

**ARTICLE 1: TITLE**

This Ordinance and map shall be known as, and may be cited as, “The Township of Hampton Zoning Ordinance” in accordance with, and exercising the authority of the Pennsylvania Municipalities Planning Code (Act 247, as amended).

**ARTICLE 2: PURPOSE AND COMMUNITY DEVELOPMENT OBJECTIVES**

- 2.100 The provisions of this Ordinance are designed to accomplish the following:
- 2.110 To promote, protect and facilitate any or all of the following: the public health, safety, morals and the general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations; the provisions of adequate light and air, vehicle parking and loading space, transportation, water, sewerage, recreational facilities, public grounds; the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as preservation of the natural, scenic and historic values in the environment and preservation of forests, environmentally critical lands, wetlands, aquifers and floodplains.
- 2.120 To prevent one or more of the following: overcrowding of land; blight; danger and congestion in travel and transportation; loss of health, life or property from fire, flood, panic or other dangers.
- 2.130 To preserve prime agricultural, farmland, natural resources, and environmentally critical lands, considering topography, soil type and classification and present use.
- 2.140 To provide for the use of land within the municipality for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two-family dwellings, and a reasonable range of multifamily dwellings in various arrangements, mobile homes and mobile home parks, provided, however, that the Ordinance shall not be deemed invalid for the failure to provide for any other specific dwelling type.
- 2.150 To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.
- 2.160 To encourage and facilitate the orderly growth and expansion of the municipality and to protect the character and maintain the stability of residential, commercial and industrial areas within the Township.

## 2.200 Community Development Objectives

In addition to the general purposes behind adoption of this Ordinance, as laid out in Section 2.100, the following specific community development objectives are identified in the Township of Hampton Comprehensive Master Plan relative to land use, as adopted by Resolution No. 771 on January 25, 2006. The following is a supplementary statement of the purpose and intent of this Ordinance. The objectives may be used in evaluating any proposed additions or deletions to the Zoning and Land Development Ordinances:

- 2.210 The general objective for the management of growth in the Township is to provide a pleasant, attractive, healthy, safe and convenient environment for living, working, education, shopping and recreation. This objective shall be pursued by the creation and implementation of land use plans to:
- a. Preserve and improve the natural environment;
  - b. Increase property values, employment opportunities, and the economic base of the community;
  - c. Provide for safe, adequate and attractive housing;
  - d. Minimize losses from flooding;
  - e. Provide the necessary infrastructure of utilities and vehicular transportation arteries;
  - f. Provide for recreational and community facilities;
  - g. Provide for ongoing community planning and growth management; and
  - h. Provide for safe, adequate and attractive commercial, institutional and technical uses.
- 2.220 The preservation and improvement of the environment shall be pursued by:
- a. The preservation of natural topography, environmentally critical areas, wetlands, and wooded areas, including the limiting of hillside development beyond a reasonable gradient, and the control of flood plains and water sheds;
  - b. The limitation of excess erosion, hazardous rock and soil slippage, sedimentation and other soil and water management problems;
  - c. The regulation and control of the design, construction, quality of materials, use, location and maintenance of grading, excavation and fill; and
  - d. The promotion and dedication of natural open space and wooded slopeland in order to link the existing and proposed open spaces and to prevent ecological problems resulting from extensive cut and fill necessary to develop wooded slopelands.

- 2.230 Recognizing that the Township of Hampton is basically a residential community with limited opportunities for commercial and industrial growth, the increase of property values, employment opportunities and the economic base of the community shall be pursued by:
- a. The promotion of balanced economic growth and employment opportunities; and
  - b. The concentration of commercial and industrial uses in the areas where street and utilities can provide the necessary services and where conflicts with other uses can be minimized through site design and transitional provisions.
  - c. The responsible redevelopment and productive reuse of brownfield properties, which include properties that are contaminated or perceived to be contaminated, as well as properties that are underutilized for various socioeconomic reasons, obsolescence, tax delinquency and/or blight.
- 2.240 The provision of safe, adequate and attractive housing for the entire population of the community shall be preserved by:
- a. The provision of a wide range of housing densities, alternatives and a mix of housing types, correlating residential density and housing types with topography, environmental conditions, and the capacity and distance from existing and proposed utilities, streets and community facilities; and
  - b. The promotion of attractive residential environment through the implementation of the other objectives set forth herein.
- 2.250 The creation and implementation of land use plans shall seek to achieve the foregoing objectives and:
- a. Avoid incompatible land uses, and protect against the detrimental effect of incompatible land uses through planting, open space and natural break in topography; and
  - b. Provide site plan control.
- 2.260 The provision of recreation and community facilities may be pursued by:
- a. Using the recreational goals and objectives set forth in the Township of Hampton Community Leisure Survey and Community Park Master Plan; and
  - b. Providing residential areas with adequate commercial, governmental, recreational and educational facilities.

### **ARTICLE 3: OFFICIAL ZONING MAP**

- 3.100 The Township is hereby divided into zones, or districts, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this Ordinance.
- 3.200 The Official Zoning Map is attached to this Zoning Ordinance and may be made a part of it, and shall be identified by the signature of the President of the Township Council, attested by the Township Manager and shall bear the seal of the Township under the following words: "This is to certify that this is the Official Zoning Map referred to in Article 1 of Ordinance Number 563 of the Township of Hampton, Allegheny County, Pennsylvania," together with the date of adoption of this Ordinance.
- 3.300 No changes of any nature shall be made to the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person shall be considered a violation of this Ordinance and punishable as provided under Article 20 of this Ordinance.
- 3.400 The Official Zoning Map, which shall be located in the Township Office, shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the Township.
- 3.500 Interpretation of Zoning Boundaries - where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:
- a. Boundaries indicated as appearing to follow the centerline of streets, highways, or alleys shall be construed to follow such centerlines;
  - b. Boundaries indicated as appearing to follow platted lot lines shall be construed as following such lot lines;
  - c. Boundaries indicated as appearing to follow Township limits shall be construed as following Township limits;
  - d. Boundaries indicated as appearing to follow railroad lines shall be construed to be midway between the main tracks;

- e. Boundaries indicated as appearing to follow the centerlines of streams, creeks, or other bodies of water, shall be construed as moving with the actual body of water and following the centerlines;
  - f. Boundaries whose location cannot be determined by any of the above tests may be measured using the scale of the Official Zoning Map.
- 3.600 Conflict arising from Interpretation - When there is disagreement on the location of district boundaries, a decision shall be rendered by the Zoning Officer, with appeal from the decision made to the Zoning Hearing Board.

## **ARTICLE 4: DEFINITIONS**

For the purpose of this ordinance, the following rules shall apply when interpreting this Ordinance, unless the context clearly indicates otherwise:

The word PERSON or the word DEVELOPER includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual;

The present tense includes the future tense;

The singular number includes the plural number and the plural number includes the singular;

The word SHALL is mandatory;

The word MAY is permissive;

The words USED or OCCUPIED include the words INTENDED, DESIGNED or ARRANGED TO BE USED or OCCUPIED.

