity and type of vegetation planted within Bufferyard 3 shall be as prescribed by this Section and Appendix 27-D.

(d) No buildings, structures, or uses including, but not limited to, accessory structures, parking spaces, and lighting devices, may be located in a bufferyard except that driveways and access drives may be located in a bufferyard as permitted by this Chapter or the Subdivision and Land Development Ordinance [Chapter 22].

(3) *Special Bufferyard*. Any property having frontage on Business Loop 376 (SR3160) from Hangar Road to the Montour Run Interchanges or the southerly side of Beaver Grade Road between Ewing Road and the access drive on property now or formerly owned by Eaton Finance NV currently designated as Allegheny County Block/Lot No. 595-M-50, shall maintain a 150-foot bufferyard from the right-of-way of said roads and any appurtenances, such as interchanges and ramps. Notwithstanding the foregoing, the special bufferyard required by this subparagraph (3) shall not be required to exceed 30 percent of the depth of a parcel. Existing vegetation in this bufferyard shall not be disturbed, other than the removal of dead or diseased trees or other vegetation, except that any area within a street right-of-way or easement may be disturbed to the extent necessary to provide streets, public utilities, access drives,

essential services or stormwater retention facilities. The quantity and type of vegetation planted within the special bufferyard required by this subparagraph (3) shall be as prescribed by this Section and Appendix 27-D. The Forest Style Plantings, as illustrated in Appendix 27-D, shall be required along any property line or portion thereof adjoining property in a residential zoning district. For all other property lines or portions thereof, the developer shall have the option to use the Forest Style Plantings or the Prairie Style Plantings, as illustrated in Appendix 27-D. Additionally, should a stormwater retention facility be proposed within this bufferyard, a detailed landscaping plan for said facility must be submitted and approved by the Township Engineer or the Township Landscape Consultant.

(4) When the width of a required bufferyard specified in subparagraph (2) is in conflict with the minimum yard requirements of this Chapter, or any other applicable Township ordinance, the greater distance shall apply. The landowner and/or developer shall adhere to the bufferyard planting requirement regardless of what the yard requirement is.

(5) In instances where an existing structure houses the principal use of the property and is located within any required bufferyard, a bufferyard of not less than the minimum distance from the existing structure to the property line shall be required. This reduced bufferyard width shall apply only to the yard area which the existing structure encroaches upon. If the existing structure is located within the required bufferyard on one side of the building, the required bufferyard as determined by this paragraph and Table 27-6 (Bufferyards) shall apply on all other yard areas. All landscaping requirements shall be adhered to regardless of the bufferyard width.

D. All yard areas not utilized for structures, parking facilities, driveways, gardens, the planting of trees or shrubs, flower, vegetable or herb beds or similar uses must be seeded, sodded or landscaped within a reasonable period of time. The phrase "a reasonable period of time" shall be interpreted to be within 2 weeks after construction activities are completed, unless those activities are completed between the time period of November 1 through April 1, in which case the required sodding or seeding must commence within 2 weeks of April 1 and be completed within a reasonable time period thereafter.

E. It shall be the responsibility of the developer and/or landowner to assure the continued growth of all required landscaping and/or to replace the same in the event of freezing, drought, vandalism, disease or other reasons for the discontinued growth of the required trees, shrubs and bushes.

F. Stormwater management facilities and related structures may be maintained within a bufferyard, but the existence of such stormwater management facilities and related structures shall not be a basis for a failure to meet the landscaping requirements.

G. Deviation from the requirements of §27-214 and Appendix 27-D of this Chapter shall be permitted only as a conditional use in accordance with the requirements of §27-870 and Part 8 of this Chapter.

H. Those provisions of this Section requiring that vegetation be planted or maintained shall not apply to any property that is located within (1) 600 feet of an

existing runway, taxiway or other paved surface used for the moving of airplanes, or (2) 1,000 feet of the end of any existing runway, provided that if the area in which the vegetation otherwise would be required borders a public street or adjacent property not owned by the applicant, the applicant shall plant and maintain a grass lawn.

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§27-215. Landscaping.

Landscaping shall be provided in accordance with the following specifications:

A. Landscaping required in bufferyards as outlined in §27-214 cannot be substituted for any required landscaping mandated in this Section.

B. A landscape plan, with appropriate details, shall be prepared and submitted at the time of submission of an application for final subdivision, land development, and PRD approval, or at the time of submission of a zoning and occupancy permit application if the project does not constitute a subdivision or land development; provided, however, this landscape plan requirement shall not apply to the construction of a single-family detached dwelling that does not constitute a land development as defined in this Chapter. This landscape plan shall contain and show the following, and illustrate at scale, the location, size, and name of each tree, shrub and groundcover as it relates to the proposed topography:

(1) All required bufferyards with proposed plantings and identifying the height and width of any proposed mounds.

(2) All required plantings independent of any bufferyard requirements.

(3) Any plantings in excess of the requirements of this Chapter.

(4) Any existing trees or vegetation which are to be preserved and for which a credit is being sought in accordance §27-214.B(4) of this Chapter, accurately identifying their relative size and location.

(5) Demarcation of areas of existing trees or vegetation which will be removed.

(6) Demarcation of areas of trees and vegetation which will not be disturbed.

C. *Nonresidential Developments*. In conjunction with any nonresidential development, at least one deciduous tree must be planted for each 500 square feet of gross floor area, or one deciduous tree per 100 linear feet of site perimeter, whichever is greater.

D. *Street Trees*. Street trees shall be planted on a lot as follows:

(1) For each single-family detached dwelling, at least one deciduous street tree shall be planted in the front yard no closer than 12 feet from the front lot line. Further, for any lot with over 100 linear feet of frontage, an additional street tree shall be planted for each 100 linear feet of frontage or portion thereof. The species and size of each street tree shall be selected from, and comply with, the list of permitted street trees found in Appendix 27-D of this Chapter.

(2) For all other uses, deciduous street trees shall be planted along all

streets, except alleys, at a spacing of 20 feet to 30 feet, dependent on species. Street trees shall be spaced appropriately for their species, pursuant to accepted landscape conservation practices, so as to create a continuous canopy along the sidewalk or street edge once mature. For example, large street trees should be spaced every 30 feet and smaller, utility line compatible trees should be spaced every 15 feet to 25 feet based on mature canopy size. Each street tree shall be planted in the front yard no closer than 12 feet from the front lot line. The species and size of each street tree shall be selected from, and comply with, the list of permitted street trees found in Appendix 27-D of this Chapter.

(3) Street trees shall not be planted within the following distances:

(a) Twenty-five feet of the curb line of a street intersection.

(b) Five feet of the edge of an alley or driveway.

(c) Ten feet of fire hydrants, underground utilities, and utility poles.

(d) Ten feet of directional traffic signs.

(e) Two feet of side lot lines.

(f) Twenty-five feet of stop or yield signs.

(g) Twenty-five feet of street lights.

(h) Twenty feet or more of adjacent existing trees, which specific spacing shall be determined by the species of tree selected and the species of adjacent trees.

E. *Landscaping of Parking Lots and Parking Structures/Garages*. Parking lots and parking structures/garages shall be landscaped as follows and as provided in Appendix 27-D:

(1) *Perimeter Landscape Screening*. Landscape screening shall be provided along the perimeter of all parking lots and parking structures/garages. The perimeter parking landscape area shall:

(a) Be at least 10 feet wide.

(b) In addition to the requirements of §27-214 of this Chapter, provide a row of low level evergreen shrubs or continuous vegetative screen or earthen mounding which shall provide a year-round visual screen capable of acting as a barrier to light beams emanating from the headlights of passenger cars. These low level shrubs, continuous vegetative screen, or mounds shall be of such height that a person facing a passenger car with the shrubs, continuous vegetative screen, or mounds between him/her and the car could observe the car's low beam lights only as a result of the diffused or reflected light from the headlights and not because the main, direct beam from those lights was observable.

The perimeter parking landscape area shall otherwise comply with the bufferyard standards as defined and required in §27-214.C of this Chapter.

(2) *Interior Landscaping for Parking Lots*.

(a) Interior landscaping shall be required for new parking lots or expansion of existing parking lots containing more than 4,000 square feet or 10 parking spaces, whichever is less. Where a pre-existing parking lot is altered or expanded to increase the size to 4,000 or more square feet of

area or 10 or more parking spaces, interior landscaping shall be provided for the entire parking lot and not merely to the extent of the parking lot's alteration or expansion.

(b) The interior landscape areas of a parking lot shall be equal to at least 10 percent of the aggregate size of the parking lot. This interior landscaping shall be distributed throughout the parking lot in order to satisfy the goal of shading the parking lot.

(c) Each interior landscape island shall, at a minimum contain:

1) At least one deciduous tree.

2) The remaining portion of the interior landscape island shall be landscaped with shrubs or perennials, either of which should not exceed 2 feet in height, or with turf grass.

(d) Each tree placed within an interior landscape island shall be placed in accordance with accepted landscape conservation practices.

(e) All landscape islands shall be enclosed by appropriate curbing or a similar device at least 6 inches wide and 6 inches in height above the paving surface (wedge curbing is acceptable), except as otherwise provided in Appendix 27-D.

(f) Each deciduous tree shall be presumed to shade a circular area having a radius of 15 feet with the trunk of the tree as the center, and there must be sufficient deciduous trees so that, using this standard, 20 percent of the vehicle accommodation area (excluding driveways and traffic aisles) shall be shaded.

(g) The perimeter landscaping of parking lots shall not substitute for interior landscaping in parking lots. However, interior landscaping may join perimeter landscaping as long as the interior landscaping extends at least 4 feet into the parking lot from the perimeter landscaping.

(3) *Parking Structures/Garages*. Landscaping for parking structures/garage for the applicable zoning district(s) shall be provided in accordance with Bufferyard 3 as defined by this Part.

F. *Landscaping for Service Structures*. All service structures shall be fully screened.

(1) *Location of Screening*. A continuous vegetative screen, fence, wall or earthen mounding shall enclose any service structure on all sides unless such structure must be frequently moved, in which case screening on all but one side is required. The average height of the screening material shall be 1 foot more than the height of the enclosed structure, but shall not be required to exceed 8 feet in height, unless otherwise specified in this Chapter. When a service structure is located next to a building wall, perimeter landscaping material may fulfill the screening requirements for that side of the service structure if that wall or screening material is of an average height sufficient to meet the height requirement set out in this paragraph. Whenever service structures are screened by plant material, such material may count towards the fulfillment of required landscaping.

(2) *Protection of Screening Material*. Whenever screening material is

placed around any trash disposal unit or waste collection unit that is emptied or removed mechanically on a regular basis, a fixed barrier to contain the placement of the container shall be provided within the screening material on those sides where there is such material. The barrier shall be at least 18 inches from the material and shall be of sufficient strength to prevent possible damage to the screening when the container is moved. The minimum front opening of the screening material shall be 12 feet to allow service vehicles access to the container.

G. All trees which are required to be planted as per the requirements of this Section shall be a minimum of 2½ inches dbh at the time of planting, measured along the trunk of the planted tree, which tree shall be planted in accordance with accepted landscape conservation practices.

H. All areas not utilized for structures, parking facilities, driveways, gardens, the planting of trees or shrubs, flower, vegetable or herb beds or similar uses must be seeded, sodded or landscaped within a reasonable period of time. The phrase "a reasonable period of time" shall be interpreted to be within 2 weeks after construction activities are completed, unless those activities are completed between the time period of November 1 through April 1, in which case the required sodding or seeding must commence within 2 weeks of April 1 and be completed within a reasonable time period thereafter.

I. All freestanding signs shall be landscaped, except those signs which have traffic traveling below them. A landscape plan must be submitted as part of the application for a sign permit. The Zoning Officer must approve the landscape plan prior to issuing a sign permit.

J. Landscape walls are nonstructural, nonload bearing walls less than 30 inches in height and used in the art of arranging or modifying the features of a landscape to secure beautiful or advantageous effects. Walls greater than 30 inches in height must meet the requirements of §27-501.10.

K. Where the landscaping requirements of this Section conflict with the bufferyard requirements of §27-214 of this Chapter, the requirements of §27-214 of this Chapter shall govern.

L. Deviation from the requirements of §27-215 of this Chapter shall be permitted only as a conditional use in accordance with the requirements of §27-870 and Part 8 of this Chapter.

M. Those provisions of this Section requiring that vegetation be planted or maintained shall not apply to any property that is located within (1) 600 feet of an existing runway, taxiway or other paved surface used for the moving of airplanes, or (2) 1,000 feet of the end of any existing runway, provided that if the area in which the vegetation otherwise would be required borders a public street or adjacent property not owned by the applicant, the applicant shall plant and maintain a grass lawn.

(A.O.

Part 3

Overlay Districts

§27-301. Purpose.

The provisions of this Chapter shall be subject to additional standards and regulations contained in this Part. This Part is intended to supplement, not repeal, abrogate, impair or replace any existing ordinances that relate to zoning or building construction within the Township.

(A.O.

§27-302. AZO Airport Zone Overlay District.

1. The intent of the AZO Airport Zone Overlay District (the "AZO District") is to regulate development and the use of land in the Township that is situated in the flight path of present and projected aircraft operations at Pittsburgh International Airport (PIT).

2. The boundaries and height limitations of the AZO District (which are multi-dimensional) are set forth on the Airport Zone Overlay District Map attached hereto and incorporated herein at Appendix 27-A and the corresponding Figure 1, Part 77, Surface Areas, attached hereto and incorporated herein at Appendix 27-A (collectively referred to in this Section as the "Airport Zone Overlay District Map").

3. The AZO District outlines the imaginary sloping surface(s) as defined by the Federal Aviation Administration (FAA) and PennDOT regulations. All developers and landowners located within the AZO District shall be responsible for verifying the height and location of such imaginary sloping surface(s).

4. All land uses and construction activities that occur within the boundaries of the AZO District shall comply with all applicable height, interference, and other requirements of the FAA, PennDOT, Allegheny County, and Allegheny County Airport Authority regulations.

5. Any use within the boundaries of the AZO District which creates the following conditions must comply with applicable FAA and PennDOT regulations. Notice of proposed construction or alteration must be submitted to the County, FAA and PennDOT Bureau of Aviation. Such construction or alteration is subject to review and possible modification of design in accordance with applicable FAA and PennDOT regulations. The conditions are as follows:

A. Creates electrical interference with navigational signals or radio communication between the airport and aircraft.

B. Makes it difficult for pilots to distinguish between airport lights and other lights.

C. Results in glare in the eyes of pilots using the airport.

D. Impairs visibility in the vicinity of the airport.

E. Creates bird strike hazards.

F. Otherwise, in any way, endangers or interferes with the landing, take-off

or maneuvering of aircraft intending to use the airport.

6. Any of the following types of construction or alteration within the boundaries of the AZO District must comply with applicable FAA and PennDOT regulations. Notice of proposed construction or alteration must be submitted to the County, FAA and PennDOT Bureau of Aviation. Such construction or alteration is subject to review and possible modification of design in accordance with applicable FAA and PennDOT regulations.

A. Any construction or alteration of more than 200 feet in height above the ground level at its site.

B. Any construction or alteration of greater height than the imaginary surface(s) extending outward and upward from the FAA and PennDOT runway approach regulations and as illustrated on the Airport Zone Overlay District Map.

C. Any highway, railroad, or other traverse way for mobile objects, of a height which, if adjusted upward 17 feet for an interstate highway that is part of the National System of Military and Interstate Highways, where over-crossings are designed for a minimum of 17 feet vertical distance, 15 feet for any other public roadway, 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater for a private road, 23 feet for a railroad and for a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it, would exceed the height limitations of the imaginary surface(s) illustrated on the Airport Zone Overlay District Map.

7. The following structures or uses are exempted from the provisions of the AZO District:

A. Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height and would be located in the congested area of city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.

B. Any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure.

C. Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device, of any type approved by the FAA or the PennDOT Bureau of Aviation, the location and height of which is fixed by its functional purpose.

D. Any construction or alteration for which notice is required for any other FAA regulation.

(A.O.

§27-303. CVO Carnot Village Overlay District.

1. *Purpose*. The purpose of this Section is to facilitate the enhancement of the Carnot area of the Township. 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 CVO Carnot Village Overlay District (the "CVO 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.

2. *District Boundaries*. The boundaries of the CVO District are delineated on the University Boulevard and Carnot Village Overlay Districts Map attached hereto and incorporated herein at Appendix 27-A.

3. *Community Development Objectives*. The community development objectives for the CVO District include the following:

A. To facilitate the enhancement of the existing mixed use development of the area.

B. To maintain and promote the significance of this area as the heart of the Township, which provides neighborhood scale services to Township residents.

C. To facilitate safe pedestrian access through the development of streetscape amenities.

D. To provide for a mix of mutually supportive uses that are unified by the streetscape design.

E. To maintain the diverse mix of uses in the CVO District such as: high-density residential, office, retail, education and government services.

F. To implement a community objective from the Comprehensive Plan.

G. 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 CVO District.

H. To recognize the historical significance of the area of the Township known as Carnot.

4. *Uses Permitted*. Uses shall be permitted within the CVO District as defined within the respective underlying zoning district in accordance with §27-205 and Table 27-1 (Use Table) of this Chapter.

5. *Implementation of CVO District Requirements*. Improvements within the CVO District shall comply with the design standards referenced in Table 27-7, "CVO District Implementation Requirements" of this Chapter as follows:

A. *New Construction*. In the event a new building is to be constructed, all the design standards checked in Column (1) of Table 27-7 (CVO District Implementation Requirements) shall apply to the entire lot on which the new building is located.

B. *Exterior Improvements Requiring Building Permit*.

(1) In the event any improvement(s) which satisfies the below criteria is to be constructed and/or installed on a lot, those design standards checked in Column (2) of Table 27-7 (CVO District Implementation Requirements) shall apply to the entire lot upon which the improvement is to be constructed and/or installed:

(a) The improvement(s) requires a building permit pursuant to the Construction Code [Chapter 5, Part 1]; and

(b) The improvement(s) has an estimated construction and/or installation cost of $100,000 or more.

(2) The following improvements are excluded from this §27-303.5.B:

(a) Renovations and/or improvements to the interior of a building (for purposes of this subsection "interior" shall mean inside the exterior walls and roof of a building);

(b) Repair or maintenance of any existing building; or

(c) An addition to an existing building that is less than 200 square feet of gross floor area.

(3) A landowner, tenant and/or developer shall not separate proposed improvements in order to evade the application of this §27-303.5.B.

C. *Item Being Improved*. In the event the specific item checked in Column (3) of Table 27-7 (CVO District Implementation Requirements) is to be replaced, altered or expanded (as distinguished from repaired or maintained) and the cost is in excess of the amounts referenced below, as determined by the Township, the expansion or alteration of each such item shall comply with the design standards for that specific item.

(1) $15,000 for improvements to driveway/curb-cuts (see §27-308.4 of this Chapter) and offstreet parking areas (see §27-308.7 of this Chapter).

(2) $5,000 for all other improvements.

D. *Change in Use*. In the event a business is applying for a zoning and occupancy permit and the use is different from the previous use in that space, those design standards checked in Column (4) of Table 27-7 (CVO District Implementation Requirements) shall apply to the entire lot upon which the business is proposing to occupy. This §27-303.5.D shall not apply to multi-tenant buildings when the gross floor area occupied by the changed use consists of less than 25 percent of the total gross floor area in a multi-tenant building.

Table 27-7
CVO District Implementation Requirements

	(1) New Construction	(2) Building Permit Exceeding $100,000	(3) Item Being Improved	(4) Change in Use
Building Setback, Placement, Size Height and Coverage (§27-303.6.A)	✓	✓*		
Minimum Landscaping Requirements (§27-303.6.B)	✓	✓		
Architectural Materials and Building Orientation (§27-308)	✓	✓*		
Sidewalks and Walkways (§27-308)	✓	✓		✓
Pedestrian Lighting (§27-308)	✓	✓		
Streetscape Plantings (§27-303.6.C)	✓	✓		✓

	(1) New Construction	(2) Building Permit Exceeding $100,000	(3) Item Being Improved	(4) Change in Use
Driveways/Curb Cuts (§27-308.4)	✓		✓	
Off-Street Parking Areas (§27-308.7)	✓		✓**	
Signage (§27-303.6.D)	✓		✓	✓
Building Mechanical System (§27-308.5)	✓		✓	
Loading and Storage Areas (§27-308.6)	✓		✓	
* Only applies to the expansion of the building footprint.				
** Does not apply to the maintenance, re-striping, sealing or repaving of a parking lot. Repaving includes resurfacing and any excavation and replacement of the base or sub-base of an existing parking area necessary to resurface the same.				

6. *District Requirements*.

A. *Building Setback, Placement, Size, Height and Coverage*.

(1) *Yard and Setback Requirements*.

(a) *Front Yard*. Minimum front yard building setback–35 feet.

(b) *Side Yard*.

1) Five feet when a nonresidential use abuts another nonresidential use and the adjoining property is in either the CVO District or UBO District.

2) Ten feet if the adjoining use is in the CVO District or UBO District and the adjoining use is not a commercial use.

3) The side yard setback of the underlying zoning district when the adjoining use is not in the CVO District or UBO District.

(c) Rear yard–30 feet.

(2) *Retail Store and Nonresidential Use Requirements*.

(a) No individual retail store shall exceed 15,000 square feet of gross floor area. Pharmacies in the CVO District may be up to 15,000 square feet.

(b) The aggregate retail and nonresidential uses in one building or structure shall not exceed 20,000 square feet in gross floor area.

1) *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.

(3) Maximum impervious coverage–80 percent per lot.

(4) Maximum lot coverage–50 percent per lot.

(5) Minimum lot width–65 feet at the front building setback line.

(6) Minimum lot area–10,000 square feet.

(7) Maximum building height–40 feet. Chimneys, spires and similar projections may exceed the prescribed height limitations by not more than 25 percent.

(8) *Temporary Outdoor Seating*. Temporary outdoor seating is permitted to encroach upon the public sidewalk provided that a 5-foot clear sidewalk passage is maintained for pedestrian passage and the temporary seating does not encroach into the clear sight triangle.

B. *Minimum Landscaping Requirement*. Ten percent of a lot shall be landscaped in accordance with the requirements of §§27-214 and 27-215 of this Chapter.

C. *Streetscape Plantings*. Bufferyards shall be provided along the Beaver Grade Road and Carnot Road right-of-way, subject to the following restrictions:

(1) The bufferyard shall be no less than 10 feet wide.

(2) The bufferyard shall be provided along the entire frontage of the parcel, except for entranceways for vehicles.

(3) The bufferyard shall be comprised of an existing stand of mature trees or a new planting of an approved species of trees and otherwise comply with §27-214.C(1) and Appendix 27-D of this Chapter. All other areas of the bufferyard shall be maintained with grass or other Township approved ground cover.

(4) No structure within the CVO 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.

(5) Parking shall not be permitted within the street right-of-way or the bufferyard.

(6) The side and rear lot lines of property within the CVO District shall comply with the bufferyard requirements contained in §27-214 of this Chapter.

D. *Signage*. Signs shall be permitted as provided for in Part 7 of this Chapter, with the following additions and exceptions:

(1) *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 6 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.

(2) *Window Display Signs*. Window display signs shall be permitted under

the following conditions:

(a) Window display 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 display signs exceed 20 percent of the total window area of the front of the building.

(b) Neon window display signs shall be permitted in cases where they are custom designed to be compatible with the architectural character and exterior color of the building.

(c) Window display signs shall be nonilluminated or internally illuminated, provided that internally illuminated window display signs:

1) Are only illuminated during business operating hours; and

2) Shall not exceed 10 percent of the total window area of the front of the building.

(d) Window display signs shall be limited to first floor windows only.

(3) *Wall Signs*. Wall signs, as permitted by Part 7 of this Chapter, shall be located on any wall of the building facing a public street.

(4) *Ground Signs*. Ground signs, as permitted by Part 7 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.

(5) *Sandwich Board Signs*. Sandwich board signs are permitted subject to the following requirements:

(a) The sign shall be placed immediately adjacent to the entrance to the facility, provided that the sign does not impede pedestrian traffic. A minimum 5-foot clearance shall be maintained for pedestrian access.

(b) The sign shall not be placed within a public right-of-way.

(c) The sign shall be secured to the building or other fixed object with a chain or similar device and shall be constructed of such design and materials so as not to be displaced by a peak wind gust speed of 60 miles per hour.

(d) Placement of the sign shall be limited to the hours which the business is open to the public and the sign shall be removed daily.

(e) Only one sandwich board sign shall be permitted per business.

(f) The size of the sign and its structure shall not exceed 6 square feet.

(g) The sign shall be nonilluminated.

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

(a) Plastic awnings that are illuminated or act as a sign.

(b) Banners (except for temporary community event signs).

(c) Pennants/streamers.

(d) Portable signs (with the exception of sandwich board signs as provided for in subparagraph (5).

(e) Mobile placards.

(f) Signs on dormers and balconies.

7. *Deviation by Conditional Use*. Deviation from the requirements of §27-303 of this Chapter shall be permitted only as a conditional use in accordance with the requirements of §27-869 and Part 8 of this Chapter.

8. *Applicability*. All other applicable standards and requirements as set forth in this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], and other Township ordinances shall apply to the CVO District. Where a conflict arises between the requirements of this Section and other Sections of this Chapter, this Code, or other Township ordinances, the requirements of this Section shall govern. The standards of the CVO District contained in this Section shall apply to all properties that are within the boundaries of the CVO District as delineated on the University Boulevard and Carnot Village Overlay Districts Map attached hereto and incorporated herein at Appendix 27-A.

(A.O.

§27-304. MEO Mixed-Use Educational Overlay District.

1. *Purpose*. The purpose of the MEO Mixed-Use Educational Overlay District (the "MEO District") is to encourage the development of mixed land uses complementary to a university/college and the surrounding community, including residential and nonresidential development, along major transit corridors and in close proximity to or easily accessible from educational facilities.

2. *District Boundaries*. The boundaries of the MEO District are delineated on the Mixed-Use Educational Overlay District Map attached hereto and incorporated herein at Appendix 27-A.

3. *Uses Permitted*. The uses permitted within the MEO District are set forth in Table 27-1 (Use Table) of this Chapter in accordance with §27-205 of this Chapter.

4. *District Requirements*. Unless otherwise stated in this Chapter, any structure, use and/or lot within the MEO District shall comply with the requirements applicable to the underlying zoning district in which the property is located; provided, however, if the structure, use and/or lot is located in the UBO University Boulevard Overlay District then the UBO University Boulevard Overlay District requirements of §§27-307 and 27-308 of this Chapter shall control any conflict with the requirements applicable to the underlying zoning district in which the property is located.

5. *Nonseverability*. The provisions of this Section are not severable. In the event any portion of this Section shall be declared invalid and unenforceable, it is the intention of the Township that the MEO District be eliminated in its entirety, with the zoning classification of the property within the MEO District reverting to the underlying zoning district.

(A.O.

§27-305. TGO Trails and Greenways Overlay District. [Reserved]

The TGO Trails and Greenways Overlay District, when established, will be an overlay district to provide a comprehensive network of pedestrian and bike facilities.

(A.O.

§27-306. TDO Transportation District Overlay District. [Reserved]

The TDO Transportation District Overlay District, when established, will be an overlay district on the Township Official Map, and properties located within that overlay district will be further subject to the regulations of this Chapter.

(A.O.

§27-307. UBO University Boulevard Overlay District.

1. *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, street lighting, landscaping, street trees, building facades, screened and pedestrian friendly parking areas and coordinated signage.

2. *District Boundaries*. The boundaries of the UBO University Boulevard Overlay District (the "UBO District") are delineated on the University Boulevard and Carnot Village Overlay Districts Map attached hereto and incorporated herein at Appendix 27-A.

3. *Community Development Objectives*. The community development objectives for the UBO District shall be as follows:

A. To create a district with regional scale mixed use development serving a trade area defined in the Beers School Road Strategic Plan dated July 2002.

B. To establish a safe environment for pedestrians who utilize facilities along University Boulevard such as: schools, shopping centers, hotels, restaurants and public transportation.

C. To implement an action item in the Comprehensive Plan.

4. *Uses Permitted*. Uses shall be permitted in the UBO District as defined within the respective underlying zoning district in accordance with §27-205 and Table 27-1 (Use Table) of this Chapter.

5. *Implementation of UBO District Requirements*. Improvements within the UBO District shall comply with the design standards referenced in Table 27-8 (UBO District Implementation Requirements) of this Chapter as follows:

A. *New Construction*. In the event a new building is to be constructed, all the design standards checked in Column (1) of Table 27-8 (UBO District Implementation Requirements) shall apply to the entire lot on which the new building or structure is located.

B. *Exterior Improvements Requiring Building Permit*.

(1) In the event any improvement(s) which satisfies the below criteria is to be constructed and/or installed on a lot, those design standards checked in Column (2) of Table 27-8 (UBO District Implementation Requirements) shall apply to the entire lot upon which the improvement is to be constructed and/or installed:

(a) The improvement(s) requires a building permit pursuant to the Construction Code [Chapter 5, Part 1]; and

(b) The improvement(s) has an estimated construction and/or installation cost of $200,000 or more.

(2) The following improvements are excluded from this §27-307.5.B:

(a) Renovations and/or improvements to the interior of a building (for purposes of this subsection "interior" shall mean inside the exterior walls and roof of a building);

(b) Repair or maintenance of any existing building; or

(c) An addition to an existing building that is less than 200 square feet of gross floor area.

(3) A landowner, tenant and/or developer shall not separate proposed improvements in order to evade the application of this §27-307.5.B.

C. *Item Being Improved*. In the event the specific item checked in Column (3) of Table 27-8 (UBO District Implementation Requirements) is to be replaced, altered, or expanded (as distinguished from repaired or maintained) and the cost is in excess of the amounts referenced below, as determined by the Township, the expansion or alteration of such item shall comply with the design standards for that specific item.

(1) $15,000 for improvements to driveway/curb cuts (See §27-308.4 of this Chapter) and off-street parking areas (See §27-308.7 of this Chapter).

(2) $5,000 for all other improvements.

D. *Change in Use*. In the event a business is applying for a zoning and occupancy permit and the use is different from the previous use in that space, those design standards checked in Column (4) of Table 27-8 (UBO District Implementation Requirements) shall apply to the entire lot upon which the business is proposing to occupy. This §27-307.5.D shall not apply to multi-tenant buildings when the gross floor area occupied by the changed use consists of less than 25 percent of the total gross floor area in a multi-tenant building.

Table 27-8
UBO District Implementation Requirements

	(1) New Construction	(2) Building Permit Exceeding $200,000	(3) Item Being Improved	(4) Change is Use
Building Setback, Placement, Size, Height and Coverage (§27.307.6.A)	✓	✓*		
Streetscape Plantings (§27-307.6.B)	✓	✓		✓
Sidewalks (§27-308.2)	✓	✓		✓
Pedestrian Lighting (§27-308.3)	✓	✓		

	(1) New Construction	(2) Building Permit Exceeding $200,000	(3) Item Being Improved	(4) Change is Use
Driveway/Curbcuts (§27-308.4)	✓		✓	
Off-street Parking Areas (§27-308.7)	✓		✓**	
Architectural Materials and Building Orientation (§27-308.1)	✓		✓	
Signage (§27-307.6.C)	✓		✓	✓
Building Mechanical System (§27-308.5)	✓		✓	
Loading and Storage Areas (§27-308.6)	✓		✓	
*Only applies to the expansion of the building footprint.				
**Does not apply to the maintenance, re-striping, sealing or repaving of a parking lot. Repaving includes resurfacing and any excavation and replacement of the base or sub-base of an existing parking area necessary to resurface the same.				

6. *District Requirements*.

A. *Building Setback, Placement, Size, Height and Coverage*.

(1) *Front Yard Setback*.

(a) Minimum front yard building setback–35 feet.

(b) Maximum front yard building setback–85 feet.

(c) *Enhanced Pedestrian Space and Amenity Incentive*. The maximum front yard building setback may be exceeded by conditional use approval by the Board of Supervisors in accordance with the criteria of §§27-869.A and 27-869.B of this Chapter. In addition, any such deviation shall comply with the following criteria: the development or use shall incorporate enhanced pedestrian spaces and amenities within the setback area. Enhanced pedestrian spaces and amenities consist of a combination of features such as plazas, fountains, courtyards, arcaded pedestrian walkways, outdoor seating, widened sidewalks or pedestrian pathways, benches, shelters, street furniture, playgrounds, gazebos, public art or kiosks.

(2) *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.

B. *Streetscape Plantings*. Bufferyards shall be provided along the University Boulevard right-of-way, subject to the following restrictions:

(1) The bufferyard shall be no less than 10 feet wide.

(2) The bufferyard shall be provided along the entire frontage of the parcel, except for entranceways for vehicles.

(3) The bufferyard shall be comprised of an existing stand of mature trees or a new planting of an approved species of trees and otherwise comply with §27-214.C(1) and Appendix 27-D of this Chapter. All other areas of the bufferyard shall be maintained with grass or other Township approved ground cover.

(4) No structure within the UBO District shall be within 10 feet of the bufferyard or within 25 feet of the street right-of-way.

(5) The side and rear lot lines of property within the UBO District shall comply with the bufferyard requirements contained in §27-214 of this Chapter.

C. *Signage*. Signs shall be permitted as provided for in Part 7 of this Chapter, with the following additions and exceptions:

(1) *Window Display Signs*. Window display signs shall be permitted under the following conditions:

(a) Window display 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 display signs exceed 20 percent of the total window area of the front of the building.

(b) Neon window display signs shall be permitted in cases where they are custom designed to be compatible with the architectural character and exterior color of the building.

(c) Window display signs shall be nonilluminated or internally illuminated, provided that internally illuminated window display signs:

1) Are only illuminated during business operating hours; and

2) Shall not exceed 10 percent of the total window area of the front of the building.

(d) Window signs shall be limited to first floor windows only.

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

(a) Plastic awnings that are illuminated or act as a sign.

(b) Pennants/streamers.

(c) Portable signs.

(d) Mobile placards.

(e) Signs on dormers and balconies.

(3) *Sign Orientation*. All signs should be oriented to pedestrians and/or persons in vehicles on streets within the immediate neighborhood.

(4) *Ground Signs*. Ground signs, as permitted by Part 7 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.

7. *Deviation by Conditional Use*. Deviation from the requirements of this §27-307 of this Chapter shall be permitted only as a conditional use in accordance with the requirements of §27-869 and Part 8 of this Chapter.

8. *Applicability*. All other applicable standards and requirements as set forth in this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], and other Township ordinances shall apply to the UBO District. Where a conflict arises between the requirements of this Section and other Sections of this Chapter, this Code, or other Township ordinances, the requirements of this Section shall govern. The standards of the UBO District contained in this Section shall apply to all properties that are within the boundaries of the UBO District, as referenced on the University Boulevard and Carnot Village Overlay Districts Map attached hereto and incorporated herein at Appendix 27-A.

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§27-308. Design Guidelines for the CVO District and UBO District.

1. *Architectural Materials and Building Orientation*.

A. *First Floor Transparency*.

(1) The street-level facade of any building facing a 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 percent of the horizontal length of the building and/or structure.

(2) No more than two sides of any one building shall be subject to the minimum transparency provisions of this §27-308.1.A of this Chapter.

(3) The transparent material shall be clear or tinted in a manner that maintains transparency.

(4) 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 sides not containing the required transparency pursuant to a Township approved landscape plan and in accordance with Appendix 27-D of this Chapter and the Township Standard Details.

B. *Facades*.

(1) Buildings which exhibit long, flat facades and continuous linear strip development are prohibited. No horizontal length or uninterrupted curve of a facade shall exceed 100 feet without a change in plane, material, or scale.

(2) Exterior facade colors shall be subtle, neutral or earth tone colors. The use of high-intensity, metallic and fluorescent colors is prohibited.

(3) 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 percent of the horizontal length of any wall.

C. *Exterior Wall Materials*.

(1) Exterior wall materials that are not permitted include:

(a) Large split-face block (e.g., size of 8 inches by 16 inches or greater).

(b) Tilt-up concrete panels.

(c) Prefabricated metal panels.

(d) Standard concrete masonry units (CMU).

(2) Comparable materials may be approved by the Board of Supervisors including, but not limited to:

(a) Solid split-face masonry units 4 inches by 16 inches.

(b) Prefabricated architecturally designed concrete masonry panels.

(c) Stucco, as an accent material.

D. *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.

E. *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 street.

F. *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.

G. *First Floor*. The first 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.

H. *Design Elements*. All buildings shall incorporate a minimum of four of the following design elements:

(1) Pitched roof forms.

(2) Roof overhangs or cornices.

(3) Arcaded pedestrian walkways.

(4) Display windows.

(5) Pilasters, string courses, character lines or other such means of subdividing the facade.

(6) Clock or bell towers.

(7) Decorative planters or planting areas a minimum of 5 feet in width, integrated into the building design.

(8) At least two wall surface materials or colors.

I. *Corporate Identities*. Treatments on buildings that constitute a corporate identity are discouraged and therefore shall be limited to the greatest extent possible.

2. *Sidewalks and Walkways*.

A. Sidewalks are required.

B. Sidewalks shall be constructed in accordance with the Township Standard Details and installed to connect to the lot line of adjacent lots. 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.

C. 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 percent 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.

D. The requirements of §27-308.2 of this Chapter can be met by the placement of sidewalks within a street right-of-way controlled by PennDOT, provided the same is consistent with the design requirements of and approved by PennDOT.

3. *Pedestrian Lighting*.

A. Pedestrian lights are required and shall be installed adjacent to all sidewalks and walkways.

B. The type, style, operation and location of pedestrian lights shall be in accordance with the Township Standard Details.

C. Illumination levels shall provide for adequate safety, yet not detract from or overly emphasize the street or create a distraction for the traveling public.

D. Along collector streets within the UBO District, pedestrian lighting shall not exceed 15 feet in height and shall be provided in accordance with the Township Standard Details and a Township approved photometric plan.

4. *Driveways/Curb Cuts*.

A. *Shared Driveway Entrances*. In order to reduce pedestrian and vehicular conflict, shared driveway entrances and access drives are encouraged.

B. *Number of Driveway Entrances*.

(1) The number of driveway entrances is limited to two per lot, unless a Township-approved traffic study recommends otherwise.

(2) Vehicular access to lots shall be through arterial or collector streets or access drives.

(3) Lot 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 lot because of exceptional topographical constraints or if the local street is entirely within a nonresidential district.

C. *Spacing*. Spacing of driveway and access drive entrances shall be determined in accordance with the following schedule:

Street Speed Limit (mph)	Minimum Driveway/Access Drive Spacing (feet)
25 or less	105
30	125

Street Speed Limit (mph)	Minimum Driveway/Access Drive Spacing (feet)
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.

D. *Township Standard Details*. Driveways, access drives and curb cuts shall comply with the Township Standard Details.

E. *Incentive Bonus*. When two adjacent property owners agree to combine access points on a street without proceeding under §27-308.8 (Deviation by Conditional Use) of this Chapter, the property owners shall be entitled to an incentive bonus, in which case the required number of parking spaces would be reduced by 15 percent for each development, or the lot coverage of each development may be increased by 10 percent. The selection of the specific incentive bonus shall be at the discretion of the property owners.

F. *Alignment*. Driveways, access drives and curb cuts shall have direct alignment with driveways, access drives and curb cuts on opposing lots.

5. *Building Mechanical Systems*.

A. 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 streets and adjacent properties.

B. The use of exterior mechanical systems shall be limited to the greatest extent possible.

C. 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.

6. *Loading and Storage Areas*.

A. 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.

B. Loading dock facilities shall be screened by a solid masonry wall at least 6 feet in height.

C. 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 percent visual blockage on all sides.

D. Dumpster areas shall have hardened, stabilized surfaces constructed to prevent accumulation of stormwater runoff.

7. *Off-Street Parking Areas*.

A. *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.

(1) Off-street parking spaces shall be provided as required in Part 6 and Table 27-10 (Minimum Parking and Loading Requirements) of this Chapter for the respective use, except as otherwise provided herein.

(2) Parking areas shall be broken into modules separated by landscaping, a public street, a building, a landscaped pedestrian walkway or a defined access drive. 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.

(3) Terminal islands shall be installed at both ends of each single unbroken row of parking containing 20 or more parking stalls on each side of each row. 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.

(4) Clearly defined and marked pedestrian parking area walkways shall be required within parking areas when parking spaces are located more than 200 feet from an entrance used by the public and be provided for the depth of the parking area.

(a) For existing buildings, there shall be a minimum of one such walkway per building.

(b) For new buildings, there shall be a minimum of one such walkway for each 186 linear feet of building frontage or fraction thereof.

(c) 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.

(d) 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, and otherwise in accordance with a Township-approved landscape plan, Appendix 27-D of this Chapter, and the Township Standard Details.

(e) Off-street parking areas shall be landscaped in accordance with the requirements of §27-215 of this Chapter.

B. *Location*. No corner lots in the UBO District and CVO District shall be used solely for off-street parking areas, unless the parking area serves as a shared parking area.

C. *Screening of Parking Areas*. Parking areas shall be screened from the view of streets.

(1) Permitted screening materials include:

(a) Landscaping materials (vegetative screen a sum of 3½ feet in height with shade trees planted 30 feet on center based upon the type of tree required to create continuous canopy);

(b) A combination of either an architectural masonry wall or other

alternative fencing (not to exceed 4 feet in height);

(c) Ornamental metal fencing with brick piers; or

(d) A combination thereof.

(2) The screening shall be in accordance with a Township-approved landscape plan, Appendix 27-D of this Chapter and the Township Standard Details.

(3) Wire fabric fencing or similar materials are prohibited.

(4) The wall height may be varied.

(5) 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 landscape plan and in accordance with Appendix 27-D of this Chapter and the Township Standard Details.

(6) The required screening may be located within a required bufferyard provided that the screening does not encroach into the clear sight triangle.

D. *Interconnection of Off-Street Parking Areas Incentive Bonus*. When two adjacent property owners agree to provide for interconnection of off-street parking areas as set forth in this subsection without proceeding under §27-308.8 (Deviation by Conditional Use) of this Chapter, the property owners shall be entitled to an incentive bonus, in which case the required number of parking spaces would be reduced by 15 percent for each development, or the lot coverage of each development may be increased by 10 percent. The selection of the specific incentive bonus shall be at the discretion of the property owners. The requirements for interconnection of parking areas are as follows:

(1) 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 CVO District and/or UBO District through an access drive.

(2) 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 UBO District and CVO District.

(3) Access drives shall be constructed in accordance with the Township Standard Details.

(4) The access drive constructed shall extend to the lot line and connect with an existing access drive on an adjacent lot. If an access drive does not exist on the adjacent lot, the access drive shall be constructed to the lot line to facilitate a future connection to the adjacent parcel.

E. *Off-Street Parking Area Lighting*. Streetlights shall be provided within off-street parking areas in accordance with the Township Standard Details. The type, style, operation and location of streetlights shall be in accordance with the Township Standard Details.

(1) *Nonresidential Off-Street Parking Areas*. Lighting structures shall not exceed 25 feet in height and shall be in accordance with the Township Standard Details and a Township-approved photometric plan.

(2) *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 Standard Details and a Township-approved photometric plan.

8. *Deviation by Conditional Use*. Deviation from the requirements of §27-308 of this Chapter shall be permitted only as a conditional use in accordance with the requirements of §27-869 and Part 8 of this Chapter.

(A.O.

Part 4

Performance Standards

A. General Performance Standards.

§27-401. Compliance Required.

1. All uses shall comply with the requirements of this Part. Compliance shall be determined by the Zoning Officer with respect to permitted uses, by the Zoning Hearing Board with respect to special exceptions and by the Board of Supervisors with respect to conditional uses. In order to determine whether a proposed use will conform to the requirements of this Chapter, the Township may obtain a qualified professional consultant's report, whose cost for services shall be borne by the applicant.

2. All projects that require the additional use of new facilities or essential services, such as sewers, storm drains, fire hydrants, potable water, public streets, street lighting and similar services, shall obtain such approval as required by the agency providing such service prior to project approval. Nonavailability of essential services shall be a basis for denial of any permit or approval under this Chapter until such services are available. All service extensions shall be designed and installed in full conformance with the service provider's standards for such service, and shall be subject to review, permit and inspection as required by the service provider.

(A.O.

§27-402. Fire Protection.

Fire protection and firefighting equipment acceptable to the National Fire Protection Association shall be readily available where there is any activity involving the handling or storage of flammable or explosive material.

(A.O.

§27-403. Radioactivity; Electrical Disturbances.

No activity shall emit dangerous radioactivity at any point or cause electrical disturbance adversely affecting the operation of any equipment in the vicinity or to the extent that the operator of any equipment not owned and/or operated by the creator of such disturbance is adversely affected.

(A.O.

§27-404. Noise.

1. No use in any zoning district which by the nature of its use, operation or activity produces noise of objectionable character or volume as prescribed below will be permitted as measured from a lot line of the subject property. For purposes of this Chapter, the noise level will be measured in decibels (dBA) which indicate the sound pressure level obtained from a frequency weighting network corresponding to the A-scale on a standard sound level meter.

A. *Residential Uses*. At no point on or beyond the boundary of any lot containing a residential use shall the exterior noise level located on such lot exceed

60 dBA for more than 2 hours during a 24-hour period.

B. *Nonresidential Uses*. At no point on or beyond the boundary of any lot containing a nonresidential use (excluding industrial uses, which are addressed by §27-404.1.C) shall the exterior noise level located on such lot exceed 65 dBA for more than 8 hours during a 24-hour period.

C. *Industrial Uses*. At no point on or beyond the boundary of a lot containing an industrial use shall the exterior noise level located on such lot exceed 75 dBA for a period of 8 hours during a 24-hour period.

2. Noise resulting from alarms, sirens, emergency work, normal lawn and landscaping care, traffic and agricultural use shall be exempt from the requirements of this Section. Noise from construction or maintenance activities shall be exempt from the requirements of this Section provided that the activities occur during the hours established by the Construction Code [Chapter 5, Part 1].

3. No noise from recordings, loudspeakers or public address systems shall be allowed which interferes with the reasonable enjoyment of adjacent residential properties.

4. Sound levels shall be measured with a sound level meter or sound level octave band analyzer that conforms to the standards and specifications published by the American Standards Association. Noise incapable of being so measured, such as those of an irregular intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses. (American Standard Sound Levels for Measurement of Noise and Other Sounds, 224, 3-1944, American Standards Association, Inc., New York, New York, shall be used.)

(A.O.

§27-405. Vibrations.

1. Vibrations detectable without instruments on neighboring property in any district shall be prohibited, except that temporary vibration as a result of construction activity shall be permitted.

2. Vibrations resulting from temporary construction activity that occurs during the permitted hours established by the Construction Code [Chapter 5, Part 1] shall be exempt from the requirements of this Section.

(A.O.

§27-406. Odors.

1. For purposes of this Section, the "odor threshold" is defined as the minimum concentration in air of a gas, vapor or particulate matter that can be detected by the olfactory systems of a panel of three observers appointed by the Board of Supervisors.

2. No use, other than agricultural operations, in any zoning district may generate any odor that reaches the odor threshold measured at:

A. The outside boundary of the immediate space occupied by the enterprise generating the odor.

B. The lot line if the enterprise generating the odor is the only enterprise located on a lot.

3. The release of odorous matter from any zoning district across residential or commercial district boundary lines shall be so controlled that at ground level or at habitable elevation, the concentration shall not exceed the odor threshold. As a guide in determining qualities of offensive odors, Table III, "Odor Threshold," Chapter 5, Air Pollution Abatement Manual, by Manufacturing Chemists Association, Inc. (as amended), may be used.

4. Further, those standards for the control of odorous emissions established by the DEP shall also be applied in all zoning districts. Where an odor is deemed offensive, a duly authorized Township representative may refer the matter to the DEP where it has jurisdiction relative to an established airshed.

(A.O.

§27-407. Smoke.

The maximum amount of smoke emission permitted shall be determined by the use of the Standard Ringelmann Chart issued by the United States Bureau of Mines. No smoke of a shade darker than No. 2 shall be permitted.

(A.O.

§27-408. Air Pollution.

1. No pollution of air by fly ash, dust, dirt, vapors, gases, or other substance shall be permitted which is harmful to human health, animals, vegetation, or other property, or which can cause soiling of property.

2. Where determined necessary by the Township, no permits or approvals may be issued under this Chapter with respect to any land development until the Allegheny County Health Department has certified to the permit/approval-issuing authority that the appropriate State permits have been received by the developer and/or landowner or that the developer and/or landowner will be eligible to receive such permits and that the land development is otherwise in compliance with applicable air pollution laws.

(A.O.

§27-409. Glare (External Illumination).

1. Lighting devices that produce greater than 0.1 footcandles of direct or reflected glare at the property line of a lot or adjoining street right-of-way shall not be permitted.

2. The average intensity of outdoor lighting on a lot shall be 2.0 footcandles, whereas the maximum intensity of direct or reflected glare on the ground at any given point on the lot shall be 8.0 footcandles, unless otherwise approved by the Board of Supervisors.

3. The structure height of a lighting device shall not exceed 25 feet for residential uses outside of the street right-of-way. The structure height of a lighting device shall not exceed 35 feet for nonresidential uses outside of the street right-of-way with the exception of such devices for stadiums, driving ranges, amphitheaters, parks, or playgrounds, or unless approved by the Board of Supervisors.

(A.O.

§27-410. Erosion.

No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties.

(A.O.

§27-411. Water Pollution.

1. Water pollution shall be subject to the standards established by the Department of Environmental Protection (DEP), the Environmental Protection Agency (EPA) and the Pennsylvania Fish and Boat Commission.

2. No use in any zoning district may discharge any waste contrary to the provision of the State law governing discharges of radiological, chemical or biological wastes into surface or subsurface waters.

3. No use in any zoning district may discharge into the sanitary sewage treatment facilities any waste that cannot be adequately treated by biological means.

(A.O.

§27-412. Excavation, Filling and Grading.

1. Cut and fill slopes shall comply with the requirements of this Chapter, the Grading Ordinance [Chapter 9, Part 1], and the Subdivision and Land Development Ordinance [Chapter 22].

2. All lands, regardless of their slope, from which structures or natural cover has been removed or otherwise destroyed shall be appropriately graded and seeded within a reasonable time of such clearance activity. The phrase "a reasonable time" shall be interpreted to be within 2 weeks after construction activities are completed, unless those activities are completed between the time period of November 1 through April 1, in which case, the required sodding or seeding must commence within 2 weeks of April 1 and be completed within a reasonable time period thereafter. This shall be rigidly applied to construction activities in order to accomplish the intent of keeping erosion to an absolute minimum. During nongrowing seasons, appropriate measures shall be taken such as, but not limited to, siltation dams, to prevent erosion by wind or water. In addition to the measures stated above, the developer and/or landowner shall provide assurances that all requirements will be complied with at the beginning of the next growing season.

(A.O.

§27-413. Watercourse Buffers.

1. The primary purpose of maintaining a watercourse buffer is preventing nonpoint pollution from entering a watercourse. These buffers serve a variety of pollution prevention roles, helping to control sediment, remove nutrients, stabilize streambanks, and moderate water temperature.

2. Watercourse buffers are divided into three principle zones: Zone 1–Undisturbed Forest; Zone 2–Managed Forest; and Zone 3–Grasslands.

A. Zone 1, "Undisturbed Forest," is the 15-foot area nearest to the watercourse. The primary function of this area is to help stabilize banks and prevent sediment from entering the watercourse. No cutting, fill or other disturbance of the land in this zone is permitted except when necessary to provide

access to repair public utilities and/or eroding watercourse banks, eliminate invasive species, remove dead or diseased vegetation, or to plant additional vegetation.

B. Zone 2, "Managed Forest," is a 35- to 60-foot wide area, between Zone 1, "Undisturbed Forest," and Zone 3, "Grasslands," where trees may be selectively harvested to help promote nutrient removal and home gardening is permitted if the slope of the land is 15 percent or less. No cutting, fill or other disturbance of the land in this zone is permitted. If the slope of the land exceeds 15 percent, the area shall not be disturbed and trees shall not be removed, except when necessary to provide access to repair public utilities and/or eroding watercourse banks, eliminate invasive species, remove dead or diseased vegetation, or to plant additional vegetation.

C. Zone 3, "Grasslands," is a 0- to 20-foot wide area that consists of dense grasses to trap sediment and to convert concentrated stormwater flow to uniform sheet flow. This zone may be disturbed during construction.

3. Multipurpose walking and biking trails shall be permitted to be located within a watercourse buffer.

4. If disturbed, a watercourse buffer shall be restored as follows. Zones 1 and 2 shall be restored by planting trees and shrubs in a random, natural pattern. To restore a buffer, 2-inch caliper trees shall be planted at a minimum rate of one tree per every 16 square feet. Shrubs shall be planted at a minimum rate of two per every 8 square feet, with shrubs concentrated along the area of Zone 1 nearest the watercourse and the area of Zone 2 nearest Zone 3. Additional trees and shrub plantings, including trees that are less than 2-inch caliper are encouraged. Restored buffer areas shall contain at least two tree and two shrub species appropriate for a streamside/watercourse location. If a watercourse buffer is not disturbed during construction, buffer restoration is not required.

5. The minimum width of a watercourse buffer shall be 50 feet measured from the top of the channel bank. The minimum 50-foot buffer shall be provided on each side of the watercourse.

(A.O.

B. Environmental Performance Standards

§27-421. Purpose.

The environmental performance standards analysis of this Part 4B provides a rational methodology for:

A. Protecting persons and property from hazards resulting from the inappropriate development of land in areas that contain sensitive natural resources.

B. Inventorying the sensitive natural resources located within a particular lot.

C. Establishing the intensity and location of development in relation to the natural capabilities of the land to support such development.

D. Laying out all proposed buildings, structures, streets and utilities principally within the portions of a lot that contain no sensitive natural resources.

E. Encouraging development on previously disturbed land, as defined in §27-107 of this Chapter.

(A.O.

§27-422. Sensitive Natural Resources.

1. This Part provides standards to protect specific natural resources that are sensitive to development. These sensitive natural resources include the following:

A. Floodways.

B. Wetlands/hydric soils.

C. Watercourses.

D. Lakes/water bodies.

E. Colluvial soils.

F. Red beds.

G. Steep slopes.

2. Any land that does not contain sensitive natural resources shall be considered as nonsensitive resource areas.

3. In addition to the definition of "nonsensitive resource area" contained in §27-107 of this Chapter, previously disturbed land, as defined in §27-107 of this Chapter, shall be considered a nonsensitive resource area.

(A.O.

§27-423. Applicability.

This Part shall be applicable to all subdivisions and land developments, except that the requirements of §27-424.A and §27-424.B shall not apply to residential subdivisions or residential land developments where the size of each lot equals or exceeds 80,000 square feet.

(A.O.

§27-424. Standards.

Protection of the Township's sensitive natural resources is governed by the following standards:

A. *Steep Slopes*. The following standards, including those contained in Table 27-9, "Slope Disturbance Restrictions" of this Chapter, shall apply to all grading and/or disturbance of steep slopes. If any of the delineated steep slope areas include unstable soils or geologic features which indicate possible instability, the additional standards contained in §22-304 (Preliminary Geotechnical Investigation) and §22-305 (Comprehensive Geotechnical Investigation) of the Subdivision and Land Development Ordinance [Chapter 22] shall apply.

(1) *Steep Slopes Between 15 Percent and 25 Percent*. No more than 60 percent of steep slope areas with existing grades between 15 percent and 25 percent shall be stripped of vegetation or disturbed through grading. Grading and clearing for streets on these slopes shall be limited to that necessary to accommodate the cartway and shoulders or berms. Wherever possible, streets should follow the contours of the land.

(2) *Steep Slopes Between 25 Percent and 40 Percent*. No more than 30 percent of steep slope areas with existing grades between 25 percent and 40 percent shall be stripped of vegetation or disturbed through grading. Grading and clearing for streets on these slopes shall be limited to that necessary to accommodate the cartway and shoulders or berms. Wherever possible, streets should follow the contours of the land.

