

ARTICLE 11: SPECIAL REQUIREMENTS

11.100 Conversion Apartments

- 11.110 Any single family dwelling occupied as such prior to adoption of this ordinance and located in the Residential “C” or “D” zone district may be converted into not more than two (2) dwelling units provided the lot containing the building exceeds the minimum lot area for the district by one and one-half (1 1/2) times.
- 11.120 Each dwelling in a converted single family building shall contain at least 360 square feet if an efficiency apartment, or 480 square feet if a one-bedroom apartment, or 550 square feet if a two-bedroom apartment. Each apartment shall contain a private bathroom and food cooking and storage facilities, and be provided with two (2) parking spaces on the lot.
- 11.130 There shall be at least two (2) means of egress from each dwelling unit, of which at least one (1) shall be directly to the outside at grade or via an exterior stairs to grade.
- 11.140 Each dwelling unit shall have sufficient operable window sash area to equal at least one-twentieth of the floor area and shall be served by a heating system capable of providing sixty-eight (68) degrees Fahrenheit throughout each dwelling unit when the outside temperature is zero (0) degrees Fahrenheit.
- 11.150 No building manifestly designed for nonresidential purposes shall be reconverted to residential use unless such conversion removes a non-conforming use and such building is completely remodeled for permanent residential use.

11.200 Apartments in Commercial Structures

- 11.210 In the Highway Commercial District and the Neighborhood Commercial District apartments may be constructed on the second floor of a building, the first floor of which is devoted to commercial use. No commercial uses and apartments shall be located on the same floor.
- 11.220 The number of apartments permitted shall not exceed in number the result of dividing the lot area in square feet by ten thousand (10,000).
- 11.230 There shall be provided on the property two (2) parking spaces per each apartment for the exclusive use of the apartment occupants.

11.240 There shall be two (2) means of egress directly to the outside at grade provided from the second floor hallway common to the apartments. An exterior metal fire escape may be substituted for one hallway exit.

11.300 Home occupations and Day Care

11.310 Subject to the following rules and regulations, Home Occupations may be permitted in all residential districts provided the occupation is clearly accessory and incidental to the primary dwelling use.

11.320 In addition to no-impact home-based businesses as defined by the Municipalities Planning Code, the following occupations shall be considered suitable as home occupations:

- a. Office of an individual lawyer, engineer, architect, accountant, other similar profession (other than a physician, dentist, or other medical practice), or minister of religion;
- b. Studio of an individual artist, photographer or craftsman, including retail sales of products made on the same premises only;
- c. Business of an individual whose occupation is conducted entirely by telephone and/or correspondence, or from his or her car, provided no retail sales occur on the property and no goods used in the business are stored outside the dwelling, building or in a garage;
- d. Custom dress or tailoring;
- e. Tutoring of academic subjects and art or arts and crafts instruction, limited to groups of not more than three (3) students simultaneously;
- f. Musical instrument instruction but only if provided in a single family dwelling to groups of not more than three (3) students simultaneously;
- g. Beauty shop or barber shop of an individual licensed barber or beautician, to serve only one (1) customer at a time and by appointment only;
- h. Adult day care - a facility registered/licensed by the Commonwealth, located within a dwelling, for the care of not more than six (6) adults, over the age of sixteen (16) years of age, excluding care provided to adults who are relatives of the provider.

- i. Child day care - a facility registered/licensed by the Commonwealth, located within a dwelling, for the care of not more than six (6) children, under the age of sixteen (16) years of age, excluding care provided to children who are relatives of the provider.
 - j. Such other home occupations that meet the criteria of this Section 11.300 which are similar to and compatible with those home occupations listed above, as determined by the Planning Commission and approved by Township Council.
- 11.330 All Home Occupations shall be secondary to the use of the dwelling for living purposes, shall occupy not more than 25% of the habitable floor area of the primary dwelling structure; shall be owned and operated by an owner/occupant of the dwelling; shall employ not more than one (1) clerical or support staff person who does not reside in the dwelling; and, unless otherwise provided above, shall receive office visits by only one (1) client at a time and by appointment only.
- 11.340 No exterior changes shall be made to the dwelling, building or additions made specifically to accommodate the home occupation. No use shall be made of accessory structures on the property and no structure shall be built to accommodate the home occupation. No more than twenty-five (25) percent of one floor of the dwelling may be used for the occupation.
- 11.350 Signs identifying the home occupation shall be in conformance with Section 14.411, except that the nature of the home occupation may be indicated.
- 11.360 Off street parking spaces shall be limited to one vehicle provided on the lot in accordance with Section 13.215 but no more nor less than the number required shall be provided. Township Council may require the parking to be screened by appropriate plantings from adjacent residential properties.
- 11.370 The use shall not significantly intensify vehicular or pedestrian traffic beyond that which is normal for the residences in the neighborhood.
- 11.380 A separate Occupancy Permit for any Home Occupation other than a no-impact home-based business must be obtained prior to the start of activities. The fee will be identical to that required for a commercial establishment.

11.400 Boarding and Rooming Houses

11.410 Any single family dwelling occupied by a family whose members are related by blood, marriage or adoption may also accommodate not more than two (2) individual boarders. One (1) parking space shall be provided on the premises for each boarder or roomer to be accommodated.

11.500 Automobile Service Stations

11.510 Automotive service stations are permitted as conditional uses in the Highway Commercial District, Neighborhood Commercial District Light, Industrial District and Heavy Industrial District.

