ARTICLE II
DEFINITIONS

§ 130.3. Terms defined.

As used in this chapter, the following terms have the meanings indicated. (All numbered illustrations referred to below are found at the end of this chapter):

130.3.1. ABOVE GRADE – Above the degree of inclination of a road or slope. **[Added 10-1-07 by Ord. No. 1978]**

130.3.2. ACCESSORY BUILDING – See BUILDING, ACCESSORY.

130.3.3. ACCESSORY STRUCTURE – See STRUCTURE, ACCESSORY.

130.3.4. ACCESSORY USE – See USE, ACCESSORY.

130.3.5. ADVERTISING SIGN – See SIGN, ADVERTISING.

130.3.6. AGRICULTURE – Growing or producing for USE on the LOT or for sale domestic livestock, DOMESTIC PETS in a KENNEL, farm grains, feeds or hay, fruits, nursery stock, vegetables, dairy products, poultry, eggs or other crops or produce typical of farm activity in the County of Allegheny and related USE of equipment and STRUCTURES necessary for these purposes.

130.3.7. AIRPORT ELEVATION – The highest point of an airport's useable landing area measured in feet above sea level. The AIRPORT ELEVATION of the Allegheny County Airport is 1,250 feet above mean sea level. **[Added 10-1-12 by Ord. No. 2074]**

130.3.8 AIRPORT HAZARD – Any STRUCTURE or object, natural or manmade, or USE of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined in 14 CFR Part 77 and 74 Pa. Cons. Stat. §5102. **[Added 10-1-12 by Ord. No. 2074]**

130.3.9. AIRPORT HAZARD AREA – Any area of land or water upon which an AIRPORT HAZARD might be established if not prevented as provided for in this TOWNSHIP CODE and the Act 164 of 1984 (Pennsylvania Laws Relating to Aviation). **[Added 10-1-12 by Ord. No. 2074]**

130.3.10. AIRSPACE OBSTRUCTION – Any STRUCTURE, growth, or other object, including a mobile object, which exceeds a limiting HEIGHT set forth by this TOWNSHIP CODE. **[Added 10-1-12 by Ord. No. 2074]**

130.3.11. AIR-SUPPORTED STRUCTURE – A TEMPORARY STRUCTURE compromised of a mechanical system constructed of high strength fabric or film which achieves its shape and support by pretensioning with internal air pressure and which is used for the enclosure of a recreational STRUCTURE in order to use the recreational STRUCTURE year round.

130.3.12. ALTERATION, STRUCTURAL – See STRUCTURAL ALTERATION.

130.3.13. AMUSEMENT ARCADE **[Added 7-5-83 by Ord. No. 1036]:**

A. If an ACCESSORY USE, any establishment where two (2) or fewer AMUSEMENT DEVICES are located.
B. If a PRINCIPAL USE, any establishment where three (3) or more AMUSEMENT DEVICES are located.

130.3.14. AMUSEMENT DEVICE – Any mechanical, electrical or electromechanical device, machine or apparatus whatsoever for the playing of games and amusements, which devices or apparatus are commonly known as "pinball machines", "video games", and "jukeboxes", or upon which games are played, or any device on which music is played after the insertion therein of a coin or other disc, slug or token or for which fees are paid to an attendant. **[Added 7-5-83 by Ord. No. 1036]**

130.3.15. APPLICANT – A LANDOWNER or DEVELOPER who has filed an APPLICATION FOR DEVELOPMENT, including his heirs, successors and assigns.

130.3.16. APPLICATION – The form approved by the ZONING HEARING BOARD or other applicable agency or board having jurisdiction. **[Added 10-1-90 by Ord. No. 1453]**

130.3.17. APPLICATION, FINAL – The FINAL APPLICATION FOR DEVELOPMENT. **[Added 10-1-90 by Ord. No. 1453]**

130.3.18. APPLICATION FOR DEVELOPMENT – Every APPLICATION, whether PRELIMINARY or FINAL, required to be filed and approved prior to the start of CONSTRUCTION or DEVELOPMENT, including but not limited to an APPLICATION for ZONING APPROVAL, for temporary ZONING APPROVAL, for the approval of a SUBDIVISION or LAND DEVELOPMENT or for the approval of a PRELIMINARY DEVELOPMENT PLAN.

130.3.19. APPLICATION FOR FINAL APPROVAL – The application for FINAL APPROVAL of a PLANNED DEVELOPMENT to be submitted by a DEVELOPER to the ZONING ADMINISTRATOR. **[Added 10-1-90 by Ord. No. 1453]**

130.3.20. APPLICATION FOR TENTATIVE APPROVAL - The application for TENTATIVE APPROVAL of a PLANNED DEVELOPMENT to be submitted by a

DEVELOPER to the ZONING ADMINISTRATOR. **[Added 10-1-90 by Ord. No. 1453]**

130.3.21. APPLICATION, PRELIMINARY – The PRELIMINARY APPLICATION for a SUBDIVISION or LAND DEVELOPMENT as defined in Chapter 114 of the TOWNSHIP CODE. [**Added 10-1-90 by Ord. No. 1453]**

130.3.22 APPROACH SURFACE (ZONE) – An imaginary surface longitudinally centered on the extended RUNWAY centerline and extending outward and upward from each end of the PRIMARY SURFACE. An APPROACH SURFACE is applied to each end of the RUNWAY based on the planned approach. The inner edge of the APPROACH SURFACE is the same width as the PRIMARY SURFACE and expands uniformly depending on the planned approach. The APPROACH SURFACE ZONE, as shown on Figure 1[1], is derived from the APPROACH SURFACE. **[Added 10-1-12 by Ord. No. 2074]**

130.3.23. APPROVAL, FINAL – The ultimate approval of a PLANNED DEVELOPMENT granted by the BOARD OF COMMISSIONERS which follows TENTATIVE APPROVAL and filing of the FINAL DEVELOPMENT PLAN, all granted in accordance with Article VI of this chapter. **[Added 10-1-90 by Ord. No. 1453]**

130.3.24. ARRAY – Any number of electrically connected PHOTOVOLTAIC (PV) MODULES providing a single electrical output. **[Added 4-1-13 by Ord. No. 2088]**

130.3.25. AREA, LOT – See LOT AREA.

130.3.26. ARTERIAL STREET – See STREET, ARTERIAL.

130.3.27. ASSEMBLY HALL – A room, hall, auditorium, theater or BUILDING other than a RELIGIOUS FACILITY used for lectures, meetings and gatherings. **[Amended 9-7-93 by Ord. No. 1599]**

130.3.28. AUTHORIZED MIXED USE – See USE, AUTHORIZED MIXED.

130.3.29. AUTHORIZED USE – See USE, AUTHORIZED.

130.3.30. BAKERY - A RETAIL establishment which sells and bakes baked goods for sale on the LOT, but not for distribution to other RETAIL outlets.

130.3.31. BASEMENT – The space enclosed by the foundation or ground floor walls of a BUILDING partly below the average level of the adjacent ground.

[1] Editor's Note: Figure 1 is included at the end of §130.25

130.3.32. BASKETBALL COURT – A paved area, excluding a DRIVEWAY, used to play basketball, including necessary FENCES and related facilities to maintain the area. **[Added 3-6-95 by Ord. No. 1657]**

130.3.33. BED AND BREAKFAST INN – A BUILDING containing a SINGLE-FAMILY DWELLING and providing lodging, long or short-term, not exceeding five (5) guest bedrooms, and which may provide meals to lodgers. This USE shall not include GROUP HOMES or GROUP LIVING ARRANGEMENTS. **[Added 9-7-93 by Ord. No. 1599]**

130.3.34. BOARD OF COMMISSIONERS – The BOARD OF COMMISSIONERS of the TOWNSHIP.

130.3.35. BOOK AND VIDEO STORE – A RETAIL establishment devoted primarily to selling or renting any of the following: newspapers, magazines, books and other printed material or video recordings. **[Added 9-7-93 by Ord. No. 1599]**

130.3.36 BREWERY – An establishment that manufactures malt beverages, as licensed by the State of Pennsylvania **[Added 12-7-22 by Ord. No. 2243]**

130.3.37. BUFFER AREA – A portion of a LOT which is planted and maintained in shrubs, bushes, trees, grass, ground cover, or other natural landscaping material and within which no STRUCTURE may be authorized except for a FENCE in compliance which this chapter. The BUFFER AREA shall consist of a mix of types and sizes of plant material which meets the standard of providing a compact, year round visual screen at least six (6') feet in height or an existing natural or a constructed physical barrier which duplicates the effect of the required BUFFER AREA.

130.3.38. BUILDABLE AREA OF LOTS – See LOT, BUILDABLE AREA OF.

130.3.39. BUILDING – Any permanent STRUCTURE having a roof supported by columns or by walls erected permanently and intended for the shelter, housing, and enclosure of persons, animals or other property. Sun parlors and covered porches, whether enclosed or unenclosed, are part of the BUILDING; but, steps or uncovered porches or terraces not exceeding thirty (30) inches in height are not to be considered part of the BUILDING. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.40. BUILDING, ACCESSORY – A detached, subordinate BUILDING, the USE of which is clearly incidental to the PRINCIPAL STRUCTURE or USE of the LOT.

130.3.41. BUILDING CODE – The BUILDING CODE of the TOWNSHIP.[2]

[2] Editor's Note: See Ch. 51, Building Construction.

130.3.42. BUILDING, FRONT LINE OF – A line parallel to the FRONT LOT LINE, at a distance between the FRONT LOT LINE and that point on the BUILDING closest to the FRONT LOT LINE. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.43. BUILDING, HEIGHT OF – The vertical distance measured from the average elevation of the proposed finished grade at the front of the BUILDING to the highest point of the roof for flat roofs, to the deck line for mansard roofs, to the mean height between eaves and ridge for gable, hip and gambrel roofs and to the highest point for any other type of roof. (See Illustration No. 130-1.) **[Amended 6-6-94 by Ord. No, 1631]**

130.3.44. BUILDING-INTEGRATED SYSTEM – A SOLAR PHOTOVOLTAIC (PV) SYSTEM that is constructed as an integral part of a PRINCIPAL or ACCESSORY BUILDING or STRUCTURE and where the BUILDING-INTEGRATED SYSTEM features maintain a uniform profile or surface of vertical walls, window openings, and roofing. Such a system is used in lieu of a separate mechanical devise, replacing or substituting for an architectural or structural component of the BUILDING or STRUCTURE that appends or interrupts the uniform surfaces of walls, window openings and roofing. A BUILDING-INTEGRATED SYSTEM may occur within vertical façades, replacing view glass, spandrel glass or other façade material; into semitransparent skylight systems; into roofing systems, replacing traditional roofing materials; or other BUILDING or STRUCTURE envelope systems. **[Added 4-1-13 by Ord. No. 2088]**

130.3.45. BUILDING LINE – A line parallel to the LOT LINES, a distance from the LOT LINES in accordance with YARD or PERIMETER SETBACK requirements of this chapter.

130.3.46. BUILDING LINE, FRONT – A line parallel to the FRONT LOT LINE, a distance from the FRONT LOT LINE in accordance with the FRONT YARD or PERIMETER SETBACK requirements of this chapter. (See Illustration No. 130-3.) **[Amended 10-6-97 by Ord. No. 1750]**

130.3.47. BUILDING LINE, REAR – A line parallel to the REAR LOT LINE, a distance from the REAR LOT LINE in accordance with the REAR YARD or PERIMETER SETBACK requirements of this chapter.

130.3.48. BUILDING-MOUNTED SYSTEM – A SOLAR PHOTOVOLTAIC (PV) SYSTEM attached to any part or type of roof on a building or structure that has an OCCUPANCY PERMIT on file with the TOWNSHIP and that is either the PRINCIPAL STRUCTURE or an ACCESSORY STRUCTURE on a recorded lot. This system also includes any SOLAR-BASED ARCHITECTURAL ELEMENTS. **[Added 4-1-13 by Ord. No. 2088]**

130.3.49. BUILDING LINE, SIDE – A line parallel to the SIDE LOT LINE, a distance from the SIDE LOT LINE in accordance with the SIDE YARD or PERIMETER SETBACK requirements of this chapter.

130.3.50. BUILDING PERMIT – A permit for the erection or STRUCTURAL ALTERATION of a STRUCTURE in accordance with the BUILDING CODE.[3]

130.3.51. BUILDING, PRINCIPAL – The main BUILDING or BUILDINGS on a LOT in which the PRINCIPAL USE or USES are conducted.

130.3.52. BUILDING, RESIDENTIAL – Any BUILDING which is used for residential OCCUPANCY by one (1) or more FAMILIES or GROUP LIVING ARRANGEMENTS. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.53. BULK REVERSE VENDING MACHINE – See REVERSE VENDING MACHINE, BULK.

