

PART 2 - LANGUAGE AND DEFINITIONS

SECTION 200 GENERAL RULES OF CONSTRUCTION

- A. The language and words set forth in this Part are defined in order to facilitate the interpretation of the Chapter for administrative purposes and in the carrying out of duties by appropriate officers. Unless otherwise expressly stated, the following words shall, for the purpose of this Chapter, have the meaning herein indicated.
1. Words used in the present tense include the future tense.
 2. The singular includes the plural.
 3. The word “person” includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
 4. The masculine gender includes the feminine and neuter. The feminine gender includes the neuter and masculine. The neuter gender includes the feminine and masculine.
 5. The terms “shall”, “will”, and “must” are always mandatory.
 6. The words “should” or “may” are permissive.
 7. The word “used” and “occupied” as applied to any land, structure, or building shall be construed to include the words, “intended, arranged or designed to be used or occupied”.
 8. The word “erected” shall be inclusive of the words “constructed, altered or moved.”
 9. For those words used in this Chapter but not defined herein, the definitions found in various chapters of the Codified Ordinances of the Borough of Highspire specifically including but not limited to Chapter 27 relating to zoning, Chapter 9 relating to grading and stormwater, Chapter 21 relating to streets and sidewalks, Chapter 25 relating to shade trees, and Chapter 5 relating to buildings, shall apply.
 10. For those words used in this Chapter but not defined herein or any the definitions found in various chapters of the Codified Ordinances of the Borough of Highspire, the most recent edition of Webster’s Unabridged Dictionary, shall apply.
- B. Illustrations and Tables.
1. In case of any difference of meaning or implication between the text of this Chapter and any caption, illustration or table, the text shall control. No caption, illustration or table shall be construed to limit the scope or intent of the text of this Chapter.

SECTION 201 DEFINITIONS

A. For the purposes of this Chapter, the following terms shall have the following meanings:

ABUT or ABUTTING: Areas of contiguous lots that share a common property or lot line, or being separated by a common border including easements, but excluding lots entirely separated by a public right-of-way for a street or alley. See also Adjoin or Adjoining.

ACCESSORY: Additional, something extra or complementary, or subordinate to.

ACCESS DRIVE: A public or private drive, other than a driveway, providing vehicular access to and between parking areas for more than two (2) parking spaces within a Land Development; or any drive servicing three (3) or more units of occupancy on a single Lot.

ACT 247: Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.O. 805, No. 247, as amended and reenacted, also called the "MPC" or "Municipalities Planning Code.

ADAPTIVE REUSE: The development of a new use for an older structure or building or for a structure or building originally designed for a special or specific purpose.

ADJACENT: Two (2) or more abutting or adjoining lots or two (2) or more lots separated only by a public right-of-way for a street or alley or another lot.

ADJOIN or ADJOINING: See also ABUT or ABUTTING.

AVERAGE DAILY TRAFFIC (ADT): Computed by application of a day of the week by month factor to an average twenty-four (24) hour traffic count. Such information is available in the latest volume of the Pennsylvania Department of Transportation (PennDOT) Traffic Data Collection and Factor Development Report.

APPLICANT: A landowner and/or developer, as hereinafter defined, including his heirs, successors and assigns, who filed an application for development.

APPLICATION FOR DEVELOPMENT: Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development, including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan, or for the approval of a development plan. This shall include adaptive reuse, replacement, infill, and redevelopment.

BEST MANAGEMENT PRACTICES (BMPs): Activities, facilities, designs, measures or procedures used to manage stormwater impacts from Regulated Activities, to meet State Water Quality Requirements, to promote groundwater recharge and to otherwise meet the purposes of this Ordinance. Stormwater BMPs are commonly grouped into one (1) of two (2) broad categories or measures: "non-structural" or "structural". "Non-structural" BMPs are measures referred to as operational and/or behavior-related practices that attempt to minimize the contact of pollutants with stormwater runoff whereas "structural" BMPs are measures that consist of a physical device or practice that is installed to capture and treat stormwater runoff. "Structural" BMPs include, but are not limited to, a wide variety of practices and devices, from large-scale wet ponds and constructed wetlands, to small-scale underground treatment systems, infiltration facilities, filter strips, low impact design, bioretention, wet ponds,

permeable paving, grassed swales, riparian or forested buffers, sand filters, detention basins, and manufactured devices. "Structural" stormwater BMPs are permanent appurtenances to the project site.

