

MUNICIPALITY OF MURRYSVILLE
WESTMORELAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 771-08

AN ORDINANCE AMENDING ORDINANCE NO. 680-05, THE ZONING ORDINANCE AND MAP, AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THEIR CONSTRUCTION, ALTERATION, EXTENSION, REPAIR, MAINTENANCE AND ALL FACILITIES AND SERVICES IN OR ABOUT SUCH LOTS THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES, AND ESTABLISHING AND MAINTAINING BUILDING LINES AND SETBACK BUILDING LINES UPON PUBLIC ROADS OR HIGHWAYS, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF. THE ORDINANCE AMENDS THE EXISTING TEXT AND ZONING MAP TO ADD THE GENERAL BUSINESS OVERLAY, ADDS CORRESPONDING MODIFICATIONS TO THE AREAS WITHIN THE B, BUSINESS DISTRICT, AMENDS THE EXISTING SECTION 220-31(Z) PRESENTLY ENTITLED PLANNED MIXED USE DEVELOPMENT, ADDING A SEPARATE ARTICLE FOR MIXED USE PLANNED RESIDENTIAL DEVELOPMENT, ADDS AN ARTICLE FOR MIXED USE PLANNED RESIDENTIAL DEVELOPMENT, A CONDITIONAL USE FOR COMMERCIAL CENTERS, CORRESPONDING SUPPLEMENTAL STANDARDS RELATED TO THE PRECEDING MIXED USE PRD AND CONDITIONAL USE, AND ADDS A SECTION TO THE SUPPLEMENTAL STANDARDS OF THE ZONING ORDINANCE ENTITLED BUILDING DESIGN AND AMENITIES PERFORMANCE STANDARDS TO BE REFERENCED BY THE OVERLAY STANDARDS.

WITNESSETH:

WHEREAS, the Municipality of Murrysville desires to concentrate commercial and mixed use development within areas that include or are proximate to existing infrastructure; and

WHEREAS, the Municipality desires to provide for the provision of open space in conjunction with high density developments; and

WHEREAS, the Municipality recognizes the need to protect the public health, safety, welfare, and property values in areas proximate to (generally within one quarter mile) and adjoining its major and minor arterials, currently and principally Routes 22, 66, 366, and 286 (Golden Mile Highway) through the provision of choices and land use tools that allow the specifics of each property to meet the overall development objectives of the Comprehensive Plan and the objectives of this ordinance; and

WHEREAS, the level of impervious surface coverage and trip generation produced by commercial development necessitates the stricter management of access to adjoining major and minor arterials; and

WHEREAS, said coverage requires greater consideration of storm water best management practices and associated preservation of environmentally sensitive areas as an average of twenty percent of each B District zoned lot lies within an environmentally sensitive area, as defined by this chapter; and

WHEREAS, concentrations of development impact surrounding property values and require reasonable design considerations to protect the values of adjoining structures and concentrations of development, both residential and commercial; and

WHEREAS, areas designated on the Zoning Map as the General Business Overlay (GBO) are deemed to advance the following objectives and objectives of the GBO as enumerated in this ordinance:

- A. Within the B Zoning District, undeveloped and underdeveloped parcels, namely those bearing industrial or warehousing uses, vacant structures, and which utilize substantially less impervious surface area than authorized within the B District should be developed in a manner that considers environmental limitations, impact on surrounding property values and existing residential neighborhoods.
- B. Undeveloped B zoned tracts suitable for planned residential development and residential facilities such as personal care, assisted living facilities, and forms of residential in general that benefit from location near key corridors while providing for associated open space.
- C. Residentially zoned tracts that bear potential, either individually, or as an assemblage of parcels with sufficient acreage and direct access to Route 22, 66, 286, or 366 as major or minor arterials or proximate (generally within one quarter mile) roads servicing said routes subject to the standards of 220-30 (D), may provide for centralized developments with minimal curb cuts or transitional zones between highway oriented business and residential neighborhoods.
- D. Any arrangement of the above in a manner that encourages central developments with proper buffering, minimizes curb cuts, and provides for an orderly transition of mixed uses to residential, thereby protecting and preserving the economic viability of residentially zoned parcels and existing neighborhoods for continued and future residential uses.

NOW THEREFORE:

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Council of the Municipality of Murrysville, Westmoreland County, Pennsylvania, under and pursuant to the authority of the same, under the Home Rule Charter of the Municipality of Murrysville, and Article XVII Section C-94(E), which became effective January 1, 1978, as follows:

SECTION I.

Section 220-11, Districts and Purposes shall be revised as follows with the additional statement of purpose added:

- A. General Business Overlay. The purpose of the General Business Overlay is to promote and maintain a sustainable mixture of commercial and residential development based on the scale and mixture relative to existing development and access to adequate street infrastructure and major and minor arterials. The options and standards provided in the overlay help to encourage the preservation of adjoining property values and community character.