Words generally found in legal terminology but not defined below shall be considered to have meanings in this Ordinance similar to their generally held definitions in a Court of Law.

### **A:**

Access lane - the drive within a parking lot directly abutting parking surfaces and designed to provide a connection between the spaces and the public street.

Access lane, shared – an irrevocable right-of-way agreement between the owners of two or more non-residential properties wherein access to such individual properties may be obtained through a common entranceway from a public street.

Accessory use or structure - detached use or building on the same property owned by the same person and not being shared with any other person that is customarily found in connection with, or incidental to, the principal use or building. Accessory structures shall meet the height limitations set forth in Section 10.300 and shall not exceed the square footage footprint of the principal structure.

Amendment - a change in this Ordinance, including addition of new requirements, revision of existing requirements or deletion of obsolete requirements, necessitating public hearings and other official approvals before becoming effective.

Apartment - a room, or suite of rooms, in a building with its own cooking, food storage, bathing and toilet facilities and with access directly or via a common hall to the outside.

Appeal - a plea to a higher agency or court on the part of a person who contends he has been aggrieved as the result of a decision of a lower board, commission or individual charged with making the decision he is contending.

Applicant - a landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns.

Appointing Authority - Township Council of the Township of Hampton, or as may be designated in the law providing for the form of government.

Arboretum - a use where trees and plants are grown for scientific and educational purposes.

Asphaltic mix - A bituminous concrete material meeting the requirements of Penn DOT Publication 408, Section 400.

Authority - a body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipality Authorities Act of 1945."

Automobile service station - a retail place of business, engaged primarily in the sale of motor fuels or supplying goods and services generally required in the operation and maintenance of motor vehicles and fulfilling of motorist's needs, including one (1) or more of the following:

- The sale of petroleum products;
- Sale and service of tires, batteries, automotive accessories and replacement items;
- Washing and lubrication services within a completely enclosed building;
- The supplying of other incidental automotive customer services and products; and the performing of automotive maintenance and repair, excluding such repairs as spray painting, body, fender, axle, frame, tire retreading and re-capping or major engine overhaul within a completely enclosed building.

Automobile repair garage - a building, or part thereof, used for the servicing and repair of motor vehicles, including;

- engine overhaul; and/or
- body work; and
- where storage of parts and dismantled vehicles and all repair work is conducted entirely inside an enclosed building.

## **B:**

**Basement** - the space enclosed by the foundation or ground floor walls of a building with a minimum depth of six (6) feet. A basement shall not be counted as a story for purposes of height measurement unless one-half or more of its height is above the average grade.

**Bed and Breakfast** - an occupied dwelling unit in which rooms without kitchen facilities are let on an overnight basis as the temporary abiding place of persons who have residences elsewhere; which has a resident manager; wherein food and beverage service is limited to breakfast, snacks or afternoon tea for registered, paying overnight guests; guests are limited to a maximum length of stay of fifteen (15) consecutive days in an 30-day period; no retail sales occur on the premises.

**Billboard** - an off-premises sign, on which space is leased or rented by the owner, which advertises a business, commodity, service, entertainment or attraction sold, offered, or existing elsewhere than upon the property where the sign is located. (See Section 14.544)

**Boarder** - an individual(s) other than a member of the family occupying the dwelling unit, or part thereof, who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services as part of the consideration.

**Boundary** - a line, usually a property or street right-of-way line or the centerline of a recognizable physical feature such as a highway, stream or railroad that demarcates the edge of a district or area.

**Buffer** - a buffer, buffer area, buffer yard, or buffer setback, that is a portion of a developed property which must be reserved for landscaping purposes. A buffer cannot be used for any purpose other than fencing and landscaping.

**Buildable Land** – the area of a parcel or lot where a structure can be built or developed **or** an area that is also suitable for active recreation as required in Section 9.400.

**Building** - a roofed structure covering an area on the ground. A building shall be considered an "enclosed" building if all exterior walls are solid except for fixed closed or operable windows and doors.

**Building Code** - the latest enacted edition of the Township of Hampton code relating to building and construction.

Building line - a line describing the extent of the area in a lot within which construction can occur. The setback distance from front, side and rear property lines determines the building line.

Building permit - Documentation which indicates that a proposal for construction meets all requirements of this Ordinance and other applicable requirements of the Township of Hampton, Allegheny County and the Commonwealth of Pa. relative to development and allowing such proposed construction to commence.

**C:**

Caliper - diameter of a tree six (6) inches above ground level. In this Ordinance, used for measuring proposed trees.

Caretaker Home - an accessory structure used expressly for the provision of living quarters, permitted on a minimum of ten (10) acres and addressing all required yard and bulk requirements.

Carriage Home – a single family attached residential unit with one or more side-walls common to another unit and with an integral garage accessible from the front or side of the building, but not from the rear of the building.

Centerline - an imaginary line running parallel to street or easement right-of-way lines and equidistant from the lines on each side of the street or easement, or a line following the center of a physical feature such as a stream, or roadway.

Charitable - any entity designated as a “charitable” entity under the provisions of the Pennsylvania Solicitation of Charitable Act, the Act of August 9, 1963, P.L. 628, or under any of the provisions of the United States Internal Revenue Code, or of any laws, regulations or rules enacted thereunder.

Club, Country - a private membership club, with or without dining facilities, serving alcoholic and non-alcoholic beverages, catering primarily to its membership, that provides recreational and social amenities, excluding establishments operated as a business enterprise.

Common Ground - A parcel or parcels of land, within the residentially developed part of the plan, but not privately held or occupied by public rights-of-way, which is guaranteed by the recorded plan to remain in perpetuity and which is the responsibility initially of the developer and subsequently of the association of residents. This may include off-street “overflow” parking areas and landscaped areas in the immediate vicinity of multi-family dwellings, but shall not be calculated, or considered as, a part of the required open space. Also referred to as common areas.

Completion of Development or Completion of Drilling, Re-drilling and Re-working: The date the Phase 1/Development work is completed for the drilling, re-drilling or re-working and the crew is released by completing their work or contract or by their employer.

Comprehensive plan - the document adopted by Resolution No. 771 on January 25, 2006.

Conditional use - a use of a property that may be granted by the Township Council following review by the Environmental Advisory Council and the Planning Commission based on the express standards and criteria set forth in this ordinance.

Conversion apartment - a dwelling unit established from a portion of a larger unit, containing all the facilities normally found in a dwelling unit including adequate heat, light, plumbing, ventilation and means of access.

Council or Township Council - the governing body of the Township of Hampton.

Cul De Sac – A short street having one (1) end open to traffic and being permanently terminated by a vehicle turnaround.

**D:**

Day Care:

A) Adult - care given for part of the twenty-four (24) hour day to adults requiring assistance to meet personal needs and who, because of physical or mental infirmity, cannot themselves meet these needs, but who do not require nursing care.

B) Child - care in lieu of parental care given for the part of the twenty-four (24) hour day to children under sixteen years of age, away from their homes, but does not include child day care furnished in places of worship during religious services.