BLOCK: Land surrounded on all sides by streets (measured at the right-of-way) or other transportation or utility rights-of-way, or by physical barriers such as bodies of water or public open spaces.

BOROUGH: Borough of Highspire, Dauphin County, Pennsylvania

BOROUGH COUNCIL: The Highspire Borough Council, also may be referenced as the Borough Council of the Borough of Highspire. See also governing body.

BOROUGH ENGINEER: See also municipal engineer.

BOROUGH SOLICITOR: See also municipal solicitor.

BUFFER: An open area of land located between two (2) uses, that is intended to mitigate negative impacts, such as visual and noise, of the more intense use on the less intense/dense use and/or zoning district on the less intense/dense use and/or zoning district.

BUFFER YARD: An open area of land located between two (2) uses, that is intended to mitigate negative impacts, such as visual and noise, of the more intense/intense/dense use and/or zoning district on the less intense/dense use and/or zoning district, whose dimensions normally exceed, but may include where specified, the required building setback or yard requirements, and which is generally planted and may include required screening, and within which no building, structure, or otherwise shall be permitted except those used as part of required screening, or other features as provided in this Chapter. .

BUILDING: Any enclosed or open structure, other than a boundary wall or fence, occupying more than four (4) square feet in area and/or having a roof supported by columns or walls, intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind.

BUILDING, ACCESSORY: A detached, subordinate building or structure, the use of which is customarily incidental and subordinate to that of the principal building or structure or otherwise principal use of the lot, which is located on the same lot as that occupied by the principal building or structure or otherwise principal use of the lot.

BUILDING LINE: A line parallel to the front, side, and/or rear lot line touching that part of the structure closest to said lot line.

BUILDING, PRINCIPAL: A building or structure that is enclosed within exterior walls or firewalls, and is built, erected and framed of component structural parts. The principal building is also designed for housing, shelter, enclosure and support of individuals, animals or property of any kind, and is a main structure on a given lot.

CAPACITY: The maximum number of vehicles that can be expected to pass over a given section of roadway or on a specific lane.

CARTWAY: The portion of a street right-of-way, paved or unpaved, customarily used by motorized and non-motorized vehicles in the regular course of travel over the street, but not including unimproved shoulders, and curbs, sidewalks or swales.

CLEAR SIGHT TRIANGLE: An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street centerlines.

COMMON OPEN SPACE: A parcel or parcels of land or an area of water, or a combination of land and the water, within the development site, 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.

COMMONWEALTH: Commonwealth of Pennsylvania.

COMMUNITY WATER SUPPLY; A utility operated by a municipality or a company, regulated by the Public Utility Commission (PUC), which supplies potable, domestic water for use by more than one (1) household, business or institution.

COMPREHENSIVE PLAN: The official public document prepared in accordance with the MPC, consisting of maps, charts and textual material that constitutes decisions about the physical and social development of the Borough of Highspire, as amended from time to time.

CONDOMINIUM: A form of ownership of real property, as defined in the Pennsylvania Uniform Condominium Act of 1980, which includes a multiple unit land development in which there is a system of separate ownership of individual units of occupancy and undivided interest of land and common facilities.

CONTIGUOUS: Next to, abutting, or touching and having a boundary, or portion thereof, that is coterminous. To physically touch or border upon, or to share a common property line, but not overlap.

COUNTY: Dauphin County, Pennsylvania.

DEDICATION: The deliberate appropriation of land by its owner for general public use.

DEED: A written instrument whereby an estate in real property is conveyed.

DENSITY, GROSS: The number of dwelling units or units of occupancy per gross lot Area acre (i.e., the total area within the deeded property lines without exception).

DENSITY, NET: The number of dwelling units or units of occupancy per net lot area acre (i.e. the total area within the deeded property lines exclusive of existing street rights-of-way).

DETENTION BASIN: An impoundment structure designed to manage stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate. .