(3) *Steep Slopes Exceeding 40 Percent*. No development or disturbance shall be allowed on existing steep slope areas exceeding 40 percent. Limited disturbance for utilities may be allowed where no reasonable alternative location exists.

Table 27-9
Slope Disturbance Restrictions

Slope	Maximum Slope Disturbance
0 to 15%	100%
>15% to 25%	60%
>25% to 40%	30%
>40%	0%

B. *Unstable Soils*.

(1) Unstable soils include red beds and colluvial soils.

(2) If a developer proposes to disturb unstable soils:

(a) The developer shall also submit a stability report prepared by a professional geotechnical engineer licensed in the Commonwealth of Pennsylvania addressing the anticipated environmental and structural impacts of the proposed development, as well as the construction techniques and mitigation measures needed to protect the public health safety and welfare. The stability report shall conform to the requirements

of §22-305 of the Subdivision and Land Development Ordinance [Chapter 22].

(b) The Township Engineer or Township Geotechnical Engineer shall review the stability report and supporting data and make a recommendation to the Township as to whether the proposed development conforms to the requirements of applicable Township ordinances and sound engineering practice.

(c) To ensure foundation stability, the Township Engineer or Township Geotechnical Engineer may require core borings at designated building footprint sites.

C. *Wetlands*.

(1) Wetlands shall not be disturbed except that:

(a) Wetlands that are less than 100 square feet in area that provide minimal environmental benefit may be disturbed if mitigated. The Township encourages onsite relocation and enhancement.

(b) Wetlands may be disturbed to the minimum extent necessary to provide access to the site, provided that such disturbance complies with all applicable Federal and State laws and regulations.

(c) In the AP District, wetlands may be disturbed where necessary for the safe or orderly development of the airport in compliance with Federal and State laws, regulations, directives, and guidance documents pertaining to airport development and operations (including those issued by the Federal Aviation Administration), provided that the disturbance of such wetlands complies with all applicable Federal and State and Federal laws and regulations.

(2) The Township encourages developers to design the site in a fashion which integrates existing wetlands into the site's landscaping.

(3) The developer shall also comply with all applicable Federal and State wetlands laws and regulations.

D. *Floodways*.

(1) In any subdivision or land development, floodways shall not be disturbed except that:

(a) Flood retention dams, culverts and bridges approved by the Department of Environmental Protection may be constructed in the floodway.

(b) Trails, ballfields and other forms of passive recreation not involving construction of any building may be constructed in the floodway.

(c) Floodways may be disturbed to the minimum extent necessary to provide access to the site, provided that such disturbance complies with all applicable Federal and State laws and regulations.

(2) The subdivision or land development shall comply with the Floodplain Ordinance [Chapter 8].

(3) Surface parking areas or similar paved open areas shall not be constructed within the floodway.

E. *Watercourses, Lakes, Water Bodies*.

(1) Watercourses, lakes and water bodies shall not be disturbed except that:

(a) Watercourses, lakes and water bodies may be disturbed to the minimum extent necessary to provide access to the site.

(b) In the AP District, watercourses, lakes and water bodies may be disturbed where necessary for the safe or orderly development of the airport in compliance with Federal and State regulations, directives, and guidance documents pertaining to airport development and operations (including those issued by the Federal Aviation Administration), provided that the disturbance of any such watercourse, lake or water body complies with all applicable Federal and State regulations.

(c) Water bodies that are less than 100 square feet in area that provide minimal environmental benefit may be disturbed if mitigated. The Township encourages onsite relocation and enhancement.

(2) No more than one watercourse crossing shall be permitted per land development, except in accordance with the following:

(a) Watercourse crossings shall be minimized to the greatest extent practical through the use of common streets and driveways. Only one watercourse crossing will generally be permitted. Greater than one watercourse crossing shall only be permitted if access through a common street or driveway is not possible due to extraordinary topographic conditions of the site.

(b) The width of the disturbed area for the crossing shall not exceed 100 feet.

(c) The crossing must be essential to access the site. No other access route to the site is feasible.

(d) The disturbed area shall be restored according to the guidelines in §27-413.4 of this Chapter.

(e) The developer shall take additional precautions and use best management practices to reasonably ensure that sediment and other nonpoint pollutants will not enter the watercourse.

(f) The developer shall obtain any required permits from appropriate Federal, State, County, and/or local agencies having jurisdiction over such matters prior to work beginning on the site.

(g) If the crossing includes a culvert or a bridge, that culvert/bridge shall be sufficiently oversized to provide an acceptable margin of safety to allow for potentially increased storm flows over time.

(A.O.

§27-425. Environmental Preservation and Other Incentives.

1. *Purpose*. The purpose of providing incentives is to promote the efficient use of land, infrastructure and economic resources; to provide development flexibility; to enhance development longevity, to enhance overall development quality; to improve the

environment and to enhance the overall quality of life for the residents of the Township.

2. *Slope Disturbance Credit*. The incentive offered by this subsection is a slope disturbance credit that can be used to permit additional slope disturbances on land areas between 15 percent and 25 percent slope. The disturbance credit shall be used within the same development where the development enhancement(s) are being provided.

A. *Methods*. A developer may incorporate one or more of the following methods to obtain slope disturbance credits:

(1) *Stormwater Run-Off Reduction Measures*. The developer may propose one or more of the following items:

(a) *Groundwater Recharge*. Provide area(s) for groundwater recharge through on-site stormwater infiltration for an amount of impervious area equal to one times the additional disturbed area. The minimum required recharge volume shall be equal to 1½ inches of runoff for the area defined.

(b) *Additional Landscaping*. Install additional landscaping equal to one times the additional disturbed area. This additional landscaping may be used to stabilize cut and fill slopes; to increase the habitat value of any on-site stormwater management facility; to reestablish watercourse buffers or for other on-site uses. The additional landscaping shall be installed in conformance with the planting requirements of Bufferyard 1, and the developer shall have the option to utilize the Forest Style Planting Conceptual Plan or the Prairie Style Planting Conceptual Plan as illustrated in Appendix 27-D. Watercourse buffers shall conform to the planting requirements for watercourse buffer in §27-413.4 of this Chapter.

(c) *Porous Pavement*. Utilize porous pavement to reduce stormwater runoff. The porous pavement utilized shall be incorporated into the stormwater management plan for the site and used to help minimize the stormwater volume required to be detained on the site. The size of the additional disturbance permitted shall be equal to the amount of porous pavement. An illustration of typical porous pavement construction is included within Appendix 27-F of this Chapter. Porous pavement installed shall conform to acceptable industry and government standards.

(d) *Green Roof*. A developer that utilizes green roof construction in a building design shall receive an additional disturbance credit equal to a maximum of 100 percent of the total surface area of the green roof. Green roof construction shall conform to accepted industry and government standards.

(2) *Environmental Cleanup and Improvement*.

(a) If the development site contains environmental contamination or other hazards due to previous land uses as identified in a phase one environmental assessment, the developer may propose to clean up the contamination/hazard. For example, the developer may propose to remove landfilled hazardous materials, propose to remove mining highwalls, or propose the remediation and treatment of abandoned mine drainage.

(b) The developer shall describe the value of the remediation offered,

the developer's role either directly or indirectly in causing the contamination/hazard, and the additional slope disturbance credit that the developer is seeking. The Township Engineer and the Township Environmental Advisory Council shall review the request and make a recommendation to the Planning Commission and the Board of Supervisors on the relative value of the improvement.

(c) The Board of Supervisors shall consider the reviews and other evidence provided and decide if a slope disturbance credit is warranted to help clean up the site. If the Board of Supervisors finds that a credit is warranted, it shall also set the amount of the slope disturbance credit to be granted to the developer.

(d) This incentive shall only be available to parties not directly or indirectly responsible for causing the contamination and/or hazard.

(3) *Voluntary Street Right-of-Way Dedication*. A developer who voluntarily dedicates additional right-of-way to the Township (and/or to PennDOT in the case of a State street) for which the need has been identified on the Township Official Map shall receive a maximum additional slope disturbance credit equal to the total right-of-way area dedicated to the Township (and/or to PennDOT), provided that no additional compensation is granted to the developer for the dedication of the right-of-way.

(4) *Use of Preferred Materials for External Building Facade*. A developer who voluntarily agrees to face the exterior walls of buildings proposed within a development with brick, stone and/or glass shall receive a slope disturbance credit equal to the wall area covered with brick and/or stone. Each principal building proposed within the development shall have a minimum two-thirds of its total exterior wall area covered with these materials to qualify for this credit.

3. *Parking Incentives*.

A. *Common Off-Street Parking Areas*. To encourage efficient, well planned and landscaped off street parking areas, two or more adjoining buildings may create a common parking area. Such common parking areas shall be eligible for up to a 10 percent reduction in the overall number of required parking spaces, provided that a shared parking analysis is provided to show that the reduction is justified and that the proposed common parking area employs improved design elements in terms of one or more of the following:

(1) Access control.

(2) Traffic circulation.

(3) Pedestrian circulation.

(4) Landscaping.

B. *Parking Garage/Structure Incentive in the BP District and M-1 District*. Where a parking garage/structure is proposed in the BP District or M-1 District and the footprint of the parking garage/structure covers less than 10 percent of the site, the footprint of the parking garage/structure shall not be included in the maximum lot coverage calculation.

4. *Planned Residential Development (PRD) Incentives*. Maximum site density may

be increased by up to 25 percent in the R-1 District and up to 15 percent in any other residential district by incorporating one or more of the following provisions:

A. A density bonus of 2½ percent of the site density for developments that include a common community building/development clubhouse featuring one or more common facilities including, but not limited to:

(1) A lounge area.

(2) A multi-purpose room.

(3) A hot tub/sauna.

(4) A game room.

B. A density bonus of 2½ percent of the site density for developments that include common, active recreational facilities including, but not limited to:

(1) A tot lot (playground).

(2) A swimming pool.

(3) Game court(s) or recreational field(s) of sufficient size to play sports such as baseball, soccer and football.

C. A density bonus of 2½ percent of the site density for developments that include an internal multi-purpose trail system throughout the project and a connection of that trail system to a public sidewalk system or other trail system located or planned adjacent to the site. Multi-purpose trails designed in lieu of the construction of sidewalks shall not be eligible for this incentive, unless the trail constructed is available for use by the general public and is at least 8 feet in width.

D. A density bonus of 5 percent of the site density for developments in which all principal buildings on the site are constructed with a minimum of 75 percent of the exterior building facade being brick or stone.

E. A density bonus for developments that correct off-site street deficiencies near the site or provide a donation in lieu for the Township to upgrade existing offsite streets, traffic signals, and intersections within the Township. The rate of density bonus for developments incorporating this provision is based on the value of the improvements as set by the Township Engineer's review. Developments incorporating this provision shall receive a bonus according to the following:

(1) A bonus of 2½ percent of the site density, if the improvement is valued at less than $750 per unit.

(2) A bonus of 5 percent of the site density, if the improvement is valued between $750 per unit and $1,000 per unit.

(3) A bonus of 7½ percent of the site density, if the improvement is valued at greater than $1,000 per unit.

F. A density bonus of 2½ percent of the site density for developments in which at least 25 percent of the units include basic accessibility features including, at a minimum, the following:

(1) A bedroom and a bathroom on the entry level.

(2) Lever and loop type handles/hardware.

(3) Minimum internal doorway widths of 36 inches.

(4) A front entry free of steps or stairs.

G. A density bonus of 2½ percent of the site density for developments in which the minimum bufferyard used to separate the site from all surrounding land uses is at least twice that of the required bufferyard.

(A.O.

Part 5

Supplemental Regulations

§27-501. Accessory Structures and Uses.

1. *General*. Accessory structures shall occupy the same lot as the principal use, principal building, or principal structure. All accessory structures shall comply with the requirements of §§27-211, 27-214 and 27-215 of this Chapter, except as provided in this Section.

2. *Setback Requirements*. No accessory structures shall be permitted to be located in any portion of the rear yard, side yard or front yard, except:

A. A freestanding structure accessory to a single-family dwelling (including a private garage, a shed that is more than 200 square feet in gross floor area, a satellite dish, a swimming pool and similar structures) shall be located at least 10 feet from the side lot lines and rear lot lines of a lot and shall not encroach into any recorded easements or rights-of-way.

B. A shed that is accessory to a single-family dwelling, no more than 200 square feet in gross floor area, and no more than 12 feet in height shall be located at least 5 feet from the side lot lines and rear lot lines of a lot and shall not encroach into any recorded easements or rights-of-way.

C. Fences shall comply with the setback and location requirements of §27-506 of this Part.

3. *Height*. No accessory structures shall have a height greater than the principal structure on the subject property.

4. *Separation from Principal Building*. All accessory structures, except swimming pools, shall be separated from the principal building or structure by at least 8 feet. If the separation distance between an accessory structure and principal building or structure is less than 8 feet, then the accessory structure shall be considered attached to the principal building or structure and must meet all minimum dimensional requirements for the principal building or structure.

5. *Exterior Finish*. All accessory structures shall comply with the exterior finish requirements of §27-519 of this Chapter.

6. *Construction*. No accessory structure shall be constructed upon a lot until the construction of the principal building or structure has actually been commenced.

7. *Private Garages and Sheds*.

A. A freestanding private garage and a shed shall be no larger than the principle structure on the lot or 1,000 square feet, whichever is smaller.

B. The maximum height of a freestanding private garage and a shed shall be one-and-a-half stories.

C. No more than one freestanding private garage shall be permitted per lot.

D. A shed that is no larger than 80 square feet and that is capable of being moved on a lot shall not require a permit under this Chapter.

8. *Service Structures*. Service structures shall comply with the service structure

landscaping and screening requirements contained in §27-215 of this Chapter.

9. *Satellite Dish*. An accessory structure used as a satellite dish shall be in accordance with provisions of this Part.

10. *Retaining Walls*.

A. Retaining walls and similar structures, except landscape walls, shall be considered accessory structures.

B. A building permit is required for such structures as set forth in the Construction Code [Chapter 5, Part 1].

C. A zoning and occupancy permit is required for such structures as set forth in Part 14 of this Chapter.

D. A retaining wall shall be designed by a registered professional engineer who shall certify that the wall is of sound construction, will not cause a dangerous condition and will not constitute a public or private nuisance.

E. The Township may require retaining walls to be covered with suitable ground cover (such as ivy or other plant material), or an architectural surface treatment finish, or completely screened from abutting properties.

F. Retaining walls and landscaping walls shall not be erected: (1) within the right-of-way of a street; or (2) within the 10-foot utility right-of-way or easement required by the Standard Details.

G. When cribbing is used as a type of construction for a retaining wall, the material used must have its exposed surface earth covered and seeded to prevent erosion. No retaining walls shall be constructed of wood cribbing.

H. Where retaining walls with differences in grade level on either side of the wall are in excess of 30 inches and the high side is located near a walk, path, parking lot, or driveway, or any other location that may be hazardous to pedestrians, such retaining walls shall be provided with guards that are constructed in accordance with the Construction Code [Chapter 5, Part 1] or other Township approved protective measures.

11. *Accessory Use*. Notwithstanding the fact that accessory uses may be listed as a permitted use in a zoning district under Table 27-1 (Use Table) of this Chapter:

A. Any accessory use that is of a use classification identified as a conditional use in a zoning district under this Chapter shall be considered a conditional use in that zoning district and shall require the developer and/or landowner to apply for and obtain conditional use approval for the accessory use pursuant to the requirements of, and in compliance with, Part 8 of this Chapter.

B. Any accessory use that is of a use classification identified as a special exception in a zoning district under this Chapter shall be considered a special exception in that zoning district and shall require the developer and/or landowner to apply for and obtain special exception approval for the accessory use pursuant to the requirements of, and in compliance with, Part 9 of this Chapter.

(A.O.

§27-502. Temporary Structures and Uses.

Temporary buildings, structures and uses such as reviewing stands and other

miscellaneous structures, canopies or fences used for the protection of the public shall be permitted to be erected, provided a temporary structure permit is applied for and obtained from the Zoning Officer pursuant to the requirements of Part 14. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the temporary structure permit.

(A.O.

§27-503. Moved Buildings and Structures.

Any buildings or structures moved into or within the Township shall comply with the provisions of this Chapter for new buildings and structures.

(A.O.

§27-504. Building Separation.

Except as otherwise provided by the Construction Code [Chapter 5, Part 1], there shall be at least 20 feet of clear space between every residential building and another principal building on the same lot.

(A.O.

§27-505. Clear Sight Triangle.

In order to prevent the creation of a traffic hazard by limiting visibility at a street intersection, no structure, building, earthen mound, earthen bank, or vegetation exceeding three feet in height shall be allowed within the clear sight triangle.

(A.O.

§27-506. Fences and Hedges.

Subject to the following conditions, fences and/or hedges may be erected along the boundaries of a lot:

A. Fences, hedges and other plantings shall comply with the clear sight triangle requirements of §27-505 of this Chapter.

B. A fence is permitted in the front yard provided that it complies with the following requirements: (1) the fence shall be located at least 12 feet from the cartway and shoulder of the street; and (2) the fence shall not be located within the street right-of-way. A fence is permitted to be located in the side yard and rear yard.

C. Fences shall be erected to a height not exceeding 6 feet, except as otherwise provided or required by this Chapter.

D. Barbed wire or other sharp pointed material shall not be used in the construction of a fence unless said material is at least 8 feet above the ground level and supported by fencing across its entire length, except where used to contain livestock.

E. A permit under this Chapter shall not be required to construct, maintain or alter a fence that has a height of 6 feet or less.

F. If a fence is erected up to the lot line, the Township shall not be responsible for determining the location of the lot line. The owner of the subject

property shall be responsible for determining the location of his lot lines and any claims which arise out of the erection of a fence shall be the responsibility of the person who erected the fence.

(A.O.

§27-507. General Storage.

No lot or premises shall be used as a storage area for junk vehicles, appliances or the storage or collection of any other junk or miscellaneous items unless permitted within the M-1 Industrial District or as permitted by Part 12 (Nonconforming Uses, Structures and Lots) of this Chapter.

(A.O.

§27-508. Private Swimming Pools.

Private swimming pools, in districts where permitted, shall comply with the following conditions and requirements:

A. The swimming pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.

B. The swimming pool may be located only in the rear yard or side yard of the property on which it is an accessory use.

C. The swimming pool, including any walls or paved areas or accessory structures adjacent thereto, shall comply with the setback requirements of this Chapter.

D. The swimming pool area or the entire property on which it is located shall be so walled or fenced or otherwise protected and secured as required by the Construction Code [Chapter 5, Part 1] and the Property Maintenance Code [Chapter 5, Part 2].

(A.O.

§27-509. Satellite Dish Antennas.

1. *Satellite Dish Antennas 1 Meter or Less in Diameter*. A satellite dish antenna may be permitted as an accessory structure provided that no satellite dish antenna 1 meter or less in diameter shall be located in any front yard, unless a variance is granted by the Zoning Hearing Board upon presentation of evidence establishing that the placement of the antenna in the front yard is the only feasible method of obtaining reception because of the physical characteristics of the lot and the location of existing structures on the lot.

2. *Satellite Dish Antennas over 1 Meter in Diameter*. A satellite dish antenna over 1 meter in diameter shall be permitted as an accessory structure subject to the following requirements:

A. No antenna shall be located in any front yard, unless a variance is granted by the Zoning Hearing Board upon presentation of evidence establishing that the placement of the antenna in the front yard is the only feasible method of obtaining reception because of the physical characteristics of the property and the location of existing structures on the property.

B. No more than one antenna shall be located on any one lot in a residential

district.

C. The maximum diameter of any antenna shall be 12 feet.

D. The maximum height of any freestanding antenna shall be 15 feet.

E. No part of any freestanding antenna shall be located any closer than 10 feet to any property line.

F. No antenna shall be located on the roof of any accessory building such as detached garages or sheds.

G. Roof-mounted antennas shall not be permitted in residential zoning districts, unless a variance is granted by the Zoning Hearing Board upon presentation of evidence that a roof-mounted antenna is the only feasible method of obtaining reception because of the physical characteristics of the lot and the location of existing structures on the lot.

H. The base of any freestanding antenna shall be screened with landscaping or 100 percent opaque fencing.

(A.O.

§27-510. Radio and Television Antennas.

Radio and television antennas, other than satellite dish antennas, which are subject to licensing and/or regulation by the Federal Communications Commission (FCC), are permitted accessory uses subject to compliance with the following requirements:

A. Any freestanding antenna which is not attached to a dwelling or other principal structure shall be located at least 15 feet from any dwelling unit or principal structure on the lot.

B. Antennas and associated structures which do not exceed 30 feet in height shall be located at least 15 feet from any property line. Antennas which exceed 30 feet in height shall provide an additional one foot of clearance from the property line for every one foot of height in excess of 30 feet.

C. Antennas shall not be permitted in any front yard.

D. The antenna and associated structures shall be securely anchored in a fixed location on the ground and shall otherwise be constructed in accordance with the applicable provisions of the Construction Code [Chapter 5, Part 1]. The applicant shall provide the Township with qualified evidence that the proposed structure will withstand wind and other natural forces and will comply with the applicable provisions of the Construction Code [Chapter 5, Part 1].

E. The antenna and its associated supports, such as guide wires, or the yard area containing the structure shall be protected and secured to guarantee the safety of the general public. Associated supports and guide wires shall not be located closer than 5 feet to any property line.

F. The antenna-related structures located on the ground shall be screened with landscaping or 100 percent opaque fencing.

G. The antenna and its associated structure shall comply with all applicable Federal Communications Commission (FCC), Federal Aviation Administration (FAA), and Commonwealth Bureau of Aviation regulations and applicable airport

zoning regulations, including the AZO Aiport Zone Overlay District requirements of Part 3 of this Chapter.

(A.O.

§27-511. Communications Antennas.

Communications antennas and any associated communications equipment structures are permitted in all zoning districts subject to compliance with the following requirements:

A. Communications antennas shall only be permitted where mounted or located on nonresidential buildings, light poles/standards, or utility transmission poles.

B. Communications antennas shall be designed and maintained to blend in with the existing structure to the greatest extent possible, and shall be designed and maintained to blend in with the existing surroundings to the greatest extent possible. Further, communications antennas mounted or located on a building roof shall comply with the screening requirements of §27-520 of this Part.

C. Communication antennas shall be subject to the following size limitations:

(1) An omnidirectional or whip communications antenna shall not exceed 12 feet in height and 7 inches in width.

(2) A directional or panel communications antenna shall not exceed 5 feet in height and three feet in width.

D. The antenna shall be no more than 12 feet higher than the structure on which it is to be mounted and shall be designed so as to have minimal visual impact to the building or structure, utilizing techniques such as being the same color as the building or structure on which it is located.

E. There shall be no minimum building setback requirements for the antenna.

F. Any existing or newly constructed light pole/standard or utility transmission pole may be constructed, reconstructed or altered for the purpose of accommodating the location and/or installation of communications antennas, provided that the height of the light pole/standard or utility transmission pole, once constructed, reconstructed or altered, shall not exceed 65 feet.

G. All communications antennas shall be operated so that they will not cause interference with other communications antennas.

H. The communications antenna and associated structure shall be designed and constructed in accordance with the applicable provisions of the Construction Code [Chapter 5, Part 1].

I. The antenna and its associated structure shall comply with all applicable Federal Communications Commission (FCC), Federal Aviation Administration (FAA), and Commonwealth Bureau of Aviation regulations and applicable airport zoning regulations, including the AZO Aiport Zone Overlay District requirements of Part 3 of this Chapter.

J. Any applicant proposing a communications antenna to be mounted on a building or other structure shall submit to the Township:

(1) Certification from an engineer, having demonstrated capability and competence in matters of structural integrity, that the proposed installation will not exceed the structural capacity of the structure or building upon which the communications antenna is proposed to be located, considering wind, ice, snow and other loads associated with the communications antenna location.

(2) Detailed construction and elevation drawings indicating how the antenna will be mounted on the building or structure for review by the Township Engineer to determine compliance with applicable building codes and other applicable law.

(3) Authorization from the legal owner of the lot to install the communications antenna and any structure accessory to the communications antenna.

(4) Agreements, easements, or rights-of-way necessary to ensure access for the purpose of installation and maintenance of the communications antenna and any structure accessory to the communications antenna.

K. Any accessory communications equipment structure shall comply with the following requirements:

(1) The communications equipment structure shall be designed and maintained to blend in with the existing surroundings to the greatest extent possible.

(2) For those communications antennas that are located on a nonresidential building, such communications equipment structure and associated equipment may be located on or within such building.

(3) For those communications antennas that are located or mounted on an existing or newly constructed light pole/standard, the communications equipment structure and associated equipment may be located at or near the base of such light pole/standard.

(4) For those communications antennas that are mounted on utility transmission poles, the communications equipment structure and associated equipment shall be located within the utility easement or utility right-of-way.

(5) Where the area encompassing a communications equipment structure is equal to or less than 100 square feet, the communications equipment structure shall be subject to the height and setback requirements for an accessory structure in the zoning district in which it is located. Where the area encompassing the communications equipment structure is greater than 100 square feet, the communications accessory structure shall be subject to the height and setback requirements for a principal building or structure in the zoning district in which it is located.

(6) If fencing is to surround the communication equipment structure, then the fence shall be screened by an additional landscape buffer in accordance with the requirements of Bufferyard 3 as defined in §27-214 of this Chapter.

(A.O.

§27-512. Airport Cargo Facility.

An airport cargo facility shall be a permitted use subject to the following express

standards and criteria:

A. The surface of off-street parking and loading spaces shall be paved in accordance with the requirements of Part 6 of this Chapter and shall protect the surrounding neighborhood from inappropriate dust and other disturbances.

B. The point of vehicular access for such airport cargo facility shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on Business Loop 376 (SR 3160).

C. Storage or transfer of hazardous, toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids shall be permitted only when conducted in strict compliance with applicable Federal and State regulations.

D. The height of the proposed buildings and structures that are used for nonaviation purposes shall be subject to the requirements of the AZO Airport Zone Overlay District (Part 3) and approval by the Federal Aviation Administration (FAA).

E. *Required Bufferyards*.

(1) To facilitate aircraft access to airport cargo facilities, rear bufferyards are not required.

(2) To facilitate aircraft access to airport cargo facilities, side bufferyards are not required where the abutting use is a use outlined under the definition of airport in this Chapter, or which is otherwise used exclusively for aviation purposes.

(3) Front bufferyards are required except that front bufferyards are not required where the use that abuts the location where the required front bufferyard would be located is another existing aviation use, falling under the definition of airport in this Chapter.

(4) *Bufferyard Vegetation*. Airport cargo facilities are encouraged to be set back an adequate distance from Business Loop 376 (SR 3160) and other public streets and adjacent properties so that the full amount of required vegetation can be planted in the front bufferyard and not conflict with any Federal statute or regulation. If reduced vegetation is necessary to ensure that conflicts with Federal statute or regulations do not occur, applicant shall propose and provide alternate nonvegetative screening acceptable to the Township such as 6-foot height opaque fencing, decorative brick walls and earthen mounds, unless the applicant demonstrates that the existing or proposed topography will provide adequate screening.

(A.O.

§27-513. Animal Grooming Facility.

An animal grooming facility shall be a permitted use subject to the following express standards and criteria:

A. No outdoor pens shall be constructed or provided.

B. Noise shall not exceed the levels as outlined as acceptable within the performance standards of Part 4A of this Chapter.

C. No overnight boarding facilities shall be provided.

D. Operations shall be limited to one grooming table.

E. Hours of operation shall be limited to between 8 a.m. and 8 p.m., prevailing time.

F. Off-street parking shall be provided for one employee on duty and two patrons maximum.

(A.O.

§27-514. Child Day Care Home.

A child day care home shall be a permitted use subject to the following express standards and criteria:

A. The facility shall be licensed by the Department of Public Welfare. Proof of this valid license shall be provided to the Township prior to the Township's issuance of a zoning and occupancy permit for the use. Copies of this valid license shall also accompany the annual operating report to be filed with the Township Police Department and Township Fire Department.

B. A minimum area for indoor play shall be provided at a ratio of 40 square feet per child.

C. A minimum area for outdoor play shall be provided at a ratio of 65 square feet per child using the outdoor play area. Long, linear configurations shall be avoided to assure the functionality of the space as an outdoor play area. The outdoor play area shall also:

(1) Not be less than 20 feet in width at any point.

(2) Adjoin the building where the facility is located.

(3) Not be located less than 30 feet from any street right-of-way.

(4) Not be located less than 10 feet from any property line.

(5) Contain appropriate yielding surfaces underneath any permanent play equipment.

(6) Be completely enclosed by a safe, secure and adequate fence or wall a minimum of four feet in height, unless a greater height is required by the Department of Public Welfare. Any outdoor play area potentially susceptible to encountering vehicles leaving a street, roadway, travel lanes or access ways shall be protected by a barrier capable of preventing the vehicle from entering the outdoor play area.

D. Safe vehicular access and areas for discharging and picking up children shall be provided.

(A.O.

§27-515. Day-Care Center.

A day-care center shall be a permitted use subject to the following express standards and criteria:

A. The facility shall be licensed by the Department of Public Welfare, or other appropriate State agency. Proof of this valid license shall be provided to the Township prior to the Township's issuance of a zoning and occupancy permit for the

use. Copies of this valid license shall also accompany the annual operating report to be filed with the Township Police Department and Township Fire Department.

B. A facility which provides child care shall provide a minimum area for indoor play at a ratio of 40 square feet per child.

C. A facility which provides child care shall provide a minimum area for outdoor play at a ratio of 65 square feet per child using the outdoor play area. Long, linear configurations shall be avoided to assure the functionality of the space as an outdoor play area. The outdoor play area shall also:

(1) Not be less than 20 feet in width at any point.

(2) Adjoin the building where the facility is located.

(3) Not be located less than 30 feet from any street right-of-way.

(4) Not be located less than 10 feet from any property line.

(5) Contain appropriate yielding surfaces underneath any permanent play equipment.

(6) Be completely enclosed by a safe, secure and adequate fence or wall a minimum of four feet in height, unless a greater height is required by the Department of Public Welfare. Any outdoor play area potentially susceptible to encountering vehicles leaving a street, roadway, travel lanes or access ways shall be protected by a barrier capable of preventing the vehicle from entering the outdoor play area.

D. Safe vehicular access and areas for discharging and picking up facility attendees shall be provided.

(A.O.

§27-516. Group Residence.

A group residence shall be a permitted use subject to the following express standards and criteria:

A. The number of residents shall be limited to no more than six persons.

B. Where applicable, a license or certification shall be obtained from the Commonwealth of Pennsylvania or County of Allegheny prior to the issuance of a certificate of occupancy.

C. The operator of the group residence shall provide the Zoning Officer with:

(1) A floor plan, drawn to scale, clearly delineating all rooms or sleeping areas, all points of ingress and egress to the facility.

(2) An interior vehicular circulation plan indicating the flow of traffic on the site and primary point or points of vehicular access.

D. A change in ownership or operators of the group residence or a change in basic operating procedures or general service provisions or conditions of approval shall constitute a new use requiring a new zoning and occupancy permit.

E. The use and buildings shall comply with the Construction Code [Chapter 5, Part 1].

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§27-517. No-Impact Home-Based Business.

No-impact home-based businesses, which comply with the definition and standards of this Chapter, shall be permitted as an incidental use to any principal dwelling unit in all residential zoning districts as long as the business or commercial activity satisfies the following requirements, except that such permission shall not supersede any deed, restriction, covenant, or agreement restricting the use of the land, nor any master deed, bylaw, or other document applicable to a common interest ownership community.

A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.

B. The business shall employ no more than one employee other than family members residing in the dwelling.

C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.

D. There shall be no outside appearance of a business use including, but not limited to, parking, signs or lights; except that the name of the business may be indicated on the residence mailbox, as long as the mailbox sign does not exceed one square foot in area.

E. The business activity shall not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical or electronic interference, including interference with radio or television reception, which is detectable in a neighborhood.

F. The business activity shall not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

G. The business activity shall be conducted only within the dwelling and may not occupy more than 25 percent of the habitable floor area.

H. The business shall not involve any illegal activity.

(A.O.

§27-518. Residential Recreation Facility.

A residential recreation facility shall be a permitted use subject to the following express standards and criteria:

A. Residential recreation facility uses are specifically limited to the following:

(1) Baseball fields.

(2) Basketball courts.

(3) Football fields.

(4) Hiking and bicycle trails.

(5) Lacrosse fields.

(6) Multi-purpose recreation fields.

(7) Soccer fields.

(8) Softball fields.

(9) Swimming pool.

(10) Tennis courts.

(11) Volleyball courts.

B. Accessory uses to the residential recreation facility are specifically limited to the following:

(1) Announcing stands.

(2) Batting cages.

(3) Bleachers for spectators.

(4) Concession stands limited to a maximum gross floor area of 1,000 square feet.

(5) Dugouts.

(6) Fences.

(7) Off-street parking areas.

(8) Restrooms.

(9) Safety/security lighting.

(10) Storage building limited to a maximum gross floor area of 200 square feet.

(11) Trash collection facilities.

C. The use shall not include outdoor lighting, except for safety/security lighting which shall be a maximum of two footcandles measured at 3 feet above ground level. Such lighting shall not spill over onto adjacent properties and the illumination level shall be a maximum of 0.1 footcandle when measured from an adjacent lot line. The maximum height of freestanding poles for safety/security lighting shall not exceed 25 feet.

D. The use shall not generate noise in excess of 75 dB(A) at the lot line between the hours of 10 p.m. and 7 a.m., prevailing time. For purposes of this Section, this noise restriction shall be measured from any lot line of property owned by a person or entity other than the owner of the subject recreation facility. Outdoor speakers shall not be used between the hours of 10 p.m. and 7 a.m., prevailing time. The volume and direction of outdoor speakers shall be regulated to minimize impact on adjacent properties.

E. Any outdoor facility within 300 feet of an existing dwelling shall cease operations by no later than 10 p.m., prevailing time.

F. Operations shall be regulated so that nuisances, such as visual blight, glare and noise as defined by Part 4A of this Chapter, shall not be created.

G. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, members, customers, visitors and guests and shall be available to respond to inquiries and promptly quell any disturbances caused by the employees, members, customers, visitors and guests.

H. Vehicular and pedestrian access to the proposed development shall be provided and designed to maximize pedestrian and vehicle safety.

I. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

J. A traffic impact study shall be required when determined necessary by the Township Traffic Engineer based upon a review of the proposed development, the scope of anticipated traffic and the traffic issues on adjacent streets. Any required traffic impact study shall comply with §27-522 of this Chapter.

K. Adequate water and sanitary facilities shall be provided that are available for public use.

L. Off-street parking shall be provided and maintained in accordance with a Township-approved parking needs analysis. See §27-602.4 of this Chapter. Minimum suggested parking spaces for sports fields and swimming pool:

(1) Baseball field–15 parking spaces per diamond.

(2) Basketball court–6 parking spaces per court.

(3) Football field–16 parking spaces per field.

(4) Lacrosse field–16 parking spaces per field.

(5) Multi-purpose recreation field–16 parking spaces per field.

(6) Soccer field–16 parking spaces per field.

(7) Softball field–15 parking spaces per diamond.

(8) Swimming pool–1 parking space for each 50 square feet of water surface area.

(9) Tennis court–2 parking spaces per court.

(10) Volleyball court–6 parking spaces per court.

M. Any recreation facility in existence in the Township prior to [Insert date of enactment of adopting ordinance], may continue and shall not be required to comply with the requirements of this §27-518 to the extent of the scope of nature of the use existing as of that date. Any such facility may be expanded without having to comply with the requirements of this §27-518 provided said expansion:

(1) Does not involve construction of any new building, or the expansion of any existing building exceeding 50 percent of the lot coverage legally occupied as of [Insert date of enactment of adopting ordinance].

(2) Is on the same lot as the existing recreation facility, as the lot or those lots existed as of [Insert the date of enactment of adopting ordinance].

(3) Does not involve a change in the specific type of recreation facility.

(4) Does not trigger a traffic study under §27-522 of this Chapter as a result of the new traffic created by the expansion.

Any expansion of a recreation facility not meeting the requirements of subparagraphs (1), (2), (3) and (4) shall not be permitted unless the property owner applies for and obtains a zoning and occupancy permit and complies with the requirements of this Section.

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§27-519. Exterior Finishes.

The exterior finish of a building, whether finished face brick, wood veneer, siding or any other finished facing materials approved by the Zoning Officer, shall come down the building to within 6 inches of finished grade. Plain masonry block or poured

concrete shall not be considered a finished product; nor shall either of these construction surfaces be considered as a finished product if painted.

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§27-520. Screening of Roof Equipment.

Mechanical equipment designed to be located on the roof of a structure/building must be screened with typical building materials approved by the Zoning Officer. The screen must be designed to complement building design and conceal this equipment from neighboring property owners and the public on adjacent streets.

(A.O.

§27-521. Portable Storage Units for On-Site Storage.

A portable storage unit shall be subject to the following restrictions and regulations:

A. There shall be no more than one portable storage unit per lot.

B. A portable storage unit shall not be placed within a street right-of-way.

C. A portable storage unit shall be no larger than 8 feet wide, 16 feet long and 8 feet high.

D. No portable storage unit shall remain in a residential zoning district in excess of 14 consecutive days, and portable storage units shall not be placed on a lot in a residential zoning district in excess of 30 days in any calendar year. The portable storage unit shall be removed from the lot by the expiration date on the zoning and occupancy permit for the subject portable storage unit issued by the Zoning Officer.

E. No portable storage unit shall remain on a lot in a nonresidential zoning district in excess of 30 consecutive days, and portable storage units shall not be placed on a lot in a nonresidential zoning district in excess of 45 days in any calendar year. The portable storage unit shall be removed from the lot by the expiration date on the zoning and occupancy permit for the subject portable storage unit issued by the Zoning Officer.

F. A portable storage unit shall be permitted during construction, reconstruction, alteration or renovation of the principal building and for an additional period of 3 calendar days before and after such activity, provided a building permit has been issued by the Township. The portable storage unit shall be removed from the lot before the Code Official issues a certificate of occupancy under the Construction Code [Chapter 5, Part 1], or if the construction activity ceases for a period of more than 7 consecutive calendar days.

G. A portable storage unit may be located on a lot during an emergency situation as declared by the appropriate Federal, State, County or Township agency pursuant to a temporary permit issued by the Zoning Officer. The portable storage unit shall be removed from the lot within 7 calendar days after the end of the emergency declaration by the appropriate Federal, State, County or Township agency.

H. It shall be unlawful for any person to place, or permit the placement of, a portable storage unit on property which he or she owns, rents, occupies or controls

without first having obtained a zoning and occupancy permit for the subject portable storage unit from the Zoning Officer.

I. Application for a zoning and occupancy permit for a portable storage unit shall be made to the Zoning Officer on a form provided by the Township. The Zoning Officer shall determine the most appropriate location for the portable storage unit to be placed on the lot. The permit fee, in an amount to be established from time to time by resolution of the Township Board of Supervisors, shall accompany the application. The issuance of a zoning and occupancy permit for the portable storage unit shall allow the applicant to place the portable storage unit on the subject lot in the location specified in the permit in conformance with the requirements of this Chapter. The zoning and occupancy permit for the portable storage unit shall be posted in plain view on the subject lot.

(A.O.

§27-522. Traffic Impact Studies.

1. *Traffic Impact Study Required*. A traffic impact study shall be submitted to the Township pursuant to the requirements of §22-313 of the Subdivision and Land Development Ordinance [Chapter 22] when:

A. A proposed development is expected to generate, on average: (1) 100 or more new peak hour trips on any adjacent street; or (2) 1,000 or more average daily trips (ADT) on any adjacent street. The estimated number of trips shall be determined by an analysis of similar uses through data collected by the Institute of Transportation Engineers (ITE) or through similar uses acceptable to the Township.

B. A proposed development or change in use is expected to generate less than the trip criteria referenced in paragraph .A above, but known traffic deficiencies exist in the area of the proposed development or change in use, as determined by the Township Traffic Engineer. The Township may waive the study requirement for an individual development or change in use where the ITE traffic generation data of said development or change in use documents a de minimis increase in the number of trips generated.

C. In the opinion of the Township Traffic Engineer, the proposed development or change in use is expected to have a significant impact on street-related safety or traffic flow, even if the criteria of paragraph .A or .B above are not met.

D. When specifically required by this Chapter.

2. *Traffic Impact Study Requirements*. When required, a traffic impact study shall be submitted as part of any application for a permit or approval under this Chapter. A scope of work for the study shall be first submitted to the Township for approval. The study shall be performed by a qualified professional traffic engineer with experience preparing traffic impact studies. The applicant and study shall comply with the requirements and standards for traffic impact studies outlined in the Subdivision and Land Development Ordinance [Chapter 22].

3. *Completion of Traffic Control Devices and Other Traffic Improvements*. Traffic control devices and traffic improvements shall be completed in accordance with §22-313 of the Subdivision and Land Development Ordinance [Chapter 22].

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§27-523. Driveways.

All driveways shall be constructed and maintained in accordance with the Driveway Ordinance [Chapter 21, Part 3].

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Part 6

Parking and Loading

§27-601. General Regulations.

1. Any construction of a building or structure, new use, expansion of an existing use, or change of use in any zoning district shall comply with the requirements of this Chapter for the provision of off-street parking facilities and loading facilities.

2. Unless otherwise provided in this Chapter, the required off-street parking facilities and loading facilities shall be available throughout the hours of operation of the particular business or use for which such facilities are provided.

3. Unless otherwise provided in this Chapter, all parking spaces and loading facilities shall be provided on the lot of the principal structure and principal use which they are intended to serve.

4. All off-street parking areas and loading facilities shall be so arranged as to provide for orderly and safe parking and storage of vehicles.

5. When two or more uses are located within the same building or structure or when two or more uses are located in more than one building on one lot, parking spaces equal in number to the sum of the separate requirements for each use shall be provided. The development plan shall contain a tabular summary of each use and the parking spaces assigned to it.

6. Off-street parking areas for more than five vehicles, access drives, and loading facilities shall be graded for proper drainage and shall be surfaced or paved with concrete, bituminous asphalt or other similar material. Off-street parking areas shall be graded to a maximum slope of 5 percent.

7. Off-street parking areas which are used for the storage of vehicles and are not accessible to the general public shall be graded for proper drainage and finished with an all-weather surface such as gravel or slag which has been properly graded, choked and compacted.

8. Overflow parking spaces required less than 10 days a year, but may be needed for occasional events or occasional equipment servicing, may be provided through the use of grasscrete or other similar open-paving material.

9. For multi-family developments, the visitor parking spaces required in Table 27-10, "Minimum Parking and Loading Requirements," of this Chapter shall be provided in common areas throughout the development site.

10. All lighting used to illuminate any parking area and/or loading facility shall be so arranged as to reflect the light away from adjoining premises and street rights-of-way. Lighting shall be required in off-street parking areas with 15 or more parking spaces. Lights shall be required at the access drive or point of entry to an off-street parking area where it intersects with any street if, in the opinion of the Township Engineer, there is insufficient light on the aforementioned street.

11. Designated fire lanes shall be provided in accordance with the requirements of the Construction Code [Chapter 5, Part 1].

12. Access to and from all off-street parking areas and loading facilities, including

access drives related thereto, shall consist of well-defined separate or common entrances and exits and shall comply with the requirements of the Subdivision and Land Development Ordinance [Chapter 22].

13. Each parking space shall have access directly to an access drive or driveway. Interior circulation of traffic shall be designed so that no access drive or driveway providing access to parking spaces shall be used as a through street. Interior traffic circulation shall be designed to ensure safety and access by emergency vehicles.

14. Off-street parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle.

15. Unless otherwise provided by this Chapter, for the purpose of servicing any parking area held under single and separate ownership, entrance and exit drives shall be limited to two along the frontage of any single street and their center lines shall be spaced at least 80 feet apart. On corner lots, there shall be a space of a minimum of 60 feet, measured at the curb line, between the center line of any entrance or exit drive and the street line of the street parallel to said access drive.

16. All parking spaces and loading facilities shall be clearly delineated by painted lines and other markers.

17. All vehicular entrances to and exists from off-street parking areas shall be clearly marked for all conditions.

(A.O.

§27-602. Parking Space and Traffic Aisle Requirements.

1. *Parking Spaces Required*. Off-street parking spaces shall be provided in accordance with the ratios specified in Table 27-10 (Minimum Parking and Loading Requirements) of this Chapter for the various categories of uses. Where the determination of parking spaces required for a use results in a fraction of a parking space, any fraction shall be counted as one space.

2. *Parking Space Design*.

A. Unless otherwise provided in this Chapter, each parking space shall have an area of not less than 180 square feet, whether inside or outside of a structure, for the temporary standing of automobile vehicles to be used exclusively as a parking stall for one automobile vehicle.

B. Unless otherwise provided in this Chapter, the minimum dimensions of parking spaces shall be as follows:

(1) Minimum width–9 feet.

(2) Minimum depth–19 feet; provided, however, one foot of the parking space depth may be counted from an interior landscaped area where this 1 foot is used for vehicle overhang.

C. In the BP District and ED District, a maximum of 10 percent of the total parking spaces required may be designated for compact cars. The minimum dimensions of these parking spaces for compact cars shall be as follows:

(1) Minimum width–8 feet.

(2) Minimum depth–18 feet.

3. *Traffic Aisle Design*. Unless otherwise provided in this Chapter, the minimum dimensions of traffic aisles in off-street parking areas shall be as follows:

A. Minimum width of traffic aisles providing two-way travel shall be 24 feet.

B. Minimum width of traffic aisles providing one-way travel shall vary with the angle of parking, as follows:

(1) Parallel–12 feet.

(2) Thirty degrees–14 feet.

(3) Forty-five degrees–16 feet.

(4) Sixty degrees–20 feet.

(5) Ninety degrees–24 feet.

4. *Parking Needs Analysis*.

A. Where required by Table 27-10 (Minimum Parking and Loading Requirements), Part 8, or another provision of this Chapter, a parking needs analysis report, in the form of a narrative, shall be provided to the Township and shall include the following information in order to quantify the parking requirements of a proposed development and its impact on existing uses on the subject lot:

(1) All types of use(s) existing and proposed for the subject lot.

(2) Square footage per each use (existing and proposed) in each building on the subject lot.

(3) Total square footage for each building on the subject lot.

(4) Number of employees per use (existing and proposed) in each building on the subject lot, where applicable.

(5) Number of dwelling units (existing and proposed) in each building on the subject lot, where applicable.

(6) Number of seats and/or tables (existing and proposed) in each building on the subject lot, where applicable.

(7) Hours of operation for each existing and proposed use on the subject lot, where applicable.

(8) Number of standard parking spaces, handicapped-accessible parking spaces and loading spaces which exist on the subject lot.

(9) Number of standard parking spaces, handicapped-accessible parking spaces, and loading spaces proposed on the subject lot for the proposed uses.

(10) Number of standard parking spaces, handicapped-accessible parking spaces, and loading spaces proposed off-site.

(11) Number of standard parking spaces, handicapped-accessible parking spaces, and loading spaces abutting the property lines of the subject lot.

(12) The total number of off-street standard parking spaces, handicapped-accessible parking spaces, and loading spaces required for the proposed use(s) pursuant to Part 6 and Table 27-10 (Minimum Parking and Loading Requirements) of this Chapter.

(13) The total number of off-street standard parking spaces, handicapped-

accessible parking spaces, and loading spaces proposed on the subject lot for all uses on the subject lot.

(14) Any other information deemed relevant by the owner, developer or Township.

B. The number of off-street parking spaces and loading spaces required by Table 27-10 (Minimum Parking and Loading Requirements) of this Chapter may be reduced if the parking needs analysis demonstrates that it exceeds the total parking demand of all uses on the subject lot at any one time.

C. If the Township determines that the proposed parking can satisfy the off-street parking needs of the combined uses on the subject lot, then the landowner or developer shall be permitted to provide parking in accordance with the parking needs analysis.

D. The landowner or developer shall update the Township-approved parking needs analysis upon any change in use of the subject lot. If the Township determines that the proposed parking, as updated, can satisfy the off-street parking needs of the combined uses on the subject lot, then the landowner or developer shall be permitted to provide parking in accordance with the updated parking needs analysis.

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§27-603. Parking Garage/Structure Requirements.

1. Parking garages/structures shall be considered a building that is an accessory use to the principal use of a lot and shall be included in all lot coverage calculations.

2. Parking garages/structures shall be illuminated in conformance to the requirements of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22].

3. Parking garages/structures shall not be located any closer to a street right-of-way line or a lot line than that which is permitted under the minimum building setbacks defined in Table 27-5 (Dimensional Requirements) of this Chapter.

4. The perimeter of all parking garages/structures shall be landscaped in conformance with the Bufferyard 3 requirements defined in §27-214 of this Chapter. This provision shall not apply to property located within (A) 600 feet of an existing runway, taxiway or other paved surface used for the moving of airplanes or (B) 1,000 feet of the end of any existing runway, in which case the area in which vegetation otherwise would be required borders a public street or adjacent property not owned by the applicant, the applicant shall plant and maintain a grass lawn.

(A.O.

§27-604. Handicapped-Accessible Parking Requirements.

Handicapped accessible parking spaces shall be provided in accordance with the requirements of all applicable Federal, State, County and Township laws, statutes, ordinances and regulations, including but not limited to the Federal Americans with Disabilities Act (ADA) and the Construction Code [Chapter 5, Part 1].

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§27-605. Setback and Landscaping.

1. Off-street parking spaces provided in a surface parking area shall not be located any closer than 10 feet to a street right-of-way line. The area between the street right-of-way line and such surface parking area shall be landscaped in accordance with Part 2 of this Chapter.

2. Off-street parking areas and loading facilities shall be landscaped in accordance with the requirements of Part 2 of this Chapter.

(A.O.

§27-606. Loading Facility Requirements.

1. *Loading Spaces Required*. Loading spaces shall be provided in accordance with Table 27-10 (Minimum Parking and Loading Requirements) of this Chapter for the various categories of uses. Where the determination of loading spaces required for a use results in a fraction of a loading space, any fraction shall be counted as one space.

2. *Loading Space Design*. The minimum dimensions of each loading space shall be as follows:

A. Office, retail and service uses–minimum width of 12 feet and minimum depth of 30 feet. For purposes of this subsection, "service" shall include hotels, motels and restaurants.

B. All other nonresidential uses–minimum width of 12 feet and minimum depth of 65 feet.

C. Minimum overhead clearance for all uses–14 feet.

3. *Access*. Loading facilities shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto streets. All development plans which propose loading facilities shall provide verification that adequate turning radiuses are provided within the parking/driveway areas where vehicles will be traversing. The design of loading facilities shall be subject to the review and approval of the Township Engineer.

4. *Location*. Loading facilities shall be located in areas that will not impede or obstruct traffic on streets, parking areas, access drives and driveways. Loading facilities shall not be located in a required front yard.

Table 27-10
Minimum Parking and Loading Requirements

Use	Minimum Parking Space Requirements	Minimum Loading Requirements	
		Building Floor Area	# of Loading Spaces
Accessory use, billboard, emergency services facility, employee cafeteria/dining room, essential services, forestry, open space, outdoor storage, supporting retail	0 spaces unless otherwise defined by this Chapter		

Use	Minimum Parking Space Requirements	Minimum Loading Requirements	
		Building Floor Area	# of Loading Spaces
Adult oriented business	1 space for every 500 sq. ft. of gross floor area		
Agricultural Operations	1.5 spaces for each dwelling unit, plus 1 space per employee		
Airport and military facility, mixed-use development, mixed-use educational development, univer-sity/college	As determined by the Township following a parking needs analysis		
Animal grooming facility	1 employee space, plus 2 spaces for patrons		
Assembly or fabrication facility, woodshop/millwork	1 space for every 750 sq. ft. of gross floor area	0 to 5,000 sq. ft. 5,001 to 20,000 sq. ft. Each additional 20,000 sq. ft. or fraction thereof	1 2 1 additional
Automotive repair services	1 space for each em-ployee and employer, plus 3 spaces for each repair bay		
Automobile sales and rental	1 space for every 400 sq. ft. of showroom space plus 1 space for every 500 sq. ft. of outdoor display area	Per Building	1
Bed and Breakfast	1 space for each guest room, plus 2 spaces		
Boarding house	1 space for each two full time staff, plus 1 space for every 2 beds		
Business services, personal services, financial institution, business or professional office	1 space for every 300 sq. ft. of net floor area	0 to 20,000 sq. ft. 20,001 to 60,000 sq. ft. Each additional 60,000 sq. ft. net floor area or fraction thereof	0 1 1 additional
Car wash	1 space for every 200 sq. ft. of office plus 10 spaces for vehicular stacking		

Use	Minimum Parking Space Requirements	Minimum Loading Requirements	
		Building Floor Area	# of Loading Spaces
Cemetery	1 space for each employee, plus 1 space for each 4 visitors which can be accommodated at peak usage in total capacity of mausoleum or columbarium		
Commercial school	1 space for each staff, plus 1 space for every 2 students		
Correctional facility	1 space for every 2 employees, plus 1 space for each 5 inmates, for visitors.	0 to 20,000 sq. ft. 20,001 to 60,000 sq. ft. Each additional 60,000 sq. ft. net floor area or fraction thereof	0 1 1 additional
Day-care center, child day care home	1 space for each 300 sq. ft. of gross floor area with a minimum of 4 spaces		
Dormitory	1 space for every 2 beds		
Drive-in theater	1 space for each 2 staff		
Driving range	1 space for every 2 tee stands		
Farmer's market	1 space for every 300 sq. ft. of gross floor area		
Fitness center	1 space for each 400 sq. ft. of gross floor area		
Flex space	1 space for every 300 sq. ft. of gross floor area	0 to 5,000 sq. ft. 5,001 to 20,000 sq. ft. Each additional 20,000 square feet or fraction thereof	1 2 1 additional
Fuel sales	1 space for each employee plus 1 space for every 2 fuel dispensers		
Funeral home	25 spaces for the first parlor, plus 10 spaces for each additional parlor		

Use	Minimum Parking Space Requirements	Minimum Loading Requirements	
		Building Floor Area	# of Loading Spaces
Golf course, country club and private club	1 space for each 4 members, plus the number of spaces required for a low turnover restaurant if a restaurant is included		
Group care facility	1 space for each 2 full time staff, plus 1 space for every 5 residents		
Group residence	1 space for every 4 residents, plus 1 space for each employee on peak shift		
Home occupation	Determined in accordance with §27-833 of this Chapter		
Hospital	1 space for each bed, plus 1 space for each employee and staff on peak shift	0 to 20,000 sq. ft. 20,001 to 60,000 sq. ft. Each additional 60,000 sq. ft. that floor area or fraction thereof	0 1 1 additional
Hotels/motels	1 space for every sleeping room, plus additional spaces as required by this Chapter for restaurants, banquet facilities, conference rooms or any other accessory use which is open to the general public		
International trade center, expositional hall	1 space for each 300 square feet of gross floor area with a minimum of four spaces	0 to 50,000 sq. ft. 5,001 to 20,000 sq. ft. Each additional 20,000 sq. ft. or fraction thereof	1 2 1 additional
Junkyard	1 space for each employee on peak shift, plus 2 spaces for patrons		
Kennel	1 space for each employee, plus 1 space for each 1,000 sq. ft.		
Laboratory, pilot manufacturing, research and development	1 space for every 500 sq. ft. of gross floor area	0 to 5,000 sq. ft. 5,001 to 20,000 sq. ft. Each additional 20,000 sq. ft. or fraction thereof	1 2 1 additional

Use	Minimum Parking Space Requirements	Minimum Loading Requirements	
		Building Floor Area	# of Loading Spaces
Landscaping center (retail)	1 space for every 200 sq. ft. of sales area, plus 1 space for every 2 peak hour staff		
Landscaping center (wholesale)	1 space for every 2 acres of production sales area		
Library and senior center	1 space for every 200 sq. ft. of public space, plus 1 space for each employee		
Life care facility, nursing home and personal health care facility	1 space for each staff, plus 1 space for each 3 beds or residents	0 to 20,000 sq. ft. 20,001 to 60,000 sq. ft. Each additional 60,000 sq. ft. net floor area or fraction thereof	0 1 1 additional
Massage therapy establishment	1 space for each table, plus 1 space for each staff person on shift of maximum employment		
Medical and dental office	1 space for every 200 sq. ft. of gross floor area		
Medical clinic	4 spaces for each doctor, licensed physician assistant and licensed nurse practitioner, plus 1 additional space for each employee		
Mineral extraction	1 space for each employee of peak shift		
Mobile home park	1.5 spaces for each dwelling unit		
Multi-family dwelling (townhouse, garden apartment, quadplex, high-rise apartment)	1.5 spaces for each dwelling unit, 0.5 space per unit for visitor parking		
Neighborhood convenience store	1 space for each 200 sq. ft. of gross floor area		
Nightclub	1 space for each 4 sq. ft. of net floor area devoted to seating at stools or standing area, plus 1 space for each 50 sq. ft. of net floor area devoted to seating at tables with chairs		

Use	Minimum Parking Space Requirements	Minimum Loading Requirements	
		Building Floor Area	# of Loading Spaces
Park, playground, nonresidential recreation facility, residential recreation facility	As determined by the Township following a parking needs analysis		
Place of worship, conference and training center	1 space for every 4 seats in the largest meeting room		
Post office	1 space per employee on shift on maximum employment and 1 space per 800 sq. ft. of gross floor area		
Restaurant, high turnover (with or without drive through), indoor entertainment center	1 space for every 50 sq. ft. of net floor area		
Restaurant, low turnover	2 spaces for every 75 sq. ft. of net floor area		
Retail store and pharmacy	1 space for every 200 sq. ft. of gross floor area, plus 1 space for each employee		1 per retail store
School	1 space per employee, plus 1 space per 10 students of design capacity		
Self-storage facility	In accordance with the requirements of §27-858		
Shopping center	1 space for every 200 sq. ft. of gross floor area		1 per retail store
Single-family dwelling, two-family dwelling	2 spaces for each dwelling unit		
Social service agency	1.5 space for each employee at peak shift		
Stadium, amphitheater	1 space for each 3 seats	0 to 20,000 sq. ft. 20,001 to 60,000 sq. ft. Each additional 60,000 sq. ft. net floor area or fraction thereof	0 1 1 additional
Supply yard	1 space for every 200 sq. ft. of gross floor area	0 to 5,000 sq. ft. 5,001 to 20,000 sq. ft. Each additional 20,000 sq. ft. or fraction thereof	1 2 1 additional

Use	Minimum Parking Space Requirements	Minimum Loading Requirements	
		Building Floor Area	# of Loading Spaces
Theater/Auditorium	1 space for every 4 seats in screening room		
Township facilities	1 space for every 300 sq. ft. of net floor area		
Utility services	2 spaces per utility service		
Veterinary services	1 space per employee and 2 spaces per exam table		
Warehouses, heavy manufacturing, light manufacturing, wholesaling, freight terminal, public works, distribution center, cargo facility, school maintenance facility	1 space for every 750 sq. ft. of net floor area	0 to 5,000 sq. ft. 5,001 to 20,000 sq. ft. Each additional 20,000 sq. ft. or fraction thereof	1 2 1 additional
Water storage/tower, communications tower	1 space for each tower		
Other uses not listed	1 space for each 300 sq. ft. of gross floor area or 1 space for each 3 occupants at maximum allowable occupancy, whichever is greater		

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Part 7

Signs

§27-701. Application.

