

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY**

ORDINANCE NO. 2015:26

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 430, ZONING, OF
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PARSIPPANY-
TROY HILLS, ADDING A NEW ARTICLE XLIX, ESTABLISHING A RC-PLANNED
RETAIL/COMMERCIAL DISTRICT AND DESIGNATING CERTAIN ZONE
BOUNDARIES IN THE TOWNSHIP**

Article XLIX. RC Planned Retail/Commercial District

§ 430-326. Statement of objectives.

There is hereby permitted and authorized the rezoning of Block 421, Lot 29 as shown on Exhibit B to the settlement agreement described below from the current POD zone to establish a planned RC retail/commercial district on the southern portion of the property along the Route 46 corridor, and to place the northern 10.63 +/- acres of the property in the RCW zone for recreation, conservation and wildlife uses, and the same shall be an amendment the Official Zoning Maps of the Township of Parsippany-Troy Hills, Morris County New Jersey and as herein defined, in accordance with the provisions and requirements of this section. The provisions of this section shall only apply to the RC District and further encompass all conditions set forth in the settlement agreement of RD Realty, LLC vs. Township of Parsippany-Troy Hills, et al, Docket No. MRS-L-3026-13.

The purpose of the RC District is to provide a planned development permitting the establishment of a retail/commercial development at Block 421 Lot 29, with frontage along U.S. Route 46. Such a development at this location will serve to improve the provision of goods and services for residents of Parsippany-Troy Hills and the surrounding area. This district located in the New Jersey State Plan Metropolitan Planning Area designation, is adjacent to developed utility services and in direct proximity to the regional transportation network of roadways including Routes 46, 287 and 80 and corresponding mass transit facilities. The RC District intent is to establish a planned retail/commercial development adjacent to such infrastructure on balance with the preservation of surrounding physical, environmental and open space features provided by the development criteria of the settlement agreement. A specific requirement of development

in this zone is the protection and commitment of specific areas of upland slopes and ridge lines along the northern and western boundaries of the Tract to be preserved in perpetuity as open space and buffer incompatible development and related impacts from surrounding neighborhoods. Such open space areas are to be contained in a concise tract of land to be conveyed for public open space use as defined herein.

§ 430-327. Permitted uses.

Subject to development regulations as set forth hereinafter, the uses noted below shall be permitted uses and shall be developed in accordance with the criteria noted herein:

- A. Retail commercial buildings shall be in accordance with the following maximum requirements on the commercially developed portion of the tract as defined herein:
 - (1) A maximum of one such retail building shall have a maximum gross floor area of 49,000 square feet.
 - (2) A maximum of one such retail building shall have a maximum gross floor area of 40,000 square feet, which shall be permanently divided into two tenant spaces of not more than 20,000 square feet of floor area each.
 - (3) A maximum of one such retail building shall have a maximum gross floor area of 28,800 square feet.
 - (4) A maximum of one such retail building shall have a maximum gross floor area of 32,160 square feet, which building shall contain not less than three tenant spaces with no single tenant occupying more than 20,000 square feet of floor area.
 - (5) A maximum of one such retail building shall have a maximum gross floor area of 3,550 square feet.
- B. Banks, with or without a drive-through window.
- C. Multiple uses, limited to any combination of the uses above, in one or multiple buildings.

Public Open Space and Recreation Uses.

§ 430-328. Prohibited Uses.

Any use not expressly described above is prohibited.

§ 430-329. Accessory Uses.

Permitted accessory uses shall include accessory uses that are customary and incidental to the permitted uses in the RC District, including but not limited to:

- A. Off-street parking.
- B. Fences and walls, subject to the dimensional requirements herein or related regulations.

§ 430-330. Conditional Uses.

- A. Restaurant, is a conditional use with the following conditional use requirements:
 - (1) Adequate parking be demonstrated, which shall be reviewed and approved by the Planning Board.
 - (2) No drive-through is permitted.

§ 430-331. Height, Area, and Other Bulk Requirements.