DEVELOPER: Any landowner, agent of such landowner, or tenant with the permission of such landowner, including a firm, association, organization, partnership, trust, company, or corporation as well as an individual, for whom development plans are being or have been made.

DEVELOPMENT PLAN: The provisions for development, including, a subdivision plat or plan and/or a land development plat or plan, all covenants and restrictions relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase “provisions of the development plan” when used in this Chapter shall mean the written and graphic materials referred to in this definition.

DRAINAGE EASEMENT: A right granted by a landowner to a grantee, allowing the use of private land for stormwater management, drainage, or conveyance purposes.

DRIPLINE: A line marking the outer edges of the branches of the tree.

DRIVEWAY: A private drive, other than an access drive, providing vehicular access between a street or access drive and a parking area for not more than two (2) residential units of occupancy.

EASEMENT: A strip of land granted for limited use of property by the landowner for a public or quasi-public or private purpose, and within which the owner of the property shall not have the right to make use of the land in a manner that violates the right of the grantee.

ELEVATION: The vertical alignment of a surface, as it exists or as it is made by cut and/or fill.

ENGINEER: A qualified, professional engineer licensed to practice in the Commonwealth of Pennsylvania.

ENVIRONMENTAL COVENANT: A servitude arising under an environmental response project which imposes activity and use limitation. (On December 18, 2007, Governor Ridge signed the Uniform Environmental Covenants Act (UECA) into law as Act 68 of 2007. Section 6517(a)(1) of UECA requires the use of Environmental Covenants whenever engineering controls or institutional controls are necessary to demonstrate attainment of an Act 2 remediation standard for any cleanup conducted under any applicable Pennsylvania environmental law. The covenant provides a tool to ensure that the conditions allowing for a risk-based cleanup will continue in the future.)

ENVIRONMENTALLY SENSITIVE AREA: An area not suitable for development that includes floodplains, floodplain soils, steep slopes, wetlands, and riparian areas.

EXISTING WOODED AREA: A biological community dominated by trees and other woody plants covering a land area of one-quarter ($\frac{1}{4}$) acre or more. Existing wooded areas includes areas that have at least twenty-five (25) trees per one-quarter ($\frac{1}{4}$) acre with at least fifty (50) percent of those trees having a two-(2) inch or greater caliper at four and one half (4.5) feet above the ground and larger.

FLOODPLAIN: (1) a relatively flat or low land area adjoining a river, stream, or watercourse which is subject to partial or complete inundation; (2) an area subject to the unusual and rapid accumulation of runoff or surface waters from any surface.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

FLOOR ELEVATION: The elevation of the lowest level of a particular building, including the basement.

FOOTCANDLE: A unit of light intensity stated in lumens per square foot and measurable with an illuminance meter or light meter.

FRONTAGE: The side of the lot abutting a street right-of-way (excluding alleys).

FULLY SHIELDED: A light constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal.

FUTURE ACCESS STRIP: A right-of-way reserved for the future improvement of a street.

GEOLOGIST: A qualified professional geologist registered by the Commonwealth of Pennsylvania.

GLARE: The sensation produced by lighting that causes an annoyance, discomfort, or loss in visual performance and visibility to the eye.

GOVERNING BODY: The council in cities and boroughs, the board of commissioners in townships of the first class, the board of supervisors in townships of the second class, or any other similar body with the final decision-making, budgeting and appointing authority of a general purpose unit of government. See also Borough Council.

HISTORIC FEATURE: Any district, site, building structure, or object that meets one or more of the following criteria:

1. Is listed or may be determined to be eligible to be listed on the National Register of Historic Places either individually or as a contributing resource.
2. Is listed on any Dauphin County historic resources survey, in the most recent Highspire Borough Comprehensive Plan, or on any officially adopted Borough or County inventory of historic resources and is determined by a qualified historic preservation professional to retain the historic characteristics that qualified it for said list.
3. Is determined by a qualified historic preservation professional to be historically or architecturally significant.

HORIZON YEAR: The anticipated opening year of a development, assuming full buildout and occupancy.

ILLUMINANCE: The quantity of light measured in footcandles or lux.

