

**TOWNSHIP OF HAMPTON
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 843

AN ORDINANCE OF THE TOWNSHIP OF HAMPTON, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING ITS ZONING ORDINANCE, AS CODIFIED AT CH. 310 OF THE TOWNSHIP CODE OF ORDINANCES, TO PROVIDE FOR DOMESTIC CHICKEN KEEPING AS A PERMITTED ACCESSORY USE IN THE CA, CB, RA, AND RB ZONING DISTRICTS, WITH RELATED REGULATIONS; TO REPEAL PROVISIONS REGULATING TEMPORARY POLITICAL SIGNS ON PRIVATE PROPERTY; AND TO MAKE OTHER MISC. NON-SUBSTANTIVE EDITS, CLARIFICATIONS, AND CORRECTIONS.

WHEREAS, Township Council is authorized by the Municipalities Planning Code to regulate zoning and land use within the Township through its Zoning Ordinance, as embodied in the current Zoning Ordinance, as codified at Chapter 310 of the Hampton Township Code of Ordinances;

WHEREAS, Township Council desires to amend its Zoning Ordinance to provide for, and regulate, the keeping of chickens for personal use in the Conservation CA and CB, and in the Residential RA, RB, and Zoning Districts (as reflected in **Exhibit "A"** hereof);

WHEREAS, Township Council also desires to amend its Zoning Ordinance to uniformly, and neutrally, regulate sign permitting exemptions within the Township, by repealing provisions purporting to regulate temporary political signs on private property (as reflected in **Exhibit "A"** hereof);

WHEREAS, the Township of Hampton also wishes to enact those several and miscellaneous clarifying, corrective edits, revisions, updates, and other like non-substantive amendments to the Township Zoning Ordinance, Chapter 310 (as also depicted in **Exhibit "A"** hereto);

WHEREAS, the Township has, in accordance with the requirements of the Municipalities Planning Code, submitted the proposed amendments to its Planning Commission, which gave its recommendations regarding the proposed amendments at its duly noticed public meeting(s);

WHEREAS, Township Council held duly noticed and advertised public hearings, concluding on commencing on June 9, 2021, to take public comments on the proposed amendments, and has duly advertised this Ordinance for consideration and enactment; and

WHEREAS, Township Council, having received the public's comments and the recommendations of the Township's Planning Commission, finds that enactment of the proposed amendments to the Township Zoning Ordinance will be beneficial to the Township and consistent with the Pennsylvania Municipalities Planning Code.

NOW THEREFORE, be it Ordained and Enacted by the Hampton Township Council, and it is hereby Ordained and Enacted by authority of the same, as follows:

I. That Hampton Township Zoning Ordinance, Art. VIII, Permitted Uses, §310-32(B), §310-33(B) §310-34(B), and §310-32(B), Permitted Accessory Uses, shall be amended to add "Keeping of Domestic Chickens" as Permitted Accessory Use(s) in the CA, CB, RA, and RB Zoning Districts, subject to the Special requirements for the keeping of Chickens as provided in Article XI of this Chapter at § 310-75B, as set forth in full at **Exhibit "A"** hereof.

II. That "Special Requirements for the Keeping of Chickens" in Residential A (RA), Residential B (RB), and Conservation A (CA) and Conservation B (CB) zoning districts only, shall be added to Hampton Township Code as Article XI, Section 310-75B, as set forth in full at **Exhibit "A"** hereof.

III. That Zoning Ordinance, Chapter 310, Article XIV, Signs, Exemptions, §310-91(6) is hereby repealed and deleted, as follows, and as also set forth in full at **Exhibit "A"** hereof:

~~(6) Signs erected in connection with elections or political campaigns shall be erected no earlier than six weeks before an election and such signs shall be removed within two weeks following the election. No such sign shall exceed 16 square feet in area.~~

IV. That Zoning Ordinance, Chapter 310, is hereby amended to enact those several and miscellaneous clarifying, corrective edits, revisions, updates, and other like non-substantive amendments to the Township Zoning Ordinance, Chapter 310, as depicted and highlighted in **Exhibit "A"** hereto).

V. **EFFECTIVE DATE.** That the Municipal Manager/Secretary of Hampton Township shall certify to the adoption of this Ordinance and cause the same to be published as required by law, and this Ordinance shall take effect and be in force immediately from and after its enactment as required by law.

VI. **REPEALER.** That any and all previous Ordinance(s) which are inconsistent with the terms and provisions of this Ordinance are hereby repealed.

VII. **VALIDITY, SEVERABILITY.** That the provisions of this Ordinance are severable and if any of its provisions or any part of any provision or individual amendment enacted hereby shall be held to be unconstitutional or otherwise invalid, the decision of the court so holding shall not affect or impair any of the remaining provisions or amendments. It is hereby declared to be the intent of the Township of Hampton that this Ordinance would have been enacted had such unconstitutional provisions or parts thereof not been included herein.