11.520 Only below grade fuel storage tanks and pump islands may be placed not closer than thirty (30) feet to the road right-of-way line or abutting property lines. Canopy structures are permitted within twenty (20) feet of right-of-way. Access drives shall be located to take advantage of maximum sight distances for motorists and circulation into and through the premises shall be obvious to motorists. The use of the site and access to it will not downgrade adjacent properties or the public health, safety and general welfare. The design and arrangement of the station shall be compatible with adjacent or nearby residential development.

11.530 All bulk storage of flammable liquids shall occur in well-vented tanks below grade.

11.540 Service station building walls shall be of masonry construction where they are within fifty (50) feet of any property line.

11.550 All hoists, pits and all lubricating, greasing, automobile washing and repair equipment shall be entirely within an enclosed building.

11.551 All storage of new, used or discarded parts or materials shall be within an enclosed structure.

11.560 Access shall be limited to two (2) driveways and one (1) additional driveway on a second street where the property abuts a second street. Each driveway shall not be more than thirty-five (35) feet wide at the property line. No driveway shall be located within seventy-five (75) feet of any street intersection, measured from the point of crossing of intersecting street right-of-way lines abutting the property and the edge of the driveway nearest the intersection.

- 11.570 The entire service area shall be paved with a permanent surface and edged with a curb where it abuts grassed areas. Paved surfaces shall be sloped to an acceptable storm drainage system. Areas of the property not paved shall be left natural, or landscaped and maintained.
- 11.580 Sufficient space shall be provided on each side of each pump island for not less than three (3) vehicles being serviced or waiting service. Not less than eight (8) other parking spaces outside the circulation area around the pump islands shall be provided for customer and employee parking.
- 11.590 No derelict, un-inspected or unlicensed vehicles shall be permitted on the premises for more than one (1) month. Derelict, un-inspected, or unlicensed vehicles awaiting auto body repair or painting shall be kept behind a fence at least four (4) feet high surrounding the vehicles and obscuring a view of them from adjacent properties and roads.

11.600 Hedges, Fences and Privacy/Decorative Walls

- 11.610 No hedge, fence, or privacy/decorative wall may be erected or placed within one (1) foot of any side or rear property line. No hedge, fence, or privacy/decorative wall shall exceed six (6) feet in height, unless a dwelling on an adjacent lot is within six (6) feet of the common lot line, then the height is not to exceed the distance the adjacent dwelling is from the line. Hedges shall be maintained not to exceed the specified height. Required buffer fences, strips, etc. are not included under this section.
- 11.620 Any front fence or privacy/decorative wall must be a minimum of eight feet from the curb or property line whichever is the lesser dimension, but no less than eight feet from the curb and cannot exceed four(4) feet in height, and shall be maintained so as not to exceed such height. Any fence or wall that is either parallel, perpendicular, or at an angle to the front of the building line, shall be considered a front fence or wall. Required buffer fences, strips, etc. are not included under this section.
- 11.630 Security fences surrounding industrial, commercial or public properties may be exempt from Sections 11.610 and 11.620 provided they are of an open work surface less than fifty (50) percent of which is opaque. Required buffer fences, strips, etc. are not included under this section.
- 11.640 Any fence, hedge, post, mailbox, sign, privacy/decorative wall, tree, landscaping items or shrub located in a public right-of-way or other recorded public easement (right-of-way for utilities, etc.) is placed at the owner's risk and may be ordered removed by the Township or other public utility or authority for expansion or maintenance of public services

11.650 Retaining walls shall be set back at least three (3) feet from property lines and shall maintain height limitations as required for fences and hedges. Foundations of such walls shall be carried at least thirty-six (36) inches below finished grade and walls shall be at least eight (8) inches thick. Retaining walls more than six (6) feet in height above finished grade shall be designed by a registered professional engineer and may be approved only after presentation of the engineer's sealed drawings to the Zoning Officer. The faces of retaining walls shall be set back at least three (3) feet from any property line and a barrier along the top of the wall shall be required when the wall exceeds six (6) feet in height.

11.700 Swimming Pools

11.710 All pool construction shall comply with Hampton Township Ordinance No. 84, as amended, and shall be set back from property lines as for an accessory building. (See Table "A") Verification that the pool is not located on any easements or utilities shall be provided along with the permit application.

11.800 Manufactured Homes

11.810 A manufactured home for the purposes of this Ordinance shall be considered a transportable single family dwelling intended for permanent occupancy contained in one (1) unit, or in two (2) units designed to be joined into one (1) integral unit capable of being separated later for movement to another site, such dwelling being ready for occupancy upon arrival on its lot except for placement on its foundation and minor or incidental unpacking and assembly operations.

11.820 Manufactured homes shall meet all requirements of this Ordinance and other ordinances of Hampton relative to single family dwellings in the same zone district.

11.830 Manufactured homes shall be supported upon either a peripheral masonry or concrete foundation wall on a reinforced concrete footer carried to a depth of at least three (3) feet below finished grade; or masonry foundations piers built on concrete footers, the bottom of which shall be set at least three (3) feet below finished grade.

- 11.840 Manufactured homes shall be securely held to the foundation by tie-downs which may be cast in place of concrete “dead men”, eyelets imbedded in concrete screw augers or arrow-head anchors placed at least at each corner of the manufactured home, each device being rated to sustain a minimum load of 4,300 pounds.

- 11.850 The space between the floor of a manufactured home set on piers and the ground below shall be enclosed by a continuous metal skirting to match the exterior material of the manufactured home and such space shall be ventilated.

- 11.860 Manufactured homes shall be placed on required foundations and skirted within thirty (30) days of arrival on the lot.

