

MOON CODE

ARTICLE II  
**District Regulations**

**§ 208-200. Districts.**

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

Zoning Districts

**Residential**

- R-1      Semi-Rural Residential  
R-1A     Low Density Residential  
R-2      Suburban Residential  
R-3      Medium Density Residential  
R-4      Urban Residential  
R-5      High Density Residential

**Non-Residential**

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

Overlay Districts

- AH       Airport Hazard  
CV       Carnot Village  
TG       Trails and Greenways  
TD       Transportation District

**§ 208-201. District boundaries.**

- A. District boundaries shown on the lines of roads, streams and transportation right-of-ways shall be deemed to follow their center lines. The vacation of roads shall not affect the location of such district boundaries. When the Planning Director cannot definitely determine the location of a district boundary by such center lines, by the scale of dimensions stated on the Zoning Map or by the fact that it clearly coincides with a property line, the Planning Director shall refuse action, and the Zoning Hearing Board, upon appeal, shall interpret the location of the district boundary with reference to the scale of the Zoning Map and the purposes set forth in all relevant provisions of this Chapter.

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### **§ 208-202. Permitted uses, conditional uses and uses by special exception.**

- A. No building, structure or land shall be constructed or used for any purpose or in any manner other than for one (1) or more of the permitted or conditional uses granted by right to the zoning district in which such building, structure or land is located or of the uses by special exception. Except in the case of development requiring the preparation and approval of a planned land development or as provided for in §208-211.J (2) and §208-211.J (3), not more than one (1) detached principal building shall be located on a lot.
- B. In addition to the basic zoning requirements defined by Article II of this Chapter, all conditional uses shall conform to all the applicable requirements and provisions defined by Article VIII of this Chapter. All uses by special exception shall conform to all applicable requirements and provisions defined by Article IX of this Chapter.

### **§ 208-203. Permitted and conditional uses and uses by special exceptions by zoning district.**

- A. The letter “P” denotes a permitted use by right, subject to the requirements specified by this Chapter and after a zoning certificate has been issued in accordance with Article XI of this Chapter.
- B. The letter “C” denotes a use that is conditional, subject to the requirements specified by this Chapter and provided that the Board of Supervisors grants the conditional use pursuant to Article VIII of this Chapter.
- C. The letter “S” denotes a use that is a special exception subject to the requirements specified by this Chapter and provided that the Zoning Hearing Board grants the special exception pursuant to Article IX of this Chapter.

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**Table 1. Permitted and conditional uses and uses by special exception.**

		Residential						Non Residential									
P Permitted Use C Conditional Use S Use by Special Exception	Authorized Land Uses	R-1	R-1A	R-2	R-3	R-4	R-5	ED	OS	M-1	BP	M-X	RT	C-1	C-2	AP	
		1	Accessory Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2	Agriculture	C															2
3	Aircraft Assembly and Rehabilitation															P	3
4	Aircraft Maintenance & Storage Hangars															P	4
5	Airport Office															P	5
6	Airport Parking															P	6
7	Airport Runway and Taxiway															P	7
8	Airport Service Facility															P	8
9	Airport Terminal															P	9
10	Airport Traffic Control Facility															P	10
11	Amphitheater							C	C								11
12	Animal Grooming Facility	P	P	P						P		P	P	P	P		12
13	Apartment, Garden						P							C	C		13
14	Apartment, High Rise						P								C		14
15	Assembly or Fabrication Facility									P			P				15
16	Automobile Repair and Service									P		P		P	P		16
17	Automobile Rental											P			P	P	17
18	Automobile Sales											P			P		18
19	Bar / Nightclub											P		P	P		19
20	Bed and Breakfast	C	C	C	C	C	C							P			20
21	Billboard									C			C				21
22	Boarding House					C	C	C						P			22
23	Business Services									P	P	P	P	P	P	C	23
24	Cargo Facility									C			C			C	24
25	Car Wash													P	P		25
26	Cemetery	C	C						C							C	26
27	Cluster Lot Development	P	P	P	P												27
28	Commercial School									P		P	P		P	P	28
29	Communication Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	29
30	Communication Tower									C			C			C	30
31	Conference and Training Center									P	P	P	P		P	C	31
32	Corporate Office									P	P	P	P			C	32
33	Country Club / Golf Course	C	C	C	C	C	C		P		C	C	P		C		33
34	Cottage Home Development	P	P	P	P												34
35	Cultural Center							C	C								35
36	Day-care Center							P			P	P	P	P	P	P	36

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Table 1: (con't).