130.3.54. BULLETIN BOARD – A permanent SIGN where all or a portion of the copy can be readily changed. **[Added 12-17-90 by Ord. No. 1470]**

130.3.55. BUSINESS IDENTIFICATION SIGN – See SIGN, BUSINESS IDENTIFICATION.

130.3.56. CARPORT – A STRUCTURE used for the shelter of a vehicle which includes a roof attached to the side or back of a PRINCIPAL BUILDING or supported by four (4) columns and which is open to two (2) or more sides from the roof to the ground over which it stands.

130.3.57. CELL – The smallest basic solar electric device which generates electricity when exposed to light. **[Added 4-1-13 by Ord. No. 2088]**

130.3.58. CHURCH – See RELIGIOUS FACILITY. **[Amended 9-7-93 by No. 1599]**

130.3.59. CLEAR SIGHT TRIANGLE – Area at the intersection of two (2) STREETS or of a STREET and a DRIVEWAY other than for a SINGLE-FAMILY DWELLING, which shall remain free of any obstructions which may interfere with a clear line of vision for entering or exiting vehicles as specified in the Public and Private Improvements Code (Chapter 99). **[Added 10-1-90 by Ord. No. 1453]**

130.3.60. CLUB, COMMUNITY – A nonprofit, PRIVATE CLUB whose members are restricted to owners or residents of DWELLING UNITS in a PLANNED RESIDENTIAL DEVELOPMENT or SUBDIVISION PLAN in which it is located.

[3] Editor's Note: See Ch. 51, Building Construction.

130.3.61. CLUB, PRIVATE – A nonprofit association of persons who are bona fide members paying periodic dues, which owns, hires or leases a BUILDING or LOT or portion of either or both, the USE of which is restricted to members and their guests.

130.3.62. CODE – The CODE of the TOWNSHIP as adopted and amended by the BOARD OF COMMISSIONERS. **[Added 10-1-90 by Ord. No. 1453]**

130.3.63. COLLECTION FACILITY – Center for the acceptance of RECYCLABLE MATERIALS from the public by donation, redemption, or purchase. A COLLECTION FACILITY may include: REVERSE VENDING MACHINES; A SMALL COLLECTION FACILITY; and A LARGE COLLECTION FACILITY. (Cf. PROCESSING FACILITY.) **[Added 10-1-90 by Ord. No. 1453]**

130.3.64. COLLECTION FACILITY, LARGE – A recycling COLLECTION FACILITY which occupies an area more than 500 square feet and may include permanent STRUCTURES. **[Added 10-1-90 by Ord. No. 1453]**

130.3.65. COLLECTION FACILITY, SMALL – A recycling COLLECTION FACILITY occupying an area of not more than 500 square feet, and which may include: 1) a MOBILE RECYCLING UNIT; 2) a single BULK REVERSE VENDING MACHINE or a group of REVERSE VENDING MACHINES which occupies an area of more than 50 square feet; 3) kiosk-type units which may include a permanent STRUCTURE; or 4) unattended containers placed for the donation of RECYCLABLE MATERIALS. **[Added 10-1-90 by Ord. No. 1453]**

130.3.66. COLLECTOR STREET – See STREET, COLLECTOR.

130.3.67. COMMON AREA – That area in a PLANNED RESIDENTIAL DEVELOPMENT, including COMMON OPEN SPACE, owned or leased and maintained by an association or other combination of persons for the benefit of the residents of the PLANNED RESIDENTIAL DEVELOPMENT and, if owned under the Pennsylvania Unit Property Act, including all common elements designated for the USE of all DWELLING UNIT owners.

130.3.68. COMMON OPEN SPACE – A LOT or portion thereof, or a body of water, or a combination thereof, within a development SITE for the USE and enjoyment of residents of the PLANNED RESIDENTIAL DEVELOPMENT, not including STREETS, off-street PARKING AREAS and areas set aside for facilities for the general public.

130.3.69. COMMUNICATIONS ANTENNA – Any device used for the transmission or reception of radio, television, wireless telephone pager, commercial mobile radio service or any other wireless communications signals including without

limitation omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include antennas and supportive STRUCTURES for private, noncommercial, and amateur purposes including but not limited to ham radio and citizen band radios**. [Added 8-3-98 by Ord. No. 1774]**

130.3.70. COMMUNITY CLUB – See CLUB, COMMUNITY.

130.3.71. COMMUNITY DEVELOPMENT OBJECTIVE – A statement of TOWNSHIP policy regarding location, character and timing of future DEVELOPMENT. **[Added 10-1-90 by Ord. No. 1453]**

130.3.72. COMPREHENSIVE PLAN – The overall policy guide for the physical DEVELOPMENT of the TOWNSHIP consisting of maps, charts and textual matter in accordance with the MPC and adopted by Resolution No. 863, as it may amended**. [Added 10-1-90 by Ord. No. 1453]**

130.3.73. CONDITIONAL USE – See USE, CONDITIONAL.

130.3.74. CONICAL SURFACE (ZONE) – An imaginary surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) feet horizontally to one (1) foot vertically for a horizontal distance of 4,000 feet. The CONICAL SURFACE ZONE, as shown on Figure 1[4], is based on the CONICAL SURFACE. **[Added 10-1-12 by Ord. No. 2074]**

130.3.75. CONSTRUCTION – The CONSTRUCTION, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a STRUCTURE, including the placement of MOBILE HOMES. **[Added 4-7-86 by Ord. No. 1194[5]]**

130.3.76. CONSTRUCTION TRAILER – A vehicle with or without its own motive power and used for a temporary field office or storage purposes at a CONSTRUCTION SITE. **[Added 9-5-95 by Ord. No. 1681]**

130.3.77. CONTEXT SENSITIVE – A design concept applicable to transportation networks, development patterns, streets, alleys, buildings, architecture, pedestrian amenities, open spaces, landscaping, streetscaping, accessory structures, utility poles, Wireless Communication Facilities, and the like, in which the design of the aforementioned item(s) is complimentary to and integrated with the aesthetics of its adjacent environment, which may range in scope, at the discretion of the TOWNSHIP, from the immediate area surrounding the item in question to the TOWNSHIP as a whole. Also may be referred to as 'Context Sensitivity'. **[Added 6-1-15 by Ord. No. 2136]**

[4] Editor's Note: Figure 1 is included at the end of §130.25

[5] Editor's Note: This ordinance also provided that the Township Interim Floodplain Ordinance, Ord. No. 1074, as amended by Ord. No. 1079, is hereby repealed in its entirety, and all other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

130.3.78. CORNER LOT – See LOT, CORNER.

130.3.79. COVERAGE, GROUND – The area of the LOT covered by STRUCTURES and paving used for STREETS, DRIVEWAYS and PARKING AREAS expressed as a percentage of the total LOT AREA. GROUND COVERAGE does not include walkways or outdoor recreational STRUCTURES, such as SWIMMING POOLS and TENNIS COURTS, nor does it include typical architectural features, such as bay windows, window sills, cornices, eaves, steps and open fire escapes. GROUND COVERAGE does include patios, decks and unenclosed porches without enclosed foundation. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.80. COVERAGE, LOT – That percentage of the LOT covered by STRUCTURES. (See Illustration No. 130-2.) In determining LOT COVERAGE, typical architectural features, including but not limited to bay windows, windowsills, cornices and eaves, and steps and open fire escapes shall be excluded. Patios, decks, and unenclosed porches without enclosed foundation, which are part of a PRINCIPAL STRUCTURE, shall be excluded from LOT COVERAGE for PRINCIPAL STRUCTURES but included in LOT COVERAGE for ACCESSORY STRUCTURES. (See Illustration No. 130-2.) **[Amended 10-1-90 by Ord. No. 1453]**

130.3.81. DAY-CARE CENTER – A facility licensed by the Commonwealth, located within a BUILDING not used as a DWELLING UNIT, for the care, during part of a twenty-four (24) hour day, of children under the age of sixteen (16) years or handicapped or elderly persons.

130.3.82. DAY-CARE IN DWELLING – A facility, located within a DWELLING, for the care, on a regular basis, during part of a twenty-four (24) hour day, of not more than six (6) children under sixteen (16) years of age, excluding care provided to children who are relatives of the provider. This USE must be secondary to the USE of the DWELLING for living purposes. Such facility providing care for between four (4) and six (6) children shall be licensed by the Commonwealth. **[Amended 12-6-93 by Ord. No. 1605; 11-4-96 by Ord. No. 1724]**

130.3.83. DENSITY – Number of DWELLING UNITS per acre.

130.3.84. DEVELOPER – Any LANDOWNER, agent of a LANDOWNER or tenant with permission of such LANDOWNER, who makes an APPLICATION FOR DEVELOPMENT.

130.3.85. DEVELOPMENT – Any man-made change to improved or unimproved real estate, including but not limited to the CONSTRUCTION, reconstruction, renovation, repair, expansion, or alteration of BUILDINGS, STRUCTURES, MOBILE HOMES, STREETS and other paving, utilities, filling, grading, excavation, mining, dredging or drilling operations, storage of equipment or materials, and the

SUBDIVISION of land**. [Added 4-7-86 by Ord. No. 1194, Amended 10-2-95 by Ord. No. 1684]**

130.3.86. DEVELOPMENT PLAN, FINAL – A DEVELOPMENT PLAN which has been submitted for FINAL APPROVAL of a PLANNED DEVELOPMENT to the BOARD OF COMMISSIONERS and which contains the additional requirements set forth in Article VI of this Chapter. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.87. DEVELOPMENT PLAN, PRELIMINARY – The written and graphic material describing provisions for development of a PLANNED DEVELOPMENT, including a PLAN; the name of the PLANNED DEVELOPMENT; all covenants relating to USE; location, size, height and bulk of BUILDINGS and other STRUCTURES; intensity of USE or DWELLING UNIT DENSITY; PARKING AREAS; location and size of COMMON AREAS; and USES submitted for TENTATIVE APPROVAL in accordance with Article VI of this chapter and the MPC.

130.3.88. DIRECTIONAL SIGN – See SIGN, DIRECTIONAL.

130.3.89 DISTILLERY – An establishment that manufactures distilled spirits, as licensed by the State of Pennsylvania. **[Added 12-5-22 by Ord. 2243]**

130.3.90. DISTRIBUTED ANTENNA SYSTEMS (DAS) – Network of spatially separated COMMUNICATIONS ANTENNA sites connected to a common source that provides wireless service within a geographical area or structure. A network may consist of a single COMMUNICATIONS ANTENNA. **[Added 6-1-2015 by Ord. No. 2136]**

130.3.91. DOMESTIC PETS – Animals normally found in a DWELLING and kept for company or pleasure, including but not limited to dogs, cats, hamsters, parakeets or canaries, but not a sufficient number to constitute a KENNEL.

130.3.92. DRAWINGS, FINAL – See FINAL DRAWINGS.

130.3.93. DRIP LINE – The outermost edge of a roof including eaves, overhangs and gutters. **[Added 4-1-13 by Ord. No. 2088]**

130.3.94. DRIVE-IN ESTABLISHMENT – Establishment which offers in-car service or window service, including but not limited to banks, FOOD STORES and restaurants, but not including drive-in theaters or car washes**. [Amended 9-7-93 by Ord. No. 1599]**

130.3.95. DRIVEWAY – A private area used exclusively for the circulation and ingress and egress to a STREET by the owner or owners or visitors of the LOT. All DRIVEWAYS must be paved. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.96. DWELLING – A BUILDING or portion thereof, but not a TRAILER, which has as its PRINCIPAL USE permanent residential OCCUPANCY, including SINGLE-FAMILY DWELLINGS, TWO-FAMILY DWELLINGS, GROUP DWELLINGS, and MULTIFAMILY DWELLINGS, but not including INSTITUTIONAL USES, SHORT TERM RENTALS, hotels or lodging houses**.** **[Amended 10-1-90 by Ord. No. 1453; 8-7-23 by Ord. No. 2250]**

130.3.97. DWELLING, GROUP – A RESIDENTIAL BUILDING containing one (1) DWELLING UNIT occupied by a GROUP LIVING ARRANGEMENT and which is the only PRINCIPAL BUILDING on the LOT. **[Added 10-1-90 by Ord. No. 1453]**

130.3.98. DWELLING, MULTIFAMILY – A RESIDENTIAL BUILDING or portion thereof containing three (3) or more DWELLING UNITS.

130.3.99. DWELLING, SINGLE-FAMILY – A RESIDENTIAL BUILDING containing one (1) DWELLING UNIT occupied by one (1) FAMILY and which is the only PRINCIPAL BUILDING on the LOT. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.100. DWELLING, SINGLE-FAMILY ATTACHED – A RESIDENTIAL BUILDING which contains two (2) independent DWELLING UNITS attached by a common wall or roof, with each DWELLING UNIT located on a separate LOT. **[Added 9-7-93 by Ord. No. 1599]**

130.3.101. DWELLING, TWO-FAMILY – A RESIDENTIAL BUILDING which is the only PRINCIPAL BUILDING on the LOT and which contains two (2) independent DWELLING UNITS, each having a separate entrance and each occupied by one (1) FAMILY. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.102. DWELLING UNIT – One (1) or more rooms in a RESIDENTIAL BUILDING which are used as living quarters for one (1) FAMILY or GROUP LIVING ARRANGEMENT and which has permanent facilities for sleeping, cooking, and eating. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.103. DWELLING UNIT DENSITY – The maximum number of DWELLING UNITS authorized per acre.