The following bulk regulations shall apply to the RC District:

- A. Definitions: For purposes of this section, the word “tract” shall be synonymous with the district itself.
- B. Minimum tract size: 25 acres
- C. Minimum open space lot dedication: as a component of the settlement agreement noted herein and to promote the purposes of the RC Zone District, the northerly area of the tract contiguous to the R-3 Residential Zone District and portions of the westerly frontage of the tract along Intervale Road shall be subdivided and contained within a separate lot dedicated as a lot for public recreation and open space use (simultaneous application shall be made with the submission for site plan approval of the commercial portions of the zone district as noted herein). Such open space lot shall have the following minimum area and dimensions:

- (1) A minimum lot area of 10.63 acres,
 - (2) Shall have a minimum dimension measured perpendicular from the contiguous R-3 District located along the common boundary of the tract of 425 feet.
 - (3) Such lot shall have a minimum measurement perpendicular from Intervale Road of 108 feet except wherein the lot line for the Open Space dedication connects to the point of curvature of the Right of Way line of Intervale Road at the intersection with U.S. Route 46 along the tract boundary line.
 - (4) No structures, subsurface or above grade, are permitted on such open space lot except permanent grading and drainage swale permitted pursuant to item (5) below.
 - (5) A permanent grading and drainage easement may be established along the common lot line of the "open space lot" for the benefit of the retail and commercial sub-lot
 - (6) Minimum lot frontage on Intervale Road: 200 feet.
- D. Minimum tract frontage on U.S. Route 46: 400 feet.
- E. Minimum buffer and setback requirements shall be as follows:
- (1) No building shall be located within 50 feet of right-of-way of Waterview Boulevard, Route 46 and Route 46 jug handle.
 - (2) Parking, access drives, free standing signs and retaining walls are permitted to be located within the required building (buffer) setbacks. However, such parking and drives shall not be located closer than 25 feet to the right of way line of Waterview Boulevard, Route 46, or Route 46 Jug handle. Proposed free standing signs and proposed retaining walls shall not be located closer than 20 feet to the right of way line of Waterview Boulevard, Route 46 or Route 46 jug handle.
 - (3) No parking or access drive shall be permitted to be located closer than 144 feet from Intervale Road Right of Way (ROW) line up to the southernmost terminus of the tract lot line of the Intervale Road ROW near U.S. Route 46 with a surveyed bearing of South 09 degrees 42 minutes and 20 seconds East and a length of 60.72 feet (of Block 421, Lot 29).
 - (4) The minimum buffer requirement from lot lines within the tract are as follows:

- a. No building on the commercial non-residential lot created by subdivision within the tract shall be located within 40 feet of the common lot line of the dedicated open space lot noted herein.
- b. . Parking, drive aisles, loading areas and/or roadway are permitted to be located within such buffer. However, any proposed paved areas for vehicular traffic shall be setback a minimum of 5 feet from the lot lines within the tract as well as tract boundary with the exception where site access driveways connect to adjoining streets. Retaining walls are also permitted in such buffers although they shall be setback a minimum of 10 feet from the dedicated open space lot noted herein. Such retaining walls shall also be setback 4 feet from internal roadways and parking areas and would not be required to be terraced.

F. Commercial Bulk, Yard and Setback Requirements:

- (1) Minimum lot area: 15 acres
- (2) Maximum percentage of coverage by buildings on a commercially developed lot of the tract shall not exceed 25 percent on the lot which commercial development is located.
- (3) Maximum percentage of tract impervious coverage on a commercially developed lot of the tract shall not exceed 80 percent on the lot which commercial development is located.
- (4) Commercial building setbacks: No building shall be located within 50 feet of Waterview Boulevard and 50 feet from Route 46. No building shall be located within 185 feet from the tract boundary at the Intervale Road Right of Way beginning from the point of curvature of the Right of Way line of Intervale Road at the intersection with Route 46 and continuing for the length of Intervale Road adjacent to the RC Zone District. No building shall be located within 500 feet of the lot line that coincides with the R-3 Zone boundary. No building shall be within 40 feet of a side or rear lot line of the commercial lot referenced herein.
- (5) Maximum floor area ratio (commercial): Gross floor area for all retail and related uses, such as banks and restaurants, shall not exceed 0.23 on a lot or sub lot on which commercial development is permitted in accordance with the RC Zone District.

