

§2o4. **R-3 HIGH DENSITY RESIDENTIAL DISTRICT.**

1. **Specific Intent.** In addition to the general goals Listed in the preamble, residential development which provides for higher densities and apartment development while maintaining sufficient open areas so that dwellings may blend with the existing and proposed characteristics of the land. Further, these higher densities will be so delineated as to be located near major thoroughfares, both rail and motor vehicular.

2_ **Use Regulations.**

A. Uses by Right. In any R-3 district land, buildings or premises shall be used by right only for one or more of the following:

- Townhouses, Subject to Section 505.7
- Garden Apartments, Subject to Section 505.7
- High-Rise Residential Structures, Subject to Section 505.7
- Essential Services

B. Accessory Uses. Only the following accessory uses shall be permitted:

- Accessory Buildings,
- Accessory Structures, Subject to §502
- Accessory Uses, Subject to §502
- No Impact Home Based Business, Subject to §505.5

C. Conditional Uses.

- Churches Subject to §505.2
- Schools, Public, Private or Parochial, Subject to 505.2
- Municipal Facility
- Family day care home subject 5053
- Group care home subject to Section 505.6
- Child group day care home subject to §505.12
- Personal care boarding home subject to 505.6
- Comparable Wt-3 Not Specifically Listed, Subject to 505.11

505.3 Family Day Care Home - Subject To;

- A. A facility licensed and approved, as applicable, by the Commonwealth of Pennsylvania, County of Allegheny and/or Borough of Castle Shannon
- B. The child care facility shall be the family residence of the resident who shall be the care giver.
- C. This facility may either be profit or nonprofit.
- D. Said services are to be provided to more than three but not more than six children in any one day and hours of operation shall be limited to 6 a.m. through and including 7 p.m., prevailing time.
- E. Care to be given to minors only.
- F. No more than one assistant may be employed. No signs are permitted.
- G. This definition excludes care provided by relatives of the minor and the care furnished in places of worship during religious services.
- H. No two facilities shall be located within 1,500 feet of each other, in any direction.
- I. Said facility must protect residential areas against the hazards of fire, offensive noise, traffic or vibration, smoke, odors, glare or other objectionable influences.
- J. Said facility shall be permitted or denied operation only after inspection by the Castle Shannon Fire Official and Building Inspector.
- K. When said facility is one in which care givers reside, a minimum of four off-street parking spaces are required, regardless of other conflicting regulations.
- L. Said facility must operate in compliance with all applicable regulations of the Commonwealth of Pennsylvania and have a registration certificate from the Pennsylvania Department of Public Welfare, as well as complying with any applicable regulations of Allegheny County and the Borough of Castle Shannon.
- M. Public or semipublic use lot requirements shall be met.
- N. If located on a street where parking is restricted, said facility shall have safe access of an off-street area for discharging and picking up of persons to whom the service is rendered.
- O. A safe area shall be provided for dropping off and picking up children which does not obstruct the free flow of traffic on any public street
- P. An adequate outdoor play area shall be provided and shall be secured by a fence with self-latching gate. Such play area shall be screened from adjoining residential properties by a minimum four (4) foot high compact, dense evergreen hedge or opaque fence_

- B. The buffer zone shall include plant combinations meeting the following requirements:
 - (1) One tree for each 30 linear feet along the adjacent roadway.
 - (2) One shrub for every 5 linear feet along the adjacent roadway.
 - (3) Seventy-five percent of the plant material in the buffer zone shall be evergreen.
 - (4) Any portion of the buffer zone not covered by trees and shrubs shall be planted with a seasonal ground cover.
- C. All plants in the buffer zone shall meet the maintenance requirements and specifications set forth in §505 of this Part.

4. Time of Completion. All tree plantings, planting screens and buffer zones required by this Part shall be installed prior to occupancy or commencement of use. Where compliance with the preceding sentence is not possible because of the season of the year, the Zoning Officer shall grant an appropriate delay, but shall issue no permanent zoning compliance certificate or certificate of occupancy until completion of all required plantings. Any zoning compliance permit or certificate of occupancy may be revoked, after 30 days written notice to the owner and to the occupant, whenever planting screens, buffers or required tree plantings are not maintained as required in this Part. [A.O.]

(Ord. 744, 6/1/1990, §504; as amended by A.O.)

§505. STANDARDS FOR GRANTING CONDITIONAL USE.

- 1. The Borough Council shall have the power to approve conditional uses at a public hearing following public notice for any of the uses for which this Chapter requires the obtaining of such approval and for no other use or purpose. An application to the Borough Council shall be made on the form approved by the Borough Council and shall be accompanied by the fee set by the Borough Council.
- 2. In granting a conditional use the Borough Council shall make findings of fact consistent with the provisions of this Chapter. The Borough Council shall not grant a conditional use except in conformation with the conditions and standards outlined in this Chapter.
- 3. General Requirements and Standards Applicable to all Conditional Uses. The Borough Council shall grant a conditional use only if it finds adequate evidence that any proposed use submitted for a conditional use will meet all the following general requirements as well as any specific requirements and standards listed for the proposed use. The Borough Council shall, among other things, require that any proposed use and location be:
 - A. In accordance with the Borough of Castle Shannon Comprehensive Plan, and other plans as may be adopted from time to time, and consistent with the spirit, purpose and intent of this Chapter.