130.3.104. EMERGENCY SERVICES – A police force or fire department authorized by the laws of the Commonwealth of Pennsylvania, or a not-for-profit emergency medical service. **[Added 4-6-98 by Ord. No. 1761]**

130.3.105. EMPLOYEE DINING FACILITIES – An ACCESSORY USE within a PRINCIPAL STRUCTURE of a PLANNED INDUSTRIAL PARK DEVELOPMENT or PLANNED OFFICE CENTER DEVELOPMENT where persons can obtain food in a lunchroom, cafeteria, luncheonette, sandwich or snack shop, automat or similar facility,

which is open during the same hours that are normal to the PRINCIPAL USE'S operation and which has no exterior SIGNS and does not advertise to the general public.

130.3.106. ENCLOSED STRUCTURE – Any STRUCTURE which has its sides or foundation substantially constructed of a solid and continuous material such as block, brick, cement, concrete, removable or permanent glass panes, rock, metal or other siding, tile, or wood so as to shelter the STRUCTURE or its foundation. For example, a porch surrounded by glass windows on all sides is an ENCLOSED STRUCTURE; a deck sitting atop a cement foundation is an ENCLOSED STRUCTURE. **[Added 5-2-94 by Ord. No. 1626]**

130.3.107. ENVIRONMENTAL IMPACT STATEMENT – A statement of an assessment of the impact of a PLANNED DEVELOPMENT or CONDITIONAL USE on (1) the natural environment, i.e. geology, topography, soils, hydrology, vegetation, wildlife, WETLANDS, and air quality; and (2) the cultural environment, i.e. LOT USE, utilities, traffic impact, population, economics, services, historic assets and general character of the neighborhood. The assessment of traffic impact must include a complete traffic analysis prepared and sealed by a professional traffic engineer identifying the impact of the proposed DEVELOPMENT on existing traffic and circulation patterns and proposing solutions to problems which may arise as a consequence of the proposed DEVELOPMENT. An ENVIRONMENTAL IMPACT STATEMENT is required whether or not the proposed DEVELOPMENT area contains WETLANDS. **[Added 10-1-90 by Ord. No. 1453]**

130.3.108. ESSENTIAL SERVICES – Facilities supplying some public demand of a basic or indispensable nature, including but not limited to EMERGENCY SERVICES, mass transit, RESIDENTIAL ESSENTIAL SERVICES, and sanitary, waste water and storm water management facilities, but excluding other USES otherwise defined in this CODE. **[Added 4-6-98 by Ord. No. 1761]**

130.3.109. FAA – Federal Aviation Administration of the United States Department of Transportation. **[Added 10-1-12 by Ord. No. 2074]**

130.3.110. FACILITY, PUBLIC UTILITY – See PUBLIC UTILITY FACILITY. **[Added 4-6-98 by Ord. No. 1761]**

130.3.111. FAMILY – One (1) or more persons related by blood, marriage or adoption; or a group of not more than two (2) persons, who need not be related by blood, marriage or adoption, who are living together in a DWELLING or DWELLING UNIT and maintaining a common household and practicing on a permanent basis a joint economic, social and cultural life. If two (2) persons are living together unrelated by blood, marriage, or adoption, the basis for the relationship cannot be therapeutic or corrective or the profit motive. In addition, temporary gratuitous guests or persons, such as domestic servants, employed be the FAMILY and who report to the FAMILY for supervision or decision making, may reside with the FAMILY. FAMILY shall not be

construed to include a PERSONAL CARE HOME, a GROUP HOME or a GROUP LIVING ARRANGEMENT. The term shall not include any TENANT or person(s) paying any rent, fee or rate for use of a DWELLING or portion thereof as a SHORT TERM RENTAL for a period of less than 90 days. Nothing in this definition shall be construed to prohibit providing a home for children under the age of eighteen (18) years who are foster children or are living with the FAMILY with the permission of their parent or legal guardian in a traditional family setting. The foregoing restrictions do not apply to persons with disabilities as defined in the Fair Housing Act, 42 U.S.C. 3601, et. seq. **[Amended 3-7-88 by Ord. No. 1311; 10-1-90 by Ord. No. 1453; 9-5-95 by Ord. No. 1681; 8-7-23 by Ord. No. 2250]**

130.3.112. FARM – Any LOT containing at least five (5) acres used for AGRICULTURE.

130.3.113. FENCE – An ACCESSORY STRUCTURE, even when attached to a PRINCIPAL STRUCTURE, including a wall or other fabricated barrier, the sole function of which is to enclose or set apart a portion of a LOT. The open portion of such FENCE shall exceed the solid portion. A FENCE in no instance shall have a HEIGHT OF STRUCTURE greater than six (6) feet. Pickets shall at a minimum be equally spaced and be no more than six (6) inches in width, and no more than one supporting rail, in addition to a bottom rail, is permitted for each eighteen (18) inches in height. **[Amended 10-1-90 by Ord. No. 1453; 8-7-95 by Ord. No. 1677]**

130.3.114. FENCE, PRIVACY – A FENCE which is constructed so that over fifty (50%) of the FENCE area is of a solid substance.

130.3.115. FIA – Federal Insurance Administration. **[Added 4-7-86 by Ord. No. 1194]**

130.3.116. FINAL APPLICATION – See APPLICATION, FINAL.

130.3.117. FINAL APPROVAL – See APPROVAL, FINAL.

130.3.118. FINAL DEVELOPMENT PLAN – See DEVELOPMENT PLAN, FINAL.

130.3.119. FINAL DRAWINGS – Drawings submitted for FINAL APPROVAL of a PLANNED DEVELOPMENT, including floor plans and elevations for all STRUCTURES (but not including working drawings for BUILDINGS); working drawings for all PUBLIC and PRIVATE IMPROVEMENTS prepared by a registered surveyor or registered engineer in sufficient detail to show full compliance with the TOWNSHIP PUBLIC AND PRIVATE IMPROVEMENTS CODE[6], LANDSCAPE

[6] Editor's Note: See Ch. 99, Public Improvements: Procedures and Specifications.

PLANS; and grading drawings prepared by a registered engineer which show full compliance with the TOWNSHIP grading ordinance[7]. The drawings must be drawn on sheets of twenty-four by thirty-six (24 by 36) inches; more than one (1) sheet may be used for larger drawings but the same must be indexed**. [Amended 10-5-87 by Ord. No. 1291; 10-1-90 by Ord. No. 1453]**

130.3.120. FIS – Flood Insurance Study with accompanying Flood Insurance Rate Map (FIRM) as prepared for the TOWNSHIP by the Federal Insurance Administration, dated October 4, 1995, or the most recent revision thereof**. [Added 4-7-86 by Ord. No. 1194; 11-7-88 by Ord. No. 1356; 10-2-95 by Ord. No. 1684]**

130.3.121. FLASHING SIGN – See SIGN, FLASHING.

130.3.122. FLOOD – A temporary inundation of normally dry land areas. **[Added 4-7-86 by Ord. No. 1194]**

130.3.123. FLOOD ELEVATION, REGULATORY – See REGULATORY FLOOD ELEVATION.

130.3.124. FLOOD, ONE-HUNDRED YEAR – A FLOOD that, on average, is likely to occur once every one hundred (100) years; i.e., that has a one percent (1%) chance of occurring each year in any given one hundred (100) year period, although the FLOOD may occur in any year. **[Added 4-7-86 by Ord. No. 1194]**

130.3.125. FLOODPLAIN – (1) A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; or (2) any area subject to the unusual and rapid accumulation of surface waters from any source. **[Added 4-7-86 by Ord. No. 1194]**

130.3.126. FLOODPLAIN AREA, IDENTIFIED – The FLOODPLAIN area specifically identified in this chapter as being inundated by the ONE-HUNDRED-YEAR FLOOD. Included would be areas identified as Floodway (FW), Flood-Fringe (FF) and General FLOODPLAIN Area (FA). **[Added 4-7-86 by Ord. No. 1194]**

130.3.127. FLOODPROOFING – Any combination of structural and nonstructural additions, changes or adjustments to STRUCTURES which reduce or eliminate FLOOD damage to real estate or improved real property, water and sanitary facilities, STRUCTURES and their contents. **[Added 4-7-86 by Ord. No. 1194]**

130.3.128. FLOOR AREA OF BUILDING – The sum of the gross horizontal area of the several floors of the PRINCIPAL BUILDING(S), as measured between exterior faces of walls.

[7] Editor's Note: See Ch. 71, Grading and Soil Excavation.

130.3.129. FLOOR AREA OF BUILDING, GROSS LEASEABLE – See GROSS LEASEABLE FLOOR AREA OF BUILDING.

130.3.130. FOOD STORE – A RETAIL store selling groceries, household goods and food-related products and which has a FLOOR AREA OF BUILDING not exceeding ten thousand (10,000) square feet.

130.3.131. FOOT-CANDLE – A unit of illuminance on a surface that is everywhere one (1) foot from a uniform point source of light of one (1) candle and equal to one (1) lumen per square foot. Foot-candle is measurable with an illuminance meter. **[Added 10-1-07 by Ord. No. 1978]**

130.3.132. FRONT BUILDING LINE – See BUILDING LINE, FRONT.

130.3.133. FRONT LINE OF BUILDING – See BUILDING, FRONT LINE OF.

130.3.134. FRONT LOT LINE – See LOT LINE, FRONT.

130.3.135. FRONT YARD – See YARD, FRONT.

130.3.136. GARAGE, PRIVATE – An ACCESSORY USE which is attached to or an integral part of a RESIDENTIAL BUILDING or DWELLING UNIT, or an ACCESSORY STRUCTURE used primarily for the storage of motor vehicles or other personal property owned and used by the residents of the RESIDENTIAL BUILDING or DWELLING UNIT, and in which no business is carried on and in which no services are rendered to the general public. **[Amended 12-6-93 by Ord. No. 1605]**

130.3.137. GARAGE, PUBLIC – A BUILDING or STRUCTURE available to the general public in which motor vehicles are temporarily stored but which is not used for the repairs and maintenance thereof.

130.3.138. GARAGE SALES – All general sales, open to the public, conducted from a residential LOT for the owner of one or more DWELLING UNIT(S) in a neighborhood, for the purpose of disposing of only personal property of the owner of the LOT(S) and DWELLING UNIT(S). **[Added 12-6-93 by Ord. No. 1605]**

130.3.139. GARDEN NURSERY – A RETAIL establishment that sells flowers, plants, shrubs, trees, other natural flora and the products which aid their growth and care, and which may include the growing of plants on the LOT.

130.3.140. GASOLINE STATION – A RETAIL establishment selling automotive fuel and accessories, with incidental sales of convenience items, such as newspapers, beverage and snack foods. The area devoted to sale of convenience items must not exceed one thousand five hundred (1,500) square feet of FLOOR AREA OF BUILDING.

A GASOLINE STATION may include minor automobile repairs but may not include major repairs such as spray painting, bodywork, fender repair, axle or frame work, major engine overhauls or the recapping or retreading of tires**. [Amended 10-1-90 by Ord. No. 1453; Amended 5-3-10 by Ord. No. 2035]**

130.3.141. GRADING PLAN – A plan to be prepared where removal or destruction of existing STRUCTURES and/or ground cover is contemplated. **[Added 10-1-90 by Ord. No. 1453]**

130.3.142. GREENWAY – An area of trees, shrubs and other vegetation, either natural or landscaped, extending fifteen (15) feet into the LOT or SITE from the right-of-way on the STREETS listed in the GREENWAY ZONING DISTRICT, Section 130.5.3. **[Added 10-1-90 by Ord. No. 1453]**

130.3.143. GROSS LEASEABLE FLOOR AREA OF BUILDING – The total FLOOR AREA OF BUILDING designed for tenant OCCUPANCY, excluding halls, corridors and other areas used in common by the tenants of the BUILDING expressed in square feet and measured from the centerline of joint partitions and exteriors of outside walls.