Maximum building height (non-residential): 40 feet and two stories

§430-332 Development Standards.

- A. Access. No access shall be permitted to or from Intervale Road.
- B. Driveway: Requirements of Section 430-275 H would not be applicable to proposed driveways in RC District. Driveways within RC district shall be permitted to be wider than 36 feet if such driveway is proposed at a proposed signalized intersection with a public road.
- C. Loading: Retail operation and all first-floor, nonresidential uses with a gross floor area of more than 4,000 square feet and less than 20,000 square feet: one loading space will be required. Retail operation, including restaurant, with a gross usable floor area of 20,000 square feet or more devoted to such purposes: one loading space for every 20,000 square feet of floor area. Each loading space shall be 12 feet wide x 65 feet long with a minimum 15 feet overhead clearance.
- D. Buffers.
 - (1) Buffers shall provide a year-round visual screen in order to minimize adverse impacts from the tract on adjacent properties or from adjacent areas. Buffers shall consist of natural vegetation, grading or disturbance shall be avoided to the greatest extent practical. It may consist of fences, planting, berms, mounds, or combinations thereof to achieve the stated objectives as approved by the Board.
 - (2) Where required, buffers shall be measured from property lines and street rights-of-way. Compliance shall be determined by the Board, and any approvals required pursuant to this section shall be obtained at the time of site plan and subdivision review.
 - (3) Within any frontage buffer areas, sidewalks, underground linear utilities and site access drives shall only be permitted to cross said buffers, provided their placement is designed to minimize land disturbance within the buffer. Outdoor dining areas served by the onsite commercial facilities are permitted to extend into the frontage buffers along Waterview Boulevard only although, such outdoor dining areas shall be at least 25 feet from the Waterview ROW boundary and be landscaped to buffer the proposed use. No permanent structures shall be permitted on such outdoor dining area.

Aboveground and underground stormwater management facilities are permitted within required buffer areas, although any such underground stormwater management facilities shall be located at least 5 feet from the tract boundaries. This 5 feet setback shall not apply to any underground stormwater conveyance facilities, systems, structures or water quality inserts. . In order to minimize land

disturbance, access drives shall cross buffer areas at a right angle or as close to a right angle as is practical or for access drives along State Highway, at any angle permissible per NJDOT requirements.

- (4) Buffer areas shall be maintained in accordance with the approved landscape plan and kept free of weeds, debris and rubbish.
- (5) Frontage buffers along Route 46 and Waterview Boulevard.
 - (a) Frontage buffer areas shall be provided for all uses. Frontage buffers shall be shown on the landscape plan and where sufficient existing vegetation is deemed insufficient they shall be planted with a mix of deciduous and evergreen trees, shrubs, grasses and perennials, and incorporated with berms, boulders, mounds or combinations thereof so as to enhance the appearance of the site. The design of landscaping shall be of sufficient height to screen parked cars from motorists on rights-of-way's contiguous to the frontage buffer. In addition to required street trees, frontage buffers shall require a minimum of 10 shrubs for every 30 feet of frontage. If a landscaped berm is provided, the berm shall be at least 2.5 feet higher than the finished elevation of the adjacent parking lot, and then the planting requirements may be reduced to five shrubs for every 35 feet of frontage. Frontage buffer plantings may be waived by the Board where existing natural growth is found to be sufficient for this purpose.
 - (b) No buildings, structures, accessory structures, parking, driveways, loading areas or storage of materials shall be permitted in the frontage buffer, except as provided for herein.
 - (c) Frontage buffers may not interfere with traffic sight distances, and shall not preclude a driver's view of retail stores or signs on a commercial site where such view, as determined by the Board, is either necessary to the legitimate economic functions of the site or where traffic safety factors are involved.
- (6) Transition buffers. Transition buffers shall be required when any proposed commercial use abuts the frontage of Intervale Road.
 - (a) Design of transition buffers. Arrangement of plantings in buffers shall provide maximum protection to adjacent properties and avoid damage to existing plant material. Potential arrangements include planting in parallel, serpentine or broken rows. If planted berms are used, the maximum side slope shall be 2:1.
 - (b) Existing vegetation within the transition buffer shall be preserved, as determined appropriate and to the extent practical. It shall be

supplemented with shade-tolerant naturalistic massed plantings where necessary to complete screening of adjoining land uses.

