

OFFICIAL

**TOWNSHIP OF MOON  
ORDINANCE NO. 702**

AN ORDINANCE OF THE TOWNSHIP OF MOON, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE MOON TOWNSHIP CODE OF ORDINANCES, ZONING CHAPTER 27, PART 1, ESTABLISHING A DEFINITION FOR LIGHT DISTRIBUTION, AND EXPANDING THE DEFINITION OF FLEX SPACE, PART 2 REVISING THE USE TABLE, AND PART 8 REVISING CERTAIN USE CONDITIONS IN THE BP ZONING DISTRICT.

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

WHEREAS, Chapter 27 of the Moon Township Code of Ordinances, Zoning, as amended, (the “Zoning Ordinance”) regulates zoning within the Township; and

WHEREAS, the Township Board of Supervisors desires to amend the Zoning Ordinance in order to revise the definition of “Flex Space,” and revise the Conditional Use criteria for Flex Space in the BP Zoning District;

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.** Section 27-107. of the Zoning Ordinance, which sets forth definitions, is amended as follows by inserting the underlined text:

§27-107. Definitions and Word Usage.

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LIGHT DISTRIBUTION – Any building or part thereof not exceeding 15,000 square feet with a maximum clearance height of 25 feet where the process of directly making and supplying wholesale goods to a retailer or manufacturer is conducted where no process involved produces noise, vibration, air pollution, fire hazard, or noxious emissions which will disturb or endanger neighboring properties.

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, assembly or fabrication facility, light distribution, wholesaling, and associated administrative space.

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**Section 2.** Table 27-1 – “Use Table” – Attachment 1 of the Zoning Ordinance which sets forth permitted uses, conditional uses and special exceptions by zoning district, is amended by inserting the underlined text as follows:

	Residential						Nonresidential									
<b>Key</b>																
<b>P Permitted Use</b>																
<b>C Conditional Use</b>																
<b>S Special Exception</b>																
<b>Authorized Uses</b>	<b>R-1</b>	<b>R-1A</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-5</b>	<b>ED</b>	<b>OS</b>	<b>M-1</b>	<b>BP</b>	<b>MX</b>	<b>RT</b>	<b>C-1</b>	<b>C-2</b>	<b>AP</b>	<b>MEO</b>
<u>Light Distribution</u>									<u>P</u>			<u>P</u>			<u>P</u>	

**Section 3.** Part 8 of the Zoning Ordinance which provides express standards and criteria for Conditional Uses is amended by revising certain office use conditions and eliminating restrictions as they pertain to light manufacturing and research and development within the BP District in Section 27-828 as follows by deleting strikethrough text and inserting the underlined text;

**§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 six 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 11:00 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.

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%~~ sixty thousand (60,000) square feet of any building may be devoted to Flex Space.
- (2) Direct access to 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% of the flex space building must be dedicated to an office use, and no more than 25% of the flex space building may be dedicated to storage. If the applicant desires greater than the maximum of 25% 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 2/3 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 3% of the length of the facade and extending 20% of the length of the facade. No uninterrupted length of any facade shall exceed 50 horizontal feet.~~

~~(c) No less than 50% of the building shall be dedicated to an office use.~~

(3) Each Flex Space shall have a minimum of 2/3 of its exterior wall area faced with brick, stone and/or glass, exclusive of windows.

(4) Flex Space facades shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the facade and extending 20% of the length of the facade. No uninterrupted length of any facade shall exceed 50 horizontal feet.

(5) No less than 50% 35% of the Flex Space shall be dedicated to an office use.

(6) Flex Space use shall be conducted entirely within an enclosed building.

(7) The Flex Space exterior wall height shall not exceed thirty (30) feet.

(8) Loading docks are permitted at 1 per 10,000 s.f. of gross floor area and there can be no more than 6 loading docks in a single building.

(9) No more than twenty-five percent (25%) of the Flex Space may be dedicated to warehousing.

~~(10) The flex space use shall not involve warehousing; provided, however, the use may include storage as an accessory use pursuant to subparagraph (3) above.~~

~~(11) The flex space use shall not involve light manufacturing, and research and development.~~

**Section 4.** It is the intention of the Township that the chapters, parts, sections, subsections, paragraphs, sentences and/or phrases of this Ordinance are severable. If any chapter, part, section, subsection, paragraph, sentence, or phrase of this Ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or the validity of any remaining chapters, parts, sections, subsections, paragraphs, sentences, or phrases of this Ordinance.

**Section 5.** All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

**Section 6.** This Ordinance shall take effect in accordance with applicable law.

**ORDAINED** and **ENACTED** this \_\_\_ day of \_\_\_\_\_, 20\_\_, by the Board of Supervisors of the Township of Moon, in lawful session duly assembled.

ATTEST:

TOWNSHIP OF MOON

\_\_\_\_\_  
Dawn Lane  
Township Manager/Secretary

By: \_\_\_\_\_  
Chairman, Board of Supervisors

(Seal)