SECTION II.

The following section shall be added as a subsection to § 220-16. Nonresidential Zoning Districts Land Use Authorization Table.

- B. Business District Performance Standards. The following Performance Standards shall apply to all construction of principal and accessory structures within the B Zoning District. Development resulting in less than 40% total impervious surface coverage or new buildings or building additions resulting in less than 1,000 square feet of additional lot coverage shall be considered de minimis and are exempt from the following provisions. The preceding exemptions shall consider the entirety of development proposed in both preliminary and final land development as required and defined in Chapter 201, Subdivision and Land Development, and to all imminent development (any development for which an application for further subdivision or land development on the site is submitted within 18 months of tentative approval) related thereto.

- (1.) The site shall incorporate environmentally sensitive areas sufficient to act as nonstructural best management practices through the arrangement of infrastructure, parking, access, and general site design in a manner that minimizes disturbance of said areas.
- (2.) Disturbance of steep slopes as regulated by the Supplemental Standards of the Zoning Ordinance and grading resulting in slopes at 3:1 or greater finished grade shall be subject to the following: the planting of a revegetation plan prepared by a professional landscape architect or forester acceptable to the Municipality. The

plan may include high and low level plantings and grasses, the composition and mixture of which shall serve to meet to maximize long term stability of the slope, enhancement or integration with storm water best management practices, and the sustainability of the mix of species planted.

- (3.) Parking Lot Design and Building Placement. General site design and grading shall employ terracing where feasible, in order to minimize disturbance where the total site bears thirty or more parking spaces. Feasibility shall be determined by the Municipal Engineer in consideration of geology, ability to meet building code requirements, and storm water best management practices.
- (4.) Building Design Standards. All non residential structures shall meet the standards of Section 220-68, except that offsets or vertical breaks in facade shall occur once every 100 feet for structures exceeding 12,000 square feet of gross floor area. Variations in architectural styles or modifications of the standards required may be approved upon finding that the modifications meet the general objectives cited herein.
- (5.) Pedestrian Circulation. Pedestrian circulation via a network of sidewalks and crosswalks shall provide for safe pedestrian access between establishments and structures.
- (6.) Parking lots.
 - (a) Central parking areas are encouraged to provide parking and access to multiple establishments and shall be required in a manner that meets the objectives of this section. Such areas shall be designed in conformance with the standards of Article VII. Parking with modifications that permit the consolidation of required landscape islands for storm water infiltration purposes, screening of displays from existing public streets and developments, and the general objectives of this Chapter.
 - (b) Parking lots exceeding ten percent of the required minimum parking for the establishments served shall provide any additional parking and access drives serving such parking as a porous paving approved by the Municipal Engineer in a manner that facilitates infiltration commensurate with recognized storm water best management practices.
- (7.) Boulevard. Where multiple structures or parking lots are proposed and the total square footage of all establishments exceeds 100,000 square feet, access from the public street to internal parking shall be provided by a boulevard with a central island of at least twelve feet in width. The island shall be planted with street trees, with one high level planting once every fifty feet. Variations shall be considered and may be approved by Council where a mix of native plantings

serves to sustain storm water management functions or the preservation of adjoining wetlands.

(8.) Street Trees. Street trees shall be provided along boulevards, access roads, and the perimeters of parking lots as required in Section 220-51C of the Zoning Ordinance.

(9.) Access and Circulation.

(a) Connections to and between existing street networks shall be provided where the impact of development on adjoining intersections and street networks necessitates said connection to optimize the level of service for both intersections and streets or where the Official Map expressly shows a connection.

(b) Otherwise, access shall be limited and designed to contain traffic generated by the development.

(c) Frontage streets as access drives shall be encouraged in lieu of multiple curb cuts within the development itself. Also, easements to adjoining properties may be required to further reduce curb cuts on major and minor arterials where such properties may redevelop in a manner requiring land development approval and consideration of access points.

(10.) Lighting and Signage. Lighting and signage shall form a cohesive theme that applies a defined sense of place to the development as a specific destination.

(11.) All landscaping requirements as set forth in Section 220-51, Landscaping and Buffering shall apply to any development, provided that additional landscaping requirements of this section may be credited to the requirements of the aforesaid section, excepting Boulevard Trees.

SECTION III.

The following shall be added as a final section within Article III, District Regulations:

§ 220-19, General Business Overlay

A. Objectives. The developments authorized in the General Business Overlay aim to provide for the following objectives which shall form the basis of the design standards outlined herein as well as the findings made by Council in the requirement of design standards and consideration of the application as a whole.