DBH - diameter of tree is measured 4.5 feet above ground level. In this Ordinance, used for measuring existing trees.

Deck - an open area usually attached to, or part of, and with direct access to, a building, where said open area is elevated above ground level and is not covered by a permanent roof. No portion may be built over or upon any required setbacks or easements.

Density-Credit - the maximum number of units per acre that are permitted within an identified zoning district.

Derrick - Any portable framework, tower, mast and/or structure which is required or used in connection with drilling or re-working a well for the production of oil and gas, i.e. Rig.

Developable Acreage – the net acreage, used to determine density, resulting by subtracting the required deductions, in Section 9.400 “PRD Density Calculations” and Table “B”, from the gross property area.

Developer - any landowner, agent of such landowner or tenant with written, notarized permission of such landowner who makes or causes to be made, a subdivision of land or a land development.

Development - the division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, excavation, landfill or land disturbance, and any use, or extension of the use, of land that affects storm water runoff characteristics.

Derelict vehicle - any vehicle lacking a current license plate and/or inspection sticker that is stored out of doors; also, a junk vehicle.

Domestic animals - those types of animals normally found inside the home, including cats, dogs, caged rabbits and birds. Domestic animals as defined in the Ordinance are the only animal permitted within all zoning districts, unless the property is classified as a farm or pet store. No more than four (4) animals, over the age of four (4) months, may be permitted outside the home at any time.

Drilling - The digging or boring of a new well either vertically or horizontally for the purpose of exploring for, developing or producing oil and gas or other hydrocarbons, or for the purpose of injecting gas, water or any other fluid or substance into the earth.

Drilling Equipment - The derrick, together with all parts of, and appurtenances to such a structure, every piece of apparatus, machinery or equipment used or erected or maintained for use in connection with drilling.

Drill Site - The premises used during the drilling or re-working of a well or wells located there and subsequent life of a well or wells or any associated use including buildings and structures and all activities associated with an oil and gas well after drilling activities are complete.

Driveway - a vehicular access route serving only one parcel or lot which provides access to a public street, but which does not provide access to any other lot or parcel under separate ownership.

Dwelling - a building, or structure, or manufactured home, designed or used exclusively for residential occupancy, including single-family dwellings, duplexes, and multi-family dwellings, but not including hotels, or lodging and boarding homes.

Dwelling, single family - a building, which is the only principal building on the lot, designed exclusively for residential purposes on a permanent basis by one family, or by not more than three (3) unrelated individuals.

Dwelling, duplex - a structure designed for two (2) dwelling units whether side by side or one above the other, with a common wall, and with each unit having egress directly to the outside, at grade, or via exterior stairs to grade.

Dwelling, multi-family - a building, which is the only principal building on the lot, containing three (3) or more dwelling units.

Dwelling unit - a group of connected rooms, whether in a separate structure, a duplex, town house or apartment building, including in each unit bathing, toilet and cooking and food storage facilities for the exclusive use of one family or not more than three (3) unrelated individuals.

The term “unit” as used in Article 9 of the Township’s Zoning Ordinance, and, as related to “Institutional Type PRD Developments”, shall be defined as that portion of a building or a structure assigned to, leased to, sold to or occupied by one person, one family related by blood or marriage, or other entity, or a group of persons, but not exceeding three (3) in number for any such space. The term, as applied to a nursing home shall be one(1) patient bed considered as one (1) unit. The word, “unit”, shall have the ordinary usage ascribed to it, and shall refer in ordinary terms to that portion of a building intended for use by one (1) person, family or group as opposed to a communal or collective assembly of persons.

Dynamic Display – any characteristics of a sign that appear to have movement or that appear to change, caused by a method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the

sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, flashing, blinking, or animated display that incorporates rotating panels, LED lights manipulated through digital input, “digital ink” or any other method or technology that allows the sign to present a series of images or displays.

**E:**

Easement - A right, liberty, privilege, or advantage which one may have in the lands of another. It can not be an estate or interest in the land itself or a right to any part of it, but consists in rights of enjoyment in or issuing out of another’s land. Thus, one cannot have an easement in his or her own property, since in such case the titles merge. An easement has also been described as a right to use another’s land for a precise and definite purpose not inconsistent with the owner’s general right of property.

Environmental Advisory Council (EAC) - The Environmental Advisory Council of the Township of Hampton.

Environmentally Critical Lands/Environmentally Sensitive Lands - Steep slopes (Between 15 and 25%), very steep slopes (over 25%), floodways and floodplains, and wetlands. Most, but not all, of these lands are shown on the Environmentally Critical Lands Maps of Hampton. Some wetlands and steep slope areas, which are not immediately adjacent to existing streams, will be found on the Pine Creek Watershed Study Geologic and Soils overlay maps and wetlands may have to be determined on site.

Essential services- the erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground sewage, gas, electrical, steam or water treatment transmission or distribution storage systems, collection, communication, supply or disposal systems, and overhead electrical and electronic systems, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire-alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including office buildings or maintenance depots.

Exploration - Temporary geologic or geophysical activities, drilling in context with the oil and gas drilling zoning definition in this ordinance, fracking, including seismic surveys, related to the search for natural gas or other subsurface hydrocarbons.

## **F:**

Family - one or more individuals related by blood, marriage, or adoption; or, not more than three (3) unrelated individuals.

Floor Area Ratio (FAR) – the ratio of the total floor area of a building as measured from the outside walls to the lot area.

Farm Animals - those types of animals normally kept or raised on farms, including chickens, pigs, cows, horses, sheep and bees.

Flood plain - a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source. Flood plains include any areas delineated within the 100-year flood boundary or as a special flood hazard area on a map prepared by the Federal Emergency Management Agency (FEMA). This shall also include those portions of land which may be subject to inundation by the water of a 100-year flood but where the 100-year flood boundary has only been approximated. In areas adjacent to a watercourse which have either had the 100-year flood boundary approximated or for which there are no designated elevations and/or profiles, the flood plain shall also include land denoted as being alluvial soils on the Soil Survey for Allegheny County, PA. as prepared by the S.C.S., U.S. Department of Agriculture or the Floodplain overlay map as prepared by the Northern Area Environmental Council for the Pine Creek Watershed Study.

Flood way - the channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of the one hundred (100) year magnitude. In an area where FEMA maps or studies have not defined the boundary of the flood way, it will be assumed, absent evidence to the contrary, that the flood way extends fifty (50) feet outwards from the top of the banks on the watercourse.

Foot Candle - A unit of illumination produced on a surface, all points of which are one foot from a uniform point of one candle.

Forestry - the management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

Fracture Stimulation/Hydro-fracking (Fracking) - The process of injecting water, customized fracking fluid, steam, or gas into a gas well to improve gas recovery.

Front setback line - an imaginary line across the front of a property, between side property lines, parallel to the street right-of-way line and distant from it, the depth of the required front yard setback for the zoning district in which the property is located.

Front yard - the area of any property between the front lot line and front setback line.

Frontage - the distance between side property lines of any property, measured along the right-of-way of the street to which the property has access, and further defined in Section 10.130.