IMPERVIOUS SURFACE (IMPERVIOUS AREA): A surface that prevents the infiltration of water into the ground. Impervious surfaces (or areas) shall include, but are not limited to: roofs, additional indoor living spaces, patios, garages, storage sheds and similar structures, and any new streets and sidewalks. Decks, parking areas, and driveway areas are not counted as impervious areas if they do not prevent infiltration. Any surface area proposed to initially be gravel or crushed stone shall be assumed to be impervious, unless designed as an infiltration BMP. This term shall also include impervious surface.

IMPROVEMENT: Physical changes to the land, including installations and changes required to render land suitable for the use intended, including, but not limited to, grading, paving, buildings, streets, curbs, gutters, streetlights and signs, water mains, hydrants, sanitary sewer mains, including laterals to the street right-of-way lines, storm drainage lines, stormwater management facilities, sidewalks, walkways, recreational facilities, open space improvements, shade trees, landscaping, buffering, and screening, and all other additions to the tract which are required by ordinance or regulation, or are deemed necessary to result in a complete subdivision or land development in the fullest sense of the term.

IMPROVEMENT, PUBLIC: Improvements for which the Borough, Borough Authority, or its designee may ultimately assume the responsibility for maintenance and operation, or which may effect an Improvement for which Borough, Borough Authority, or its designee responsibility is established.

INDIGENOUS SPECIES: Plants which have not been introduced by man and thrive in an area where it is considered native.

INFILL: Development of land within the Borough accessible to infrastructure that is generally surrounded by development and has been bypassed, remained vacant, and/or is underused.

INFLUENCE AREA: An area that contains eighty (80) percent or more of the trips that will be attracted to a development site.

INVASIVE SPECIES: Plants which grow quickly and aggressively, spreading, and displacing other plants. Invasives typically are introduced into a region far from their native habitat.

LAND DEVELOPMENT: The development of property as specified below:

1. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
 - a. A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots, regardless of the number of occupants or tenure.
 - b. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
2. Subdivision of land.
3. "Land Development" shall not include:
 - a. The conversion of any existing single family dwelling into not more than three (3) residential units, unless such units are intended to be a condominium.
 - b. The addition of an accessory building(s) on a lot or lots subordinate to an existing principal building.
 - c. The addition or conversion of buildings or rides within the confines of an enterprise that would be considered an amusement park. For purposes of this sub clause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved.

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.

LANDSCAPE ARCHITECT: A qualified professional landscape architect registered by the Commonwealth of Pennsylvania.

LANDSCAPING: Acting with the purpose of meeting specific criteria regarding uses of outside or exterior space, including ground cover, screening, buffering, and shade trees.

LEVEL OF SERVICE: A measure of the effect of traffic on the capacity of a road.

LIGHT TRESPASS: Light emitted by a lighting installation which extends beyond the boundaries of the property on which the installation is sited.

LIGHTING:

1. Diffused: That form of lighting wherein the light passes from the source through a translucent cover or shade.

2. Direct or Flood: That form of lighting wherein the source is visible and the light is distributed directly from it to the object to be illuminated.
3. Indirect: That form of lighting wherein the light source is entirely hidden, the light being projected to a suitable reflector from which it is reflected to the object to be illuminated.

LOT: A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

LOT, CORNER: A lot at the junction of and abutting on two (2) or more intersecting streets (excluding alleys) or at the point of abrupt change of a single street, where the interior angle is less than one hundred thirty-five (135) degrees or the radius of the street line is less than ten (10) feet. A corner lot shall have two (2) front lot lines and one (1) side lot line, and one (1) rear lot line. The rear lot line for a corner lot shall coincide with the lot line abutting any alley, otherwise it shall be the lot line opposite the lot line along the street of address.

LOT, DOUBLE FRONTAGE or THROUGH LOT: An interior lot that abuts two (2) or more parallel or non-intersecting streets (excluding alleys) generally at the front and rear lot lines.

LOT, INTERIOR: A lot whose side lot lines do not abut upon any street (excluding alleys); a lot other than a corner lot. Lots abutting and bounded by one street, two (2) alleys, and one other lot shall be considered interior lots.