ORDAINED AND ENACTED into law this 28 **day of** July **, 2021.**

ATTEST:

TOWNSHIP OF HAMPTON




Township Manager

By: 

President of Council

APPROVED TO AS TO FORM



Vincent A. Tucceri, Esquire
Township Solicitor

-EXHIBIT "A"-

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§310-11. Definitions.

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

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 nonresidential properties wherein access to such individual properties may be obtained through a common entranceway from a public street.

ACCESSORY USE OR STRUCTURE — Detached use, structure, 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 § 310-61 and shall not exceed the square footage footprint of the principal structure. Accessory structures are not permitted on vacant lots.

CARTWAY — That portion of a street internal to a recorded right-of-way which is improved by surfacing with permanent or semi-permanent material and is intended for vehicular traffic.

4. Editor's Note: See now the Solicitation of Funds for Charitable Purposes Act, 10 P.S. § 162.1 et seq

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 chapter. 4. Editor's Note: See now the Solicitation of Funds for Charitable Purposes Act, 10 P.S. § 162.1 et seq

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. Any portion of yard area between a recorded right-of-way and the closest wall of the dwelling.

HIVE — Any frame Hive, box Hive, box, barrel, log, gum, skep or other receptacle or container, natural or artificial, or any part thereof, which may be used or employed by a Beekeeper as a domicile for Bees which are expected to establish a permanent nest. The Hive or Hive grouping may be referred to as the "Beekeeping facilities" herein.

IMPERVIOUS MATERIAL OR SURFACE — Materials or surfaces -which, for the most part, resists the entrance or passing through of water. Typically includes roof area, compacted gravel, and all types of paved surfaces.

MONOPOLE— **A** WCF or site which consists of a single pole structure, designed and erected on the ground or on top of a structure, to support communications Antennae and connecting appurtenances.

NON-TOWER WIRELESS COMMUNICATIONS FACILITY (NON-TOWER WCF) — **All** non-tower wireless communications facilities, including but not limited to, Antennae and Related Equipment. Non-Tower WCF shall not include support structures for Antennae or any Related Equipment that is mounted to the ground or at ground-level.

PRIMARY PRINCIPAL STRUCTURE — The structure on a residential or nonresidential property containing the principal use or uses, whether conforming to the requirements of this chapter or not, and thus making all other structures and uses on the property accessory. There shall be but one **primary 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.

STEALTH TECHNOLOGY— **C**amouflaging methods applied to wireless communications towers, Antennae and other facilities which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted Antennae, building-mounted Antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, and light poles.

TOWER-BASED WIRELESS COMMUNICATIONS FACILITY (TOWER-BASED WCF) — **A**ny structure that is used for the purpose of supporting one or more Antennae, including, but not limited to, self-supporting lattice towers, guy towers and monopoles, utility poles and light poles. DAS hub facilities are considered to be tower-based WCFs.

WALL (BORDER) – A freestanding structure designed and constructed as a property divider or for privacy.

WALL (DECORATIVE) – A structure with sixteen (16) inches of vertical exposure or less constructed as a border or stand-alone structure.

WALL (RETAINING) – A structure designed and constructed to resist the lateral pressure of soil, when there is a desired change in ground elevation that exceeds the angle of repose of the soil.

§ 310-30. Environmentally Critical Areas Overlay Map.

The Environmentally Critical Areas Overlay Map identifies those areas of the Township which indicate severe development constraints, i.e., steep slopes (greater than 15%), floodplains, etc., in which all development shall be limited through this and other applicable ordinances.

15. Editor's note: Table A is included at the end of this chapter

§ 310-32. Conservation A District

A. Permitted principal uses.

- (1) Municipal services/facilities;
- (2) Recreation areas, parks, arboretums, and similar activities not operated for a profit, with required parking in accordance with § 310-78A(8);
- (3) Single-family dwelling;
- (4) Forestry activities, subject to the provisions of § 280-61, Forestry, of Chapter 280, Subdivision and Land Development, as amended.
- (5) Non-Tower Wireless Communications Facility ("Non-Tower WCF"), subject to § 310-78(37).

B. Permitted accessory uses.

- (1) Home garden and similar minor residentially related structures;
- (2) Residential garages.
- (3) Beekeeping - The keeping of Bees for personal use (as a hobby), or as part of a sanctioned educational program conducted at an accredited school or municipal facility, on properties having a minimum lot size of 20,000 square feet, when authorized by a duly issued Township Zoning Permit upon application made pursuant and subject to the rules and procedures as provided in Article XI of this Chapter (See § 310-75A).
- (4) Chickens: The keeping of chickens for personal use is a permitted accessory use when authorized by a duly issued Township zoning permit upon application made pursuant to, and accordance with, the rules and procedures as provided in Article XI of this chapter (see § 310-75B).