	Residential						Non Residential									
	R-1	R-1A	R-2	R-3	R-4	R-5	ED	OS	M-1	BP	M-X	RT	C-1	C-2	AP	
<b>P Permitted Use</b> <b>C Conditional Use</b> <b>S Use by Special Exception</b>																
<b>Authorized Land Uses</b>																
37 Distribution Center									P			C			C	37
38 Dormitory							C									38
39 Drive-in Theater											P					39
40 Drive-thru Facility											P	P		P		40
41 Driving Range								P		P	C	P		C		41
42 Dwelling, Quad-plex					P	P							P			42
43 Dwelling, Single Family	P	P	P	P	P			P								43
44 Dwelling, Two Family					P	P										44
45 Emergency Services									P		P	P	P	P	P	45
46 Employee Cafeteria or Dining Room							P		P	P		P			P	46
47 Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	47
48 Exposition Hall															C	48
49 Farmers' Market	C							P			P		P	P		49
50 Financial Institution										P	P	P	P	P	P	50
51 Flex Space									P	C		P			C	51
52 Forestry	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	52
53 Freight Terminal									P						C	53
54 Funeral Home											P		P	P		54
55 Gas Station									P		P	P	C	P		55
56 Group Care Facility					C	C							C	C		56
58 Group Residence	P	P	P	P	P	P										58
59 Home Occupation	C	C	C	C	C	C										59
60 Hospital											P			P	C	60
61 Hotel / Motel										P	P	P		P	C	61
62 Indoor Amusement											P		P	P		62
63 International Trade Center												C			C	63
64 Junkyard									C							64
65 Kennel									C					C		65
66 Keeping of horses	S	S	S					S								66
67 Laboratory									P			P				67
68 Landscaping Center / Nursery (Retail)	C								P		P		P	P		68
69 Landscaping Center / Nursery (Wholesale)	P								P		P			P		69
70 Library							P			P	P	P	P	P		70
71 Life Care Facility											P			P		71

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Table 1: (con't).

		Residential						Non Residential									
P Permitted Use C Conditional Use S Use by Special Exception	Authorized Land Uses	R-1	R-1A	R-2	R-3	R-4	R-5	ED	OS	M-1	BP	M-X	RT	C-1	C-2	AP	
		72	Light Manufacturing									P			P		
73	Massage Therapy Establishment														C		73
74	Medical Clinic (Clinic)										P	P			P	C	74
75	Medical Office										P	P		P	P	C	75
76	Methadone Treatment Facility									C							76
77	Military Facilities									P			P			P	77
78	Mining									P			P				78
79	Mixed Use Development									C		C					79
57	Mobile Home Park					P	P										57
80	Neighborhood Convenience Store													P	P		80
81	No-Impact Home Based Business	P	P	P	P	P	P										81
82	Nursing Home and Personal Health Care Facility											P		P	P		82
83	Office, Administrative, Business or Professional									P	P	P	P	P	P	C	83
84	Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	84
85	Outdoor Storage									C			C		C	C	85
86	Parking Structure / Garage						C	C		C	C	C	C	C	C	C	86
87	Personal Improvement Establishment (Health Clubs)										P	P	P	P	P		87
88	Personal Services											P		P	P		88
89	Pharmacy											P		P	P		89
90	Pilot Manufacturing									P	C		P			P	90
91	Place of Assembly							P				C		C	C		91
92	Place of Worship	C	C	C	C	C	C	P				C		C	C		92
93	Planned Non Residential Development									C	C	C	C	C		C	93
94	Post Office										P			P	P	P	94
95	Private Club											P		P	P		95
96	Public or Private School	C	C	C	C	C	C	P									96
97	Public Park and Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	97
98	Public Works									P			P			P	98
99	Recreational Facility							P	C	C	C	C	C	C	C	C	99
100	Research and Development									P			P			C	100

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Table 1: (con't).

		Residential						Non Residential								
<b>P Permitted Use</b> <b>C Conditional Use</b> <b>S Use by Special Exception</b>		R-1	R-1A	R-2	R-3	R-4	R-5	ED	OS	M-1	BP	M-X	RT	C-1	C-2	AP
<b>Authorized Land Uses</b>																
101	Restaurant, High Turn-over with Drive-thru											P			P	
102	Restaurant, High Turn-over without Drive-thru											P		P	P	
103	Restaurant, Low Turn-over										C	P	P	P	P	C
104	Retail Store											P		P	P	
105	Self-Service Storage Facility									C						
106	Senior Center								C			P		P	P	
107	Sexually-Oriented Business									C						
108	Shopping Center											P		C	P	
109	Social Service Agency											P		P	P	
110	Stadium							C								
111	Supply Yard									P						
112	Supporting Retail							C			C		C			C
113	Theater / Auditorium (Theater)							P				C		C	C	
114	Townhouse					P	P							P		
115	Township Building										P	P	P	P	P	
116	University / College							P					C			C
117	Utility Services									P			P			
118	Veterinary Services									P		P		P	P	
119	Warehousing									P			C			C
120	Water Recreation	C	C	C	C	C	C	P								
121	Water Storage / Tower	C								P					C	
122	Wholesaling									P			C			
123	Woodshop / Millwork									P						
124	All Other Uses									C			C			