1. Signs shall only be erected and maintained in compliance with the provisions of this Part, other Parts of this Chapter and any and all regulations of the Township relating in any way to the erection, location, size, height, use, number, lighting, operation, alteration or maintenance of signs, billboards, banners and other similar advertising devices as defined herein.

2. No sign shall be erected, altered, painted, relocated, remodeled, expanded or maintained in any manner that is inconsistent with provisions of this Chapter and all other applicable Township ordinances. A sign permit shall be obtained from the Zoning Officer prior to the erection or alternation of any sign. The Zoning Officer shall review and approve all sign applications and sign permits.

(A.O.

§27-702. General Regulations.

The following regulations shall apply to signs in all zoning districts:

A. *Restricted Signs*. The following signs shall not be permitted in any zoning district:

(1) Banners or pennants, other than temporary special event signs authorized by this Chapter.

(2) Signs placed on trees, utility poles, official traffic control devices, or official traffic signs.

(3) Signs which imitate traffic control devices.

(4) Signs painted on fences or retaining walls.

(5) Strings of lights, flashers, flags, pennants or other display paraphernalia, except those displays specifically authorized by this Part.

(6) Overhanging signs, as defined herein.

(7) Signs on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property (other than temporarily for overnight storage on the site of a business or for maintenance, repair, loading, unloading or rendering a service at any location) which are visible from the public right-of-way and where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property.

(8) Signs located within public rights-of-way, except as otherwise provided in this Part.

B. *Exempt Signs*. The following signs shall be exempt from the regulations of this Part:

(1) Residential identification signs, as defined herein.

(2) Holiday decorations displayed for recognized Federal or State

holidays, provided they do not interfere with traffic safety or do not, in any other way, become a public safety hazard. Holiday decorations shall not include temporary special event signs, as defined by this Chapter.

(3) Memorial/historical plaques.

(4) Window display signs, as defined herein, provided they shall not exceed 20 percent of the gross surface area of all windows in an establishment.

(5) Signs erected by a governmental agency, including street signs, official traffic signs and official notices.

(6) Signs authorized by the Township to be located on Township facilities and public rights-of-way.

C. *Lots with Multiple Street Frontage*. In nonresidential zoning districts, a lot having a total lot area greater than two acres which fronts on more than one street shall be permitted to have one sign which is permitted per lot, on each street frontage. This requirement shall not apply to pole signs.

D. *Temporary Signs*.

(1) *General*. In all zoning districts where authorized by §27-703, real estate signs, construction signs and development signs shall be considered temporary signs which shall be removed within 30 days of the completion of sale, lease or construction.

(2) *Restaurant Sandwich Board Sign*. Sandwich board signs shall only be permitted for restaurants, subject to the following requirements:

(a) The sign shall be placed immediately adjacent to the entrance to the facility, provided that the sign does not impede pedestrian traffic. A minimum 5-foot clearance shall be maintained for pedestrian access.

(b) The sign shall not be placed within a public right-of-way.

(c) The sign shall be secured to the building or other fixed object with a chain or similar device and shall be constructed of such design and materials so as not to be displaced by a peak wind gust speed of 60 miles per hour.

(d) Placement of the sign shall be limited to the hours which the restaurant is open to the public and the sign shall be removed daily.

(e) Only one sandwich board sign shall be permitted per restaurant.

(f) The size of the sign and its structure shall not exceed 6 square feet.

(g) The sign shall be nonilluminated.

(3) *Temporary Community Event Sign*. One temporary community event sign shall be permitted to be erected at a Township facility, public building, place of worship, school or similar building, subject to the following requirements:

(a) The signs shall be constructed of weather-resistant material such as wood, cloth and plastic.

(b) The gross sign surface area of all such signs shall not exceed 32 square feet.

(c) The sign shall be nonilluminated.

(d) The signs shall not be digital, animated, or flashing.

(e) No such sign shall be located within the clear sight triangle or in such a position that it will cause a hazard by obstructing visibility for traffic on a street or obscuring a traffic signal or other traffic control device.

(f) A portable sign shall not be considered a temporary sign under this subsection.

(g) Only one such sign shall be permitted per lot frontage. No such sign shall be located within 100 feet of any other temporary sign.

(h) The sign shall be displayed for a period no longer than 30 consecutive days and shall be removed within 1 day following the event that it promotes. This type of sign shall only be displayed on the subject property no more than 30 consecutive days in any 3-month period and no more than 60 days in any calendar year. The duration and permit period restrictions within this subsection shall not apply to signs installed by the Township.

Notwithstanding the requirements of this subsection, a temporary community event sign may be located across a public street right-of-way subject to the approval from the governmental entity that has jurisdiction over the specific public street right-of-way and compliance with the design and location requirements of such governmental entity.

E. *Changeable, Moving and Flashing Signs*. Changeable signs, moving signs and flashing signs shall only be permitted in the M-1 Industrial District subject to the regulations contained in this Chapter; provided, however, the following portions of signs are exceptions to this requirement provided that the following signs do not flash:

(1) Portion of a permitted sign which indicates time and temperature.

(2) Portion of a permitted sign which indicates fuel prices for fuel sales located on the subject property.

F. *Portable, Painted, Sandwich Board and Inflatable Signs*. Portable signs, signs painted on walls, sandwich board signs (except as permitted under paragraph .D(2)) and inflatable signs shall only be permitted in the M-1 Industrial District subject to the regulations contained in this Chapter.

G. *Notification Signs*. In all zoning districts, the number, location and size of legal notification signs erected by public agencies shall be in accordance with the laws of the Commonwealth of Pennsylvania. Legal notification signs posted on private property by property owners, such as “no trespassing,” “no hunting,” “no soliciting” and the like shall be limited to a gross sign surface area not exceeding 2 square feet. The placement and maximum number of signs permitted along street frontages shall be one sign for every 30 feet of street frontage.

H. *Visibility*. No sign shall be located in such a position that it will cause a hazard by obstructing visibility for traffic on a street or obscuring a traffic signal or other traffic control device. No sign shall be located within the clear site triangle of any intersection. No sign, other than official traffic signs, shall hang over the

right-of-way of any street. No sign, other than official traffic signs, shall be erected within the right-of-way of any street, except as otherwise provided in this Part.

I. *Illumination*. Illumination, when authorized by this Chapter, shall be directed upon the sign face and not toward adjoining properties or streets. Flashing or oscillating signs shall only be permitted in the M-1 Industrial District. Lighting shall be stationary and constant in intensity and color at all times. The intensity of any source of illumination of any sign, whether indirect or internal, shall be controlled so as to not create glare and to be compatible with the intensity of ambient light and illumination on surrounding properties.

J. *Maintenance and Inspection*. All signs must be constructed of a durable material and maintained in good condition. Any sign found to be in an unsafe condition upon inspection by the Zoning Officer shall be declared to be a public nuisance and an enforcement notice shall be issued to the owner, in accordance with the requirements of Part 14, to repair or remove the sign within a reasonable time period. Upon failure of the owner to comply, the Township shall remove the sign at the owner's expense.

K. *Removal of Signs*. Whenever any business or entity is discontinued or vacated, all signs relating to such business or entity shall be removed within 30 days of the discontinuance or vacation of the business or entity. Whenever a sign permit expires for a sign, the sign relating to the expired sign permit shall be removed immediately. Upon failure of the owner to comply, the Township shall remove the sign at the owner's expense.

L. *Permits Required*. A sign permit shall be required for the erection or placement of all signs with the following exceptions:

(1) Notification sign.

(2) Real estate sign.

(3) Political sign.

(4) Construction sign.

(5) Off-premises directional signs erected by a governmental agency.

The Zoning Officer shall issue the required sign permit upon submission of an application which complies with all applicable provisions of this Chapter and payment of the required fee established from time to time by resolution of the Board of Supervisors.

M. *Expiration of Permits*. Any permit issued by the Zoning Officer for erection, alteration, replacement or relocation of any sign shall expire automatically within 6 months of the date of issuance if work authorized by the permit has not been initiated and diligently pursued.

N. *Sign Location*. Except for political signs and billboards, where authorized by this Chapter, all signs shall be located on the premises which they are intended to serve.

O. *Gross Sign Surface Area*. In computing the gross sign surface area of a double-faced sign, only one side shall be considered provided both faces are identical. If the interior angle formed by the two faces of the double-faced sign is greater than 45 degrees, then both sides of such sign shall be considered in

calculating the gross sign surface area.

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§27-703. Signs Authorized in All Zoning Districts.

The following signs are authorized in all zoning districts:

A. *Bulletin Board Sign*. One bulletin board sign which is nonilluminated or indirectly or internally illuminated, and which does not exceed 30 square feet in gross sign surface area, shall be permitted in connection with any place of worship, school, university, library, Township facility or similar public building. The bulletin board sign may be provided in the form of an electrically activated changeable sign provided that the sign complies with the following requirements:

(1) The sign shall be attached to a freestanding ground sign which complies with the requirements of this Part.

(2) The sign shall be nonilluminated or internally illuminated.

(3) Messages on the sign shall not change at a frequency of more than 1 time per minute, except for time and temperature signs.

(4) The time interval used to change from one complete message/display to the next complete message/display shall be a maximum of one second.

(5) There shall be no appearance of a visual dissolve or fading, in which any part of one electronic message/display appears simultaneously with any part of the second electronic message/display.

(6) There shall be no appearance of flashing or sudden bursts of light, and no appearance of animation, movement, or flow of the message/display.

(7) Any illumination or contrast of light level shall remain constant.

(8) In a residential zoning district, the sign shall only be permitted if it is located along an arterial street or collector street.

B. *Real Estate Sign*. Real estate signs shall be permitted, subject to the following requirements:

(1) In residential zoning districts, one nonilluminated, temporary real estate sign shall be permitted on each lot provided the gross sign surface area shall not exceed 6 square feet.

(2) In nonresidential districts, one nonilluminated, temporary real estate sign shall be permitted on each frontage of a lot provided the gross sign surface area shall not exceed 32 square feet per sign.

(3) The real estate sign shall not exceed 6 feet in height.

(4) The real estate sign shall be removed within 30 days of the sale, lease or rental of the property on which it is located.

(5) A real estate sign advertising an open house in a residential zoning district shall be permitted provided that:

(a) Only one such sign shall be permitted per development/subdivision.

(b) The sign shall be placed on private property, outside of the public right-of-way, at the entrance to the subdivision/development for

directional purposes.

(c) The gross sign surface area shall not exceed two square feet.

(d) The sign shall not exceed 3 feet in height.

(e) The sign shall be nonilluminated.

(f) The sign shall be removed daily, immediately at the close of the open house period, and shall not be left overnight.

C. *Development Sign*. One nonilluminated, temporary development sign shall be permitted on each lot provided the gross sign surface area shall not exceed 32 square feet. The development sign shall not exceed 6 feet in height when located in any residential zoning district and shall not exceed 10 feet in height in any nonresidential zoning district. Such sign shall be removed within 30 days of the sale or rental of the last lot or completion of the proposed construction in the development.

D. *Construction Sign*. One nonilluminated, temporary construction sign announcing the names of contractors, mechanics or artisans engaged in performing work on the premises shall be permitted on a lot; provided, the gross sign surface area shall not exceed 12 square feet and the sign shall be removed within 30 days of the completion of the work.

E. *Home Occupation Identification Sign*. One nonilluminated home occupation identification sign shall be permitted for an approved home occupation, provided that the surface area of the sign does not exceed 2 square feet and the sign shall contain only the name, address and occupation of the resident, and shall not contain any logo or any other advertising.

F. *Political Sign*. Temporary political signs shall be permitted, subject to the following requirements:

(1) The sign shall be nonilluminated.

(2) The sign shall not be of a type restricted by §27-702.A of this Chapter.

(3) The sign shall not exceed a height of four feet nor a gross sign surface area of 16 square feet.

(4) The sign shall not be placed or located in any public right-of-way, Township property, Township facility, or obstruct traffic visibility.

G. *On-Premises Directional Sign*. On any lot which contains two or more multi-family dwelling buildings or nonresidential buildings, and/or on any lot which provides more than 100 parking spaces, on-premises directional signs shall be permitted, provided that (1) the gross sign surface area of any one sign shall not exceed 4 square feet and (2) the height of the sign shall not exceed 3 feet. On lots with an area of less than 20,000 square feet, a maximum of two nonilluminated or indirectly illuminated on-premises directional signs shall be permitted. On lots with an area of between 20,000 square feet and one acre, a maximum of four nonilluminated or indirectly illuminated on-premises directional signs shall be permitted. For each additional acre, or fraction thereof above 1 acre, two additional on-premises directional signs shall be permitted.

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§27-704. Signs Authorized in Residential Zoning Districts.

The following signs shall be permitted in all residential zoning districts:

A. *Residential Plan Identification Sign*. One nonilluminated or indirectly illuminated permanent wall or freestanding ground residential plan identification sign with a gross sign surface area not to exceed 15 square feet and containing only the street address and/or name of a residential subdivision plan or multi-family dwelling building or development. A sign identifying the name of a residential subdivision may be affixed to a free-standing decorative wall, rather than to a building wall, provided that the decorative wall meets all applicable requirements of this Chapter.

B. *Business Identification Sign*. One freestanding ground sign for any business use (other than a home occupation) which is a legal nonconforming use, or which constitutes a use authorized by this Chapter in the subject residential district; provided, that:

(1) No pole sign exists on the lot.

(2) The gross sign surface area shall not exceed 18 square feet.

(3) The structure height of the ground sign shall not exceed 8 feet.

(4) The location of the ground sign shall be designed to not interfere with vehicular traffic visibility entering or exiting the lot or traveling on any street.

(5) The foundation of the ground sign shall have a decorative finish that compliments the principal building on the property and such foundation shall have a minimum height of 18 inches above the adjacent ground level.

(6) The ground sign shall be nonilluminated or indirectly illuminated.

(7) The ground sign shall be located at least 10 feet from the street right-of-way line, or 40 feet from the centerline of the street, whichever is greater. Where the lot abuts a residential property, the setback from the lot line of that property shall not be less than 50 feet.

(8) No portion of the ground sign shall project over any public right-of-way nor shall it be located within the clear sight triangle of any street intersection.

(9) The ground sign shall contain no more than two sign faces, one per side.

(A.O.

§27-705. Signs Authorized in Nonresidential Zoning Districts.

The following signs shall be permitted in all nonresidential zoning districts:

A. *Temporary Special Event Sign*. A temporary special event sign shall be permitted, subject to the following requirements:

(1) No more than one sign shall be permitted on any establishment at any one time.

(2) The sign shall be securely attached to the building.

(3) The sign shall be displayed for a period no longer than 30 consecutive days and shall be removed within one day following the event that it promotes. This type of sign shall only be displayed on the subject property no more than

30 consecutive days in any 3-month period and no more than 60 days in any calendar year.

(4) The gross sign surface area of the sign shall not exceed 32 square feet per establishment. In the event that there is more than one establishment on a property, the aggregate gross sign surface area of all temporary special event display signs on the property at any one time shall not exceed 80 square feet.

(5) The sign shall be nonilluminated.

(6) Portable signs shall not be considered temporary special event signs.

B. *Changeable Sign*. Changeable signs (including animated, digital and electronic message signs) shall only be permitted in the M-1 Industrial District. In addition to the authorized business identification sign, one changeable sign shall be permitted per lot in the M-1 Industrial District, regardless of the number of businesses on the lot, subject to the following requirements:

(1) The sign shall not exceed 30 square feet in gross sign surface area.

(2) The sign shall be permanently affixed to the wall of a building on the subject property.

(3) The sign may be nonilluminated or internally illuminated.

(4) Messages on the sign shall not change at a frequency of more than 12 times per hour, except for time and temperature signs.

C. *Business Identification Sign*.

(1) *Wall Sign*. Each business establishment shall be permitted to have wall signs which may be illuminated or nonilluminated. The aggregate gross sign surface area of all wall signs shall not exceed 2 square feet for each lineal foot of width of the front wall of the building occupied by the business. The wall sign shall not be located on the roof, nor extend above the height of the building. The wall signs may be placed on any side of the building which does not face residentially zoned property.

(2) *Ground Sign*. In addition to the wall sign, one free-standing ground sign shall be permitted per lot, regardless of the number of businesses on the lot; provided, that:

(a) No pole sign exists or is proposed to be erected on the lot.

(b) The gross sign surface area of the ground sign shall be subject to the following restrictions:

1) For lots with a lot area of two acres or less, the gross sign surface area shall not exceed 32 square feet.

2) For lots with a lot area greater than two acres, the gross sign surface area shall not exceed 50 square feet.

(c) The structure height of any ground sign shall be subject to the following restrictions:

1) For lots with a lot area of two acres or less, the structure height of any ground sign shall not exceed 6 feet.

2) For lots with a lot area greater than two acres, the structure height of any ground sign shall not exceed 8 feet.

(d) The location of the ground sign shall be designed to not interfere with vehicular traffic visibility entering or exiting the lot or traveling on any street.

(e) The foundation of the ground sign shall have a decorative finish that compliments the principal building on the property and such foundation shall have a minimum height of 18 inches above the adjacent ground level.

(f) Ground signs shall be nonilluminated, indirectly illuminated, or internally illuminated.

(g) All ground signs shall be located at least 10 feet from the street right-of-way line, or 40 feet from the centerline of the street, whichever is greater. Where the lot abuts a residential property, the setback from the lot line of that property shall not be less than 50 feet.

(h) No portion of any ground sign shall project over any public right-of-way nor shall it be located within the clear sight triangle of any street intersection.

(i) A ground sign shall contain no more than two sign faces, one per side.

(3) *Pole Sign*. In addition to the authorized wall signs, one free-standing pole sign shall be permitted, per lot, regardless of the number of businesses on the lot and regardless of the number of street frontages of that lot; provided, that:

(a) Pole signs shall only be permitted in the M-1 Industrial District, unless otherwise provided in this Chapter.

(b) No ground sign exists or is proposed on the lot.

(c) The pole sign shall be nonilluminated, indirectly illuminated or internally illuminated.

(d) The maximum structure height of the top of the pole sign shall be 25 feet.

(e) The minimum structure height of the bottom edge of the pole sign shall be 10 feet.

(f) The gross sign surface area of the pole sign shall not exceed 40 square feet for one business, and 64 square feet if there is more than one business on the lot.

(g) No portion of any pole sign shall project over any public right-of-way nor shall it be located within the clear sight triangle of any street intersection. The location of the sign shall be designed to not interfere with vehicular traffic visibility entering or exiting the lot or traveling on any street.

(h) All pole signs shall be set back at least 10 feet from the street right-of-way line, or 40 feet from the centerline of the street, whichever is greater. Where the lot abuts a residential property, the setback from the lot line of that property shall not be less than 50 feet.

(i) The pole sign shall contain no more than two sign faces, one per

side.

(4) *Roof Signs*. A roof sign may be illuminated or nonilluminated. Roof signs shall be permitted only in place of a wall sign in the M-1 Industrial District. The gross sign surface area of a roof sign shall not exceed 2 square feet per each lineal foot of width of the front wall of the building or 200 square feet, whichever is less. A roof sign shall not project more than 6 feet above the highest point on the roof on which it is placed.

(5) *Arcade Signs*. In shopping centers or office complexes which have pedestrian access ways covered by a roof, marquee or exterior arcade, one arcade sign shall be permitted for each business in the building; provided, that:

(a) The gross sign surface area of each sign shall not exceed 2 square feet (i.e., 6 inches by 4 feet).

(b) The bottom edge of the arcade sign is located at least 8.5 feet above finished grade level.

(6) *Awning Signs*. Awning signs shall be permitted subject to compliance with the following requirements:

(a) The gross sign surface area of the awning sign shall not exceed an area equal to 25 percent of the background area of the awning or awning surface to which such a sign is affixed, or the permissible gross sign surface area for a wall sign provided under subparagraph (1) of this Chapter, whichever is less.

(b) Neither the background color of an awning, nor any graphic treatment or embellishment thereto, such as striping, patterns or valances, shall be included in the computation of the gross sign surface area of an awning sign.

(c) Awning signs and wall signs are mutually exclusive; an awning sign may be erected, or a wall sign may be erected, but not both.

(7) *Menu Board*. A menu board shall be permitted as part of a drive-through facility for a high-turnover restaurant subject to compliance with the following requirements:

(a) The menu board shall be integrated with the drive-through facility.

(b) The menu board shall be in the form of a ground sign.

(c) The menu board shall be nonilluminated, indirectly illuminated or internally illuminated.

(d) The gross sign surface area of the menu board shall not exceed 50 square feet.

(e) No more than 20 percent of the gross sign surface area of the menu board shall be utilized for business identification purposes.

(f) The structure height of any menu board shall not exceed 6 feet.

(g) The menu board shall be located on the subject property within 10 feet from the building which it serves. The location of the menu board shall not interfere with internal traffic circulation.

(A.O.

§27-706. Billboards.

1. Billboards shall only be permitted as a conditional use on property located in those zoning districts referenced on Table 27-1 (Use Table) of this Chapter subject to the requirements of Part 8 and §27-811 of this Chapter.

2. Any billboard which is damaged or destroyed by more than 51 percent of its replacement value at the time of its damage or destruction shall be reconstructed only in compliance with all provisions of this Chapter.

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Part 8

Conditional Uses

§27-801. Applicability.

1. Applications for conditional uses, when listed as permissible by this Chapter, shall be approved or denied by the Board of Supervisors in accordance with the standards and criteria of this Part; provided, however, applications for conditional use approval of a master plan for a Planned Nonresidential Development (PNRD) shall be applied for and approved or denied by the Board of Supervisors in accordance with the standards and criteria of Part 11 of this Chapter.

2. Conditional uses are unique and their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. At the time of application, a review of the location, design, configuration, and potential impact of the proposed use shall be conducted by the Township by comparing the use to established development standards and design guidelines. This review shall determine whether the proposed use addresses the general and specific standards and criteria identified in this Part, and Chapter, and whether it should be permitted, by weighing the public need for, and the benefit to be derived from, the use, against the impact which it may cause.

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§27-802. Application and Approval Procedure.

1. *Application Procedure*.

A. An application for conditional use approval shall be filed with the Planning Director, on forms prescribed by the Township, at least 14 calendar days prior to the date of the Planning Commission's next regular monthly meeting. A conditional use application shall not be considered to be administratively complete until all items required by this Chapter, including the application fee and deposit, have been received by the Township.

B. The Planning Director shall review the application to determine whether all materials required by this Chapter have been submitted by the applicant. If all such materials have not been submitted by the applicant, then the Planning Director shall reject the application as being administratively incomplete and shall notify the applicant, in writing, citing the specific deficiencies and the specific requirements of this Chapter that have not been met and returning the applicant's application fee and deposit.

C. Within 5 days of receipt of an administratively complete application, the Planning Director shall submit one copy of the application and any materials submitted therewith to the following entities and individuals for review: the Environmental Advisory Council (as appropriate); the MTA (as appropriate); the Township Engineer; and any other appropriate Township personnel or professional consultants.

D. The Planning Director shall provide one copy of an administratively complete application and any materials submitted therewith to the Planning

Commission by no later than the Friday prior to the date of the regular monthly meeting of the Planning Commission.

E. The Planning Director and any other Township personnel or professional consultant, as directed by the Planning Director, shall review the conditional use application documents to determine if they are in compliance with this Part, this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], other applicable Township ordinances, the Comprehensive Plan and the Township planning objectives. The Planning Director shall prepare a written report of his findings and recommendations which he shall provide to the Board of Supervisors, Township Manager, Township Engineer, Planning Commission and any other appropriate Township personnel or professional consultant. The other Township personnel and professional consultants shall provide comments and recommendations, including written findings, when directed by the Planning Director.

F. The Planning Commission shall review the application and forward its recommendation to the Board of Supervisors.

G. The Board of Supervisors shall hold a public hearing, pursuant to public notice, within the time periods and procedures required by the MPC. The public hearing shall commence within 60 days of the date of the filing of an administratively complete application. Public hearings shall be conducted and held in accordance with the applicable provisions of the MPC.

H. The Board of Supervisors shall render a written decision on the conditional use application within 45 days of the last hearing. Where the application is contested or denied, the Board of Supervisors decision shall be accompanied by findings of fact and conclusions based thereon, together with any reasons therefor. Conclusions based on any provisions of this Chapter or any other rule, regulation, ordinance or statute shall contain a reference to the provision relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found.

I. In granting a conditional use pursuant to this Chapter, the Board of Supervisors may impose any reasonable conditions it believes are necessary to ensure compliance with this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], the Moon Township Code of Ordinances, the Township Standard Details and any other ordinance or resolution of the Township, and as it otherwise deems necessary to implement the purposes of this Chapter and the MPC.

J. A copy of the decision or, where no decision is called for, of the findings, shall be delivered to the applicant in accordance with the applicable provision(s) of the MPC.

K. All development, construction and use shall be in accordance with the approved conditional use decision and plan, unless an amended conditional use application is submitted and approved. The approved conditional use plan shall consist of the application, as submitted, together with all of its attachments and exhibits, as finally approved by the Board of Supervisors, and the conditional use decision. Any development contrary to the approved conditional use decision and plan shall constitute a violation of this Chapter.

2. *Application Content*.

A. All applications for conditional use approval shall demonstrate compliance with: the general standards and criteria of this Part; the applicable express standards and criteria of this Part; and the applicable lot and yard requirements of the zoning district in which the use is proposed.

B. All applications for conditional use approval shall be submitted to the Planning Director, in the form prescribed from time to time by the Township, with no fewer than:

(1) Six full scale copies (with a minimum scale of 1 inch equals 100 feet) and eight half-scale copies (with a minimum scale of 1 inch equals 200 feet) of all required plans, maps and drawings.

(2) Four copies of all other reports and materials that are required as part of the application.

(3) One electronic version (in a Township-compatible format) of all plans, maps, drawings, reports and other materials required as part of the application.

C. All applications for conditional use approval shall contain the following:

(1) A development plan, as defined by this Chapter.

(2) A written narrative setting forth the following:

(a) The manner in which the application complies with each of the conditional use general standards and criteria of §27-803 of this Part.

(b) The manner in which the application complies with each of the conditional use express standards and criteria referenced in this Part for the specific type of proposed use, development, or request.

(3) A legal document verifying applicant's legal interest in the subject property (i.e., deed, sales agreement, lease).

(4) The application fee and deposit in an amount set from time to time by resolution of the Board of Supervisors.

(5) Construction plans, where renovations or modifications of an existing building are immediately contemplated, showing the scope, nature and extent of said renovations or modifications.

(6) Traffic impact study as required by §27-522 or other Section of this Chapter.

3. *Expiration of Approval*. The grant of a conditional use shall expire 1 year after the date of the Board of Supervisors written decision unless: (A) the applicant has applied for and obtained a building permit and commenced construction; or (B) in a case where the conditional use does not require the issuance of a building permit, the applicant has applied for and obtained a zoning and occupancy permit and has commenced the use which is the subject of the conditional use approval. Expiration of the conditional use approval under this Section shall require the applicant to re-apply for conditional use approval.

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§27-803. Standards and Criteria.

1. *General Standards and Criteria*. The proposed use, development, or request

shall comply with the following general standards and criteria, which are in addition to any other requirements in this Chapter for a specific type of use, development, or request:

A. The proposed use will not alter the established character and use of the neighborhood or district in which it is located, and will not substantially impair the use or development of adjacent properties.

B. The establishment, maintenance, location and operation of the proposed use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

C. The proposed use complies with all applicable provisions and requirements for that type of use contained in this Chapter (unless a variance to any provision has been granted by the Zoning Hearing Board) and all other applicable Federal, State, County, and Township laws, statutes, ordinances and regulations including, but not limited to, the Subdivision and Land Development Ordinance [Chapter 22]; the Stormwater Management Ordinance [Chapter 23]; and the Moon Township Code of Ordinances.

D. The proposed use is compatible with surrounding land uses. It does not have a negative impact on the existing neighborhood or development in terms of air and water quality, noise, illumination and glare, restrictions to natural light and air circulation or other hazardous conditions that could endanger surrounding residents or impair the use of surrounding properties.

E. The proposed site of the conditional use is suitable in terms of topography, soil conditions and size, based on number of projected users and the frequency of use of the proposed use.

F. The proposed use and site provides for safe, adequate vehicular and pedestrian access. It has access from a street capable of handling the traffic generated by the proposed use, and it will not result in undue traffic congestion and hazardous conditions on adjacent streets. The use provides for safe and efficient internal circulation and sufficient off-street parking and loading.

G. The proposed use complies with all applicable standards and requirements for providing sanitary sewage disposal, water supply, stormwater management, and solid, hazardous, and toxic waste storage and disposal.

H. The proposed use provides landscaping, screening and bufferyards sufficient to protect the use, enjoyment and development of adjacent properties.

2. *Express Standards and Criteria*. The proposed use, development, or request shall comply with the express standards and criteria applicable to the proposed use, development, or request specifically referenced in this Part.

(A.O.

§27-804. Adult Oriented Business.

An adult oriented business shall be a permitted conditional use subject to the following express standards and criteria:

A. An adult oriented business may be established only in the M-1 Industrial District.

B. Persons or owners who intend to open an adult oriented business must

obtain from the Township a license to operate such an enterprise pursuant to the Adult Oriented Business License Ordinance [Chapter 13, Part 7] and must pay to the Township an investigation fee as may be set from time to time by resolution of the Board of Supervisors. In addition, such persons or owners must supply to the Township detailed information as to the ownership and financing pursuant to the Adult Oriented Business License Ordinance [Chapter 13, Part 7].

C. No adult oriented business shall be permitted within 500 feet of the lot boundary of any property containing a preexisting school, hospital, nursing home, group care facility, place of worship, park, establishment which is licensed to and does sell alcoholic beverages, or any other adult oriented business.

D. No adult oriented business shall be located within 500 feet of a residential zoning district.

E. An adult oriented business shall be initially licensed, where it has met the requirements set forth in the Adult Oriented Business License Ordinance [Chapter 13, Part 7], through December 31 of the year in which the license is issued. For each year thereafter that the adult oriented business intends to continue as an adult oriented business, it must seek from the Township a renewal of the license. The lack of a valid license shall be a proper basis for the Township to deny or revoke a zoning and occupancy permit for an adult oriented business.

F. Any adult oriented business found to be in violation of this Chapter shall be subject to the enforcement penalties of Part 14 of this Chapter and the Adult Oriented Business License Ordinance [Chapter 13, Part 7].

G. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

H. Vehicular access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

I. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

J. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

K. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

L. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

M. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

N. The owner and operator of the facility shall incorporate best management

practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-805. Agricultural Operations.

Agricultural operations shall be a permitted conditional use subject to the following express standards and criteria:

A. The minimum lot size of an agricultural operations use shall be 10 acres.

B. Agricultural operations shall be conducted in accordance with all applicable Federal, State, County, and Township laws and regulations governing the production of crops, livestock and livestock operations.

C. The aggregate floor area of all structures on a lot shall be no more than 50,000 square feet.

D. The minimum distance between buildings shall be 30 feet.

E. The maximum length of any building shall be no more than 200 feet.

F. No business activity other than agricultural operations shall be conducted on the premises.

G. Operations shall be regulated so that nuisances such as visual blight, glare, noise, blowing debris and dust shall not be created and as defined in Part 4A of this Chapter, except as otherwise provided by applicable law.

H. Exterior finishes of agriculture support buildings shall be compatible with the character of development on adjoining properties.

I. Perimeter fences shall be constructed around all fields and meadows that are used for livestock grazing, feeding and similar activities. No perimeter fence shall be closer than 10 feet from a property line.

J. The landowner or occupant shall be responsible for collecting and disposing of litter and droppings from the animals in such a way as to minimize the presence of fly larvae and/or objectionable odors.

K. No signs shall be placed on the buildings or on their rooftops.

L. No hazardous materials or substances shall be permitted to be stored in any building other than those permitted by the Construction Code [Chapter 5, Part 1]. Both the landowner and the tenants shall be responsible for the prevention of the storage of hazardous materials or substances in the storage buildings that would be beyond the allowance of the Construction Code [Chapter 5, Part 1]. Further, the owner and operator of the facility are responsible for complying with all applicable Federal and State environmental laws and regulations controlling the storage/disposal of hazardous materials, substances and wastes.

M. In order to minimize the negative impacts of erosion, siltation and surface water and ground water contamination, the owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended), and the EPA Managing Manure Nutrients at Concentrated Animal Feeding Operations (December 2004, as amended). The applicant shall submit a report describing the BMPs that will be used, on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

N. The provisions of the keeping of horses shall be made in accordance with §27-904.

O. Storage of manure or odor or dust producing substances shall not be permitted within 200 feet of any property line.

P. Buildings or kennels in which animals or poultry are kept shall not hereafter be erected within 200 feet of any lot line. Additional buildings other than a dwelling shall not be constructed closer than 50 feet to any property line.

Q. Unless otherwise provided within this Chapter, or by other applicable Township ordinance, operations involving the use of buildings and land for farming, riding academies, animal kennels, livery or boarding stables, stock raising, dairying and poultry shall be permitted as a conditional use only on an agricultural operation in the R-1 District.

R. An agricultural operation use in a residential zoning district must provide a Bufferyard 1 as detailed in §27-214 of this Chapter along adjoining properties.

(A.O.

§27-806. Amphitheater.

An amphitheater shall be a permitted conditional use subject to the following express standards and criteria:

A. Hours of operation and amphitheater events shall be scheduled to minimize negative impacts on the surrounding neighborhood.

B. The number of off-street parking and loading spaces shall be provided as defined by Part 6 of this Chapter.

C. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

D. An additional 10 feet of yard setback with landscape buffering a minimum of 6 feet in height for off-street parking and loading areas shall be provided as defined by Part 2 of this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.

E. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line.

Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

F. The use (including public announcement and speaker systems) shall not generate noise in excess of 75 dB(A) at the lot line between the hours of 10 p.m. and 8 a.m., prevailing time. For purposes of this Section, this noise restriction shall be measured from any lot line of property owned by a person or entity other than the owner of the subject facility. Outdoor speakers shall not be used between the hours of 10 p.m. and 8 a.m., prevailing time, unless another time is established by the Board of Supervisors as part of a conditional use decision for a specific use. The volume and direction of outdoor speakers shall be regulated to minimize impact on adjacent properties. As part of its decision, the Board of Supervisors may further regulate outdoor speakers in order to prevent adverse impacts on adjoining properties.

G. Any amphitheater facility within 300 feet of an existing dwelling shall cease operations by no later than 10 p.m., prevailing time, unless another time period is established by the Board of Supervisors as part of a conditional use decision for a specific use.

H. The use shall have frontage on and direct vehicular access to an arterial or collector street.

I. Vehicular and pedestrian access to the proposed development shall be provided and designed to maximize pedestrian and vehicle safety.

J. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

K. The primary visitor drop-off and pick-up area shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood and the subject property.

L. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

M. A traffic impact study shall be required. The traffic impact study shall comply with §27-522 of this Chapter. Whenever, as a result of additional traffic generated by a proposed development, the traffic impact study identifies a traffic increase in excess of 100 trips after 9 p.m., the Board of Supervisors may limit the amphitheater's hours of operation to mitigate negative impacts on the adjacent neighborhood.

N. To ensure public safety and health, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

O. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, attendees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, attendees, customers, visitors and guests.

P. The owner and operator of the facility shall incorporate best management

practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-807. Apartment.

An apartment shall be a permitted conditional use subject to the following express standards and criteria:

A. No apartment shall be located in a basement or first floor of a building.

B. Parking spaces shall be located no more than 300 feet from the apartment's primary entrance.

C. The number of off-street parking and loading spaces shall be provided as defined by Part 6 of this Chapter. All parking spaces and driveways shall be surfaced with bituminous, brick, concrete, or stone block paving material.

D. Means of ingress and egress from a building shall comply with the requirements outlined in the Construction Code [Chapter 5, Part 1].

E. Where a developer and/or landowner proposes a mix of apartments and nonresidential uses with 10 or more apartments, the minimum parking requirement shall be reduced by 50 percent.

F. All dumpsters and/or waste collection areas shall be located 50 feet from nearest residential unit and shall be enclosed by a solid masonry screen.

G. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

H. The use shall have frontage on and direct vehicular access to an arterial or collector street.

I. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

J. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

K. A traffic impact study shall be required. The traffic impact study shall comply with §27-522 of this Chapter.

L. To ensure public safety and health, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

M. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, residents, tenants, customers, visitors and guests and

shall be available to respond to inquiries and promptly resolve any issues caused by the employees, residents, tenants, customers, visitors and guests.

N. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-808. Assembly or Fabrication Facility.

An assembly or fabrication facility shall be a permitted conditional use subject to the following express standards and conditions:

A. All materials and equipment shall be stored within a completely enclosed building.

B. The use shall comply with all performance standards specified in Part 4A of this Chapter.

C. The storage, use or manufacture of hazardous or potentially hazardous materials shall be limited to those materials required to be used by or produced in connection with the facility, and the transportation, handling, use and disposal of such materials shall conform with all applicable regulations and permit requirements of the Environmental Protection Agency (EPA) and Department of Environmental Protection (DEP).

D. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

E. Vehicular access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

F. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

G. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

H. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

I. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

J. The owner and operator of the facility shall incorporate best management

practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-809. Automobile Rental.

Automobile rental shall be a permitted conditional use subject to the following express standards and criteria:

A. The ground surface of parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving to protect the surrounding neighborhood and activity from inappropriate dust and other disturbances.

B. An additional 10 feet of yard setback with landscape buffering a minimum of 6 feet in height for parking and loading areas shall be provided as defined by Part 2 of this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.

C. Landscaping within surface parking and loading areas shall be encouraged to minimize the impacts of heat and glare from paving.

D. Any outdoor storage conducted on the lot shall comply with the regulations for outdoor storage as defined in §27-850 of this Chapter.

E. Automobile rental facilities shall have a maximum of one point of vehicular access to an arterial or collector street. Shared access to adjacent facilities shall be encouraged where feasible.

F. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

G. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

H. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

I. A traffic impact study shall be required. The traffic impact study shall comply with §27-522 of this Chapter.

J. To ensure public safety and health, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

K. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best

Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-810. Bed and Breakfast.

A bed and breakfast shall be a permitted conditional use subject to the following express standards and criteria:

A. No more than five bedrooms may be available or used for a lodging use in any building.

B. Not more than one ground sign shall be permitted on the lot.

C. Service meals shall be limited to breakfast only to overnight guests of the facility.

D. The number of off-street parking and loading spaces shall be provided as defined by Part 6 of this Chapter. All parking spaces and driveways shall be surfaced with bituminous, brick, concrete, or stone block paving material.

E. The owner and/or manager of the facility shall reside therein.

F. An overnight guest shall not occupy the facility for more than 14 consecutive nights in a 30-day period.

G. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

H. Means of vehicular access to the lot shall be from an arterial or collector street only.

I. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

J. A facility in a residential zoning district must provide a Bufferyard 1 as detailed in §27-214 of this Chapter along adjoining properties.

K. To ensure public safety and health, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

(A.O.

§27-811. Billboard.

A billboard shall be a permitted conditional use subject to the following express standards and criteria:

A. *Location*.

(1) Billboards shall not be erected within a residential zoning district or within 500 feet of the property line of any public or private school, such

distance being measured along the radius of a circle from the center-most point of the billboard structure extending in all directions.

(2) Billboards shall be erected within 400 feet of the centerline (measured horizontally) of Interstate 376, Business Loop 376 (also known as State Route 3160 and the Airport Service Road), and State Route 51.

(3) On interstate and limited access highways, billboards shall not be erected within 500 feet of an interchange or safety rest area measured along the interstate or limited access highway from the beginning or ending of the pavement widening at the exit from or entrance to the main traveled highway.

(4) Billboards shall maintain a lateral minimum spacing of 750 feet between any existing or proposed billboard structures. This required spacing shall be measured along both sides of the same street frontage from the center-most point of the billboard structure which is parallel to the center line of the street to which the billboard is oriented.

(5) The billboard shall meet the minimum front, side and rear yard requirements applying to a principal structure as set forth within the zoning district in which the billboard is to be located.

(6) A billboard shall be considered a structure and shall be included in the calculation of maximum lot coverage as specified in Table 27-5 (Dimensional Requirements) of this Chapter. The maximum lot coverage calculation shall be cumulative, including the billboard and any other structures and buildings on the same lot therewith.

(7) No billboard shall be erected in such a manner as to block the view from the street of any existing business identification sign or residential or nonresidential structure or to limit or reduce the light and ventilation requirements under the Construction Code [Chapter 5, Part 1].

(8) No billboard shall be constructed within the clear sight triangle of the street on which it is situated and shall not in any case obstruct or impede traffic safety.

(9) Billboards shall not be part of a roof or wall, nor shall a billboard be mounted on the roof, wall or other part of a building or any other structure.

(10) A billboard which contains an electrically activated changeable sign shall only be permitted in the M-1 District and RT District.

B. *Size and Height*. A billboard shall have a maximum allowable gross sign surface area of 450 square feet per sign face. This surface area shall be permitted provided that all of the following additional requirements are met:

(1) A billboard shall have a maximum of two sign faces per billboard structure which may be placed back to back or in a V-shaped configuration having an interior angle of 90 degrees or less.

(2) The dimensions of the surface area of the billboard sign face shall not exceed 20 feet in total height or 25 feet in total length.

C. *Construction*.

(1) A billboard shall be constructed in accordance with the applicable provisions of the Construction Code [Chapter 5, Part 1].

(2) A billboard shall be independently supported and have a vertical metal support which is: (a) galvanized or otherwise treated to prevent rust and corrosion; and (b) capable of supporting the sign against wind speeds of up to 70 miles per hour (mph).

(3) All grading shall be in accordance with the Grading Ordinance [Chapter 9, Part 1].

D. *Landscaping*.

(1) The entire base of the billboard structure shall be permanently landscaped with suitable shrubs and/or ornamental grass of a minimum height of 3 feet placed in such manner as to screen the foundation of the structure.

(2) Landscaping shall be maintained by the billboard structure owner in an attractive and healthy manner in accordance with accepted conservation practices.

(3) Permanent landscaping shall form a base and/or backdrop to the billboard sign when practical in the opinion of the Planning Director.

(4) No bare earth cuts are permitted on a hillside.

(5) All earth cuts or fills are to be permanently seeded or planted.

E. *Lighting*.

(1) A billboard with display lighting shall be constructed so that it does not glare upon any adjoining lot.

(2) Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the billboard in order to prevent adverse impacts on adjoining properties.

(3) No billboard structure, sign face or display lighting shall move, flash or emit noise. No display lighting shall cause distractions, confusion, nuisance or hazard to traffic, aircraft or other properties.

(4) The use of colored lighting shall not be permitted, except for an electrically activated changeable sign in the M-1 District and RT District.

F. *Maintenance*.

(1) A billboard structure shall be painted every 3 years, unless constructed of an approved corrosive-resistant material.

(2) Every10 years, the owner of the billboard shall have a structural inspection made of the billboard by a qualified engineer and shall provide the Township with a certificate from the engineer certifying that the billboard is structurally sound.

(3) The Township reserves the right to conduct annual inspections of the billboard to determine compliance with the provisions of this Chapter.

(4) Billboards found to be in violation of this Chapter shall be brought into compliance or shall be removed within 30 days after proper notice by the Township. Failure to comply with such notice shall be a violation of this Chapter.

(5) Billboards using removable paper or other materials shall be maintained in such condition as to eliminate loose or frayed material protruding or hanging from the structure. All paper and other waste materials shall be removed from the site and disposed of properly whenever any sign face is changed.

G. *Permits*. Prior to submission of an application for a sign permit and building permit, the applicant for a billboard use shall obtain and submit with such application written approvals, when applicable, from the County, PennDOT, and the Federal Aviation Administration (FAA).

H. *Nonconforming Billboards*. Any existing billboard which does not conform to the requirements of this Section shall not be enlarged or moved unless in conformance with all provisions of this Section.

(A.O.

§27-812. Boarding House.

A boarding house shall be a permitted conditional use subject to the following express standards and criteria:

A. The number of off-street parking and loading spaces shall be provided as defined by Part 6 of this Chapter.

B. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

C. The service of meals shall be limited to residents only.

D. Under no circumstances shall a boarding house have more than 20 residents, unless approved by the Board of Supervisors as part of its decision.

E. The owner and/or manager of the boarding house shall reside therein.

F. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

G. The use shall have frontage on and direct vehicular access to an arterial or collector street.

H. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

I. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

J. The primary visitor drop-off and pick-up area shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.

K. A traffic impact study shall be required. The traffic impact study shall comply with §27-522 of this Chapter.

L. To ensure public safety and health, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

M. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, tenants, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, tenants, customers, visitors, and guests.

N. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-813. Business or Professional Office.

A business or professional office shall be a permitted conditional use subject to the following express standards and criteria:

A. Buildings adjacent to a street or driveway shall be located a minimum of 20 feet from the edge of that street or driveway.

B. Primary facades and entrances shall front adjacent streets or public walkways.

C. Bufferyards shall be provided and maintained along the side yards and rear yards in accordance with Bufferyard 1 as defined in §27-214 of this Chapter.

D. The location and orientation of loading and service areas shall be coordinated to minimize conflicts of vehicular and pedestrian circulation.

E. Buildings and structures shall be designed to minimize conflicts between uses and shall be constructed in accordance with the Construction Code [Chapter 5, Part 1].

F. Loading areas shall not be visible from the primary entrance of any office use.

G. Outdoor storage shall not be visible from the primary entrance of any office use.

H. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

I. Height of proposed buildings housing nonaviation uses shall be subject to the requirements of the AZO Airport Zone Overlay District and approval by the Federal Aviation Administration (FAA).

J. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

K. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

L. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

M. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

N. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

O. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

P. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

Q. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-814. Business Services.

Business services shall be a permitted conditional use subject to the following express standards and criteria:

A. Buildings adjacent to a private street or driveway shall be located a minimum of 20 feet from the edge of such street or driveway.

B. Primary facades and entrances shall front adjacent streets or public walkways.

C. Bufferyards shall be provided and maintained along the side yards and rear yards in accordance with Bufferyard 1 as defined in §27-214 of this Chapter.

D. The location and orientation of loading and service areas shall be coordinated to minimize conflicts between vehicular and pedestrian circulation.

E. Buildings and structures shall be designed to minimize conflicts between uses and shall be constructed in accordance with the Construction Code [Chapter 5, Part 1].

F. Loading areas shall not be visible from any business service use.

G. Outdoor storage shall not be visible from the primary entrance of a business service use.

H. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

I. The height of proposed buildings housing nonaviation uses shall be subject to the requirements of the AZO Airport Zone Overlay District and approval by the Federal Aviation Administration (FAA).

J. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

K. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

L. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

M. A traffic impact study shall be required. The traffic impact study shall comply with §27-522 of this Chapter.

N. To ensure public safety and health, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

O. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-815. Cargo Facility.

A cargo facility shall be a permitted conditional use subject to the following express standards and criteria:

A. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

B. An additional 10 feet of yard setback with landscape buffering a minimum of 6 feet in height for parking and loading areas shall be provided as defined by

Part 2 of this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.

C. Any outdoor storage conducted on the lot shall comply with the regulations for outdoor storage as defined in §27-850 of this Chapter.

D. The facility shall have one point of vehicular access to an arterial or collector street. The point of vehicular access shall be located in a manner that minimizes detrimental traffic impacts (to both pedestrians and vehicles) on the Pittsburgh International Airport and the adjacent arterial and/or collector street(s).

E. Hours of operation and activities must be appropriately scheduled to protect adjoining properties and the operation of the Pittsburgh International Airport from detrimental noise, dust, odor, vibration, light or other disturbance or interruption.

F. No storage or transfer of toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids is permitted on the subject property.

G. The height of proposed buildings and structures that are for nonaviation uses shall be subject to the requirements of the AZO Airport Zone Overlay District and approval by the Federal Aviation Administration (FAA).

H. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

I. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

J. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

K. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

L. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

M. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

N. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

O. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

P. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

Q. In an effort to encourage high quality development compatible with the research and development character of the RT District, in addition to the above criteria, a cargo facility shall be provided as an incentive conditional use in the RT District, provided the following criteria are met:

(1) Not more than one-third of any lot, or in the case of a PNRD the master plan area, may be used for distribution activities.

(2) The street-side walls of any building shall utilize finished materials that incorporate architectural design elements to create continuity with adjacent buildings. Metal siding and uniform, plain split face block cannot be used on the street-side walls of the building. Brick, stone, glass and similar high quality materials are encouraged on the street-side walls.

(3) Street side facades shall incorporate wall plane projections of a recessing nature having a depth of at least 3 percent of the length of the façade and extending no more than 20 percent of the length of the facade.

(4) Direct access to the facility shall be provided through streets that service primarily nonresidential traffic. The streets in the RT District that service primarily nonresidential traffic are: Moon Clinton Road, International Drive and any proposed street to access a nonresidential development.

(5) The minimum lot area or PNRD master plan area required for a development that proposes this use is 10 acres.

(A.O.

§27-816. Cemetery.

A cemetery shall be a permitted conditional use subject to the following express standards and criteria:

A. The minimum lot area shall be 20 acres.

B. A stormwater management plan shall be submitted with the application to show existing and proposed runoff characteristics.

C. Vehicular access and internal traffic circulation shall be designed to ensure safety and minimize impact on local streets. The applicant shall demonstrate that the approval of the proposed use will not significantly increase traffic congestion on adjacent streets.

D. Parking for principal structures such as chapels or mausoleums shall be provided in accordance with the requirements of Part 6 of this Chapter.

E. An additional 10 feet of yard setback with a bufferyard a minimum of 6

feet in height for off-street parking, loading areas, outdoor service areas and storage areas shall be provided as defined by Part 2 of this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.

F. A cemetery in a residential zoning district must provide a Bufferyard 1 as detailed in §27-214 of this Chapter along adjoining properties.

G. At no time shall a corpse be exposed or visible from a street or adjacent lot.

H. The hours of operation and activities must be appropriately scheduled to protect the existing neighborhood from inappropriate noise, dust, odor, vibration, light or other disturbance on interruption as defined by Part 4A of this Chapter.

I. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

J. Vehicular access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

K. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

L. No storage or transfer of toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids is permitted on the subject property.

M. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-817. Commercial School.

A commercial school shall be a permitted conditional use subject to the following express standards and criteria:

A. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

B. Bufferyards shall be provided and maintained along the side yards and rear yards in accordance with Bufferyard 1 as defined in §27-214 of this Chapter.

C. A commercial school shall have one point of vehicular access to a collector or arterial street.

D. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line.

Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

E. At no time shall any training activities and/or supply materials be permitted to be conducted and/or stored outdoors.

F. Buildings and structures shall be designed to minimize conflicts between uses and shall be constructed in accordance with the Construction Code [Chapter 5, Part 1].

G. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

H. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

I. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

J. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

K. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

L. The owner and operator of the commercial school shall be responsible for the conduct and safety of the students, employees, visitors, faculty, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the students, employees, visitors, faculty, and guests.

M. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-818. Communications Tower.

A communications tower shall be a permitted conditional use subject to the following express standards and criteria:

A. The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a communications tower and communications antenna, as applicable.

B. The applicant shall demonstrate that the proposed communications tower and communications antenna proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.

C. A communications tower shall comply with all applicable Federal Communications Commission (FCC), Federal Aviation Administration (FAA), and PennDOT Bureau of Aviation regulations and applicable airport zoning regulations, including the AZO Airport Zone Overlay District requirements of Part 3 of this Chapter.

D. Any applicant proposing construction of a new communications tower shall demonstrate that a good faith effort has been made to obtain permission to mount the communications antenna on an existing building, structure or communications tower. A good faith effort shall require that all owners of potentially suitable building, structure, or communications tower within a ¼-mile radius of the proposed communications tower site be contacted and that one or more of the following reasons for not selecting such building, structure, or communication tower apply:

(1) The proposed antenna and related equipment would exceed the structural capacity of the existing building, structure, or communications tower and its reinforcement cannot be accomplished at a reasonable cost.

(2) The proposed antenna and related equipment would cause radio frequency interference with other existing equipment for that existing building, structure, or communications tower and the interference cannot be prevented at a reasonable cost.

(3) Such existing building, structure, or communications tower does not have adequate location, space, access or height to accommodate the proposed equipment or to allow it to perform its intended function.

(4) Addition of the proposed antenna and related equipment would result in electromagnetic radiation from such building, structure, or communications tower exceeding applicable standards established by the Federal Communications Commission (FCC) governing human exposure to electromagnetic radiation.

(5) A commercially reasonable agreement could not be reached with the owners of such building, structure, or communications tower.