§ 310-33, Conservation B District

A. Permitted principal uses.

- (1) Single-family dwelling;
- (2) Agricultural field and/or orchard operations and raising of landscaping nursery stock, including greenhouses and similar structures;
- (3) Farm operation including the raising of livestock and/or fowl (ten-acre minimum);
- (4) Forestry activities, subject to the provisions of § 280-61, Forestry, of Chapter 280, Subdivision and Land Development, as amended.
- (5) Non-Tower Wireless Communications Facility ("Non-Tower WCF"), subject to § 310-78(37).

B. Permitted accessory uses.

- (1) Residential garages;
- (2) Residential garden and similar minor residentially related structures;
- (3) Accessory structures normally needed in the maintenance of nursery or agricultural activities;
- (4) Private kennel and/or stable for the noncommercial use of the occupants of the property only, provided that the property is at least five acres in area, that buildings housing the animals are at least 100 feet from a property or street boundary, that animals are entirely enclosed by a fence not closer than 25 feet to any property line or street line, and that no more than one farm animal, or five domestic animals, or 10 chickens or fowl per one acre of fenced-in area is permitted. Horses shall be limited to one horse per acre of fenced-in area. Horses shall be confined to the property; the horse's owner/rider shall be held responsible for compliance with all Township ordinances;
- (5) "No-impact home-based business" as defined under the Municipalities Planning Code,¹⁷ and home occupation (subject to § 310-69).
- (6) Beekeeping - The keeping of Bees for personal use (as a hobby), or as part of a sanctioned educational program conducted at an accredited school or municipal facility, on properties having a minimum lot size of 20,000 square feet, when authorized by a duly issued Township Zoning Permit upon application made pursuant and subject to the rules and procedures as provided in Article XI of this Chapter (See § 310-75A).
- (7) Chickens: The keeping of chickens for personal use is a permitted accessory use when authorized by a duly issued Township zoning permit upon application made pursuant to, and accordance with, the rules and procedures as provided in Article XI of this chapter (see § 310-75B).

§ 310-34. Residential A District.

A. Permitted principal uses.

- (1) Single-family dwelling;
- (2) Public and municipal parks and playgrounds and pools and recreation areas;
- (3) Forestry activities, subject to the provisions of § 280-61, Forestry, of Chapter 280, Subdivision and Land Development, as amended.
- (4) Non-Tower Wireless Communications Facility ("Non-Tower WCF"), subject to § 310-78(37).

B. Permitted accessory uses.

- (1) Residential garages;
- (2) Home gardens and similar minor residentially related structures;
- (3) Swimming pools (subject to applicable Township ordinances), tennis courts and similar recreation facilities for use only by the occupants of the property;
- (4) "No-impact home-based business" as defined under the Municipalities Planning Code,¹⁸ and home occupation (subject to § 310-69).
- (5) Beekeeping - The keeping of Bees for personal use (as a hobby), or as part of a sanctioned educational program conducted at an accredited school or municipal facility, on properties having a minimum lot size of 20,000 square feet, when authorized by a duly issued Township Zoning Permit upon application made pursuant and subject to the rules and procedures as provided in Article XI of this Chapter (See § 310-75A).²

- (6) Chickens: The keeping of chickens for personal use is a permitted accessory use when authorized by a duly issued Township zoning permit upon application made pursuant to, and accordance with, the rules and procedures as provided in Article XI of this chapter (see § 310-75B).

§ 310-35. Residential B District.

A. Permitted principal uses.

- (1) Single-family dwelling;
- (2) Public and municipal parks and playgrounds and pools and recreation areas;
- (3) Forestry activities, subject to the provisions of § 280-61, Forestry, of Chapter 280, Subdivision and Land Development, as amended.
- (4) Non-Tower Wireless Communications Facility ("Non-Tower WCF"), subject to § 310-78(37).

B. Permitted accessory uses.

- (1) Residential garages;
- (2) Home garden and similar minor residentially related structures;
- (3) Swimming pools, subject to other applicable Township ordinances, tennis courts and similar recreation facilities for use only by the occupants of the property;
- (4) No-impact home-based business" as defined under the Municipalities Planning Code,¹⁹ and home occupation (subject to § 310-69).
- (5) Beekeeping - The keeping of Bees for personal use (as a hobby), or as part of a sanctioned educational program conducted at an accredited school or municipal facility, on properties having a minimum lot size of 20,000 square feet, when authorized by a duly issued Township Zoning Permit upon application made pursuant and subject to the rules and procedures as provided in Article XI of this Chapter (See § 310-75A).
- (6) Chickens: The keeping of chickens for personal use is a permitted accessory use when authorized by a duly issued Township zoning permit upon application made pursuant to, and accordance with, the rules and procedures as provided in Article XI of this chapter (see § 310-75B).

§ 310-38. Highway Commercial District.

- (68) Non-Tower Wireless Communications Facility (~~Non-Tower~~ WCF), subject to § 310-78(37).

§ 310-46. PRD density calculation.