Full Shielding - A technique or method of construction which causes all light emitted from an outdoor light fixture to be projected below an imaginary horizontal plane passing through the lowest point on the fixtures from which light is emitted.

Funeral Home - a building used for the embalming of deceased human beings for burial and for the display of the deceased and ceremonies connected therewith before interment.

## **G:**

Garage, Residential - an accessory structure for housing non-commercial vehicles not in excess of one (1) ton, operated by the occupants of the principal structure on the same property but not itself containing any dwelling units and having a maximum of four (4) bays.

Garden apartments - a dwelling unit in a multifamily residential building of not more than three (3) stories in height, containing at least three (3) such units and with access to the outside at grade or via common hallways and stairways.

Gas - Any fluid, either combustible or noncombustible, which is produced in a natural state from the earth and which maintains a gaseous or rarefied state at standard temperature and pressure conditions and/or the gaseous components or vapors occurring in/or derived from petroleum or natural gas.

Gas Storage Well - A well located and used in a gas storage reservoir for injection withdrawal purposes, or an observation well.

Glare - Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see and, in extreme cases, causing momentary blindness.

Grading - Excavation or fill or any combination thereof including the conditions resulting from any such activities. See Grading Ordinance No. 584.

Grubbing - the cleaning of underbrush from a treed area. See Section 10.406 (d).

Gross Acreage - The total acreage of a tract for which an application is filed or approved.

Gross floor area (GFA) - when prescribed as the basis of measurement for off-street parking space and loading berths for any use, floor area shall mean the sum of the gross areas of the floors of buildings, or portions thereof, devoted to such use, including accessory storage areas located within selling or working space, such as counters, racks or closets; and any basement floor area devoted to retailing activities, to the production or processing of goods or to business or professional offices.

## H:

Height - the vertical distance along the wall of a building measured between the average of the highest and lowest elevation at ground level on the front or rear façade, which ever has the lower ground elevations, and the top of the parapet on a flat roof building or to the average height of the highest roof surface on a sloped roof building except that chimneys, stacks, steeples, roof-mounted air handling equipment, etc, shall not be considered in measuring height, except as modified by Section 10.330. **See Building Heights Measurement Standards Document.**

Home, manufactured - a dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site, bearing a label that it is built in compliance with the Federal Manufacturing Housing Construction and Safety standards. All manufactured homes must be placed upon a permanent foundation and in accordance with the Township's current building code.

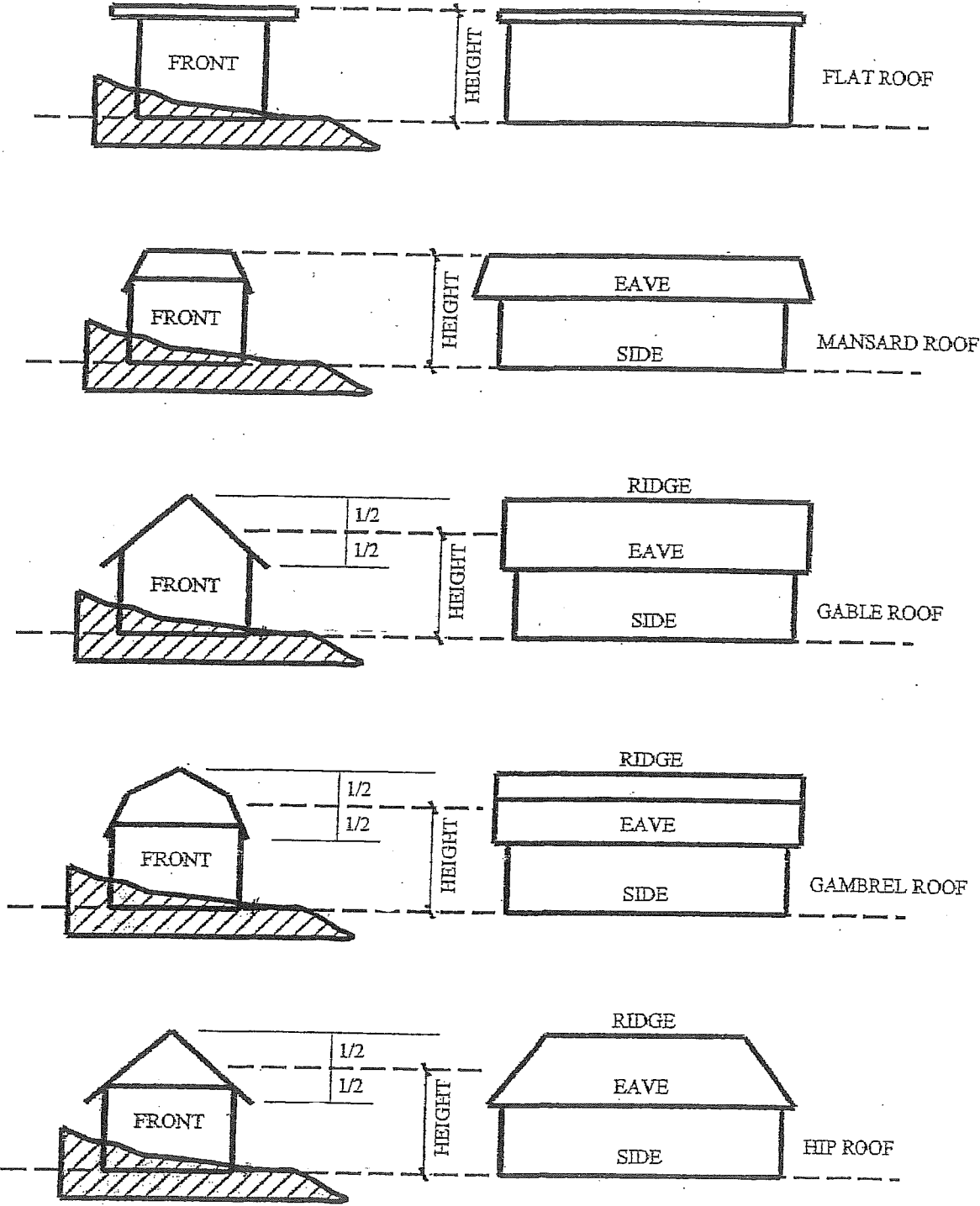
Home occupation - an occupation carried on in a dwelling unit, by the principal occupant and as defined in Section 11.300.

Home, group care - a dwelling unit which houses and provides twenty-four (24) hour supervision and rehabilitative services for no more than six (6) developmentally disabled individuals and is licensed by the appropriate State and County agencies.

Home, nursing - any premises operated for profit in which nursing care and related medical or other health services are provided, for a period exceeding twenty-four (24) hours, for two or more individuals, who are not relatives of the operator, who are not acutely ill and not in need of hospitalization, but who, because of age, illness, disease, injury, convalescence or physical or mental infirmity need such care and is licensed by appropriate State and County agencies.