- (1.) Provide for the integration of new commercial development into areas of existing development in a manner that enhances the district, property values, access, traffic flow through the minimization of curb cuts on major and minor arterials, and availability of services in said district balanced with those objectives relating to comparatively larger scale development.
- (2.) Encourage the perpetual preservation of environmentally sensitive areas through the development of lands by incorporating such lands as development focal points, open space, and nonstructural storm water best management practices.
- (3.) Incorporate parking areas as an asset integrated with open space by providing pedestrian connections with landscaped areas, vegetated infiltration areas, and complementary greenspace.
- (4.) Provide for the protection of adjoining residential neighborhoods, adjoining commercial properties, through buffering and creative building design standards that are commensurate with established business and residential districts.

B. The boundaries of the General Business Overlay (GBO) shall be delineated on the Zoning Map. Areas within the GBO shall be authorized the following uses, not withstanding that which is authorized in the respective underlying zoning districts and those bulk regulations related thereto:

- (1.) Planned Residential Development subject to Article IV, Planned Residential Development, developed in accordance with R-2 standards with a minimum site area of ten contiguous acres (on B Zoned Tracts).
- (2.) Mixed Use Planned Residential Development subject to Article IV-A
- (3.) Planned Commercial Center, subject to the Standards of 220-31BB

SECTION IV.

Section 220-31Z, Planned Mixed Use Development, shall be revised as follows:

Planned mixed use development.

- (1) ~~The minimum site area required shall be five acres.~~
- (2) ~~The site shall have frontage on and direct vehicular access to, and be designed to use as its main entrance and exit, State Route 22.~~
 - (a) ~~The main circulation spine shall be designed to minimize cut through traffic.~~
 - (b) ~~A separate circulation pattern shall be designed for service vehicles.~~
 - (c) ~~A complete system of sidewalks connecting parking, residential space, nonresidential space and public open space shall be installed in accordance with municipal standards.~~
 - (d) ~~All loading areas shall be in the rear of buildings.~~
- (3) ~~Any of the uses permitted by right or authorized as conditional uses in the R-3 and MU Zoning Districts are authorized in the planned mixed use development.~~
- (4) ~~A maximum of 60% of the total floor area of all buildings within the planned mixed use development shall be used for residential uses.~~
- (5) ~~A total of 20% of the total lot area shall remain open planted space.~~
- (6) ~~The site shall be planned as a unit and uniform signage and landscaping and common parking and loading areas shall be proposed to promote efficiency and reserve a common design theme.~~
- (7) ~~Buildings shall be designed with a coordinated architectural theme. The coordinated architectural theme shall be comprised of uniform and consistent use and treatment of the following elements:~~
 - (a) ~~Exterior building materials and design.~~
 - (b) ~~Color scheme.~~
 - (c) ~~Landscaping features.~~
 - (d) ~~Signage.~~
 - (e) ~~Lighting.~~
 - (f) ~~Fences, walls or other barriers.~~
 - (g) ~~Street furniture.~~
- (8) ~~No principal structure shall be less than 50 feet from any property line adjoining property in an R Zoning District. Along all other property lines, no principal structure shall be less than 20 feet from~~

- any property line of the development site.
- (9) ~~All trash areas and dumpsters shall be totally screened from view from adjoining residential property~~
 - (10) ~~A traffic impact analysis as defined by this chapter shall accompany the application for conditional use approval.~~
 - (11) ~~Mechanical equipment, whether roof mounted or located on the ground, shall be screened with materials that provide sound attenuation and that are harmonious with the proposed building materials and architectural design theme~~

(1.) Mixed Use Development Standards.

- (a.) The minimum site area shall be five acres.
- (b.) All development shall comply with the performance standards of the Business District within Section 220-16 of the Ordinance.
- (c.) No more than sixty percent of the development's gross floor area shall be devoted to residential dwelling units, including hallways and service areas on floors of apartment or mixed use buildings that serve said units. The following forms of dwelling units shall be authorized: Townhouse, triplex, fourplex, two family, apartment, garden apartment, and personal care boarding home.
- (d.) Residential dwelling units are also authorized within Mixed Use Buildings with the following standards. Residential dwelling units shall not be located on the first floor of the building and each shall include a minimum of 800 square feet. Mixed Use Buildings shall be subject to Building Design Standards applied by the General Design Standards of this Section as commercial or nonresidential buildings.
- (e.) Maximum Impervious Surface Coverage and Setbacks. The impervious surface coverage (including parking and access drives directly fronting the following units) associated with each dwelling unit classified as a townhouse, triplex, fourplex, or two family dwelling shall require the provision of 45 square feet of associated pervious and landscaped area for every 65 square feet of such impervious surface constructed. (This requirement effectively imposes impervious surface maximums commensurate with the R-3 District) Said area shall be delineated on the plan. Additionally, said units shall be subject to the perimeter setbacks bordering adjacent sites and setbacks between such buildings as required by Article IV, Planned Residential Development. The remainder of the project area shall be subject to the bulk standards of the B District with the provision that all other principal structures shall be spaced a minimum of 30 feet from any other principal structure on the site.
- (f.) Council shall require the recordation of covenants by phase guaranteeing ultimate compliance with the preliminary and tentative plans approved.