- (c) Transition buffer planting specifications. Plant materials shall be sufficiently large and planted in such a fashion that a screen at least 10 feet in height shall be produced. All plantings shall be installed according to accepted horticultural standards. Such strips shall be planted with evergreens and deciduous trees as follows, subject to the approval or modification of the reviewing Board.
- (d) The transition buffer shall be planted with masses and groupings of shade trees, ornamental trees, evergreen trees and shrubs. No less than 75 percent of the plantings shall be evergreen trees with a minimum installed height of 10 feet. A fence or wall may be required within the transition buffer at the discretion of the Board. Said fence shall not exceed a six-foot height in the side or rear yard of the sub-lot and not exceed a four-foot height in the front yard.
- (e) Unless otherwise approved by the Board, evergreens shall be spaced five feet from the outside property line and eight to 10 feet apart in a row. A minimum of two parallel rows of staggered plants shall be required between any residential and nonresidential use. More than one type of evergreen species shall be used. Where a fence is required, all plantings shall be placed along the outside perimeter of the fence but not closer than five feet from the outside property line.
- (f) All proposed deciduous trees in a transitional buffer shall be of a two-and-one-half- to three-inch caliper, measured six inches from grade.
- (g) No buildings, structures, accessory structures, parking, driveways, loading areas or storage of materials shall be permitted within the transition buffer except for permitted freestanding signs as noted herein. Buffer areas shall be maintained and kept free of all debris and rubbish.
- (h) Transition buffer plantings may be waived by the Board where existing natural growth is found to be sufficient to provide a year-round screen of adjacent land uses.

E. Walls and Fences. Fences and walls, including retaining walls in RC District shall be exempt from the requirements outlined under §430-11 and §225-61. However, following requirements shall apply to proposed fence and retaining walls within RC District.

- (1) Fence shall be limited to the maximum height of 6 feet as measured from the highest point of the surface immediately under the fence upon which the fence is installed. Proposed fence shall be placed a minimum of 6 inches from the tract boundary and the finished side of the fence shall be

facing outward towards adjacent properties.

- (2) No fence or retaining wall on corner lot shall be constructed within the sight triangles as required by AASHTO Green Book. This requirement will only be applicable to the site access driveway intersections to Waterview Boulevard and Route 46. Internal site driveways and drive aisles shall not be subject to this requirements.
- (3) Proposed retaining walls along Route 46 which are over 6 feet in height shall incorporate design features such as decorative textures, landscaping, colors or other design features to reduce the visual monotony or mass of the wall.

F. Stormwater Management Facilities: In order to facilitate preservation of large areas of open space on the tract, the proposed stormwater management facilities for the development within the RC district are permitted (but not obligated) to be located off-site from the subject tract.

G. Lighting.

- (1) The use of creative lighting schemes to highlight building facades and related areas of a site shall be encouraged. Exterior neon lights and lighting generating glare and unnecessary night-glow impacts shall be prohibited.
- (2) Whenever possible, light poles should be integrated into landscaped islands.
- (3) All lighting shall comply with the performance standards of this Chapter and the most current standards for exterior parking areas as published by the North American Illuminance Engineering Society (NAIES).

H. General design standards.

- (1) Building form and mass. All buildings should relate harmoniously to the site's natural features and other on-site buildings, as well as other structures in the vicinity that have a visual relationship and orientation to the proposed buildings. Such features should be incorporated into the design of building form and mass, and assist in the determination of building orientation in order to preserve visual access to natural or man-made community focal points.
- (2) Large horizontal buildings, i.e., buildings with a linear dimension of more than 100 feet, should be broken into segments having vertical orientation. A visual and/or physical break should be provided minimally every 50 feet linear feet. Offsets consisting of a break in the linear plane of the building of a minimum 5 feet shall also be incorporated. Related architectural elements which preclude a continuous uninterrupted facade building length may also be utilized to achieve a break in the linear dimension of the building walls in place of an offset if determined by the approving authority to achieve the same purpose.