Home, Personal care - a building where food, shelter and personal assistance or supervision are provided for a period exceeding twenty-four (24) hours for four

# Township of Hampton



## Building Height Measurement Standard

(4) or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who may require assistance or supervision in such matters as dressing, bathing, diet, financial management, evacuation of a residence in the event of an emergency or medication prescribed for self-administration and is licensed by the appropriate State and County agencies.

Home, Personal care, small - a personal care residential home that is limited to no more than ten (10) persons, and no fewer than three (3) persons, including clients (any person who is a resident) operator (any person responsible for day to day operation and supervision of the home or residence), and family of the operator and is licensed by the appropriate State and County agencies. An operator may also be the homeowner.

Home, Personal care, large - a personal care residential home having more than ten (10) occupants, including clients (any person who is a resident), operator (any person responsible for day to day operation and supervision of the home or residence) and family of the operator and is licensed by the appropriate State and County agencies. An operator may also be the homeowner.

Home, Retirement or Convalescent - a facility offering care to elderly persons who require medical assistance, care or supervision twenty-four (24) hours a day, (other than a hospital), which are licensed by the Commonwealth of Pennsylvania and supervised and regulated by the Commonwealth of Pennsylvania. The term shall not include Group Homes, Rehabilitation Centers for drug or alcohol treatment, or residences for persons convicted of crimes or established to house residents for disciplinary purposes.

Hospital - any premises, other than a mental health establishment as defined herein, having an organized medical staff and providing equipment and services primarily for inpatient care for two (2) or more individuals who require definitive diagnosis and/or treatment for illness, injury, or other disability or during or after pregnancy, and which also regularly makes available at least clinical laboratory services, diagnostic X-ray services and definitive clinical treatment services. The term shall include such premises providing with diagnosis or treatment, or both, for specific illnesses or conditions.

Hotel or Motel - A facility offering transient lodging accommodations to the general public and which may provide additional services, such as restaurants, meeting rooms and recreational facilities.

Hours of Darkness - Any time from one-half hour before sunset to one-half hour after sunrise and any other time when the illumination level is less than the required lighting for uses as designated in this Ordinance.

**I:**

IPMC – International Property Maintenance Code (as amended)

Imminent Development - development for which a site plan and landscaping plan have been submitted and approved by the Township Council and which is reasonably to commence within thirty (30) days.

Impervious Material or Surface- material which, for the most part, resists the entrance or passing through of water.

Inspector –the Township Engineer or the authorized representative designated by Council, to make any or all necessary inspections of the work performed and materials furnished by the developer or their contractors selected to install the improvements required by the Ordinance.

**K:**

Kennel - the breeding, leasing, buying, sale, exchange, placement, boarding, training, grooming, or housing of more than four (4) domestic animals, for compensation or profit in any indoor housing facility wherein the animals cannot stray therefrom. Domestic animals shall be limited to dogs, cats, and such other species as may be considered pets in a residential setting. See Section 12.309.

**L:**

Land Development Plan - a plan which encompasses a proposed land development, which in addition to a plat of subdivision, if required, includes; all covenants relating to the use of the land; the proposed use, location and bulk of buildings and other structures; the intensity of use or density of development; streets, ways and parking facilities; common open space and public facilities. The land development plan shall include all of the written and graphic information required by this Ordinance, the Subdivision Ordinance and the Grading Ordinance.

Landowner - the legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee, if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

Light Pollution - Artificial light which causes a detrimental effect on the environment, astronomical research or enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent property.

Light Trespass - The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Loading area - an area of property on which activities are of such a nature as to require regular receiving and/or shipping of goods, such area to be used exclusively for loading and not to interfere with other vehicular or pedestrian circulation on the property.

Lodge or Fraternal organization - a hall or meeting place of a local branch, or the members composing such a branch, of a fraternal order or society.

Lot - a designated parcel or tract of land established by a plat or otherwise permitted by law.

Lot area - the total area within the boundary of the lot.

Lot Coverage - that percentage of a lot covered by all impervious surfaces including structures, driveways, sidewalks and parking spaces. (See Table "A")

Lot depth - the mean horizontal distance between the front lot line and the rear lot lines measured within the lot boundaries.

Lot line, front - that boundary of a lot which is along an existing or dedicated street or right-of-way, with corner lots having two (2) front lot lines.

Lot line, rear - that boundary of a lot which is most distant from, and is most nearly parallel to, the front lot line. In the case of corner lots or odd-shaped lots, the sideyard setback shall be used as the rear yard setback.

Lot of record - a lot which has been duly recorded in the Office of the Recorder of Deeds of Allegheny County, either individually or as part of a subdivision.

Luminaire - A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts. The pole, post, or bracket is not considered a part of the luminaire.

## **M:**

Manufacturing - the process or fabrication, including assembly of certain materials and products, identified in Section 8.811, 8.812 and 8.912, which will meet all requirements of Section 10.500 and 10.700 of this Ordinance.

Manufacturing, heavy - manufacturing including the production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products which due

to the nature of the materials, equipment or process utilized, the manufacturing operation is considered to be unclean, noisy, hazardous or is associated with other objectionable elements.

Manufacturing, light -manufacturing including the production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products which by the nature of the materials, equipment and process utilized is to a considerable measure, clean, quiet, and free of any objectionable or hazardous elements.

Mediation - a voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement, which the parties themselves create and consider acceptable.

Mental health establishment - any premises or part thereof, private or public, for the care of individuals who require care because of mental illness, mental retardation or inebriety but shall not be deemed to include the private home of a person who is rendering such care to a relative.

Minerals - Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas. It is noted that natural gas is not a mineral per se, but it's recognized as such in the PA MPC (source of the definition above).

Minimum Maintained Foot-Candles of Light - The amount of light falling on that point of a surface with the least illumination, calculated through application of a maintenance factor, which is a multiplier applied to account for aging of the lamp and for dirt build-up on the luminaire during the period for which the lamp is in place. Unless otherwise specified, light is measured on a horizontal plane at ground level. The average maintained foot candle is calculated using the industry standard uniformity ratio of average and minimum light levels of 4:1 as established by the Illumination Engineering Society of North America.

Mobile home park - a parcel, or contiguous parcels of land, which has been so designated and improved, and that contains two (2) or more lots for the placement thereon of mobile homes for non-transient use.

Municipal Services/Facilities - any activities of the police, community services or recreational or administrative departments of the Township of Hampton, its municipal authorities, other agencies which may from time to time hereafter be created by the Township of Hampton, or facilities erected to house or further such activities.

Municipality - the Township of Hampton.

## **N:**

Natural Gas Compressor Station - A facility designed and constructed to compress natural gas that originates from an Oil and Gas well or collection of such wells operating as a midstream facility for delivery of Oil and Gas to a transmission pipeline, distribution pipeline, Natural Gas Processing Plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

Natural Gas Processing Plant - A facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets but not including facilities or equipment that are/is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from natural gas.

Nonconforming lot - a lot, the area or dimension of which was lawful under a zoning ordinance prior to the adoption or amendment of this zoning ordinance but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

Nonconforming structure - a structure, or portion thereof lawfully existing on the effective date of this Zoning Ordinance or subsequent amendment hereto or some prior Ordinance in effect at the time of the construction of the structure, which was erected or altered for a use that does not completely conform to the use regulations applicable in the district in which it is located. Such nonconforming structures include, but are not limited to, nonconforming signs.