- 11.870 No manufactured home shall be occupied until it has received an occupancy permit from the Zoning Officer, after connection to sewage disposal, water supply, and electrical systems. Any manufactured home brought into the Township after June 30, 1987, shall be certified as meeting the requirements of the National Manufactured Housing Construction and Safety Standards Act. No manufactured home shall be removed from the Township until all current and back municipal and School District taxes have been paid in full. The property occupied by the manufactured homes may be liened for the unpaid taxes whether or not such property is owned by the occupants of the manufactured home.

- 11.880 Any enclosed additions added later to a manufactured home, or not part of the original construction, shall match the materials and colors of the original.

- 11.890 No manufactured home lacking toilet and washing facilities or cooking and food storage facilities shall be permitted, nor shall any self-propelled vehicles used as living accommodations, or travel trailers designed for temporary occupancy, be permitted for residential purposes for a period exceeding thirty (30) days per calendar year. Such manufactured home or vehicle shall not be placed in any yard area.

11.900 Temporary Structures

- 11.910 A temporary structure, for the purposes of this ordinance, shall be determined to be man-made structures, either constructed on-site, or constructed elsewhere and erected or placed on site, for a use which is permitted in the zoning district, and is not a permanent use, such as kiosks, tent, shed or trailer that is temporarily used for construction purposes or seasonal sales, such as Christmas trees, but excluding sales by itinerant merchants of flowers, flea markets or any other products in which sales are conducted. Such structures shall not disturb or impair traffic ingress/egress and fire lanes and shall be authorized, in writing, by the owner of the property.
- 11.920 A temporary structure may be permitted for a period of one (1) day to forty-five (45) days. An extension of time may be requested by the property owner in writing, provided the purpose for which the temporary structure has been permitted is being pursued, then an extension of time may be requested and may be granted by the Township Council. In no case, shall more than two (2) 45-day extensions be permitted.
- 11.930 A temporary structure which is proposed in a non-residential zone shall not alter the movement of traffic or parking arrangement of cars in a designated parking lot. If this is proposed, a revised site plan must be submitted in accordance with Section. 10.600.
- 11.940 A permitted temporary structure shall meet all required yard setbacks.
- 11.950 A building permit from the Zoning Officer shall be required prior to the construction, erection or placement of any temporary structure on any property.

ARTICLE 12: CONDITIONAL USES

12.100 General Criteria for Evaluation of Conditional Uses

- 12.110 Conditional Uses are listed in Article 8 of this Ordinance.
- 12.120 The granting of a conditional use by the Township Council, after review and recommendations by the Planning Commission and the Environmental Advisory Council, shall be predicated on the developer's submission of a written application, together with an illustrative site plan containing the information required in Section 10.640, as applicable.
- 12.130 The written submission shall demonstrate that the development for which the conditional use is sought will meet the primary criteria outlined below:
- a. will not endanger the public health, safety and welfare, if located where proposed, and will not deteriorate the environment or generate nuisance conditions such as traffic congestion, noise, dust, smoke, glare and vibration;
 - b. meets all other requirements of this Ordinance in the zoning district where the use is proposed;
 - c. is in general conformity and is in harmony with the area in which it is proposed;
 - d. is an appropriate use on the proposed site as a conditional use;
 - e. is consistent with the comprehensive plan for the development of the municipality;
 - f. is in conformity with zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, bulk and use;
 - g. makes adequate provision for public services, environmental protection, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment;
 - h. is complementary to the neighborhood in which it is proposed to be established; and
 - i. will not increase danger and congestion in travel and transportation.

- 12.140 The illustrative site plan shall show to scale the entire property to be ultimately developed and shall indicate the locations, height and use of structures, driveways, parking areas and topographical and/or natural features of the property. An architectural rendering of the structures proposed may also be submitted.
- 12.150 Any development that proposes to create condominium units, or to convert rented units to condominium, shall not be approved until by-laws binding the condominiums to the maintenance of, and responsibility for common spaces inside and outside the buildings, have been reviewed by the Township solicitor and found to be in compliance with existing statutes, ordinances and regulations of the Commonwealth of Pennsylvania, the Township of Hampton and County of Allegheny.

12.200 Procedure for Review of Conditional Use Application and Options Available after Review

- 12.210 The Zoning Officer shall place the application for referral on the agenda of the next regular meeting of the Township Council following the submission of the complete Conditional Use application Township Council shall thereafter refer the proposal to the Planning Commission and Environmental Advisory Council for review and recommendation.
- 12.220 The Planning Commission may call and hold a public hearing, properly advertised, to gather additional testimony on the proposal.
- 12.230 The Planning Commission and Environmental Advisory Council shall submit their recommendations to the Township Council within sixty (60) days after referral of the application, recommending approval, rejection or approval with certain specific conditions.
- 12.240 The Township Council will hold a public hearing, and if appropriate, in the Township Council's discretion, may hold a joint hearing with the Planning Commission, within sixty (60) days from the date of referral by the Township Council. A recommendation from the Planning Commission should be provided to the Township Council prior to the expiration of any time limitations regarding the Conditional Use decision. In this regard, the requirements set out herein shall not be construed as procedurally mandatory. The Township Council shall determine, within forty-five (45) days of the close of the public hearing, whether the Conditional Use is to be granted, denied, or granted with such reasonable conditions and safeguards, in addition to those express in this Ordinance, as it may deem necessary to implement the purposes of this Ordinance. A joint public hearing of the Planning Commission and the Township Council shall fulfill the requirement for both hearings.