- (3) The relationship between the width and height of the front elevations of adjacent buildings shall be considered in the design details of a building.
- (4) Buildings with expansive blank walls are discouraged. Appropriate facade treatments should be imposed to ensure that such buildings are integrated with the rest of the development.
- (5) New buildings are encouraged to incorporate such building elements as entrances, corners, graphic panels, display windows, etc., as a means to provide a visually attractive environment.
- (6) Cornices, awnings, canopies, flagpoles, signage and other ornamental features should be encouraged as a means to enhance the visual environment. Such features may be permitted to project over pedestrian sidewalks, with a minimum vertical clearance of 8.5 feet, to within three feet of a curb.
- (7) Exterior-mounted mechanical and electrical equipment exposed to the public view shall be architecturally screened. Roof-mounted equipment and projections should be painted the same color as the roof and, where possible, located to the rear of the building, away from the public view.

I. General landscape design and planting requirements.

- (1) Landscaping shall be provided as an integrated element of the site plan and subdivision design. It shall be conceived as a total integrated plan for the entire site, integrating the various elements of the site design, preserving the particular identity of the site and creating an aesthetically appropriate site character as determined by the Board in accordance with the standards noted herein.
- (2) Landscaping shall include plant materials such as trees, shrubs, ground cover, perennials, annuals and other materials such as rocks, water, berms, walls, fences and paving materials.
- (3) Landscaping shall be provided in public areas, adjacent to buildings, in parking areas, and around the perimeter of sites.
- (4) Landscaping shall be provided to promote a desirable visual environment, to accentuate building design, define entranceways, screen parking and loading areas, mitigate adverse visual impacts and provide windbreaks for winter winds and provide summer cooling for buildings.
- (5) The impact of any proposed landscaping plan at various time intervals shall be considered.
- (6) Plants and other landscaping materials shall be selected in terms of aesthetic and functional considerations. The landscape design shall create visual diversity and

contrast through variation in size, shape, texture and color. The selection of plants in terms of susceptibility to disease and insect damage, wind and ice damage, habitat (wet-site, drought, sun and shade tolerance), soil conditions, growth rate, longevity, root pattern, maintenance requirements, etc., shall be considered. Consideration shall be given to accenting site entrances and unique areas with special landscaping treatment. Flowerbed displays are encouraged.

- (7) Slope plantings. Landscaping areas of cuts and fills and/or terraces shall be sufficient to prevent erosion, and all roadway slopes steeper than one foot vertically to three feet horizontally shall be planted with ground covers appropriate for the purpose and soil conditions, water availability and environment.
- (8) Sight triangles. Landscaping within sight triangles shall not exceed a mature height of 30 inches. Shade trees shall be pruned up to an eight-foot branching height above grade.
- (9) In cases where natural features existing on site duplicate the planting requirements of this section, the landscape requirements may be waived by the Board.
- (10) The use of indigenous/native plant material is to be encouraged to establish sustainable landscapes that blend with the natural environment, reduce the use of pesticides and reduced irrigation.
- (11) All plant materials, planting practices and specifications shall be in accordance with the "American Standards for Nursery Stock" by the latest available American Association of Nurserymen Standards.
- (12) The design standards are minimum requirements. The Board may request additional development features exceeding these standards if conditions warrant.
- (13) Landscape Plan Content.
 - (a) A landscape plan prepared by a Licensed Landscape Architect, licensed by the New Jersey State Board of Landscape Architects, or other qualified individual, shall be submitted with each application.
 - (b) In addition to the site plan or subdivision submission requirements, the landscape plan shall include and identify the following information:
 - i. Existing and proposed underground and aboveground utilities such as site lighting, transformers, hydrants, manholes, valve boxes, etc. to determine if there are conflicts with these features.
 - ii. Existing wooded areas, rock outcroppings and existing and

proposed water bodies.