Nonconforming use - the use, whether of land or of structure, which does not comply with the applicable use provisions in the zoning ordinance or amendments heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation.

No-impact home-based business - a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

- (1) The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- (2) The business shall employ no employees other than family members residing in the dwelling.

- (3) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- (4) There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
- (5) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- (6) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- (7) The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
- (8) The business may not involve any illegal activity.

## **O:**

Occupancy permit - a certificate issued by the Zoning Officer attesting to the fact that all requirements of this ordinance and other applicable regulations have been met and that the building and area for which the permit applies may be occupied for the use for which the application is made and is permissible under this Ordinance, or which was lawfully issued under any previous ordinance.

Off-street parking - an area, entirely sized as specified by Article 13 of this Ordinance, wholly outside any public right-of-way but with direct access via a driveway or access lane to a public street.

Office, medical or dental - the location of a medical office, practice, or clinic of a state regulated or licensed profession or other practitioner in the medical, dental or other healing arts, which shall include, but not be limited to, doctor, physician, nurse or nurse practitioner, physician's assistant, chiropractor, dentist, orthodontist, psychiatrist, psychologist, other mental health services, drug or alcohol rehabilitation, treatment or counseling services, or other similar practitioners.

Office, professional - the location of the practice of a state regulated and licensed profession, which shall include, but not be limited to the following professions: law, engineering, architect, accounting, and other similar professions, but shall not include a medical or dental office.

Office, business- an office for such businesses as insurance, utilities, stenographic service, employment service, real estate, post office and sales as those by a manufacturer's representative.

Oil and/or Gas - Crude oil, natural gas, methane gas, coal bed methane gas, propane, butane and/or any other constituents or similar substances that are produced by drilling a well of any depth into, through, and below the surface of the earth.

Oil and/or Gas Development - The well site exploration and site preparation, well site construction, drilling, re-drilling, reworking, hydraulic fracturing, and/or site restoration associated with an oil and gas well of any depth; water and other fluid storage, impoundment and transportation used for such activities, following Phase I approval and through Completion of Development activities; and the installation and use of all associated equipment, including tanks, meters, and other equipment and structures whether permanent or temporary; and the site preparation, construction, installation, maintenance and repair of oil and gas pipelines and associated equipment and other equipment and activities associated with the exploration for, production and transportation of oil and gas other than Natural Gas Compressor Stations and Natural Gas Processing Plants or facilities performing the equivalent functions that operate as midstream facilities.

Oil or Petroleum - Hydrocarbons in liquid form at standard temperature of 60 degrees and pressure 14.7 psia.

Oil and/or Gas Production – Phase 2 or extraction of oil and/or gas once all exploration and development activities (Phase 1) have been completed and until such time as additional or other Phase 1 Exploration or oil and/or gas development activities may be required again for the same well(s) following such prior production activities. Such interim or additional exploration or oil and/or gas development activities following prior production shall comply with all Phase I requirements set forth herein and shall require a new application and approval prior to commencement.

Oil and/or Gas Wells – For the purpose of this Ordinance, a “wellsite” shall consist of the area occupied by the facilities, structures and equipment necessary for, or incidental, to the drilling, production or operation of an oil or gas well.

Open Space, Common - A parcel or parcels of land, or an area of water, or a combination of land and water, within a development and designed and intended for the use or enjoyment of residents of the development, not including streets, off-street parking areas, and areas set aside for public facilities. See also definition for “Common Ground”.

Open space must consist of a tract of land exceeding at least ½ acre in area, which has been designated to remain undeveloped permanently for resource protection, or for recreation or agricultural purposes. Open space does not include road rights-of-way, yards around dwelling units, lots and/or dwelling units, parking areas, or buffer yards unless the buffers are a minimum of forty (40) feet

in width and are contiguous with other open space or part of a greenway corridor. Open space is further defined in two (2) specific categories, as follows:

1) Natural recreation area - open space which is left in its natural pre-development state with only passive recreation allowed, such as trails and/or areas for public off-street parking necessary for the residents and/or visitors of the development while they are using the recreation area.

2) Active recreation area - open space which accommodates such facilities as swimming pools, tennis courts, ball fields, etc.

Operator - Any person, partnership, company, corporation and its subcontractors and agents who have an interest in real estate for the purpose of exploring or drilling for, producing, or transporting oil or gas.

## **P:**

Parapet - a low wall projecting above the roof of a flat-roofed building usually as an extension of the side walls.

Park- an open area of ground set aside for public use with recreational facilities, playgrounds and structures or left in a natural state, and owned and operated by a nonprofit association or group for the benefit of the public or the residents of the Township, as in density transfer. It may not include a miniature golf course or driving range. Amusement parks or any predominantly commercial enterprise shall not be considered a park.

Park, Municipal- any land owned by the Township or authorized by the Township to be designated as a Municipal Park or open space, whether or not developed.

Parking space - an area meeting the requirements of Section 13.111 of this Ordinance for the parking of one (1) vehicle off-street.

Patio - a paved, or finished at-grade structure directly adjacent to or in near proximity to a principal building without a permanent covering or permanent sidewalls.

Patio Home – A form of multi-unit housing that generally includes a rear or side closed-in yard or patio area.

Pennsylvania Municipalities Planning Code - the State law adopted July 31st, 1968, as Act 247, as amended, regulating municipal land use control in Pennsylvania.

Performance Standards - minimum requirements designed to minimize the impact of potentially detrimental conditions (i.e., noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, glare, heat, etc.) upon adjacent

properties in particular, and the environment in general. A standard which establishes an end result or outcome which is to be achieved, but does not prescribe specific means for achieving it. A specification standard, in contrast, is one which prescribes the exact characteristics to be used, leaving little choice to the applicant. The release rate percentage is an example of a performance standard; the design standards for storm sewers are specification standards.

Permitted use - an activity which is expressly allowed to occur on a property because of the property's location in a particular zoning district in accordance with the terms of the current ordinance.

Personal and Professional services - services provided on the premises in an office, or in facilities regulated by governmental agencies, and including retail sales of products to be used off the premises as only an incidental part of the business.

Phase - one or more sections on which an applicant proposes to commence development at the same time, as part of a timetable for development of a planned residential development or subdivision over a period of years.

Planned Residential Development - an area of land, owned by a single landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density or intensity, lot coverage and required open space, to the regulations established in any one district created, from time to time, under the provisions of Article 9 of this zoning ordinance.

Planning Commission- The Planning Commission of the Township of Hampton.

Porch - an attachment to a building covered by a permanent roof, but without permanent side walls.

Principal permitted use - the single primary or predominant use to which property may be devoted and to which all other uses on the property are accessory.

Principal structure - the structure on a residential or non-residential property containing the principal use or uses, whether conforming to the requirements of this Ordinance or not, and thus making all other structures and uses on the property accessory. There shall be but one principal permitted use on any lot, tract, or unit in the zoning district which the land is located, except where shared or mixed uses are permitted.