LOT, REVERSE FRONTAGE: An interior through or double frontage lot that is not accessible from one of the parallel or non-intersecting streets upon which it abuts and fronts.

LOT ACCESS: A way or means of approach to provide vehicular access to a property.

LOT AREA. The area contained within the property lines of the individual parcel of land, excluding space within the street right-of-way. The lot area includes the area of any utility easement or stormwater management facility.

LOT COVERAGE: That portion or percentage of the lot area covered by impervious materials.

LOT FRONTAGE: That portion of a lot abutting on the street right-of-way (excluding alleys) and regarded as the front of the lot.

LOT LINE: A property boundary line of any lot held in single or separate ownership, except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed the ultimate right-of-way line.

LOT LINE MARKER: A metal plate, pin, permanent stone or concrete monument used to identify lot line intersections.

LOT OF RECORD: A lot which is a part of a subdivision, the plan of which was recorded, or a parcel of land, the deed of which was recorded in the office of the Dauphin County Recorder of Deeds prior to the adoption of this Chapter.

LUMINANCE: The physical and measurable quantity of light that corresponds to the brightness of a surface (e.g., a lamp, luminaire, reflecting material) in a specific area and measurable with a luminance meter or light meter.

LUX: A unit of light intensity stated in lumens per square meter. There is approximately ten point seven (10.7) Lux per footcandle.

MODIFICATION: A process for alleviating specific requirements imposed by this Chapter, as described in Part 3.

MONUMENT: A concrete or stone monument used to identify street line intersections.

MULTIMODAL: Accommodating various modes of power assisted surface transportation including but not limited to bicycles, non-motorized scooters, etc.

MUNICIPAL ENGINEER: A qualified, professional engineer licensed to practice in the Commonwealth of Pennsylvania, duly appointed as the Borough Engineer. See also borough engineer.

MUNICIPAL SOLICITOR: The licensed attorney designated by the Highspire Borough Council to furnish legal assistance for the administration of this Chapter. See also borough solicitor.

NATIVE PLANT: A plant which grew in a defined region prior to European settlement. Indigenous species and naturalized non-native plants may be included as a native plant if it has been brought into the region and has become established into the wild and is not considered invasive or displaces native plants. Naturally occurring hybrids and cultivars (cultivated varieties) of native genetic parent species which may or may not have been present prior to European settlement are considered native plants.

NEW DEVELOPMENT: A project involving the construction, reconstruction, redevelopment, infill, replacement, conversion, structural alteration, relocation or enlargement of any structure, or any use or extension of land. New developments have the potential of increasing the requirements for capital and public improvements, requiring either approval of a plan pursuant to this Chapter, the issuance of a building permit, or connection to the public water or sanitary sewer system.

NON-NATIVE / INTRODUCED PLANT: Any plant species that has been introduced by humans and now grows independently of cultivation. A subset of non-native / introduced species are the invasive species.

NON-SITE TRAFFIC: Vehicle trips passing within the study area as defined in the traffic impact study that do not enter or exit the site and are generally the result of through traffic and traffic generated by other developments.

OFF-SITE: Any premises not located within the area of the property to be subdivided or developed, whether or not in the common ownership of the Applicant for Subdivision or Land Development approval.

OFFICIAL MAP: A map adopted by ordinance pursuant to Article IV of the MPC and recorded in the office of the Dauphin County Recorder of Deeds.

PARCEL: See Lot.

PEAK HOUR: The hour during which the heaviest volume of traffic occurs on a road.

PEDESTRIAN WAY: A right-of-way, publicly or privately owned, intended for human movement by walking.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE (MPC): Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.O. 805, No. 247, as amended and reenacted. This act enables municipalities to Plan for, and regulate community development with Subdivision and Land Development ordinances. The code also contains guidelines and standards for subdivision and land development ordinance content in Article V. For the purpose of this Chapter, the Code may be referred to as “Act 247” and is intended to include the current code and any further amendments ‘thereto.

PERVIOUS AREA (PERVIOUS SURFACE): Any area not defined as impervious. This term shall also include pervious material.

PHASES: As defined under the MPC, Article V, as stages or sections of development.

PLAN: A drawing, together with supplementary data, that describes a subdivision or land development.