- A. The density for a PRD shall be calculated by multiplying the number of units permitted (using the values identified in Table B²⁶) by the developable acreage of the property. The developable acreage shall be determined by subtracting the following from the total acreage of the property:

- (1) The acreage used for proposed road rights-of-way, stormwater detention facilities, floodplains, wetlands, slopes over 25% and floodways;

(2) The indicated percentages of these environmentally sensitive areas:

Type of Land	Percent
Slopes of 15% to 25%	50%

B. Development tracts with environmentally sensitive areas are subject to the following limitations:

<u>Type of Land</u>	<u>Limitations</u>
Floodway area	No units permitted
Floodplain area	No units permitted

26. Editor's Note: Table B is included at the end of this chapter.

C. Density, area, bulk and setback standards: see Table B²⁷.

§ 310-50. Procedure and application.

A. Introductory. The procedure for the consideration of planned residential development, together with the site improvements pertaining thereto, shall be in accordance with the provisions of this section.

(1) Any landowner, as that term is defined in this chapter and in the Municipalities Planning Code, may make application to the Township for a tentative approval of a planned residential development which meets the eligibility requirements of § 310-44A, and provided that the planned residential development would be consistent with, and in compliance with, the comprehensive plan of the Township and the community development objectives as stated in Article III.

(2) The application shall be accompanied by the other materials required under the provisions of this chapter, together with the forms required under Subsection E hereof. The applicant shall include such other pertinent information as the Planning Commission and the Environmental Advisory Council shall prescribe. The time frame set forth in Subsections D, F and G shall be adhered to for all approvals of the PRD.

B. Applicant. The applicant must be the landowner, or if more than one owner, all owners of the site must act jointly.

C. Preapplication conference. Each applicant shall confer with the Planning Commission and Environmental Advisory Council in connection with the preparation of the planned residential development application prior to the submission of such application. The

purpose of the preapplication conference is to benefit the applicant by providing information and guidance before the applicant shall have entered into binding commitments or incurred any substantial expenses in the preparation of plans, surveys and other data.

§ 310-59. Yard requirements.

Refer to Figure 1 to determine the front, side, and rear yard areas of a lot.

- A. Corner. In lots that abut two streets intersecting at one corner of the property, the setback from each street to the building line shall be the front yard setback for the zone district containing the lot. The side yard setback requirements for the zoning district shall be used as the rear yard setback and for the remaining side yards.
- B. Front yards on undeveloped lots. Where an undeveloped lot occurs between two developed lots which are not in conformance with existing setbacks, the developer may place a principal structure on the undeveloped lot set back from the front lot line the average distance of the setback of the two adjacent principal structures, but not less than 15 feet.
- C. Variations in side yards permitted. When a proposed side wall of an existing structure or a **proposed addition** is not parallel to the adjacent side lot line, the structure may be placed so that the average distance of the nearer and further corners of the side wall to the side lot line equals or exceeds the required side yard setback for the zone district containing the lot but in no case shall any point of the structure be closer than 1/2 the required side yard setback for the zone district or 10 feet, whichever is greater.

(3) Satellite dishes. For the purpose of this chapter, satellite dishes shall meet the following requirements:

(a) Ground mounted.

- [1] No dish shall be constructed in any front or side **yard, but yard but** shall be constructed to the rear of the residence or main structure. Satellite dishes may only be placed in any front or side yard if the quality of the reception is impaired or prevented, based on the documentation of a satellite dish provider or installer and accompanying affidavit, duly notarized, indicating that the quality of the reception would be impaired or prevented.

The following are maximum allowable emissions as measured along property boundaries:

- (1) Noise: 50 decibels, whether steady or intermittent, along the boundary of the property containing the noise source, except noise of transportation in motion, or construction of a building, which shall be excluded.
 - (a) Exemptions to noise standards. The maximum permissible sound level limits set forth above shall not apply to any of the following noise sources:
 - [1] Sound needed to alert people about an emergency or building, equipment, or facility security alarms.
 - [2] Repair or construction work to provide electricity, water or other public utilities between the hours of 7:00 a.m. and 9:00 p.m., except for clearly emergency repairs, which are not restricted by time.
 - [3] Household power tools and lawn mowers between the hours of 8:00 a.m. and 9:00 p.m.
 - [4] Construction operations (including the occasional use of blasting in construction) and repairs of public facilities (including sidewalks and streets) within the hours of 7:00 a.m. and 9:00 p.m., except for clearly emergency repairs, which are not restricted by time.
 - [5] Agricultural activities, but not exempting kennels.
 - [6] Motor vehicles traveling on state-owned streets.
 - [7] Public celebrations and/or performances, specifically authorized by the municipal government body or a county, state, or federal government agency or body.
 - [8] Railroads and aircraft.
 - [9] Unamplified human voices.
 - [10] Routine ringing of bells and chimes by a place of worship.
 - [11] Police firing range activities.
 - [12] Oil and gas development ~~{Phase 1 stage only shall meet the requirements established in § 310-78A(36)}~~.