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**§ 208-204. Development intensity overview.**

- A. General. Any permitted structure or use which is erected, added to or structurally altered shall be located on a lot having not less than the minimum requirements set forth by this Chapter, except as provided for in §208-211.F.
- B. The intensity of all non-residential developments shall comply with the density, yard, setback, height, and lot coverage requirements defined by Table 2: Non-residential requirements and Table 5: Dimensions.
- C. The intensity of planned residential development and planned non-residential development shall comply with the requirements of Article XIII and Article XIV of this Chapter.
- D. Residential development alternatives. To provide housing diversity; to maintain development flexibility; to encourage efficient land development; to promote environmental sensitivity; and to enhance open space conservation, three (3) residential development alternatives shall be available to a developer and/or landowner. General illustrations of the development alternatives are provided in Appendix A of this Chapter. These residential development alternatives include:
  - (1) Conventional lot development.
  - (2) Cluster lot development.
  - (3) Cottage home development

**Table 2. Non-residential requirements.**

<b>Zoning District</b>	<b>Land Use Character</b>	<b>Min. Site Size (Acres)</b>	<b>Min. Lot Area</b>
C-1	Neighborhood Commercial		10,000 SF
C-2	Highway Commercial		20,000 SF
M-1	Light Industrial		1 Acre
B-P	Business Park	10	1 Acre
M-X	Mixed Use	10	1 Acre
RT	Research/Technology	10	1 Acre
AP	Airport	100	10 Acres
ED	Educational	10	1 Acre
OS	Open Space		

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### § 208-205. Conventional lot development.

- A. Conventional lot development shall be permitted in all residential zoning districts.
  - (1) No lot located within a conventional lot development shall be less than the minimum lot area per family as defined by Table 3: Conventional lot development densities.
  - (2) Any portion of any tract in any residential zoning district that has an average slope in excess of fifteen (15%) percent may be used for single family dwellings on a minimum lot size of 80,000 SF
- B. All conventional lot developments shall comply with the minimum yard, setback and lot coverage requirements defined in Table 5: Dimensions.
- C. The number of dwelling units permitted on the site equals the maximum listed in Table 3, multiplied by the area, in acres, containing less than fifteen (15%) percent slope plus 0.54 times the area in acres containing greater than fifteen (15 %) percent slope.

**Table 3. Conventional lot development densities.**

<b>ZONING DISTRICT</b>	<b>Min. Lot Area / Family</b>	<b>Maximum Conventional lot Density (DU/Acre)</b>
OS	435,600 SF	0.10
R-1	80,000 SF	0.54
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,PNRD,ED	3,630 SF	12.00

### § 208-206. Cluster lot development.

- A. Cluster lot development allows the redistribution of density from sensitive resource areas to non sensitive resource areas to encourage preservation of sensitive resource areas.
- B. Cluster lot development is voluntary and not required.
- C. The lot area and dimensional requirements proposed shall not be less than those in Table 4.
- D. Cluster lot development shall be permitted as a permitted use in the OS, R-1, R-1A R-2, and R-3 residential zoning districts. 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.



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- E. The balance of the land not utilized for residential lots shall be reserved as common open space. Ownership and maintenance shall be determined prior to final application approval via the methods outlined in §208-1313
- F. 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 Article III of this Chapter.
- G. The density is the same as what could be proposed under conventional lot development on the site. The dwelling units permitted on the site equals the maximum conventional lot density listed in Table 3, multiplied by the area, in acres, containing less than fifteen (15%) percent slope plus 0.54 times the area in acres containing greater than fifteen (15 %) percent slope.

**Table 4. Cluster lot development densities and dimensional requirements.**

<b>District</b>	<b>Min. Lot Area / Family</b>	<b>Min. Lot Frontage</b>	<b>Front Setback Local Street</b>	<b>Front Setback Arterial Street</b>	<b>Side Setback</b>	<b>Rear Setback</b>
OS	40,000	100	40	50	12	25
R-1	40,000	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

**§208-207 Cottage Home Developments.**

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.