1. **AS-BUILT PLAN:** Engineering documents drawn to scale showing the constructed dimensions and materials of a structure or other land improvement. An as-built drawing differs from design drawings and construction drawings, which are design-oriented documents prepared prior to construction rather than a depiction of what has been constructed.
2. **FINAL PLAN:** A complete and exact subdivision and/or land development plan, including all supplementary data, designed in accordance with the requirements of Sections 405 and 503.
3. **LOT ADD-ON PLAN:** A complete and exact subdivision plan, the sole purpose of which is to increase the lot area of an existing lot or tract, designed in accordance with the requirements of Sections 407 and 504.
4. **LOT CONSOLIDATION PLAN:** A plan for the consolidation of two (2) or more existing lots or tracts to create fewer lots or tract with revised lot lines, designed in accordance with the requirements of Sections 407 and 504.
5. **MINOR PLAN:** A final plan which has an expedited process when designed in accordance with the requirements of Sections 408 and 505
6. **MODIFIED FINAL PLAN:** A final plan modified to reflect a change to the site or its surroundings that occurs after the preliminary plan approval as per Section 405.A.3.
7. **PRELIMINARY PLAN:** A subdivision and/or land development plan which is designed in accordance with the requirements of Sections 404 and 502, and is prepared for consideration prior to submission of a final plan.
8. **PRELIMINARY/FINAL PLAN:** A final plan which includes both preliminary and final plan requirements and is designed in accordance with Section 406 and 503.
9. **RECORD PLAN:** A final plan that contains the original endorsement of the Borough, which is recorded with the Dauphin County Recorder of Deeds.
10. **REVISED SUBDIVISION AND/OR LAND DEVELOPMENT PLAN:** Any revised plan due to survey corrections prepared in accordance with the requirements of Sections 407 and 504.
11. **SKETCH PLAN:** An informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings, with the general layout of proposal prepared in accordance with the requirements of Sections 403 and 501.

PLANNING COMMISSION: The Highspire Borough Planning Commission.

PLANNING COMMISSION, COUNTY: The Dauphin County Planning Commission.

PLAT: The map or plan of a subdivision or land development, whether preliminary or final. For the purpose of this Chapter, the terms “plat” and “plan” have the same meaning.

PUBLIC HEARING: A formal meeting held pursuant to public notice, intended to inform and obtain public comment, prior to taking action in accordance with this Chapter and/or the MPC.

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: A notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Borough. 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 not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

REDEVELOPMENT: Public and/or private investment made to re-create the fabric of an area or neighborhood by renovating previously developed land. Replacing, remodeling, or reusing existing buildings and structures accommodating new development within the context of existing streets.

REPLACEMENT: Remodeling or reusing an existing building or structure for new development.

RETENTION BASIN: A reservoir designed to retain stormwater runoff with its primary release of water being through the infiltration of said water into the ground.

RIGHT-OF-WAY: A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, street, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary, storm sewer, and other similar uses, whether public or private.

RUNOFF: Any part of precipitation that flows over the land surface.

SCREENING: The provision of a barrier to visibility, air borne particles, glare and noise between adjacent properties, uses, and/or zoning districts composed of a mixture of landscaping, trees, berms, shrubs, fences, walls and/or other similar type materials, that is intended to mitigate negative impacts, such as visual and noise, of the more intense/dense use and/or zoning district on the less intense/dense use and/or zoning district.

SETBACK: The required horizontal distance between a required setback line and an abutting lot line or street right-of-way line, as applicable.

1. SETBACK, FRONT: The distance between the street right-of-way line and the required front setback line. Corner lots shall have two (2) front setbacks.
2. SETBACK, REAR: The distance between the rear lot line and the required rear setback line. Corner lots shall have one rear setback.
3. SETBACK, SIDE: The distance between the side lot line and the required side setback line.

SETBACK LINE: The line within a property defining the required distance between a use, structure, and/or building and the abutting right-of-way line, or otherwise, front, rear, and side lot lines that establishes the area in which said use, structure, or building must be established, erected, and/or placed. In the case of lot where a front and/or rear lot line does not coincide with a recorded right-of-way, the building setback line shall be measured from the associated recorded right-of-way.