E. Access shall be provided to the communications tower and communications equipment structure in accordance with the standards of Parts 4 and 5 of the Subdivision and Land Development Ordinance [Chapter 22]; provided, however, an unmanned communications tower shall be provided with access from the right-of-way of a public street or private street, which is constructed and maintained to the requirements of §22-504.13 of the Subdivision and Land Development Ordinance [Chapter 22], via an access road that is at least 12 feet in width and improved with non-impervious surface material and otherwise of a design acceptable to the Township Engineer. Except as provided in this subsection, the standards, requirements and restrictions of Parts 4 and 5 of the Subdivision and Land Development Ordinance [Chapter 22] shall apply regardless of whether or not the communications tower and/or communications equipment structure is considered

to constitute a subdivision or land development.

F. The applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to perform its function. For any proposed communications tower with a height in excess of 100 feet, the applicant shall deposit with the Township an engineering review deposit as may be deemed appropriate by the Township Engineer, which deposit shall be in addition to any other required application and/or engineering fees. This deposit shall be used by the Township to retain an independent, certified engineer knowledgeable in the field of communications towers to review the application and to express an opinion as to the minimum height necessary for the proposed communications tower to perform its function. In the event that the fees actually incurred for said engineering review exceed the amount of the deposit, the applicant shall tender payment of the balance owed. In the event that the fees actually incurred for said engineering review are less than the amount of the deposit, the balance shall be refunded and/or credited to the applicant.

G. The foundation and base of any communications tower shall be set back from any lot lines (including lease parcel lines), occupied buildings and public streets, a distance equivalent to the height of the proposed communications tower.

H. The maximum height of any communications tower shall be 250 feet. Regardless of height, all communications towers shall remain subject to the setback requirements of subsection .G above.

I. There shall be a maximum of one communications tower per lot, regardless of lease lines.

J. The base of a communications tower shall be landscaped with a minimum of a Bufferyard 3 pursuant to the requirements of §27-214 of this Chapter so as to screen the foundation and base and communications equipment structure from abutting properties. As part of its decision, the Board of Supervisors may establish further bufferyard and screening requirements in order to ensure adequate screening of the foundation and base of the communications tower and any communications equipment structures from abutting properties. A landscape plan shall be required in accordance with the requirements of this Chapter and the Subdivision and Land Development Ordinance.

K. The communications equipment structure shall comply with the yard, height, and other requirements and restrictions applicable to a principal structure located in the same zoning district.

L. The applicant shall submit certification from a Pennsylvania registered professional engineer that any proposed communications tower will be designed and constructed in accordance with the current "structural standards for steel antenna towers and antenna supporting structures" published by the Electrical Industrial Association/Telecommunications Industry Association and the Construction Code [Chapter 5, Part 1].

M. The applicant shall submit a copy of its current Federal Communications Commission (FCC) license; the name, address and emergency telephone number for the operator of the communications tower; and a certificate of insurance evidencing general liability coverage in the minimum amount of $1,000,000 per occurrence and property damage coverage in the minimum amount of $1,000,000

per occurrence covering the communications tower and any communications antenna located thereon.

N. All guy wires associated with a guyed communications tower shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.

O. The site of a communications tower shall be secured by a fence with a minimum height of 8 feet and containing only self-latching gates to limit accessibility by the general public.

P. No signs or lights shall be mounted on a communications tower, except as may be required by the Federal Communications Commission (FCC), Federal Aviation Administration (FAA), or other governmental agency that has jurisdiction.

Q. A communications tower shall be protected and maintained in accordance with the requirements of the Construction Code [Chapter 5, Part 1] and the Property Maintenance Code [Chapter 5, Part 2] and other applicable Township ordinances.

R. If a communications tower remains unused for a period of 12 consecutive months, the owner or operator shall dismantle and remove the communications tower within 6 months of the expiration of such 12-month period.

S. Two off street parking spaces shall be provided within the fenced area.

T. All communications tower structures shall be fitted with anti-climbing devices as recommended by the communications tower manufacturer for the type of installation proposed.

U. The lot on which the communications tower is located shall comply with the lot, yard and bulk requirements of the zoning district in which the lot is located and §27-213.13 of this Chapter.

V. Communications towers shall obtain subdivision and land development plan approval from the Township as required by the Subdivision and Land Development Ordinance [Chapter 22].

W. The installation of additional antennas on an existing communications tower shall not require conditional use approval provided that the communications tower is structurally designed to hold the additional weight of the additional antennas.

(A.O.

§27-819. Conference and Training Center.

A conference and training center shall be a permitted conditional use subject to the following express standards and criteria:

A. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

B. An additional 10 feet of yard setback with landscape buffering a minimum of 6 feet in height for parking and loading areas shall be provided as defined by Part 2 of this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.

C. The site shall have direct vehicular access from an arterial or collector street.

D. To ensure employee and visitor safety, the number of vehicular access points shall be determined by the Township Engineer based upon the projected peak hour traffic defined in the traffic impact study.

E. No outdoor loading or service areas, including dumpsters, shall be located within the side or rear yard setback areas.

F. Dumpsters shall be screened from view by landscaping, opaque fencing or a combination of both.

G. Buildings and structures shall be designed to minimize conflicts between uses and shall be constructed in accordance with the Construction Code [Chapter 5, Part 1].

H. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

I. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

J. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

K. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

L. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

M. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

N. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-820. Correctional Facility.

A correctional facility shall be a permitted conditional use subject to the following express standards and criteria:

A. An applicant shall apply for all applicable Federal, State, and County permits prior to filing the conditional use application. Copies of all such application materials shall be submitted with the conditional use application. No correctional facility use shall be initiated until all applicable Federal, State, and County permits have been obtained for the subject facility and proof of such permits have been provided to the Township.

B. Parking facilities for staff and visitors shall be in accordance with Part 6 and Table 27-10 (Minimum Parking and Loading Requirements) of this Chapter.

C. All parking areas shall be screened from view from streets.

D. Lighting shall be required throughout the property for safety purposes. Such lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

E. All structures shall be setback a minimum of 150 feet from all lot lines.

F. Such use shall not be located within 500 feet of any residential zoning district or residential use.

G. All lots shall have a minimum size of 10 acres.

H. Vehicular access shall be from arterial or collector streets only.

I. An evacuation plan shall be submitted for review and approval by the Township Emergency Management Coordinator.

J. A traffic impact study shall be required. The traffic impact study shall comply with §27-522 of this Chapter.

K. To ensure public safety and health, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

L. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, inmates, residents, and visitors and shall be available to respond to inquiries and promptly resolve any issues and quell any disturbances caused by the employees, inmates, residents, and visitors.

M. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-821. Country Club/Golf Course.

A country club/golf course shall be a permitted conditional use subject to the following express standards and criteria:

A. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

B. An additional 10 feet of yard setback with landscape buffering a minimum of 6 feet in height for parking and loading areas shall be provided as defined by Part 2 of this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.

C. The hours of operation and activities must be appropriately scheduled to protect the surrounding neighborhood from detrimental noise, disturbance or interruption.

D. The owner and operator of the facility shall be responsible for the conduct and safety of the members, employees, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the members, employees, visitors, and guests.

E. Any storage of petroleum products, hazardous materials, or potentially hazardous materials shall conform with all applicable Federal, State, County and Township laws, statutes, regulations, and resolutions, including but not limited to the regulations and any permit requirements of the EPA and DEP. No petroleum products or hazardous materials shall be buried or disposed of on the subject property.

F. A country club/golf course in a residential zoning district must provide a Bufferyard 1 as detailed in §27-214 of this Chapter along adjoining properties.

G. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

H. The vehicular and pedestrian circulation system shall be designed to minimize conflicts between vehicular and pedestrian circulation.

I. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

J. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

K. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-822. Cultural Center.

A cultural center shall be a permitted conditional use subject to the following express standards and criteria:

A. The display of live animals is not permitted.

B. The minimum lot size shall be 20 acres.

C. The total gross floor area of all buildings comprising the cultural center shall not exceed 12,000 square feet.

D. The sale of goods is prohibited, except for an accessory gift shop not exceeding the lesser of 1,200 square feet or 10 percent of the total gross floor area of all buildings comprising the cultural center.

E. Bufferyards shall be provided and maintained in accordance with Bufferyard 1 as defined in §27-214 of this Chapter along adjoining property lines.

F. The location and orientation of loading and service areas shall be coordinated to minimize conflicts between vehicular and pedestrian circulation.

G. Off-street parking and loading shall be provided and maintained in accordance with a Township-approved parking needs analysis. See §27-602.4 of this Chapter.

H. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

I. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

J. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

K. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

L. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

M. The primary visitor drop-off and pick-up area shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.

N. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

O. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

P. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, members, customers, visitors, and guests and shall be

available to respond to inquiries and promptly resolve any issues caused by the employees, members, customers, visitors, and guests.

Q. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-823. Distribution Center.

A distribution center shall be a permitted conditional use subject to the following express standards and criteria:

A. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

B. An additional 10 feet of yard setback with landscape buffering a minimum of 6 feet in height for parking and loading areas shall be provided as defined by Part 2 of this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.

C. Any outdoor storage conducted on the lot shall comply with the regulations for outdoor storage as defined in §27-850 of this Chapter.

D. The facility shall have one point of vehicular access to an arterial or collector street. The point of vehicular access shall be located in a manner that minimizes detrimental traffic impacts (to both pedestrians and vehicles) on the Pittsburgh International Airport and the adjacent arterial and/or collector street(s).

E. Hours of operation and activities must be appropriately scheduled to protect adjoining properties and the operation of the Pittsburgh International Airport from detrimental noise, dust, odor, vibration, light or other disturbance or interruption.

F. No storage or transfer of toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids is permitted on the subject property.

G. The height of proposed buildings and structures that are for nonaviation uses shall be subject to the requirements of the AZO Airport Zone Overlay District and approval by the Federal Aviation Administration (FAA).

H. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

I. Lighting shall be oriented away from adjacent properties and shall not

exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

J. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

K. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

L. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

M. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

N. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

O. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

P. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

Q. In an effort to encourage high quality development compatible with the research and development character of the RT District, in addition to the above criteria, a distribution center shall be provided as an incentive conditional use in the RT District, provided the following criteria are met:

(1) Not more than one-third of any lot, or in the case of a PNRD the master plan area, may be used for distribution activities.

(2) The street-side walls of any building shall utilize finished materials that incorporate architectural design elements to create continuity with adjacent buildings. Metal siding and uniform, plain split face block cannot be used on the street-side walls of the building. Brick, stone, glass and similar high quality materials are encouraged on the street-side walls.

(3) Street side facades shall incorporate wall plane projections of a recessing nature having a depth of at least 3 percent of the length of the façade and extending no more than 20 percent of the length of the facade.

(4) Direct access to the facility shall be provided through streets that service primarily nonresidential traffic. The streets in the RT District that service primarily nonresidential traffic are: Moon Clinton Road, International Drive and any proposed street to access a nonresidential development.

(5) The minimum lot area or PNRD master plan area required for a development that proposes this use is 10 acres.

(A.O.

§27-824. Dormitory.

A dormitory shall be a permitted conditional use subject to the following express standards and criteria:

A. Residents shall be limited to faculty, staff, enrolled students, or authorized visitors only.

B. The service of meals, if provided, shall be limited to faculty, staff, enrolled students and authorized visitors only.

C. All parking spaces and driveways shall be surfaced with bituminous, brick, concrete, or stone block paving material.

D. Means of ingress and egress shall meet requirements as outlined in the Construction Code [Chapter 5, Part 1].

E. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

F. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

G. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

H. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

I. A traffic impact study shall be required. The traffic impact study shall comply with §27-522 of this Chapter.

J. To ensure public safety and health, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

K. The owner and operator of the facility shall be responsible for the conduct and safety of the students, employees, visitors, faculty, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the students, employees, visitors, faculty, and guests.

L. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best

Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-825. Driving Range.

A driving range (including a par 3 golf course) shall be a permitted conditional use subject to the following express standards and criteria:

A. Minimum lot area shall be 25 acres.

B. The number of off-street parking and loading spaces shall be provided as defined by Part 6 of this Chapter.

C. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

D. Hours of operation and activities must be appropriately scheduled to protect the surrounding neighborhood from detrimental noise, disturbance or interruption.

E. Any storage of petroleum products, hazardous materials, or potentially hazardous materials shall conform with all applicable Federal, State, County and Township laws, statutes, regulations, and resolutions, including but not limited to the regulations and any permit requirements of the EPA and DEP. No petroleum products or hazardous materials shall be buried or disposed of on the subject property.

F. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

G. The use shall not generate noise in excess of 75 dB(A) at the lot line between the hours of 10 p.m. and 7 a.m., prevailing time. For purposes of this Section, this noise restriction shall be measured from any lot line of property owned by a person or entity other than the owner of the subject facility. Outdoor speakers shall not be used between the hours of 10 p.m. and 7 a.m., prevailing time, unless another time is established by the Board of Supervisors as part of a conditional use decision for a specific use. The volume and direction of outdoor speakers shall be regulated to minimize impact on adjacent properties. As part of its decision, the Board of Supervisors may prohibit and/or further regulate outdoor speakers in order to prevent adverse impacts on adjoining properties.

H. Any outdoor facility within 300 feet of an existing dwelling shall cease operations by no later than 10 p.m., prevailing time, unless another time period is

established by the Board of Supervisors as part of a conditional use decision for a specific use.

I. Operations shall be regulated so that nuisances, such as visual blight, glare and noise as defined by Part 4A of this Chapter, shall not be created.

J. Any use which includes eating or drinking facilities (excluding an enclosed concession stand that has a maximum gross floor area of 1,000 square feet) shall be subject to the parking requirements of that use in addition to the parking requirements for the facility.

K. The use shall have frontage on and direct vehicular access to an arterial or collector street.

L. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

M. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

N. A traffic impact study shall be required when determined necessary by the Township Traffic Engineer based upon a review of the proposed development, the scope of anticipated traffic and the traffic issues on adjacent streets. Any required traffic impact study shall comply with §27-522 of this Chapter.

O. To ensure public safety and health, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

P. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

Q. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-826. Exposition Hall.

An exposition hall shall be a permitted conditional use subject to the following express standards and criteria:

A. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

B. An additional 10 feet of yard setback with landscape buffering a minimum of 6 feet in height for parking and loading areas shall be provided as defined by

Part 2 of this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.

C. The site shall have direct vehicular access from an arterial or collector street.

D. To ensure employee and visitor safety, the number of vehicular access points shall be determined by the Township Engineer based upon the projected peak hour traffic defined in the traffic impact study.

E. No outdoor loading or service areas, including dumpsters, shall be located within the side or rear yard setback areas.

F. Dumpsters shall be screened from view by landscaping, opaque fencing or a combination of both.

G. Buildings and structures shall be designed to minimize conflicts between uses and shall be constructed in accordance with the Construction Code [Chapter 5, Part 1].

H. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

I. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

J. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

K. The vehicular circulation system shall be designed to minimize conflicts between vehicular and pedestrian circulation.

L. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

M. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

N. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

O. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change

is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-827. Farmers Market.

A farmers market shall be a permitted conditional use subject to the following express standards and criteria:

A. The number of off-street parking and loading spaces shall be provided as defined by Part 6 of this Chapter.

B. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

C. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

D. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

E. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

(A.O.

§27-828. Flex Space.

Flex space shall be a permitted conditional use subject to the following express standards and criteria:

A. An additional 10 feet of yard setback with landscape buffering a minimum of 6 feet in height for off-street parking and loading areas shall be provided as defined by Parts 2 of this Chapter to protect the surrounding neighborhood from in appropriate light and other disturbances.

B. The height of proposed buildings and structures that are for nonaviation uses shall be subject to the requirements of the AZO Airport Zone Overlay District and approval by the Federal Aviation Administration (FAA).

C. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

D. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

E. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

F. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

G. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

H. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

I. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

J. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

K. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

L. Flex space in the BP District shall meet the following criteria:

(1) Not more than 50 percent of any building may be devoted to flex space.

(2) Direct access to the flex space shall be provided through streets that service primarily commercial traffic. The streets in the BP District that service primarily commercial traffic are: Portvue Drive, Cherrington Parkway, Ewing Road, Market Place Boulevard and Hookstown Grade Road.

(3) At least 75 percent of the flex space building must be dedicated to an office use, and no more than 25 percent of the flex space building may be dedicated to storage. If the applicant desires greater than the maximum of 25 percent of the flex space building to be dedicated to storage, then the following criteria must be met:

(a) Each flex space building shall have a minimum of two-thirds of its exterior wall area faced with brick, stone and/or glass, exclusive of windows.

(b) Building facades shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the facade and extending 20 percent of the length of the facade. No uninterrupted length of any facade shall exceed 50 horizontal feet.

(c) No less than 50 percent of the flex space building shall be dedicated

to an office use.

(4) The flex space use shall be conducted entirely within an enclosed building.

(5) The flex space use shall not involve warehousing; provided, however, the use may include storage as an accessory use pursuant to subparagraph (3) above.

(6) The flex space use shall not involve light manufacturing, and research and development.

(A.O.

§27-829. Freight Terminal.

A freight terminal shall be a permitted conditional use subject to the following express standards and criteria:

A. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

B. An additional 10 feet of yard setback with landscape buffering a minimum of 6 feet in height for parking and loading areas shall be provided as defined by Part 2 of this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.

C. Any outdoor storage conducted on the lot shall comply with the regulations for outdoor storage as defined in §27-850 of this Chapter.

D. The facility shall have one point of vehicular access to an arterial or collector street. The point of vehicular access shall be located in a manner that minimizes detrimental traffic impacts (to both pedestrians and vehicles) on the Pittsburgh International Airport and the adjacent arterial and/or collector street(s).

E. Hours of operation and activities must be appropriately scheduled to protect adjoining properties and the operation of the Pittsburgh International Airport from detrimental noise, dust, odor, vibration, light or other disturbance or interruption.

F. No storage or transfer of toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids is permitted on the subject property.

G. The height of proposed buildings and structures that are for nonaviation uses shall be subject to the requirements of the AZO Airport Zone Overlay District and approval by the Federal Aviation Administration (FAA).

H. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

I. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order

to prevent adverse impacts on adjoining properties.

J. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

K. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

L. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

M. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

N. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

O. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

P. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-830. Fuel Sales.

Fuel sales shall be a permitted conditional use subject to the following express standards and criteria:

A. Fuel sales, as defined by this Chapter, shall be permitted only when accessory to a principal use identified as a permitted use or conditional use in the subject zoning district under this Chapter.

B. The minimum lot area for fuel sales shall be 20,000 square feet.

C. The facility shall have direct vehicular access to a collector or arterial street, as defined by this Chapter, or shall have a point of vehicular access from a street within the lot of a shopping center.

D. A canopy over the fuel dispensers shall be permitted; provided, that:

(1) The canopy is not attached to the principal building.

(2) The canopy shall not be enclosed.

(3) The canopy shall be located a minimum of 10 feet from any property line or street right-of-way line.

(4) The canopy shall be removed immediately if fuel sales are

discontinued.

E. Off-street parking for the facility shall comply with Part 6 of this Chapter.

F. Fuel dispensers shall be located at least 20 feet from the edge of any street right-of-way.

G. All fuel and other flammable substances shall be stored at least 25 feet from any property line.

H. Hours of operation must be appropriately scheduled to protect the surrounding neighborhood from detrimental noise, disturbance or interruption.

I. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 10 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

J. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

K. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

L. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

M. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

N. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

O. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-831. Group Care Facility.

A group care facility shall be a permitted conditional use subject to the following express standards and criteria:

A. The number of residents shall be limited to no more than 14 persons, excluding supervisory adults and the children of supervisory adults.

B. Minimum lot area and yard setbacks shall be as described in Part 2 for the

zoning district wherein the property is located. However, these dimensions may be reduced by the Board of Supervisors when the building proposed to house such a facility is an existing building which has been established as appropriate for such an institution through a pre-existing use.

C. On-site parking facilities shall be provided at the ratio of one stall for every two full-time staff members and an additional stall for every five residents who are eligible and are permitted by the sponsor to operate a vehicle.

D. The applicant shall file a detailed statement of intent describing the proposed use of the dwelling or building, which statement shall detail the proposed number and nature of the anticipated residents and occupants.

E. Where applicable, a license or certification shall be obtained from the Commonwealth of Pennsylvania or County prior to the issuance of a certificate of occupancy. In the event that an appropriate licensing or certifying agency does not exist, the applicant shall demonstrate to the Board of Supervisors that the proposal satisfies a demonstrated need and will be conducted in a responsible manner without detriment to surrounding properties.

F. The operator of the facility shall provide the Township with a floor plan, drawn to scale, clearly delineating all rooms or sleeping areas, all points of ingress and egress to the facility and the interior circulation plan indicating the flow of traffic on the site and primary point or points of vehicular access.

G. A change in ownership or operators of the facility shall constitute a new use requiring conditional use approval as outlined in this Section.

H. The use and building(s) shall comply with the Construction Code [Chapter 5, Part 1].

I. In order to prevent the concentration of such uses in a neighborhood and to avoid impacting existing residences, no facility shall be located within 1,000 feet of another group care facility or nursing home, as measured from lot line to lot line.

J. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

K. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

L. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

M. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

N. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

O. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the

landowner and/or developer.

P. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-832. Heavy Manufacturing.

Heavy manufacturing shall be a permitted conditional use subject to the following express standards and criteria:

A. The by-products of the processing activities shall not be considered hazardous materials or substances as defined by the Allegheny County Health Department, the Environmental Protection Agency (EPA), and/or the Federal Emergency Management Agency (FEMA).

B. Storage of all hazardous materials and substances used to process or manufacture products shall comply with all applicable Federal, State, and County standards for use and removal:

(1) Cement, lime, gypsum or plaster of Paris manufacturing.

(2) Commercial fertilizer manufacturing.

(3) Gasoline processing and oil refining.

(4) Glue, size or gelatin manufacturing.

(5) Smelting of aluminum, tin, copper, zinc or iron ores.

(6) Meat and poultry processing.

(7) Rubber or gutta-percha manufacturing or processing.

(8) Paper or pulp manufacturing.

(9) Tanning, curing or storage of raw hides.

C. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

D. Vehicular access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

E. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

F. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

G. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

H. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

I. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-833. Home Occupation.

A home occupation shall be a permitted conditional use subject to the following express standards and criteria:

A. There shall be no exterior evidence of the business activity or use other than the home occupation identification sign authorized by Part 7 of this Chapter.

B. No more than one employee shall be employed by the business in addition to residents of the dwelling. For the purposes of this Section, "employee" shall be defined as one who receives compensation for any kind of services performed in association with the home occupation. This compensation can be in the form of monetary compensation, rent, or other compensatory consideration.

C. No more than 25 percent of the gross floor area of the dwelling shall be devoted to the conduct of a home occupation.

D. The home occupation shall be conducted entirely within the dwelling. The home occupation shall not be conducted in any accessory structure.

E. The use shall be compatible with the residential dwelling use of the property and surrounding residential uses. The use shall not change the residential character of the dwelling.

F. The use shall not cause an increase in the use of water, sewage, garbage, public safety or any other municipal services beyond that which is normal for an average residence in the neighborhood.

G. The use shall comply with the performance standards specified in Part 4A of this Chapter.

H. The use shall not require internal or external alterations or construction features which change the fire rating or use classification of the structure under the Construction Code [Chapter 5, Part 1].

I. There shall be no use of materials or equipment except that of similar power and type normally used in a residential dwelling for domestic or household purposes.

J. There shall be no storage of materials or equipment outside an enclosed building.

K. The conduct of any home occupation including, but not limited to, the storage of goods or equipment, shall not reduce or render unusable areas required for enclosed parking for the dwelling unit.

L. The use shall not create greater vehicular or pedestrian traffic than that which is normal for the residences in the neighborhood.

M. All needs for parking generated by the conduct of a home occupation shall be provided for on the subject lot.

N. The business activity or use shall not involve the use of vehicles in excess of 1 ton capacity or 9,000 pounds gross vehicle weight for delivery of materials to or from the premises, and such vehicles shall not be parked on the premises.

O. There shall be no regular display of merchandise available for sale on the premises; however, merchandise may be stored on the premises for pickup and/or delivery.

P. The use shall not involve the use of advertising signs on or off the premises which shall call attention to the fact that the dwelling is being used for home occupation purposes.

Q. The following uses shall not be considered to be home occupations and shall be limited to the districts in which they are specifically authorized as permitted uses, conditional uses or uses by special exception:

(1) Animal hospitals.

(2) Automobile sales, rental, service and repair shops.

(3) Beauty shops and barbershops containing more than one chair.

(4) Medical clinics, medical offices, hospitals, nursing homes, group care facilities.

(5) Kennels.

(6) Funeral homes.

(7) Private clubs.

(8) Private instruction to more than three students at a time.

(9) Restaurants.

(10) Keeping of horses.

R. A child day care home, as defined by this Chapter, may be considered a home occupation; provided, that:

(1) All of the foregoing standards of a home occupation are met.

(2) Evidence of licensing by the Commonwealth shall be presented at the time of application and all such necessary licenses shall be maintained throughout operation of the child day care home.

(3) An adequate area for outdoor recreation shall be provided and shall

be secured with a fence with a self-latching gate.

(4) A safe area shall be provided for dropping off and picking up children which does not obstruct the free flow of traffic on any public street.

(5) The child day care home must comply with the requirements of §27-514 of this Chapter and the applicable Sections of the Construction Code [Chapter 5, Part 1].

S. Any approved home occupation which requires any type of public access to the dwelling must obtain all required approvals from the Pennsylvania Department of Labor and Industry.

(A.O.

§27-834. Hospital.

A hospital shall be a permitted conditional use subject to the following express standards and criteria:

A. Minimum lot area and yard setbacks shall be as described in Part 2 of this Chapter for the zoning district in which the subject property is located.

B. Safe areas for discharging and picking up patients shall be provided.

C. Air transport operations planning shall be coordinated with the Allegheny County Airport Authority, the Pittsburgh International Airport, and any other applicable governmental agencies.

D. Parking facilities shall be provided at the ratio of one parking space for each employee and staff member on peak shift and one additional parking space for each bed. Additional parking spaces shall be provided to satisfy ADA requirements for medical care facilities.

E. A hospital's height shall not exceed 75 feet and shall not pose a hazard to the operations of the Pittsburgh International Airport.

F. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

G. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

H. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

I. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

J. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

K. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

L. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-835. Hotel/Motel.

A hotel/motel shall be a permitted conditional use subject to the following express standards and criteria:

A. Service of meals and/or beverages must be secondary to the principal use of room or suite rental.

B. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

C. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

D. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

E. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

F. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

G. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

H. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

I. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing

the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-836. International Trade Center.

An international trade center shall be a permitted conditional use subject to the following express standards and criteria:

A. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

B. An additional 10 feet of yard setback with landscape buffering a minimum of 6 feet in height for parking and loading areas shall be provided as defined by Part 2 of this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.

C. The site shall have direct vehicular access from an arterial or collector street.

D. To ensure employee and visitor safety, the number of vehicular access points shall be determined by the Township Engineer based upon the projected peak hour traffic defined in the traffic impact study.

E. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

F. Buildings and structures shall be designed to minimize conflicts between uses and shall be constructed in accordance with the Construction Code [Chapter 5, Part 1].

G. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

H. No outdoor loading or service areas, including dumpsters, shall be located within the side or rear yard setback areas.

I. Dumpsters shall be screened from view by landscaping, opaque fencing or a combination of both.

J. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

K. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

L. The vehicular and pedestrian circulation systems shall be designed to

minimize conflicts between vehicular and pedestrian circulation.

M. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

N. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

O. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, attendees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, attendees, customers, visitors, and guests.

P. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-837. Junkyard.

A junkyard shall be a permitted conditional use subject to the following express standards and criteria:

A. Persons who intend to operate a junkyard must obtain a license from the Township and such other approvals pursuant to the Junkyard License Ordinance [Chapter 13, Part 4].

B. The use and development of the subject property shall comply with all requirements of the Junkyard License Ordinance [Chapter 13, Part 4].

C. The minimum lot size shall be 10 acres.

D. The premises shall be maintained so as to not constitute a nuisance or a menace to public health and safety.

E. Any storage of garbage, petroleum products, hazardous materials, or potentially hazardous materials shall conform with all applicable Federal, State, County and Township laws, statutes, regulations, and resolutions, including but not limited to the regulations and any permit requirements of the EPA and DEP. No garbage, petroleum products, or hazardous materials shall be buried or disposed of on the subject property.

F. The manner of storage of junk shall be arranged in such a fashion that aisles of a minimum width of 25 feet between rows of junk are maintained in order to facilitate access for firefighting and to prevent the accumulation of stagnant water.

G. Junkyards shall comply with the performance standards of Part 4A of this

Chapter.

H. No junk shall be stored or accumulated and no structure shall be constructed within 100 feet of any residential lot or within 40 feet of any property line or street right-of-way line.

I. The fence required by the Junkyard License Ordinance [Chapter 13, Part 4] shall be supplemented with screening material which creates a visual barrier that is 100 percent opaque. Grass, sod, lawn, or turf shall not be considered an adequate plant for use within any landscaped bufferyard.

J. The manner of storage of junk shall be arranged in such a fashion that it shall not be higher than the adjacent fence.

K. All property lines adjoining a residential use or residential zoning district classification shall provide Bufferyard 1 as required by §27-214 of this Chapter. All property lines adjoining a nonresidential use or nonresidential zoning district classification shall provide Bufferyard 2 as required by §27-214 of this Chapter.

L. Any junkyard found to be in violation of this Chapter shall be subject to the enforcement penalties referenced in Part 14 of this Chapter and/or the Junkyard License Ordinance [Chapter 13, Part 4].

M. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-838. Kennel.

A kennel shall be a permitted conditional use subject to the following express standards and criteria:

A. Kennel uses shall be located at least 100 feet from any property line adjoining a residential use or zoning district and at least 50 feet from any other property line.

B. The minimum lot area required for the use shall be 2 acres.

C. All outdoor kennel facilities (including, but not limited to, runs, pens, coops and similar facilities) shall be:

(1) Constructed for easy cleaning.

(2) Adequately secured by a fence, with a self-latching gate, and otherwise fully enclosed to ensure that a cat or any other animal is not able to climb or jump out of the enclosed area.

(3) Screened by a 6-foot high compact vegetative screen or 100 percent opaque fence on all sides which are visible from any street or residential

property.

D. If adjacent properties are developed for single-family dwellings, the kennel shall be soundproofed to minimize noise impact on adjacent properties.

E. The kennel shall be licensed by the Commonwealth of Pennsylvania, and compliance with all applicable rules and regulations of the Commonwealth of Pennsylvania and the Allegheny County Health Department shall be maintained.

F. At no time shall the animals be permitted to run loose on the property other than in a completely enclosed area as described in subsection C. above.

G. This use shall be subject to periodic inspections to insure compliance with the conditions of approval.

H. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

I. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues and quell any disturbances caused by the employees, customers, visitors, and guests.

J. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-839. Laboratory.

A laboratory shall be a permitted conditional use subject to the following express standards and criteria:

A. The laboratory area shall not exceed a maximum of 15,000 square feet of gross floor area.

B. The gross floor area of the laboratory shall not exceed 40 percent of the gross floor area of the building containing such laboratory.

C. Laboratories that store Environmental Protection Agency (EPA) regulated substances with Reportable Quantities over 100 lbs. are prohibited.

D. Laboratories that store EPA regulated substances with reportable quantities equal to or less than 100 lbs., which are also liquids or gases at ambient conditions, in quantities greater than the respective reportable quantity are prohibited.

E. Laboratories with the following then current North American Industry Classification System ("NAICS") categories are prohibited: (1) All Other Animal Production (Code 112990); (2) Biological Testing Laboratories or Services (under

Code 541380); (3) Veterinary Testing Laboratories (Code 541940); and (4) Laboratory Equipment Manufacturing (Code 339113).

F. Laboratories shall be designated by the owner with applicable NAICS categories.

G. The design of the structure containing the laboratory shall follow the development standards for uses in the BP District.

H. The Board of Supervisors shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration the location and orientation of the laboratory's probable traffic generation, parking needs, generation of noise, dust, odor, vibration, pollution, light or other disturbance or interruption.

I. The laboratory shall be located in a Township-approved Planned Nonresidential Development (PNRD).

J. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

K. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

L. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

M. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

N. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

O. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

P. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

Q. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-840. Landscaping Center.

A landscaping center shall be a permitted conditional use subject to the following express standards and criteria:

A. Bufferyards shall be provided and maintained along the side yards and rear yards in accordance with Bufferyard 1 as defined in §27-214 of this Chapter.

B. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

C. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

D. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

E. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

F. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

G. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

H. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-841. Light Manufacturing.

Light manufacturing shall be a permitted conditional use subject to the following express standards and criteria:

A. All materials and equipment shall be stored within a completely enclosed building.

B. The use shall comply with all performance standards specified in Part 4.A. of this Chapter.

C. The storage, use or manufacture of hazardous or potentially hazardous materials shall be limited to those materials required to be used by or produced in connection with the light manufacturing activity, and the transportation, handling, use and disposal of such materials shall conform with all applicable regulations and permit requirements of the Environmental Protection Agency (EPA) and Department of Environmental Protection (DEP).

D. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

E. Vehicular access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

F. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

G. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

H. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

I. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

J. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-842. Massage Therapy Establishment.

A massage therapy establishment shall be a permitted conditional use subject to the following express standards and criteria:

A. State or national certification from one of the following entities shall be required for all employees, excluding administrative staff: National Certification Board for Therapeutic Massage and Bodywork; American Massage Therapy Association; Association of Bodywork and Massage Practitioners; National Certification Commission for Acupuncture and Oriental Medicine; International Massage Association; or a Board of Supervisors approved equivalent. In addition,

all employees, excluding administrative staff, must have at least 500 hours of professional training.

B. Hours of operation shall be restricted to 8 a.m. to 8 p.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate the hours of operation for the facility in order to prevent adverse impacts on adjoining properties.

C. The facility shall operate in compliance with all applicable rules and regulations of the Commonwealth of Pennsylvania and the Allegheny County Health Department.

D. A massage therapy establishment shall be initially licensed, where it has met the applicable requirements set forth in the Moon Township Code of Ordinances, through December 31 of the year in which the license is issued. For each year thereafter that the massage therapy establishment intends to continue as a massage therapy establishment, it must seek from the Township Manager a renewal of this license. The application for renewal must be received by the Township Manager no later than November 1 of the year preceding the year in which the license renewal is sought. The lack of a license or the failure to seek license renewal on a timely basis shall be a proper basis for the Township to deny or revoke an occupancy permit to a massage therapy establishment.

E. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

F. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

G. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

H. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

I. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-843. Medical Clinic.

A medical clinic shall be a permitted conditional use subject to the following express standards and criteria:

A. Bufferyards shall be provided and maintained along the side yards and rear yards in accordance with Bufferyard 1 as defined in §27-214 of this Chapter.

B. Facilities and equipment to support overnight boarding shall not be permitted.

C. The number of off-street parking and loading spaces shall be provided as defined by Part 6 of this Chapter.

D. The facility and use shall be licensed by the appropriate departments and/or agencies of the Commonwealth of Pennsylvania. Said valid license and all appropriate documentation shall be submitted to the Township.

E. The facility and use shall be conducted in a manner that does not violate any provisions of this Chapter or any other Federal, State, County, Township statute, law, regulations, ordinance and/or resolution.

F. The facility and use shall be staffed during all hours of operation by personnel licensed by the Pennsylvania Department of Health.

G. The applicant shall provide a community impact analysis consisting of the following information:

(1) Hours of operation.

(2) Patient treatment capacity.

(3) Average daily patient visits.

(4) Average number of daily vehicle trips estimated to be generated by the facility, with peak-hour vehicle trip ends identified.

(5) Any and all public transportation connections that may serve the facility.

(6) Estimated level of emergency (police, fire, ambulance, etc.) calls on a monthly basis generated by the facility.

(7) Documentation concerning all personnel, licensed by the Pennsylvania Department of Health. Any change in this information to any such approved use shall be reported to the Township within 30 days.

(8) Any and all security measures to be instituted within the facility.

(9) Any and all security measures to be instituted on the lot or parcel.

H. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

I. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

J. The vehicular and pedestrian circulation systems shall be designed to

minimize conflicts between vehicular and pedestrian circulation.

K. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

L. Hours of operation must be appropriately scheduled to protect the surrounding neighborhood from detrimental noise, disturbance or interruption.

M. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

N. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

O. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

P. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-844. Medical Office.

A medical office shall be a permitted conditional use subject to the following express standards and criteria.

A. Bufferyards shall be provided and maintained along the side yards and rear yards in accordance with Bufferyard 1 as defined in §27-214 of this Chapter.

B. The number of off-street parking and loading spaces shall be provided as defined by Part 6 of this Chapter.

C. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

D. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

E. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

F. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

G. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

H. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

I. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, patients, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, patients, visitors, and guests.

J. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-845. Mixed-Use Development.

A mixed-use development shall be a permitted conditional use subject to the following express standards and criteria, in addition to the express standards and criteria referenced in this Chapter for any individual use that is a part of the mixed-use development:

A. Buildings shall be located a minimum of 30 feet apart.

B. Buildings and structures shall be designed to minimize conflicts between uses, to minimize impacts on adjacent residential properties, and shall be constructed in accordance with the Construction Code [Chapter 5, Part 1].

C. Buildings adjacent to a street or driveway shall be located a minimum of 20 feet from the edge of the street or driveway.

D. Height of proposed buildings housing nonaviation uses shall be subject to the requirements of the AZO Airport Zone Overlay District and approval by the Federal Aviation Administration (FAA).

E. Primary building facades and entrances shall front adjacent streets or public walkways.

F. Only uses designated as permitted or conditional uses within the MX Mixed-Use District, pursuant to §27-205 and Table 27-1 (Use Table) of this Chapter, shall be permitted within the mixed-use development.

G. Off-street parking and loading shall be provided and maintained in accordance with a Township-approved parking needs analysis. See §27-602.4 of this

Chapter.

H. The pro-rata share of handicapped spaces required by the development shall be provided as close as practical to each use's primary entrance.

I. The location and orientation of loading and service areas shall be coordinated to minimize conflicts of vehicular and pedestrian circulation.

J. Loading areas shall not be visible from the primary entrance of any nonresidential use.

K. Outdoor storage shall not be visible from the primary entrance of any nonresidential use.

L. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

M. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

N. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

O. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

P. A traffic impact study shall be required. The traffic impact study shall comply with §27-522 of this Chapter.

Q. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

R. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-846. Mixed-Use Educational Development.

A mixed-use educational development shall be a permitted conditional use subject to the following express standards and criteria, in addition to the express standards and criteria referenced in this Chapter for any individual use that is a part of the mixed-use

educational development:

A. Buildings and structures shall be designed to minimize conflicts between uses, to minimize impact on adjacent residential properties, and shall be constructed in accordance with the Construction Code [Chapter 5, Part 1].

B. The university/college, at its own expense, shall provide transportation for students to and from any dormitory located in the mixed-use educational development and its main campus at reasonable times determined by the university/college. The primary drop-off and pick-up area shall be located onsite in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.

C. The university/college, at its own expense, shall provide police services for the portion of the mixed-use educational development site utilized for university/college purposes.

D. Off-street parking and loading shall be provided and maintained in accordance with a Township-approved parking needs analysis. See §27-602.4 of this Chapter.

E. The pro-rata share of handicapped spaces required by the development shall be provided as close as practical to each use's primary entrance.

F. Loading areas shall not be visible from the primary entrance to the development or from neighboring residential properties.

G. The development's vehicular circulation system shall be designed to minimize conflicts of vehicular and pedestrian circulation.

H. Outdoor storage shall not be permitted.

I. Where the development abuts a residential zoning district, an additional 10 feet of yard setback shall be devoted to provide a total 50-foot bufferyard that complies with the requirements of §27-214 of this Chapter.

J. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

K. The owner and operator of the proposed development shall be responsible for the conduct and safety of the employees, visitors, students, faculty, staff, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, visitors, students, faculty, staff and/or guests at the mixed-use educational development.

L. Primary vehicular access to the mixed-use educational development shall be from an arterial street only, and a secondary vehicular access may be permitted from an arterial or collector street subject to approval of the Board of Supervisors.

M. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

N. A traffic impact study shall be required. The traffic impact study shall comply with §27-522 of this Chapter.

O. At least 75 percent of a first floor of any building that is used for a mixed-use educational development and located within 200 feet of an arterial street or

collector street shall be dedicated to any of the following nonresidential uses, or combination thereof:

(1) Business or professional office.

(2) Financial institution.

(3) Neighborhood convenience store.

(4) Personal services.

(5) Restaurant.

(6) Retail store.

P. No dwelling unit or dormitory room shall be located in a basement or a first floor of a building that is used for a mixed-use educational development. However, dormitory rooms may be located on the first floor of a building constructed prior to July 1, 2013.

Q. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

R. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-847. Nightclub.

A nightclub shall be a permitted conditional use subject to the following express standards and criteria:

A. The nightclub operations shall cease between the hours of 2 a.m. and 7 a.m. prevailing time (unless more restrictive nonoperating hours are established by the Board of Supervisors in its conditional use decision), and the establishment shall not be open to the public during those hours.

B. The owner and operator of the facility shall provide private security at a ratio of one private security guard for every 25 guests, unless another ratio is established by the Board of Supervisors in its conditional use decision.

C. All nightclub operations shall be conducted within an enclosed building, and all doors and windows shall remain closed during the hours that the nightclub is open for operation.

D. The facility entrances and exits (excluding emergency exits) which face adjacent residential dwellings and/or residential zoned properties shall have a vestibule with a second door to minimize noise impacts to adjacent residential dwellings and properties.

E. No nightclub shall be permitted within 500 feet of an adult oriented business and/or another nightclub, as measured from lot line to lot line.

F. The nightclub operations shall not cause or create a nuisance including, but not limited to, excessive noise levels.

G. The owner and operator shall provide the Township with a floor plan of the facility drawn to scale and which clearly delineates all rooms and improvements, all points of ingress and egress within the facility, and all emergency exits and an interior circulation plan indicating the flow of traffic on the site and primary point or points of vehicular access.

H. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

I. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

J. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

K. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

L. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

M. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

N. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues and quell any disturbances caused by the employees, customers, visitors, and guests.

O. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-848. Nonresidential Recreation Facility.

A nonresidential recreation facility shall be a permitted conditional use subject to the following express standards and criteria:

A. Nonresidential recreation facility uses are specifically limited to the

following:

(1) Batting cages.

(2) Gymnastics/tumbling center.

(3) Ice hockey rink.

(4) Ice or roller skating rink.

(5) Miniature golf course.

(6) Street hockey rink.

(7) Swimming pool.

B. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

C. The use shall not generate noise in excess of 75 dB(A) at the lot line between the hours of 10 p.m. and 7 a.m., prevailing time. For purposes of this Section, this noise restriction shall be measured from any lot line of property owned by a person or entity other than the owner of the subject facility. Outdoor speakers shall not be used between the hours of 10 p.m. and 7 a.m., prevailing time, unless another time is established by the Board of Supervisors as part of a conditional use decision for a specific use. The volume and direction of outdoor speakers shall be regulated to minimize impact on adjacent properties. As part of its decision, the Board of Supervisors may prohibit and/or further regulate outdoor speakers in order to prevent adverse impacts on adjoining properties.

D. Any outdoor facility within 300 feet of an existing dwelling shall cease operations between 10 p.m. and 7 a.m., prevailing time, unless another time period is established by the Board of Supervisors as part of a conditional use decision for a specific use.

E. Operations shall be regulated so that nuisances, such as visual blight, glare and noise as defined by Part 4A of this Chapter, shall not be created.

F. Any use which includes eating or drinking facilities shall be subject to the parking requirements of that use in addition to the parking requirements for the facility.

G. The use shall have frontage on and direct vehicular access to an arterial or collector street.

H. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

I. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

J. A traffic impact study shall be required when determined necessary by the Township Traffic Engineer based upon a review of the proposed development, the scope of anticipated traffic and the traffic issues on adjacent streets. Any required traffic impact study shall comply with §27-522 of this Chapter.

K. To ensure public safety and health, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

L. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, members, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues and quell any disturbances caused by the employees, members, customers, visitors, and guests.

M. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

N. Any recreation facility in existence in the Township prior to [insert date of adopting ordinance enactment], may continue and shall not be required to comply with the requirements of this Section to the extent of the scope of nature of the use existing as of that date. Any such facility may be expanded without having to obtain conditional use approval pursuant to this Section provided said expansion:

(1) Does not involve construction of any new building, or the expansion of any existing building exceeding 50 percent of the lot coverage legally occupied as of [insert date of adopting ordinance enactment].

(2) Is on the same lot as the existing recreation facility, as the lot or those lots existed as of [insert date of adopting ordinance enactment].

(3) Does not involve a change in the specific type of recreation facility.

(4) Does not trigger a traffic study under §27-522 of this Chapter as a result of the new traffic created by the expansion.

Any expansion of a recreation facility not meeting the requirements of paragraphs .N(1), .N(2) and .N(3) shall not be permitted unless the property owner applies for and obtains conditional use approval pursuant to this Part.

(A.O.

§27-849. Oil and Gas Operations.

Oil and gas operations shall be a permitted conditional use subject to the following express standards and criteria:

A. Oil and gas operations shall only be authorized as a conditional use in the following zoning districts in the Township: OS District, MX District, RT District and AP District, subject to the criteria contained in this Section and all restrictions contained in the Pennsylvania Oil and Gas Act, 58 Pa.C.S. §2301 *et seq*., as amended (the "Oil and Gas Act").

B. Oil and gas operations shall be conducted in accordance with the Oil and

Gas Act.

C. Oil and gas operations shall comply with Part 4A of this Chapter, except to the extent that a provision(s) of Part 4A of this Chapter is preempted by the Oil and Gas Act.

D. The applicant shall have obtained all applicable Federal, State and local permits and approvals for the proposed use. In the event that such permits and approvals have not been issued at the time conditional use approval is requested, the conditional use approval of the Township shall be expressly conditioned on the granting of all permits and approvals required by Federal, State, County and local laws, statutes, ordinances and regulations.

(A.O.

§27-850. Outdoor Storage.

Outdoor storage shall be a permitted conditional use subject to the following express standards and criteria:

A. Any article or material authorized to be stored outside an enclosed structure shall be buffered by 6-foot high opaque fencing, planting, earthen mounds or existing topography to assure that it cannot be seen from adjoining streets or adjacent residential uses or residentially zoned properties and to assure no adverse effect on adjacent property.

B. No outdoor storage area located within the C-2 District shall exceed 2,500 square feet.

C. No outdoor storage shall be permitted in the required front yard.

D. Hazardous, toxic, corrosive, or volatile materials and/or substances shall not be stored outside an enclosed structure.

E. All organic rubbish or waste materials shall be stored in airtight vermin-proof containers.

F. No movable vehicle such as a truck or trailer shall be used for outside storage.

G. Outdoor storage shall not include operable and/or inoperable vehicles including, but not limited to, automobiles, buses, motorcycles and similar machines.

H. Outdoor storage shall not be visible from the primary entrance of any nonresidential use.

I. Access driveways to outdoor storage shall be paved with a minimum of 2 inches of slag or stone.

J. The outdoor storage facility shall not reduce the area required for off-street parking or loading for the principal use, nor shall its location interfere with the free flow of traffic on the site or the use of any off-street parking, or loading area.

K. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize

nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-851. Parking Garage/Structure.

A parking garage/structure shall be a permitted conditional use subject to the following express standards and criteria:

A. The use shall comply with Part 2 of this Chapter.

B. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

C. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

D. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

E. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

F. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

G. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-852. Pilot Manufacturing.

Pilot manufacturing shall be a permitted conditional use subject to the following express standards and criteria:

A. Unless otherwise provided by this Chapter, pilot manufacturing shall be permitted as a principal use only when it is directly related to research and development activities authorized as a principal use.

B. Where pilot manufacturing is related to research and development, the

total floor area devoted to pilot manufacturing shall not exceed 25 percent of the total floor area of all buildings devoted to research and development.

C. All materials and equipment shall be stored within a completely enclosed building.

D. The use shall comply with all performance standards specified in Part 4A of this Chapter.

E. The storage, use or manufacture of hazardous or potentially hazardous materials shall be limited to those materials required to be used by or produced in connection with the pilot manufacturing activity, and the transportation, handling, use and disposal of such materials shall conform with all applicable regulations and permit requirements of the Environmental Protection Agency (EPA) and the Department of Environmental Protection (DEP).

F. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

G. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

H. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

I. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

J. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

K. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

L. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-853. Place of Worship.

A place of worship shall be a permitted conditional use subject to the following express standards and criteria:

A. All buildings shall be setback at least 100 feet from the lot lines of residentially zoned properties and from the right-of-way of local streets.

B. A place of worship shall have direct access to an arterial or collector street. The point of vehicular access shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.

C. A place of worship in a residential zoning district must provide a Bufferyard 1 as detailed in §27-214 of this Chapter along adjoining properties.

D. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

E. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

F. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

G. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

H. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

I. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

J. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-854. Research and Development.

Research and development shall be a permitted conditional use subject to the following express standards and criteria:

A. Any outdoor storage conducted on the lot shall comply with the regulations for outdoor storage as defined in §27-850 of this Chapter.

B. The facility shall have one point of vehicular access to an arterial or

collector street.

C. Hours of operation and activities must be appropriately scheduled to protect the operation of the surrounding neighborhood from detrimental noise, dust, odor, vibration, light or other disturbance or interruption.

D. Loading areas shall not be visible from a street right-of-way or an adjacent residential dwelling.

E. The use shall comply with all performance standards specified in Part 4A of this Chapter.

F. The storage, use or manufacture of hazardous or potentially hazardous materials shall be limited to those materials required to be used by or produced in connection with the research and development activity, and the transportation, handling, use and disposal of such materials shall conform with all applicable regulations and permit requirements of the Environmental Protection Agency (EPA) and the Department of Environmental Protection (DEP). An inventory of hazardous, toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids shall be updated annually and submitted to the Township for record.

G. The height of proposed buildings and structures that are for nonaviation uses shall be subject to the requirements of the AZO Airport Zone Overlay District and approval by the Federal Aviation Administration (FAA).

H. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

I. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

H. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

J. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

K. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

L. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

M. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change

is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-855. Restaurant, Low Turnover.

A low turnover restaurant shall be a permitted conditional use subject to the following express standards and criteria:

A. In development sites of 10 acres or more, a low turnover restaurant shall only be permitted in an office building, hotel, or in a conference and training center authorized as a principal use in the BP District; provided, however, low turnover restaurants shall not be permitted in any other freestanding principal or accessory building. A low turnover restaurant shall be permitted in an office building, hotel, or in a freestanding principal building on lots of record in the BP District which are less than the minimum required site area of 10 acres and which are developed in accordance with §27-205 and Table 27-1 (Use Table) of this Chapter.

B. The maximum gross floor area devoted to any single restaurant establishment in an office building which is open to the general public shall be 10,000 square feet.

C. Off-street parking shall be provided at a rate of one space for every 120 square feet of net floor area.

D. A separate business identification sign in the form of a wall sign shall be permitted for the restaurant, provided that it does not exceed 32 square feet of gross surface area and otherwise complies with the sign regulations of Part 7 of this Chapter.

E. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

F. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

G. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

H. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

I. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

J. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater

pollution prevention protection than the former management practice.

(A.O.

§27-856. School.

A school shall be a permitted conditional use subject to the following express standards and criteria:

A. The number of off-street parking and loading spaces shall be provided as defined by Part 6 of this Chapter.

B. Operations shall be regulated so that nuisances such as visual blight, glare, and noise shall not be created.

C. Bufferyards shall be provided and maintained in the front yards, rear yards and side yards in accordance with Bufferyard 1 as detailed in §27-214 of this Chapter.

D. The school shall be accredited by the Commonwealth of Pennsylvania.

E. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

F. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

G. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

H. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

I. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

J. Buildings and structures shall be designed to minimize conflicts between uses and shall be constructed in accordance with the Construction Code [Chapter 5, Part 1].

K. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

L. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

M. The owner and operator of the school shall be responsible for the conduct and safety of the students, employees, visitors, faculty, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the students, employees, visitors, faculty, and guests.

N. The owner and operator of the facility shall incorporate best management

practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-857. School Maintenance Facility.

A school maintenance facility shall be a permitted conditional use subject to the following express standards and criteria:

A. Vehicular access shall be from arterial or collector streets only.

B. All fuel, oil and other flammable substances shall be stored at least 25 feet from any property line. The property owner must obtain the required permits from the Allegheny County Fire Marshal for the storage and disbursement of fuel.

C. Bufferyards shall be provided and maintained along the side yards and rear yards in accordance with §27-214 of this Chapter.

D. Any outdoor storage conducted on the lot shall comply with the regulations for outdoor storage as defined in §27-850 of this Chapter.

E. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

F. All authorized minor repair work, vehicle washing, and lubrication shall be conducted within a completely enclosed building.

G. All materials and equipment shall be stored within a completely enclosed building in a manner that protects the surrounding neighborhood from nonaesthetic viewing of such activities.

H. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-858. Self-Storage Facility.

A self-storage facility shall be a permitted conditional use subject to the following express standards and criteria:

A. The minimum lot area required shall be 5 acres.

B. The lot shall have direct vehicular access to an arterial or collector street, and points of vehicular access shall not be through a street on which the current use of the majority of lots fronting on that street is single-family dwellings.

C. Vehicular access to the lot shall be limited to one two-way or two one-way driveways from each arterial or collector street on which the lot has frontage and which meets the requirements of paragraph .B above.

D. All one-way driveways shall have a minimum of one 10-foot parking lane, plus one 15-foot travel lane.

E. All two-way driveways shall provide a minimum of one 10-foot parking lane, plus two 12-foot travel lanes. Parking lanes may be eliminated where the driveway does not serve storage units.

F. All interior driveways shall be paved with an impervious surface sufficient for the loads the driveways are expected to bear.

G. Parking shall be provided in accordance with the following requirements:

(1) Two spaces for manager's quarters.

(2) One space for each 10 storage units located as near to the storage unit openings as possible.

(3) One space for each 25 storage units, which spaces shall be located near the manager's quarters to be used by prospective clients.

H. Bufferyards shall be provided and maintained in all yards adjoining a residential use or residential zoned property in accordance with Bufferyard 1 as detailed in §27-214 of this Chapter.

I. A minimum 8-foot high fence with a self-latching gate shall be placed on the interior side of each bufferyard. The fence shall be supplemented with screening material which creates a visual barrier that is at least 100 percent opaque.

J. The maximum building height shall be 20 feet.

K. The minimum distance from the face of any storage building to the face of any adjacent storage building shall be 28 feet for storage units which are less than 15 feet in depth and 42 feet for storage units which are more than 15 feet in depth.

L. The minimum distance from the end of any storage building to the end of any adjacent storage building shall be 20 feet.

M. The maximum length of any storage building shall be 200 feet.

N. The maximum size of any storage unit shall be 14 feet wide, 40 feet deep and one story and no more than 20 feet in height. If storage units are placed back-to-back, the maximum width of the building shall not exceed 40 feet.

O. Maximum lot coverage by all buildings shall be 40 percent.

P. Office space may be provided which shall not exceed 5 percent of the total floor area devoted to storage.

Q. Any outdoor storage conducted on the lot shall comply with the regulations for outdoor storage as defined in §27-850 of this Chapter.

R. Storage units shall not be equipped with water or sanitary sewer service.

S. No business activity other than rental of storage units shall be conducted on the premises.

T. Operations shall be regulated so that nuisances such as visual blight, glare, noise, blowing debris and dust shall not be created.

U. Exterior finishes of the storage units shall be compatible with the character of development on adjoining properties. A minimum of 6 feet above grade shall be masonry construction.

V. The design of each storage building shall be sealed by an architect.

W. No signs shall be placed on the buildings or on their rooftops.

X. One freestanding business identification sign shall be permitted which complies with the requirements of Part 7 of this Chapter for the zoning district in which the use is located.