130.3.144. GROSS SURFACE AREA OF SIGN – See SIGN, GROSS SURFACE AREA OF.

130.3.145. GROUND COVERAGE – See COVERAGE, GROUND.

130.3.146. GROUND-MOUNTED SYSTEM – A SOLAR PHOTOVOLTAIC (PV) SYSTEM mounted on a STRUCTURE, pole or series of poles constructed specifically to support the PHOTOVOLTAIC system and not attached to any other STRUCTURE. **[Added 4-1-13 by Ord. No. 2088]**

130.3.147. GROUP HOME – An INSTITUTIONAL USE operated by a public agency or non-profit organization for the purpose of providing room and board to not fewer than three (3) nor more than eight (8) persons in which the residents receive supervised specialized services limited to health, social, and rehabilitative services for the mentally retarded, the emotionally ill or physically handicapped, children under the age of eighteen (18) years adjudicated as delinquent or persons recovering from drug or alcohol abuse. This USE shall not include facilities for persons who are criminal offenders, serving a sentence, or persons who are under arrest or awaiting trial for crimes of any degree. **[Added 10-1-90 by Ord. No. 1453]**

130.3.148. GROUP LIVING ARRANGEMENT – Two or more but not more than seven (7) persons including any live-in domestic servants, or caregivers who need not be related by blood, marriage or adoption who maintain a common household and practice on a permanent basis a joint economic, social and cultural life, provided that the basis of the relationship is not the profit motive or corrective. A GROUP LIVING

ARRANGEMENT shall not be construed to include any INSTITUTIONAL USE. A GROUP LIVING ARRANGEMENT may include a community living arrangement for mentally retarded or physically handicapped persons, and may not include members of a fraternity or sorority. **[Added 10-1-90 by Ord. No. 1453; Amended 9-7-93 by Ord. No. 1599]**

130.3.149. HEALTH CLUB – A RECREATIONAL ENTERPRISE or PRIVATE CLUB which has as a PRINCIPAL USE a gymnasium, SWIMMING POOL or other sports facility and which may offer massages, whirlpool baths, steam rooms, saunas and/or medical facilities as ACCESSORY USES to the PRINCIPAL USE. Massage facilities shall constitute no more than five percent (5%) of the FLOOR AREA OF BUILDING. **[Amended 9-7-93 by Ord. No. 1599]**

130.3.150. HEIGHT – For the purpose of determining the HEIGHT limits in all zones set forth in this Ordinance[8] and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified. **[Added 10-1-12 by Ord. No. 2074]**

130.3.151. HEIGHT OF BUILDING – See BUILDING, HEIGHT OF.

130.3.152. HEIGHT OF STRUCTURE (other than HEIGHT OF BUILDING) – See STRUCTURE, HEIGHT OF.

130.3.153. HELIPAD, PRIVATE USE – A helicopter landing pad licensed by the Pennsylvania Department of Transportation Bureau of Aviation and regulated by the Federal Aviation Administration which is owned by a private entity for use by helicopters owned by such entity**. [Added 12-15-80 by Ord. No. 939]**

130.3.154. HOME OCCUPATION – An ACCESSORY USE of non-residential nature which is conducted within a DWELLING UNIT by a resident of the DWELLING UNIT, which is clearly incidental and accessory or secondary to the use of the property for residential purposes and excludes DAY CARE IN DWELLING. **[Amended 12-6-93 by Ord. No. 1605; 11-4-96 by Ord. No. 1724]**

130.3.155. HOME OCCUPATION, TEMPORARY – GARAGE SALES which last no longer than three (3) days and are held no more than twice a year; or events for the purpose of selling merchandise or taking orders that are held not more than four (4) times each year. **[Added 12-6-93 by Ord. No. 1605]**

130.3.156. HORIZONTAL SURFACE (ZONE) – An imaginary plane 150 feet above the established AIRPORT ELEVATION that is constructed by swinging arcs of various radii from the center of the end of the PRIMARY SURFACE and then connecting the adjacent arc by tangent lines. The radius of each arc is based on the planned approach.

[8] Editor's Note: The referenced Ordinance is Ordinance No. 2074 dated 10-1-2012

The HORIZONTAL SURFACE ZONE, as shown on Figure 1[9], is derived from the HORIZONTAL SURFACE. **[Added 10-1-12 by Ord. No. 2074]**

130.3.157. HOSPITAL – An INSTITUTIONAL USE for the short-term care of patients suffering from physical or mental illnesses, and which may or may not include facilities for major surgery and which may be publicly or privately operated. **[Added 4-5-82 by Ord. No. 990; 10-1-90 by Ord. No. 1453; 9-7-93 by Ord. No. 1599]**

130.3.158. HOTEL OR MOTEL – A BUILDING providing lodging containing six (6) or more bedrooms for paying guests**. [Added 9-7-93 by Ord. No. 1599]**

130.3.159. HOUSING FOR THE ELDERLY – A BUILDING containing more than ten (10) DWELLING UNITS where each DWELLING UNIT is occupied by at least one (1) person who is fifty-five (55) years of age or older and which may contain special features associated with the needs of the elderly which are not usual in construction for MULTIFAMILY DWELLINGS, including but not limited to, dispensaries, common dining facilities and other necessary facilities. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.160. HVAC – Equipment used to heat, cool or ventilate a structure. **[Added 4-1-13 by Ord. No. 2088]**

130.3.161. IDENTIFICATION SIGN – See SIGN, IDENTIFICATION.

130.3.162. IDENTIFIED FLOODPLAIN AREA – See FLOODPLAIN AREA, IDENTIFIED.

130.3.163. IMPERVIOUS SURFACE – A surface area that prevents or retards the infiltration of water into the soil and/or a hard surface area that causes water to run off the surface of the ground in greater quantities or at an increased rate of flow from the conditions prior to development, construction, building or installation. **[Added 4-1-13 by Ord. No. 2088]**

130.3.164. INDUSTRIAL PARK – See PLANNED INDUSTRIAL PARK DEVELOPMENT.

130.3.165. INSTITUTIONAL USE – BUILDING(S) used for the provision of medical, social, rehabilitative or corrective services for youth adjudicated as delinquent, or persons with physical or mental illness, impairment, or handicaps, limited to HOSPITALS, LONG-TERM CARE NURSING FACULTIES, GROUP HOMES or PERSONAL CARE HOMES, where any degree of intervention or supervision is performed by professional or skilled staff. Such a facility may be publicly or privately operated. **[Added 10-1-90 by Ord. No. 1453]**

[9] Editor's Note: Figure 1 is included at the end of §130.25

130.3.166. INTERCONNECTION – The technical and practical link between the solar generator and the grid providing electricity to the greater community. **[Added 4-1-13 by Ord. No. 2088]**

130.3.167. KENNEL – An establishment where four (4) or more DOMESTIC PETS who are six (6) months old or older are bred, trained or boarded.

130.3.168. KILOWATT (kW) – A unit of electrical power equal to 1,000 Watts, which constitutes the basic unit of electrical demand. A watt is a metric measurement of power (not energy) and is the rate (not the duration) at which electricity is used. 1,000 kW is equal to 1 megawatt (MW). **[Added 4-1-13 by Ord. No. 2088]**

130.3.169. LAND DEVELOPMENT – Any of the following activities:

(1) The improvement of one (1) LOT or two (2) or more contiguous LOTS, tracts or parcels of land for any purpose involving:

(i) a group or two (2) or more residential or nonresidential BUILDINGS, whether proposed initially or cumulatively, or a single nonresidential BUILDING on a LOT or LOTS regardless of the number of occupants or tenure; or

(ii) 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 group or older features.

(2) A SUBDIVISION of land but excluding the following activities:

(i) the conversation of an existing single family detached DWELLING or a single family semi-detached DWELLING into not more than three (3) residential units, unless such units intended to be a condominium; or

(ii) the addition of an ACCESSORY BUILDING including an ACCESSORY BUILDING on a FARM, on a LOT or LOTS subordinate to an existing PRINCIPAL BUILDING**. [Added 10-1-90 by Ord. No. 1453]**

130.3.170. LAND DEVELOPMENT, SIMPLE – a LAND DEVELOPMENT involving a revision of a previously recorded plan approved by the TOWNSHIP which has minimal site and traffic impact, does not create any increase in the number of lots, does not involve any new STREETS or EASEMENTS of access, does not adversely affect the development of the remainder of the parcel or adjoining property, and which is

not in conflict with any provisions of this Chapter or the SUBDIVISION CODE. **[Added 10-1-07 by Ord. No. 1978]**

130.3.171. LANDOWNER – The legal or beneficial owner of a LOT, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee (if he is authorized under the lease to exercise the rights to the LANDOWNER), or other persons having a proprietary interest in the LOT.

130.3.172. LANDOWNER CURATIVE AMENDMENT – A proposed amendment to this chapter submitted by LANDOWNER to the PLANNING COMMISSION and the BOARD OF COMMISSIONERS in accordance with the requirements of this chapter when such LANDOWNER desires to challenge on substantive grounds the validity of any provision of this chapter which prohibits or restricts the use or development of land in which he has an interest. **[Added 10-1-90 by Ord. No. 1453]**

130.3.173. LANDSCAPE PLAN – A LANDSCAPE PLAN prepared by a registered architect or a registered landscape architect identifying each tree and shrub by size, type and scientific name, indicating balled and burlapped or bare root, and location. The Plan shall include a planting diagram and such other diagrams or reports necessary to show method of planting, staking and mulching, grass seeding specifications and mixtures and existing trees over ten (10) inches in diameter at breast height. **[Added 10-1-90 by Ord. No. 1453]**

130.3.174. LARGE COLLECTION FACILITY – See COLLECTION FACILITY, LARGE.

130.3.175. LARGER THAN UTILITY RUNWAY – A RUNWAY that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft. **[Added 10-1-12 by Ord. No. 2074]**

130.3.176. LAUNDRY AND DRY-CLEANING ESTABLISHMENT – A RETAIL outlet for receiving, pickup and pressing of garments, where no cleaning or drying operations are conducted.

130.3.177. LIGHT PROCESSING FACILITY – See PROCESSING FACILITY, LIGHT.

130.3.178. LOADING BERTH – An off-street space or berth abutting a STREET, a DRIVEWAY or a PARKING AREA intended for the temporary parking of a commercial vehicle while loading or unloading merchandise and/or materials surfaced with a bituminous or other all-weather, dust-free material, measuring at least twenty-five (25) feet in length and twelve (12) feet in width, exclusive of aisle and maneuvering space, and having at least fifteen (15) feet of vertical clearance. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.179. LONG-TERM CARE NURSING FACILITY – An INSTITUTIONAL USE that provides either skilled or intermediate nursing care (as the terms skilled nursing care and intermediate nursing care are defined by applicable laws of the Commonwealth of Pennsylvania) or both levels of care to twenty (20) or more patients for a period exceeding twenty-four (24) hours; such facility providing for the care of children, the aged or the infirm or a place of rest for those persons suffering disorders requiring full-time nursing care but not including facilities for major surgery or institutions for the care and treatment of narcotics addiction. **[Added 10-1-90 by Ord. No. 1453]**

130.3.180. LOT – A parcel of land described in a deed or other instrument recorded pursuant to the laws of the Commonwealth of Pennsylvania, but not including any part of a PUBLIC RIGHT-OF-WAY. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.181. LOT AREA – The area of a LOT measured on a horizontal plane bounded by the FRONT, SIDE and REAR LOT LINES of the LOT.

130.3.182. LOT, BUILDABLE OF – That LOT AREA in which the PRINCIPAL STRUCTURE may be located and which is bounded by the FRONT, REAR and SIDE BUILDING LINES of the LOT.

130.3.183. LOT CORNER – A LOT located at the intersection of two (2) or more STREETS. A CORNER LOT has neither a REAR YARD nor REAR LOT LINE. **[Amended 10-6-97 by Ord. No. 1750]**

130.3.184. LOT, COVERAGE – See COVERAGE, LOT.

130.3.185. LOT DEPTH – The mean horizontal distance between the FRONT LOT LINE and the REAR LOT LINE of the LOT measured within the LOT boundaries.

130.3.186. LOT, DOUBLE FRONTAGE – a LOT having LOT lines which extend along two nonintersecting STREETS. **[Added 10-1-07 by Ord. No. 1978]**

130.3.187. LOT LINE – A line that bounds a LOT.

130.3.188. LOT LINE, FRONT – The LOT LINE which extends along a PRIVATE or PUBLIC STREET. **[Amended 12-3-84 by Ord. No. 1110]**

130.3.189. LOT LINE, REAR – That LOT LINE which is most distant from and is most nearly parallel to the FRONT LOT LINE. In the case of irregularly shaped LOTS where the natural rear boundary curves or bulges outward in a convex manner, and does not curve or bulge inward at any point, the REAR LOT LINE shall be a straight line most parallel to the FRONT LOT LINE, not less than ten (10) feet long, lying wholly within the LOT and furthest from the FRONT LOT LINE. In the case of irregularly shaped LOTS where the natural rear boundary curves or bulges inward, in a concave manner, at

any point, the REAR LOT LINE shall be a straight line most parallel to the FRONT LOT LINE which is wholly within the LOT and adjacent to that point on the natural rear boundary line, which is closet to the FRONT LOT LINE. Any three-sided LOT shall be deemed to have no REAR LOT LINE. (See Illustration No. 130-5.) For a four-sided LOT that is not a CORNER LOT, the REAR LOT LINE is that LOT LINE that is neither a FRONT LOT LINE nor SIDE LOT LINE. **[Amended 5-2-94 by Ord. No. 1626, 10-6-97 by Ord. No. 1750]**

130.3.190. LOT LINE, SIDE – Any LOT LINE which is not a FRONT or REAR LOT LINE.

130.3.191. LOT, NONCONFORMING – A LOT which fails to meet the requirements of this chapter regarding size, shape or area, but was lawfully existing prior to the effective date of adoption or amendment of this chapter. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.192. LOT SIDE SIGN – See SIGN, LOT SALE.