- A. Cottage home development allows the redistribution of density from sensitive resource areas to non sensitive resource areas to encourage preservation of sensitive resource areas.
- B. Cottage home development is voluntary and not required.
- C. Cottage home development shall be permitted as a permitted use in the OS, R-1, R-1A R-2 and R-3 residential zoning districts. 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.

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### D. Gross Site Requirements

- (1) Gross Site Frontage – The access point on existing Township or state streets – 150 ft. minimum.
- (2) Access – less than twenty (20) units may connect to a local road, twenty (20) units or more must connect to a collector or arterial road.

E. Density. The density is the same as what could be proposed under conventional lot development on the site. The dwelling units permitted on the site equals the maximum conventional lot density listed in table 3, multiplied by the area, in acres, containing less than 15% slope plus 0.54 times the area in acres containing greater than 15 % slope.

### F. Setback and Buffer Requirements

- (1) Setbacks for dwelling units shall be fifty (50) feet from all perimeter property lines and fifteen (15) feet from the edge of paving on all internal private driveways within the development.
- (2) In the case where the garage door faces the internal private driveway the face of the garage shall maintain a minimum twenty (20) foot distance from the edge of the driveway.
- (3) A minimum sixteen (16) foot clean distance shall be maintained between adjacent dwelling units. Any distance between buildings less than sixteen (16) foot, the buildings shall be sprinklered.
- (4) A minimum thirty (30) foot setback shall be maintained from all internal public streets within the plan.
- (5) Landscaping and Bufferyards shall be maintained in accordance with §208-213 and §208-214.

### H. Building Requirements

- (1) Garage Door Orientation – To the maximum extent practical garage doors of dwelling units shall not face the internal private driveway.

### I. Parking/Driveway/Internal Streets

- (1) Each dwelling unit shall provide a two (2) parking spaces per unit.
- (2) Visitor parking shall be provided at the rate of at least 0.5 (one half) spaces per unit.

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(3) 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 Home Owners Association.

J. Open Space. A minimum of forty (40) percent of the gross site area shall be set aside as common open space area within the plan. Where practical, common open spaces shall be contiguous and easily accessible. The common open space shall, at a minimum, include the undisturbed sensitive natural resource areas defined by the requirements of Article III of this Chapter. The open space shall include but not be limited to landscaped plazas, grass areas, fountains, sitting areas, etc. designed by a landscape architect. Open space does not include areas used as buildings, driveways, internal streets or any other space that does not contribute to the quality of the environment. The 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 five (5) percent of the common open space areas shall be dedicated to active recreational areas as agreed upon by the developer and Township at the approval process.

K. Additional Regulations

(1) The development shall be done as a condominium project with common ownership of the land.

### **§ 208-208. Dimensional requirements.**

A. General. Any principal structure or use permitted in the Township's zoning districts which is erected, added to or structurally altered shall conform to the minimum lot dimensions as defined in Table 5: Dimensions.

**Table 5. Dimensions.**

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Zoning District	Min. Lot Frontage (Feet)	Min Building Setbacks (Feet)			Max Building Structure Height (Feet)	Max. Building Coverage
		Front	Side	Rear		
R-1	100	50	15	30	40	20%
R-1A	100	50	15	30	40	20%
R-2	70	40	15	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%
B-P	150	50	50	50	40	40%
M-X	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%

### § 208-209. Height regulations.

- A. In the R-1, R-2, R-3 and OS districts, no structures shall exceed forty (40) feet in height above the average ground level immediately adjacent to the structure. In any other district, no structure shall exceed forty (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 one (1) foot for each additional foot of height over forty (40) feet. Under no circumstances shall the height of a structure exceed one hundred (100) feet.
- B. No parking garage/structure shall exceed forty (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 A.
- C. Exceptions. The following shall not be considered structures within the meaning of this section and may be erected to any height, provided that they do not constitute a hazard to the airport: church spires, belfries, monuments, tanks, water and fire towers, stage towers and scenery lofts, cooling towers, ornamental towers, spires, chimneys, elevator bulkheads, smokestacks, conveyors and flagpoles.

### § 208-210. Minimum floor area requirements.

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- A. No residential dwelling unit shall have a gross floor area of less than seven hundred twenty (720) square feet.