Production Well - Any gas or oil well that has been brought on line to provide the material to market after any and all Phase I Exploration and Development activities have been completed. A Production Well shall not include any well or well site, which following a period of prior production, requires additional

exploration or other Phase 1 Development activities prior to recommencing further Production activities.

Property - a tract of contiguous land surface, including the structures thereon, all sections of which are in the same ownership, surrounded by a boundary that closes on itself.

Property line - all or part of the boundary describing the limits of a property.

Public ground - includes:

- (1) parks, playgrounds, trails, paths, other recreational areas and other public areas; and
- (2) sites for schools, sewage treatment and other publicly owned or operated facilities; and
- (3) publicly owned or operated scenic or historic sites.

Public hearing - a formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this ordinance.

Public meeting - a forum held pursuant to notice under the Act of July 3, 1986, (P.L. 388, No. 84), known as the "Sunshine Act".

Public notice - notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing, and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

Public utility - A service by a company, or agency, or individual licensed or regulated by the Public Utility Commission of the Commonwealth of Pennsylvania, distributing water, gas or electricity by means of a network or overhead or underground lines, all of which shall be to provide such services to residents or occupants of properties within the zoning district of the same; the term shall not include communications facilities, such as telephone, cellular telecommunications, radio transmissions, television transmissions, or any other communications services for public or private use, for transmission to persons, residents or occupants of premises not in the zoning district in which the services are provided, excluding therefrom however, police, fire and emergency transmissions by government units or facilities.

Public Utility Service Buildings, Structures or Facilities - Service buildings, structures or facilities owned by a public utility company as defined herein, and which provide the services for which the building structure or facility was designed to serve the residents of the zoning district in which the building, structure or facility is

located. The term shall not include telephone, central offices, electric substations, communications facilities, tower sites, or other electronic, or radioactive, electromagnetic transmission towers, antennas, or other equipment or facilities for transmission for use by the general public situate outside the boundaries of the Township of Hampton.

**Q:**

Quadraplex – A residential building, on a lot, containing four (4) dwelling units, each with a private entrance, connected by party walls along the back and one (1) side of each entrance.

**R:**

Rear yard - the area of any property between the rear line of the property and the rear setback line.

Recreation:

- A. Recreation, Commercial - an activity operated for profit by other than a public entity for the outdoor or indoor pursuit of sports, recreation and leisure activities, including, but not limited to, such establishments as miniature golf, golf courses, golf or batting practice facilities, ice or roller rinks, playing fields, racquet clubs, swimming pools, amusement parks, arenas, stadiums, amphitheaters, fitness clubs and similar facilities.
- B. Recreation, Non-commercial - an activity operated not for profit by an individual, association, or corporation, other than a public entity, and whether or not the facilities are advertised to the general public, including either indoor or outdoor facilities, for the pursuit of sports, recreation and leisure activities, the use of which is limited to members and their guests, including, but not limited to, such establishments as country clubs, golf courses, sportsmen's clubs, golf practice facilities, playing fields, tennis or racquet clubs, fitness clubs, swimming pools and similar facilities.
- C. Recreation, Public - an activity operated by a public entity, available to the general public, whether or not an admission fee is charged, including either indoor or outdoor facilities for the pursuit of sports, recreation or leisure activities, including, but not limited to, parks, playgrounds, playing fields, golf courses, golf or batting practice facilities, ice rinks, tennis courts, swimming pools and similar facilities.

Re-Drill - Deepening or sidetrack/horizontal drilling extending more than one-hundred fifty (150) feet from the existing well bore.

Registered engineer - an individual registered to practice civil engineering in the Commonwealth of Pennsylvania.

Repeal - the removing from force or effect of a section of an ordinance or an entire ordinance previously passed by the Township Council subsequently rescinded by official action of the body.

Restaurant, drive-in - a restaurant, any portion of whose business includes serving food to customers in motor vehicles.

Restaurant, fast food - a retail business which serves ready-to eat food and/or beverages, available upon a short waiting time, for consumption on or off the premises, with limited table service.

Restaurant - a retail use which provides food for consumption on the premises, and includes tables and chairs with table service where customers are provided with an individual menu.

Required parking - the number of necessary off-street parking spaces needed to serve a specific use, generally on the same property as the use. (See Article 13)

Re-Work - Re-entry of existing well within the existing bore hole or by deepening or sidetrack/horizontal operations which do not extend more than one-hundred fifty (150) feet from the existing well bore, or replacement of well liners or casings.

Right-of-way - a strip of land which provides access to property abutting it, i.e. an easement across private property for the passage of public utilities or the disposal of storm water; easement for ingress or egress.

Riparian Buffer - a streamside area of trees or other vegetation which can intercept surface runoff, subsurface flow and deeper groundwater flows for the purpose of removing or buffering the effects of nutrients, pesticides or other chemicals from upland uses which could otherwise enter bodies of water.

## **S:**

Senior Assisted Living Facility - a building or series of buildings consisting of a dining area served by a central kitchen containing units for independent elderly persons who are in need of some basic help with activities of daily living.

Senior Independent Living Facility - a building or series of buildings consisting of a dining area served by a central kitchen containing units for independent, elderly, self-reliant persons requiring no medical assistance, care or supervision.

Setback - a distance prescribed for each zoning district established by this Ordinance measured from any property line to line within the property, describing the limit of construction on the property and defining the required front, side and rear yards.

Shielding - A technique or method of construction which causes light emitted from an outdoor light fixture to be projected below an imaginary horizontal plane passing through the fixtures.

Side Lot line - the property lines at each side of a property intersecting the front and rear property lines.

Side yard - the area of any property bounded by the required front and rear yards and the side property line and parallel side setback line.

Sight distance - the usual distance a vehicle operator can see unimpeded along the road he is traveling or the road he is entering or crossing, such distance related to reaction time and vehicle speed and assuming the operator's eye level above the pavement to be three feet six inches (3'6").

Sign - a device, fixture, placard, or structure that uses color, form, graphic, illumination, symbol or writing to provide identification, direct attention or to communicate information of any kind to the public regarding a person, entity, organization, business or idea, and further defined in Section 14.200 of this Ordinance.

Sign Face – the entire area on which graphic or written material or information is placed for viewing in a single direction.

Slope:

- A. "Average Percent Slope" - the average slope of the area of environmental disturbance - determined by dividing the difference in elevation at the extremes of the environmental disturbance by the horizontal distance between the limits of the environmental disturbance as determined by an actual field topographical survey of the elevations within the area of environmental disturbance.
- B. "Steep Slope" - areas where the slope is from fifteen (15) to twenty-five (25) percent between adjacent contour lines as shown on topological maps (i. e. where the scaled horizontal distance between the five (5) foot contour lines is between 20 feet and 33 1/3 ft.) or between adjacent contour lines having an interval of five (5) feet or less as shown on detailed site plans prepared by a registered engineer or surveyor based on actual field topographical surveys.
- C. "Very Steep Slopes" - areas where the slope exceeds twenty-five (25) percent between adjacent contour lines as shown on topological maps (i.e. where the scaled horizontal distance between the five (5) foot contour lines is less than 20 feet) or between adjacent contour lines having an interval of five (5) feet or less

as shown on detailed site plans prepared by a registered engineer or surveyor based on actual field topographical surveys.