A copy of the final decision shall be delivered to the applicant personally or mailed to him no later than the day following the date of the decision.

- 12.250 The developer may request, in writing, an extension of the time limitations for review, if extenuating circumstances dictate such extension.
- 12.260 If the Township Council grants the conditional use, the Zoning Officer shall issue a building permit as if the conditional use was a principal permitted use provided that the application meets all requirements of this ordinance or any other ordinance of the Township. If the developer does not apply for a building permit for the conditional use within twenty-four (24) months of the granting of the conditional use, the conditional use shall be deemed void. The Conditional Use shall not be deemed void if: the developer has pending an application for financing of the project with an accredited lending institution such as a bank, savings and loan, etc., and the lending institution submits a letter indicating that the financial application is under current review; or, the developer has submitted the appropriate site plan prior to the expiration of the 24 months. In no event, however, should the Conditional Use exceed 36 months without issuance of a building permit.
- 12.270 If the Township Council does not grant the conditional use, or the conditions specified by the Township Council in the grant are unacceptable to the developer, the developer may not reapply for the same conditional use within one (1) year from the date of the Township Council's decision.
- 12.280 In the event that a variance from the requirements of this Ordinance, relating to a submitted site plan, is also requested by the developer, it must be approved by the Zoning Hearing Board before a decision on the Conditional Use is made by Township Council. Such request for a variance shall be accompanied by a copy of a written request for an extension of time submitted to the Township Council for an extension of time for action on the conditional use application. If the developer fails to request the extension of time the Township Council shall act on the application as though no variance has been granted.

The Planning Commission and Environmental Advisory Council should review the Conditional Use request while a variance request is being reviewed by the Zoning Hearing Board and may recommend approval, rejection, or approval with conditions before a decision is reached by the Zoning Hearing Board.

12.300 Conditional Use Standards and Criteria

All conditional uses, including the following, shall be subject to the standards outlined in Article 10: Supplemental Requirements, Table A, and any relevant Special Regulations in Article 11 and Article 13.

12.301 Dwelling Units:

- a. structures and outbuildings shall be sited to create least damage to the environment;
- b. normally overhead service lines and related equipment may be required by the Township to be placed underground in whole or in part;
- c. buildings shall not be located in any identified flood-prone area, and shall not be constructed on a slope greater than twenty-five percent (25%).
- d. each building shall be spaced and oriented so as to insure adequate light and air exposure for walls containing main window exposures or main entrances; so as to avoid undue exposure to concentrated loading or parking facilities; and so as to preserve visual and audible privacy between adjacent buildings and adjacent lots. Buildings shall be so arranged as to be accessible by emergency vehicles;
- e. disturbance of vegetative cover and existing trees shall be minimized and strict erosion control measures shall be practiced in accordance with standards of the Pennsylvania Department of Environmental Protection.
- f. site plans shall include contours throughout the property and, in the area to be developed, shall be at an interval of five (5) feet, with all proposed earth movement shown;
- g. areas of the property not occupied by buildings or paved shall be landscaped and or left in natural cover.

**12.302 Municipal and/or Public Utility Service Buildings, Structures or Facilities:
(CB, RA, RB, RC Zoning Districts)**

- a. parking areas shall be screened from adjacent residential properties;
- b. normally overhead lines and related equipment may be required by the Township to be placed underground in whole or in part;

- c. access drives shall provide at least the minimum legally required sight distances for motorists;
- d. clearance of vegetation within a right-of-way shall not exceed a width of twenty (20) feet;
- e. necessary above ground structures shall be located to minimize environmental damage and be made as unobtrusive as possible from neighboring properties and streets;
- f. structures shall be designed to be compatible with surrounding residential developments.

12.303 Accessory structures needed in the maintenance of recreational activities: (CA, CB Zoning Districts)

- a. all structures shall be compatible with area;
- b. all structures shall meet yard and bulk requirements as stated in Table "A" at the end of Article 8;
- c. all structures within 50 feet of adjacent residential property lines shall be screened.

12.304 Bed and Breakfast establishment: (RC, RD, NC and HC Zoning Districts)

- a. No individual rooms shall have kitchen facilities;
- b. A resident manager shall be provided on the premises at all times;
- c. Food and beverage service shall be limited to breakfast, snacks or afternoon tea for registered, paying overnight guests;
- d. The maximum length of stay shall not exceed fifteen (15) consecutive days in a thirty (30) day period;
- e. No retail sales shall be permitted on the premises.

- 12.305 The raising of livestock and/or fowl or commercial stabling of horses, the latter in the Conservation B District only:
- a. drainage of barnyard and pasture land shall be arranged to avoid contamination of downstream watercourses;
 - b. area to be occupied by concentrations of animals shall be located to minimize odors affecting adjacent properties;
 - c. areas to be occupied by animals shall be fenced to adequately contain the animals enclosed.
- 12.306 Wayside markets for seasonal sales of produce grown on the same property: (CB Zoning District)
- a. structure shall meet requirements of Table "A" of this ordinance for a permitted use;
 - b. parking on the property shall be provided for at least six (6) customer vehicles;
 - c. access from the adjacent road shall be safe as to sight distances, and no more than two (2) access drives into the property shall be provided and marked as such;
 - d. signs shall not exceed thirty (30) square feet in area (each side) and shall not exceed two (2) in number on the property;
 - e. when the market is not in operation, it shall be closed up and secured, and signs shall be removed.
- 12.307 Cemetery and related activities: (CB Zoning District)
- a. no burial sites or related structures shall be permitted on private residential property;
 - b. no crematorium shall be a part of the development unless approved by Township Council;
 - c. outdoor storage of maintenance equipment or supplies, or materials for use in the cemetery, shall be screened from view of observers on properties or public roads adjacent to the cemetery.