SEWAGE: A substance that contains the waste products or excrement or other discharge from the bodies of human beings or animals and noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation. The term includes any substance which constitutes pollution under The Clean Streams Law.

SEWAGE FACILITIES: A system of sewage collection, conveyance, treatment, and disposal which will prevent the discharge of untreated or inadequately treated sewage or other waste into waters of this Commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage or other waste as recognized by the Department of Environmental Protection (DEP).

1. **PUBLIC SEWAGE SYSTEM:** A publicly owned system of piping, tanks, or other facilities serving two or more lots, which uses a method of sewage collection, conveyance, treatment, and disposal other than renovation is a soil absorption area, or retention in a retaining tank.

SHARED TRIPS: Vehicle trips entering and exiting the site that were using the facility on the adjacent streets and therefore did not generate new trips on the road.

SIGHT DISTANCE: The length of road visible to the driver of a vehicle at any given point in the road when viewing is unobstructed by traffic.

SIGNIFICANT TREE: Non-invasive trees with eighteen (18) inch minimum caliper measured five (5) feet above grade located outside an existing wooded area.

SITE: The existing lot of record proposed for land development, including subdivision.

SLOPE: The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per one hundred (100) feet of horizontal distance.

STEEP SLOPE: Land with a fifteen (15) feet or greater change in elevation one hundred (100) feet or less in horizontal distance or, in other terms, fifteen (15) percent or greater on the average. The following formula is the acceptable method of determining average slope:

$$S = \frac{0.0023 I \times L}{A}$$

A

S = Average percent slope of site

I = Contour interval in feet

L = Sum of the length of contours in feet

A = Land area in areas of parcel being considered

STORM SEWER: A system of pipes and/or open channels that convey intercepted runoff and stormwater from other sources, but excludes domestic sewage and industrial wastes.

STORMWATER: Drainage runoff from the surface of the land resulting from precipitation, snow, or ice melt.

STORMWATER MANAGEMENT FACILITIES: Any structure, natural or man-made, that, due to its condition, design, or construction; conveys, stores, or otherwise affects stormwater runoff. Typical stormwater management facilities include, but are not limited to: detention basins, wet ponds, open channels, storm sewers, pipes and infiltration facilities.

STREAM: A body of water flowing in a channel within a defined bed and banks.

STREET: A strip of land, including the entire right-of-way, publicly or privately owned, serving primarily as a means of motorized and non-motorized vehicular and pedestrian travel, and furnishing access to abutting properties. This term shall include the terms avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other way used for similar purposes. Streets shall conform to one of the following categories:

1. **ALLEY:** A service road that is generally parallel to a primary local, collector, or arterial street, and which is generally abuts and provides access to the rear of lots. Alleys are on the same level as a local street, and are used in cases of narrow lot frontages. Alleys shall be designed to discourage through traffic. Alleys may be designed as one-lane streets. For purposes of this Chapter, alleys shall include the following:

Name
Bank Avenue or Alley
Bessemer Avenue or Alley
Cedar Avenue or Alley
Center Avenue or Alley
Charles Avenue or Alley
Cherry Avenue or Alley
Chestnut Avenue or Alley
Church Avenue or Alley
Concord Avenue or Alley
Eastern Avenue or Alley
George Avenue or Alley
Hancock Avenue or Alley
Hickory Avenue or Alley
Hill Avenue or Alley
Iron Avenue or Alley
Legion Avenue or Alley
Logan Avenue or Alley
Lusk Avenue or Alley
Maple Avenue or Alley

Name
Martin Avenue or Alley
Mary Avenue or Alley
Moyer Avenue or Alley
Nora Avenue or Alley
Penn Avenue or Alley
Poplar Avenue or Alley
Rhoda Avenue or Alley
Steel Avenue or Alley
Stoner Avenue or Alley
Wetzel Avenue or Alley
Whiteside Avenue or Alley
Any other public street / alley with a less than or equal to twenty (20) foot wide right-of-way.