D. Industrial standards. The following standards shall apply to all research, development and industrial construction or development, whether new facilities, or expansion of existing

operations, proposed after the enactment of this chapter:

- (1) The buffer yard areas are to be constructed and maintained according to § 310-59E of this ~~chapter~~Chapter. Plantings shall be maintained at their natural height thereafter. The design of the planted buffer yard shall be determined on a case-by-case basis by a landscape architect or horticulturist paid by the developer. The design shall consider topography and proposed and existing vegetation, and shall be acted upon by the Township Council after review and recommendation by the Environmental Advisory Council.

§ 310-63. Nonresidential development site plan review.

- (2) Revised site plans shall not be required to be submitted when a property owner wishes to construct an accessory structure or to construct an addition to a previously approved primary structure in any of the zoning districts referenced in Subsection A which is less than 1000 square feet, ~~is not affecting any parking spaces or access aisles or other permanent features on the site, and in which~~ structures are not placed on or within 10 feet of any rights-of-way, easements or parking areas. Placement of any such structures shall be in conformity with all applicable Township regulations (i.e., setback requirements, height limitations, permits, etc.). Multiple accessory structures, or additions to previously approved primary or accessory structures that meet or exceed the 1000 square foot limit, shall require a revised site plan.

§ 310-66. Additional bulk and area requirements.

- G. Neighborhood Commercial (NC), Light Industrial (LI), Heavy Industrial (HI) and Office, Research and Development (ORD) Districts.
- (1) The minimum distance between principal structures on a lot shall be 50 feet.
 - (2) All applicable parts of § 310-59E ~~and E(1-1)~~ must be met. The required buffer yard shall be used for determining the side and rear yard setback requirements.

§ 310-72. Hedges, fences, privacy/decorative walls and irrigation systems.

- A. Hedges shall be maintained not to exceed the specified maximum height requirements of Sub-Section B, above. (Required buffer fences, strips, etc. are not subject to this sub-section, but shall instead be governed by the applicable ~~b~~Bufferyard requirements).
- D. Any fence or wall that is ~~located in a "front yard" either parallel, perpendicular, or at an angle to the front of the building line~~ shall be considered a front wall or fence. A front fence or privacy/decorative wall or irrigation system 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. The height of the wall or fence cannot exceed four feet in height unless it adjoins an existing wall or fence at a rear or side setback of the adjacent lot in which case it may match the height of the existing wall or fence, not exceeding the allowable height for wall and fences at rear and side yards. Front walls and fences shall be maintained so as not to exceed such height. No fence or wall shall be installed within a road right-of-way. Required buffer fences, strips, etc. are not included under this section.

- (1) The Zoning Officer may require more stringent controls on the placement of hedges, walls, trees, shrubs, landscape material and/or fences where, in his/her opinion, the public safety is involved. Fences and hedges shall not interfere with maintaining sight distances for automobile drivers approaching street intersections within 20 feet of the right-of-way of such intersection.
- (2) No fence, pet containment system, hedge, wall, tree, shrub, landscape material or irrigation system shall be placed in a recorded public right-of-way after the date of adoption of this chapter without the prior written consent of the Zoning Officer. **Pet containment or irrigation systems installed at least 13 feet from a cartway shall be exempt from obtaining a permit if located outside an easement or right-of-way.**

J. Border walls are required to meet fence height and setback regulations.

K. Decorative walls do not require a permit if located outside of an easement or right-of-way.

K.L. Mesh fencing, specifically manufactured for use as a deer barrier shall be exempt from height and permit regulations if installed with lightweight supporting posts/legs.

§ 310-75. Special events as an accessory use; temporary construction or storage structures or devices.

- A. Special events. On any lot, a landowner and/or developer proposing to conduct a temporary use or event using space outside of principal building structures shall be required to submit a special event application. Special events may include, but are not limited to, seasonal or holiday plant sales, "car cruises" or "car shows," **food truck events**, or sidewalk/parking lot displays and sales, and shall also include any other special or temporary event that has the potential to create an increase in traffic, parking, congestion and/or noise than that is typically caused by the principal use of the lot.
- C. Accessory structures.
 - (1) Floor area ratio (FAR). Cumulative limit of 100% of main floor square footage of the principle dwelling(s) unit for RA and RB and a 50% FAR for RC and RD (not to exceed 900 square feet). CA and CB or RA and RB with a minimum of five acres shall be 150% of FAR.
 - (2) Accessory structures shall be no more than 30% of the required rear yard of a lot. Definition: "required rear yard" is the full width of the lot between the rear property line and the rear line of the principle dwelling(s) projected to the side property lines of the lot.
 - (3) Any accessory structure exceeding 120 square feet, and greater than 12 feet in overall height, shall meet the setback requirement for the primary structure.
Exceptions:
 - a.) Structures to be located in residential and conservation zoning districts over 120 square feet but equal to or less than 12 feet in height and having no linear (length) dimension exceeding 14 feet may meet setback requirement for accessory

structures less than 120 square feet.