Y. No hazardous materials or substances shall be permitted to be stored in the storage buildings other than those permitted by the Construction Code [Chapter 5, Part 1]. Both the landlord and the tenants of the storage buildings shall be responsible for the prevention of the storage of hazardous materials or substances in the storage buildings that would be beyond the allowance of the Construction Code [Chapter 5, Part 1].

Z. A minimum of one fire hydrant shall be provided on the lot subject to the approval of the number and location of hydrants by the Township Fire Marshal, and the facility shall otherwise comply with the Construction Code [Chapter 5, Part 1].

AA. Buildings shall be so situated or screened so that the access doors are not facing adjacent streets.

BB. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

CC. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11:00 p.m. and 6:00 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

DD. Vehicular access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

EE. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

FF. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing

the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-859. Senior Center.

A senior center shall be a permitted conditional use subject to the following express standards and criteria:

A. Safe vehicular access and areas for discharging and picking up guests shall be provided.

B. Off-street parking for the senior center shall be provided in accordance with the requirements of Part 6 of this Chapter. Parking spaces shall be located no more than 300 feet from the building's primary entrance.

C. The location, orientation and site circulation shall be coordinated with the Township in order to minimize the disturbance of surrounding open space.

D. For parking demands greater than 100 automobiles, additional setbacks, screening and buffering of off-street parking and loading areas may be required in order to protect the surrounding neighborhood from inappropriate noise, dust, light and other disturbances.

E. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

F. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

G. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

H. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

I. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

J. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

K. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change

is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-860. Shopping Center.

A shopping center shall be a permitted conditional use subject to the following express standards and criteria:

A. Hours of operation shall be scheduled to minimize negative impacts on the surrounding neighborhoods.

B. The number of off-street parking and loading spaces shall be provided as defined by Part 6 of this Chapter.

C. Setback, screening and buffering of parking and loading areas as well as outdoor common spaces shall be provided in accordance with Part 2 of this Chapter.

D. Bufferyards shall be provided and maintained in the front yards, rear yards, and side yards in accordance with Bufferyard 1 as detailed in §27-214 of this Chapter.

E. A shopping center shall have one point of vehicular access to an arterial or collector street.

F. No shopping center located within a C-1 District shall exceed a total of 15,000 square feet.

G. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

H. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

I. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

J. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

K. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

L. Buildings and structures shall be designed to minimize conflicts between uses and shall be constructed in accordance with the Construction Code [Chapter 5, Part 1].

M. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

N. To ensure public health and safety, the site shall be served by and

connected to a public sewer system and public water system at the cost of the landowner and/or developer.

O. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

P. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-861. Stadium.

A stadium shall be a permitted conditional use subject to the following express standards and criteria:

A. Hours of operation and stadium events shall be scheduled to minimize negative impacts on the surrounding neighborhood.

B. The number of off-street parking and loading spaces shall be provided as defined by Part 6 of this Chapter.

C. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

D. The minimum distance from the end of any building to the end of any adjacent building shall be 20 feet, unless a greater distance is required by the Construction Code [Chapter 5, Part 1].

E. The maximum length of any building shall be 500 feet excluding bleachers or seating areas.

F. Bufferyards shall be provided and maintained in the front yards, rear yards, and side yards in accordance with Bufferyard 1 as detailed in §27-214 of this Chapter.

G. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

H. The use (including public announcement and speaker systems) shall not generate noise in excess of 75 dB(A) at the lot line between the hours of 10 p.m. and

8 a.m., prevailing time. For purposes of this Section, this noise restriction shall be measured from any lot line of property owned by a person or entity other than the owner of the subject facility. Outdoor speakers shall not be used between the hours of 10 p.m. and 8 a.m., prevailing time, unless another time is established by the Board of Supervisors as part of a conditional use decision for a specific use. The volume and direction of outdoor speakers shall be regulated to minimize impact on adjacent properties. As part of its decision, the Board of Supervisors may further regulate outdoor speakers in order to prevent adverse impacts on adjoining properties.

I. Any facility within 300 feet of an existing dwelling shall cease operations between 10 p.m. and 7 a.m., prevailing time, unless another time period is established by the Board of Supervisors as part of a conditional use decision for a specific use.

J. The use shall have frontage on and direct vehicular access to an arterial or collector street.

K. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

L. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

M. The primary visitor drop-off and pick-up area shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood and the subject property.

N. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

O. A traffic impact study shall be required. The traffic impact study shall comply with §27-522 of this Chapter. Whenever, as a result of additional traffic generated by a proposed development, the traffic impact study identifies a traffic increase in excess of 100 trips after 9 p.m., the Board of Supervisors may limit the stadium's hours of operation to mitigate negative impacts on the adjacent neighborhood.

P. To ensure public safety and health, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

Q. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, attendees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues and quell any disturbances caused by the employees, attendees, customers, visitors, and guests.

R. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site,

the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-862. Supporting Retail.

Supporting retail shall be a permitted conditional use subject to the following express standards and criteria:

A. Supporting retail uses shall be limited to the following uses in a business park:

(1) Sale of office supplies and equipment.

(2) Travel agency.

(3) Pharmacy, if related to a medical office or medical clinic that is authorized and permitted in the zoning district in which the subject property is located.

(4) Sale of medical supplies and equipment, if related to a medical office or medical clinic that is authorized and permitted in the zoning district in which the subject property is located.

(5) Newsstand.

(6) Card and gift shop.

(7) Florist.

(8) Delicatessen or sandwich shop providing either sit-down or take-out service for the convenience of the employees.

(9) Copying and/or printing center.

(10) Dry cleaning and/or, alteration shop.

B. Supporting retail uses shall be limited to the first floor of any building and shall not be permitted in any other freestanding principal or accessory building.

C. The total floor area devoted to supporting retail uses shall not exceed 15 percent of the total floor area devoted to office use in the business park.

D. The maximum net floor area devoted to any single supporting retail establishment shall be 5,000 square feet.

E. Off-street parking shall be provided for the supporting retail uses in accordance with the following ratio: one space for each 300 square feet of gross floor area. The parking requirements may be adjusted by the Board of Supervisors based upon a peak-hour shared parking analysis prepared by the developer for the business park development.

(A.O.

§27-863. Theater/Auditorium.

A theater/auditorium shall be a permitted conditional use subject to the following express standards and criteria:

A. The primary visitor drop-off and pick-up area shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the

surrounding neighborhood and the subject property.

B. The use shall have one direct point of vehicular access from an arterial or collector street. The point of vehicular access shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.

C. For parking demands greater than 300 automobiles, additional setbacks, screening and buffering of off-street parking and loading areas may be required to be provided in order to protect the surrounding neighborhood from inappropriate noise, dust, light and other disturbances.

D. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

E. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. (or one hour after the last movie/show is completed, whichever is later) and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

F. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

G. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

H. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

I. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

J. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

K. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, attendees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues and quell any disturbances caused by the employees, attendees, customers, visitors, and guests.

L. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater

pollution prevention protection than the former management practice.

(A.O.

§27-864. University/College.

A university/college shall be a permitted conditional use subject to the following express standards and criteria:

A. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood and/or land uses from inappropriate dust and other disturbances.

B. Bufferyards shall be provided and maintained along the front yards, rear yards, and side yards in accordance with Bufferyard 1 as defined in §27-214 of this Chapter.

C. A university/college shall have frontage on and direct vehicular access to an arterial or collector street. A university/college shall have a maximum of one vehicular access point to an arterial or collector street per 1,000 feet of street frontage.

D. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

E. Outdoor storage shall be limited to specifically delineated areas that are approved as part of the conditional use approval.

F. Off-street parking and loading shall be provided and maintained in accordance with a Township-approved parking needs analysis.

G. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

H. Operations shall be regulated so that nuisances such as visual blight, glare, and noise as defined by Part 4A of this Chapter shall not be created.

I. For parking demands greater than 300 automobiles, additional setbacks, screening and buffering of off-street parking and loading areas may be required to be provided in order to protect the surrounding neighborhood from inappropriate noise, dust, light and other disturbances.

J. Height of proposed buildings housing nonaviation uses shall be subject to the requirements of the AZO Airport Zone Overlay District and approval by the Federal Aviation Administration (FAA).

K. Loading areas shall not be visible from the primary entrance to the development or from neighboring residential properties.

L. Buildings and structures shall be designed to minimize conflicts between uses and shall be constructed in accordance with the Construction Code [Chapter

5, Part 1].

M. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

N. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

O. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

P. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

Q. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

R. The owner and operator of the university/college shall be responsible for the conduct and safety of the students, employees, visitors, faculty, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the students, employees, visitors, faculty, and guests.

S. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-865. Warehousing.

Warehousing shall be a permitted conditional use subject to the following express standards and criteria:

A. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

B. An additional 10 feet of yard setback with landscape buffering a minimum of 6 feet in height for parking and loading areas shall be provided as defined by Part 2 of this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.

C. Any outdoor storage conducted on the lot shall comply with the regulations for outdoor storage as defined in §27-850 of this Chapter.

D. The facility shall have one point of vehicular access to an arterial or collector street. The point of vehicular access shall be located in a manner that minimizes detrimental traffic impacts (to both pedestrians and vehicles) on the

Pittsburgh International Airport and the adjacent arterial and/or collector street(s).

E. Hours of operation and activities must be appropriately scheduled to protect adjoining properties and the operation of the Pittsburgh International Airport from detrimental noise, dust, odor, vibration, light or other disturbance or interruption.

F. No storage or transfer of toxic, corrosive, flammable, carcinogenic or explosive materials, chemicals, liquids, gases or solids is permitted on the subject property.

G. The height of proposed buildings and structures that are for nonaviation uses shall be subject to the requirements of the AZO Airport Zone Overlay District and approval by the Federal Aviation Administration (FAA).

H. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

I. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time, provided that such requirement shall not apply in the AP District. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

J. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

K. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

L. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

M. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

N. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

O. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.

P. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change

is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

Q. In an effort to encourage high quality development compatible with the research and development character of the RT District, in addition to the above criteria, warehousing shall be provided as an incentive conditional use in the RT District, provided the following criteria are met:

(1) Not more than one-third of any lot, or in the case of a PNRD the master plan area, may be used for distribution activities.

(2) The street-side walls of any building shall utilize finished materials that incorporate architectural design elements to create continuity with adjacent buildings. Metal siding and uniform, plain split face block cannot be used on the street-side walls of the building. Brick, stone, glass and similar high quality materials are encouraged on the street-side walls.

(3) Street side facades shall incorporate wall plane projections of a recessing nature having a depth of at least 3 percent of the length of the façade and extending no more than 20 percent of the length of the facade.

(4) Direct access to the facility shall be provided through streets that service primarily nonresidential traffic. The streets in the RT District that service primarily nonresidential traffic are: Moon Clinton Road, International Drive and any proposed street to access a nonresidential development.

(5) The minimum lot area or PNRD master plan area required for a development that proposes this use is 10 acres.

(A.O.

§27-866. Water Storage/Tower.

A water storage/tower shall be a permitted conditional use subject to the following express standards and criteria:

A. No water storage/tower shall exceed 250 feet in height unless a reduced height restriction is required by the AZO Airport Zone Overlay District.

B. A water storage/tower shall be setback from adjacent property lines and/or street right-of-way lines a distance equal to 110 percent of the water storage/tower's height.

C. The height of a water storage/tower shall be measured from the top of the foundation to the upper most point of the tower.

D. Lighting shall be required for the water storage/tower as a safety measure for low-flying aircraft in accordance with all Federal Aviation Administration (FAA) regulations and approvals.

E. Access driveways to a water storage/tower shall be paved with a minimum of 4 inches mechanically compacted slag, road millings, or aggregate choked with 2 inches of compacted PennDOT 2A coarse aggregate.

(A.O.

§27-867. Wholesaling.

Wholesaling shall be a permitted conditional use subject to the following express standards and criteria:

A. The ground surface of off-street parking and loading spaces shall be paved with bituminous, brick, concrete, or stone block paving material to protect the surrounding neighborhood from inappropriate dust and other disturbances.

B. An additional 10 feet of yard setback with landscape buffering a minimum of 6 feet in height for parking and loading areas shall be provided as defined by Part 2 of this Chapter to protect the surrounding neighborhood from inappropriate light and other disturbances.

C. Any outdoor storage conducted on the lot shall comply with the regulations for outdoor storage as defined in §27-850 of this Chapter.

D. The facility shall have one point of vehicular access to an arterial or collector street. The point of vehicular access shall be located in a manner that minimizes detrimental traffic impacts (to both pedestrians and vehicles) on the Pittsburgh International Airport and the adjacent arterial and/or collector street(s).

E. Hours of operation and activities must be appropriately scheduled to protect adjoining properties and the operation of the Pittsburgh International Airport from detrimental noise, dust, odor, vibration, light or other disturbance or interruption.

F. Any storage of petroleum products, hazardous materials, or potentially hazardous materials shall conform with all applicable Federal, State, County and Township laws, statutes, regulations, and resolutions, including but not limited to the regulations and any permit requirements of the EPA and DEP. No petroleum products or hazardous materials shall be buried or disposed of on the subject property.

G. The height of proposed buildings and structures that are for nonaviation uses shall be subject to the requirements of the AZO Airport Zone Overlay District and approval by the Federal Aviation Administration (FAA).

H. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.

I. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

J. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

K. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

L. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

M. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

N. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

O. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, members, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, members, customers, visitors, and guests.

P. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

Q. In an effort to encourage high quality development compatible with the research and development character of the RT District, in addition to the above criteria, wholesaling shall be provided as an incentive conditional use in the RT District, provided the following criteria are met:

(1) Not more than one-third of any lot, or in the case of a PNRD the master plan area, may be used for distribution activities.

(2) The street-side walls of any building shall utilize finished materials that incorporate architectural design elements to create continuity with adjacent buildings. Metal siding and uniform, plain split face block cannot be used on the street-side walls of the building. Brick, stone, glass and similar high quality materials are encouraged on the street-side walls.

(3) Street side facades shall incorporate wall plane projections of a recessing nature having a depth of at least 3 percent of the length of the façade and extending no more than 20 percent of the length of the facade.

(4) Direct access to the facility shall be provided through streets that service primarily nonresidential traffic. The streets in the RT District that service primarily nonresidential traffic are: Moon Clinton Road, International Drive and any proposed street to access a nonresidential development.

(5) The minimum lot area or PNRD master plan area required for a development that proposes this use is 10 acres.

(A.O.

§27-868. All Other Uses Not Authorized in Any Zoning District.

Pursuant to §27-206 of this Chapter, a use which is not expressly listed as a permitted use, conditional use, or special exception in any zoning district shall be permitted as a conditional use in the M-1 District and RT District subject to the

following express standards and criteria:

A. The proposed use will not endanger the public health, safety, or welfare if located where proposed, and that the use will not deteriorate the environment or generate nuisance conditions such as traffic congestion, noise, dust, smoke, glare, or vibration.

B. The proposed use meets all applicable dimensional, lot and yard regulations for the M-1 District, all other expressed standards and criteria for comparable uses, and any other requirements of this Chapter for the M-1 District.

C. The proposed use is in harmony with the area in which it is proposed.

D. The proposed use is an appropriate use on the proposed site.

E. The proposed use is in compliance with all other standards of this Chapter and all other Township ordinances.

F. Hours of operation and activities must be appropriately scheduled to protect the operation of the surrounding neighborhood from detrimental noise, dust, odor, vibration, light or other disturbance or interruption.

G. The use shall comply with all performance standards specified in Part 4A of this Chapter.

H. The height of proposed buildings and structures that are for nonaviation uses shall be subject to the requirements of the AZO Airport Zone Overlay District and approval by the Federal Aviation Administration (FAA).

I. Lighting shall be oriented away from adjacent properties and shall not exceed 0.1 footcandle of illumination when measured from an adjacent lot line. Lighting levels visible from an adjacent lot line of a residential use or residential zoning district shall be reduced to at least half of the maximum permitted footcandles between 11 p.m. and 6 a.m., prevailing time. As part of its decision, the Board of Supervisors may further regulate outdoor lighting for the facility in order to prevent adverse impacts on adjoining properties.

J. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.

K. The vehicular and pedestrian circulation systems shall be designed to minimize conflicts between vehicular and pedestrian circulation.

L. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.

M. A traffic impact study is required. The traffic impact study shall comply with §27-522 of this Chapter.

N. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system at the cost of the landowner and/or developer.

O. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize nonpoint pollution from the activity. The applicant shall submit a report describing

the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to the BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-869. Deviation from the CVO District and UBO District Requirements.

A deviation from the requirements of §27-303 (Carnot Village Overlay District), §27-307 (University Boulevard Overlay District) and §27-308 (Design Guidelines for the CVO Carnot Village and UBO University Boulevard Overlay Districts) of this Chapter shall be permitted as a conditional use subject to the following express standards and criteria:

A. *All Deviations*.

(1) Buildings and structures shall be designed to minimize conflicts between uses and shall be constructed in accordance with the Construction Code [Chapter 5, Part 1].

(2) The proposed deviations illustrate that the intent of §§27-303, 27-307 and 27-308 of this Chapter can be more effectively met in whole or in part, through the proposed alternative means.

(3) A traffic impact study is required where the proposed development satisfies one of the criteria set forth in §27-522.1 of this Chapter. The traffic impact study shall comply with §27-522 of this Chapter.

B. *Building Setback Deviations*.

(1) The proposed deviation will minimize adverse impacts to abutting residential uses.

(2) The proposed 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 5 acres, that it is impractical to maintain the maximum front yard building setback due to the large size of the property. In this situation the applicant must construct multiple structures and maintain the maximum front yard 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 the Subdivision and Land Development Ordinance [Chapter 22] 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 §27-308 of this Chapter 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 §27-308 of this Chapter can be more effectively met, in whole or in part, through the proposed alternative means. For existing parking areas, at a minimum, a proposed restriping plan must be submitted to determine how landscaping will be incorporated into parking lots. The proposed 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, porous pavements, or other techniques and materials.

(3) If a public-owned parking lot is provided within the respective overlay district, and is located 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 §§27-214 and 27-215 of this Chapter and §§27-303, 27-307 or 27-308 of this Chapter and demonstrates innovative design and use of plant material.

(2) The proposed landscape plan illustrates that the intent of §§27-214 and 27-215 of this Chapter and §§27-303, 27-307 or 27-308 of this Chapter 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 §§27-214 and 27-215 of this Chapter and §§27-303, 27-307 or 27-308 of this Chapter.

(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 §§27-214 and 27 215 of this Chapter and §§27-303, 27-307 or 27-308 of this Chapter.

(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 proposed restriping plan must be submitted to determine how landscaping will be incorporated into existing parking lots. The proposed 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 porous pavements of at least 3 feet in width surround the reduced size planting area.

(7) Where on-site transfer of landscaping and bufferyard requirements is not practical, the applicant may pay a fee-in-lieu of such improvements to the Township in an amount equal to the cost of the vegetation and any other

related improvement being forgone. The fees collected by the Township shall be deposited, utilized and expended by the Township in accordance with §22-501.3 of the Subdivision and Land Development Ordinance [Chapter 22].

F. *Deviations Necessitated by Off-Street Parking Deficiencies*.

(1) Deviations from the design guidelines for the CVO and UBO Districts shall be permitted where said requirements:

(a) Would result in the reduction in the aggregate number of parking spaces below that required by this Chapter.

(b) Would reduce the aggregate number of parking spaces below that required under the property owner's tenant leases in effect as of February 9, 2005.

(2) The requested deviations are the minimum necessary to remedy the deficiencies in off-street parking spaces as identified in subparagraph (1) above.

(A.O.

§27-870. Deviation from the Vegetation Preservation, Bufferyards and Landscaping Requirements.

A deviation from the requirements of §27-214 (Vegetation Preservation and Bufferyards) and §27-215 (Landscaping) of this Chapter shall be permitted as a conditional use subject to the following express standards and criteria:

A. The applicant demonstrates each of the following where relevant in a given case:

(1) The proposed landscape plan preserves and incorporates existing vegetation in excess of the minimum standards set forth in §§27-214 and 27-215 of this Chapter, and demonstrates innovative design and use of plant material.

(2) The proposed landscape plan illustrates that the intent of §§27-214 and 27-215 of this Chapter 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 §§27-214 and 27-215 of this Chapter.

(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 §§27-214 and 27 215 of this Chapter.

(5) The required landscaping or buffering would be ineffective at maturity due to topography or the location of the improvements on the site.

(6) In the AP and M-1 Districts, if the required landscaping or buffering would cause a safety hazard or be in conflict with applicable law, the proposed landscape plan proposes alternative landscaping on-site or off-site, which can be demonstrated to provide equal or better results, or in lieu thereof, payment of a fee-in-lieu to the Township commensurate with the requirements being modified. The fees collected by the Township shall be deposited, utilized and

expended by the Township in accordance with §22-501.3 of the Subdivision and Land Development Ordinance [Chapter 22].

B. The proposed landscape plan complies with the applicable bufferyard area requirements and restrictions on the placement of structures within the same set forth in §27-214 of this Chapter. The additional bufferyards required by §27-214.C(3) of this Chapter for certain properties fronting on Business Loop 376 and Beaver Grade Road may be reduced by no more than 33 percent, provided the requirements of paragraph .A are satisfied.

C. Where on-site transfer of landscaping and bufferyard requirements is not practical, the applicant may pay a fee-in-lieu of such improvements to the Township in an amount equal to the cost of the vegetation and any other related improvement being forgone. The fees collected by the Township shall be deposited, utilized and expended by the Township in accordance with §22-501.3 of the Subdivision and Land Development Ordinance [Chapter 22].

(A.O.

Part 9

Special Exceptions

§27-901. Applicability.

1. Applications for special exceptions, when listed as permissible by this Chapter, shall be approved or denied by the Zoning Hearing Board in accordance with the standards and criteria of this Part.

2. Special exceptions are unique and their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. At the time of application, a review of the location, design, configuration, and potential impact of the proposed use shall be conducted by the Township by comparing the use to established development standards and design guidelines. This review shall determine whether the proposed use addresses the general and specific standards and criteria identified in this Part, and Chapter, and whether it should be permitted, by weighing the public need for, and the benefit to be derived from, the use, against the impact which it may cause.

(A.O.

§27-902. Application and Approval Procedure.

1. *Application Procedure*.

A. An application for special exception approval shall be filed with the Planning Director, on forms prescribed by the Township, at least 14 calendar days prior to the date of the Planning Commission's next regular monthly meeting. A special exception application shall not be considered to be administratively complete until all items required by this Chapter, including the application fee and deposit, have been received by the Township.

B. The Planning Director shall review the application to determine whether all materials required by this Chapter have been submitted by the applicant. If all such materials have not been submitted by the applicant, then the Planning Director shall reject the application as being administratively incomplete and shall notify the applicant, in writing, citing the specific deficiencies and the specific requirements of this Chapter that have not been met and returning the applicant's application fee and deposit.

C. Within 5 days of receipt of an administratively complete application, the Planning Director shall submit one copy of the application and any materials submitted therewith to the following entities and individuals for review: the Zoning Hearing Board; the Zoning Hearing Board Solicitor; the Environmental Advisory Council (as appropriate); the MTA (as appropriate); the Township Engineer (as appropriate); and any other appropriate Township personnel or professional consultants.

D. The Planning Director shall provide one copy of an administratively complete application and any materials submitted therewith to the Planning Commission by no later than the Friday prior to the date of the regular monthly meeting of the Planning Commission.

E. The Planning Director and any other Township personnel or professional consultant, as directed by the Planning Director, shall review the conditional use

application documents to determine if they are in compliance with this Part, this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], other applicable Township ordinances, the Comprehensive Plan and the Township planning objectives. The Planning Director shall prepare a written report of his findings and recommendations which he shall provide to the Zoning Hearing Board, Board of Supervisors, Township Manager, Township Engineer, Planning Commission and any other appropriate Township personnel or professional consultant. The other Township personnel and professional consultants shall provide comments and recommendations, including written findings, when directed by the Planning Director.

F. The Planning Commission shall review the application and forward its recommendation to the Zoning Hearing Board.

G. The Zoning Hearing Board shall hold a public hearing, pursuant to public notice, within the time periods and procedures required by the MPC. The public hearing shall commence within 60 days of the date of the filing of an administratively complete application. Public hearings shall be conducted and held in accordance with the applicable provisions of the MPC.

H. The Zoning Hearing Board shall render a written decision on the special exception application within 45 days of the last hearing. Where the application is contested or denied, the Zoning Hearing Board decision shall be accompanied by findings of fact and conclusions based thereon, together with any reasons therefor. Conclusions based on any provisions of this Chapter or any other rule, regulation, ordinance or statute shall contain a reference to the provision relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found.

I. In granting a special exception pursuant to this Chapter, the Zoning Hearing Board may impose any reasonable conditions it believes are necessary to ensure compliance with this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], the Moon Township Code of Ordinances, the Township Standard Details and any other ordinance or resolution of the Township, and as it otherwise deems necessary to implement the purposes of this Chapter and the MPC.

J. A copy of the decision or, where no decision is called for, of the findings, shall be delivered to the applicant in accordance with the applicable provision(s) of the MPC.

K. All development, construction and use shall be in accordance with the approved special exception decision and plan, unless an amended special exception application is submitted and approved. The approved special exception plan shall consist of the application, as submitted, together with all of its attachments and exhibits, as finally approved by the Zoning Hearing Board, and the special exception decision. Any development contrary to the approved special exception decision and plan shall constitute a violation of this Chapter.

2. *Application Content*.

A. All applications for special exception approval shall demonstrate compliance with: the general standards and criteria of this Part; the applicable express standards and criteria of this Part; and the applicable lot and yard requirements of the zoning district in which the use is proposed.

B. All applications for special exception approval shall be submitted to the Planning Director, in the form prescribed from time to time by the Township, with not fewer than:

(1) Six full scale copies and 8 half-scale copies (with a minimum scale of 1 inch equals 200 feet) of all required plans, maps and drawings.

(2) Four copies of all other reports and materials that are required as part of the application.

(3) One electronic version (in a Township-compatible format) of all plans, maps, drawings, reports and other materials required as part of the application.

C. All applications for special exception approval shall contain the following:

(1) A development plan, as defined by this Chapter.

(2) A written narrative setting forth the following:

(a) The manner in which the application complies with each of the special exception general standards and criteria of §27-903 of this Part.

(b) The manner in which the application complies with each of the special exception express standards and criteria referenced in this Part for the specific type of proposed use, development, or request.

(3) A legal document verifying applicant's legal interest in the subject property (i.e., deed, sales agreement, lease).

(4) The application fee and deposit in an amount set from time to time by resolution of the Board of Supervisors.

(5) Construction plans, where renovations or modifications of an existing building are immediately contemplated, showing the scope, nature and extent of said renovations or modifications.

(6) Traffic impact study as required by §27-522 or other Section of this Chapter.

3. *Expiration of Approval*. The grant of a special exception shall expire 1 year after the date of the Zoning Hearing Board's written decision unless: (A) the applicant has applied for and obtained a building permit and commenced construction; or (B) in a case where the special exception does not require the issuance of a building permit, the applicant has applied for and obtained a zoning and occupancy permit and has commenced the use which is the subject of the special exception approval. Expiration of the special exception approval under this Section shall require the applicant to re-apply for special exception approval.

(A.O.

§27-903. Standards and Criteria.

1. *General Standards and Criteria*. The proposed use, development, or request shall comply with the following general standards and criteria, which are in addition to any other requirements in this Chapter for a specific type of use, development, or request:

A. The proposed use will not alter the established character and use of the neighborhood or district in which it is located, and will not substantially impair the

use or development of adjacent properties.

B. The establishment, maintenance, location and operation of the proposed use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

C. The proposed use complies with all applicable provisions and requirements for that type of use contained in this Chapter (unless a variance to any provision has been granted by the Zoning Hearing Board) and all other applicable Federal, State, County, and Township laws, statutes, ordinances and regulations including, but not limited to, the Subdivision and Land Development Ordinance [Chapter 22]; the Stormwater Management Ordinance [Chapter 23]; and the Moon Township Code of Ordinances.

D. The proposed use is compatible with surrounding land uses. It does not have a negative impact on the existing neighborhood or development in terms of air and water quality, noise, illumination and glare, restrictions to natural light and air circulation or other hazardous conditions that could endanger surrounding residents or impair the use of surrounding properties.

E. The proposed site of the special exception is suitable in terms of topography, soil conditions and size, based on number of projected users and the frequency of use of the proposed use.

F. The proposed use and site provides for safe, adequate vehicular and pedestrian access. It has access from a street capable of handling the traffic generated by the proposed use, and it will not result in undue traffic congestion and hazardous conditions on adjacent streets. The use provides for safe and efficient internal circulation and sufficient off-street parking and loading.

G. The proposed use complies with all applicable standards and requirements for providing sanitary sewage disposal, water supply, stormwater management, solid and toxic waste storage and disposal.

H. The proposed use provides landscaping, screening and bufferyards sufficient to protect the use, enjoyment and development of adjacent properties.

2. *Express Standards and Criteria*. The proposed use, development, or request shall comply with the express standards and criteria applicable to the proposed use, development, or request specifically referenced in this Part.

(A.O.

§27-904. Keeping of Horses.

The keeping of horses shall be a permitted special exception subject to the following express standards and criteria:

A. A private stable shall be permitted on a lot containing not less than 5 acres. Not more than two horses shall be maintained on the first 5 acres of land and not more than one additional horse shall be maintained for each additional acre of land in excess of 5 acres.

B. A private stable shall be for the personal use of the landowner or occupant of the lot and shall not involve rental, boarding or any other activity involving consideration.

C. All stables shall be located as far from all property lines as the shape of the

lot will permit, and in no instance shall the stable be closer than 100 feet to a dwelling unit used for human habitation, other than the landowner's or occupant's dwelling.

D. Perimeter fences shall be constructed around all fields and meadows that are used for horse grazing, feeding, exercising, and similar activities. No perimeter fence shall be closer than 10 feet from a lot line.

E. Exercising of horses shall not be permitted on streets.

F. The landowner or occupant shall be responsible for collecting and disposing of litter and droppings from the horses in such a way as to minimize the presence of fly larvae or objectionable odors.

G. The owner and operator of the facility shall incorporate best management practices (BMPs) for erosion and sedimentation control as described in the DEP Erosion and Sediment Pollution Control Program Manual (March 2012, as amended), and stormwater management as described in the DEP Stormwater Best Management Practices Manual (December 2006, as amended) in order to minimize negative impacts of erosion, siltation and surface water and ground water contamination. The applicant shall submit a report describing the BMPs that will be used on the site and notify the Township whenever a change is made to those BMPs. Whenever a change is made to BMPs used on the site, the owner and operator shall certify that the new BMPs provide equal or greater pollution prevention protection than the former management practice.

(A.O.

§27-905. Nonconforming Use Enlargement or Expansion.

The enlargement or expansion of a nonconforming use shall be considered a use by special exception subject to the following express standards and criteria:

A. The proposed enlargement or expansion shall be necessitated by the natural growth of trade of the nonconforming use.

B. The proposed enlargement or expansion shall not result in an increase in noncompliance, if any, with lot and yard requirements.

C. The proposed enlargement or expansion shall comply with the lot, height and yard requirements of the zoning district in which the nonconforming use is located.

D. The total lot coverage shall not exceed the maximum permitted in the most restrictive zoning district in which the use is authorized as a permitted use, conditional use, or special exception.

E. The proposed enlarged or expanded portion of the nonconforming use shall comply with the off-street parking and loading requirements of Part 6.

F. The proposed enlargement or expansion shall utilize the original lot on which the nonconforming use was established; the proposed enlargement or expansion shall not utilize adjoining lots.

G. Where the proposed enlargement or expansion involves a structure, the proposed enlargement or expansion shall become an attached part of the main structure on the subject property.

H. The proposed enlargement or expansion shall not displace a conforming use.

I. The proposed enlargement or expansion shall not present a threat to the health or safety of the community or its residents.

(A.O.

Part 10

Planned Residential Development

§27-1001. Purpose.

The purpose of the planned residential development (PRD) regulations of this Part includes:

A. Encourage innovations in residential development to meet the growing demand for housing.

B. Encourage greater variety in type, design and layout of residential dwellings.

C. Conserve open space and encourage a more efficient use of land and public services.

D. Insure increased flexibility of land development regulations.

E. Accommodate changes in land development technology.

F. Provide a procedure to relate the type, design and layout of residential development to the characteristics of a particular lot.

(A.O.

§27-1002. Authority.

The provisions of this Part are enacted pursuant to Article VII of the MPC, the procedures and requirements of which are incorporated herein by reference.

(A.O.

§27-1003. Compliance.

1. A planned residential development shall be permitted within the specific zoning districts specified in this Chapter, subject to compliance with the provisions of this Part, this Chapter and all applicable Township ordinances.

2. The provisions of this Part for approval of a planned residential development plan shall be a modification to and in lieu of procedures for approvals otherwise required in this Chapter and the Subdivision and Land Development Ordinance [Chapter 22]. In addition to the requirements of this Part, developers must also apply for and obtain any and all permits required by this Chapter and any other Township ordinance. Failure to comply with the provisions of this Part with respect to a recorded development plan shall be deemed to constitute a violation of this Chapter.

(A.O.

§27-1004. Pre-Application Conferences.

1. A sketch plan conference between a prospective applicant and the Planning Director should be held prior to the pre-application conference with the Planning Commission and prior to the filing of any applications for tentative plan approval under this Part. The sketch plan conference requires no formal application or fee.

2. Prior to filing an application for tentative plan approval under this Part, a

prospective applicant should appear before the Planning Commission for a pre-application conference to discuss the applicable regulations governing the proposed development and the feasibility and timing of the applications for approval. The pre-application conference requires no formal application or fee. This opportunity is afforded to the prospective applicant to obtain information and guidance from the Planning Commission and Township officials before entering into binding commitments or incurring substantial expenses for plan preparation. See §22-321 of the Subdivision and Land Development Ordinance [Chapter 22] for the recommended materials to be submitted for a pre-application conference.

(A.O.

§27-1005. Tentative Plan Application and Approval Procedure.

1. *Tentative Plan Application Procedure*.

A. An application for tentative plan approval of a PRD shall be filed with the Planning Director, on forms prescribed by the Township, at least 14 calendar days prior to the date of the Planning Commission's next regular monthly meeting. The tentative plan application shall not be considered administratively complete and properly filed unless or until all items required by §27-1005.2 of this Chapter, including the application fee and deposit, have been received by the filing date.

B. The Planning Director shall review the application to determine whether all materials required by §27-1005.2 of this Chapter and any other relevant Township ordinances have been submitted by the developer. If all such materials have not been submitted by the developer, then the Planning Director shall reject the application as administratively incomplete and shall notify the developer, in writing, citing the specific deficiencies and the specific requirements of this Chapter that have not been met and returning the developer's application fee and deposit.

C. Within 5 days of receipt of an administratively complete application, the Planning Director shall submit one copy of the application and any materials submitted therewith to the following entities and individuals for review: the Environmental Advisory Council; the MTA (as appropriate); the MTMA; the County planning agency; the Township Engineer; and any other appropriate Township personnel or professional consultant.

D. The Planning Director shall provide one copy of an administratively complete application and any materials submitted therewith to the Planning Commission by no later than the Friday prior to the date of the regular monthly meeting of the Planning Commission.

2. *Tentative Plan Application Content*.

A. The application for tentative plan approval shall be submitted to the Planning Director, in the form prescribed from time to time by the Township, with not fewer than:

(1) Six full scale copies and eight half-scale copies (with a minimum scale 1 inch equals 200 feet) of all required plans, maps and drawings.

(2) Four paper copies of all other reports and materials that are required as part of the application.

(3) One electronic version (in a Township-compatible format) of all plans, maps, drawings, reports and other materials required as part of the application.

B. The application for tentative plan approval shall contain the following:

(1) All plans, information, data, reports, studies, and other materials required for a major land development preliminary plan application as specified in §22-204.D of the Subdivision and Land Development Ordinance [Chapter 22].

(2) The location, size, existing topography, proposed topography and the nature of the PRD proposed to be developed.

(3) The density of land use to be allocated to parts of the site to be developed.

(4) The location and size and kind of improvements proposed for all common open space and recreation facilities, and the proposed ownership and maintenance arrangements for the common open space and recreation facilities.

(5) The use and the approximate height, bulk and location of buildings and other structures.

(6) The substance of covenants, grants of easements, rights-of-way and other restrictions pursuant to §22-319 of the Subdivision and Land Development Ordinance [Chapter 22].

(7) The location and design of all screening, bufferyards and landscaping indicating the type, location and height of all plantings.

(8) The feasibility of proposals for energy conservation and the effective utilization of renewable energy sources.

(9) The extent to which the proposed development plan deviates from the otherwise applicable Township land use, zoning and subdivision and land development regulations.

(10) In the case of development plans which call for development over a period of years, a phasing plan and a schedule showing the proposed times within which applications for final approval of all phases of the development plan will be filed. This schedule must be updated annually, by the anniversary of its previous approval, until the development is completed and accepted.

(11) A written statement submitted by the developer which sets forth:

(a) The reasons why the proposed development plan is in the public interest and is consistent with the purposes and requirements of this Chapter, this Part, the Subdivision and Land Development Ordinance [Chapter 22] and the Comprehensive Plan.

(b) The disposition of common open space lands and the provisions for their maintenance, ownership and control.

(c) The purpose, location and amount of common open space within the development plan, the reliability of the proposal for maintenance and conservation of such common open space, and the adequacy or inadequacy of the amount and purpose of such common open space land as related to

the proposed density and type of development.

3. *Township Staff Review*.

A. The Planning Director and any other Township personnel or professional consultant, as directed by the Planning Director, shall review the tentative plan application documents to determine if they are in compliance with this Part, this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], other applicable Township ordinances, the Comprehensive Plan and the Township planning objectives. The Planning Director shall prepare a written report of his findings and recommendations, which he shall provide to the Board of Supervisors, Township Manager, Township Engineer, Planning Commission and any other appropriate Township personnel or professional consultant. The other Township personnel and professional consultants shall provide comments and recommendations, including written findings, when directed by the Planning Director.

B. The Township Engineer shall review the application documents to determine compliance with this Part, this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], the Stormwater Management Ordinance [Chapter 23], and any other applicable Township ordinances and regulations, the Township Standard Details, and sound engineering practices. The Township Engineer shall prepare a written report of his findings and recommendations, which the Planning Director shall provide to the Board of Supervisors, the Township Manager, the Planning Commission, and any other appropriate Township personnel or professional consultant.

C. If the tentative plan has outstanding or unaddressed Township comments and/or concerns, then the developer shall resubmit revised drawings, supporting reports, documents and other similar material for review by the Planning Director, Township Engineer and any other Township personnel or professional consultant, as directed by the Planning Director.

4. *Planning Commission Review and Recommendation*.

A. The Planning Commission shall review the tentative plan application and associated documents and forward its recommendation to the Board of Supervisors.

B. The Planning Commission shall make a written recommendation to the Board of Supervisors for approval, approval with conditions or disapproval of the tentative plan application.

5. *Public Hearing*.

A. The Board of Supervisors shall hold a public hearing, pursuant to public notice, on the tentative plan application within the time periods and procedures required by the MPC. The public hearing shall commence within 60 days of the filing of an administratively complete tentative plan application. The public hearing may be continued from time to time, provided, however, that the public hearing or hearings shall be concluded within 60 days after the date of the first public hearing.

B. Public hearings shall be conducted in accordance with the requirements of §908 of the MPC.

6. *Tentative Plan Approval Criteria*. The Board of Supervisors shall grant

tentative approval to a tentative plan if the developer establishes that each of the following criteria is met:

A. The tentative plan complies with all applicable purposes, standards, criteria and conditions of this Part and this Chapter, and preserves the community development objectives of this Chapter.

B. Where the tentative plan departs from this Chapter and the Subdivision and Land Development Ordinance [Chapter 22] regulations otherwise applicable to the subject property, such departures are in the public interest and promote the public health, safety and welfare.

C. The proposals for the maintenance and conservation of any proposed common open space are reliable, and the amount and extent of improvements of such open space are adequate with respect to the purpose, use and type of proposed residential development.

D. The physical design of the tentative plan adequately provides for public services, traffic facilities and parking, light, air, recreation and visual enjoyment. The tentative plan organizes vehicular ingress, egress and parking to minimize traffic congestion in the surrounding neighborhood.

E. The total environment of the tentative plan is harmonious and consistent with the neighborhood in which it is located. The tentative plan is sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds within the development and to the buildings and grounds of adjacent properties. The tentative plan shall, to the fullest extent possible, preserve the scenic, aesthetic and historic features of the landscape.

F. The tentative plan affords a greater degree of protection of natural watercourses, topsoil, trees and other features of the natural environment, and the prevention of erosion, landslides, siltation and flooding than if the subject property was developed in accordance with the provisions of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22] which would otherwise apply.

G. The tentative plan will be fully served by public utilities, a public water system, and a public sewer system, without reducing the level of service to the remainder of the Township.

H. The tentative plan shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other lot or persons.

I. In the case of a tentative plan which proposes development over a period of years, the terms and conditions shall be sufficient to protect the interests of the public and of the residents of the planned residential development in the integrity of the development plan.

J. The tentative plan provides for all facilities required by the Official Map Ordinance [Chapter 14], or provides alternate facilities in accordance with the Official Map Ordinance [Chapter 14].

7. *Board of Supervisors Action*.

A. The Board of Supervisors shall render its decision on the tentative plan application, in writing by certified mail, within 60 days following the conclusion of the public hearing provided for in this Part or within 180 days after the date of the

filing of an administratively complete application, whichever occurs first.

B. The Board of Supervisors shall either:

(1) Grant tentative approval of the development plan as submitted.

(2) Grant tentative approval subject to specified conditions not included in the development plan as submitted.

(3) Deny tentative approval to the development plan.

C. The Board of Supervisors shall not act on a tentative plan application unless the Township has received written review of the application by the County planning agency, or unless at least 30 calendar days have passed since the date of referral to the County planning agency.

D. The written decision granting or denying tentative plan approval shall set forth with particularity findings of fact and conclusions of law related to the following:

(1) The manner in which the development plan would or would not be in the public interest.

(2) The manner in which the development plan is or is not consistent with the Comprehensive Plan.

(3) The extent to which the development plan departs from the requirements of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22] otherwise applicable to the subject property, including but not limited to density, bulk and use, and the reasons why such departures are not deemed to be in the public interest.

(4) The purpose, location and amount of the common open space in the proposed development plan, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development.

(5) The physical design of the development plan and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.

(6) The relationship, beneficial or adverse, of the proposed development to the neighborhood in which it is proposed to be established.

(7) In the case of a tentative plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents of the planned residential development in the integrity of the development plan.

E. In the event a development plan is granted tentative approval, with or without conditions, the Board of Supervisors may set forth in the written decision the time within which an application for final approval of the development plan shall be filed or, in the case of a development plan which provides for development over a period of years, the periods of time within which applications for final approval of each phase thereof shall be filed. Except upon the consent of the developer, the time so established between grant of tentative approval and an

application for final approval shall not be less than 3 months and, in the case of developments over a period of years, the time between applications for final approval of each part of a plan shall not be less than 12 months.

F. The developer shall accept or reject the conditions attached to the tentative plan approval by giving written notice to the Planning Director within 30 calendar days of the date of the Board of Supervisors decision. If the developer fails to give written notice to the Planning Director regarding acceptance or rejection of the conditions attached to preliminary approval within the required 30 calendar days, then the conditions shall be deemed accepted by the developer.

G. If the Board of Supervisors approves the tentative plan application subject to certain conditions, then the developer shall not file a final plan application until all such conditions are addressed and complied with in a manner acceptable to the Township.

H. Approval of a tentative plan application shall only constitute authorization to proceed with preparation and filing of a final plan application once all conditions of approval have been addressed and complied with in a manner acceptable to the Township.

8. *Status of Plan after Tentative Approval*.

A. Approval of a tentative plan shall not qualify a plat of the planned residential development for recording nor authorize development or the issuance of any building permits.

B. In the event that a development plan is given tentative approval and thereafter, prior to final approval, the developer elects to abandon the development plan by written notification to the Township, or in the event the developer fails to file application(s) for final approval within the required time period(s), the tentative plan approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been granted shall be subject to the otherwise applicable Township ordinances.

9. *Post Tentative Plan Application Approval Options*. After a tentative plan application has been approved by the Board of Supervisors, the developer may proceed by filing either of the following types of applications:

A. A final plan application, pursuant to §27-1006 of this Chapter, where the developer intends to provide the Township with performance security to guarantee proper installation of required improvements in the plan.

B. An improvement construction plan application, pursuant to §22-210 of the Subdivision and Land Development Ordinance [Chapter 22], where the developer desires to construct the improvements required by this Chapter and the Subdivision and Land Development Ordinance [Chapter 22] before final plan application approval in lieu of posting performance security with the Township.

(A.O.

§27-1006. Final Plan Application and Approval Procedure.

1. *Prerequisites to Filing Final Plan Application*. An application for final plan approval can be submitted provided that:

A. The Board of Supervisors has granted tentative plan approval to the

development plan; and

B. All conditions imposed by the Board of Supervisors on the tentative plan approval have been complied with in a manner acceptable to the Township.

A developer that files a final plan application without proceeding through the improvement construction plan procedure referenced in §22-210 of the Subdivision and Land Development Ordinance [Chapter 22] is deemed to have waived the improvement construction plan option and is deemed to have elected to post performance security with the Township for all improvements required by, and in accordance with the requirements of, this Part, this Chapter and the Subdivision and Land Development Ordinance [Chapter 22].

2. *Final Plan Application Procedure*.

A. An application for final plan approval of a PRD shall be filed with the Planning Director, on forms prescribed by the Township, at least 14 calendar days prior to the date of the Planning Commission's next regular monthly meeting. The final plan application shall not be considered administratively complete and properly filed unless or until all items required by §27-1006.3 of this Chapter, including the application fee and deposit, have been received by the filing date.

B. The Planning Director shall review the application to determine whether all materials required by §27-1006.3 of this Chapter and any other relevant Township ordinances have been submitted by the developer. If all such materials have not been submitted by the developer, then the Planning Director shall reject the application as administratively incomplete and shall notify the developer in writing citing the specific deficiencies and the specific requirements of this Chapter that have not been met and returning the developer's application fee and deposit.

C. Within 5 days of receipt of an administratively complete application, the Planning Director shall submit one copy of the application and any materials submitted therewith to the following entities and individuals for review: the Environmental Advisory Council; the MTA (as appropriate); the MTMA; the County planning agency; the Township Engineer; and any other appropriate Township personnel or professional consultant.

D. The Planning Director shall provide one copy of an administratively complete application and any materials submitted therewith to the Planning Commission by no later than the Friday prior to the date of the regular monthly meeting of the Planning Commission.

E. The final plan may be submitted in phases or sections as shown on the approved tentative plan and phasing schedule pursuant to §27-1005 of this Chapter.

3. *Final Plan Application Content*.

A. The application for final plan approval shall be submitted to the Planning Director, in the form prescribed from time to time by the Township, with not fewer than:

(1) Six full scale copies and eight half-scale copies (with a minimum scale of 1 inch equals 200 feet) of all required plans, maps and drawings.

(2) Four paper copies of all other reports and materials that are required as part of the application.

(3) One electronic version (in a Township-compatible format) of all plans, maps, drawings, reports and other materials required as part of the application.

B. The application for final plan approval shall contain the following:

(1) All plans, information, data, reports, studies, and other materials required for a major land development final plan application as specified in §22-204.E of the Subdivision and Land Development Ordinance [Chapter 22].

(2) Accurately dimensioned locations of all proposed buildings, structures, parking areas, recreation areas and common open spaces.

(3) The use and number of families to be housed in each structure.

(4) The landscaping plan, including the location of sidewalks, trails, bufferyards and screening.

(5) Provisions for the maintenance, ownership and operation of common open spaces and common recreation facilities.

4. *Township Staff Review*.

A. The Planning Director and any other Township personnel or professional consultant, as directed by the Planning Director, shall review the final plan application documents to determine if they are in compliance with this Part, this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], other applicable Township ordinances, the Comprehensive Plan and the Township planning objectives. The Planning Director shall prepare a written report of his findings and recommendations, which he shall provide to the Board of Supervisors, Township Manager, Township Engineer, Planning Commission and any other appropriate Township personnel or professional consultant. The other Township personnel and professional consultants shall provide comments and recommendations, including written findings, when directed by the Planning Director.

B. The Township Engineer shall review the application documents to determine compliance with this Part, this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], the Stormwater Management Ordinance [Chapter 23], and any other applicable Township ordinances and regulations, the Township Standard Details, and sound engineering practices. The Township Engineer shall prepare a written report of his findings and recommendations, which the Planning Director shall provide to the Board of Supervisors, the Township Manager, the Planning Commission, and any other appropriate Township personnel or professional consultant.

C. If the final plan has outstanding or unaddressed Township comments and/or concerns, then the developer shall resubmit revised drawings, supporting reports, documents and other similar material for review by the Planning Director, Township Engineer and any other Township personnel or professional consultant, as directed by the Planning Director.

5. *Planning Commission Review and Recommendation*.

A. The Planning Commission shall review the final plan application and associated documents and forward its recommendation to the Board of Supervisors.

B. The Planning Commission shall make a written recommendation to the

Board of Supervisors for approval, approval with conditions or disapproval of the final plan application.

6. *Board of Supervisors Action*.

A. In the event that an administratively complete application for final plan approval has been filed in accordance with this Part and the relevant tentative plan approval decision the Board of Supervisors shall render its decision on the final plan application, in writing by certified mail, within 45 days following the regular meeting of the Planning Commission next following the date of filing of an administratively complete application; provided that should the next said Planning Commission meeting occur more than 30 days following the filing of an administratively complete application, said 45-day period shall be measured from the 30th day following the date of filing of the administratively complete application. The recommendation of the Planning Commission shall be made a part of the record at the said Board of Supervisors meeting.

B. If the development plan as submitted contains variations from the development plan granted tentative approval, the Board of Supervisors may refuse to grant final approval. The Board of Supervisors must forward written notice of such refusal to the developer within 45 days following the regular meeting of the Planning Commission next following the date of filing of an administratively complete application; provided, that should the next said Planning Commission meeting occur more than 30 days following the filing of an administratively complete application, said 45-day period shall be measured from the 30th day following the date of filing of the administratively complete application. This written notice of refusal shall set forth the reasons why one or more of the said variations are not in the public interest. In the event of such refusal, the developer may either:

(1) Refile the application for final plan approval without the objected variations; or

(2) File a written request with the Board of Supervisors to hold a public hearing on the application for final approval. This public hearing shall be held within 30 days of the Township's receipt of the request and the hearing shall be conducted in accordance with the procedures for hearing on tentative plan applications. Within 30 days after the conclusion of the public hearing, the Board of Supervisors shall issue a written decision either granting or denying final plan approval; said decision shall be in the form required for tentative approval.

Either of these actions shall be taken at any time during which the developer is entitled to apply for final approval or shall be taken within 30 days of receiving the written notice of refusal if the time for filing the final plan application has already passed. In the event that the developer has failed to take any of theses actions within the time specified, he shall be deemed to have abandoned the development plan.

(A.O.

§27-1007. Recording.

The approved final plan shall be recorded by the developer in accordance with, and

the developer shall otherwise comply with, the requirements of §22-214 of the Subdivision and Land Development Ordinance [Chapter 22].

(A.O.

§27-1008. Abandonment and Revocation.

The final approval of a development plan shall be revoked if the developer provides the Township with written notice of his intention to abandon the plan, or if the developer fails to commence and carry out the PRD in accordance with the time provisions referenced in §508 of the MPC, 53 P.S. §10508, and/or the final plan approval decision. Upon the occurrence of such a revocation, no further development shall occur on the property that is the subject of the revoked development plan unless a subsequent development plan is approved and such development complies with this Chapter and the Subdivision and Land Development Ordinance [Chapter 22].

(A.O.

§27-1009. Improvements.

No development plan for a PRD shall be finally approved unless all improvements required by this Part have been installed in strict conformance with this Part and the Subdivision and Land Development Ordinance [Chapter 22], or a guaranty that the improvements will subsequently be installed by the developer in the form of performance security which complies with the requirements of §22-211 of the Subdivision and Land Development Ordinance [Chapter 22]. Such performance security shall provide for and secure to the public the completion of all improvements for the development plan and/or relevant phase within a period of 2 years from the date of the final approval of the development plan and/or relevant phase. The developer shall otherwise comply with the requirements of Part 6 of the Subdivision and Land Development Ordinance [Chapter 22].

(A.O.

§27-1010. Design Standards.

1. All improvements within the proposed PRD shall be designed and constructed in accordance with the requirements of this Part, this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], the Stormwater Management Ordinance [Chapter 23], the Township Standard Details and any other applicable Township ordinance except as provided in this Part. If the provisions of this Part are inconsistent with any other provision of a Township ordinance, then the provisions of this Part shall govern.

2. All PRDs shall comply with the following requirements:

A. *Permitted Uses*. The principal uses permitted on a lot or parcel within a PRD shall be strictly limited to the following based upon the zoning district in which the subject property is located:

(1) *R-1 and R-1A Districts*.

(a) Single-family dwelling.

(b) Two-family dwelling.

(c) Quadplex.

(d) Clubhouse.

(e) Common open space.

(f) Essential services.

(g) Residential recreational facility.

(h) Parks and playgrounds.

(i) Accessory use.

(2) *R-2 and R-3 Districts*.

(a) Single-family dwelling.

(b) Two-family dwelling.

(c) Quadplex.

(d) *Multi-family Dwelling*. The number of multi-family dwelling units shall not exceed 33 percent of the total number of dwelling units in the PRD.

(e) Clubhouse.

(f) Common open space.

(g) Essential services.

(h) Residential recreation facility.

(i) Parks and playgrounds.

(j) Accessory use.

(3) *R-4 and R-5 Districts*.

(a) Single-family dwelling.

(b) Two-family dwelling.

(c) Quadplex.

(d) *Multi-family Dwelling*. There shall be a maximum of four attached multi-family dwelling units per cluster.

(e) Ancillary nonresidential use. (See subparagraph (4) below).

(f) Clubhouse.

(g) Common open space.

(h) Essential services.

(i) Residential recreation facility.

(j) Parks and playgrounds.

(k) Accessory use.

(4) Ancillary nonresidential uses, as defined by this Chapter, shall be permitted in a PRD only if all of the following criteria are met:

(a) The PRD shall contain a minimum of 100 multi-family dwelling units.

(b) Construction of the ancillary nonresidential uses shall not be permitted until 80 percent of all proposed dwelling units in the PRD are constructed and occupied or ready for occupancy.

(c) The ancillary nonresidential uses shall be designed primarily to serve the residents of the PRD.

(d) The ancillary nonresidential uses shall be limited to the basement or first floor of a residential building containing multi-family dwelling units or to a single freestanding building on the lot of the PRD.

(e) The total floor area devoted to the ancillary nonresidential uses shall not exceed 5 percent of the total floor area of all buildings devoted to residential use in the PRD or 10,000 square feet, whichever is less.

(f) Any freestanding building proposed to contain ancillary nonresidential uses shall not be located within 100 feet of any existing or proposed single-family dwelling within the PRD or outside the boundaries of the PRD.

(g) The maximum surface area of any business identification sign for any ancillary nonresidential use shall not exceed 12 square feet. Such signs shall not be illuminated.

(h) Off-street parking for the proposed ancillary nonresidential uses shall be provided in accordance with the requirements of Part 6 for the uses.

B. *Ownership*. The entire site for the proposed development plan shall be owned or controlled by the developer.

C. *Minimum Site*. The site of the proposed development shall not be less than 10 acres.

D. *Minimum Site Frontage*. The site of the proposed development shall have a minimum frontage of 150 feet.

E. *Maximum Density*.

(1) The maximum density shall be the same as what could be proposed under a conventional lot development on the site. See §27-208.3 of this Chapter.

(2) Density incentives are available for PRDs in accordance with §27-425.4 of this Chapter.