- iii. Location of individual existing trees noted for preservation within the area of development and 30 feet beyond the limit of the disturbance. Trees four inches in diameter breast height (DBH) (measured 4 1/2 feet above the existing ground level) shall be located and identified by name and diameter unless the wooded area is shown with a specific limit line. In this case, trees with a DBH over 12 inches shall be located within 30 feet of the limit of disturbance.
- iv. Indicate all existing vegetation to be saved or removed.
- v. Existing and proposed topography and location of all landscaped berms.
- vi. Location, species and sizes of all proposed shade trees, ornamental trees, evergreen trees and shrubs and areas for turf or any other ground cover. The size of the symbol must be representative of the size of the plant shown to scale.
- vii. A plant schedule indicating botanical name, common name, size at time of planting (caliper, height and spread), quantity, root condition and any special remarks (spacing, substitutions, etc.) for all plant material proposed. Plants within the plant schedule shall be keyed to the landscape plan.
- viii. Planting and construction details and specifications.
- ix. Landscape water conservation irrigation measures. The plan should include the identification of the proposed landscape irrigation measures for the proposed landscaping. It shall include provisions for water conservation including, but not limited to, timers with rain or soil moisture sensors, drip irrigation for planting beds and areas of phased irrigation areas for initial plant establishment that can be zoned off following plant establishment.

(14) Site protection requirements.

- (a) Topsoil preservation. Topsoil moved during the course of construction shall be redistributed on all regraded surfaces so as to provide at least four inches of even cover to all disturbed areas of the development and shall be stabilized by seeding or planting. Additional topsoil shall be provided as directed by the Township Engineer. Surplus topsoil shall be removed only as directed by the Township Engineer. A soil erosion and sediment control plan shall be

approved as part of the preliminary plat, in accordance with the provisions of the Township Ordinance. Editor's Note: See Ch. 225, Land Use, Subdivisions and Site Plans.

- (b) Removal of debris. All stumps and other tree parts, litter, brush, weeds, excess or scrap building materials or other debris shall be removed from the site and disposed of in accordance with the law.
 - (c) Protection of existing plantings. These standards shall be coordinated with the specific requirements of the Recreation and Forestry Department of the Township. Maximum effort should be made to save specimens (because of size or relative rarity). No building material, construction equipment or temporary soil deposits shall be placed within the limit of clearing line noted above, for trees designated to be retained on the preliminary and/or final plat. Protective barriers or tree wells shall be shown on the drawing and installed around each plant and/or group of plants that are to remain on the site. Barriers shall not be supported by the plants they are protecting, but shall be self-supporting. They shall be a minimum of four feet high and constructed of a durable material that will last until construction is completed. Snow fences and silt fences are examples of acceptable barriers. Chain link fence may be required for tree protection if warranted by site conditions and relative rarity of the plant. Any clearing within the drip line or within six feet of the trunk of a remaining tree must be done by hand.
 - (d) In order to preserve large areas of the parent tract as open space lot, the requirements of Section 225-80.C related to "Regulation for critical slope areas" would not apply to development in the RC District. However, any disturbance of the existing steep slope areas shall be conducted in compliance with the approved Erosion and Sediment Control Plans from County conservation district.
- (15) Street trees.
- (a) Street trees shall be required for any subdivision, site plan or expansion of existing uses.
 - (b) Street trees shall be installed within the right-of-way between the sidewalk and curb on both sides of all streets or as directed by the respective board or municipal agency. Where sidewalks are not required, street trees shall be located within the property line along a line five feet from and parallel to the street right-of-way line. The spacing of street trees shall be no farther than 50 feet on center. When trees are planted at predetermined intervals along streets, spacing shall depend on tree size, as directed by the designated municipal official.
 - (c) The trees shall be planted so as not to interfere with utilities, roadways,

sidewalks, sight easement or streetlights. Tree location, landscaping design and spacing plan shall be approved by the Board as part of the site plan or subdivision process.

(d) Street tree type. Tree type may vary depending on the overall effect desired. Depending upon the length of a street or frontage, more than one variety of street tree should be provided to create biodiversity and reduce the problems associated with a monoculture planting. Trees shall be planted in groupings of similar varieties. Trees of similar form, height and character along a roadway shall be used to promote uniformity and allow for a smooth visual transition between species.