- b.) Open structures which are not secured to permanent footings, and without a roof, such as open play equipment, open gazebos, arbors and trellises, fountains and bird baths, sculpture or other art works do not require a permit if located outside of an easement or right-of-way.

~~(4) Any accessory structure exceeding 120 square feet shall meet the setback requirement for the primary structure.~~

~~(5) No accessory structure or any part thereof shall protrude into or hang over any easement, ROW or setback area.~~

~~(6)~~(4) Accessory structures for nonresidential properties may require a formal site plan submittal. [See § 310-63A(2) of this chapter or Chapter 280, Subdivision and Land Development.

(5) Accessory structure's wall and roof covering materials shall generally match the primary structure in type and color.

(6) All structures for farm animals, commercial kennels or conditional use allowable shelters shall not be located within one hundred feet of any property line.

(7) Accessory structures shall not be located within the allowable front yard setback area and no accessory structure shall be located in front of the leading edge of the primary structure.

Article XI

Section 310-75B

Special Requirements for Domestic Chicken Keeping

Where authorized as an accessory use under Article VIII, as follows:

§ 310-75B. The Keeping of Chickens as an Accessory Use

A. A permit is required from Hampton Township.

- (1) The permit should cost at least \$50 to cover the costs of processing/reviewing the application and performing the final inspection. The Township reserves the right to inspect the property on a yearly basis following permit approval.
- (2) A survey must be submitted that depicts the fenced in area, chicken coop, feed storage area, and dropping storage.

B. Keeping chickens should be listed as an accessory use in the Residential A (RA), Residential B (RB), Conservation A (CA), and Conservation B (CB) zoning districts only.

- (1) Additionally, the use should be restricted to single-family lots (not permitted for townhouses, duplexes, multi-family dwellings, or apartments).
- (2) Residents who live in an HOA must obtain approval from their HOA.
- (3) Lots must be a minimum of 20,000 square feet

C. The keeping of chickens should only be for personal use. The selling of chickens, eggs, manure, roosters or anything else related to this use is prohibited. Also prohibited is the butchering of birds on-site.

D. For properties up to 1 acre, a maximum of 5 chickens are permitted. For properties over 1 acre, a maximum of 10 chickens are permitted. Male chickens over the age of 6

months (i.e. roosters) are not permitted.

- E. Chickens must be kept within an enclosed, fenced-in area and must have a shelter structure (i.e. coop).
- (1) The required fence must be setback at least 25' from all property lines and must be located in a rear yard (for corner lots only, coops may be in the side yard).
 - (2) The required coop must be set back at least 40' from all property lines or dwellings on adjacent properties and must be within the fenced in area.
 - (a) Combined fence/coop structures are permissible but must meet the 50' setback from all properties lines or dwellings and may only be located in the rear yard (or, for corner lots only, in the side yard).
 - (3) Any chicken coop must be 6 sq. ft in size, with an additional 2 sq. ft. required for each chicken over 5.
 - (4) Chicken coops must be covered, predator-proof, thoroughly ventilated and of sufficient size for the chickens to be able to move freely. Coops must be enclosed on all sides and have doors and openings covered in material to prevent vermin and predators from entering.
 - (5) No scrap or mismatched materials can be used to construct coops. Coops must be painted or stained a color that is "in harmony" with the surrounding area.
 - (6) Coops must be maintained and sanitized to prevent vermin and obnoxious odors.
 - (7) Feed and droppings must be stored in secured, rodent-proof containers or within an enclosed structure. Droppings stored outside in a secured container must be at least 40' from all property lines or dwellings.
 - (8) Any vacant coops must be removed within one (1) year.
- F. Renters must supply written permission from the property owner or landlord when applying for a chicken permit.
- G. Residents are responsible for preventing excessive noise, offensive odors or unsanitary conditions that disturb neighbors or threaten public health. The keeping of chickens and storage of any associated waste or feed may not create conditions harmful to the public health or which create safety hazards, odors, unsightliness, or public nuisances.

§ 310-77. Procedure for review of conditional use application and options available after review.

- F. 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 chapter or any other ordinance of the Township. If the developer does not apply for a building permit for the conditional use within 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.

§ 310-78, Conditional use standards and criteria.

(20) Highway or neighborhood commercial activities similar to those listed under permitted uses. Applicant must submit a **written** statement describing in . . .

(26) Nonresidential 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, or stationery supplies.

[3] Retail florists.

[4] Barber shop/beauty shop.

[5] Pharmacy.

[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 § **310Q-79G** of this chapter, all parking areas must be adequately screened;

- (35) Alcohol sales (NC Zoning District):
- (a) All Pennsylvania Liquor Control Board requirements must be met.
 - (b) Intermunicipal liquor license transfers must submit an application for liquor license transfer and meet requirements of Township Resolution No. 682.
 - (c) All alcohol sales are limited to the hours of 8:00 a.m. to 11:00 p.m.