130.3.193. LOT, SINGLE FRONTAGE – a LOT having LOT lines which extend along only one STREET. **[Added 10-1-07 by Ord. No. 1978]**

130.3.194. LOT, UNBUILDABLE – Any existing LOT that does not meet the current requirements set forth in the TOWNSHIP CODE, excluding NONCONFORMING LOTS. **[Added 10-1-07 by Ord. No. 1978]**

130.3.195. LOT WIDTH – The distance between the SIDE LOT LINES measured along the FRONT BUILDING LINE of the LOT.

130.3.196. LUMINAIRE – A complete lighting unit consisting of light source(s) together with all parts designed to control the light distribution, and any other mechanical, electrical, or decorative parts. **[Added 10-1-07 by Ord. No. 1978]**

130.3.197. MAJOR PERSONAL CARE HOME – A PERSONAL CARE HOME which accommodates nine (9) or more residents. **[Added 10-1-90 by Ord. No. 1453]**

130.3.198. MANUFACTURING, LIGHT – The manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding the basic processing and manufacturing of materials or products, predominately from extracted or raw materials. **[Added 9-7-93 by Ord. No. 1599]**

130.3.199. MARQUEE – A permanent canopy projecting from a BUILDING over an entrance. **[Added 8-2-93 by Ord. No. 1589]**

130.3.200. MASSAGE THERAPY ESTABLISHMENT – A commercial establishment or part thereof, which offers patrons multiple services such as personal hygiene, grooming, relaxation therapy and massage services where massage services are provided by a person having graduated from a massage therapy training program approved by the Pennsylvania State Board of Private Licensed Schools or equivalent agency if trained in another state, by a person certified through a massage therapy certification exam approved by the National Commission for Certifying Agencies, by a person certified through the National Certification Board for Therapeutic Massage and Bodywork, or who is a practitioner or higher level member of the American Massage Therapy Association (AMTA), Associated Bodywork and Massage Professionals (ABMP), or International Massage Association (IMA). **[Added 8-3-09 by Ord. No. 2026; Amended 10-2-17 by Ord. No. 2177]**

130.3.201. MINI-WAREHOUSE – A BUILDING consisting of individual self-contained, self-service storage spaces, where each unit is not greater than five hundred (500) square feet, and the units are rented for the storage of business and household goods. **[Added 9-7-93 by Ord. No. 1599]**

130.3.202. MINOR PERSONAL CARE HOME – A PERSONAL CARE HOME which accommodates at least four (4) but no more than eight (8) residents. **[Added 10-1-90 by Ord. No. 1453]**

130.3.203. MINOR STREET – See STREET, MINOR.

130.3.204. MIXED USE – See USE, MIXED.

130.3.205. MIXED USE, AUTHORIZED – See USE, AUTHORIZED MIXED.

130.3.206. MOBILE HOME - A transportable SINGLE-FAMILY DWELLING UNIT contained in one (1) part or in two (2) parts and designed to be joined into one (1) integral DWELLING UNIT, capable of again being separated for repeated towing which arrives at a LOT complete and ready for OCCUPANCY, except for minor and incidental unpacking and assembly operations, constructed with electrical, plumbing and sanitary facilities and constructed so that it may be used without a permanent foundation.

130.3.207. MOBILE HOME LOT – A LOT in a PLANNED MOBILE HOME PARK DEVELOPMENT improved with the necessary utility connections and other appurtenances necessary to the erection thereon of a single MOBILE HOME and which is leased by the owner of the PLANNED MOBILE HOME PARK DEVELOPMENT to the residents of the MOBILE HOME erected on the LOT.

130.3.208. MOBILE RECYCLING UNIT – An automobile, truck, TRAILER or van licensed by the Pennsylvania Department of Transportation which is used for the collection of recyclable materials. A MOBILE RECYCLING UNIT also means the bins,

boxes or containers transported by trucks, vans, or TRAILERS and used for the collection of RECYCLABLE MATERIALS**. [Added 10-1-90 by Ord. No. 1453]**

130.3.209. MODULE – A MODULE is the smallest protected assembly of interconnected PHOTOVOLTAIC (PV) cells. **[Added 4-1-13 by Ord. No. 2088]**

130.3.210. MPC – The Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. 10101 et seq., and as it may be amended.

130.3.211. MULTIFAMILY DWELLING – See DWELLING, MULTIFAMILY.

130.3.212. MUNICIPAL SIGN – See SIGN, MUNICIPAL.

130.3.213. NATURAL GAS COMPRESSOR STATION – A facility designed and constructed to compress natural gas that originates from an OIL AND GAS well or collection of such wells operating as a midstream facility for delivery of OIL AND GAS to a transmission pipeline, distribution pipeline, NATURAL GAS PROCESSING PLANT or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment. [**Added 11-8-10 by Ord. No. 2042]**

130.3.214. NATURAL GAS PROCESSING PLANT – A facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets but not including facilities or equipment that are/is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from natural gas. [**Added 11-8-10 by Ord. No. 2042]**

130.3.215. NET METERING AGREEMENT – An agreement with a local electric utility that allows customers to receive a credit for surplus electricity generated by certain renewable energy systems. **[Added 4-1-13 by Ord. No. 2088]**

130.3.216. NIGHTCLUB – A place of assembly, other than a DWELLING UNIT, including PRIVATE CLUBS offering food, drink, and entertainment, either live or recorded, and characterized by low light levels and closely packed tables, whether or not the consumption of alcoholic beverages is permitted or allowed on the premises. A NIGHTCLUB may also operate as a restaurant during all or part of its hours of operation. **[Added 3-1-82 by Ord. No. 988]**

130.3.217. NONCONFORMING LOT – See LOT, NONCONFORMING.

130.3.218. NONCONFORMING STRUCTURE – See STRUCTURE, NONCONFORMING.

130.3.219. NONCONFORMING USE – See USE, NONCONFORMING.

130.3.220. NON-PRECISION INSTRUMENT RUNWAY – A RUNWAY having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned. **[Added 10-1-12 by Ord. No. 2074]**

130.3.221. NO SOLICITATION SIGN – See SIGN, NO SOLICITATION.

130.3.222. NOTICE, PUBLIC – See PUBLIC NOTICE.

130.3.223. OBSTRUCTION – Any well, dam, wharf, embankment, levee, dike, pile abutment, projection, excavation, channel, rectification, culvert, BUILDING, FENCE, stockpile, refuse, fill, STRUCTURE or matter in, along, across or projecting into any channel, watercourse or flood-prone area which may impede, retard or change the direction if the flow of water either in itself or by catching or collecting debris carried by such water, or which is placed where the flow of the water might carry the same downstream to the damage of life and property. **[Added 4-7-86 by Ord. No. 1194]**

130.3.224. OCCUPANCY – The physical possession upon, on or within any LOT or STRUCTURE for a USE.

130.3.225. OCCUPANCY PERMIT – A permit for the USE or OCCUPANCY of a BUILDING, STRUCTURE or LOT indicating compliance with all provisions of the BUILDING CODE.

130.3.226. OFFICE, PROFESSIONAL – See PROFESSIONAL OFFICE.

130.3.227. OIL AND GAS – Crude oil, natural gas, methane gas, coal bed methane gas, propane, butane and/or any other constituents or similar substances that are produced by drilling a well of any depth into, through, and below the surface of the earth. [**Added 11-8-10 by Ord. No. 2042]**

130.3.228. OIL AND GAS DEVELOPMENT – The well site preparation, well site construction, drilling, hydraulic fracturing, and/or site restoration associated with an OIL AND GAS well of any depth; water and other fluid storage, impoundment and transportation used for such activities; and the installation and use of all associated equipment, including tanks, meters, and other equipment and structures whether permanent or temporary; and the site preparation, construction, installation, maintenance and repair of OIL AND GAS pipelines and associated equipment and other equipment and activities associated with the exploration for, production and transportation of OIL AND GAS other than NATURAL GAS COMPRESSOR STATIONS and NATURAL

GAS PROCESSING PLANTS or facilities performing the equivalent functions that operate as midstream facilities. [**Added 11-8-10 by Ord. No. 2042]**

130.3.229. ONE-HUNDRED-YEAR FLOOD – See FLOOD, ONE-HUNDRED-YEAR.

130.3.230. OPEN SPACE, COMMON – See COMMON OPEN SPACE.

130.3.231. OPERATOR – Any person, partnership, company, corporation and its subcontractors and agents who have an interest in real estate for the purpose of exploring or drilling for, producing, or transporting OIL or GAS. [**Added 11-8-10 by Ord. No. 2042]**

130.3.232. OUTDOOR FUND RAISING – An ACCESSORY USE to a SEMIPUBLIC USE conducted in support of the educational, religious, charitable or philanthropic nature of the PRINCIPAL USE by or under the control of the PRINCIPAL USE and on the same LOT or SITE as the SEMIPUBLIC USE to which it is an ACCESSORY USE**. [Added 11-2-87 by Ord. No. 1294; Amended 10-1-90 by Ord. No. 1453; 4-6-98 by Ord. No. 1761]**

130.3.233. PARKING AREA – A PUBLIC or PRIVATE GARAGE or a paved, open off-street area other than a DRIVEWAY or STREET with adequate means of access and used exclusively for the parking of vehicles of occupants or visitors of the LOT; however, a DRIVEWAY serving SINGLE-FAMILY DWELLING or which is for the exclusive USE of an individual DWELLING UNIT in a RESIDENTIAL BUILDING may be used as a PARKING AREA. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.234. PARKING FACILITY – A PRINCIPAL USE conducted on a LOT for the sole purpose of the storage of motor vehicles, boats and other recreational vehicles, including a PUBLIC GARAGE. **[Added 10-1-90 by Ord. No. 1453; Amended 9-7-93 by Ord. No. 1599]**

130.3.235. PARKING of RECREATIONAL VEHICLES – The temporary storage of RECREATIONAL VEHICLES for a continued period of time not exceeding ninety-six (96) hours. **[Added 9-5-95 by Ord. No. 1681]**

130.3.236. PARKING SPACE – A portion of a PARKING AREA not less than nine (9') feet wide and eighteen and one-half (18½) feet long, exclusive of DRIVEWAYS, designed for the parking of only one (1) vehicle. (See Illustration 130-6.) **[Amended 10-1-90 by Ord. No. 1453; 10-6-97 by Ord. No. 1750]**

130.3.237. PARKING SPACE FOR HANDICAPPED PERSONS – All handicapped parking spaces shall be designed and specified in accordance with the latest revision of the American Disabilities Act (ADA) Standards for Accessible Design. Such a PARKING SPACE shall be posted with the following signs: Reserved Parking Sign (R7-

8), Van Accessible (R7-8A, if applicable), and Violators Subject to Fine and Towing (R7-8B). **[Amended 9-6-05 by Ord. No. 1946]**

130.3.238. PERIMETER SETBACK – THE distance from any exterior LOT LINE of the entire proposed PLANNED DEVELOPMENT SITE to a line parallel thereto at a distance from the LOT LINE in accordance with the requirements set forth in the ZONING DISTRICT in which the PLANNED DEVELOPMENT SITE is located in which no PRINCIPAL STRUCTURE is permitted, but may be used as a YARD, DRIVEWAY, PARKING AREA, BUFFER AREA or for ACCESSORY USES PERMITTED BY RIGHT within the ZONING DISTRICT in which it is located. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.239. PERMITTED USE BY RIGHT – See USE, PERMITTED BY RIGHT.