- d. access drives shall be located to take advantage of sight distances for motorists;
 - e. no burial sites or structures within one hundred (100) feet of any property line.
 - f. minimum of twenty (20) acres of private property.
- 12.308 Recreational areas limited to golf courses, country clubs, fishing lakes, pools within municipal parks, parks, playgrounds and fishing preserves: (CB, RA and RB Zoning Districts)
- a. structures shall be set back at least one hundred (100) feet from all property lines, and boundary areas if wooded shall remain in their natural state;
 - b. access drives shall be located to take advantage of maximum sight distances for motorists;
 - c. parking areas shall be screened from adjacent residential properties;
 - d. lighting shall be oriented so as not to create glare or excessive light conditions on adjacent properties or roads;
 - e. signs shall not exceed thirty (30) square feet in area, shall not exceed two (2) in number on the property, and shall not be lighted.
- 12.309 Commercial kennels: (HC, NC, and LI Districts)
- a. The operator or owner of any kennel must hold, and provide copies of all current state and local licenses and permits for the location, with the activity and number of animals so specified;
 - b. Any exterior fenced area wherein animals exercise or are otherwise exposed must be located a minimum of one hundred and fifty (150) feet from any principal structure on adjacent lots;
 - c. The perimeter of the exterior exercise area must be fenced with a minimum height fence of five (5) feet, accessible only through a self-latching gate;
 - d. Exterior exercise areas shall be screened from view from adjacent properties and roadways;

- e. Indoor exercise runs shall be required;
- f. Dogs, cats and other kenneled animals shall be kenneled in a sound-proofed, totally enclosed structure only;
- g. Any structure used to house animals shall be equipped with code approved nontoxic, noise-dampening material or acoustic tile;
- h. No kennel may be established within one-half (1/2) of a mile of an existing Kennel;
- i. No additional residential use may be established on land designated as a kennel;
- j. A kennel shall be permitted as an accessory use to veterinary offices in zoning districts where veterinary offices are permitted, subject to all of the conditions established in Section 12.309;
- k. The premises of the kennel shall be maintained in a sanitary condition at all times; excreta shall be cleaned up from outside areas on a daily basis and be removed from the site in an appropriate manner in order to eliminate the potential or odors being emitted onto adjacent properties;
- l. At no time shall any non-domestic animal(s) be kenneled at the facility;
- m. Any sale of related items and supplies must be clearly incidental to the principal use.

12.310 Reserved for future use

12.311 Churches and other institutional places of worship:
(RA, RB and RC Zoning Districts)

- a. structures shall be set back at least one hundred (100) feet from all property boundary lines and road right-of-way lines;
- b. access drives shall provide at least the minimum legally required sight distances for motorists;
- c. parking areas shall be required to be screened from adjacent residential properties;
- d. where living accommodations in the form of group quarters for members of a religious order are a part of the development, such quarters shall not provide for more than twelve (12) individuals;

- e. one (1) single family dwelling may be constructed on the property as part of the development;
- g. property must contain a minimum of five (5) acres of land;
- f. lighting shall not create glare conditions on adjacent properties or roads;
- h. areas of the property not occupied by building or paved shall be left in its natural condition, or landscaped and maintained.

12.312 Schools accredited by the Commonwealth: (RA and RB Zoning Districts)

- a. such a school shall be the sole occupant of the property;
- b. structures shall be set back at least one hundred (100) feet from all property boundary lines and road right-of-way lines;
- c. access drives shall provide at least the minimum legally required sight distances for motorists;
- d. parking areas shall be screened from adjacent residential properties;
- e. the course of instruction shall not create dirt, noise, glare or other nuisances to adjacent properties;
- f. lighting shall not create glare conditions on adjacent properties or roads;
- g. areas of the property not occupied by buildings or paved shall be landscaped and maintained, or left in natural cover;
- h. Property must contain a minimum of five (5) acres of land.

12.313 Hospital, Nursing Home, Retirement or Convalescent Home Licensed by the Commonwealth: (RD, LI Zoning Districts)

- a. access drives shall provide at least the minimum legally required sight distances for motorists;
- b. parking areas shall be screened from adjacent residential properties;
- c. structures shall be set back at least one hundred (100) feet from all property boundary lines;
- d. lighting shall not create glare conditions on adjacent properties or roads;

- e. areas of the property not occupied by buildings or paved shall be landscaped and maintained, or left in natural cover.

12.314 Real Estate Sales Office: (RA and RB Zoning Districts)

- a. access drives shall provide at least the minimum legally required sight distances for motorists;
- b. parking areas shall be screened from adjacent residential properties;
- c. parking shall be provided on the property for at least two (2), but no more than six (6) vehicles;
- d. only one (1) sign not to exceed twenty-five (25) square feet in area shall be permitted on the property;
- e. when the office is not in operation, it shall not be lighted from outside, and in no case shall outside lighting create glare conditions on adjacent properties or streets.