- (2.) Any residential structure as authorized in the Mixed Use Development shall adhere to the standards required in Section 220-68, Building Design and Amenities Performance Standards.
- (3.) Any development submitted in accordance with this section shall consider and reasonably adhere to those illustrations presented within Appendix A, General Business Overlay Design Manual, as design guidelines demonstrating the criteria of this section in a manner that meets its objectives.
- (4.) Council, in considering the above conditional use, may entertain those modifications authorized by Section 220-68(f), regarding building design standards, and 220-51(b)2 , regarding landscaping requirements, where Council finds that the requested modification meets each respective section, the objectives of this section, and the general findings required by this Chapter for conditional use approval.

SECTION V.

The following shall be added as Article IV-A, to immediately follow the existing Article VI, Planned Residential Development and shall be entitled Mixed Use Planned Residential Development:

§ 220-28. Purpose. Applicability and Development Objectives:

- A. Mixed Use Planned Residential Development is authorized within the portions of the General Business Overlay zoned as R-R, R-1, or R-2, or R-3 and adjacent tracts zoned B, Business; as depicted on the Zoning Map.
- B. The Mixed Use Planned Residential Development option aims to accommodate overall community growth in Murrysville in a manner that will protect, preserve, enhance and balance the environmental, economic, social, cultural and aesthetic values desirable in a predominately rural atmosphere.
- C. Direct market driven development as reasonable growth to areas bearing proper infrastructure while providing for the highest and best use of properties bordering the Municipality's major and minor arterials.
- D. Provide suitable areas for a variety of housing choices in type, affordability, scale and size including assisted and independent living facilities in proximity or integrated with complementary or ancillary services and facilities.
- E. Provide for the accommodation of regional nodes of development in a manner that maintains the property values of uses within surrounding commercial and residential districts.
- F. Encourage innovation and creativity in building design, pedestrian access, and vehicular circulation in a manner that balances the needs of current and anticipated residents and patrons and the integrity of existing plans and neighborhoods with the functionality and needs of each establishment within the plan.
- G. The Mixed Use Planned Residential Development shall implement those objectives cited in Section 220-31 (Z), Business Mixed Use Development.

§ 220-29. Relationship to Other Ordinances.

- A. This section defines the standards and processes in related Murrysville land development ordinances and the applicability of each such ordinance to development approved through this Article, as a Planned Residential Development, authorized by Article VII of the Municipalities Planning Code.

- B. The design and construction standards of the Municipal Subdivision and Land Development Ordinance, Street Construction Standards, Storm Water, Grading, and Erosion and Sedimentation shall apply to all improvements proposed in a Mixed Use Planned Residential Development unless a waiver or modification is granted by the Council in accordance with the procedure specified in the Municipal Subdivision and Land Development Ordinance or each individual ordinance.
- C. The developer shall be subject to all requirements of financial security determination and posting for improvements and amenities, as required by Chapter 201, Subdivision and Land Development.
- D. Except for maximum dwelling unit density, maximum lot or impervious surface coverage, maximum building height, and authorized uses in this Article, any of the other requirements of the underlying zoning district classification may be modified by the Council in granting tentative approval to a Mixed Use Planned Residential Development, if Council determines that the requested modification or modifications will contribute to a more beneficial use of the site, will not be contrary to the public interest and are warranted owing to unique physical circumstances or conditions unique to the particular property, and meet or better meet the Objectives of this Article.
- E. All requests for modification shall be in writing and shall accompany and be a part of the application for tentative and final approval. Such written request shall specify the ordinance section from which a modification is requested and shall state the grounds for the request, the justification of the request, and its relation to the Objectives of this Article. Whenever a request for modification is granted or denied, the reasons for such grant or denial shall be stated within the official written communication to the landowner.

§ 220-30. Basic Site Criteria and Definition of the Site.