- B. The best interests of the Borough, the convenience of the community, the public welfare and be a substantial improvement to the property in the immediate vicinity.
 - C. Suitable for the property in question, and designed, constructed, operated and maintained so as to be in harmony with and appropriate in appearance with the existing or intended character of the general vicinity.
 - D. In conformance with all applicable requirements of this Chapter.
 - E. Suitable in terms of effects on street traffic and safety with adequate access arrangements to protect major streets from undue congestion and hazard.
4. Borough Council shall use the following criteria as a guide in evaluating a proposed conditional use.
- A. The presence of adjoining similar uses.
 - B. An adjoining district in which the use is permitted.
 - C. The need for the use in the area proposed as established by the Comprehensive Plan.
 - D. Sufficient area to effectively screen the conditional use from adjacent different uses.
 - E. The use will not detract from the permitted uses of the district.
 - F. Sufficient safeguards such as parking, traffic control, screening and setbacks can be implemented to remove any potential adverse influences the use may have on adjoining uses.
 - G. The notification of abutting property owners.
 - H. Uses shall meet the provisions and requirements of other applicable Borough regulations.
 - I. Should the applicant fail to obtain the necessary permits within a 1 year period, or having obtained the permit should he fail to commence work thereafter or thereunder within such 12 month period, it shall be conclusively presumed that the applicant has waived, withdrawn or abandoned his appeal or his application and all provision, conditional uses and permits granted to him shall be deemed automatically rescinded by the Borough Council.

Ord. 744, 6/1¹/1990, §507; as added by A.O.

ZONING

- (1) The number of employees;
 - (2) The floor area of the building or gross area of the lot devoted to the proposed use;
 - (3) The type of products, materials and equipment and/or processes involved in the proposed use;
 - (4) The magnitude of walk-in trade; and
 - (5) The traffic and environmental impacts and the ability of the proposed use to (amply with the Performance Standards of Section 504 of this Ordinance.
- B. The proposed use shall comply with all applicable area and bulk regulations of the Zoning District in which it is located.
- C. The proposed use shall comply with any applicable express standards and criteria specified in this Article for the most nearly comparable use by conditional use listed in the Zoning District in which the comparable use is proposed.
- D. If the proposed use is determined by the Borough Council to be most nearly comparable to a permitted use or conditional use, the Council shall review the proposed use as a conditional use and shall act on the proposed development plan.
- E. The proposed use shall be consistent with the Purpose Statement for the Zoning District in which it is proposed and shall be consistent with the Community Development Objectives of this Ordinance.
- F. Buffer Areas as defined by § 504 of this Ordinance shall be applied where adjoining uses are not compatible or in another zoning district.

505.12 Child Day Cart Center or Pre-School Facility, subject to:

- A. The facility shall be registered with or licensed by the Commonwealth, if applicable.
- B. In the R-1 Zoning Districts, the facility shall be permitted to be located only in a church or school.
- C. Outdoor play areas shall be provided which shall have a minimum area of 65 square feet per child and which shall be secured by a fence with self-latching gate.
- D. Outdoor play areas which adjoin residential lots shall be screened by Buffer Area as defined by § 504 of this Ordinance.
- E. The general safety of the property proposed for a day care center, nursery school or pre-school facility shall meet the needs of small children.
- F. Off street parking shall be provided in accordance with the requirements of Article 503 of this Ordinance.

parking stalls immediately adjacent to said building(s) or, in the absence of such immediately adjacent stalls, any further than 5 feet from the face of the exterior surfaces of said building(s) which face a public roadway; nor shall such display be located so as to constitute a public nuisance or a violation of the provisions of Chapter 15 of the Borough Code of Ordinances.

(Ord. 744, 6/11/1990, §502)

- 11. Shopping Cart Storage.** Any establishment which furnishes carts or mobile baskets as an adjunct to shopping, shall provide definite areas within the required parking space areas for storage of said carts. Each designed storage area shall be clearly marked for storage of shopping carts.
- 12. Lighting.** All parking areas, pedestrian walks, driveways and loading areas shall be provided with a lighting system which shall furnish a minimum of 3 foot candles at any point during hours of operation, with lighting standards in parking areas being located not farther than 100 feet apart. All lighting shall be completely shielded from traffic on any public right-of-way and from any residential district.

p503. OFF-STREET PARKING AND LOADING REGULATIONS.

1. Off-Street Parking Regulations.

A. General Standards.

- (1) Onsite, off-street parking space(s) with a proper and safe access shall be provided within a structure or in the open to serve adequately the uses on each lot within the district. For purposes of computing car space, including stalls and driveways, parking space for one vehicle shall be at least 9 feet by 18 feet in size for any stall parking by using standard engineering references based on the 9 foot by 18 foot, 90 degree stall. Handicapped spaces shall measure at least 12 feet by 18 feet. Parking spaces shall be adequately marked and shall have an approved paved all-weather surface to provide safe and convenient access in all seasons.
- (2) The maximum permissible slope of any parking area shall be 5%.