12.315 Personal Care Home (small and large): (RC and RD Zoning Districts)

- a. the appropriate area, bulk and height regulations for the appropriate residential district or the appropriate commercial district must be met;
- b. the lot area shall be provided at a minimum lot area required under the zoning ordinance in which the area might be located plus an additional five hundred (500) square feet for each sleeping room in excess of three (3). Every unit of two (2) beds, or fraction thereof, in a sleeping room shall be counted as a separate sleeping room;
- c. there shall not be more than one (1) personal care home located in any one building;
- d. no personal care home shall be located in a building that is occupied by any other residential type of use except in Residential D (RD);
- d. no personal care home shall be spaced closer than eight hundred (800) feet from any other personal care home. Said distance of eight hundred (800) feet shall be measured by imposing a circular area of an accurate plan by locating a point on the center of the subject building and by extending a radius of eight hundred (800) feet from said center point.

Any other building occupied or used as a personal care home and located totally or partially within said circular space shall be cause for rejection of the application for conditional use;

- f. prior to approval of any application for establishment or operation of any personal care home, the applicant shall provide proof satisfactory to Township Council, that the applicant either has acquired, or will be able to acquire, all appropriate licenses and permits from the Pennsylvania Department of Public Welfare and the Allegheny County Department of Health, prior to the issuance of a building permit by the Township. No building or other structure shall be occupied as, or used as, a personal care home until a Township Certificate of Occupancy is issued;
- g. sleeping rooms, accommodations or facilities shall not be located in any basement or cellar and shall comply with all applicable life-safety and health codes;
- h. on-site parking facilities shall be provided at the ratio of one (1) space for every three (3) residents and shall be required to be screened from adjacent residential properties;
- i. the owner and/or operator of the institutional home shall permit inspections of the facility from time to time by Township officials and representatives of the Township including, but not limited to, the Township Fire Marshall, Fire Chief or Assistant Fire Chief, and the Township Zoning officer: Such inspections shall be conducted at reasonable times but shall not be limited to daytime hours, nor to normal business hours. Such inspections shall be conducted to ascertain the continued compliance by the operator with all applicable Federal, State, County and local statutes, ordinances, regulations, and rules;
- j. Township Council may attach such reasonable conditions and safeguards, in addition to those expressly set forth in the zoning ordinances, as Township Council may deem necessary to implement the purposes of this Ordinance.

12.316 Group Care Home: (RB, RC and RD Zoning Districts)

- a. no two (2) such facilities shall be placed closer together than 1,500 feet to one another;
- b. all State and County approvals shall have been issued;
- c. off street parking shall include one (1) off street parking space for each person employed in the home on the largest shift, one (1) space for visitors and one (1) space for vehicles used to transport residents, and shall be required to be screened from adjacent residential properties;
- d. the owner and/or operator of the institutional home shall permit inspections of the facility from time to time by Township officials and representatives of the Township including, but not limited to, the Township Fire Marshall, Fire Chief or Assistant Fire Chief, and the Township Zoning officer: Such inspections shall be conducted at reasonable times but shall not be limited to daytime hours, nor to normal business hours. Such inspections shall be conducted to ascertain the continued compliance by the operator and/or with all applicable Federal, State, County and local statutes, ordinances, regulations, and rules.

12.317 Personal, Professional or Business Services: (RD and NC Zoning Districts)

- a. where paved vehicular areas occur in an area that abuts a residential district, such paved areas shall be held back at least fifteen (15) feet from the property line, and the paving area shall be suitably screened by landscaping or natural cover;
- b. parking, as required by this Ordinance, shall be based on the single or combined use or uses of the property. Requirements for parking shall be no less than one (1) space per three hundred (300) square feet of floor area of the building being used as an Office;
- c. a building identification sign may be erected on the property; however, the sign shall not be placed within fifteen (15) feet of the edge of the right-of-way of the roadway, shall not exceed sixteen (16) square feet of area, and may be lighted, provided that no reflected glare occurs on adjacent roads or properties;

- d. signs indicating the names of business occupants of a building may be placed on a signboard not more than twelve (12) square feet in area mounted on the wall of the building or free-standing in the front yard area, such signs not higher than eight (8) feet off the ground, and lighted from within, if illuminated, and may be lighted provided that no reflected glare occurs on adjacent roads or properties;
- e. the developer shall submit a written application, together with an illustrative site plan of the proposal, and the application and site plan shall demonstrate compliance with the criteria set forth in this Article.

12.318 Individual Apartment or Townhouse building or groups of such buildings on the same property: (RC and RD Zoning Districts)

- a. in addition to meeting the screening requirement of Section 10.250, all parking areas shall meet the requirements of Section 13.200 and 10.808;
- b. parts of the property not occupied by buildings or paving shall be landscaped and maintained or left in natural cover. Edges of paved areas abutting planting shall be curbed.

12.319 Public Parking Lots: (RC Zoning District)

- a. the front yard area of such lots adjacent to, or directly across a street from residential development, shall be planted in a ground cover for a depth of not less than thirty (30) feet, and sideyards for a depth of not less than ten (10) feet;
- b. a dense evergreen hedge, maintained at a height of three (3) feet, shall be placed along the edge of the paved parking lot surface where the lot is parallel to, or directly across the street from residential development, except where abutting the development the parking lot serves and at the entrance of the lot;
- c. refer to Section 10.808 for additional requirements.

12.320 Private clubs, lodges, fraternal organizations: (LI Zoning District)

- a. all structures shall be no closer than fifty (50) feet from all property lines;
- b. an identification sign up to sixteen (16) square feet is permitted;
- c. exterior lighting shall be shielded away from adjacent residential properties;

- d. outdoor speakers are prohibited;
- e. any use which meets the “outdoor amusement” definition as defined in Ordinance # 454, shall be licensed as required by Ordinance # 454 as amended.