130.3.240. PERSON – A individual, partnership, public or private association or corporation, firm, trust, estate, municipality, government unit, public utility or any other legal entity which is recognized by law as the subject of rights and duties. **[Added 4-7-86 by Ord. No. 1194]**

130.3.241. PERSONAL CARE HOME – An INSTITUTIONAL USE licensed by the Commonwealth of Pennsylvania in which food, shelter and personal assistance or supervision are provided for a period exceeding twenty-four (24) consecutive hours for adults who are not relatives of the operator, and who require assistance or supervision in such matters as dressing, bathing, diet or medication prescribed for self-administration, but do not require hospitalization or care in a LONG-TERM CARE NURSING FACILITY or HOSPITAL. PERSONAL CARE HOMES are classified in this Chapter as either MINOR PERSONAL CARE HOMES, which accommodate four (4) or more but no more than eight (8) residents; or MAJOR PERSONAL CARE HOMES, which accommodate nine (9) or more residents. **[Added 10-1-90 by Ord. No. 1453]**

130.3.242. PERSONAL FITNESS CENTER – An indoor commercial establishment or use where physical exercise or training is conducted on an individual or group basis, with or without the option for having one-to-one instruction with a personal trainer, using exercise equipment or open floor space, and any accessory uses provided they are customary to and in support of the primary use. Court sport facilities (e.g., BASKETBALL COURTS, TENNIS COURTS, racquetball courts, squash courts, pickleball courts and other court sports facilities that can be associated with larger fitness centers), swimming pools, or spectator seating for sports are not PERSONAL FITNESS CENTERS and are not authorized accessory uses thereto. **[Added 4-6-20 by Ord. No. 2218]**

130.3.243. PERSONAL SERVICES – Any USE which primarily offers services to the general populace, such as shoe repair, valet service, watch repair, barbershop, beauty

parlor and similar services and activities related to the personal needs of people, but not including massage or similar services.

130.3.244. PETS, DOMESTIC – See DOMESTIC PETS.

130.3.245. PHARMACY – A RETAIL store, which primarily sells prescription drugs, patent medicines, surgical sick room supplies and other items related to personal health or personal hygiene. **[Amended 9-6-05 by Ord. No. 1946]**

130.3.246. PHOTOGRAPHIC STUDIO – A RETAIL establishment for the purpose of photographing subjects and processing photographs for commercial purposes, but not including photography requiring professional models.

130.3.247. PHOTOVOLTAIC (PV) – A semiconductor based device that converts light directly into electricity. **[Added 4-1-13 by Ord. No. 2088]**

130.3.248. PLAN – A SURVEY of a LOT upon which is shown the location of existing and/or proposed STRUCTURES; existing contours and proposed grading; location and dimensions of YARDS; proposals for the disposition of sanitary waste and stormwater; indications of zoning compliance; name of APPLICANT and LANDOWNER; area location map; dates of preparation and revisions; and evidence of preparation by a registered architect, landscape architect, or engineer.

130.3.249. PLANNED DEVELOPMENT – A SITE of minimum specified acreage for which variations from the applicable ZONING DISTRICT or SUBDIVISION requirements may be allowed by the BOARD OF COMMISSIONERS under Article V of this chapter.

130.3.250. PLANNED DEVELOPMENT, USE BY – See USE BY PLANNED DEVELOPMENT.

130.3.251. PLANNED INDUSTRIAL PARK DEVELOPMENT – A PLANNED DEVELOPMENT to be developed as a single entity for industrial, office, or commercial USES.

130.3.252. PLANNED MOBILE HOME PARK DEVELOPMENT – A PLANNED RESIDENTIAL DEVELOPMENT to be developed and managed as a single entity for a number of MOBILE HOMES.

130.3.253. PLANNED OFFICE CENTER DEVELOPMENT – A PLANNED DEVELOPMENT to be developed as a single entity for special business USES and supporting USES.

130.3.254. PLANNED RESIDENTIAL DEVELOPMENT – A PLANNED DEVELOPMENT to be developed as a single entity for DWELLING UNITS and supporting USES.

130.3.255. PLANNING COMMISSION – The Planning Commission of the TOWNSHIP. **[Added 10-1-90 by Ord. No. 1453]**

130.3.256. PLANNING COMMISSION FILING DEADLINE – the 11th TOWNSHIP working date prior to the regular meeting of the PLANNING COMMISSION. **[Added 3-3-08 by Ord. No. 1992]**

130.3.257. PLANNING SHOPPING CENTER DEVELOPMENT – A PLANNED DEVELOPMENT to be developed as a single entity for a neighborhood, regional or SUPERMARKET SHOPPING CENTER.

130.3.258. PRECISION INSTRUMENT RUNWAY – A RUNWAY having an existing instrument approach procedure utilizing an Instrument Landing system (ILS) or a Precisions Approach Radar (PAR). It also means a RUNWAY for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document. **[Added 10-1-12 by Ord. No. 2074]**

130.3.259. PRELIMINARY APPLICATION – See APPLICATION, PRELIMINARY.

130.3.260. PRELIMINARY DEVELOPMENT PLAN – See DEVELOPMENT PLAN, PRELIMINARY.

130.3.261. PRIMARY SURFACE (ZONE) – An imaginary surface longitudinally centered on the RUNWAY, extending 200 feet beyond the end of paved RUNWAYS or ending at each end of turf RUNWAYS. The elevation of any point on the PRIMARY SURFACE is the same as the elevation of the nearest point on the RUNWAY centerline. The PRIMARY SURFACE ZONE, as shown on Figure 1[10], is derived from the PRIMARY SURFACE. **[Added 10-1-12 by Ord. No. 2074]**

130.3.262. PRINCIPAL BUILDING – See BUILDING, PRINCIPAL.

130.3.263. PRINCIPAL STRUCTURE – See STRUCTURE, PRINCIPAL.

130.3.264. PRINCIPAL USE – See USE, PRINCIPAL.

[10] Editor's Note: Figure 1 is included at the end of §130.25

130.3.265. PRINTING, COMMERCIAL – An establishment for the purpose of reproducing and printing written and graphic materials, engaged primarily in production on a wholesale scale for commercial customers. **[Amended 3-2-92 by Ord. No. 1528]**

130.3.266. PRINTING SHOP – A primarily RETAIL establishment for the purpose of reproducing and printing written and graphic materials**. [Amended 3-2-92 by Ord. No. 1528]**

130.3.267. PRIVACY FENCE – See FENCE, PRIVACY.

130.3.268. PRIVATE CLUB – See CLUB, PRIVATE.

130.3.269. PRIVATE GARAGE – See GARAGE, PRIVATE.

130.3.270. PRIVATE IMPROVEMENTS – All STREETS, walkways, gutters, curbs, sewers, waterlines and other utilities or related facilities, but not including DRIVEWAYS and PARKING AREAS, to be operated and maintained by a private entity, but which must be constructed in accordance with the TOWNSHIP Public and Private Improvements Code.[11]

130.3.271. PRIVATE RIGHT-OF-WAY – See RIGHT-OF-WAY, PRIVATE.

130.3.272. PRIVATE STREET – See STREET, PRIVATE.

130.3.273. PRIVATE USE HELIPAD – See HELIPAD, PRIVATE USE.

130.3.274. PROCESSING FACILITY – A BUILDING or enclosed space used for the collection and processing of RECYCLABLE MATERIALS. Processing means the preparation of material for efficient shipment, or to an end user's specifications. (See also PROCESSING FACILITY, LIGHT) **[Added 10-1-90 by Ord. 1453]**

130.3.275. PROCESSING FACILITY, HEAVY – A PROCESSING FACILITY which is not a LIGHT PROCESSING FACILITY. **[Added 9-7-93 by Ord. No. 1599]**

130.3.276. PROCESSING FACILITY, LIGHT – A PROCESSING FACILITY for RECYCLABLE MATERIALS which occupies no more than 45,000 square feet of gross collection, processing and storage area and has up to an average of two (2) outbound truck shipments per day. LIGHT PROCESSING FACILITIES are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated RECYCLABLE MATERIALS and repairing of reusable materials sufficient to qualify as a certified recycling processing facility. A LIGHT PROCESSING FACILITY does not include a facility which processes ferrous metals other than recyclable food and beverage containers. **[Added 10-1-90 by Ord. No. 1453]**

[11] Editor's Note: See Ch. 99, Public Improvements: Procedures and Specifications.

130.3.277. PROFESSIONAL OCCUPATION – Business conducted by an individual who must be licensed under the Laws of the State of Pennsylvania. **[Added 12-6-93 by Ord. No. 1605]**

130.3.278. PROFESSIONAL OFFICE – Any office of recognized professions, such as doctors, dentists, lawyers, architects, engineers, artists, musicians, designers, teachers and others who, through training, are qualified to perform services of a professional nature.

130.3.279. PROTECTED STRUCTURE – Any residence, commercial business, school, religious institution or other public building located within 1,000 feet of the surface location of a well that may be impacted by noise generated from drilling or hydraulic fracturing activity at a WELL SITE. The term shall not include any structure owned by an OIL AND GAS lessor who has signed a lease with the OPERATOR granting surface rights to drill the subject well or whose owner or occupants have signed a waiver relieving the OPERATOR from implementation of the measures established in subsection 130.8.3.2.4.15. of this Ordinance for the owners' or occupants' benefit. [**Added 11-8-10 by Ord. No. 2042]**

130.3.280. PUBLIC GARAGE – See GARAGE, PUBLIC.

130.3.281. PUBLIC HEARING – A hearing before the BOARD OF COMMISSIONERS or ZONING HEARING BOARD after PUBLIC NOTICE, which requires sworn testimony of all witnesses and transcribing of all testimony. **[Amended 4-4-83 by Ord. No. 1024]**

130.3.282. PUBLIC IMPROVEMENTS – All STREETS, walkways, gutters, curbs, sewers, waterlines and other utilities or related facilities to be dedicated to or maintained by the public; and, if dedicated to and maintained by the TOWNSHIP, must comply with the TOWNSHIP Public and Private Improvements Code.[12]

130.3.283. PUBLIC NOTICE – A notice published once each week for two (2) successive weeks in a newspaper of general circulation in the TOWNSHIP. Such notice shall state the time and place of the PUBLIC HEARING and the particular nature of the matter to be considered at the PUBLIC HEARING. The first publication shall be not more than thirty (30) days nor less than seven (7) days from the date of the PUBLIC HEARING. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.284. PUBLIC AND PRIVATE IMPROVEMENTS CODE – The PUBLIC AND PRIVATE IMPROVEMENTS CODE of the TOWNSHIP, as amended. **[Added 10-1-07 by Ord. No. 1978]**

[12] Editor's Note: See Ch. 99, Public Improvements: Procedures and Specifications.

130.3.285. PUBLIC RIGHT-OF-WAY – See RIGHT-OF-WAY, PUBLIC.

130.3.286. PUBLIC STREET – See STREET, PUBLIC.

130.3.287. PUBLIC UTILITY – A service regulated by the Public Utility Commission of the Commonwealth of Pennsylvania that distributes water, gas, or electricity**. [Added 4-6-98 by Ord. No. 1761]**

130.3.288. PUBLIC UTILITY FACILITY – A STRUCTURE which does not involve storage of materials outside the STRUCTURE, and which is necessary to the provision of the PUBLIC UTILITY service to the area. Such STRUCTURES include transmission and maintenance facilities but do not include administrative offices of the utility. **[Amended 4-6-98 by Ord. No. 1761]**

130.3.289. PUBLIC UTILITY TRANSMISSION POLE – A PUBLIC UTILITY STRUCTURE, owned and operated by a public utility electric company regulated by the Pennsylvania Public Utility Commission, designed and used to support overhead electric transmission lines**. [Added 8-3-98 by Ord. No. 1774]**

130.3.290. RAPID TRANSIT – A mode of mass transportation operating only on its own exclusive PUBLIC RIGHT-OF-WAY.

130.3.291. REAL ESTATE SIGN – See SIGN, REAL ESTATE.

130.3.292. REAR BUILDING LINE – See BUILDING LINE, REAR.

130.3.293. REAR LOT LINE – See LOT LINE, REAR.

130.3.294. REAR YARD – See YARD, REAR.

130.3.295. RECREATIONAL ENTERPRISES – Establishments for the pursuit of sports and similar recreational activities, including but not limited to bowling alleys, miniature golf, skating rinks and stables, but not including game machines or other devices providing entertainment not related to sports. **[Amended 9-7-93 by Ord. No. 1599]**

130.3.296. RECREATIONAL VEHICLE – A single-axle or multi-axle non-self-propelled STRUCTURE mounted on wheels or otherwise capable of being made mobile, and other types of vehicles, including but not limited to travel trailers, mobile homes, motor homes, tent trailers, boats and boat trailers and horse trailers, and self-propelled motor homes or campers; used for any purpose (for example, commercial, residential, recreational); but not including a municipal or governmental purpose. **[Added 9-5-95 by Ord. No. 1681]**

130.3.297. RECYCLABLE MATERIAL – Reusable material including but not limited to metals, glass, plastic, paper and used motor oil, which is intended for reuse, remanufacture, or reconstitution, for the purpose of using the altered form. RECYCLABLE MATERIAL does not include refuse or hazardous materials**. [Added 10-1-90 by Ord. No. 1453]**

130.3.298. RECYCLING FACILITY – A center for the collection and/or processing of RECYCLABLE MATERIALS. A RECYCLING FACILITY does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by that residential property, business or manufacturer. A RECYCLING FACILITY may be a COLLECTION FACILITY (SMALL or LARGE) or a REVERSE VENDING MACHINE. **[Added 10-1-90 by Ord. No. 1453]**

130.3.299. REGULATORY FLOOD ELEVATION –The ONE-HUNDRED-YEAR-FLOOD elevation, plus a freeboard safety factor of one and one-half (1½) feet. **[Added 4-7-86 by Ord. No. 1194]**

130.3.300. RELIGIOUS FACILITY – A BUILDING used as a place of religious worship and teaching, which may include schools, auditoriums, residences for persons serving the particular facility, and recreational facilities. **[Added 9-7-93 by Ord. No. 1599]**

130.3.301. RESIDENTIAL BUILDING – See BUILDING, RESIDENTIAL.

130.3.302. RESIDENTIAL ESSENTIAL SERVICES – BUILDINGS or STRUCTURES requisite to services involving:

1. storm water and waste water management facilities, limited to retention, detention, collection, conveyance, and transmission; or
2. mass transit facilities limited to transit vehicle stops and shelters.