- A. The site shall be defined as the entire area of all existing parcels included within the tentative plan application. Such area shall include Incorporated Planned Residential Developments as defined within this Article.
- B. The following definitions apply within this Article:
 - (1.) Incorporated Planned Residential Development: A Planned Residential Development, developed in accordance with Article IV of this Chapter (Planned Residential Development) -which is integrated into the Mixed Use Planned Residential Development through direct and adequate pedestrian and vehicular linkages.
 - (2.) Environmentally Sensitive Areas: Area of the site in square feet consisting of steep slopes as regulated by the Supplemental Standards of this ordinance, 100 year floodplains and floodways, and jurisdictional wetlands

(3.) Impervious Surface Coverage: Land area covered by structures housing a particular use category as defined in 220-31, Permitted Uses, and all impervious surfaces including streets, access drives and parking stalls directly servicing said permitted uses. For purposes of this Chapter, building coverage shall be credited or classified within the use category of the predominant or principal use of the first floor. Therefore, a retail building with second story office is classified as a Retail Use while the parking coverage dedicated to the office use shall be classified as office use impervious surface coverage. However, residential use coverage shall be credited according to the square feet per unit set forth in 220-32B.

(4.) Large Retail Store: Any single retail establishment occupying 75,000 square feet or more of total or gross floor area on the first floor of any structure or 40,000 square feet or more of gross floor area on the first floor when all stories occupied equal or exceed 80,000 of gross floor area.

C. Minimum site area shall be twenty contiguous acres, not separated by existing streets.

D. Developments shall be directly serviced by adequate road infrastructure which meet those criteria determined by a submitted traffic study and municipal criteria including but not limited to levels of service cited in Chapter 135, Impact Fees, and Chapter 97, Street Construction Standards. Adequacy of infrastructure shall include an assessment of roads immediately adjoining the site and those which provide direct access to the site. The specific requirements of the study and said adequacy shall be demonstrated by one or a combination of the following in consideration of accident history, trips generated above the base zoning, and resulting functional classification of the road:

(1.) Width of the cartway:

(2.) Horizontal and vertical alignment in relationship to sight distances and increased trip generation:

(3.) The Municipality may consider related projects and the scheduled date of each as included on the Transportation Capital Improvements Program as revised and included in Chapter 135 Impact Fees in its evaluation of street adequacy.

(4.) In consideration of trip generation, the Municipality may approve development phases contingent upon and commensurate with any planned improvements of the above infrastructure as a condition of tentative and final plan approvals whether or not said infrastructure improvements are included on Municipality's Transportation Capital Improvements Program.

- E. Ownership. The site proposed for a planned residential development shall be under single ownership and control. Prior to submitting an application for tentative approval, the applicant shall demonstrate ownership or equitable title of the site.
- F. The development shall be served by public water and sewer.

§ 220-31. Permitted Uses.

- A. The following defines those uses authorized within a Mixed Use Planned Residential Development, excluding Incorporated Planned Residential Developments which are subject to the standards of Article IV, Planned Residential Development.
- B. Single Family Residential Uses shall include:
- (1.) Single Family
 - (2.) Two Family
 - (3.) Triplex, Fourplex, or Townhouse
- C. Multi-Family Residential Uses shall include:
- (1.) Multi-Family Dwelling Units as apartments or garden apartments, including such units within a Mixed Use Building.
 - (2.) Group Care Facilities, Personal Care Boarding Homes, or Nursing Homes
- D. Retail Uses shall include the following as authorized provided that Large Retail Stores shall be limited to one for each fifty acres of the total site:

<u>Use</u>	<u>Subject to:</u>	<u>Permitted=P; Conditional Use=C</u>
<u>Convenience store</u>	-	<u>P</u>
<u>Financial institution</u>	-	<u>P</u>
<u>Local retail business</u>	-	<u>P</u>
<u>Personal services</u>	-	<u>P</u>
<u>Recreation, indoor commercial</u>	<u>§ 220-31I</u>	<u>C</u>
<u>Recreation, outdoor commercial</u>	<u>§ 220-31I</u>	<u>C</u>
<u>Restaurants</u>	-	<u>P</u>
<u>Retail store</u>	-	<u>P</u>

Use	Subject to:	Permitted=P: Conditional Use=C
Sale and storage of building materials	-	P
Therapeutic massage establishment	-	P

E. Office Uses shall include the following as authorized:

Use	Subject to:	Permitted=P: Conditional Use=C
Adult day care	§ 220-31K	C
Business or professional office, large	-	P
Business or professional office, small	-	P
Business services	-	P
Child-care center	§ 220-31X	C
Church	§ 220-31F	P
Contracting business	-	P
Day-care center	§ 220-31K	P
Funeral homes and mortuaries	§ 220-31O	C
Garage, public	-	P
High technology industries	-	P
Hospital	-	C
Hotel	§ 220-31U	C
Municipal facilities	§ 220-31V	P
Research and development	-	P
School, commercial	-	P
School, public or private	§ 220-31F	C

§ 220-32. Required Ratio of Impervious Surface Area by Use.