12.321 Highway or Neighborhood Commercial activities similar to those listed under permitted uses. Applicant must submit a written statement describing in detail in which manner the applicant’s goods and services are compatible with the goods or services stated as permitted uses, and that the application meets all other applicable requirements of the Ordinance: (HC and NC Zoning Districts)

- a. proposed business sells goods or services at retail on the premises;
- b. most, (75%) if not all the business is conducted within a completely enclosed permanent structure;
- c. there are no unusual parking and/or off street loading problems connected with the business;
- d. outdoor display is controlled and not arranged so as to be distracting to motorists on adjacent roads or to adjacent properties;
- e. the proposed business will not adversely affect the public health, safety and general welfare.

12.322 Contractor’s storage yard: Parking, display or storage of heavy equipment and vehicles, as an accessory or principle use and which are not in daily use shall conform to the following:(LI and HI Zoning Districts)

- a. Parking of equipment or vehicles, as used in the daily operation of a business, shall be designated on a site plan submitted in accordance with the requirements of Section 10.600;
- b. Construction equipment used in an on-going land development project, for road building, municipal, utility or authority projects and service or for emergency operations, does not come under this use classification;
- c. Heavy equipment/vehicles includes dump trucks, farm tractors, hi-lifts, bulldozers, semi-trailers, large machinery and similar large equipment;
- d. All parking areas shall be paved, and may only be waived by Council where it is not suitable, such as track vehicles, etc;

- e. Parking areas shall be located one-hundred (100) feet from residential districts and streets abutting such districts;
- f. Parking areas shall be located thirty-five (35) feet from all other zoning districts and streets;
- g. Buffer yards shall be planted in accordance with the requirements of Section 10.250

12.323 Beverage distributor, drive-thru: (HC and NC Zoning Districts)

- a. access to and circulation through the property shall be adequately situated;
- b. location shall not cause undue congestion on adjacent streets and there shall be ample space on the property to accommodate at least five (5) cars in each lane waiting for service for drive-thru;

12.324 Drive-in or drive through restaurants, quick food service outlets and drive-in or drive through banks: (HC and NC Zoning Districts)

- a. access drives shall provide at least the minimum legally required sight distances for motorists and circulation into and through the property as well as location of parking shall be obvious to motorists;
- b. areas not paved or occupied by structures shall be landscaped and maintained, or left in natural cover, and the edges of paved areas abutting landscaped areas shall be curbed;
- c. the use of the site and the access to it shall not endanger the public health, safety and general welfare.

12.325 Groups of two, (2) or more retail and service commercial businesses on the same property or with shared parking: (HC, LI and NC Zoning Districts)

- a. the entire complex shall have a common architectural character and be an integrated-design;
- b. access from adjacent roads shall be carefully designed to minimize congestion and confusion;

- c. parking areas shall be laid out so that circulation through them and to access points is obvious. Parking lanes should be at right angles or diagonal to the length of the buildings;
- d. loading areas shall be separate from parking areas;
- e. the edges of paved areas abutting landscaped areas shall be curbed where possible;
- f. areas to be used for outdoor sales shall be designated and shall not occur on pedestrian circulation areas or in required parking areas.
- g. any existing site upon which additional retail, service or commercial businesses are desired to be located shall meet the parking requirements and all other Zoning Ordinance requirements in effect at the time the additional structure is erected.

12.326 Wholesale sales: (HC Zoning District)

- a. the structure shall have essentially the appearance of a retail or service commercial building;
- b. goods for sale at wholesale shall be limited to those listed under principal permitted uses or closely similar goods.

12.327 Non-residential uses: (RD Zoning District)

- a. Individual building or group of buildings containing offices and apartments, provided no office occupies the same floor as, or floors above, any apartments, but limited to the following:
 - 1. banks, savings and loan associations
 - 2. retail sale of: wearing apparel
jewelry
notions
stationary supplies
 - 3. retail florists
 - 4. barber shop/beauty shop
 - 5. drug store

- 6. restaurant
- 7. deli
- 8. funeral home
- b. all parking requirements must be met;
- c. all parking areas shall be paved;
- d. in addition to meeting the design requirements of Section 13.170 of this Ordinance, all parking areas must be adequately screened;
- e. areas of the property not occupied by structures or paved shall be landscaped and maintained or left in natural cover;
- f. the design of the structure shall be compatible with surrounding neighborhood;
- g. all business must be operated/conducted within an enclosed structure;
- h. access to use shall not endanger public health and safety;
- i. loading areas shall be separate from parking.

12.328 Restaurant, except drive-in or drive through: NC Zoning District

- a. parking areas, signs and lighting shall be screened from adjacent residential areas;
- b. design and arrangement of property shall be compatible with surrounding residential development.

12.329 Other assembly and limited manufacturing uses of a nature similar to principal permitted uses LI, HI Zoning District:

- a. all operations shall be entirely within an enclosed building, except as allowed under accessory uses;
- b. performance standards in section 10.500 shall be strictly adhered to;
- c. outdoor storage areas shall be screened from nearby public streets and residential properties;

- d. areas of the property not occupied by structures or paved shall be landscaped and maintained or left in natural cover.
- e. the landscaping must meet the applicable requirements of Article 10.

12.330 Bulk fuel storage and distribution facility: LI Zoning District

- a. performance standards in Section 10.500 shall be met;
- b. all State and Federal permits will be acquired prior to the issuance of a building permit; all building permits shall be in compliance with all BOCA regulations and requirements.
- c. the fuel spill containment area shall be capable of containing at least one and one-half (1 1/2) times the amount of the largest storage tank;
- d. all areas shall be properly landscaped or left in natural cover;
- e. the facility shall be screened from all abutting residential areas and shall comply with the provisions contained in Section 10.250.