(c) Additional requirements. The contact information for the operator shall be provided to the Township.

I. General Requirements for All Non-Tower Wireless Communications Facilities

4. Historic Buildings. No Non-Tower WCF may be located on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places, or is eligible to be so listed, or is listed on the official historic structures and/or historic districts list maintained by the Township, or has been designated by the Township to be of historical significance.

G. Design of parking lots.

- (1) All parking areas serving any commercial, industrial, public or semipublic use, or any residential development, where more than two dwelling units share the same parking area:
 - (a) Shall be surfaced;
 - (b) Shall adhere to the landscaping requirements as per § 310-65H;
 - (d) A dense evergreen hedge maintained at a height of at least three feet shall be placed along the edge of the parking lot surface where the edge is parallel to or directly across the street from residential development, except where abutting the development the parking lot serves, and at entrances to the lot; and

ARTICLE XIV
Signs

§ 310-85. Purpose.

The purpose of this section is to permit such signs that will not, by their size, location, construction, or manner of display, obstruct the vision necessary for traffic safety, or otherwise endanger public health, safety and morals; and to permit and regulate signs in such a way to support and complement land use objectives set forth in this chapter.

§ 310-86. Definitions.

- C. **MONUMENT SIGN** — Any freestanding sign, made of wood, masonry or brick, or which has significant design components that are wood, masonry, or brick, in which a stone or brick structure is used to mount the sign area on, in or as integral part of such structure, in which the entire bottom is in close proximity to the grade.

§ 310-87. General regulations.

- A. No scrolling dynamic displays, or signs illuminated by a flashing, or pulsating source and no signs lighted in such a manner as to create glare conditions on adjacent properties or any adjacent street shall be permitted. Notwithstanding anything to the contrary, noncommercial copy may be substituted for commercial copy on any lawful sign structure. All signs shall meet the following standards in addition to those established in § 310-62:
- (1) No sign shall be brighter than is necessary for clear and adequate visibility;
 - (2) No sign shall be of an intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle;
 - (3) No sign shall be of an intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal
- B. Dynamic displays.
- (1) Dynamic displays are allowed only on monument signs for conditionally permitted uses in residential zoning districts and on monument and pylon (pole) signs in all other commercial zoning districts. Dynamic displays may occupy no more than 245% of the actual copy and graphic area. However, dynamic display allowances for institutional uses in residentially zoned districts may be at a size that is proportional to the road speed limit requirements sub-section (5) below. The remainder of the sign shall not have the capability to have dynamic displays even if not used. Only one contiguous dynamic display area is allowed on a sign face;

§ 310-88. Signs in Residential and Conservation Zone Districts

- A. Permitted kinds of signs.

- (1) Identification of property limited to name and address of occupants, such signs not to exceed two square feet in area per side.
- (2) Identification of property for sale, rental or lease indicating only owner or broker name, address and phone number or identification of apartment building or group, indicating only name and address of building or group and name, address and phone number of management agency, or a temporary "FOR SALE" sign which may be placed in a front yard, such signs not to exceed six square feet in area, per side. The sign shall be removed after 10 days from completion of sale. Identification of lots for sale within a residential subdivision, during the initial construction phase of the development, shall be limited to 32 square feet in area, per side.
- (3) Identification of public or semipublic institutions and activities carried on by them, such signs not to exceed 32 square feet in area per side.
- (4) Signs of architects, engineers, developers or contractors are not to exceed eight square feet in area, per side, and are to be removed not later than 30 days after completion of work for which the individual or firm was employed.
- (5) Signs for nonconforming commercial uses shall not exceed 12 square feet in area, per side.
- (6) Identification of a subdivision development, such sign to be located on a corner lot to the entrance of the subdivision development, off the public right-of-way, with the consent/agreement of the property owner. The sign shall not exceed 24 square feet in area, per side. Subdivision identification signs shall not be required to meet the building setback criteria under § 310-87B.
- (7) Direction signage shall be allowed for approved conditional uses meeting the requirements in 310.G.

§ 310-91. Exemptions.