B. Single-Family and Two-Family Standards. For single-family and two-family structures, the required parking spaces shall be designed as an enclosed garage (either totally enclosed or a carport) and shall have a paved access from street or alley to the parking space. Off-street parking spaces for single-family and two-family uses may take the following forms and all such spaces shall be provided in either the side or rear yard of residential properties.

- (1) Attached garages or carports to a dwelling.
- (2) Detached garage on property.

- (3) Attached garage (minimum two spaces) in joint ownership, i.e. party wall (also possible with driveways or accessways in joint ownership at the property lines).

C. Multifamily Standards. Off-street parking spaces for multifamily structures shall be provided. At least 50% of the required number of spaces shall be totally enclosed. No surface parking space shall be located in the required front yard areas; however, in the R-3 districts, parking may be permitted in required yards below grade to within 5 feet of any property.

D. Requirements. Required off-street parking space(s) for new construction, enlargement or change in use, shall conform to the following:

- (1) Such off-street parking spaces shall be arranged in an orderly fashion so as not to cause blockage of any means of ingress or egress and to insure that the traffic flow on public rights-of-way is not endangered in any way. A separate means of ingress shall be established and clearly marked as shall be a separate means of egress from the automobile laundry facility.
- (2) Should any traffic congestion occur in the public right-of-way, it shall be the responsibility of the owner to direct traffic away from the facility by posting a "temporarily dosed" sign or other means.

REQUIRED OFF-STREET PARKING	
Amusement Establishment, Club and Clubhouse, Health and Fitness Related Establishment, Indoor Entertainment	200 square feet of gross floor area
Animal Hospital, Medical Facility Medical and dental offices and	Two employees plus four spaces per Doctor.
Automobile laundry	Sufficient spaces to handle 45 min. of capacity of the maximum hourly operation of auto washing facility
' Business and Professional Office, Contracting Business, Financial Institution, Office building Professional Office	500 sq. ft. of gross floor area
Child day Care Center	One space for each employee plus one space for each four children
Church	200 sq. ft. of gross floor area or for each three fixed seats, whichever is greater.
Comparable Uses Not Specifically Listed and Other commercial uses	400 square feet of gross floor area
Contractor's Yard, Freight Terminals and Trucking Terminals, Light Manufacturing, Manufacturing, Warehousing and Wholesaling	One (1) parking space for each employees on a peak working shift plus one (1) space for each 3,000 square feet of gross floor area

4. Select the time period with the highest number of parking spaces required for the sum of all uses. This represents the minimum number of spaces required for the shared parking arrangement for the uses proposed.

CALCULATING SHARED PARKING FOR A MIX OF LAND USES				
USE	WEEKDAY		WEEKEND	
	Daytime	Evening	Daytime	Evening
Bank, Office Day Care Center	100%	10%	10%	5%
Residential	40%	100%	75%	100%
Restaurant	75% *	100%	100% *	100%
Retail/Services	60%	90%	100%	70%
Hotel/ Motel	75%	100%	75%	100%
Entertainment/ Recreation	30%	100%	100%	80%
Transit	100%	10%	10%	5%
* May be reduced to 10% if restaurant opens at 5 PM.				

(Ord. 744, 6/11/1990, §503)

§504. DESIGN STANDARDS FOR COMMERCIAL AND INDUSTRIAL DISTRICTS.

1. Required Planting Screens.

- A. Wherever any parking lot, trash collection, outdoor storage, merchandizing or service area lies within 50 feet of any R1, R2, R3 or, RP district, a planting screen of sufficient height and length to interfere with the view thereof from the adjoining district shall be required except where the view is blocked by change in grade or other natural or manmade features. Where, because of intense shade, or soil conditions, the planting screen cannot be expected to thrive, a wooden fence or masonry wall may be substituted.
- B. **All** planting screens required by this Part shall consist of plants at least 30 inches high when planted, maintained in a healthy condition and so pruned as to provide maximum opacity from the ground to a height of 5 feet. The plant materials on the following list shall be used. Seventy-five percent of the plant material used shall be evergreen. Plants shall be installed no farther apart than the distance indicated under "spread" in the plant list.
- C. Substitution of other plant material not included in the plant list shall be permitted only upon certification by a licensed landscape architect that the proposed plantings can be expected to thrive and provide equivalent screening and will create no nuisance or hazard.

- D. All plants not surviving 3 years after planting must be replaced_
- E. An existing business affected by these regulations at the time of passage of this Chapter shall not be required to comply with the above screening requirements except in case of enlargement or major alteration of such business. Similarly, for any zoning district boundary change after the passage of this Chapter, initiated by a residential developer abutting a commercial or industrially zoned property for which these regulations apply, these screening requirements shall not be imposed upon such commercial or industrial property.