[Added 4-6-98 by Ord. No. 1761]

130.3.303. RETAIL – The sale of commodities and services directly to consumers.

130.3.304. REVERSE VENDING MACHINE – An automated mechanical device for the redemption of recyclable beverage containers which: (1) accepts at least one type of empty recyclable beverage container including, but not limited to, aluminum cans, glass and plastic bottles; (2) issues a cash refund or a redeemable credit slip. REVERSE VENDING MACHINES include machines that sort and process containers mechanically, provided that the entire process is enclosed within the machine. **[Added 10-1-90 by Ord. No. 1453]**

130.3.305. REVERSE VENDING MACHINE, BULK – A REVERSE VENDING MACHINE that is larger than fifty (50) square feet; is designed to accept more than one container at a time; and will pay by weight instead of by container. **[Added 10-1-90 by Ord. No. 1453]**

130.3.306. RIGHT-OF-WAY, PRIVATE – The area dedicated to the USE of a PRIVATE STREET or other private purposes for the USE of owners, residents or visitors of a PLANNED DEVELOPMENT or LOT.

130.3.307. RIGHT-OF-WAY, PUBLIC – The area dedicated to and accepted by the TOWNSHIP, county or commonwealth for a PUBLIC STREET and other PUBLIC purpose.

130.3.308. RUNWAY – A defined area of an airport prepared for landing and takeoff of aircraft along its length. **[Added 10-1-12 by Ord. No. 2074]**

130.3.309. SECURITY – Method for DEVELOPER'S guarantee of proper installation of PRIVATE and PUBLIC IMPROVEMENTS specified in the FINAL DEVELOPMENT PLAN in an amount determined in accordance with the MPC to equal 110% of the cost of said IMPROVEMENTS. Such SECURITY shall be made in the form of a Performance Bond, an escrow account, letter of credit or such other security as may be acceptable to the TOWNSHIP. **[Added 10-1-90 by Ord. No. 1453]**

130.3.310. SEMIPUBLIC USES – RELIGIOUS FACILITIES, private schools (not including industrial trade schools), museums, and other similar institutions of an educational, cultural, religious, charitable or philanthropic nature, including OUTDOOR FUND RAISING. **[Amended 4-5-82 by Ord. No. 990; 11-2-87 by Ord. No. 1294; 9-7-93 by Ord. No. 1599]**

130.3.311. SEXUALLY-ORIENTED BUSINESS – An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, or sexual encounter center. Such uses are characterized by the provision of products or the provision of opportunities to view or participate in activities for money or any form of consideration, which products and activities involve specified sexual activities or specified anatomical areas. Specified anatomical areas means the male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals. Specific sexual activities means and includes any of the following:

1) the fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;
2) sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
3) masturbation, actual or simulated; or

4) excretory functions as part of or in connection with any of the activities set forth in the preceding (1) through (3).

[Added 5-6-96 by Ord. No. 1712]

130.3.312. SHELTER FOR DOMESTIC PETS – An ACCESSORY STRUCTURE on a LOT used to enclose three (3) or less DOMESTIC PETS on a permanent basis or to temporality enclose four (4) or more DOMESTIC PETS that are less than six (6) months old.

130.3.313. SHOPPING CENTER – See PLANNED SHOPPING CENTER DEVELOPMENT.

130.3.314. SHORT TERM RENTAL – The use of a DWELLING in which the owner rents any area of the DWELLING to one (or more) individuals for compensation or fee, including offer of exchange in kind, of any type (whether or not involving overnight accommodations or separate sleeping quarters) for less than ninety (90) consecutive days. This definition applies to all types of residential dwellings including (but not limited to) SINGLE-FAMILY DWELLING, SINGLE-FAMILY ATTACHED DWELLING, TWO-FAMILY DWELLING, MULTIFAMILY DWELLING, and residential properties commonly considered as seasonal homes, vacation homes, or tourist homes. **[Added 8-7-23 by Ord. No. 2250]**

130.3.315. SIDE BUILDING LINE – See BUILDING LINE, SIDE.

130.3.316. SIDE LOT LINE – See LOT LINE, SIDE.

130.3.317. SIDE YARD – See YARD, SIDE.

130.3.318. SIGN – (i) A graphic which communicates some information, thought or thoughts, (ii) the face of any apparatus used to communicate some information, thought or thoughts. **[Amended 12-17-90 by Ord. No. 1470; 10-2-95 by Ord. No. 1684; 9-5-00 by Ord. No. 1828]**

130.3.319. SIGN, ADVERTISING – A SIGN which is a PRINCIPAL USE on a LOT as opposed to an ACCESSORY USE. **[Added by Ord. No. 1357 dated 12-5-88]**

130.3.320. SIGN, BOTTOM OF – The lowest point included in the GROSS SURFACE AREA OF SIGN**. [Added 12-17-90 by Ord. No. 1470]**

130.3.321. SIGN, BUSINESS IDENTIFICATION – A SIGN which in addition to the function of an IDENTIFICATION SIGN, directs attention to business(es), service(s), or profession(s) conducted or offered upon the LOT or in the BUILDING on which the SIGN is located**. [Amended 12-17-90 by Ord. No. 1470]**

130.3.322. SIGN, COMMERCIAL – Any ADVERTISING SIGN, BUSINESS IDENTIFICATION SIGN, REAL ESTATE SIGN, LOT SALE SIGN, PRICE-PER-GALLON SIGN, SIGNS advertising the sale of personal property, SIGNS pertaining to a HOME OCCUPATION and any other SIGN with any commercial message, idea, graphic, or expression. **[Added 9-5-00 by Ord. No. 1828]**

130.3.323. SIGN, DIRECTIONAL – A SIGN which conveys instructions or directions with respect to the USE of the LOT or BUILDING on which the SIGN is located, including but not limited to SIGNS which indicate STREET addresses, whether the establishment is open or closed, and the availability or parking, rest rooms, telephones, drive-in service facilities, automatic teller machines, SMALL COLLECTION FACILITIES, and other conveniences for the general public**. [Amended 12-17-90 by Ord. No. 1470]**

130.3.324. SIGN, EVENT – A non-illuminated, temporary, NON-COMMERCIAL SIGN displayed pursuant to §130.27.1. of the TOWNSHIP Code. **[Added 12-17-90 by Ord. No. 1470; Amended 4-6-98 by Ord. No. 1761; 9-5-00 by Ord. 1828]**

130.3.325. SIGN, FLASHING – Any illuminated SIGN on which the artificial light is not maintained stationary or constant in intensity and color**. [Amended 12-17-90 by Ord. No. 1470]**

130.3.326. SIGN, GROSS SURFACE AREA OF – The area of the face of a SIGN, computed as follows: (a) the smallest square, circle, rectangle, triangle, or combination of four (4) or fewer such shapes within a single perimeter that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or sued to differentiate the SIGN from the backdrop or STRUCTURE against which it is placed, but not including any supporting framework, bracing, or decorative FENCE or wall when such FENCE or wall otherwise meets zoning regulations and is clearly incidental to the display itself; and (b) the GROSS SURFACE AREA OF a freestanding SIGN with more than one face is computed by adding together the area of all SIGN faces visible from any one point; and when two SIGN faces of identical size and shape are placed back to back, so that both faces cannot be viewed from any point at the same time, and such SIGN faces are part of the same SIGN STRUCTURE and are not more than thirty (30) inches apart, the GROSS SURFACE AREA OF SIGN is computed by measurement of one of the faces. The area of a freestanding wall, which is essential to the SIGN display, on which an IDENTIFICATION SIGN for residential DEVELOPMENT is mounted, shall not be considered in the calculation of GROSS SURFACE AREA OF SIGN. **[Amended 12-17-90 by Ord. No. 1470; 9-5-95 by Ord. No. 1681]**

130.3.327. SIGN, IDENTIFICATION – A SIGN which identifies the name, address, USE, and/or management, of the PRINCIPAL BUILDING or USE on the LOT or SITE. **[Amended 12-17-90 by Ord. No. 1470]**

130.3.328. SIGN, LOT SALE – A non-illuminated, temporary SIGN which advertises the sale of LOTS in a SUBDIVISION or PLANNED DEVELOPMENT of more than three (3) LOTS, posted subsequent to the granting of FINAL APPROVAL of the SUBDIVISION or PLANNED DEVELOPMENT by the BOARD OF COMMISSIONERS, and posted on a LOT or on the SITE of the SUBDIVISION or PLANNED DEVELOPMENT**. [Amended 12-17-90 by Ord. No. 1470]**

130.3.329. SIGN, MUNICIPAL – Any SIGN erected by the Commonwealth of Pennsylvania, by Allegheny County, by the TOWNSHIP or any agency thereof for traffic control, STREET identification or other PUBLIC purposes. **[Amended 12-17-90 by Ord. No. 1470]**

130.3.330. SIGN, NON-COMMERCIAL – Any SIGN other than a COMMERCIAL SIGN, including but not limited to religious, patriotic, holiday, seasonal, ethnic, or political signs. **[Added 9-5-00 by Ord. No. 1828]**

130.3.331. SIGN, PRICE-PER-GALLON – A SIGN permitted at a GASOLINE STATION, in addition to the permitted BUSINESS IDENTIFICATION SIGN, which provided information on current prices of petroleum products, but does not include additional types of information or advertising. **[Added 12-17-90 by Ord. No. 1470]**

130.3.332. SIGN, REAL ESTATE – A temporary, non-illuminated SIGN which pertains only to the rental, lease, or sale of a LOT, DWELLING UNIT or other real property on the LOT on which the SIGN is located. **[Amended 10-1-90 by Ord. No. 1453; 12-17-90 by Ord. No. 1470; 9-5-95 by Ord. No. 1681]**

130.3.333. SIGN, RECOGNITION – A non-illuminated SIGN attached to or part of a piece of recreational equipment (approved by the TOWNSHIP), which recognizes an individual, corporation, or non-profit organization for their contribution to the design, construction or maintenance of the structure. The sign shall be incorporated into the architectural design and character of the equipment or facility at the time of original construction, reconstruction, or renovation. **[Added 9-2-14 by Ord. No. 2119]**

130.3.334. SIGN, RESIDENTIAL – A non-illuminated NON-COMMERCIAL SIGN on a RESIDENTIAL BUILDING, LOT or SITE, as provided on Section 130.27.4. Identification of approved HOME OCCUPATIONS is specifically prohibited. **[Added 12-17-90 by Ord. No. 1470; Amended 9-5-00 by Ord. No. 1828]**

130.3.335. SIGN, SPONSORSHIP – A SIGN attached to or part of a scoreboard (approved by the TOWNSHIP or existing through operation of law), which directs attention to business(es), service(s) or profession(s) that sponsor the activities of the owner of the LOT on which the SIGN is located. **[Added 3-3-08 by Ord. No. 1992]**

130.3.336. SITE – A LOT under single ownership and control at the time of the filing of an APPLICATION FOR DEVELOPMENT of a PLANNED DEVELOPMENT.