(e) Tree selection shall be based upon on-site conditions and tree suitability to those conditions.

(16) Planting specifications.

(a) Shade trees shall have a minimum caliper of 2.5 to three inches measured six inches from grade at planting, and evergreen trees shall have a minimum height of 7 to 8 feet at planting (unless as specified for buffer areas). All plant materials, planting practices and specifications shall in accordance with standards established by the American Association of Nurserymen. Trees shall be nursery-grown, free of disease, substantially uniform in size and shape and have straight trunks. The minimum branch height at planting shall be six feet, except where planting is on a sight triangle, in which case no branches shall be below eight feet.

(b) Trees shall be properly planted and firmly supported with two or three guyed wires attached to stakes. Pieces of rubber hose shall be used under the wires where they are attached to the trees. Wires and stakes shall be removed by the applicant after one year.

(c) Where a natural growth of shade trees exists on a building lot, the Engineering Department may determine whether such natural growth satisfies the intent of this chapter and, if so, the owner may not be required to provide any additional street trees.

§430-333. Off-Street Parking and Loading Requirements. Loading requirements for developments within RC district shall be as specified in §430-332 C of this Article. Required off-street parking requirements shall be as specified in Article XXXVII except that the following uses in the RC District are subject to the following requirements:

A. Permitted Retail Commercial Uses, except as specifically outlined in this Section: One

space per 250 square feet of gross floor area.

- B. Grocery Store, Food Market and Supermarkets. One space per 200 square feet of gross floor area
- C. Banks. One space per 200 square feet of gross floor area.
- D. Restaurants. One space per three seats or one space per 75 square feet of patron area, whichever is greater.

§430-334. Signs. Signs shall be as specified in Article XXXVIII, except that the following sign requirements shall be applied to the RC District as follows:

- A. Commercial Development. Commercial retail and related development shall be subject to the following signage regulations.
 - (1) Freestanding signs. One freestanding sign per street frontage entrance to identify the retail development and its occupants, not to exceed 150 square feet. The maximum sign height should not exceed 20 feet and the sign setback should be at least 15 feet or the sign height, whichever is greater.
 - (2) Building signs.
 - (a) No sign shall exceed the lesser of 1.5 square feet in area for each one foot of linear width of the front facade on which the sign is to be located or 150 square feet.
 - (b) All signs shall be placed on the front facade of the building adjacent to the front yard and shall have a coordinated theme as to height and building placement.
 - (c) Such signs shall advertise only such business as is conducted on the premises.
 - (d) Such signs shall not project more than 18 inches from the building facade to which they are attached; provided, however, that where a sign extends more than three inches from the face of the wall, the bottom edge of the

sign shall not be less than 10 feet from the ground or have a vertical dimension in excess of five feet.

- (e) No building sign shall be higher than 25 feet from the ground.
- (f) Such signs may be internally lighted with non-glaring lights or may be illuminated by shielded floodlights and must be on and designed to be visible from the principal access frontage.
- (g) One additional identifying sign shall be permitted for a business which fronts on two or more streets; provided that the total permitted sign area is not increased.

§ 430-334. Additional Standards.

All regulations and standards of this Chapter and Chapter 225 (Land Use, Subdivisions, and Site Plan) shall apply and remain in full force and effect, including but not limited to standards including, but not limited to, access; circulation; parking; loading; refuse; storm water management; utilities; landscaping; lighting; performance standards and site improvements; however, wherever there is a conflict, this Article shall apply.

§ 430-335. Application Procedure.

- A. Concept Plan. An applicant may apply to the Planning Board for sketch site plan review prior to making a formal application to the Board. The specified supporting data and accompanying information shall be filed at the time of preliminary site plan application, all in accordance with the applicable sections of Chapter 225, Land Use, Subdivisions, and Site Plans.
- B. Preliminary and Final Plans. Preliminary and/or final application for development shall be made under and in accord with all regulations and procedures for a major subdivision and major site plan as set forth in Chapter 225, Land Use, Subdivisions and Site Plans.
- C. Phasing Plans. The development plan may be approved in whole or in phases, provided each phase is self-sufficient with regards to parking, access, utilities, buffering, and other site plan items.