12.331 Auto salvage and storage: (LI Zoning District)

- a. the activity must be screened from nearby residences by the appropriate bufferyards as defined in this Ordinance;
- b. the manner of storage of junk shall be arranged in such a fashion that aisles of a minimum width of twenty-five (25) feet between rows of junk are maintained in order to facilitate access for fire fighting and prevent the accumulation of stagnant water. The proposed layout of the salvage yard shall be indicated on the site plan submitted with the application;
- c. no junk shall be stored or accumulated and no structure shall be constructed within fifty (50) feet of any dwelling unit or within twenty-five (25) feet of any other parcel or right-of-way of a public street;
- d. no garbage, organic waste, petroleum products or hazardous waste shall be stored, buried or disposed of on the site. The material stored on the premises must be removed periodically but not less than bi-monthly;
- e. an acceptable plan for rodent and insect control must be presented;
- f. the entire operation shall be surrounded by a fence or type of screening acceptable under the provisions of this Ordinance

- g. all applicable standards of Section 10.400 must be met.

12.332 Commercial recreation: (LI Zoning District)

- a. access drives shall be located to take advantage of sight distances on public roads;
- b. lighting of site shall be oriented away from nearby residential areas and adjacent public roads;
- c. site facilities shall be arranged to minimize impact of noise created on-site by use of plantings or separation of noise producing elements from residential areas.

12.333 Mobile home parks: (LI and HI Zoning Districts)

- a. a minimum of ten (10) acres is require for the development of a mobile home park;
- b. the maximum density shall be six (6) units per acre;
- c. the mobile home park shall conform to all applicable requirements of the Township of Hampton Subdivision and Land Development Regulations and this Ordinance;
- d. the management of the park shall keep an up-to-date register of all park occupants;
- e. the development shall be designed with at least one (1) access street which connects the development with a public street;
- f. every mobile home must be connected to the public sewer system;
- g. all service and accessory structures must meet the Township of Hampton's Building and Fire Codes;
- h. all mobile home units must meet all State and Federal construction standards.

12.334 Mining and Drilling: (LI Zoning District)

1. From and after the effective date of this ordinance, mining for any substances or products, but in particular, for coal, both anthracite and bituminous, slate, or any such igneous material or product, whether surface or deep mining, or drilling or extraction by any means of gaseous materials, such as, methane, petroleum, oil, natural gases, ignitable or explosive products, or the extraction of any minerals or mining operations shall be prohibited in all conservation districts, residential districts, highway commercial and neighborhood commercial districts, and professional offices and office, research and development districts of the Township of Hampton. In all other districts, these operations may be conducted only as conditional uses subject to the standards and requirements set out in the zoning ordinance of the Township of Hampton, the Grading Ordinances of the Township of Hampton, and all other Ordinances applicable thereto.

2. In the event that it may be demonstrated to the Township Council of the Township of Hampton that the accumulation or buildup of natural gases, oil, or other hazardous or explosive substances is likely to cause risk of injury or death to persons occupying residences in the immediate vicinity of such accumulations or buildups, then, upon proper application to the Township Council of the Township of Hampton, the drilling, extraction or removal of such dangerous or hazardous substances may be permitted, but only under the following circumstances:
 - A. The submission by appropriate land owners in the immediate vicinity of prospective emergency, of a certificate of a registered certified oil, gas, or petroleum engineer attesting to the accumulation or significant buildup of such products or gases, and that the same is likely to cause damage to the property of persons or persons within that vicinity, and that such dangers are imminent,

 - B. That the person or persons submitting such applications have submitted to the Township Council the names of qualified engineering or professional firms certified or authorized to conduct activities such as the removal or extraction of such gases or materials,

 - C. The time or times when such activities are proposed to be conducted, and the manner in which such extraction or removal shall be conducted, including the ultimate disposal of such materials or gases, and

- D. That adequate notice of such danger or imminent risk has been given to the person or persons owning property within three hundred (300) feet of the property. The Township Council shall conduct an immediate hearing after proper notice to the person or persons owning properties within three hundred (300) feet of the property and shall where appropriate, grant such relief as may be required.
- E. The presentation of appropriate permits or licenses from the Department of Environmental Protection or any other Federal or State agency having jurisdiction authorizing the removal of such resources and approving the manner in which such removal is to be accomplished.

Full compliance with the applicable provisions of Article 10 and Article 12 of this Ordinance shall be required.

- 3. The owner or owners of any properties upon which has been erected, gas wells, rigs, drilling outfits, or equipment, such as is described in this Ordinance, and which uses have been abandoned or are no longer approved or licensed by the Department of Environmental Protection, or where such rigs or equipment have been abandoned for a period of one (1) year or upward, shall upon notice from the Code Enforcement Officer of the Township of Hampton, remove such rigs, wells, drills or other equipment, within thirty (30) days of such notice. Any excavations, tunnels or holes left remaining after the removal of such equipment, shall be filled and appropriately plugged by the owner or owners of such property upon application to the Department of Environmental Protection or any other agency for the appropriate licenses for such purposes.
- 4. Any such equipment which may from the date of this Ordinance be in operation or continuing as a drill, well or other equipment designed for extraction or removal of gases or minerals, shall be immediately enclosed by chain link or equivalent fences, no less than six (6) feet in height, and at least ten (10) feet from the point where such equipment is erected.