- A. A minimum of thirty percent of the impervious surface coverage provided shall be dedicated for development as either Office Use, Single Family or Multi-Family Residential Use where at least fifteen percent or half is provided as either Single Family or Multi-Family Residential Use with the remainder authorized as retail use impervious surface coverage.
- B. Residential Use impervious surface coverage. Uses shall be credited the following square feet of building coverage as the gross floor area of each.
- (1.) Single Family: 3,000 square feet.
 - (2.) Two Family: 2,000 square feet.
 - (3.) Triplex, Fourplex, or Townhouse: 2,000 square feet.
 - (4.) Multi-Family Dwelling Units, including such units within a Mixed Use Building: 1,500 square feet.
 - (5.) Group Care Facilities, Personal Care Boarding Homes, or Nursing Homes: 500 square feet per bed.
- C. Incorporated Planned Residential Development. The impervious surface coverage of residential units within an Incorporated Planned Residential Development shall not apply to credits instituted by Item B of this Section.

§ 220-33. Impervious Surface Coverage and Dwellings Units Authorized.

- A. This section authorizes the total amount of impervious surface coverage in square feet of Retail, Office, and Multi Family Residential Uses and the number of Single Family Residential Dwelling Units permitted on the site as a whole. Each portion of the site defined in this Section is authorized an amount of impervious surface coverage based on the underlying zoning. The total amount authorized may be constructed as dwelling units and uses that, in combination, do not exceed the amount authorized and meet the standards, buffering, and location requirements of this Article. Therefore, the impervious surface area determined below shall be available for use at any point on the site, not withstanding use limitations such as buffering or development in accordance with the Incorporated Planned Residential Development.
- B. Determination of impervious surface area authorized on land area on the site with an underlying zoning of B is as follows:
- (a) Impervious Surface Authorized = [(Gross Acreage — Acreage of Environmentally Sensitive Areas) * .8]
 - (b) Or, the developer may submit, or the Planning Commission or Council may require the developer to submit, a plan showing how the site may be developed under zoning standards applicable to the parcel in the absence of Mixed Use

- E. Single Family Residential Uses shall be situated in a manner that maximizes buffering from and acts as a transition area for adjoining residential development.
- F. Multi-Family Residential, Retail, Office Uses and shared parking areas shall locate within areas of the development such that landscaping, terrain or buffering therein shield the effects of lighting related thereto.
- G. The plan shall demonstrate the provision of adequate security measures to service planned commercial development in consideration of local police response data to similar uses and security needs at similar stores in comparable locations.
- H. Lighting, whether mounted on a building or freestanding shall be limited to twenty feet in height in a portion of the development bearing an underlying residential zoning. Generally, lighting shall adhere to the uniformity ratios defined in this ordinance within the B District for Retail and Office Uses with the residential district limitations applying to Single Family and Multi Family Residential Uses. The restrictions of light spillover to residentially zoned property lines set forth in 220-52, Lighting, shall be applied to the internal lot lines of open space dedicated or set forth within the plan and setbacks and buffering from residentially zoned properties required by this Article, as applied to specific structures within the plan. Additionally, Council may require reductions in lighting serving establishments when such establishments are closed to regular operation.

§ 220-35. Open Space and Buffering Standards.

- A. At least thirty percent of the entire site shall be preserved as perpetual open space where said areas are preserved through covenants or conveyance to the Municipality, at the sole option of the Municipality. Said areas shall be delineated by separate parcel or conservation easement delineated by metes and bounds on the recorded plan. Council may require additional open space where such is deemed necessary to meet the objectives of Section B of this part.
- B. Common Open Space shall be provided for all residential uses bearing separate dwelling units, including Multi-Family Dwelling Units, and those within Mixed Use Buildings. Common Open Space shall be provided in a manner required for such units by Article IV Planned Residential Development such that residential dwelling units are within safe and reasonable pedestrian access of said common open space.

- (a.) Any building wall which faces a residentially zoned property line shall adhere to those standards of 220-68, Building Design and Amenities Performance Standards that apply to front lot lines.
- (b.) Loading areas adjoining the aforesaid building walls shall be adequately screened by topography, landscape mounding, or year round vegetation.
- (c.) The developer shall present a vegetation plan or assessment of existing vegetation prepared by a qualified professional forester or a landscape architect proposing additional landscaping, acceptable to the Municipality that ensures year round buffering of lighting effects and parking lots within the residential buffer area otherwise required.
- (d.) In no case shall parking lots or parts thereof be located within the required buffer or setback.