### **§ 208-211. Lot and yard requirements.**

- A. In all residential districts the requirements listed in Table 3 and 5 are applicable, except that cluster developments shall be permitted to use the minimum requirements in Table 4 where the requirements in Table 5 are greater and cottage home developments shall use the setbacks and frontage requirements in §208-207.
- B. In all non-residential districts the requirements in Table 2 and 5 are applicable.
- C. Any lot of record in the B-P Business Park, RT Research/Technology or M-X Mixed-Use districts 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.
- D. Lots, which abut more than one (1) 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 A.
- E. 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 twelve (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, side or rear yard, except as provided for in Article IV.
- F. 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 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.
- G. All on-lot septic tanks shall be constructed in accordance with the requirements of the Pennsylvania Department of Environmental Protection (DEP) and the Allegheny County Health Department (ACHD).
- H. Any portion of a lot once used as a yard or as lot area per family 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 family for another building.

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- I. No structure or use of land which has non-conforming yards may be enlarged or expanded in any manner which will further reduce the minimum dimension of such non-conforming yards as outlined in Article VII of this Chapter.
- J. Uses, structures or buildings per lot.
  - (1) Only one (1) single-family detached dwelling unit, one (1) mobile home or one (1) two-family detached dwelling, together with its permitted accessory structures, shall be located on any single lot. A development proposing two (2) or more single-family detached dwellings, mobile homes or two-family detached dwellings on one (1) lot shall not be permitted, except in accordance with Article XIII of this Chapter or Section 208-207 Cottage Home Development.
  - (2) Two (2) or more multiple-dwelling residential structures on one (1) lot shall be permitted, provided that:
    - (a) The minimum lot area per family or dwelling unit as provided for in Table 3: Conventional lot development densities and Table 4: Cluster lot development densities of this Article is required.
    - (b) Any portion of a lot once used as lot area per family shall not be utilized again for another required lot area per family.
    - (c) The land development shall conform to the minimum lot width requirement of the zoning district in which it is located.
    - (d) The land development shall conform to all the yard requirements around the perimeter of the lot for the zoning district in which it is located.
    - (e) An adequate, Township-approved access shall be provided to a public road for municipal services such as fire, police emergency vehicles and other service vehicles.
    - (f) Every principal building or structure shall be separated by not less than thirty (30) feet from any other principal building or structure on the side.
  - (3) A non-residential development in which two (2) or more buildings or structures are proposed on one (1) lot shall be permitted, provided that:
    - (a) The land development does not exceed the maximum building coverages as defined by this Chapter.
    - (b) The land development shall conform to the minimum lot area and minimum lot width requirements of the zoning district in which it is located.

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- (c) The land 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.
- (d) An adequate, Township-approved access shall be provided to a public road for municipal services such as fire, police emergency vehicles and other service vehicles.

K. Enclosed structures.

- (1) No building or enclosed structure shall be located within two hundred (200) feet of any operating oil or gas well. No building or enclosed structure shall be located within two hundred (200) feet of any non-operating oil or gas well unless said well has been properly capped in accordance with all applicable local, county, state and federal regulations and documentation to that effect has been provided to the Township.
- (2) No oil or gas well may be constructed or drilled within two hundred (200) feet of any building or enclosed structure. Further, the Township may require any new oil or gas well to be entirely fenced when, in the opinion of the Township, the well is accessible to the general public. Additionally, the Township may also require that a developer and/or landowner construct a Township-approved barrier in the event that the land development is constructed near an existing oil or gas well and, in the opinion of the Township, there is a reasonable chance that the well could be accessible to residents, employees, business owners or customers in the development.

**§ 208-212. Clear sight triangle.**

The sides of a clear sight triangle shall be measured along the center line of existing streets and shall meet the minimum standards specified as follows:

	Type of Street		
	Arterial/ Collector (feet)	Local (feet)	Service (feet)
Clear sight triangle (main to side street)	500/30	250/25	200/25

**§ 208-213. Vegetation preservation and bufferyards.**

Vegetation preservation and bufferyards are governed by the specifications in this section and the provisions of the Municipalities Planning Code.

- A. Vegetation preservation. The removal of trees, shrubbery, foliage, grass or other natural growth shall be in accordance with the provisions of this Chapter and with any other Chapter of the Township Code regulating land development and logging. The activity of “grubbing” (defined as the cleaning of underbrush from a well-treed area) shall be permitted with the expressed approval of the Zoning Officer. A landscape plan shall be prepared and submitted

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at the time of final subdivision and/or land development application, bearing the seal of a registered landscape architect.