F. *Lot, Yard and Bulk Requirements*. Lots within the development plan shall comply with the following minimum lot, yard and bulk requirements:

(1) *Lot Sizes and Character*. Each lot shall be of such character so as to avoid danger to health or peril from fire, flood or other hazard.

(2) *Minimum Lot Width*.

(a) *Single-Family Dwelling*.

1) R-1 and R-1A Districts–70 feet

2) R-2, R-3, R-4 and R-5 Districts–65 feet

(b) *Two-family Dwelling, Quadplex and Multi-Family Dwelling*. Shall be in accordance with the requirements of §27-213.12 of this Chapter.

(3) *Minimum Yard and Setback Areas*.

(a) *PRD Building Setback*.

1) No structure used for dwelling purposes or an ancillary nonresidential use shall be located less than 50 feet from any boundary of the PRD.

2) Any structure exceeding 35 feet in height shall be set back an additional 1 foot from any boundary of the PRD for each foot of structure height exceeding 35 feet.

3) No accessory structure and no off-street parking shall be located in this required setback area.

(b) *Individual Lots*. Lots within the development plan shall have the following minimum yard areas; provided, however, the relationship of buildings to each other, the local street system, the utility systems and the common open space pattern shall be consistent with the purpose and intent of this Part and Chapter.

1) *Single-Family Dwelling*.

a) Front yard along local street–30 feet.

b) Front yard along arterial/collector street–35 feet.

c) Side yard–10 feet; provided, however, a corner lot shall have one side yard that is a minimum of 10 feet and another side yard that is a minimum of 25 feet.

d) Rear yard–25 feet.

2) *Two-Family Dwelling, Quadplex and Multi-family Dwelling*.

a) Front yard along local street–30 feet.

b) Front yard along arterial/collector street–35 feet.

c) *Side Yard*.

(i) Interior (common party wall)–none.

(ii) Exterior–10 feet.

(iii) Accessory structure–5 feet.

d) Rear yard–25 feet.

3) *All Other Uses*.

a) Front yard along local street–30 feet.

b) Front yard along arterial/collector street–35 feet.

c) Side yard–10 feet.

d) Rear yard–25 feet.

(4) *Minimum Building Separation*. A minimum 16-foot clean distance shall be maintained between principal buildings, unless a greater distance is required by the Construction Code. [Chapter 5, Part 1].

(5) *Maximum Lot Coverage*. The total lot coverage for dwelling purposes shall not exceed 25 percent of the total lot area.

(6) *Maximum Building and Structure Height*.

(a) Townhouse–three stories, not to exceed 35 feet.

(b) Garden apartment–three habitable stories, not to exceed 35 feet.

(c) High-rise apartment–six habitable stories, not to exceed 70 feet.

(d) Chimneys, spires towers or similar projections–may exceed the prescribed height limitations by not more than 25 percent.

G. *Building Groupings*. Structures used for dwelling units shall be oriented so as to ensure adequate light and air exposures for walls containing main window exposures or main entrances. Each structure shall be arranged to avoid undue exposure to concentrated loading or parking facilities.

H. *Off-Street Parking*. Off-street parking spaces shall be provided in accordance with Part 6 of this Chapter.

I. *Tree and Plant Preservation*. Due to the unique nature of a PRD, the development plan shall maintain and preserve the existing trees and plant cover to the maximum extent possible. Existing trees shall be maintained, as much as possible, beyond 20 feet of all perimeter building walls, except in areas where driveways, streets, parking, sewer and water lines, utility lines, sidewalks and walking trails are required.

J. *Bufferyard*. The development plan shall comply with the vegetation preservation and bufferyard requirements of §27-214 of this Chapter.

K. *Landscaping*. The development plan shall comply with the landscaping requirements of §27-215 of this Chapter.

L. *Common Open Space*.

(1) *General Requirements*. Not less than 40 percent of the total site area of a PRD development plan shall be set aside for common open space. Common open space shall be arranged to take maximum advantage of the natural and physical characteristics of the site, to provide bufferyards for adjacent parcels and to place common open space within easy access and view of a majority of the dwelling units. Common open space shall also be located within the development plan so as to comply with the following standards:

(a) Common open space, at a minimum, shall include the undisturbed sensitive natural resource areas defined by the requirements of Part 4B (Environmental Performance Standards) of this Chapter.

(b) A minimum of 5 percent of the common open space areas shall be dedicated to passive recreation areas as agreed upon by the Township and the developer during the approval process.

(c) Common open space may contain parks, playgrounds and residential recreation facilities.

(d) Common open space shall have a minimum width of 50 feet; provided, however, this width may be reduced to no less than 30 feet where such reduced width areas: 1) contain a trail; and 2) connect areas with a width of at least 50 feet.

(e) Common open space land shall be located so as to serve all residents of the development.

(f) Common open space shall be dedicated, preserved and maintained so as to always remain open and available for use by the residents of the development.

(g) Common open space land shall be accessible from a street within the development plan or shall adjoin and become part of an existing open space area that is accessible from a street within the development plan.

(h) Common open space land shall be contiguous and useable for its intended purpose.

(i) Land preserved for common open space (with the exception of playgrounds and residential recreation facilities) shall be maintained in its existing, natural character. The developer shall record restrictive covenants, in a form acceptable to the Township Solicitor, against the common open space land which provide that the common open space shall not be cleared or logged, except upon both the approval of the Board of Supervisors, or its designee, and strict compliance with the Township's then-existing standards and requirements for the same.

(2) *Ownership Requirements*. The common open space land, including all improvements related thereto, shall be:

(a) Dedicated for public use to a public body which agrees to accept, operate and maintain the dedicated land and facilities for their originally intended use, but no public body is obligated by this Chapter to accept such dedication; or

(b) Deeded to an organization representing the property owners of the development, which organization shall covenant to operate and maintain the land and facilities for their originally intended use. Such organization shall not be dissolved nor dispose of the common open space, by sale or otherwise, unless the maintenance of the common open space is otherwise guaranteed to the Township's satisfaction; or

(c) Deeded to a conservation organization agreeing to operate and maintain the dedicated land and facilities for their originally intended use. Such organization shall not be dissolved nor dispose of the common open space, by sale or otherwise, unless the maintenance of the common open space is otherwise guaranteed to the Township's satisfaction.

(3) *Maintenance Requirements*.

(a) In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after establishment of the PRD fail to maintain the common open space in reasonable order and condition in accordance with the development plan, the Township may serve written notice upon such organization or upon the residents of the PRD setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be corrected within 30 days thereof, and shall state the date and place of a hearing thereon which shall be held within 14 days of the notice. At such hearing, the Township may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they shall be corrected.

(b) If the deficiencies set forth in the original notice or in the modifications thereof shall not be corrected within said 30 days or any

extension thereof, the Township, in order to preserve the taxable values of the properties within the PRD and to prevent the common open space from becoming a public nuisance, may enter upon said common open space and maintain the same for a period of 1 year. Said maintenance by the Township shall not constitute a taking of said common open space, nor vest in the public any rights to use the same.

(c) Before the expiration of said year, the Township shall, upon its initiative or upon the request of the organization theretofore responsible for the maintenance of the common open space, call a public hearing upon notice to such organization, or to the residents of the PRD, to be held by the Board of Supervisors or its designated agency, at which hearing such organization or the residents of the PRD shall show cause why such maintenance by the Township shall not, at the option of the Township, continue for a succeeding year. If the Board of Supervisors or its designated agency shall determine that such organization is not ready and able to maintain said common open space in a reasonable condition, then the Township may, in its discretion, continue to maintain said common open space during the next succeeding year and, subject to a similar hearing and determination, in each year thereafter.

(d) The decision of the Board of Supervisors or its designated agency shall be subject to appeal to court in the same manner and within the same time limitation as is provided for zoning appeals by the MPC.

(e) The cost of such maintenance by the Township shall be assessed ratably against the properties within the PRD that have a right of enjoyment of the common open space, and shall become a lien on said properties. The Township at the time of entering upon said common open space for the purpose of maintenance shall file a notice of lien in the Allegheny County Department of Court Records upon the properties affected by the lien within the PRD.

M. *Sidewalks and Pedestrian Trails*.

(1) Sidewalks shall be provided along the street frontage of all lots in the PRD in accordance with the construction and design requirements of the Subdivision and Land Development Ordinance [Chapter 22]. Sidewalks and trails shall otherwise be provided, constructed and designed in accordance with the Subdivision and Land Development Ordinance [Chapter 22] and the Township Standard Details.

(2) If, in addition, sidewalks or pedestrian trails are provided within the PRD to provide access to or through common open space or common facilities, then such sidewalks and pedestrian trails shall:

(a) Form a logical, safe and convenient system; and

(b) Be located to minimize contacts within normal vehicular traffic, with street crossings held to a minimum.

N. *Public Water and Sewer Systems*. All lots within the development plan shall be served by and connected to a public water system and a public sewer system.

O. *Vehicular Traffic and Access*.

(1) The site of the proposed development shall have direct vehicular access to one or more arterial or collector streets, as defined by the Subdivision and Land Development Ordinance [Chapter 22], to assure convenient and safe vehicular access which will not cause undue congestion or hazard on local streets.

(2) The proposed development shall be served by one or more arterial or collector streets, as defined by the Subdivision and Land Development Ordinance [Chapter 22], constructed and improved in accordance with the standards for public streets set forth in the Subdivision and Land Development Ordinance [Chapter 22].

(3) The development shall be provided with a means of vehicular access from streets capable of supporting existing traffic and the traffic that will be generated by the development. The vehicular access point(s) shall be designed to provide smooth traffic flow, controlled turning movements, and minimum hazard to vehicular and pedestrian traffic. Merging and turnout lanes and traffic dividers shall be provided where existing or anticipated heavy flows of traffic indicate such a need.

(4) Internal streets within the development shall be designed to discourage use as through streets.

(5) Where adjacent areas are not subdivided and/or developed, the arrangement of streets in the new development plan shall make provisions for the proper extension and connection of streets. Where a new development plan adjoins undeveloped and/or unsubdivided land susceptible to being subdivided and/or developed, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided and/or developed.

(6) Where a new development plan is adjacent to a development where streets are carried to or proposed to be carried to any of the boundaries that abut the parcel to be developed, then the streets within the new development plan shall be extended to or connected to the street location(s) in the adjacent development.

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§27-1011. Deviations by Waiver Prior to Final Plan Approval.

Prior to final plan approval of the PRD, the Board of Supervisors may approve deviations from the requirements of this Part; provided, however, the permitted use restrictions under §27-1010.2.A of this Part are not subject to waiver under the provisions of this Section. Requests for deviations from the requirements of this Part shall be subject to the application and approval procedures, requirements, and standards for waivers under §22-209 of the Subdivision and Land Development Ordinance [Chapter 22].

(A.O.

§27-1012. Enforcement and Modification of Provisions of a Final Approved PRD Plan.

Enforcement and modification of provisions of a final approved PRD plan shall be in accordance with Article VII of the MPC, 53 P.S. §10701 *et seq*.

(A.O.

§27-1013. Nonseverability.

The provisions of this Part are not severable. In the event any portion of this Part shall be declared invalid and unenforceable, it is the intention of the Township that the planned residential development regulations of this Part and Chapter be eliminated in their entirety.

(A.O.

Part 11

Planned Nonresidential Development

§27-1101. Purpose.

The purpose of the planned nonresidential development (PNRD) regulations of this Part includes:

A. Encourage developers to assemble large parcels of property in certain nonresidential zoning districts to create a coordinated and well-conceived development.

B. Provide developers with an alternative development approval process that promotes flexibility in the mixture of land uses, lot design and building arrangement not afforded in conventional land development.

C. Permit a more varied innovative and efficient development pattern without undue delay in the approval process.

D. Encourage the conservation of sensitive natural resources and open space.

E. Promote and encourage ingenuity in the layout and design of coordinated projects to more effectively improve and enhance sensitive natural resources and open spaces by allowing flexibility in the site layout from requirements of the underlying zoning district.

F. Motivate developer creativity by encouraging greater variety in type, design and layout of buildings.

G. Provide a procedure to relate the type, design and layout of residential development to the characteristics of a particular lot.

(A.O.

§27-1102. Compliance.

1. A PNRD shall be permitted as a conditional use within the specific zoning districts specified in Table 27-1 (Use Table) of this Chapter, subject to compliance with the provisions of this Part, this Chapter and all applicable Township ordinances.

2. The provisions of this Part provide a two-step process for the approval of a PNRD:

A. *Master Plan*. A master plan for the PNRD must be approved by the Board of Supervisors through the conditional use approval process.

B. *Final Plan*. After obtaining approval of the PNRD master plan from the Board of Supervisors, final plan approval must be obtained from the Board of Supervisors for each building, lot and/or set of buildings through an approval process that is coordinated with the Subdivision and Land Development Ordinance [Chapter 22].

3. In addition to the requirements of this Part, applicants must also apply for and obtain any and all permits required by this Chapter and any other applicable Township ordinance. Failure to comply with the provisions of this Part with respect to an approved and/or recorded PNRD development plan shall be deemed to constitute a

violation of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22].

(A.O.

§27-1103. Pre-application Conferences.

1. A sketch plan conference between a prospective applicant and the Planning Director should be held prior to the pre-application conference with the Planning Commission and prior to the filing of any applications for master plan approval under this Part. The sketch plan conference requires no formal application or fee.

2. Prior to filing an application for master plan approval under this Part, a prospective applicant should appear before the Planning Commission for a pre-application conference to discuss the applicable regulations governing the proposed development and the feasibility and timing of the applications for approval. The pre-application conference requires no formal application or fee. This opportunity is afforded to the prospective applicant to obtain information and guidance from the Planning Commission and Township officials before entering into binding commitments or incurring substantial expenses for plan preparation. See §22-321 of the Subdivision and Land Development Ordinance [Chapter 22] for the recommended materials to be submitted for a pre-application conference.

(A.O.

§27-1104. Master Plan Application and Approval Procedure.

1. *Master Plan Application Procedure*.

A. An application for PNRD master plan conditional use approval shall be filed with the Planning Director, on forms prescribed by the Township, at least 14 calendar days prior to the date of the Planning Commission's next regular monthly meeting. The master plan application shall not be considered administratively complete and properly filed unless or until all items required by §27-1104.2 of this Chapter, including the application fee and deposit, have been received by the Township.

B. The Planning Director shall review the application to determine whether all materials required by §27-1104.2 of this Chapter have been submitted by the applicant. If all such materials have not been submitted by the applicant, then the Planning Director shall reject the application as administratively incomplete and shall notify the applicant, in writing, citing the specific deficiencies and the specific requirements of this Chapter that have not been met and returning the applicant's application fee and deposit.

C. Within 5 days of receipt of an administratively complete application, the Planning Director shall submit one copy of the application and any materials submitted therewith to the following entities and individuals for review: the Environmental Advisory Council; the MTA (as appropriate); the MTMA; the County planning agency; the Township Engineer; and any other appropriate Township personnel or professional consultants.

D. The Planning Director shall provide one copy of an administratively complete application and any materials submitted therewith to the Planning Commission by no later than the Friday prior to the date of the regular monthly

meeting of the Planning Commission.

2. *Master Plan Application Content*.

A. The application for PNRD master plan approval shall be submitted to the Planning Director, in the form prescribed from time to time by the Township, with not fewer than:

(1) Six full scale copies and eight half-scale copies (with a minimum scale of 1 inch equals 200 feet) of all required plans, maps and drawings.

(2) Four paper copies of all other reports and materials that are required as part of the application.

(3) One electronic version (in a Township-compatible format) of all plans, maps, drawings, reports and other materials required as part of the application.

B. The application for master plan approval shall contain the following:

(1) All plans, information, data, reports, studies and other materials required for a major land development preliminary plan application as specified in §22-204.D of the Subdivision and Land Development Ordinance [Chapter 22]; provided that the preliminary plat, land development plan and conceptual landscape plan required by §22-204.D of the Subdivision and Land Development Ordinance [Chapter 22] shall comprise the PNRD master plan.

(2) A written narrative setting forth the following:

(a) The manner in which the application complies with each of the conditional use general standards and criteria of §27-803 of this Chapter;

(b) The manner in which the application complies with each of the PNRD master plan conditional use express standards and criteria of §27-1104.6.A(2) of this Chapter.

(c) The manner in which the application demonstrates each of the evaluation factors of §27-1104.6.B of this Chapter.

(d) The manner in which the application demonstrates each of the encouraged design factors of §27-1104.6.C of this Chapter.

(e) The manner in which the application complies with the purpose of this Part.

(f) The manner in which the application complies with the PNRD design standards referenced in §27-1110 of this Chapter.

(g) The proposed use of buildings and other structures.

(h) The feasibility of public water service and public sewer service.

(i) The extent to which the proposed development deviates from the otherwise applicable Township land use, zoning and subdivision and land development regulations; including, but not limited to, proposed development deviations from the Environmental Performance Standards of Part 4B of this Chapter and the reasons therefor.

(j) The major features of the PNRD master plan, which may reference non-land use information such as estimates of taxes paid to all local government units, estimates of Township and School District costs

and a benefits analysis.

(k) The extent of proposed common open space (its purpose, location and amount) and the provisions for its maintenance, ownership and control.

(3) A legal document verifying the applicant's legal interest in the subject property (e.g., deed, sales agreement, or lease).

(4) The substance of covenants, grants of easements, rights-of-way and other restrictions pursuant to §22-319 of the Subdivision and Land Development Ordinance [Chapter 22].

(5) Preliminary architectural and design standards which set forth the requirements for exterior building materials, windows, general site design and compatibility with adjacent buildings and developments. The applicant shall indicate whether such requirements will be included in covenants running with the land and whether the applicant will retain design approval control.

(6) A tentative development schedule which shall indicate:

(a) The manner in which the applicant intends to apply for final plan approval (e.g., by building, lot, sets of buildings or entire PNRD).

(b) The proposed times for filing of the final plan(s).

(c) The proposed construction periods for the site improvements.

3. *Township Staff Review*.

A. The Planning Director and any other Township personnel or professional consultant, as directed by the Planning Director, shall review the master plan application documents to determine if they are in compliance with this Part, this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], other applicable Township ordinances, the Comprehensive Plan and the Township planning objectives. The Planning Director shall prepare a written report of his findings and recommendations which he shall provide to the Board of Supervisors, Township Manager, Township Engineer, Planning Commission and any other appropriate Township personnel or professional consultant. The other Township personnel and professional consultants shall provide comments and recommendations, including written findings, when directed by the Planning Director.

B. The Township Engineer shall review the application documents to determine compliance with this Part, this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], the Stormwater Management Ordinance [Chapter 23], and any other applicable Township ordinances and regulations, the Township Standard Details and sound engineering practices. The Township Engineer shall prepare a written report of his findings and recommendations, which the Planning Director shall provide to the Board of Supervisors, the Township Manager, the Planning Commission and any other appropriate Township personnel or professional consultant.

C. If the master plan has outstanding or unaddressed Township comments and/or concerns, then the applicant shall resubmit revised drawings, supporting reports, documents and other similar material for review by the Planning Director, Township Engineer and any other Township personnel or professional consultant,

as directed by the Planning Director.

4. *Planning Commission Review and Recommendation*.

A. The Planning Commission shall review the master plan application and associated documents and forward its recommendation to the Board of Supervisors.

B. The Planning Commission shall make a recommendation to the Board of Supervisors for approval, approval with conditions or disapproval of the master plan application.

5. *Public Hearing*. The Board of Supervisors shall hold a public hearing, pursuant to public notice, on the master plan conditional use application within the time periods and procedures required by the MPC. The public hearing shall commence within 60 days of the filing of an administratively complete application. Public hearings shall be conducted and held in accordance with the applicable provisions of Article IX of the MPC.

6. *Master Plan Standards, Criteria and Evaluation Factors*.

A. *Standards and Criteria*. The proposed PNRD master plan shall comply with:

(1) The conditional use general standards and criteria referenced in §27-803 of this Chapter.

(2) The following express standards and criteria for a PNRD master plan:

(a) The proposed master plan complies with the applicable purposes, standards, conditions and requirements of this Part and preserves the community development objectives of this Chapter.

(b) Where the proposed master plan is permitted by this Part to depart from the requirements of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22], such departures are in the public interest and promote the public health, safety and welfare.

(c) The proposals for the maintenance and conservation of any proposed common open space, bufferyard and landscaping are reliable and legally enforceable, and the amount and extent of improvements of such open space, bufferyards and landscaping are adequate with respect to the purpose, use and type of development proposed.

(d) The physical design of the master plan adequately provides for public services, traffic facilities, off-street parking, light, air, recreation and visual enjoyment. The master plan organizes vehicular ingress, egress and parking to minimize traffic congestion in the surrounding area.

(e) The total environment of the proposed master plan is harmonious and consistent with the neighborhood in which it is located. The proposed master plan is sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds within the development and to the buildings and grounds of adjacent properties.

(f) The proposed master plan affords a greater degree of protection of natural watercourses, topsoil, trees and other features of the natural environment, and the prevention of erosion, landslides, siltation and flooding than if the subject property was developed in accordance with the

provisions of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22] which would otherwise apply.

(g) The proposed master plan provides for all facilities required by the Official Map Ordinance [Chapter 14], or provides alternate facilities in accordance with the Official Map Ordinance [Chapter 14].

B. *Evaluation Factors*. In evaluating the conditional use criteria referenced in paragraph .A, above, the applicant shall demonstrate and the Board of Supervisors shall consider the following additional factors:

(1) The degree to which the proposed master plan is a cohesive development plan and is expected to be superior to conventional development in the subject zoning district.

(2) The degree to which restrictive covenants are or will be created for the proposed PNRD master plan and recorded against the subject property, including but not limited to restrictive covenants related to:

(a) Architectural design standards (i.e., materials, colors, quality of construction, maintenance, etc.).

(b) Landscaping standards (i.e., design, installation, maintenance and replacement).

(c) Signage standards.

(d) Lighting standards.

(e) Property maintenance standards.

(f) Other similar design and maintenance standards.

(3) The degree to which bufferyards are enhanced over the minimum required by this Chapter for any area of the proposed master plan that abuts a residential zoning district.

(4) The degree to which trip generation is mitigated through transportation management association (TMA) and transportation system management (TSM) strategies.

(5) The degree to which sensitive natural resources are protected.

(6) The degree to which enforceable, rigorous, architectural and design standards within the PNRD master plan will create a development which will attract high quality uses and jobs.

(7) The degree to which public improvements within the PNRD master plan exceed that of a conventional development.

C. *Encouraged Design Factors*. The applicant shall demonstrate and the Board of Supervisors shall determine the extent to which the following encouraged design factors are implemented within the proposed PNRD master plan:

(1) The use of parking structures to minimize surface parking lots.

(2) The use of innovative stormwater management techniques, such as Best Management Practices (BMPs), ground water recharging, green roofs, and similar techniques.

(3) The interconnection of pedestrian circulation between lots and buildings throughout the proposed PNRD master plan.

(4) The degree to which the proposed PNRD master plan will assist in attracting similar uses to adjacent properties.

7. *Board of Supervisors Action*.

A. The Board of Supervisors shall render a written decision on the master plan conditional use application within 45 days of the last hearing. Where the application is contested or denied, the Board of Supervisors decision shall be accompanied by findings of fact and conclusions based thereon, together with any reasons therefor. Conclusions based on any provisions of this Chapter or any other rule, regulation, ordinance or statute shall contain a reference to the provision relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found.

B. In granting conditional use approval of a master plan pursuant to this Chapter, the Board of Supervisors may impose any reasonable conditions it believes are necessary to ensure compliance with this Part, this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], the Moon Township Code of Ordinances, the Township Standard Details and any other ordinance or resolution of the Township, and as it otherwise deems necessary to implement the purposes of this Part, this Chapter and the MPC.

C. A copy of the decision on the master plan conditional use application, or where no decision is called for, of the findings, shall be delivered to the applicant personally or mailed to him not later than the day following its date.

D. All development, construction and use shall be in accordance with the approved master plan conditional use decision, unless an amended master plan conditional use application is submitted and approved as otherwise provided in §27-1109 of this Chapter. The approved master plan shall consist of the application, as submitted, together with all of its attachments and exhibits, as finally approved by the Board of Supervisors, and the master plan conditional use decision. Any development contrary to the approved master plan conditional use decision, or any amended master plan approved pursuant to the terms of this Part, shall constitute a violation of this Chapter.

E. If the Board of Supervisors approves the master plan application subject to certain conditions, then the developer shall not file a final plan application until all such conditions are addressed and complied with in a manner acceptable to the Township.

8. *Status of PNRD after Master Plan Approval*.

A. Approval of a master plan shall not qualify a plat of the PNRD for recording nor authorize development or the issuance of any building permits.

B. Approval of a master plan application shall only constitute authorization to proceed with preparation and filing of a final plan application once all conditions of approval have been addressed and complied with in a manner acceptable to the Township.

9. *Post-Master Plan Approval Options*. After a master plan conditional use application has been approved by the Board of Supervisors, the applicant may proceed by filing either of the following types of applications:

A. A final plan application, pursuant to §27-1105 of this Chapter, where the

applicant intends to provide the Township with performance security to guarantee proper installation of required improvements in the final plan application; or

B. An improvement construction plan application, pursuant to §22-210 of the Subdivision and Land Development Ordinance [Chapter 22], where the applicant desires to construct the improvements required by this Chapter and the Subdivision and Land Development Ordinance [Chapter 22] before final plan application approval in lieu of posting performance security with the Township.

(A.O.

§27-1105. Final Plan Application and Approval Procedure.

1. *Prerequisites to Filing Final Plan Application*. An application for final plan approval can be submitted provided that:

A. The Board of Supervisors has granted master plan approval to the development plan; and

B. All conditions imposed by the Board of Supervisors on the master plan approval have been complied with in a manner acceptable to the Township.

An applicant that files a final plan application without proceeding through the improvement construction plan procedure referenced in §22-210 of the Subdivision and Land Development Ordinance [Chapter 22] is deemed to have waived the improvement construction plan option and is deemed to have elected to post performance security with the Township for all improvements required by, and in accordance with the requirements of, this Part, this Chapter and the Subdivision and Land Development Ordinance [Chapter 22].

2. *Final Plan Application Procedure*. An application for PNRD final plan approval shall be filed in accordance with the requirements for a major land development final plan application under the Subdivision and Land Development Ordinance [Chapter 22].

3. *Final Plan Application Content*. An application for PNRD final plan approval shall contain all information, plans, data reports, studies, and other materials required for a major land development final plan application as specified in §22-204.E of the Subdivision and Land Development Ordinance [Chapter 22], with the following exception. In lieu of the "approved preliminary plat and supporting reports" required by §22-204.E(1) of the Subdivision and Land Development Ordinance [Chapter 22], the applicant shall file the Township approved PNRD master plan, the PNRD master plan decision, and any supporting reports related thereto requested by the Township.

4. *Final Plan Approval Procedure*. A PNRD final plan application shall be reviewed and approved in accordance with the procedure for a major land development final plan application under the Subdivision and Land Development Ordinance [Chapter 22].

(A.O.

§27-1106. Recording.

Any approved PNRD final plan shall be recorded by the developer in accordance with, and the developer shall otherwise comply with, the requirements of §22-214 of the Subdivision and Land Development Ordinance [Chapter 22].

(A.O.

§27-1107. Abandonment and Revocation.

The final approval of a development plan shall be revoked if the developer provides the Township with written notice of his intention to abandon the plan, or if the developer fails to commence and carry out the PNRD in accordance with the time provisions referenced in §508 of the MPC, 53 P.S. §10508, and/or a final plan approval decision. Upon the occurrence of such a revocation, no further development shall occur on the property that is the subject of the revoked development plan unless a subsequent development plan is approved and such development complies with this Chapter and the Subdivision and Land Development Ordinance [Chapter 22].

(A.O.

§27-1108. Improvements.

No PNRD final plan shall be approved unless all improvements required by this Part have been installed in strict conformance with this Part and the Subdivision and Land Development Ordinance [Chapter 22], or a guaranty that the improvements will subsequently be installed by the developer in the form of performance security which complies with the requirements of §22-211 of the Subdivision and Land Development Ordinance [Chapter 22]. Such performance security shall provide for and secure to the public the completion of all improvements for the development plan within a period of 2 years from the date of the final approval of the development plan. The developer shall otherwise comply with the requirements of Part 6 of the Subdivision and Land Development Ordinance [Chapter 22].

(A.O.

§27-1109. Master Plan Amendments.

A Township-approved PNRD master plan shall not be amended or revised without prior approval from the Board of Supervisors under one of the following options:

A. *Amendment Through Amended Master Plan*.

(1) *General*. A developer shall apply for and obtain amended master plan approval from the Board of Supervisors (which shall be in the form of an amended conditional use approval) when the amendment or revision to the Township-approved PNRD master plan involves one of the following factors:

(a) The uses proposed in the master plan change in trip generation, character and impact such that more than 100 new peak hour trips or 1,000 new average daily trips would be generated.

(b) The total area of the master plan devoted to bufferyards and landscaping is decreased by more than 5 percent.

(c) The quantity of grading shown on the grading plan for the master plan is increased by more than 5 percent.

(d) Any vehicular access point to an existing street is moved or removed to such an extent that it results in a greater impact to abutting properties, as determined by the Township Traffic Engineer.

(e) The lot configuration, lot lines, and/or street right-of-way lines within the master plan are changed to such an extent that it results in the street and vehicle circulation system within the master plan being

inadequate to meet the traffic demands generated in the master plan, as determined by the Township Traffic Engineer.

(f) Where this Chapter requires the specific amendment to proceed through the approval and review process of §27-1109.A of this Chapter.

(2) *Application and Approval Process*. The application and approval process for an amended master plan shall be consistent with §27-1104 of this Part. Any application for amended master plan approval shall include a written statement detailing the specific proposed amendments to the Township-approved master plan.

B. *Amendment Through Final Plan Approval*. Where an amendment to a Township-approved master plan does not involve one of the factors identified in §27-1109.A(1) of this Chapter, a developer shall apply for and obtain Board of Supervisors approval of such amendment through the PNRD final plan application and approval process of §27-1105 of this Chapter. The amendment to the Township-approved master plan under this §27-1109.B shall only apply to the building, lot and/or set of buildings that are the subject of the proposed PNRD final plan, and any amendment that is outside of this scope must obtain approval through the approval and review process set forth in §27-1109.A of this Chapter.

(A.O.

§27-1110. Design Standards.

1. All improvements within the proposed PNRD shall be designed and constructed in accordance with the requirements of this Part, this Chapter, the Subdivision and Land Development Ordinance [Chapter 22], the Stormwater Management Ordinance [Chapter 23], the Township Standard Details and any other applicable Township ordinance except as provided in this Part. If the provisions of this Part are inconsistent with any other provision of a Township ordinance, then the provisions of this Part shall govern.

2. All PNRDs shall comply with the following requirements:

A. *Preemptive Requirements*. Except as provided in this Section, the requirements of this Part shall be in lieu of all density, setback, height, lot coverage and bufferyard requirements of this Chapter.

B. *Permitted Uses*. The principal uses permitted on property within a PNRD shall be strictly limited to the permitted uses, conditional uses and special exceptions authorized in the zoning district in which the subject property is located pursuant to Table 27-1 (Use Table) of this Chapter, unless otherwise provided in this §27-1110.2.B.

(1) Where a proposed use in the master plan is permitted on the subject property as a conditional use pursuant to Table 27-1 (Use Table) of this Chapter, the developer must apply for and obtain conditional use approval from the Board of Supervisors for such proposed use pursuant to the requirements of Part 8 of this Chapter. Provided, however, if a proposed use falls under the classification identified in §27-305 of this Chapter for "all other uses not specifically permitted in any zoning district," then the developer shall obtain Board of Supervisors approval of the conditional use for such use prior

to the developer filing an application for PNRD master plan approval.

(2) Where a proposed use in the master plan is permitted on the subject property as a special exception pursuant to Table 27-1 (Use Table) of this Chapter, the developer must apply for and obtain special exception approval from the Zoning Hearing Board for such proposed use pursuant to the requirements of Part 9 of this Chapter.

(3) Apartments are permitted within a PNRD subject to compliance with the following criteria:

(a) The apartments are not located in a basement or a first floor of a building.

(b) The gross floor area devoted to apartments in the PNRD master plan area does not exceed 25 percent of the total gross floor area of the PNRD master plan.

(c) Adequate protections are provided from the noise, light, vibration, hours of operation, truck and equipment traffic and surrounding uses within the PNRD master plan. It is the intent of this subsection that the apartment uses are clearly secondary to the nonresidential uses permitted in the zoning district where the subject property is located. As a result, such apartments should be subject to impacts that would not be acceptable in residential zoning districts. The Board of Supervisors may require that notice of this fact be made part of any recorded covenants for the PNRD master plan.

(d) Adequate outdoor recreation areas are provided within the PNRD master plan.

(e) The proposed master plan complies with the conditional use express standards and criteria for apartments contained in §27-807 of this Chapter.

C. *Ownership*. The entire site for the proposed development plan shall be owned or controlled by the developer. To the extent that any property within the proposed PNRD is not owned by the developer, the owners of such property shall submit a declaration, in a form acceptable to the Township Solicitor, requiring all owners of such property to comply with any PNRD master plan, PNRD master plan conditional use decision, and related final plan approvals. The Township may require that this owner declaration be recorded.

D. *Minimum Site*. The site of the proposed development shall not be less than 10 acres.

E. *Minimum Site Frontage*. The site of the proposed development shall have a minimum frontage of 150 feet.

F. *Density, Lot Sizes and Character*.

(1) The maximum density shall be 12.00 dwelling units per acre (DU/Acre). The maximum number of dwelling units permitted on a site shall be determined using the formula set forth in §27-208.3 of this Chapter.

(2) Each lot shall be of such character so as to avoid danger to health or peril from fire, flood or other hazard.

G. *Minimum Yard and Setback Areas*. All lot lines along the perimeter of the PNRD master plan shall be provided with the minimum yard areas required in the zoning district where the subject property is located. The relationship of buildings to each other, the local street system, the utility systems and the common open space pattern shall be consistent with the purpose and intent of this Part and Chapter.

H. *Minimum Building Separation*. A minimum 30-foot distance shall be maintained between principal structures, unless a greater distance is required by the Construction Code [Chapter 5, Part 1].

I. *Maximum Building and Structure Height*. The maximum height of a structure shall not exceed 100 feet, unless a lesser height restriction is imposed by the AZO Airport Zone Overlay District requirements of §27-302 of this Chapter.

J. *Building Groupings*. Buildings containing dwelling units shall be oriented so as to ensure adequate light and air exposures for walls containing main window exposures or main entrances. Each structure shall be arranged to avoid undue exposure to concentrated loading or parking facilities.

K. *Off-Street Parking*. The PNRD master plan shall comply with the off-street parking requirements of Part 6 of this Chapter; provided, however, a developer may propose shared parking, a Transportation Management Association (TMA), a Transportation System Management (TSM) or a combination thereof to minimize or reduce parking and vehicle trips.

L. *Tree Preservation*. Due to the unique nature of a PNRD, the development plan shall maintain and preserve the existing trees to the maximum extent possible, except in areas where buildings, driveways, streets, parking, sewer and water lines, utility lines, sidewalks and walking are provided or required.

M. *Bufferyard*. The development plan shall comply with the following bufferyard requirements:

(1) Bufferyards shall be installed along the boundaries of the PNRD master plan as follows:

(a) *Boundaries Abutting a Residential Zoning District*. A minimum of a Bufferyard 1 (utilizing the Forest Style Planting Conceptual Plan), pursuant to the requirements of §27-214.C(2)(a) and Appendix 27-D of this Chapter, shall be installed and maintained along all boundaries of the PNRD master plan that abut a residential zoning district.

(b) *All Other Boundaries*. A minimum of a Bufferyard 3, pursuant to the requirements of §27-214.C(2)(c) and Appendix 27-D of this Chapter, shall be installed and maintained along all other boundaries of the PNRD master plan.

(2) The vegetation within the required bufferyards shall comply with the requirements of §27-214.C(1) and Appendix 27-D of this Chapter.

(3) The development plan shall comply with §§27-214.C(2)(d), 27-214.C(3), 27-214.D., 27-214.E., 27-214.F, 27-214.K. and 27-214.M of this Chapter.

(4) In addition to the required bufferyards along boundaries of the PNRD master plan abutting a residential zoning district, the massing of the landscaping is encouraged to enhance screening along such boundaries of the

PNRD master plan.

(5) The bufferyard shall be dedicated, owned and maintained by the same entity which owns and maintains the common open space referenced in §27-1110.2.O of this Chapter.

N. *Landscaping*. The development shall comply with the landscaping requirements of §27-215 of this Chapter.

O. *Common Open Space*.

(1) *General Requirements*. Not less than 20 percent of the total site area of a master plan shall be set aside for common open space. Common open space shall be arranged to take maximum advantage of the natural and physical characteristics of the site, to provide bufferyards for adjacent parcels and to place common open space within easy access and view of the buildings within the master plan. Common open space shall also be located within the development plan so as to comply with the following standards:

(a) Common open space, at a minimum, shall include the undisturbed sensitive natural resource areas defined by the requirements of Part 4B (Environmental Performance Standards) of this Chapter.

(b) Common open space may contain parks, playgrounds, trails and other passive recreation facilities.

(c) Common open space shall have a minimum width of 50 feet; provided, however, this width may be reduced to no less than 30 feet where such reduced width areas: 1) contain a trail; and 2) connect areas with a width of at least 50 feet.

(d) Common open space shall be dedicated, preserved and maintained so as to always remain open and available for use by the occupants of the development.

(e) Common open space land shall be accessible from a street within the development plan or shall adjoin and become part of an existing open space area that is accessible from a street within the development plan.

(f) Common open space land shall be contiguous and useable for its intended purpose.

(g) Land preserved for common open space (with the exception of playgrounds, trails and passive recreation facilities) shall be maintained in its existing, natural character. The developer shall record restrictive covenants, in a form acceptable to the Township Solicitor, against the common open space land which provide that the common open space shall not be cleared or logged, except upon both the approval of the Board of Supervisors, or its designee, and strict compliance with the Township's then-existing standards and requirements for the same.

(2) *Ownership Requirements*. The common open space land, including all improvements related thereto, shall be owned under one of the following options:

(a) Dedicated for public use to a public body which agrees to accept, operate and maintain the dedicated land and facilities for their originally intended use, but no public body is obligated by this Chapter to accept

such dedication; or

(b) Deeded to an organization representing the property owners of the development, which organization shall covenant to operate and maintain the land and facilities for their originally intended use. Such organization shall not be dissolved nor dispose of the common open space, by sale or otherwise, unless the maintenance of the common open space is otherwise guaranteed to the Township's satisfaction; or

(c) Deeded to a conservation organization agreeing to operate and maintain the dedicated land and facilities for their originally intended use. Such organization shall not be dissolved nor dispose of the common open space, by sale or otherwise, unless the maintenance of the common open space is otherwise guaranteed to the Township's satisfaction; or

(d) Owned by the owner(s) of lots within the master plan. Such person(s) shall operate and maintain the dedicated land and facilities for their originally intended use. Further, such person(s) shall not dispose of the common open space, by sale or otherwise, unless the maintenance of the common open space is otherwise guaranteed to the Township's satisfaction.

(3) *Maintenance Requirements*. The developer shall provide for the perpetual maintenance of the common open space, under one of the following options:

(a) The developer shall establish and record restrictive covenants which contain substantially the same maintenance requirements as set forth in §27-1010.2.L. of this Chapter (related to common open space within PRDs).

(b) The developer shall establish operation and maintenance requirements common to all lots in the PNRD master plan and provide for easements, covenants and restrictions which will guarantee perpetual operation and maintenance of the common open space. Such requirements shall be contained within a recorded instrument and shall otherwise be in a form and substance acceptable to the Township Solicitor.

P. *Sidewalks and Pedestrian Trails*.

(1) Sidewalks shall be provided along the street frontage of all lots in the PNRD master plan in accordance with the construction and design requirements of the Subdivision and Land Development Ordinance [Chapter 22]. Sidewalks and trails shall otherwise be provided, constructed and designed in accordance with the Subdivision and Land Development Ordinance [Chapter 22] and the Township Standard Details.

(2) If, in addition, sidewalks or pedestrian trails are provided within the PNRD master plan to provide access to or through common open space or common facilities, then such sidewalks and pedestrian trails shall:

(a) Form a logical, safe and convenient system; and

(b) Be located to minimize contacts within normal automotive traffic, with street crossings held to a minimum.

Q. *Public Water and Sewer Systems*. All lots within the development plan

shall be served by and connected to a public water system and a public sewer system.

R. *Vehicular Traffic and Access*.

(1) The site of the proposed development shall have direct access to one or more arterial or collector streets, as defined by the Subdivision and Land Development Ordinance [Chapter 22], to assure convenient and safe access which will not cause undue congestion or hazard on local streets.

(2) The proposed development shall be served by one or more arterial or collector streets, as defined by the Subdivision and Land Development Ordinance [Chapter 22], constructed and improved in accordance with the standards for public streets set forth in the Subdivision and Land Development Ordinance [Chapter 22].

(3) The development shall be provided with a means of access from streets capable of supporting existing traffic and the traffic that will be generated by the development. The access point(s) shall be designed to provide smooth traffic flow, controlled turning movements, and minimum hazard to vehicular and pedestrian traffic. Merging and turnout lanes and traffic dividers shall be provided where existing or anticipated heavy flows of traffic indicate such a need.

(4) Where adjacent nonresidential areas are not subdivided and/or developed, the arrangement of streets in the new development plan shall make provisions for the proper projection of streets. Where a new development plan adjoins undeveloped and/or unsubdivided nonresidential land susceptible to being subdivided and/or developed, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided and/or developed.

(5) Where a new nonresidential development plan is adjacent to a nonresidential development where streets are carried to or proposed to be carried to any of the boundaries that abut the parcel to be developed, then the streets within the new nonresidential development plan shall be extended to or connected to the street location(s) in the adjacent nonresidential development.

(A.O.

§27-1111. Deviations by Waiver.

1. As part of a master plan application or an amended master plan application, the Board of Supervisors may approve deviations from the requirements of this Part; provided, however, the permitted use restrictions under §27-1110.2.B of this Part are not subject to waiver under the provisions of this Section.

2. Requests for deviations from the requirements of this Part shall be subject to the application and approval procedures, requirements and standards for waivers under §22-209 of the Subdivision and Land Development Ordinance [Chapter 22].

(A.O.

§27-1112. Nonseverability.

The provisions of this Part are not severable. In the event any portion of this Part

shall be declared invalid and unenforceable, it is the intention of the Township that the planned nonresidential development regulations of this Part and Chapter be eliminated in their entirety.

(A.O.

Part 12

Nonconforming Uses, Structures, and Lots

§27-1201. Nonconforming Uses.

The following provisions shall apply to all nonconforming uses, as defined by this Chapter:

A. *Continuation and Change*. A nonconforming use may be sold or otherwise transferred to other owners and may be continued, but shall not be changed in use unless to a conforming use.

B. *Enlargement or Expansion*.

(1) A nonconforming use may be expanded or enlarged only upon approval by the Zoning Hearing Board as a special exception in accordance with the procedures and requirements set forth in Part 9 of this Chapter and subject to compliance with the criteria set forth in §§27-903 and 27-905 of this Chapter.

(2) This subsection shall not apply to signs.

C. *Damage and Reconstruction*. Any structure which houses a nonconforming use which is damaged by fire, flood, explosion or other casualty may be reconstructed and used as before if such reconstruction is initiated and diligently pursued within 12 months of such casualty and if the restored structure has no greater lot coverage and contains no greater cubic content than before such casualty.

D. *Abandonment*. In the event that any nonconforming use conducted in a structure or on a lot is abandoned for a period of 12 consecutive months or longer, such nonconforming use shall be deemed to be abandoned and shall not be resumed. Once the nonconforming use is abandoned, the building or structure and/or lot shall not be used except in conformance with the regulations of the zoning district in which it is located.

(A.O.

§27-1202. Nonconforming Structures.

The following provisions shall apply to all nonconforming structures, as defined by this Chapter, in all zoning districts:

A. *Structural Alteration*. No nonconforming structure shall be enlarged or structurally altered in a way that increases its nonconformity.

B. *Damage or Destruction*. If a nonconforming structure is partially or completely damaged or destroyed by fire, collapse, explosion or other disaster, it may be reconstructed or repaired provided that the reconstruction and repair activities for the structure commence within 1 year of the date that the original structure was damaged or destroyed, and are completed within 2 years of the date that the original structure was damaged or destroyed. However, reconstruction or repair shall not make the structure more nonconforming, in any respect, than it was prior to damage or destruction.

C. *Moving*. Should a nonconforming structure be moved for any reason for

any distance, it shall thereafter conform to the requirements of the zoning district in which it is located.

D. *Signs*.

(1) Nonconforming signs may be repaired or reconstructed, provided that no structural alterations are made which increase the gross surface area of the sign; however, nonconforming signs which are damaged or destroyed to an extent of more than 75 percent of their replacement cost at the time of destruction shall not be reconstructed except in conformity with the provisions of this Chapter.

(2) Nonconforming signs may not be enlarged, added to or replaced by another nonconforming sign, use or structure, except that the interchange of poster panels shall be permitted.

E. *Repair or Maintenance*. Nothing in this Chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any structure or part thereof declared to be unsafe by any official charged with protecting the safety of the populace.

(A.O.

§27-1203. Nonconforming Lots.

The following regulations shall apply to all nonconforming lots, as defined by this Chapter, in any zoning district:

A. Where two or more adjacent lots of record with continuous frontage have less than the required area and width and are held by one owner, the lots shall be considered to be an undivided lot for the purpose of complying with this Chapter. No division of any lot shall be made which does not comply with the requirements of this Chapter. Any change in lot lines necessary to meet the minimum requirements of this Chapter shall constitute a revision to the recorded plan and shall meet all applicable requirements of the Subdivision and Land Development Ordinance [Chapter 22].

B. Any lot of record existing at the effective date of this Chapter and held in separate ownership different from the ownership of adjoining lots may be developed in accordance with the requirements of the zoning district of the lot of record.

C. Where structures exist on adjacent nonconforming lots of record which have front yards less than the minimum depth required, the minimum front yard for an adjacent undeveloped nonconforming lot of record shall be the average depth of the nonconforming front yards on the adjacent developed nonconforming lots which are in the same block on the same side of the street and in the same recorded plan as the undeveloped lot. Private garages, sheds, swimming pools and similar structures shall be located to the rear of the principal structure and may be permitted in the rear yard, provided that they are located no closer than 10 feet from the rear property line and are not on any easements or rights-of-way, unless otherwise provided in Part 5 of this Chapter.

D. A residential lot existing at the time of this Chapter's adoption, which does not meet the lot area/dwelling unit, frontage, front, side or rear yard setbacks listed under the conventional development option shall not be considered to be

nonconforming in lot area/dwelling unit, frontage, front, side, or rear yard setbacks if it meets the minimum lot area/dwelling unit, frontage, front, side, and rear setbacks of the cluster lot development option.

(A.O.

§27-1204. Continuation.

Subject to the provisions of this Part, a nonconforming lot, nonconforming building or structure, or nonconforming use may be continued even though such does not conform to the provisions of these regulations for the zoning district in which it is located. The Zoning Officer may keep and maintain a list of all nonconforming lots, buildings and structures or uses existing at the time of the passage of this Chapter, its predecessors or amendments thereto, and which may come to exist in the future.

(A.O.

Part 13

Zoning Hearing Board

§27-1301. General.

The Zoning Hearing Board is established in accordance with and pursuant to Article IX of the MPC. All proceedings before the Zoning Hearing Board and all actions taken by the Zoning Hearing Board shall comply with this Chapter, the MPC, and all other applicable laws, ordinances, and regulations.

(A.O.

§27-1302. Membership.

1. The membership of the Zoning Hearing Board shall consist of five residents of the Township appointed by the Board of Supervisors. Their terms of office shall be 5 years and shall be so fixed that the term of office of one member shall expire each year. The Chairman of the Zoning Hearing Board, or in his absence or incapacity the Vice Chairman, shall promptly notify the Board of Supervisors when any vacancies occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Zoning Hearing Board shall hold no other elected or appointed office in the Township, nor shall any member be an employee of the Township.

2. The Board of Supervisors may appoint by resolution up to three residents of the Township as alternate members of the Zoning Hearing Board. The term of office of an alternate member shall be 3 years. When seated pursuant to the provisions of §27-1304 of this Chapter, an alternate member shall be entitled to participate in all proceedings and discussions of the Zoning Hearing Board to the same and full extent as provided by law for Zoning Hearing Board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the power and duties set forth in this Chapter, the MPC, and as otherwise provided by law. Alternate members shall hold no other elected or appointed office in the Township, nor shall any alternate member be an employee of the Township.

(A.O.

§27-1303. Removal of Members.

Any Zoning Hearing Board member may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by majority vote of the Board of Supervisors, taken after the member has received 15 days advance notice of the intent to take such a vote. A public hearing shall be held in connection with the vote if the member shall request it in writing.

(A.O.

§27-1304. Organization.

1. The Zoning Hearing Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than three members, but the Zoning Hearing Board may appoint a hearing officer from its own

membership to conduct any hearings on its behalf. In such a case, the parties may, prior to the decision, waive a decision by the Zoning Hearing Board and accept the decision of the hearing officer as provided in the MPC. The Zoning Hearing Board may make, alter and rescind rules and forms for its procedure, consistent with the ordinances of the Township and the laws of the Commonwealth. The Zoning Hearing Board shall keep full public records of its business, which records shall be the property of the Township, and shall submit a report of its activities to the Board of Supervisors as requested by the Board of Supervisors.

2. The Chairman of the Zoning Hearing Board may designate alternate members of the Zoning Hearing Board to replace any absent or disqualified member, and if, by reason of absence or disqualification of a member, a quorum is not reached, the Chairman of the Zoning Hearing Board shall designate as many alternate members of the Zoning Hearing Board to sit on the Zoning Hearing Board as may be needed to reach a quorum. Any alternate member of the Zoning Hearing Board shall continue to serve on the Zoning Hearing Board in all proceedings involving the matter or case for which the alternate member was initially appointed until the Zoning Hearing Board has made a final determination of the matter or case. Designation of an alternate member pursuant to this Section shall be made on a case-by-case basis in rotation according to declining seniority among all alternate members.

(A.O.

§27-1305. Expenditures for Services.

Within the limits of funds appropriated by the Board of Supervisors, the Zoning Hearing Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services. Members of the Zoning Hearing Board may receive compensation for the performance of their duties, as may be fixed by the Board of Supervisors, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Board of Supervisors.

(A.O.

§27-1306. Conduct of Public Hearings.

A public hearing before the Zoning Hearing Board shall commence within 60 days of the filing of an administratively complete application. Public notice, as defined herein, of the public hearing, shall be advertised and posted as required by the MPC. Public hearings shall be conducted and held in accordance with the applicable provisions of the MPC. The Zoning Hearing Board shall comply with all requirements of Article IX of the MPC regarding conduct of hearings.

(A.O.

§27-1307. Decisions.

1. The Zoning Hearing Board or the hearing officer, as the case may be, shall render a decision or, when no decision is called for, make written findings on the application in accordance with the requirements of the MPC and within 45 days after the last hearing before the Zoning Hearing Board. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon, together with the reasons therefor. Conclusions based on any provisions of this

Chapter, or any other ordinance, rule or regulation or any provision of the MPC shall contain a reference to the provisions relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer and there has been no stipulation that his/her decision or findings are final, the Zoning Hearing Board shall make his/her report and recommendations available to the parties within 45 days, and the parties shall be entitled to make written representations thereon to the Zoning Hearing Board prior to final decision or entry of findings, and the Zoning Hearing Board's decision shall be entered no later than 30 days after the report of the hearing officer.

2. A copy of the final decision or, when no decision is called for, of the findings shall be delivered to the applicant in accordance with the applicable provision(s) of the MPC.

(A.O.

§27-1308. Jurisdiction.

The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudication in the following matters:

A. Substantive challenges to the validity of any land use ordinance, except those challenges brought before the Board of Supervisors pursuant to §§609.1 and 916.1(a)(2) of the MPC, 53 P.S. §§10609.1 and 10916.1(a)(2).

B. Appeals from the determination of the Zoning Officer including, but not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order (enforcement notice) or the registration or refusal to register any nonconforming use, structure or lot.

C. Appeals from a determination by the Township Engineer or the Zoning Officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land use ordinance.

D. Applications for variances from the terms of this Chapter and the Floodplain Ordinance [Chapter 8], or such provisions within a land use ordinance pursuant to §910.2 of the MPC, 53 P.S. §10910.2.

E. Applications for special exceptions under this Chapter, or the Floodplain Ordinance [Chapter 8], or such provisions within a land use ordinance pursuant to §912.1 of the MPC, 53 P.S. §10912.1.

F. Appeals from the Zoning Officer's determination under §916.2 of the MPC, 53 P.S. §10916.2.

G. Appeals from the determination of the Zoning Officer or Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving applications under Article V (Subdivision and Land Development) and Article VII (Planned Residential Development) of the MPC.

H. Applications for determination of potential conflict(s) between this Chapter and Federal statutes or regulations governing aircraft safety pursuant to the definition of "airport" contained in §27-107 of this Chapter.

(A.O.

§27-1309. Requests for Relief.

An application for relief from the Zoning Hearing Board shall be filed with the Planning Director on a form prescribed by the Township. The Planning Director shall forward the application to the Zoning Hearing Board, which shall set a time and place for the hearing. The application shall not be considered to be administratively complete until all items required by this Chapter and the application form, including the application fee and/or deposit, have been received by the Township.

(A.O.

§27-1310. Variances.

1. The Zoning Hearing Board shall hear requests for variance where it is alleged that the provisions of this Chapter inflict unnecessary hardship upon the applicant pursuant to §910.2 of the MPC, 53 P.S. §10910.2.

2. The Zoning Hearing Board may grant a variance provided that all of the following findings are made where relevant in a given case:

A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this Chapter in the neighborhood or district in which the property is located.

B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

C. That such unnecessary hardship has not been created by the applicant.

D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

3. In granting a variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Chapter and the MPC.

(A.O.

§27-1311. Special Exceptions.

Where the Township has permitted special exceptions in this Chapter, to be granted or denied by the Zoning Hearing Board pursuant to express standards and criteria, the Zoning Hearing Board shall hear and decide the requests for such special exceptions in accordance with Part 9 of this Chapter.

(A.O.

§27-1312. Parties Appellant.

Any appeals under §27-1308 of this Chapter may be filed with the Zoning Hearing Board in writing by the landowner affected, any officer or agency of the Township, or any person aggrieved. Requests for a variance under §§27-1308.D and 27-1310 of this Chapter may be filed with the Zoning Hearing Board by any landowner or any tenant with the permission of such landowner.

(A.O.

§27-1313. Time Limitations.

1. No person shall be allowed to file any proceeding with the Zoning Hearing Board later than 30 days after an application for development, preliminary or final, has been approved by an appropriate Township officer, agency or body, if such proceeding is designed to secure reversal or to limit the approval in any manner, unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest.

2. The failure of anyone, other than the landowner, to appeal from an adverse decision on a tentative plan for a planned residential development pursuant to §709 of the MPC, 53 P.S. §10709, or from an adverse decision by the Zoning Officer on a challenge to the validity of an ordinance or map filed pursuant to §916.2 of the MPC, 53 P.S. §10916.2, shall preclude an appeal from a final approval except in the case where the final submission substantially deviates from the approved tentative approval.

3. All appeals from determinations adverse to the landowner shall be filed by the landowner within 30 days after notice of the determination is issued, except appeals of the Zoning Officer's issuance of an enforcement notice, which shall be filed within 10 days after receipt of the enforcement notice.

(A.O.

§27-1314. Stay of Proceedings.

1. Upon the filing of any proceeding referred to in §27-1312 of this Chapter and during its pendency before the Zoning Hearing Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body and all official action thereunder, shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Zoning Hearing Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Zoning Hearing Board or by the court having jurisdiction of zoning appeals, on petition, after notice to the Zoning Officer or other appropriate agency or body.

2. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Zoning Hearing Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post bond as a condition to continuing the proceedings before the Zoning Hearing Board, pursuant to the provisions of the MPC.

(A.O.

§27-1315. Appeals to Court.

All appeals from decisions rendered by the Zoning Hearing Board shall be taken to the Allegheny County Court of Common Pleas and shall be filed within 30 days after the entry of the decision or, in the case of a deemed decision, within 30 days after the date upon which notice of said deemed decision is given as required by §908(9) of the MPC, 53 P.S. §10908(9).

(A.O.

Part 14

Administration and Enforcement

§27-1401. Zoning Officer.

1. *Appointment*. The Zoning Officer shall be appointed and/or designated by the Township Manager and shall administer and enforce this Chapter. The Zoning Officer shall hold no elective office in the Township and shall meet such other qualifications established by the Township, including, but not limited to, the ability to demonstrate, to the satisfaction of the Township, a working knowledge of municipal zoning.

2. *Powers and Duties*. The Zoning Officer shall have the following powers and duties:

A. To administer and enforce the provisions of this Chapter in accordance with its literal terms and shall not have the power to permit any construction, or any use, or change of use which does not conform to this Chapter.

B. To receive, review, and issue zoning certificates and zoning and occupancy permits in accordance with §§27-1403 and 27-1404 of this Chapter.

C. To maintain a permanent file of all zoning certificates and zoning and occupancy permits and related applications.

D. To inspect buildings, structures, and uses of land to determine compliance with this Chapter.

E. To make and maintain accurate and current records of legal nonconforming uses, buildings, structures, and lots.

F. To issue enforcement notices for violations of this Chapter consistent with the requirements of §27-1410 of this Chapter.

G. To institute civil enforcement proceedings as a means of enforcement when acting within the scope of his employment.

(A.O.

§27-1402. Planning Director.

The Planning Director shall be appointed and shall have the powers and duties set forth in Part 4A of Chapter 1 of the Moon Township Code of Ordinances, Administration and Government, as amended.

(A.O.

§27-1403. Zoning Certificate.

1. A zoning certificate shall be issued upon a request to certify:

A. Correct zoning classification.

B. Compatibility of existing land uses.

C. Compatibility of proposed land uses.

D. Legal status of a nonconforming use, structure or lot.

2. Requests for a zoning certificate shall be accompanied by a development plan,

as defined by this Chapter, when, in the opinion of the Zoning Officer, such information is required to accurately certify the requested documentation.

(A.O.

§27-1404. Zoning and Occupancy Permit.

1. *General*.

A. No use of land shall be made, no building or structure shall be constructed, reconstructed, altered, remodeled, enlarged, moved, occupied, or used, no existing use of a building, structure, or lot shall be changed, no nonconforming use shall be changed, enlarged, or extended, and no retaining wall shall be constructed, reconstructed, altered, or moved until a zoning and occupancy permit has been issued by the Zoning Officer.

B. Where a change in occupancy or use of any structure or lot in any zoning district, whether or not there is any construction, reconstruction, structural alteration, or movement of the structure, will generate, on the average, an additional 20 peak hour trips on any adjacent street, the applicant shall comply with the requirements of §22-313 of the Township Subdivision and Land Development Ordinance [Chapter 22] (related to traffic impact study), which is incorporated herein by reference, prior to the issuance of a zoning and occupancy permit.

C. Any permit issued in conflict with the provisions of this Chapter shall be null and void.

2. *Permit Application and Issuance Procedure*.

A. Whenever the proposed activity, whether new construction or alteration of an existing use requires a building permit under the Construction Code [Chapter 5, Part 1], the application for the zoning and occupancy permit shall be made prior to or simultaneously with the application for the building permit. However, the building permit shall not be issued until the zoning and occupancy permit has been granted.

B. When no building permit is required, the application for the zoning and occupancy permit may be made at any time prior to the use or occupancy of the building, structure, or property.

C. Permit applications shall be submitted in writing on such forms or in such format as established by the Township. The Zoning Officer may request any information necessary to determine the application's compliance with this Chapter and any other applicable ordinance or resolution of the Township.

D. The Zoning Officer shall not issue the zoning and occupancy permit unless the property complies with all provisions and requirements of this Chapter, the Construction Code [Chapter 5, Part 1], the Property Maintenance Code [Chapter 5, Part 2], the Subdivision and Land Development Ordinance [Chapter 22], the Stormwater Management Ordinance [Chapter 23], and all other applicable Township, County, State and Federal laws, ordinances, resolutions, and regulations, and until all other required approvals and permits have been obtained from applicable Township, County, State and Federal agencies, including, but not limited to, a PennDOT highway occupancy permit. The applicant shall submit

copies of all such required approvals and permits to the Zoning Officer.

E. Where approvals are not required by other Township agencies or governmental entities, the Zoning Officer shall review and approve or disapprove the application. However, the Zoning Officer may seek the advice and recommendations of the Planning Commission on any application.

F. Upon completion of the applied-for work, the applicant shall notify the Zoning Officer who shall examine the building, structure, and/or use of the property involved to determine compliance with any conditions of the zoning and occupancy permit, and with the provisions of this Chapter and all other applicable Township ordinances, resolutions, and regulations.

G. As a precondition to the issuance of any zoning and occupancy permit, a property owner shall permit the Zoning Officer to inspect both the exterior and interior of the property, as deemed necessary by the Zoning Officer. Any failure or refusal to permit such inspection shall result in denial of any application for a zoning and occupancy permit.

3. *Period of Validity*. A zoning and occupancy permit shall become null and void unless the construction, reconstruction, alteration, remodeling, use, or occupancy of the subject building, structure, and/or property is commenced within 6 months of the date of the permit's issuance, unless an extension of this time period is granted in writing by the Zoning Officer. The Zoning Officer may place reasonable conditions on any such written time extension.

(A.O.

§27-1405. Permits for Temporary Structures.

1. The Zoning Officer may issue permits for temporary structures concurrent with a valid building permit or grading permit, including, and limited to, construction trailers and sales offices for lots or other approved land developments. Permits for temporary structures related to construction work authorized by a valid building permit or grading permit shall be issued by the Zoning Officer only for that time that the work authorized under the permit is in progress and during the time that the permit remains otherwise valid. Temporary structures shall not be located on any public street right-of-way. Any storage area to be utilized in conjunction with the construction activities must be completely enclosed by a fence. The fence shall be supplemented with screening material which creates a visual barrier that is at least 80 percent opaque. Any driveway or parking area for the temporary structure shall be constructed of gravel or other aggregate material acceptable to the Zoning Officer. Any temporary sanitary sewage facilities, including portable toilets, located on the property shall be maintained in a sanitary manner.

2. The permit for such a temporary structure shall be valid for a period not to exceed 6 months and may be renewed for an additional 6-month period upon demonstration of continued need for the structure; however, all such temporary structures shall be removed immediately upon completion of construction and/or the sale of lots for which the temporary structure was authorized. Any revocation of the building permit or grading permit for the related construction or land development shall result in revocation of the permit for the temporary structure(s).

(A.O.

§27-1406. Schedule of Fees.

The Board of Supervisors shall establish, from time to time by resolution, fees and charges for all permits and applications required by this Chapter.

(A.O.

§27-1407. Amendments to Zoning Ordinance.

Amendments of this Chapter may be initiated by the Board of Supervisors, the Planning Commission, the Planning Director, or by a petition of a landowner within the Township in accordance with the following provisions:

A. Petitions for amendment by landowners, other than curative amendments under §27-1408 of this Chapter, shall be filed with the Planning Director, in a form prescribed from time to time by the Township, and shall contain the following:

(1) The application fee and deposit in an amount set from time to time by resolution of the Board of Supervisors.

(2) A written narrative setting forth the following:

(a) A detailed description of the proposed amendment to this Chapter.

(b) A description of how the proposed amendment is consistent with the surrounding area and will not negatively impact the Township.

(c) A description of how the proposed amendment is consistent with the Comprehensive Plan.

(3) For applications requesting a Zoning Map change, the application shall contain a map(s) showing the subject property, surrounding lots and zoning districts within a ½-mile radius and a 1-mile radius of the subject property.

B. Any proposed amendment other than one proposed by the Planning Commission shall be referred to the Planning Commission for review. The Planning Commission shall review the proposed amendment and report its findings and recommendations, in writing, to the Board of Supervisors and to the petitioner.

C. In the event the Planning Commission recommends approval of the proposed amendment, in whole or in part, or if a public hearing is requested by at least one member of the Board of Supervisors, a public hearing will be scheduled on the proposed amendment and a copy of the same submitted to the County planning agency at least 45 days prior to the public hearing in accordance with the requirements of the MPC.

D. If the proposed amendment involves a Zoning Map change, notice of the public hearing shall be:

(1) Mailed by the Township at least 30 days prior to the public hearing by first class mail to the addresses to which real estate tax bills are sent for all real property located within the area being rezoned, as evidenced by tax records within the possession of the Township. A good faith effort and substantial compliance shall satisfy the requirements of this subsection. This subsection shall not apply to a comprehensive rezoning.

(2) Conspicuously posted by the Township at points deemed sufficient by

it along the tract to notify potentially interested citizens in accordance with the requirements of the MPC.

E. The proposed amendment shall also be published, advertised and made available to the public in accordance with the requirements of the MPC.

F. If after any public hearing held upon a proposed amendment, the proposed amendment is substantively revised or further revised to include land previously not affected by it, then the Board of Supervisors shall hold another public hearing pursuant to public notice before proceeding to vote on the proposed amendment.

G. The Board of Supervisors shall act on a proposed amendment to this Chapter within 90 days of the date of the meeting at which the public hearing on the amendment is closed. If the Board of Supervisors fails to so act within the said 90-day period, then the proposed amendment shall be deemed denied.

H. Within 30 days after enactment, a certified copy of the amendment to this Chapter shall be forwarded to the County planning agency.

(A.O.

§27-1408. Landowner Curative Amendments.

Any landowner who wishes to challenge, on substantive grounds, the validity of this Chapter, or the Zoning Map, or any provision thereof which prohibits or restricts the use or development of land in which he has an interest may prepare and submit a curative amendment to the Board of Supervisors, in the form he proposes it be adopted, together with a written request that his challenge and proposed amendment be heard and decided in accordance with the requirements of the MPC. The Board of Supervisors shall hold a public hearing, pursuant to public notice, on the matter within 60 days of receiving an administratively complete curative amendment request. Public notice of the public hearing shall be given by the Township in accordance with the requirements of the MPC. Public hearings shall be conducted and held in accordance with the applicable provisions of the MPC. The Board of Supervisors shall comply with all applicable requirements of the MPC regarding the conduct of hearings and decisions related thereto.

A. *Referral to Planning Commission*. The curative amendment and challenge shall be referred to the Planning Commission and the County planning agency or its designee at least 45 days prior to the public hearing for review and comment.

B. *Declaration of Invalidity by the Court*. If the Township does not accept a landowner's curative amendment brought in accordance with this Section and a court subsequently rules that the challenge has merit, the court's decision shall not result in a declaration of invalidity for this entire Chapter but only for those provisions which specifically relate to the landowner's curative amendment and challenge.

C. *Evaluation of Merits of Curative Amendment*. If the Board of Supervisors determines that a validity challenge has merit, the Board of Supervisors may accept a landowner's curative amendment, with or without revision, or may adopt an alternative amendment which will cure the challenged defects. The Board of Supervisors shall consider the curative amendments, plans, and explanatory material submitted by the landowner and shall also consider:

(1) The impact of the proposal upon streets, sewer facilities, water supplies, schools, and other public service facilities.

(2) If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of this Chapter or the Zoning Map.

(3) The suitability of the lot's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources, and other natural features for the intensity of the proposed use(s).

(4) The impact of the proposed use on the lot's soils, slopes, woodlands, wetlands, floodplains, natural resources, and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development, and any adverse environmental impacts.

(5) The impact of the proposal on the preservation of agriculture and other land uses which are essential to the public health, safety, and welfare.

(A.O.

§27-1409. Municipal Curative Amendments.

If the Board of Supervisors determines that this Chapter or a portion thereof is substantially invalid, it may implement the procedure for municipal curative amendments provided in §609.2 of the MPC, 53 P.S. §10609.2.

(A.O.

§27-1410. Enforcement Remedies.

1. *Civil Enforcement Proceedings*.

A. Except where a different penalty is provided, any person, partnership, or corporation who or which has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than $500, plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied, or be payable until the date of the determination of a violation by the magisterial district judge. If the defendant neither pays nor appeals the judgment in a timely manner, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation unless the magisterial district judge, determining that there has been a violation, further determines that there was a good faith basis for the person, partnership, or corporation violating this Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the 5th day following the date of the determination of a violation by the magisterial district judge, and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this Chapter shall be paid over to the Township.

B. The Court of Common Pleas, upon petition, may grant an order of stay,

upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

C. *Enforcement Notice*. The requisite enforcement notice, initiating a civil enforcement proceeding, shall contain the following information, in addition to any other information required by the MPC:

(1) The name of the owner of record and any other person against whom the Township intends to take action.

(2) The location of the property in violation.

(3) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Chapter.

(4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.

(5) The recipient of the notice has a right to appeal to the Zoning Hearing Board within 10 days of receipt of the enforcement notice pursuant to the procedures set forth in this Chapter.

(6) Failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation with possible sanctions clearly described.

2. *Equitable Enforcement Proceedings*. In case any building, structure, landscaping, or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained, or used in violation of this Chapter, the Zoning Officer and/or the Township Solicitor, with the approval of the Board of Supervisors, may institute in the name of the Township any appropriate, equitable action or proceeding to prevent, restrain, correct, or abate such building, structure, or land, or to prevent, in or about such premises, any act, conduct, business, or use constituting a violation. These remedies shall be in addition to any other remedies provided by law.

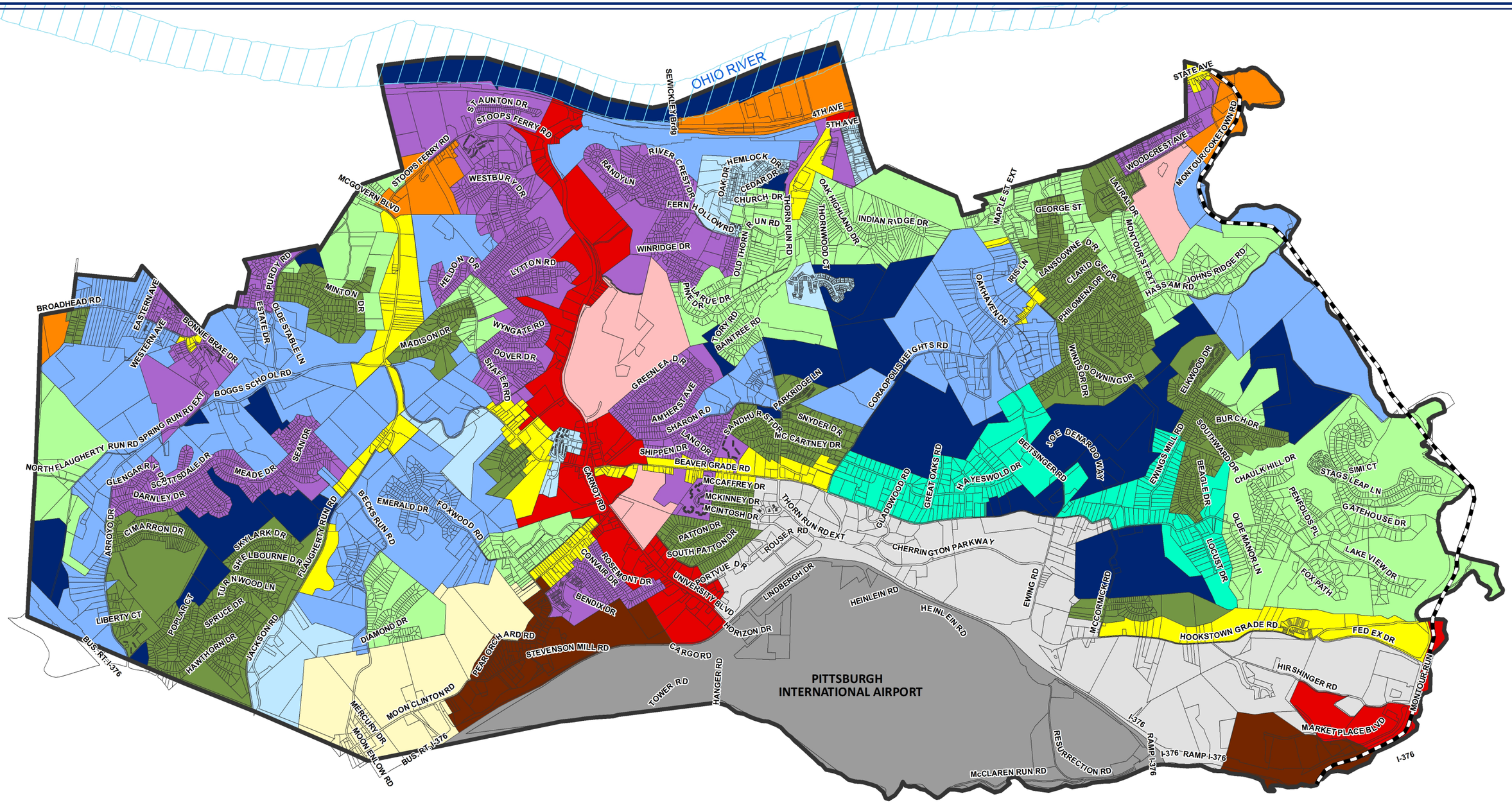
3. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

(A.O.

Appendix 27-A

Zoning Map

(Including Overlay District Maps)



Township of Moon

ALLEGHENY COUNTY, PENNSYLVANIA

Official Zoning Map

OCTOBER 2014

LEGEND

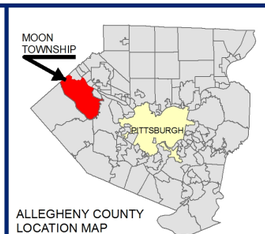
- BP - Business Park
- C1 - Neighborhood Commercial
- C2 - Highway Commercial
- M1 - Industrial
- MX - Mixed Use
- RT - Research/Technology
- AP - Airport
- ED - Educational
- R-1 - Semi-Rural Residential
- R-1A - Low Density Residential
- R-2 - Suburban Residential
- R-3 - Medium Density Residential
- R-4 - Urban Residential
- R-5 - High Density Residential
- OS - Open Space
- Montour Trail
- Township Boundary
- Property Lines
- Ohio River

N W E S

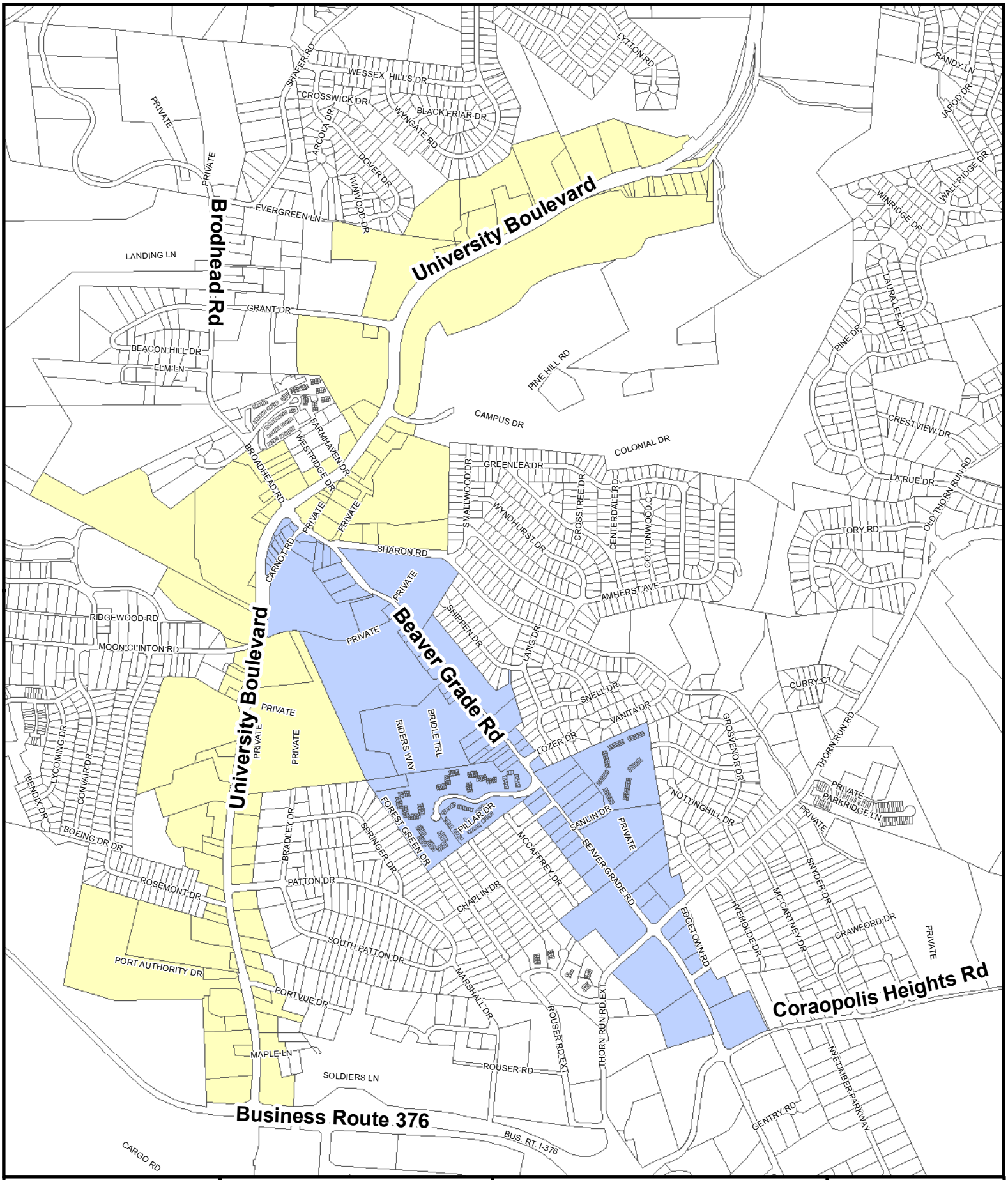
0 1,000 2,000 3,000 4,000 Feet

0 0.25 0.5 Miles

27-303



MOON TOWNSHIP
1000 BEAVER GRADE ROAD
MOON TOWNSHIP, PA 15108
PH: 412-262-1700
FAX: 412-262-5344
www.moontwp.com



MOON TOWNSHIP

ALLEGHENY COUNTY, PA

APRIL 2013

UNIVERSITY BOULEVARD & CARNOT VILLAGE OVERLAY DISTRICTS

27-305

Legend

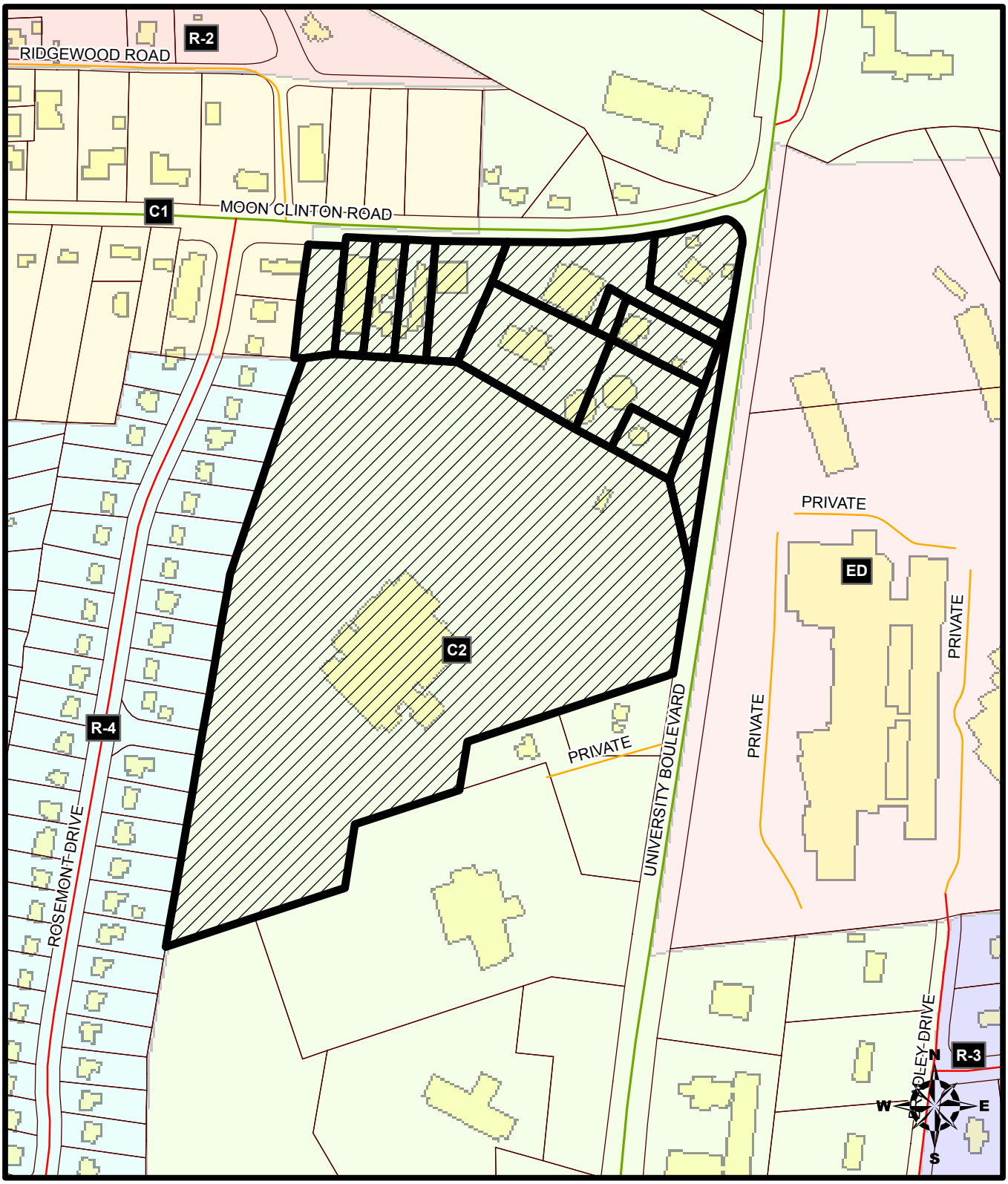
- PROPERTY PARCELS
- UNIVERSITY BLVD OVERLAY DISTRICT
- CARNOT VILLAGE OVERLAY DISTRICT

1 inch = 1,250 feet

0 500 1,000 Feet

MOON TOWNSHIP
1000 BEAVER GRADE RD
MOON TOWNSHIP, PA 15108
PH: 412-262-1700
FAX: 412-262-5344
www.moontwp.com

Mixed-Use Educational Overlay District (MEO)



0 175 350 700 Feet

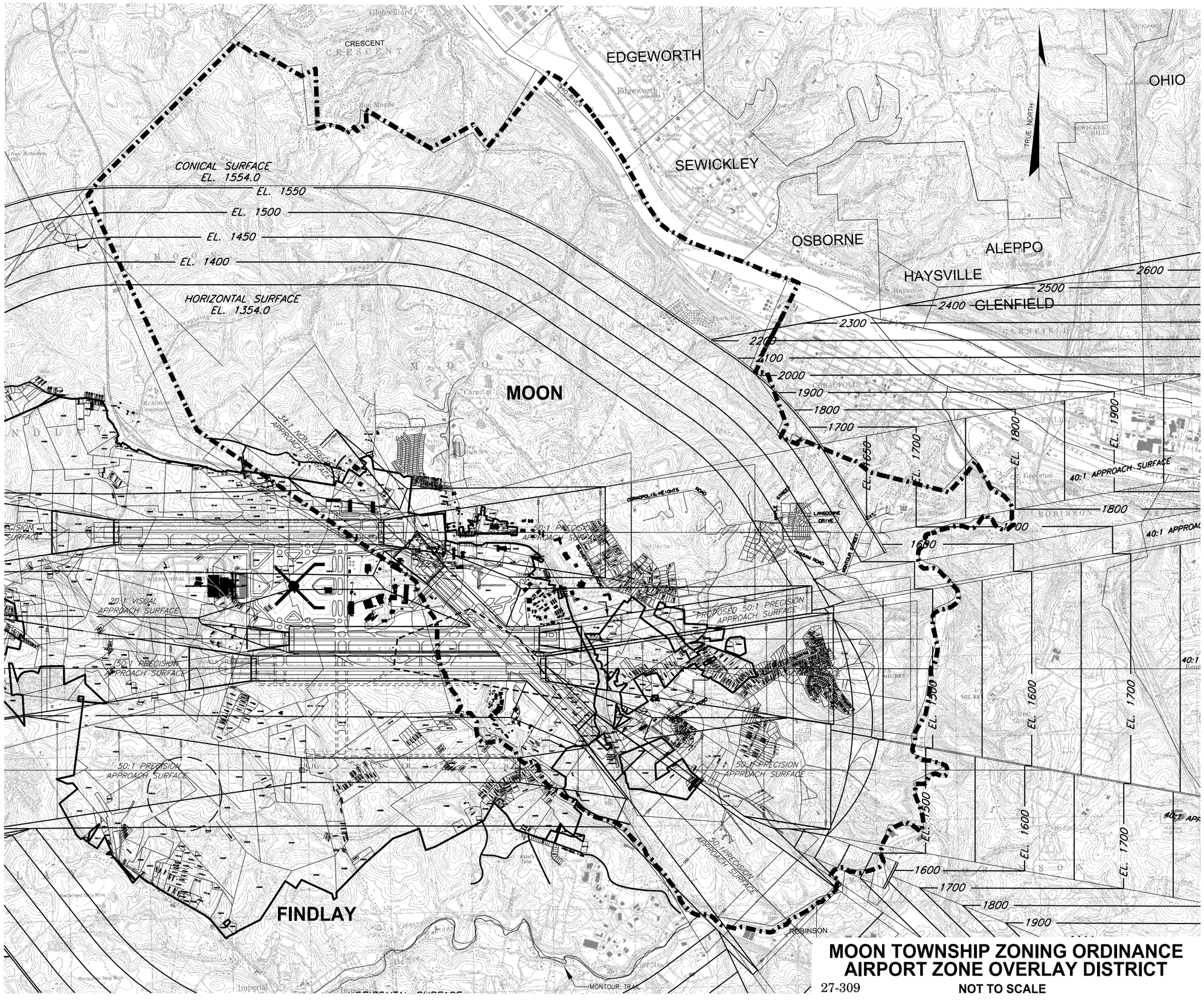
Legend

- Mixed-Use Educational Overlay District (MEO)
- Parcel Boundaries
- Building Footprints

27-307

Moon Township
Allegheny County, PA

1000 Beaver Grade Road
Moon Township, PA 15108



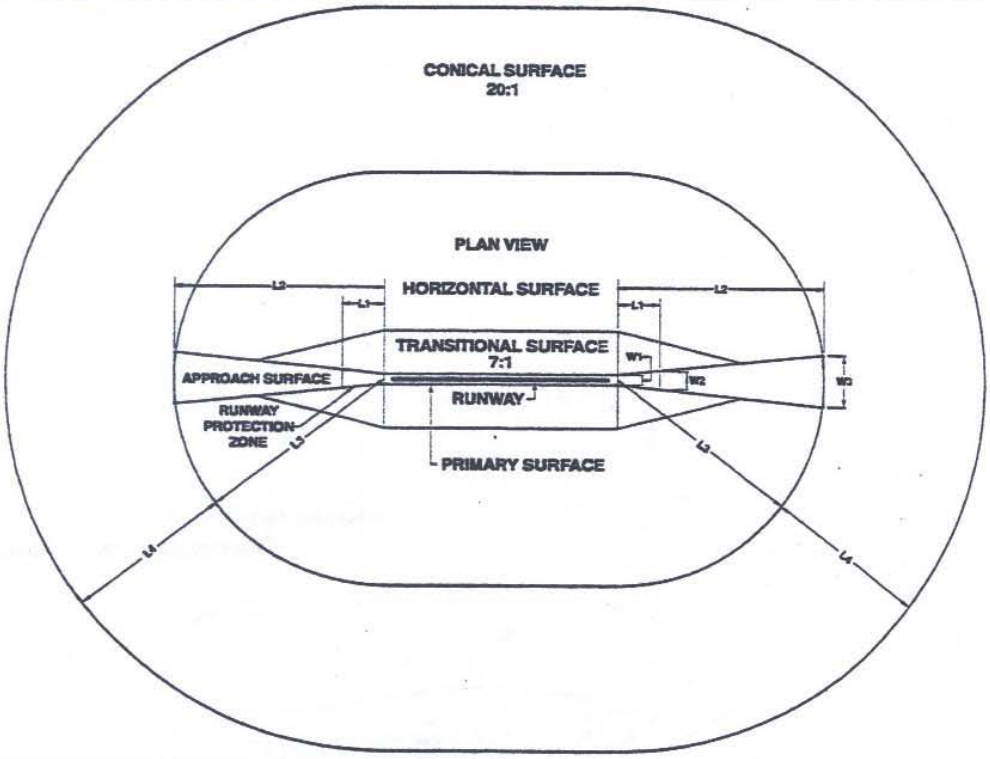
NOTE:
SEE FIGURE 1, PART 77 SURFACE AREAS (ATTACHED).

MOON TOWNSHIP ZONING ORDINANCE
AIRPORT ZONE OVERLAY DISTRICT

27-309

NOT TO SCALE

Figure 1: Part 77 Surface Areas



FAR PART 77 "IMAGINARY SURFACES" DIMENSION[1] REQUIREMENTS

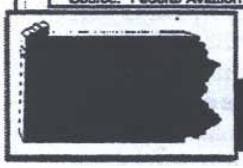
Runway Type	Runway End Approach	Runway End Other	Conical Surface (L4)	Horizontal Surface (L3)	Approach Surface Length (L2)	Approach Surface Inner Width (W1)	Approach Surface Other Width (W3)	Approach Slope	Primary Surface Width	Transitional Surface
Small Airplanes[2]	V	V	4,000	5,000	5,000	250	1,250	20:1	250	7:1
		NP	4,000	5,000	5,000	500	1,250	20:1	500	7:1
		NP 3/4	4,000	5,000	5,000	1,000	1,250	20:1	1,000	7:1
		P	4,000	5,000	5,000	1,000	1,250	20:1	1,000	7:1
	NP	V	4,000	5,000	5,000	500	2,000	20:1	500	7:1
		NP	4,000	5,000	5,000	500	2,000	20:1	500	7:1
		NP 3/4	4,000	5,000	5,000	1,000	2,000	20:1	1,000	7:1
		P	4,000	5,000	5,000	1,000	2,000	20:1	1,000	7:1
Large Airplanes[3]	V	V	4,000	5,000	5,000	500	1,500	20:1	500	7:1
		NP	4,000	10,000	5,000	500	1,500	20:1	500	7:1
		NP 3/4	4,000	10,000	5,000	1,000	1,500	20:1	1,000	7:1
		P	4,000	10,000	5,000	1,000	1,500	20:1	1,000	7:1
	NP	V	4,000	10,000	10,000	500	3,500	34:1	500	7:1
		NP	4,000	10,000	10,000	500	3,500	34:1	500	7:1
		NP 3/4	4,000	10,000	10,000	1,000	3,500	34:1	1,000	7:1
		P	4,000	10,000	10,000	1,000	3,500	34:1	1,000	7:1
Large and Small Airplanes	NP 3/4	V	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
		NP	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
		NP 3/4	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
		P	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
	P	V	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1
		NP	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1
		NP 3/4	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1
		P	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1

1 - In Feet
2 - Less than 12,500 lbs maximum certified takeoff weight
3 - Greater than 12,500 lbs maximum certified takeoff weight

V = Visual approach 20:1
NP = Nonprecision approach 34:1
NP 3/4 = Nonprecision approach with visibility minimums as low as 3/4 statute miles 34:1
P= Precision approach 50:1

Note: L1 is the length of the RPZ and W2 is the outer width of the RPZ as defined by approach visibility minimums

Source: Federal Aviation Administration



Pennsylvania Land Use Compatibility Guidelines

FAR PART 77 SURFACES AND DIMENSION REQUIREMENTS

Exhibit 3

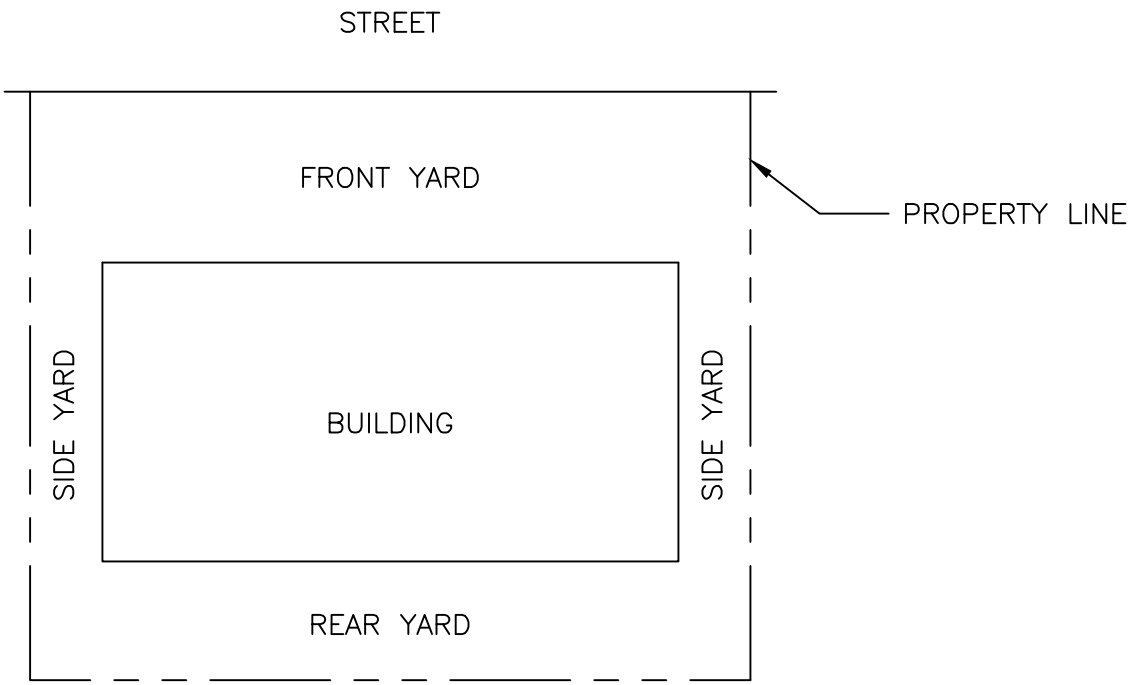
Appendix 27-B

Typical Lot and Yard Configurations

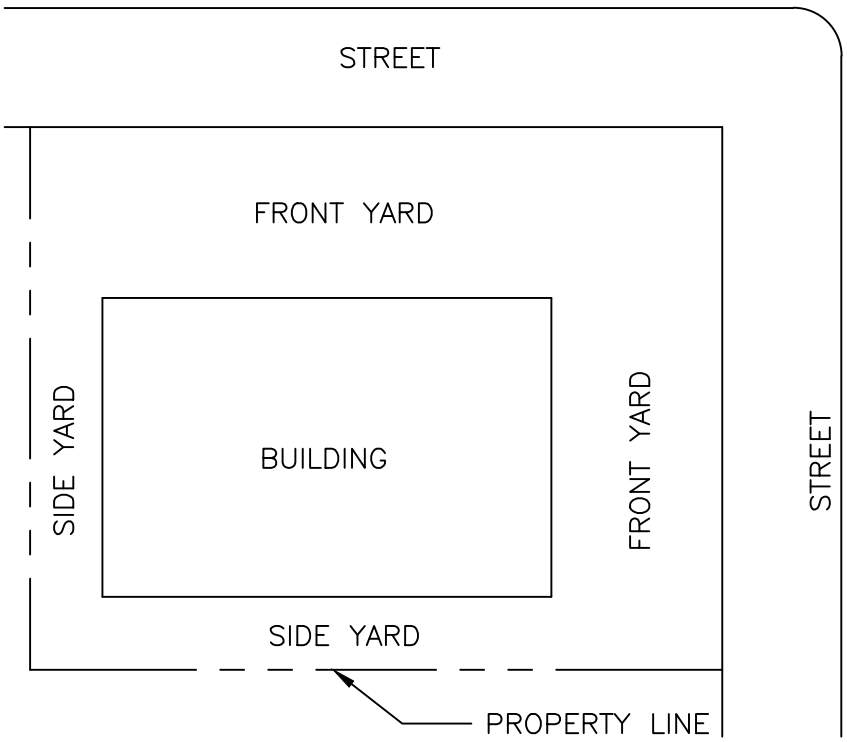
and

Definition of Lot Types with Typical Yard Designations

STANDARD LOT
YARD DEFINITIONS

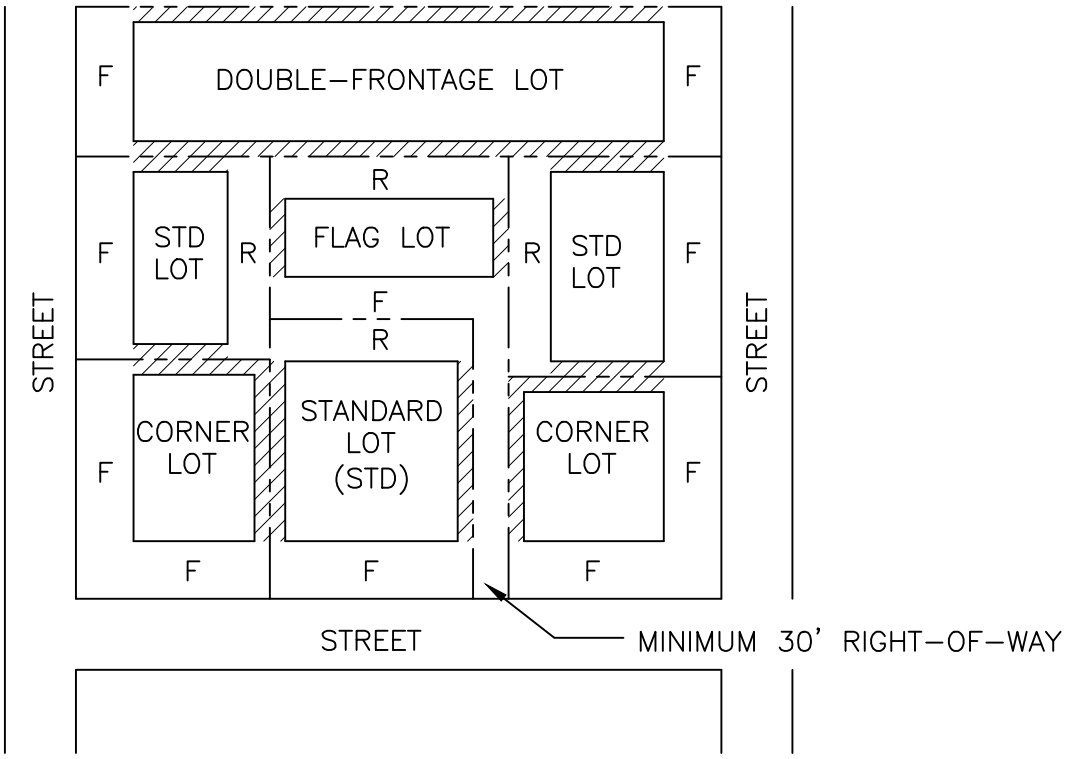


CORNER LOT
YARD DEFINITIONS



ZONING ORDINANCE, APPENDIX 27-B, SHEET 1

TYPICAL LOT AND YARD CONFIGURATIONS



LEGEND

F = FRONT YARD
R = REAR YARD
SIDE YARD
PROPERTY LINE

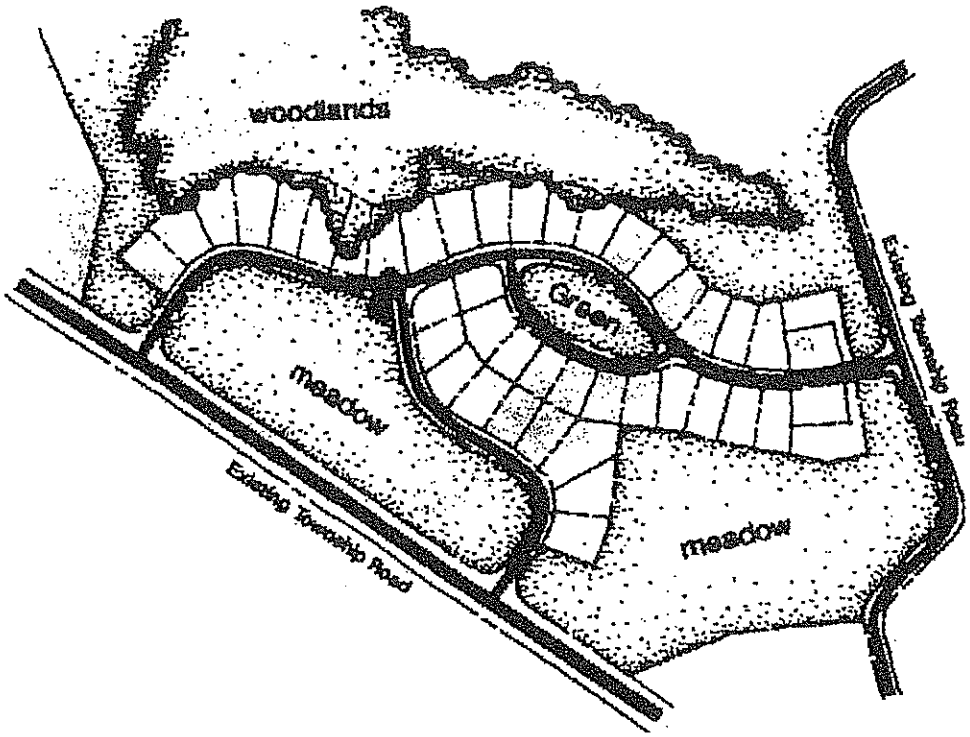
ZONING ORDINANCE, APPENDIX 27-B, SHEET 2

DEFINITION OF LOT TYPES WITH TYPICAL YARD DESIGNATIONS

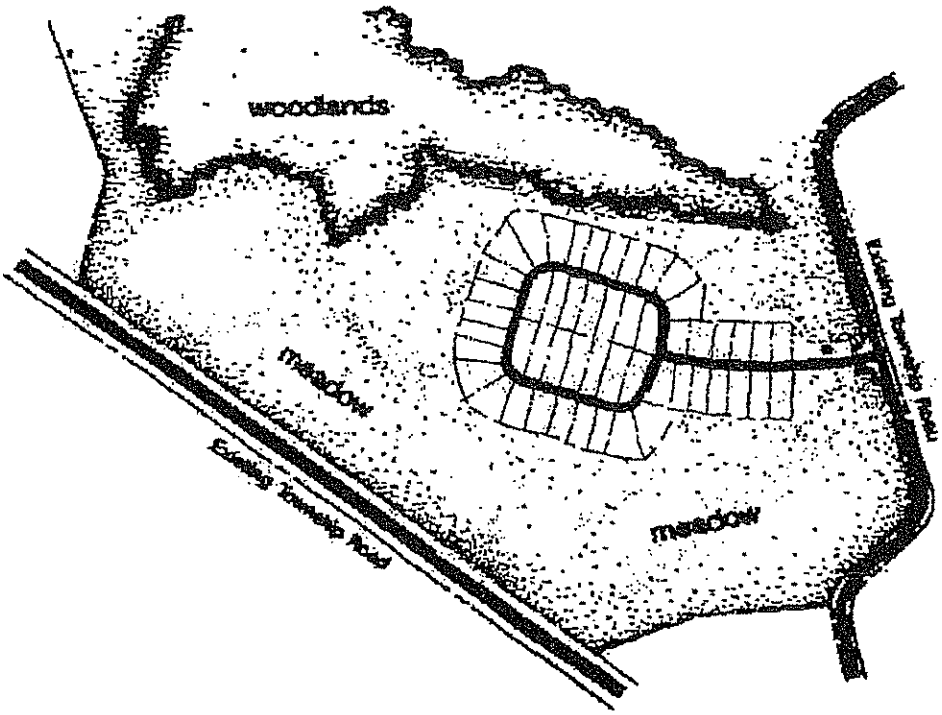
Appendix 27-C

Residential Development Alternatives

CONVENTIONAL LOT DEVELOPMENT

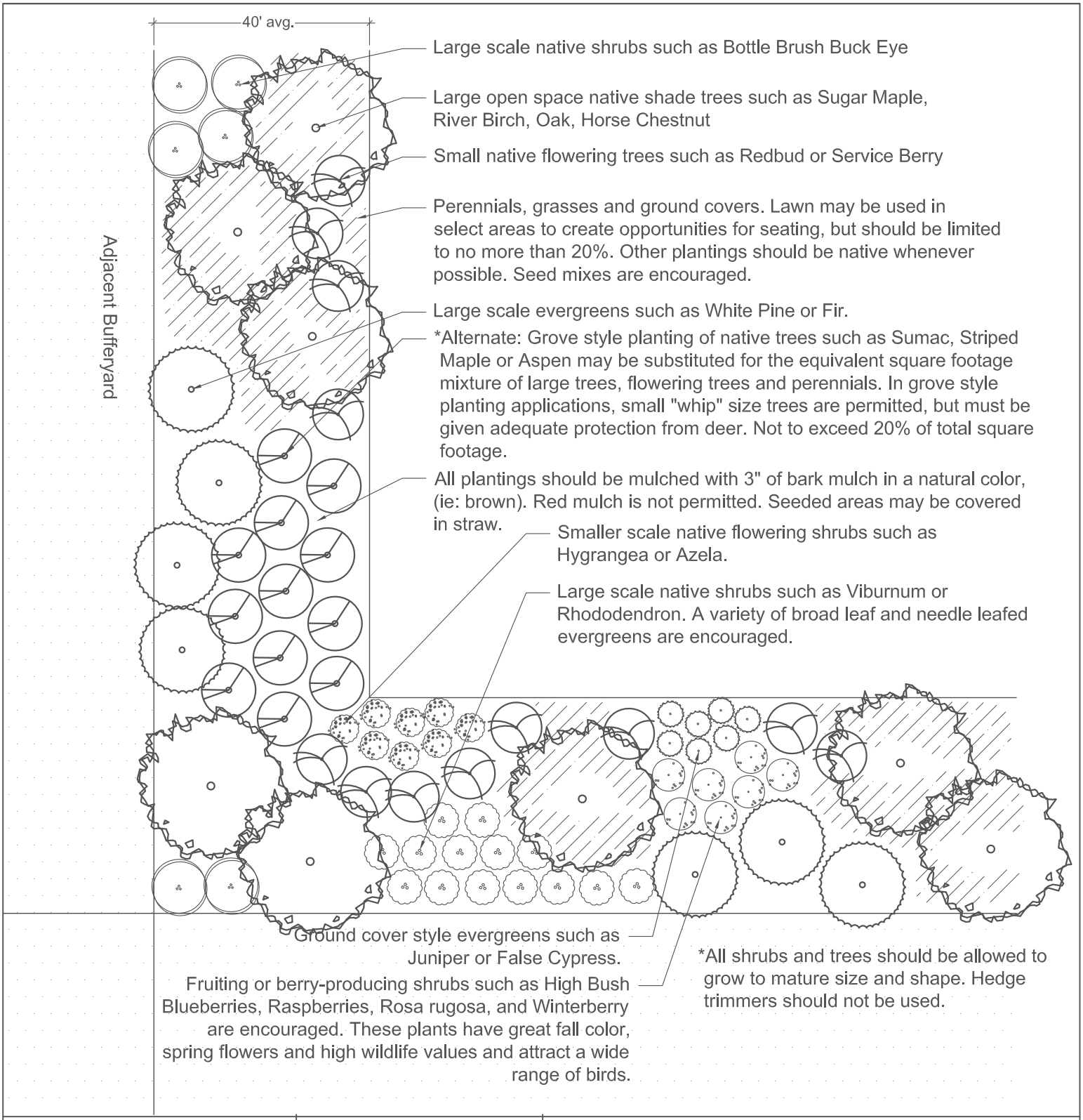


CLUSTER LOT DEVELOPMENT



Appendix 27-D

Bufferyard and Landscaping Requirements



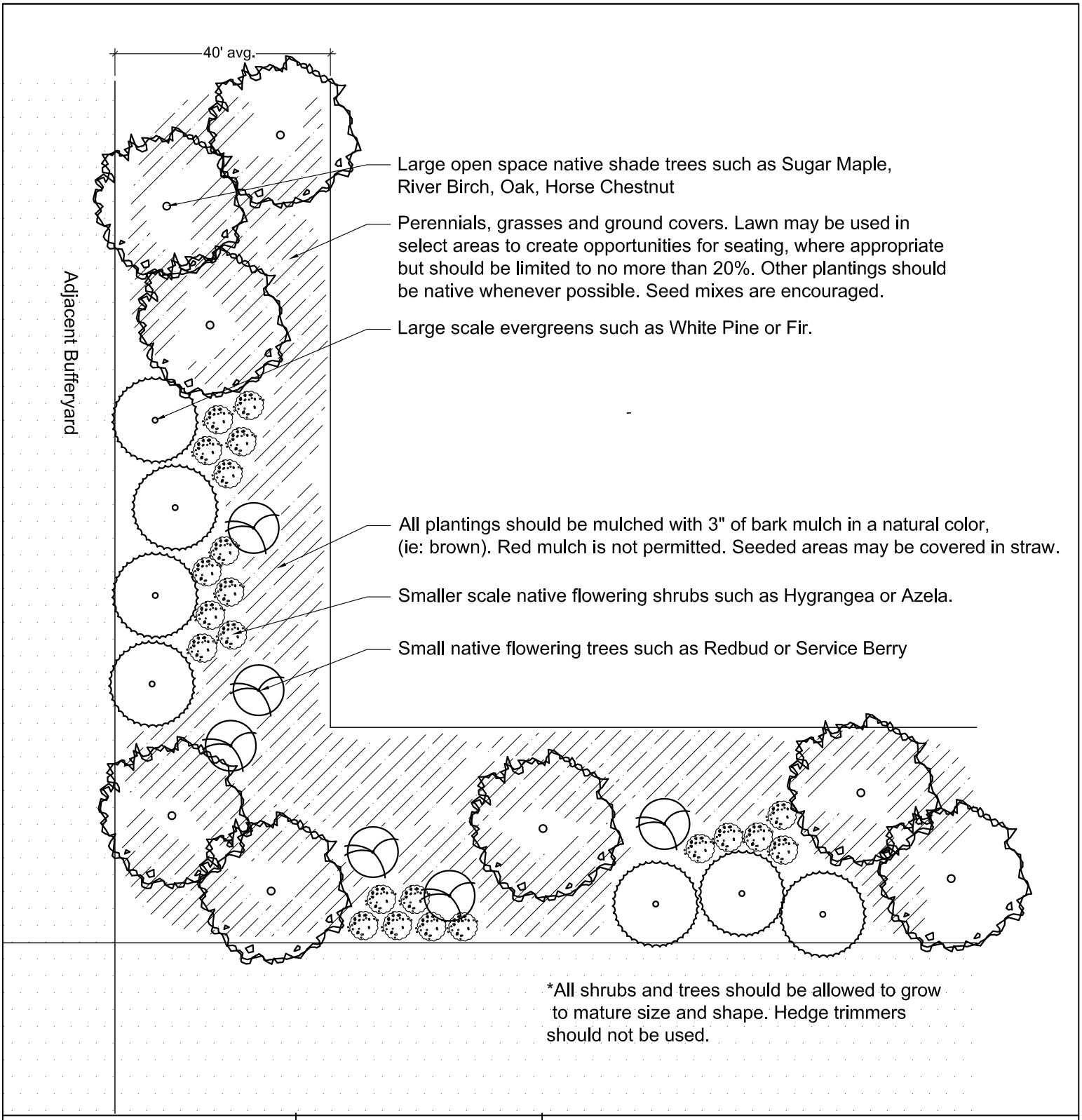
Eisler LANDSCAPES

SCALE: NTS

DATE: October 2013

DRAWN BY: Jennifer Deemer

Bufferyard 1 Conceptual Plan Forest Style Planting



*All shrubs and trees should be allowed to grow to mature size and shape. Hedge trimmers should not be used.