Use	Building Size (Gross Floor Area)	Building Setback from Residentially Zoned Property Line	Building Setback from Residentially Zoned Property Line Separated by Street	Building Setback from all Streets Separating Site Boundary from Mixed Use or Business Zoned Parcels	Building Setback from Site Boundaries Immediately Adjoining Business or Mixed Use Zoned Parcels
Single Family Residential	All	75	75	75	75
Multi-Family Residential, Retail and Office Use	<= 20,000	200	100	75	75
Multi-Family Residential, Retail and Office Use	> 20,000	300	250	75	75

- (6.) Landscaping required by the Supplemental Standards of the Zoning Ordinance shall be provided at a rate applicable to the site, excluding open space area required. A mixture of high and low level plantings required shall be planted

around the perimeter of the site bordering or divided by a street bordering B or MU zoned property.

- (7.) Parking drives shall be set back at least 75 feet from any site boundary. Internal access drives shall be set back 50 feet from any site boundary, not withstanding stricter requirements of this section.

§ 220-36. Phasing Requirements, Application Requirements and Process and Modifications

A. Phasing Requirements.

- (1.) The site may construct up to forty percent of the impervious surface area approved for Retail Uses within the first phase of the plan.
- (2.) A minimum of 25% of the approved residential use impervious surface coverage shall be constructed prior to the approval of any final phase which contains more than fifty percent of Retail and Office Use impervious surface coverage.
- (3.) All approved residential units shall be finally approved prior to and with the final approval or subsequent final approvals that contain more than fifty percent of the Retail and Office Use gross impervious surface coverage approved during tentative approval.
- (4.) For purposes of traffic fee studies associated with Chapter 135, Traffic Impact Fees, site design, and phasing, all imminent development, defined as any development for which an application for further subdivision or land development on the site is submitted within 18 months of tentative approval, shall be included within the scope and impact contemplated through the required study.
- (5.) Council shall require covenants to be placed on the land to which the Municipality of Murrysville is a party to ensure construction of future phases in a manner commensurate with tentative approval and this article and in the application of such may consider de minimis waivers of the approved phases as defined in this Section.

B. Developments considered and approved under this article shall be subject to all tentative and final approval application requirements, timelines of action, modification, and post approval requirements as set forth in Article IV. Planned Residential Development, unless otherwise modified herein.

C. In addition to the above, the following items shall be required at tentative approval:

- (a) Preliminary Security Plan referencing the basis for security proposed.
 - (b) Incorporation of adjoining street widths and specifications for existing streets in the required traffic study.
- D. In addition to the above, the following items shall be required at final approval:
- (1.) Final Security Plan.
 - (2.) Any covenants required by tentative approval as relating to subsequent phases.
- E. Minor Changes to approved plan. After 18 months of a final plan phase recordation, the following proposals shall be deemed minor changes to the approved plan which would not require a revised final Planned Residential and Mixed Use Development within an area approved and constructed and which would be subject to the approval through the standards and processes defined in Chapter 201, Subdivision.
- (1.) Any expansion of an existing structure or replacement of a structure with one or more structures in the Office or Retail Use areas, the result of which, does not exceed more than fifty percent of the originally approved structure's size.
 - (2.) The further subdivision of parcels in the Office of Retail Use areas which preserves or allows the continued imposition of those setbacks determined in final approval.
 - (3.) Changes of use within respective Office and Retail Use areas.
 - (4.) The above shall not alter the required ratio or percentages of office, retail and proportional requirement of residential, and shall not add more than 300 additional trips generated from the site. Where impervious surface coverage is specifically designated as Residential Use or Office Use in order to meet the minimum requirement of thirty percent non-retail, the change of use shall lie within the category of Residential Use or Office Use as designated. (Up to one additional residential unit required through a business expansion in order to maintain the required ratios shall be considered de minimis and shall not require construction of said unit. This exception shall be granted only once per original parcel approved.)
 - (5.) All future improvements, regardless of whether or not each requires a revised final Planned Mixed Use Residential Development, shall conform to Building Design and Amenities Performance Standards, those standards required of this article, and all specific setbacks and standards determined by the final plan approval.

§ 220-37. Incorporation of Appendix

- A. Any development submitted in accordance with this article shall consider and reasonably adhere to those illustrations presented within Appendix A, General Business Overlay Design Manual, as design guidelines demonstrating the criteria of this article in a manner that meets its objectives.

SECTION VI.

The following shall be added to 220-31, Standards for Specific Conditional Uses as Item BB, Planned Commercial Center.