### B. Cutting and clearing of vegetation; violations and penalties.

- (1) Forestry activities of timber harvesting and/or logging, whether by clear-cutting, selective cutting or other common practice, shall be permitted in any zoning district. All forestry activities shall comply with Township Ordinance 448.
- (2) The cutting of trees and/or clearing of vegetation within forty (40) feet of the property line or the maximum bufferyard which could be applicable to the property as required by § 208-213, whichever is greater is, prohibited. Grubbing activity, as defined in Subsection A, is permitted where the purpose is to improve the appearance of the property.
- (3) “Imminent development” shall be considered to be development which is reasonably expected to commence and for which there are realistic plans to commence on a minimum eight (8) hours per day, forty (40) hours per week basis (utilizing a five (5) on, two (2) off standard workweek basis) within sixty (60) days of the completed cutting activities and for which a subdivision or land development plan or plat and a conceptual landscape plan has been submitted and approved by the Township.
- (4) The penalty for violating this section shall be a maximum of five hundred dollars (\$500.00) for each day in excess of sixty (60) that the cleared property is not subject to significant development activities, as defined above, unless the lack of significant development for time in excess of sixty (60) days following the clearing of the property occurred for reasons other than a lack of reasonable expectations as to when development would and could commence and/or a lack of realistic plans for the commencement of development. This language is not intended to prohibit the culling of diseased, dead or dying plants or trees, the development of flower or vegetable gardens or the removal of single trees or clumps of vegetation for aesthetic, safety or other concerns. It does prohibit the mass or large-scale defoliation of potential bufferyards preparatory to development until shortly before the proposed development actually takes place.
- (5) In addition to any other remedy available to the Township and in the event that the construction of structures and/or infrastructure on the site does not commence despite an approved land development plan within six (6) months of the completion of the clearing operations as determined by the Township, the disturbed area identified in § 208-213B(2) shall be reforested in accordance with requirements of Bufferyard 1 or, where applicable the Special Bufferyard as set forth in §208-213E. Should this six (6) month period fall during a season not conducive to planting, the Township may permit the developer, landowner and/or his agents to delay this reforestation until a time more conducive, but shall commence, in no case, any later than April 1. Furthermore, at the time of the subdivision and/or land development plan or plat approval, the Township shall require that a performance security be provided, in the favor of the Township, to



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guarantee this reforestation, in an amount approved by the Township Engineer. The lot must be reforested with a species comparable to the predominant species on the lot prior to the commencement of the clearing operations.

- (6) The landscape plan required by § 208-213A shall show the location and species of all existing trees twelve (12) inches in diameter at breast height (“dbh”). All such trees shall be marked in the field in order that they may be inspected by the Township. Applicants are encouraged to maximize the retention of all healthy existing trees six (6) inches or more dbh. All trees including those not listed in Appendix B are subject to approval by the Township arborist with respect to health, location and species type. Trees to be preserved should not be disturbed within the drip line. Any change to the existing grade within the drip line shall disqualify the opportunity for credits. A developer preserving existing approved trees shall be entitled to the following credits from the bufferyard requirements of § 208-213:
    - (a) Eighteen (18) inch dbh or greater tree located in required bufferyards: six (6) trees.
    - (b) Eighteen (18) inch dbh or greater tree located outside required bufferyards: seven (7) trees.
    - (c) Twelve (12) inch to eighteen (18) inch dbh located in required bufferyards: four (4) trees.
    - (d) Twelve (12) inch to eighteen (18) inch dbh located outside required bufferyards: five (5) trees.
    - (e) Six (6) inch to twelve (12) inch dbh tree located in required bufferyards: two (2) trees.
    - (f) Six (6) inch to twelve (12) inch dbh tree located outside required bufferyards: three (3) trees.
- C. Bufferyards shall be required in conjunction with the development of any lot, as defined by Table 6: Bufferyards. Illustrations of the required bufferyards can be found in Appendix B of this Chapter.

**Table 6. Bufferyards.**

**Required Bufferyards**

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<b>Development Proposed</b>	<b>1</b>	<b>2</b>	<b>3</b>
Multi-Family use in any Residential District			
Adjoining property in any residential district	X		
Adjoining property in any other district		X	
Any use in C-1, C-2 or M-X			
Adjoining property in any residential district	X		
Adjoining any multi-family use, or property in any ED, OS, M-1, B-P or A-P District		X	
Adjoining any property in any C-1, C-2, M-X 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 A-P District			
Adjoining any property in any residential district	X		
Adjoining any property in any C-1, C-2, B-P, OS, ED or M-X District		X	
Adjoining any property in any M-1 or A-P District			X
Any use in ED District			
Adjoining any property in any Residential District	X		
Adjoining any property in any other district		X	

D. Bufferyards requirements.

(1) Bufferyards 1, 2 and 3 listed in the Table 6: Bufferyards in Subsection C are defined as follows:

(a) Bufferyard 1.