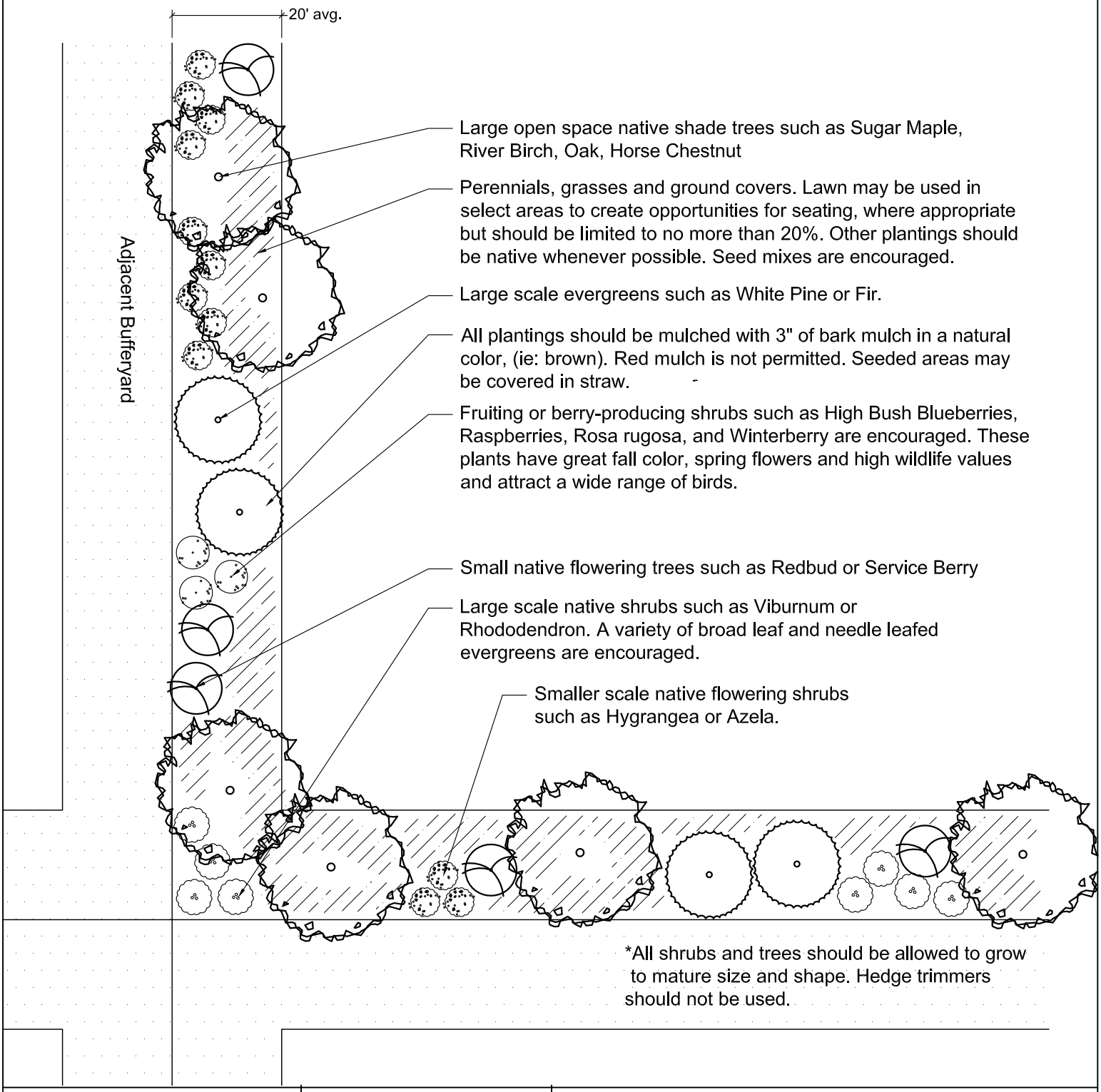
Eisler LANDSCAPES

SCALE: NTS

DATE: July 2013

DRAWN BY: Jennifer Deemer

Bufferyard 1 Conceptual Plan Prairie Style Planting



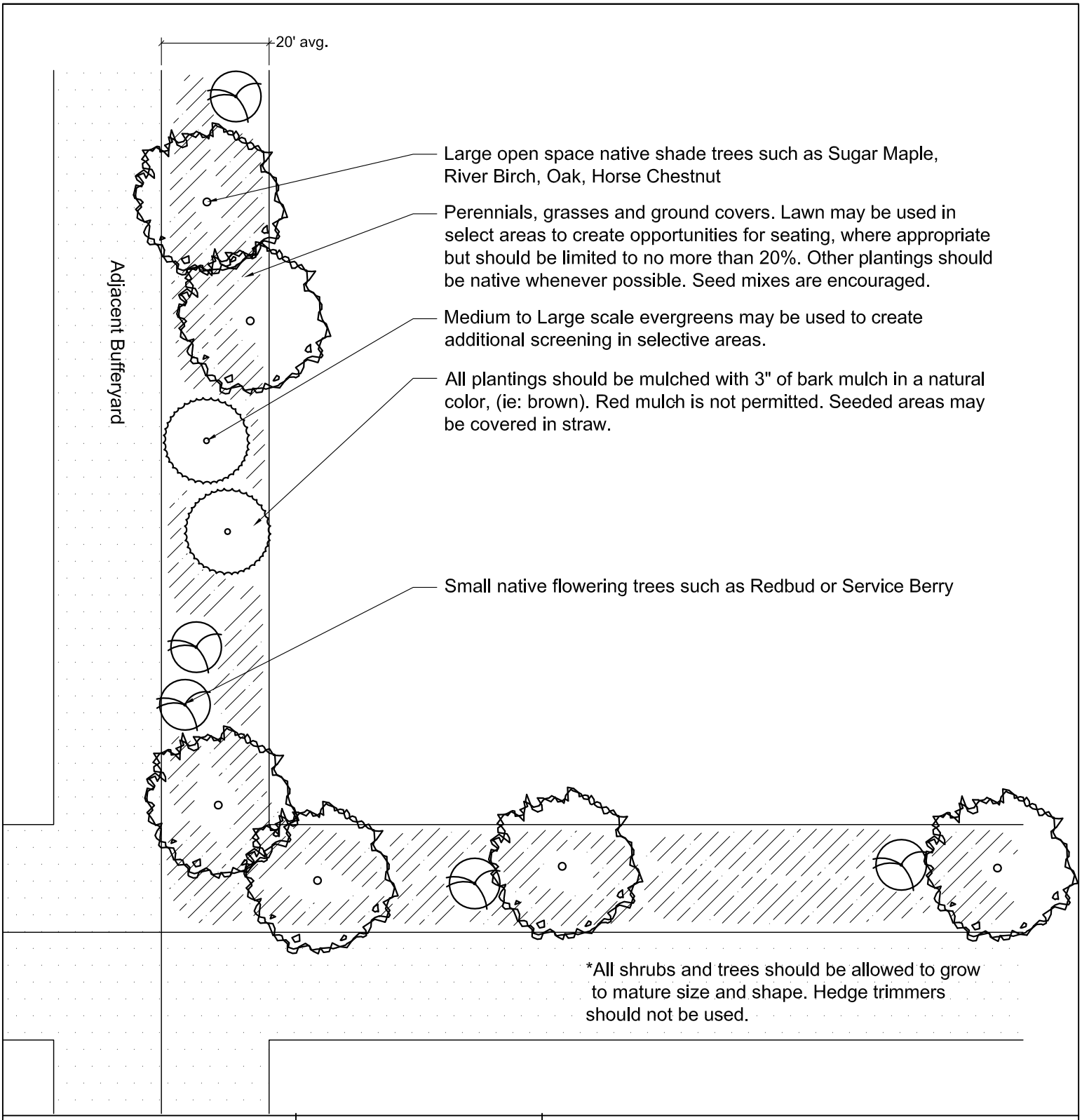
Eisler LANDSCAPES

SCALE: NTS

DATE: July 2013

DRAWN BY: Jennifer Deemer

Bufferyard 2 Conceptual Plan Forest Style Planting



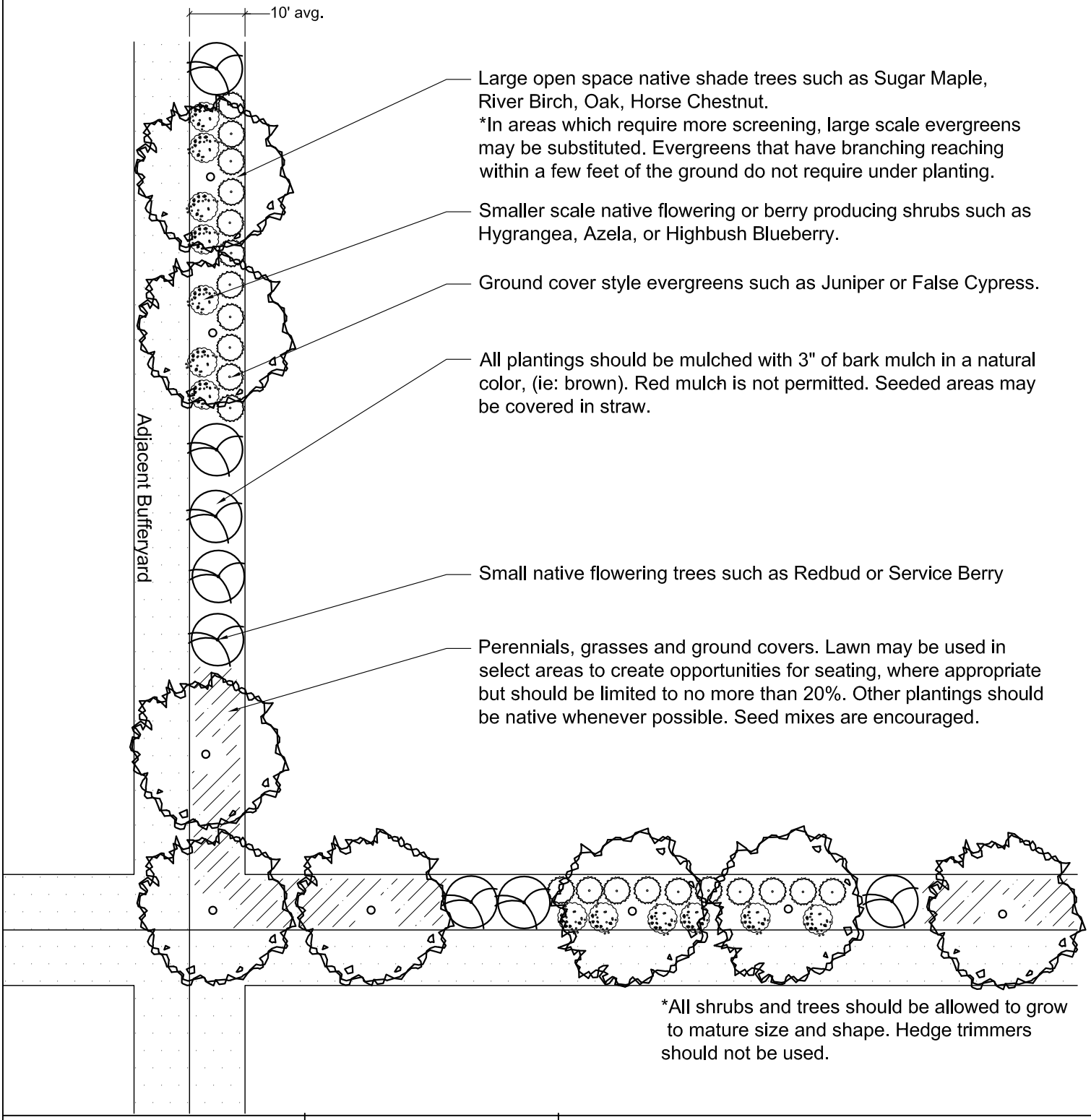
Eisler LANDSCAPES

SCALE: NTS

DATE: July 2013

DRAWN BY: Jennifer Deemer

Bufferyard 2 Conceptual Plan Prairie Style Planting



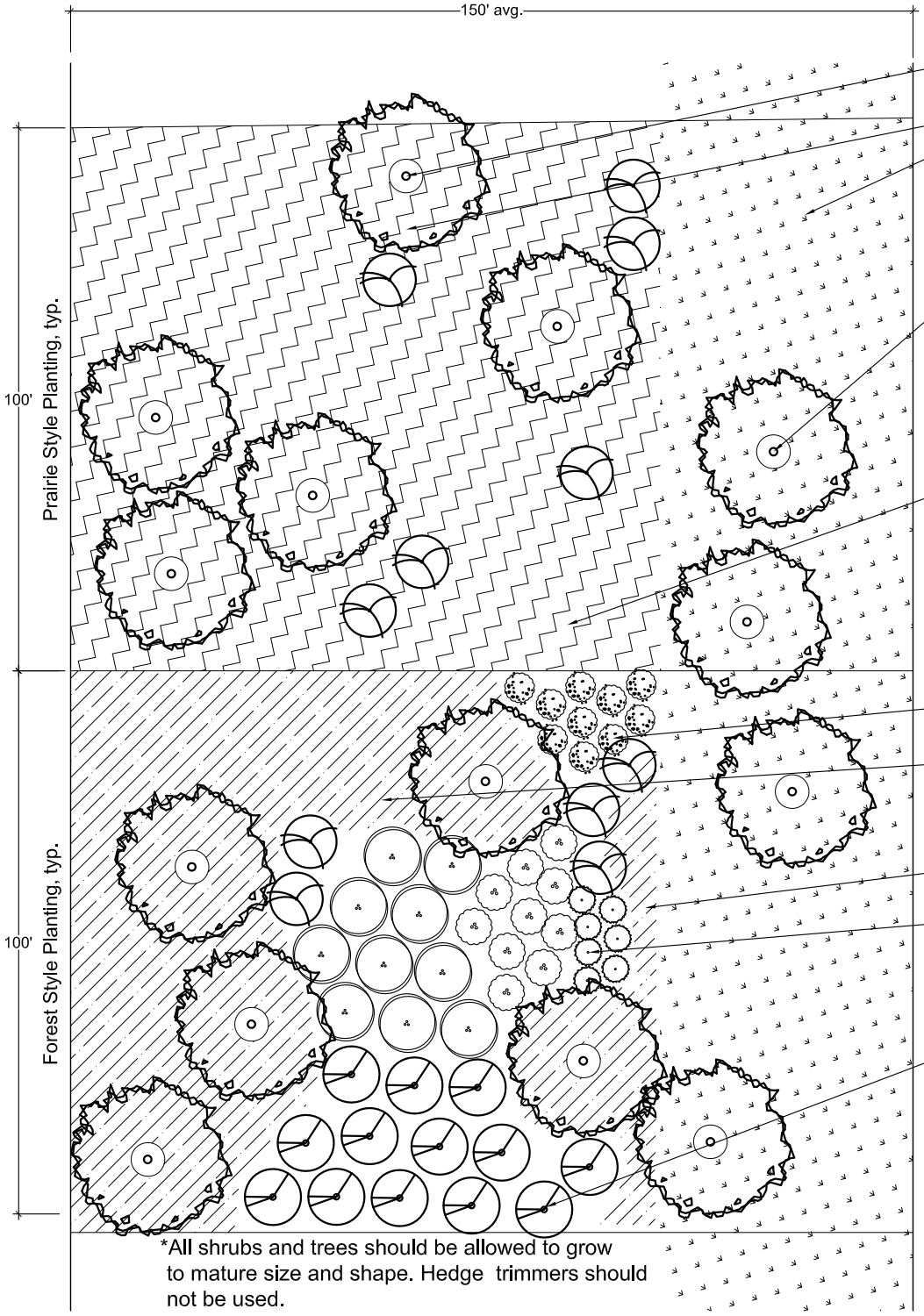
Eisler LANDSCAPES

SCALE: NTS

DATE: July 2013

DRAWN BY: Jennifer Deemer

Bufferyard 3 Conceptual Planting Plan



Trees should be randomly spaced in naturalistic patterns.

Small, flowering, native trees.

Lawn can cover a maximum of 30% of the bufferyard. Lawn should be used to create seating or walking areas, or as a manicured border. Maximum slope in lawn areas is not to exceed 15%.

Planting in lawn areas should be limited to large deciduous trees. All trees in lawn areas should be limbed up for ease of maintenance. A mulch ring of 3' diameter, and 3" in depth is to be maintained around all trees.

Prairie style planting may be created with plugs or approved seeding mix. Prairie plantings should be maintained free of woody plants and invasive plants such as Japanese Knot Weed and Canadian Thistle. Cutting or haying 1-2 times per year is recommended.

Fruiting or berry-producing shrubs may be used to increase habitat.

Slope seeding mix may be used in areas with steep slopes. Maintenance is similar to Prairie style plantings as outlined above.

Understory planting using perennial seed mix.

Mixed shrub planting. Small scale to large scale natives. In areas of steep slopes, non-invasive suckering shrubs may be used for slope stabilization.

*Alternate: Grove style planting of native trees such as Sumac, Striped Maple or Aspen may be substituted for the equivalent square footage mixture of flowering trees and perennials. In grove style planting applications, small "whip" size trees are permitted, but must be given adequate protection from deer. Not to exceed 20% of total sf.

*All shrubs and trees should be allowed to grow to mature size and shape. Hedge trimmers should not be used.

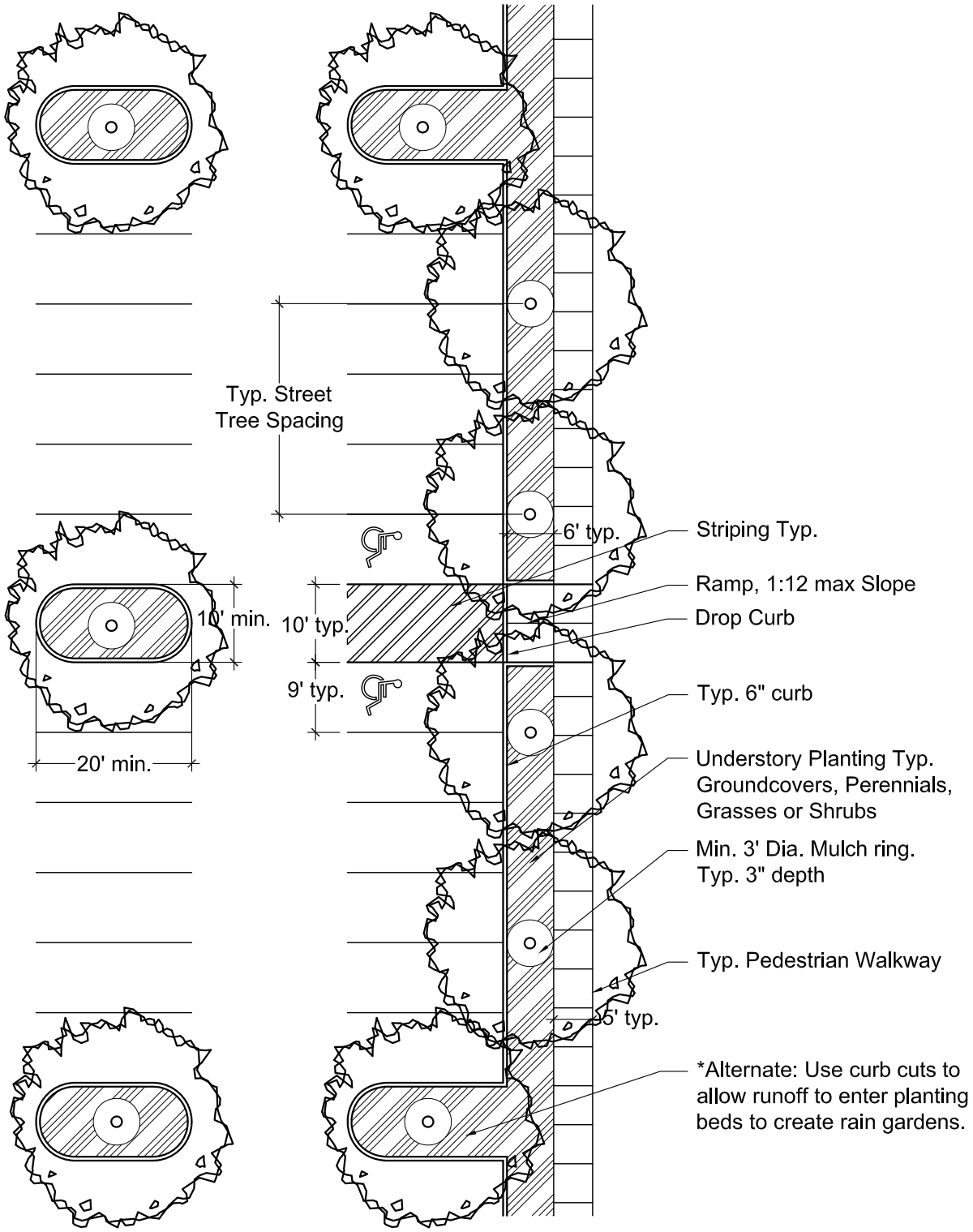
Eisler LANDSCAPES

SCALE: NTS

DATE: July 2013

DRAWN BY: Jennifer Deemer

Special Bufferyard Conceptual Planting Plan



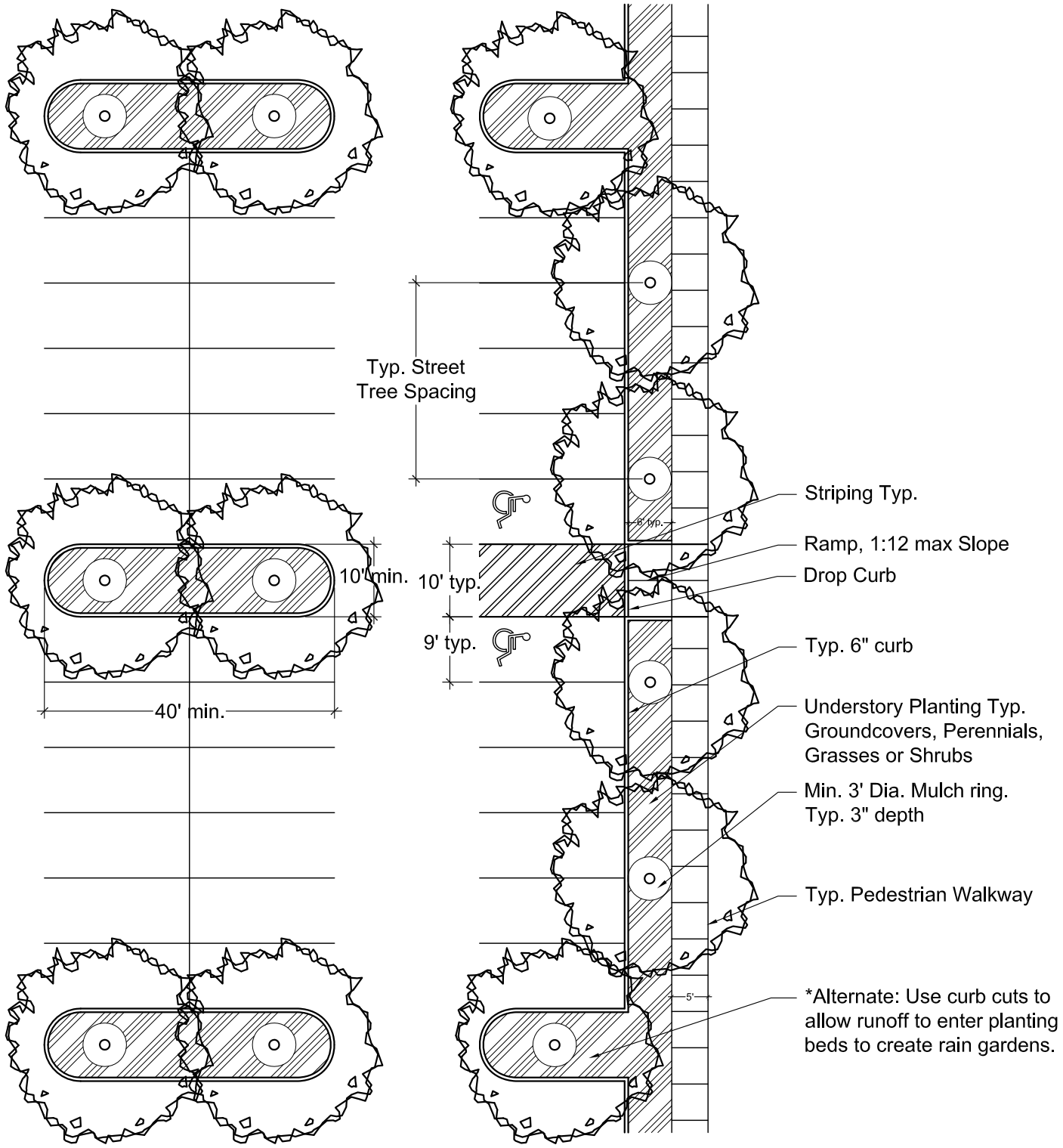
Eisler LANDSCAPES

SCALE: NTS

DATE: July 2013

DRAWN BY: Jennifer Deemer

Conceptual Parking Lot Island Planter Plan, Single Row



Eisler LANDSCAPES

SCALE: NTS

DATE: July 2013

DRAWN BY: Jennifer Deemer

Conceptual Parking Lot Island Planter Plan, Double Row

Township of Moon, Bufferyard Minimum Plant Quantities (per 100 lf)

		Buffer 1		Buffer 2		Buffer 3	Special Buffer	
Plant Type	**Specifications**	**Forest**	**Prairie**	**Forest**	**Prairie**		**Forest**	**Prairie**
Trees								
Large Shade Trees		3 per 100 lf	3 per 100 lf	2 per 100 lf	2 per 100 lf	3 per 100 lf	7 per 100 lf	8 per 100 lf
Large Evergreen Trees		2 per 100 lf	2 per 100 lf	1 per 100 lf	1 per 100 lf	n/a	as needed	as needed
Small Ornamental Trees		4 per 100 lf	2 per 100 lf	2 per 100 lf	2 per 100 lf	3 per 100 lf	6 per 100 lf	7 per 100 lf
Grove Style Trees		10' o.c. Spacing when used	n/a	n/a	n/a	n/a	10' o.c. Spacing when used	n/a
Other Plants								
Shrubs	All shrubs must meet the minimum American Standard for Nursery Stock (ANSI Z60.1) standards for its type and size. Minimum size is three gallon or equvalent.	16 per 100 lf	7 per 100 lf	7 per 100 lf	n/a	11 per 100 lf	50 per 100 lf	n/a
Perennials		821 sf per 100 lf	1800 sf per 100 lf	614 sf per 100 lf	1033 sf per 100 lf	242 sf per 100 lf	310 sf per 100 lf	as needed
Prairie Mix	Many suitable mixes are available through online seed catalogs such as Ernst Seed Co. Seed mixes should contain native species only and be selected based on site conditions, and contain a minimum of 10 wildflowers, and 3 or more grasses. (ERNMX-230-1) PA Valley & Ridge Province UPL Meadow (ERNMX-221) PA South Allegheny Plateau Province FACW (ERNMX-222) PA Southern Allegheny Plateau Province OBL (ERNMX-223) PA Southern Allegheny Plateau Province Riparian Mix	as needed		as needed		n/a	4980 sf per 100 lf	10266 sf per 100 lf
Slope Mix	Slope Mixes must be non-invasive, stabilize slopes within one growing season, and need little maintanence. Cutting 1-2 times per year is suggested. Prairie Nursery item #50092 No-Mow Lawn Mix w/ Rye (ERNMX-104) Quick Erosion Control Cover Mix (ERNMX-111) Ernst Native Habitat for Strip Mines Mix (ERNMX-181) Native Steep Slope Mix w/Annual Ryegrass (ERNMX-181-1) Native Steep Slope Mix w/ Grain Oats (ERNMX-181-2) Native Steep Slope Mix w/ Grain Rye (ERNMX-194) Flight 93 Memorial Steep Slope Mix	as needed		as needed		n/a	as needed	as needed
Lawn	No-Mow lawn mixes are prefered as they are less maintenance. No-Mow mixes should be cut 1-2 times per year, or once per month for a manicured look. Prairie Nursery item #50091 No-Mow Lawn Mix Prairie Nursery item #50092 No-Mow Lawn Mix with Rye Other acceptable conservation lawn mixes are: (ERNMX-113) Commercial Conservation Mix (ERNMX-114) 5311 Conservation Mix (ERNMX-116) Contractor's Lakeview Conservation Mix (ERNMX-129) Conservation Shade Mix	not to exceed 20% of total sf		not to exceed 20% of total sf		n/a	up to 4420 per 100 lf	up to 4420 per 100 lf

Recommended Trees

Suggested species for tree planting in Moon Township. All deciduous trees are appropriate for street trees and parking lot planters unless otherwise noted. Some large shade trees may not be appropriate for small residential lots. Native species should be used whenever possible. While this list is long, it is not exclusive. Trees not mentioned here maybe used with approval given that they meet the site conditions and are disease resistant. In order to create healthier plantings, a variety of trees should be used and in street tree plantings species should be changed every 300 feet.

Common Name	Latin Name	Mature Size	Street Tree	Native	Open Space Only	Flower	Fruit	Wildlife Value	Evergreen	Fall Color	Notes
Shade Trees and Large Conifers: Prefered in areas of no overhead utilities.											
White Fir	Abies concolor	30-50'		X	X			X	X		Native to American West
Red Maple	Acer rubrum	40-75'	X	X	X					X	Do not use within 5' of sidewalks, aggressive root system. Can be a good street tree if given enough space. Not for use in tree pits. Tends to be over used. Other maples and Sweetgum have similar look.
Silver Maple	Acer saccharinum	60-75'	X	X						X	
Sugar Maple	Acer saccharum	80'	X	X						X	
Freeman Maple	Acer x freemanni	40-55'		X						X	Do not use within 5' of sidewalks, aggressive root system.
Ruby Red Horsechestnut	Aesculus x carnea 'Briotii'	50-75'	X	X	X	X				X	Less mid-summer scorch than *hippocastanum*
Sweet Birch	Betula lenta	60'	X	X						X	Street tree for residential settings and tree planting strips. Not for use in tree pits.
River Birch	Betula nigra	40-70'	X	X				X		X	
Shagbark Hickory	Carya ovata	60-80'		X							
Mocknut Hickory	Carya tomentosa	50-60'		X							
Hackberry	Celtis occidentalis	50-75'		X							
Katsura Tree	Cercidiphyllim japonecum	40-60'								X	requires more water during establishment trees

Common Name	Latin Name	Mature Size	Street Tree	Native	Open Space Only	Flower	Fruit	Wildlife Value	Evergreen	Fall Color	Notes
Plume Sawara-Cypress	Chamaecyparis pisifera 'Plumosa'	30-50'			X			X	X		
American Yellowwood	Cladrastis kentukea	30-50'		X			X			X	
Turkish Filbert	Corylus colurna	40-50'	X	X							
American Beech	Fagus grandifolia	50-75'	X	X						X	
Ginko	Ginko biloba	50-80'	X							X	Male only, female has horrible smelling fruit.
Kentucky Coffeetree	Gymnocladus dioicus	60-70'	X	X	X	X					Male may be ok for street tree if given enough space. Not for use in tree pits. Female has flowers that smell like roses
Chinese Juniper	Juniperus chinesis	50-60'			X			X	X		
European Larch	Larix dicidua	70-75	X							X	Large deciduous conifer. May be a good street tree, but better for wet, open spaces. Requires more water for establishment and in drought.
American Sweetgum	Liquidambar styraciflua	60-100'		X	X					X	Spikey fruit may clog drains. Best in open areas.
Tulip Tree	Liriodendron tulipifera	40-100'	X	X		X		X		X	Open areas or large parking islands. Great street tree if given enough space to grow.
Cucumbertree	Magnolia acuminata	50-80		X		X					
Dawn Redwood	Metasequoia glytostroboides			X							Open areas or large parking islands
Blackgum	Nyssa slyvatica	40-60'	X	X			X	X		X	
American Hophornbeam	Ostrya virginiana			X							
Douglas-Fir	Peudotsuga meniesii	40-80'		X	X			X	X		
Norway Spruce	Picea abies	40-60'			X				X		
White Spruce	Picea glauca	40-60'		X	X			X	X		
Black Spruce	Picea mariana	40-50'		X	X			X	X		

Common Name	Latin Name	Mature Size	Street Tree	Native	Open Space Only	Flower	Fruit	Wildlife Value	Evergreen	Fall Color	Notes
Blue Spruce	Picea pugens	30-60'		X	X			X	X		Native to American West
Limber Pine	Pinus flexilis	30-50'		X	X			X	X		Native to American West
Eastern White Pine	Pinus strobus	50-80'		X	X			X	X		
American Sycamore	Plantanus occidentalis	70-100'		X	X						Leaves drop all summer, spikey nuts can clog drains
Bloodgood London Planetree	Plantanus x acerifolia 'Bloodgood'	70-100'	X		X						Leaves drop all summer, spikey nuts can clog drains. Great street tree if given enough space. Not for use in tree pits.
White Oak	Quercus alba	60-100'	X	X				X		X	
Swamp White Oak	Quercus bicolor	50-60'	X	X				X		X	
Red Oak	Quercus borealis	60-80'	X	X				X		X	
Scarlet Oak	Quercus coccinea	75'	X	X				X		X	
Bur Oak	Quercus macrocarpa	70-80'	X	X				X		X	
Pin Oak	Quercus palustris	60-80'	X	X				X		X	
Northern Red Oak	Quercus rubra	60-75'	X	X				X		X	
Black Oak	Quercus velutina	50-60'	X	X				X		X	
Scholartree	Sophora japonica	50-75'			X	X					Flowers make this an open space tree. Do not use near sidewalks.
Bald-Cypress	Taxodium distichum	50-70'	X	X	X			X		X	Native to American West. Great for wet areas. Deciduous conifer. Good street tree if given adequate space. Russet Red fall color.
Giant Arborvitae (& cultivars)	Thuja plicata	up to 70'		X	X			X	X		Native to American West, good deer resistance.
Basswood	Tilia americana	60-80'	X	X		X					
European Linden	Tilia cordata	60-70'	X								Beautiful large shade trees.
Silver Linden	Tilia tomentosa	50-70'	X								Beautiful large shade trees.
Lacebark Elm	Ulmus parvifolia	40-50'	X							X	Chinese, disease resistant Elm, interesting bark.

Common Name	Latin Name	Mature Size	Street Tree	Native	Open Space Only	Flower	Fruit	Wildlife Value	Evergreen	Fall Color	Notes
Ulmus Hybrids	Ulmus spp.	varies	X			X					Disease resistant trees like 'Homestead', 'Pioneer', Accolade','Frontier', 'Liberty' and 'Urban'.
Zelkova	Zelkova serrata	50-80'	X								Considered a replacement for the American Elm. Similar habit and size. Care should be taken in commercial areas as large specimens may grow to block signage.
Underwire Trees: this group applies to most plantings under utility lines. This is necessary because most wires are less than 25' above ground. Where possible, offset trees so they are not directly under the wires.											
Amur Maple	Acer ginnala	15-20'	X							X	
Tatarian Maple	Acer tataricum	15-25'	X							X	
Eastern Redbud	Cercis canadensis	15-20'	X	X		X				X	Small purple flowers outline gray bark in early spring. Distinctive. Can be very effective in masses.
Fringetree	Chionanthus virginicus	20'	X	X		X					
Thornless Hawthorn	Crataegus crus-galli var. Inermis	15-20'	X	X		X					Thornless varieties only. Large 2" thorns can cause injuries, especially in areas where children play.
Crimson Cloud Hawthorn	Crataegus laevigata 'Superba'	15-20'				X					Tree form. Has 1" thorns. Use with care.
Keteleer Chinese Juniper	Juniperus chinesis 'Keteleen'	15-20'			X			X	X		
Star Magnolia	Magnolia stellata	10-20'		X		X					tree form
Japanese Flowering Crabapple	Malus floribunda	under 25'	X			X					
Zumi Crabapple	Malus sieboldi x zumi 'Calocarpa'	under 25'	X			X					

Common Name	Latin Name	Mature Size	Street Tree	Native	Open Space Only	Flower	Fruit	Wildlife Value	Evergreen	Fall Color	Notes
Malus Cultivars Adams, Amsalzam, Centurion, Donald Wyman, Harvest Gold, Prairifire, Professor Sprenger, Red Jewel, Robinson, Sentinel, Sugar Tyme, Strawberry Parfait	Malus spp.	under 22'	X	varies		X					Always specify tree form for crabapple selection. Fruit makes Malus undesirable in commercial areas
Spring Snow Crabapple	Malus 'Spring Snow Crabapple'	15-20'	X			X					
Underwire Trees: This group applies only to utility plantings where the bottom wire is over 25' above ground.											
Trident Maple	Acer buergeranum	20-30'	X							X	
Hedge Maple	Acer campestre	25-40'	X							X	
Queen Elizabeth Hedge Maple	Acer campestre 'Evelyn'	30-40'								X	
Paperbark Maple	Acer griseum	25-35'	X							X	Interesting bark texture
Serviceberry	Amelanchier x grandiflora	20-30'		X		X		X		X	
Apple Serviceberry	Amelanchies laevis 'Cumulus' or 'Majestic'	20-30'		X		X		X		X	
Gray Birch	Betula populifolia	30'	X	X						X	
European Hornbeam	Carpinus betulus 'Fastigiata'	30-40'	X							X	Tree form
American Hornbeam	Carpinus caroliniana	20-35'	X	X						X	
Eastern Redbud	Cercis canadensis	25-30'	X	X		X		X		X	
Dogwood	Cornus flordia			X		X		X		X	Disease resisistant local cultivars prefered. Correct siting is crucial to disease resistance. "Feet in shade, head in sun."
Kousa Dogwood	Cornus kousa	20-30'	X			X				X	
Eastern Red Cedar	Juniperus virginiana	30-40'		X	X			X	X		
Canaert Eastern Red Cedar	Juniperus virginiana 'Canaertii'	20-35'						X	X		

Common Name	Latin Name	Mature Size	Street Tree	Native	Open Space Only	Flower	Fruit	Wildlife Value	Evergreen	Fall Color	Notes
Blue Easter Red Cedar	Juniperus virginiana 'Glauca'	20-35'						X	X		
Goldenrain Tree	Koelreuteria paniculata	25-40'				X				X	Great yellow flowers
Galaxy Magnolia	Magnolia 'Galaxy'	20-30'		X		X					
Sweetbay Magnolia	Magnolia virginiana	20-30'		X		X					
Black Hills Spruce	Picea glauca var. densata	20-40'		X				X	X		
Vanderwolf's Pyramid Limber Pine	Pinus flexilis 'Vanderwolf's Pyramid'	30-40'		X					X		Blue-green foliage with twisted needles. Cultivar of native.
Japanese Flowering Cherry	Prunus serrulata	25-35'	X			X	X				Species is large, up to 75'. Many cultivars are under 35' however.
Shubert Chokecherry	Prunus virginiana 'Shubert'	20-30'	X	X		X	X				
Japanese Tree Lilac	Syringa reticulata 'Summer Snow', 'Ivory Silk'	20-25'	X			X					
Aborvitae spp.	Thuja spp.	20-30'							X		Effective screen and can be very useful in narrow planting beds, as small as 3' wide.

Recommended Shrubs

Suggested species for shrub planting in Moon Township. Native species should be used whenever possible. While this list is long, it is not exclusive. Shrubs not mentioned here maybe used with approval given that they meet the site conditions and are disease resistant. In order to create healthier plantings, a variety of shrubs should be used.

Common Name	*Latin Name*	Native	Flower	Fruit	Evergreen	Fall Color	Notes
Shrubs							
Bottlebrush Buckeye	*Aesculus parviflora*	X	X			X	Very large shrub which will sucker and spread. Great for covering large areas.
Shadbush Serviceberry	*Amelanchier canadensis*	X	X			X	
Allegheny Serviceberry	*Amelanchier laevis*	X	X			X	
Beauty Berry	*Callicarpa americana*	X		X			Showy purple berries in fall
Buttonbush	*Cephalanthus occidentalis*	X	X			X	
False Cypress	*Chamaecyparis*				X		
Sweet Pepperbush	*Clethra alnifolia*	X	X			X	
Redtwig Dogwood	*Cornus alba*	X					Showy red or yellow stems in winter.
Red-osier Dogwood	*Cornus sericea*	X				X	
Witchhazel	*Hamamelis virginiana*	X	X			X	
Wild Hydrangea	*Hydrangea arborescens*	X	X				
Holly	*Ilex spp.*			X	X		
Winterberry	*Ilex verticillata*	X		X		X	
Virginia Sweetspire	*Itea virginica*	X	X			X	
Juniper	*Juniperus spp.*				X		
Spicebush	*Lindera benzoin*	X	X	X		X	

Common Name	*Latin Name*	Native	Flower	Fruit	Evergreen	Fall Color	Notes
Northern Bayberry	*Myrica pensylvanica*	X					
Common Ninebark	*Physocarpus opulifolius*	X	X	X			
Rhododendron spp.	*Rhododendron spp.*	X	X		X		
Azela	*Rhododendron spp.*		X		X		
Fragrant Sumac	*Rhus aromatica*	X				X	
Dwarf-winged Sumac	*Rhus copalina*	X	X	X		X	
Smooth Sumac	*Rhus glabra*	X	X	X		X	
Staghorn Sumac	*Rhus typhina*	X	X	X		X	
Gray Willow	*Salix cinerea*	X	X				
Elderberry	*Sambucus canadensis*	X	X	X			
American Arborvitae	*Thuja occidentalis*	X			X		
Blueberry	*Vaccinium spp.*	X	X	X		X	
Arrowwood	*Viburnum dentatum*	X	X	X		X	
Nannyberry	*Viburnum lentago*	X	X	X		X	
Black Haw	*Viburnum prunifolium*	X	X	X		X	
Cranberry Bush	*Viburnum trilobum*	X	X	X		X	

Recommended Plants for Rain Gardens and Bioswales

Suggested species for Rain Garden and Bioswale planting in Moon Township. Native species should be used whenever possible. While this list is long, it is not exclusive. Plants not mentioned here maybe used with approval given that they meet the site conditions and are disease resistant. Seeding may be used when appropriate and a variety of mixes are listed. Seed mixes should be matched to site conditions.

Common Name	*Latin Name*	Wet Area	Moist Area	Dry area	Native	Flower	Fruit	Evergreen	Fall Color
Trees									
Bald-Cypress	Taxodium distichum	X	X		X				X
Sweet Birch	Betula lenta	X	X	X	X				X
River Birch	Betula nigra	X	X	X	X				X
Blackgum	Nyssa slyvatica	X	X	X	X		X		X
Black Willow	*Salix nigra*	X	X		X				
Pin Oak	Quercus palustris	X	X	X	X				X
Pond Pine	*Pinus palustris*	X	X		X				
Red Maple	Acer rubrum	X	X	X	X				X
Swamp White Oak	Quercus bicolor	X			X				X
American Sweetgum	Liquidambar styraciflua	X	X	X	X				X
American Sycamore	Plantanus occidentalis	X	X		X				
Fringetree	Chionanthus virginicus		X		X	X			
Paw Paw	Asmina triloba		X	X	X				
Serviceberry	Amelanchier spp.			X	X	X			X
Horsechestnut	Aesculus parviflora			X	X	X			X
Staghorn Sumac	Rhus typhina			X	X				

Common Name	*Latin Name*	Wet Area	Moist Area	Dry area	Native	Flower	Fruit	Evergreen	Fall Color
Shrubs									
Smooth alder	*Alnus serrulata*	X	X		X				
Black chokeberry	*Aronia melanocarpa*	X	X	X	X		X		
American beautyberry	*Calicarpa americana*		X		X		X		
New Jersey tea	*Ceanothus americanus*			X	X		X		
Buttonbush	*Cephalanthus occidentalis*	X	X		X				
Sweet Pepperbush	*Clethra alnifolia*		X	X	X	X	X		X
Redtwig Dogwood	*Cornus alba*		X	X	X		X		
Silky dogwood	*Cornus amomum*	X	X		X		X		
Gray Dogwood	*Cornus racemosa*			X	X		X		
Red-osier dogwood	*Cornus sericea*		X		X		X		
Witch hazel	*Hammamelis virginiana*			X	X	X			
Wild Hydrangea	*Hydrangea arborescens*		X	X	X	X			
St. Johnswort	*Hypericum densiflorum*	X	X	X	X	X			
Inkberry	*Ilex glabra*		X		X		X		
Winterberry	*Ilex verticillata*	X	X		X		X		X
Virginia Sweetspire	*Itea virginica*		X	X	X	X			X
Spicebush	*Lindera benzoin*	X	X		X	X	X		X
Northern Bayberry	*Myrica pensylvanica*		X	X	X				
Common Ninebark	*Physocarpus opulifolius*	X	X		X	X	X		
Bush cinquefoil	*Potentilla fruticosa*			X	X	X			
Azela	*Rhododendron spp.*		X	X		X		X	
Rhododendron spp.	*Rhododendron spp.*		X	X	X	X		X	
Swamp azalea	*Rhododendron viscosum*	X			X		X		
Fragrant Sumac	*Rhus aromatica*			X	X		X		X
Dwarf-winged Sumac	*Rhus copalina*			X	X	X	X		X
Smooth Sumac	*Rhus glabra*			X	X	X	X		X

Common Name	*Latin Name*	Wet Area	Moist Area	Dry area	Native	Flower	Fruit	Evergreen	Fall Color
Staghorn Sumac	*Rhus typhina*			X	X	X	X		X
Swamp rose	*Rosa palustris*	X			X	X	X		X
Gray Willow	*Salix cinerea*	X	X		X	X			
Elderberry	*Sambucus canadensis*	X	X		X	X	X		
Narrow-leaved meadowsweet	*Spirea alba*		X		X				
Broad-leaved meadowsweet	*Spirea latifolia*		X		X				
Blueberry	*Vaccinium spp.*		X	X	X	X	X		X
Wild raisin	*Viburnum cassinoides*	X	X		X		X		
Arrowwood	*Viburnum dentatum*	X	X	X	X	X	X		X
Nannyberry	*Viburnum lentago*		X	X	X	X	X		X
Possumhaw	*Viburnum nudum*	X	X		X		X		
Black Haw	*Viburnum prunifolium*		X		X	X	X		X
Cranberry Bush	*Viburnum trilobum*			X	X	X	X		X
Perennials									
Anise hyssop	*Agastache foeniculum*			X	X	X			
Blue star	*Amsonia tabernaemontana*		X	X	X	X			
Swamp milkweed	*Asclepias incarnata*	X	X		X	X			
Butterfly weed	*Asclepias tuberosa*			X	X	X			
Calico aster	*Aster lateriflorus*			X	X	X			
New England aster	*Aster novae-anglia*	X	X		X	X			
New York aster	*Aster novi-belgii*	X			X	X			
Blue false indigo	*Baptisia australis*		X		X	X			
Marsh marigold	*Caltha palustris*	X	X		X	X			
White turtlehead	*Chelone glabra*	X	X		X	X			
Golden aster	*Chrysopsis mariana*			X	X	X			
Tickseed	*Coreopsis tinctoria*			X	X	X			
Threadleaf coreopsis	*Coreopsis verticillata*		X	X	X	X			
Mistflower	*Eupatorium colestinum*		X	X	X	X			

Common Name	*Latin Name*	Wet Area	Moist Area	Dry area	Native	Flower	Fruit	Evergreen	Fall Color
Boneset	*Eupatorium perfoliatum*	X	X		X	X			
Sneezeweed	*Helenium autumnale*	X	X		X	X			
Swamp sunflower	*Helianthus angustifolius*	X	X		X	X			
Swamp rose mallow	*Hibiscus moscheutos*	X			X	X			
Blue flag iris	*Iris versicolor*	X			X	X			
Soft rush	*Juncus effusus*	X	X		X	X			
Blazing star	*Liatris spicata*			X	X	X			
Cardinal flower	*Lobelia cardinalis*	X	X		X	X			
Great blue lobelia	*Lobelia siphlitica*	X	X		X	X			
Monkey flower	*Mimulus ringens*	X			X	X			
Evening primrose	*Oenothera speciosa*			X	X	X			
Obedient plant	*Physotegia virginiana*		X		X	X			
Golden ragwort	*Senecio aureus*	X	X		X	X			
Goldenrod	*Solidago patula, S. rugosa*	X	X		X	X			
Blue vervain	*Verbena hastata*	X	X		X	X			
Culvers root	*Veronicastrum virginicum*		X		X	X			
Ferns									
Sensitive fern	*Onoclea sensibilis*	X	X		X				
Cinnamon fern	*Osmunda cinnamomea*	X	X		X				
Royal fern	*Osmunda regalis*	X			X				
Grasses and Sedges									
Broomsedge	*Andropogon virginicus*		X		X				X
Tussock sedge	*Carex stricta*	X			X				
Bottlebrush grass	*Hystrix patula*		X		X				
Switchgrass	*Panicum virgatum*	X	X	X	X				X
Green bullrush	*Scirpus atrovirens*	X			X				
Woolgrass	*Scirpus cyperinus*	X	X		X				X

Common Name	*Latin Name*	Wet Area	Moist Area	Dry area	Native	Flower	Fruit	Evergreen	Fall Color
Seed Mixes									
Ernst Conservation Seeds, (ERNMX-126) Retention Basin Floor Mix - Low Maintenance						or approved equal			
Ernst Conservation Seeds, (ERNMX-127) Retention Basin Wildlife Mix						or approved equal			
Ernst Conservation Seeds, (ERNMX-155) Deer Resistant Meadow Mix						or approved equal			
Ernst Conservation Seeds, (ERNMX-179) Butterfly & Hummingbird Garden Mix						or approved equal			
Ernst Conservation Seeds, (ERNMX-180) Rain Garden Mix						or approved equal			
Ernst Conservation Seeds, (ERNMX-180-1) Rain Garden Grass Mix						or approved equal			
Ernst Conservation Seeds, (ERNMX-180-2) Southeast Rain Garden Mix						or approved equal			
Ernst Conservation Seeds, (ERNMX-183) Native Detention Area Mix						or approved equal			
Ernst Conservation Seeds, (ERNMX-192) Flight 93 Memorial Upland Meadow Mix						or approved equal			

Appendix 27-E

Hydric Soils - Allegheny County, Pennsylvania

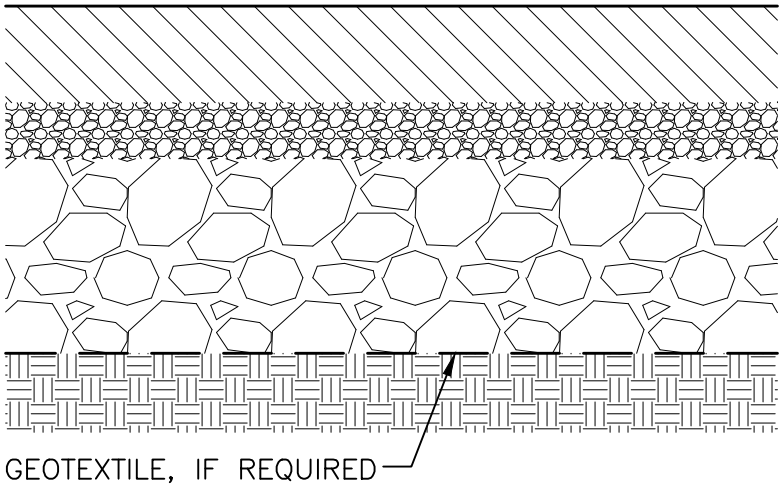
Map Symbol	Map Name	Hydric Component	Location Notes
Map units which major components hydric:			
AT	Atkins silt loam	Atloma (WV0008)	
BRB	Brinkerton silt loam, 2 to 8 percent slopes	Brinkerton (PA0090)	
Map units with inclusions of hydric components:			
CAB	Cavode silt loam, 2 to 8 percent slopes	Brinkerton	Depressions, drainage-ways
CAC	Cavode silt loam, 8 to 15 percent slopes	Brinkerton	Depressions, drainage-ways
CKB	Clarksburg slit loam, 3 to 8 percent slopes	Brinkerton	Depressions, drainage-ways
CKC	Clarksburg silt loam, 8 to 15 percent slopes	Brinkerton	Depressions, drainage-ways
DOB	Dormont silt loam, 2 to 8 percent slopes	Wet spots	Depressions, swales
DOC	Dormont silt loam, 8 to 15 percent slopes	Wet spots	Depressions, swales
DOD	Dormant silt loam, 15 to 25 percent slopes	Wet spots	Depressions, swales
DU	Dumps, coal wastes	Wet spots[1]	Depressions
DW	Dumps, industrial wastes	Wet spots[1]	Depressions
ERB	Ernest silt loam, 2 to 8 percent slopes	Brinkerton	Depressions, swales
ERD	Ernest silt loam, 15 to 25 percent slopes	Brinkerton	Depressions, swales
EVD	Ernest-Vandergrift silt loams, 3 to 8 percent slopes	Brinkerton	Depressions, swales
EVC	Ernest-Vandergrift silt loams, 8 to 15 percent slopes	Brinkerton	Depressions, swales
GUB	Guernsey silt loam, 2 to 8 percent slopes	Wet spots	Depressions, drainage-ways
GUC	Guernsey silt loam, 8 to 15 percent slopes	Wet spots	Depressions, drainage-ways
GVB	Guernsey-Vandergrift silt loams, 3 to 8 percent slopes	Wet spots	Depressions, drainageways

Map Symbol	Map Name	Hydric Component	Location Notes
GVC	Guernsey-Vandergrift silt loams, 8 to 15 percent slopes	Wet spots	Depressions, drainage-ways
GX	Gullied land	Wet spots	Drainageways
HU	Huntington silt loam	Atkins	Bottom lands
LBB	Library silty clay loam, 3 to 8 percent slopes	Wet areas	Depressions, swales
LBC	Library silty clay loam, 8 to 15 percent slopes	Wet areas	Depressions, swales
LN	Lindside silt loam	Atkins, Brinkerton	Bottom lands, foot-slopes
NE	Newark silt loam	Atkins, Brinkerton	Bottom lands, foot-slopes
PH	Philo silt loam	Atkins	Bottom lands, foot-slopes
RAA	Rainsboro silt loam, 0 to 3 percent slopes	Wet areas	Depressions, drainage-ways
RAB	Rainsboro silt loam, 3 to 8 percent slopes	Wet areas	Depressions, drainage-ways
RAC	Rainsboro silt loam, 8 to 15 percent slopes	Wet areas	Depressions, drainage-ways
SMB	Strip mines, 0 to 8 percent slopes	Wet areas[1]	Depressions
SMD	Strip mines, 8 to 25 percent slopes	Wet areas[1]	Depressions
UB	Urban Land	Atkins	Bottom lands
UCB	Urban Land-Cullaoka complex, gently sloping	Wet areas	Depressions, swales
UGB	Urban Land-Cuernsey complex, gently sloping	Wet areas	Depressions, swales
URB	Urban Land-Rainsboro complex, gently sloping	Wet areas	Depressions, swales
UWB	Urban Land-Wharton complex, gently sloping	Wet areas	Depressions, swales
WHB	Wharton silt loam, 2 to 8 percent slopes	Wet areas	Drainageways, depressions
WHC	Wharton silt loam, 8 to 15 percent slopes	Wet areas	Drainageways, depressions
	Water		

1. May need soil scientist's verification.

Appendix 27-F

Porous Pavement Detail



*OTHER PERVIOUS PAVING MATERIALS MAY BE PROPOSED FOR ENGINEERS APPROVAL.

ZONING ORDINANCE, APPENDIX 27-F

POROUS PAVEMENT DETAIL