Store:

- A. Convenience Store - a retail establishment which offers a limited selection of grocery, household and personal items for quick purchase and which may include the dispensing of gasoline and accessory automobile products.
- B. Food Store - a retail establishment which primarily sells specialty or gourmet food items or meats and groceries which are packaged and which are not available for consumption on the premises.
- C. Grocery Store - a retail establishment which primarily sells meat and food products, but which may also include as accessory uses a pharmacy, a florist, video rental (excluding an adult video store), banking and copy/fax services.
- D. Retail Store – a retail establishment which sells merchandise at retail including department stores, home improvement stores, the sale of electronic equipment, clothing and all types of merchandise. A large retail store shall consist of 5,000 square feet or more. A small retail store shall consist of less than 5,000 feet.

Street - includes street, avenue, boulevard, road, drive, court, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private including the right-of-way thereof.

Street, arterial – A public street which serves large volumes of local and through traffic and which collects and distributes traffic from collector streets through the region. Streets classified as arterial in the Township include: Route 8, Duncan Avenue, Ferguson Road, Hardies Road, Harts Run Road, Middle Road, Mount Royal Boulevard, Sample Road, Wildwood Road and Wildwood Road Extension.

Street, collector – A public street which, in addition to providing access to abutting lots, intercepts local streets and provides a route for carrying considerable volumes of local traffic to community facilities and arterial streets. Streets classified as collector in the Township include: Clearview Road, East Bardonner Road, Elfinwild Road, Haberlein Road, Hardt Road, McCully Road, McNeal Road, South Pioneer Road, Wickline Road and Wildwood Sample Road.

Street, private - a street including the entire private right-of-way, which is privately owned and maintained through private agreement and which is intended for private use.

Street, public - a vehicular thoroughfare constructed either by a public agency or by a developer who records the right-of-way and builds to standards established by the Township which accepts by ordinance the thoroughfare for perpetual maintenance. Direct access to such a thoroughfare shall be required for the subdivision (and/or development) of any property, in accordance with minimum front yard widths established by this Ordinance for the zone district in which the property is located.

Structure - any man-made object having an ascertainable stationary location on, or in, land or water, whether or not affixed to the land, including buildings, billboards, carports, porches, and other building features, but not including sidewalks, drives and patios.

Structurally Altered - a revision to a structure involving the removal or addition of an interior wall or any change to the structures exterior that increases or diminishes exterior dimensions or adds or removes openings in the exterior walls.

Subdivision Ordinance - Township of Hampton, Ordinance No. 583, as amended.

Small Wind Energy Conversion Systems (SWECS) – A mechanism, specifically designed and sized for residential properties, that converts the energy of the wind into kinetic energy. Also known as wind generators, wind turbines, wind power units (WPU), wind energy converter (WEC), or aerogenerators. A system is considered a residential SWECS only if it supplies electrical power solely for on site use, except that when a parcel on a system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on site use may be used by the utility company.

## **T:**

Tank - A container, covered or uncovered, used in conjunction with the drilling or production of oil and gas or other hydrocarbons for holding or storing fluids.

Telecommunications Antenna - a device used to collect or transmit telecommunications or radio signals, such as, panels, micro-wave dishes, single pole know as whips, and such other devices used for these purposes, but which shall not exceed 10 feet in height or 6 feet in width, or which shall not have a diameter of more than six (6) feet.

Telecommunications Equipment Building – an unmanned building or cabinet containing communications equipment required for the operation of communications antennas and covering an area on the ground not greater than 375 square feet.

Telecommunications Tower - A structure including any guy wires principally intended to support facilities for receipt or transmission of broadcast for commercial or Public VHF and UHF television, FM RADIO, two-way radio,

common carriers, cellular telephone, fixed point microwave, low power television, or AM radio, including accessory equipment related to telecommunications. Not included are antennae and supportive structures for private, noncommercial, and amateur purposes including but not limited to ham radios and citizen band radios.

Telecommunications Tower Height – the vertical distance measured from the ground level to the highest point on a communications tower, including antennas mounted on the tower.

Tower Site – a lot or parcel on which a tower and its accessory components are located. The minimum tower site area shall be one (1) acre and must sit solely on its own one-acre parcel owned by the applicant/owner or a one-acre site leased by it to be used exclusively for telecommunications purposes.

Townhouse - Single-family attached dwellings within a multi-family structure with only one (1) dwelling from ground to roof, each with individual outside access. Not more than two (2) parallel walls of each dwelling are in common with other such dwellings.

Tracker - A member of the Environmental Advisory Council, selected by the Environmental Advisory Council, who assists in monitoring compliance with a land development plan's environmental and landscaping requirements. The Tracker has no enforcement powers and shall reports its findings directly to the Zoning Officer.

## **U:**

Use and Occupancy Classifications – Structures or portions of structures shall be classified with respect to occupancy in one or more of the groups listed below as defined in the ICC International Building Code as adopted and amended for Residential, Storage and Utility and Miscellaneous Group. OR as defined in the ICC International Residential Code as adopted and amended for one and two family dwellings and townhouses.

## **V:**

Variance - Relief granted to a property owner by the Zoning Hearing Board in accordance with the provisions of the Municipalities Planning Code outlined in Articles 6 and 9.

## **W:**

Watercourse- A channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow, having a tributary area of 100 acres or more.

Watershed- All land and water within the confines of a drainage basin.

Well - A hole or holes, bore or bores, that perforate the earth's surface and rock layers to obtain water, brine, oil, gas or other hydrocarbons from the earth.

Wellsites – Area occupied by the facilities, structures and equipment necessary for or incidental to the drilling, production or operation of an oil or gas well.

Wetlands - Any area meeting the criteria of the appropriate state or federal agency to be a wetland.

Wholesaler - a merchant middleman who sells chiefly to retailers, other merchants, or industrial, institutional, and commercial users for resale or business use.

## **Y:**

Yard - the area of a property between property lines and setback lines, of dimensions as noted in the bulk and dimensional requirements of this Ordinance for each zoning district, within which structures, or any enclosed portion thereof, cannot be constructed. (See also definitions for front yard, side yard and rear yard.)

## **Z:**

Zoning Hearing Board - a board appointed by the Township Council to exercise all the powers conferred to it by this Ordinance and the Pennsylvania Municipalities Planning Code.

Zoning map - a part of this Ordinance, the official map of the zoning districts of the Township, showing precisely the boundaries and title of each zoning district.

Zoning Officer - a person appointed by the Township Council of the Township of Hampton to enforce the regulations of this Ordinance and any other land use Ordinance or Ordinances, and with the power conferred in the Municipalities Planning Code.

ARTICLE 5: Reserved for Future Use