2. **ARTERIAL:** An interregional road in the street hierarchy system that carries vehicle traffic to and from the region as well as any through traffic. This street should be a controlled access street (designed to the capacity analysis of the intersection (LOS) Level of Service). For purposes of this Chapter, arterial streets shall include the following:

Name
2nd Street (SR 0230)
Eisenhower Boulevard

3. **COLLECTOR:** A street that provide connections with local and arterial streets. This street may serve a traffic corridor connecting communities, neighborhoods, and other business areas on an intra-County or Borough basis. For purposes of this Chapter, collector streets shall include the following:

Name
Lumber Street
Rosedale Avenue
White House Lane

4. **CUL-DE-SAC:** A street with a single means of ingress and egress and having a turnaround. The design of the turnaround may vary.
5. **LOCAL:** This classification provides direct access to adjacent land and includes connections to individual residences and business properties, and to higher classes of highway systems. For purposes of this Chapter, local streets shall include all roads and streets not otherwise identified as arterial streets, collector streets, or alleys.

STREET LINE: The dividing line between the street and the lot, also known as right-of-way line.

STRUCTURE: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVISION: The division or re-division of a single lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building, or lot development.

SUBJECT TRACT: The site proposed for land development, including Subdivision.

SUBSTANTIALLY COMPLETED: Where, in the judgment of the Municipal Engineer, at least ninety (90) percent (based on the cost of the required improvements for which financial security was posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

SUPERELEVATION: The distance in height (elevation) between the inside and outside edge of a banked cartway.

SURVEYOR: An qualified professional surveyor registered with the Commonwealth of Pennsylvania as authorized to measure the boundaries of tracts of land, establish locations, and perform the requirements of a survey.

SWALE: A low-lying stretch of land that gathers or carries surface water runoff. **TIE BAR:** The symbol on a survey, plan, or plat shown as “Z” indicating common ownership of two (2) adjacent lots or tracts.

TOPOGRAPHY: The relief features or surface configurations of an area of land.

TRACT: The term “tract” is used interchangeably with the term “lot,” particularly in the context or subdivision, where a “tract” is subdivided into several lots, parcels, units, plots, condominiums, tracts or interests.

TREE LAWN AREA: A “grassy” or “planting” strip of land within a public right-of-way along the front property line, located between a detached sidewalk and the curb (or edge of pavement if no curb) which may include signage, shade/street trees, and curbs, gutters, or swales.

TREE PROTECTION ZONE: An area that is radial to the trunk of a tree in which no construction activity shall occur. The tree protection zone shall be the distance from the trunk to the dripline (a line marking the outer edges of the branches of the tree).

TRIP: A single or one-directional motorized and/or non-motorized vehicle movement.

UNIT OF OCCUPANCY: An allocation of space within a building or structure that is independent of other such space and that constitutes a separate use. This shall include both fee simple ownership and leaseholds.

WATERCOURSE: A channel or conveyance of surface water, such as a stream or creek, having defined bed and banks, whether natural or artificial, with perennial or intermittent flow. **WATERSHED:** Region or area drained by a river, watercourse, or other surface water, whether natural or artificial. **WETLANDS:** Those areas that are inundated or saturated by surface or groundwater at a frequency and duration

sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. (The term includes but is not limited to wetland areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan and a wetland area designated by a river basin commission. This definition is used by the United States Environmental Protection Agency [USEPA] and the United States Army Corps of Engineers [USACOE].)

YARD: An unoccupied and unobstructed open space of land between the permitted structures and the adjoining lot line.

YARD, FRONT: The yard area extending across the full width of the lot contained between the building line of the principal building or structure and the front lot line or street line (excluding alleys), and the principal structure, measured perpendicular to the building line of said structure at the closest point to the front lot line. Corner lots shall have two (2) front yards. Corner lots shall have one rear yard, extending from the applicable front yard to the side lot line as well as from the rear lot line to the side yard.

YARD, REAR: The yard area extending across the full width of the lot contained between the building line of the principal structure and the rear lot line, which may include street lines created by alleys, measured perpendicular to the building line of said structure at the closest point to the rear lot line.

YARD, SIDE: The yard area(s) extending from the front yard to the rear yard contained between the building line of the principal structure and any side lot line(s), measured perpendicular to the building line of said structure at the closest point to the nearest side lot line. Corner lots shall have one side yard.