[1] No structures or uses, including but not limited to buildings, accessory structures, parking spaces, access drives and lighting devices, may be located closer than forty (40) feet to any front, side or rear lot line except that access drives may be located in the front bufferyard, or other bufferyard if required by the Township’s driveway permit ordinance.

[2] In addition to the requirements of Appendix B, a row of low level evergreen shrubs or hedges shall be planted or earthen mounding shall be constructed in the bufferyard 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, hedges or mounds shall be of such

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height that a person facing a passenger car with the shrubs, hedges 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.

(b) Bufferyard 2

[1] No structures or uses, including but not limited to buildings, accessory structures, parking spaces, curbs, access drives and lighting devices, may be located any closer than twenty (20) feet to any front, side or rear lot line except that access drives may be located in the front bufferyard, or other bufferyard if required by the Township's driveway permit ordinance.

[2] In addition to the requirements of Appendix B, a row of low level evergreen shrubs or hedges shall be planted or earthen mounding shall be constructed in the bufferyard 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, hedges or mounds shall be of such height that a person facing a passenger car with the shrubs, hedges 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.

(c) Bufferyard 3

[1] No structures or uses, including but not limited to buildings, accessory structures, parking spaces, curbs, access drives and lighting devices, may be located any closer than ten (10) feet to any front, side or rear lot line except that access drives may be located in the front bufferyard, or other bufferyard if required by the Township's driveway permit ordinance.

(d) Bufferyard plantings for Bufferyards 1, 2 and 3 shall be in accordance with the conceptual illustrations set forth in Appendix B.

E. Any property having frontage on Business Route 60 from Hangar Road to the Montour Run Interchanges or the southerly side of Beaver Grade Road between Ewing Road and the Cutler Hammer access drive, shall maintain a one hundred and fifty (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 Section shall not be required to exceed thirty percent (30%) of the depth of a parcel. Existing vegetation in this buffer shall not be disturbed, other than the removal of dead or diseased trees or other vegetation, except that any area within a public or private right-of-way or easement may be disturbed to the extent necessary to provide public streets, public utilities, access drives, essential services or stormwater retention facilities. Bufferyard plantings shall be in accordance with the conceptual illustrations set forth in Appendix B. Additionally, should a stormwater retention facility be proposed within this bufferyard, a detailed landscaping plan

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for said facility must be submitted and approved by the Township Engineer or a landscape architect retained by the Township.

- F. When the bufferyard width specified in §208-213D is in conflict with the provisions of Table 1: Permitted and conditional uses and uses by special exception or any other Chapter of the Township of Moon, the greater distance shall apply. The landscaping requirements shall be adhered to regardless of what the yard requirement is.
- G. 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 (1) side of the building, the required bufferyard as determined by Subsection C shall apply on all other yard areas. All landscaping requirements shall be adhered to regardless of the bufferyard width.
- H. All yard areas not utilized for 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 two (2) weeks after construction activities are completed, unless those activities are completed between a time period of November 1 through April 1. In such case, the required sodding or seeding must occur within two (2) weeks of April 1.
- I. All trees and shrubs required to be planted within the bufferyard shall be of the minimum diameters and heights set forth in the illustrations to Appendix B which trees and shrubs shall be planted in accordance with Appendix B and accepted conservation practices.
- J. 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.
- K. Stormwater management facilities and structures may be maintained within a bufferyard, but the existence of such facilities or structures shall not be a basis for a failure to meet the landscaping requirements.
- L. Deviation from the requirements of § 208-213 and Appendix B shall be permitted only as a conditional use in accordance with the requirements of § 208-854 of this Chapter.

### **§ 208-214. Landscaping.**

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Landscaping shall be provided in accordance with the following specifications:

- A. Landscaping required in bufferyards as outlined in § 208-213 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 final subdivision and land development application. This landscape plan must contain and show the following information:
  - (1) All required bufferyards with proposed plantings (identifying each proposed tree, bush or shrub) drawn to scale and identifying the height and width of any proposed mounds.
  - (2) All required planting independent of any bufferyard requirements (identifying each tree, bush, shrub, the use of sod or seeding, etc.) drawn to scale.
  - (3) Any planting in excess of the requirements in § 208-213 and this Section.
  - (4) Any existing trees which are to be preserved and for which a credit is being sought in accordance § 208-213(B)(6), accurately identifying their relative size and location.
  - (5) Demarcation of areas of trees and vegetation, which will not be disturbed as part of land development.
- C. At least one (1) deciduous tree must be planted for each seven hundred (700) square feet of net floor area in conjunction with any non-residential development.
- D. At least one (1) deciduous tree must be planted for each dwelling unit in conjunction with any multi-family development. All trees which are required to be planted as per the regulations of this section shall be of minimum diameters and heights set forth in the illustrations to Appendix B and shall be planted in accordance with Appendix B and accepted conservation practices.
- E. In conjunction with the development of a lot for any use, the developer and/or landowner must show that the removal of any trees or natural vegetation is necessary for the imminent and orderly development of the lot. Imminent development is defined in § 208-213 Subsection B.
- F. Landscaping of parking areas.
  - (1) Parking area perimeter for surface parking and parking garages. Perimeter parking area landscape screening shall be provided in accordance with the bufferyard standards as defined and required in Section 208-213D. The perimeter parking landscape area shall be a minimum of ten (10) feet wide.
    - (a) Surface parking area.

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- [1] Interior landscaping shall be required for new parking areas or expansion of existing parking areas containing more than four thousand (4,000) square feet or ten (10) parking spaces. Where a pre-existing parking area is altered or expanded to increase the size to four thousand (4,000) or more square feet of area or ten (10) or more parking spaces, interior landscaping for the entire parking area shall be provided and not merely to the extent of its alteration or expansion.
  - [2] For a surface parking area, at least ten percent (10%) of the total aggregate parking spaces must be landscaped in accordance with § 208-213 Subsection D.
  - [3] Interior landscape islands shall be a minimum ten (10) feet wide with a total area of at least one hundred sixty (160) square feet. One (1) internal landscape island shall be provided for every ten (10) parking spaces.
  - [4] No more than ten (10) parking spaces shall be provided in an unbroken row without the provision of interior landscape islands.
  - [5] At least one (1) shade tree shall be provided in each interior landscape island. The remaining area of the required interior landscape islands and/or interior landscape area shall be landscaped with shrubs or perennials, either not to exceed two (2) feet in height, or turf grass.
  - [6] Required plantings for interior landscape islands shall be in accordance with the conceptual illustrations set forth in Appendix B. All trees and shrubs required to be planted by this Section shall be of the minimum diameters and heights set forth in the illustrations of Appendix B.
  - [7] There shall be a minimum distance of five (5) feet from the edge of paving to the base of all shade trees.
  - [8] All landscape islands shall be enclosed by appropriate curbing or a similar device at least six (6) inches wide and six (6) inches in height above the paving surface (wedge curbing is acceptable).
  - [9] Each tree of the type described in Subsection F (1) (a) [5] shall be presumed to shade a circular area having a radius of fifteen (15) feet with the trunk of the tree as the center, and there must be sufficient trees so that, using this standard, twenty percent (20%) of the vehicle accommodation area (excluding driveways and traffic aisles) shall be shaded.
- (b) Parking garages/structures.

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- [1] Landscaping for parking garage/structures for the applicable zoning district(s) shall be provided in accordance with Bufferyard 3 requirements as defined in this Article and Appendix B. All trees and shrubs required to be planted by this Section shall be of the minimum diameters and heights set forth in the illustrations of Appendix B.

- G. Landscaping for service structures. All service structures shall be fully screened. For the purposes of this Subsection, service structures shall include propane tanks, dumpsters, air conditioning units and condensers, electrical transformers and other equipment or elements providing service to a building or a site.
- (1) Location of screening. A continuous planting, hedge, 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 (1) side is required. The average height of the screening material shall be one (1) foot more than the height of the enclosed structure, but shall not be required to exceed eight (8) feet in height. 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 Section. 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 eighteen (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 twelve (12) feet to allow service vehicles access to the container.
- H. All areas not utilized for structures, driveways, planting strips or parking facilities must be seeded, sodded or landscaped within a reasonable period of time. The phrase “a reasonable period of time” shall be given the same interpretation given that phrase as it is used in § 208-213(H) of this Chapter.
- 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. On newly created single-family detached residential lots, a minimum of one (1) deciduous street tree must be planted in the front yard no closer than twelve (12) feet from the front property line. The species and size of said street tree(s) shall be selected from the list of permitted street trees found in Appendix B of this Chapter.

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- K. Landscape walls are non-structural, non-load bearing walls less than thirty (30) inches in height and used in the art of arranging or modifying the features of a landscape to secure beautiful or advantageous effects. Retaining walls greater than thirty (30) inches in height must meet the requirements of § 208-400(I).
- L. Deviation from the requirements of § 208-214 shall be permitted only as a conditional use in accordance with the requirements of § 208-854 of this Chapter.