A. The following kinds of signs shall not require permits for erection:

- (1) Temporary signs advertising the sale, rental or lease of the property on which said signs are located, provided such signs are nonilluminated and do not exceed one sign per lot, do not exceed four feet in height and do not exceed four square feet per face for properties zoned residential, or do not exceed six feet in height and do not exceed 16 square feet per face for properties zoned other than residential. All such signs shall be removed within seven days after the closing of the sale, rental or lease of the property. Properties that contain permitted reader boards or dynamic displays shall use those signs to advertise sale, rental or lease opportunities and shall not be permitted to locate additional temporary signs;
- (2) Signs denoting the architect, engineer or contractor, when placed upon property on which the individual or firm is employed, not to exceed eight square feet in area and to be removed within 30 days of completion of the project;
- (3) Occupational or professional name plates or signs not more than two square feet in area, attached to a building, mailboxes or its supports, containing the offices of the individual or firm advertised, and inscribed only with the name, address, phone number and occupation thereof;
- (4) Memorial signs or tablets of incombustible materials erected by a public or nonprofit organization; and
- (5) Traffic or other municipal signs providing warning or information to the traveling public put up by a public agency or authorized to be put up by a public agency.
- ~~(6) Signs erected in connection with elections or political campaigns shall be erected no earlier than six weeks before an election and such signs shall be removed within two weeks following the election. No such sign shall exceed 16 square feet in area.~~
- ~~(7)(6) Signs erected in connection with municipal or school district sports activities shall be permitted on football and baseball athletic fields. All signs shall be one-sided and face or be directed to the interior of the athletic facility. The sign(s) shall not be lighted and may not exceed 15 feet in height.~~
- ~~(8)(7) Temporary window signs in commercial zoning districts or existing commercial nonconforming properties do not require a permit. Signs must be located on the inside of the window(s) when closed.~~
- (8) Temporary signs advertising auctions, garage or yard sales for properties residentially zoned, provided that they do not exceed four (4) square feet in area per face and are removed as soon as the event or activity has occurred, and provided that they shall not be permitted to be erected more than seven (7) days prior to the event and shall be permitted only at the site at which the event will take place and at the nearest road intersection. No signs may be attached to a utility pole or traffic control sign in any way.
- (9) No-trespassing signs shall be placed a minimum of 50 feet apart.
- (10) Flags in residential districts, provided they do not exceed 15 square feet in area.

~~(11)~~ Customary holiday decorations.

~~(12)~~ One prominently displayed building address sign that is pedestrian and automobile oriented

~~(9)(13)~~ Any public notice or warning sign required by a valid applicable federal state or local law

~~(10)(14)~~ No-trespassing signs shall be placed a minimum of 50 feet apart.

~~(11)(15)~~ Flags in residential districts, provided that they do not exceed

~~(12)(16)~~ 15 square feet in aCustomary holiday decorations.

~~(13)(17)~~ One prominently displayed building address sign that is pedestrian- and automobile-oriented.

~~(14)(18)~~ Any public notice or warning required by a valid applicable federal, state or local law, regulation or ordinance.

~~(15)(19)~~ Traffic control signs.

~~(16)(20)~~ Signs installed by the Township shall be exempt from requirements of this ordinance.

~~(17)(21)~~ A non-illuminated/non-dynamic display freestanding temporary single sidewalk "sandwich board" sign, no larger than 24" x 36", located no further than 15 feet of a pedestrian entrance to the business use and in pedestrian areas (exempt from requirements of 310-87.F)

~~(18)(22)~~ Non-structural banner type sponsorship signs located on Township and HTSD properties which have been approved by Township Council.

ARTICLE XV
Zoning Hearing Board

D. Organization of the Board.

- (1) The Board shall elect officers from among its membership to include a Chairman, Vice Chairman and Secretary.
- (2) The Board, shall establish a regular monthly meeting date to conduct business.
- (3) The Board shall reorganize at its first meeting in each calendar year. Board members may succeed themselves in their positions.
- (4) The Chairman shall call and chair all meetings of the Board. The Vice Chairman shall act in the absence of the Chairman. The Secretary shall act in the absence of both the Chairman and Vice Chairman.
- (5) The Secretary shall assume the following responsibilities with the assistance of the Township staff: shall keep a record of the proceedings, recording the vote of each member, shall arrange for a stenographer to transcribe the hearings and distribute all testimony given at hearings, shall be responsible for preparing the agenda for each meeting, shall be responsible for the placing of notices for public hearings and shall handle all correspondence.

§ 310-115. Regulations pertaining to exhibition of sexually explicit films or videos.

- A. A person who operates or causes to be operated a sexually oriented business, other than an adult motel, which exhibits on the premises in a viewing room (a separate compartment or cubicle) of less than 150 square feet of floor space, a film or videocassette, or other video or other image production or reproduction which depicts specified sexually activities or specified anatomical areas shall comply with the following requirements:
 - (1) The application for a permit to operate a sexually oriented business shall be accompanied by a floor plan and plot plan diagram of the premises showing a plan thereof specifying the location of one or more manager's stations, the location of all viewing rooms, partitions and doors and the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A manager's station may not exceed 32 square feet of floor area. The diagram shall also designate the place at which the permit will be conspicuously posted, if granted. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram should be oriented to the north or to some designated street or object and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the premises to an accuracy of plus or minus six inches. The Zoning Officer may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously approved and certifies that the configuration of the premises has not been altered since it was prepared.
 - (2) The application shall be sworn to be true and correct by the applicants.
 - (3) No alteration in the configuration or location of a manager's station may be made without the prior approval of the Zoning Officer or his/her design.