A. Purpose, Applicability and Development Objectives:

- (1.) The Planned Commercial Center Development option aims to accommodate overall community growth in Murrysville in a manner that will protect, preserve, enhance and balance the environmental, economic, social, cultural and aesthetic values desirable in a predominately rural atmosphere.
- (2.) Direct market driven development as reasonable growth to areas bearing proper infrastructure while providing for the highest and best use of properties bordering the Municipality's major and minor arterials.
- (3.) Provide for the accommodation of regional nodes of development in a manner that maintains the property values of uses within surrounding commercial and residential districts.
- (4.) Encourage innovation and creativity in building design, pedestrian access, and vehicular circulation in a manner that balances the functionality and needs of each establishment with the needs of current and anticipated residents and patrons and the integrity of existing plans and neighborhoods.

B. Basic Site Criteria and Definition of the Site.

- (1.) The site shall be defined as the entire area of all existing parcels included within the tentative plan application.
- (2.) The following definitions apply within this Article:
 - (a) Environmentally Sensitive Areas: Area of the site in square feet consisting of steep slopes as regulated by the Supplemental Standards of this ordinance, 100 year floodplains and floodways, and wetlands as regulated by this Ordinance and the Department of Environmental Protection.
 - (b) Impervious Surface Coverage: Land area covered by structures housing a particular use category as defined in 220-31C, Permitted Uses, and all impervious surfaces including streets, access drives and parking stalls directly servicing said permitted uses. For purposes of this Chapter, building coverage shall be credited or classified within the use category of the predominant or principal use of the first floor. Therefore, a retail building with second story office is classified as a Retail Use while the parking coverage dedicated to the office use shall be classified as office use impervious surface coverage.

Use	Subject to:	Permitted = P, Conditional Use = C
Church	§ 220-31F	P
Contracting business	-	P
Day-care center	§ 220-31K	P
Funeral homes and mortuaries	§ 220-31O	C
Garage, public	-	P
High technology industries	-	P
Hospital	-	C
Hotel	§ 220-31U	C
Municipal facilities	§ 220-31V	P
Research and development	-	P
School, commercial	-	P
School, public or private	§ 220-31F	C

D. Required Ratio of Impervious Surface Area by Use.

- (1.) A minimum of fifteen percent of the impervious surface coverage provided shall be dedicated for development as Office Use with the remainder authorized as retail use impervious surface coverage.
- (2.) Where part of the development is zoned as B, Business, the area determined by 220-31 E(2) may be allotted entirely to retail use as impervious surface coverage.

E. Impervious Surface Coverage Authorized.

- (1.) This section authorizes the total amount of impervious surface coverage in square feet of Retail and Office Uses. Each portion of the site defined in this Section is authorized an amount of impervious surface coverage based on the underlying zoning. The total amount authorized may be constructed as uses that, in combination, do not exceed the amount authorized and meet the standards, buffering, and location requirements of this Article. Therefore, the impervious surface area determined below shall be available for use at any point on the site, notwithstanding use limitations such as buffering or development in accordance with the Incorporated Planned Residential Development.
- (2.) Determination of impervious surface area authorized on an land areas zoned as Business, B is as follows:

(a) Impervious Surface Authorized = [(Gross Acreage — Acreage of Environmentally Sensitive Areas) * .8]

(b) Or, the developer may submit, or the Planning Commission or Council may require the developer to submit, a plan showing how the site may be developed under zoning standards applicable to the parcel in the absence of Planned Commercial Center, following all current ordinances, including grading, slopes, wetlands, land development, streets, etc.; such plan must also be economically viable. This square footage of impervious surface achieved in the conventional land development shall be approved by the Planning Commission and Council as an adjusted maximum density in consideration of the foregoing standards.

(3.) Impervious Surface Coverage on all area of the site bearing an underlying residential zoning of R-R, R-1, or R-2 shall be determined as follows:

(a) Number of Lots Permitted = [(Gross Acreage — Acreage of Environmentally Sensitive Areas) * .8] / Minimum Acres per Dwelling Unit permitted in the underlying residential district). The aforementioned "environmentally sensitive areas" shall be deemed to include steep slopes, floodplains, and wetlands.

(b) Or, the developer may submit, or the Planning Commission or Council may require the developer to submit, a plan showing how the site may be developed under conventional zoning following all current ordinances, including grading, slopes, wetlands, land development, streets, etc.; such plan must also be economically viable. This number of lots achieved in the conventional subdivision could be approved by the Planning Commission and Council as an adjusted maximum density.

(c) Each lot determined as above shall equate to the following total of impervious surface per such lot in the base or underlying zoning district, as set forth in the table below. In the R-2 District, one single family unit shall equal one lot and two of every other type of unit shall equal one lot. The following allotted areas are presumed to cover the overall average of impervious surface relating to a minimum lot in the respective district and includes structure, driveways, compacted soils, and streets. The amount is therefore an average rather than a site specific calculation.

<u>Zoning District</u>	<u>Amount of Impervious Surface Allocated Per Determined Lot</u>
R-R	16,000
R-1	13,000
R-2	10,000