130.3.337. SMALL COLLECTION FACILITY – See COLLECTION FACILITY, SMALL.

130.3.338. SOLAR-BASED ARCHITECTURAL ELEMENT – Structural/architectural element that provides protection from weather that includes awnings, canopies, porches or sunshades and that is constructed with the primary covering consisting of solar PV MODULES, and may or may not include additional SOLAR PHOTOVOLTAIC (PV) RELATED EQUIPMENT. **[Added 4-1-13 by Ord. No. 2088]**

130.3.339. SOLAR PHOTOVOLTAIC (PV) RELATED EQUIPMENT – Items including a solar PHOTOVOLTAIC (PV) cell, panel or ARRAY, lines, mounting brackets, framing and foundations used for or intended to be used for collection of solar energy. **[Added 4-1-13 by Ord. No. 2088]**

130.3.340. SOLAR PHOTOVOLTAIC (PV) SYSTEM – A solar collection system consisting of one or more BUILDINGS and/or GROUND-MOUNTED SYSTEMS, solar PHOTOVOLTAIC (PV) CELLS, panels or ARRAYS and solar related equipment that rely upon solar radiation as an energy source for collection, inversion, storage and distribution of solar energy for electricity generation. A SOLAR PHOTOVOLTAIC (PV) SYSTEM is a generation system with a nameplate capacity of not greater than 50 KILOWATTS if installed at a residential service or not larger than 3,000 KILOWATTS at other customer service locations which does not produce excess on-site energy greater than currently permitted by Pennsylvania Public Utility Commission guidelines. **[Added 4-1-13 by Ord. No. 2088]**

130.3.341. SPECIAL EXCEPTION – See USE BY SPECIAL EXCEPTION.

130.3.342. STEALTH TECHNOLOGY – Camouflaging methods applied to TELECOMMUNICATIONS TOWERS, COMMUNICATIONS ANTENNAE, and other facilities, not necessarily related to wireless communication 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. **[Added 6-1-15 by Ord. No. 2136]**

130.3.343. STEEP SLOPE – Where in a 100 foot horizontal distance the SLOPE exceeds 40%. **[Added 10-6-97 by Ord. No. 1750]**

130.3.344. STORAGE – The placement of recreational vehicles at a given location within the TOWNSHIP for continuous periods of time exceeding ninety-six hours. **[Added 9-5-95 by Ord. No. 1681]**

130.3.345. STORAGE STRUCTURE – See STRUCTURE, STORAGE.

130.3.346. STORY – That part of a BUILDING included between the surface of any floor and the surface of the next floor above or, if there is no floor above the space, between the floor and the ceiling next above. A BASEMENT shall be counted as a STORY when more than one half (½) of such BASEMENT height is above the average finished grade level measured at the front of the BUILDING.

130.3.347. STORY, HALF – A partial STORY, the habitable area of which does not exceed one-half (½) of the habitable area of the first floor.

130.3.348. STREET – An avenue, boulevard, road, highway, freeway, parkway, lane, viaduct and any other ways of vehicular traffic, but not including DRIVEWAYS, PARKING AREAS or WALKWAYS. STREET includes the entire RIGHT-OF-WAY. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.349. STREET, ARTERIAL – A PUBLIC STREET, serving large volumes of high-speed and long-distance traffic, including STREETS so designated in the COMPREHENSIVE PLAN. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.350. STREET, COLLECTOR – A PUBLIC STREET which, in addition to giving access to abutting LOTS, intercepts MINOR STREETS and provides routes carrying considerable volumes of local traffic to community facilities and to ARTERIAL STREETS, including STREETS so designated in the COMPREHENSIVE PLAN**. [Amended 10-1-90 by Ord. No. 1453]**

130.3.351. STREET, MINOR – A PUBLIC STREET which, in addition to giving access to abutting LOTS, intercepts MINOR STREETS and provides routes carrying considerable volumes of local traffic to community facilities and to ARTERIAL STREETS, including STREETS designated as Local Residential, Local Commercial and Local Industrial in the COMPREHENSIVE PLAN**. [Amended 10-1-90 by Ord. No. 1453]**

130.3.352. STREET, PRIVATE – A STREET, including the entire PRIVATE RIGHT-OF-WAY, which is intended for private USE and is a PRIVATE IMPROVEMENT.

130.3.353. STREET, PUBLIC – A STREET, including the entire PUBLIC RIGHT-OF-WAY, which has been dedicated or devoted to PUBLIC USE by legal mapping, USE or other lawful means.

130.3.354. STRUCTURAL ALTERATION – Any change to a STRUCTURE which rearranges the structural parts, changes the means of ingress or egress, enlarges the

FLOOR AREA OF BUILDING or HEIGHT OF STRUCTURE or BUILDING or moves it from one location or position to another.

130.3.355. STRUCTURE – Any man-made object having an ascertainable stationary location 4n or in LOTS or water, whether or not affixed to the LOT. "STRUCTURE" includes but is not limited to BUILDINGS, GARAGE, CARPORTS, FENCES, SIGNS, walls, etc.

130.3.356. STRUCTURE, ACCESSORY – A detached, subordinate STRUCTURE the USE of which is clearly incidental to the PRINCIPAL STRUCTURE or USE of the LOT.

130.3.357. STRUCTURE, ENCLOSED – See ENCLOSED STRUCTURE**. [Added 5-2-94 by Ord. No. 1626]**

130.3.358. STRUCTURE, HEIGHT OF – The vertical distance measured from the average finished grade level to the highest point of STRUCTURE other than a BUILDING.

130.3.359. STRUCTURE, NONCONFORMING – A STRUCTURE or part of a STRUCTURE, including but not limited to SIGNS, which does not comply with this chapter and which STRUCTURE lawfully existed prior to the effective date of this chapter or amendment thereto.

130.3.360. STRUCTURE, PRINCIPAL – The main STRUCTURE or STRUCTURES on a LOT in which the PRINCIPAL USE or USES are conducted.

130.3.361. STRUCTURE, PUBLIC UTILITY – A STRUCTURE which does not involve storage of materials outside the STRUCTURE, and which is necessary to the provision of the PUBLIC utility service to the area. Such STRUCTURES include transmission and maintenance facilities but do not include administrative offices of the utility.

130.3.362. STRUCTURE, STORAGE – An ACCESSORY STRUCTURE for the storage of goods directly related to the PRINCIPAL USE(S) of the LOT, including but not limited to greenhouses and storage sheds for garden equipment and household goods used by the residents of a DWELLING. [**Amended 9-7-93 by Ord. No. 1599]**

130.3.363. STRUCTURE, TEMPORARY – Any STRUCTURE which is erected to be in place for not more than twelve (12) months, including but not limited to tents, AIR-SUPPORTED STRUCTURES, portable bandstands, reviewing stands, bleachers, mobile office units, construction TRAILERS, sales offices for LOTS or DWELLINGS or other STRUCTURES of similar character. A TEMPORARY STRUCTURE shall be located at least ten (10) feet from any LOT LINE and at least fifty (50) feet from any construction

entrance and from any construction. Temporary off-street parking shall be provided in accordance with the requirements for the permanent USE in the ZONING DISTRICT.

130.3.364. STRUCTURE, UNENCLOSED – See UNCLOSED STRUCTURE. **[Added 5-2-94 by Ord. No. 1626]**

130.3.365. SUBDIVISION – The division or redivision of a 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; provided, however, that the SUBDIVISION by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new STREET or easement of access or any residential DWELLINGS is exempted. **[Amended 12-3-84 by Ord. No. 1110; 10-1-90 by Ord. No. 1453]**

130.3.366. SUBDIVISION CODE – The SUBDIVISION AND LAND DEVELOPMENT CODE of the TOWNSHIP, as amended. **[Added 10-1-07 by Ord. No. 1978]**

130.3.367. SUPERMARKET – A RETAIL store selling groceries, household goods and food-related products which has a FLOOR AREA OF A BUILDING exceeding ten thousand (10,000) square feet.

130.3.368. SURVEY – A precise legal description of a LOT and the graphic delineation of precise LOT boundaries; LOT dimensions and areas; all easements and PUBLIC and PRIVATE RIGHTS-OF-WAY; and north point and graphic scale, affecting the LOT, prepared by a professional land surveyor licensed and registered in the Commonwealth of Pennsylvania. The SURVEY shall be drawn on sheets of twenty-four by thirty-six (24 by 36) inches. More than one (1) sheet may be used for a larger tract but the same must be indexed. **[Amended 10-5-87 by Ord. No. 1291]**

130.3.369. SWIMMING POOL – A body of water in an artificial or semi-artificial receptacle or other container, whether located in or out of doors, inground or above ground, used as a recreational facility for swimming, bathing or wading and having a depth, at any point, of more than eighteen (18) inches or surface area of more than one hundred (100) square feet, including apparatus and equipment necessary to maintain the SWIMMING POOL and the healthful condition of the water. Such facility may be publicly or privately owned and operated for profit or not for profit.

130.3.370. TELECOMMUNICATIONS TOWER – A STRUCTURE including any guy wires principally intended to support facilities for receipt or transmission of broadcast for commercial or PUBLIC VHF and UHF television, FM radio, two-way radio, common carriers, cellular telephone, fixed point microwave, low power television, or AM radio, including accessory equipment related to telecommunications. Not

included are antennae and supportive STRUCTURES for private, noncommercial, and amateur purposes including but not limited to ham radios and citizen band radios**. [Added 9-7-93 by Ord. No. 1599]**

130.3.371. TEMPORARY STRUCTURE – See STRUCTURE, TEMPORARY.

130.3.372. TENANT – One who has the temporary use and occupation of a DWELLING, DWELLING UNIT, or land, or portion thereof, including the rental of rooms with or without cooking facilities, owned by another person in exchange for compensation, such as rent. **[Added 8-7-23 by Ord. No. 2250]**

130.3.373. TENNIS COURT – A paved, clay or grass area used to play tennis, including necessary FENCES and related facilities to maintain the area. Such facility may be publicly or privately owned and operated for profit or not for profit.

130.3.374. TENTATIVE APPROVAL – The grant of TENTATIVE APPROVAL of a proposed PLANNED DEVELOPMENT subsequent to a DEVELOPER'S submission of an APPLICATION FOR TENTATIVE APPROVAL and a PUBLIC HEARING, in accordance with Article VI of this Chapter. **[Added 10-1-90 by Ord. No. 1453]**

130.3.375. TOWNSHIP – The TOWNSHIP of Upper St. Clair, a home-rule municipality located in Allegheny County, Pennsylvania**. [Added 10-1-90 by Ord. No. 1453]**

130.3.376. TOWNSHIP ATTORNEY – The licensed attorney duly appointed as the TOWNSHIP'S legal counsel in accordance with Section C-701 of the TOWNSHIP'S Charter. **[Added 10-1-90 by Ord. No. 1453; Amended 10-1-07 by Ord. No. 1978]**

130.3.377. TOWNSHIP CODE – The Code of the TOWNSHIP adopted by the BOARD OF COMMISSIONERS and as amended from time to time. **[Added 10-1-90 by Ord. No. 1453]**

130.3.378. TOWNSHIP ENGINEER – A professional engineer licensed as such in the Commonwealth of Pennsylvania and duly appointed as the TOWNSHIP ENGINEER as provided by Section 21.3.3. of the CODE or a professional engineer licensed as such in the Commonwealth of Pennsylvania and utilized by the TOWNSHIP to advise the regularly appointed TOWNSHIP ENGINEER. **[Added 10-1-07 by Ord. No. 1978]**

130.3.379. TOWNSHIP MANAGER – The Manager of the TOWNSHIP, duly appointed as set forth in Section 29.1 of the CODE and in accordance with §§C-601 and C-603 of the Home Rule Charter. **[Added 10-1-07 by Ord. No. 1978]**

130.3.380. TOWNSHIP TRAFFIC ENGINEER – A professional engineer licensed as such in the Commonwealth of Pennsylvania and duly appointed as the TOWNSHIP TRAFFIC ENGINEER or a professional engineer licensed as such in the Commonwealth

of Pennsylvania and utilized by the TOWNSHIP to advise the regularly appointed TOWNSHIP TRAFFIC ENGINEER. **[Added 10-1-07 by Ord. No. 1978]**

130.3.381. TRACKING SYSTEM – A number of PHOTOVOLTAIC (PV) MODULES mounted such that they track the movement of the sun across the sky to maximize energy production, either with a single-axis or dual-axis mechanism. **[Added 4-1-13 by Ord. No. 2088]**

130.3.382. TRAILER – Any automobile or camping vehicle or portable STRUCTURE equipped for and used as sleeping or living quarters for one (1) or more persons or used to carry materials, equipment or other vehicles mounted upon wheels and used as a conveyance on STREETS and drawn by its own or other motive power.

130.3.383. TRANSITIONAL SURFACE (ZONE) – An imaginary surface that extends outward and upward from the edge of the PRIMARY SURFACE to the HORIZONTAL SURFACE at a slope of seven (7) feet horizontally to one (1) foot vertically (7:1). The TRANSITIONAL SURFACE ZONE, as shown on Figure 1[13], is derived from the TRANSITIONAL SURFACE. **[Added 10-1-12 by Ord. No. 2074]**

130.3.384. TRANSPORTATION SERVICE – Facility for private taxicab, limousine, bus service and similar passenger service. **[Added 9-7-93 by Ord. No. 1599]**

130.3.385. TREE – Any object of natural growth. **[Added 10-1-12 by Ord. No. 2074]**

130.3.386. UNENCLOSED STRUCTURE – Any STRUCTURE which does not have its sides or foundation substantially constructed of a solid and continuous material such as block, brick, cement, concrete, removable or permanent glass panes, rock, metal or other siding, tile, or wood so as to shelter the STRUCTURE or its foundation. For example, a porch with screening on its sides is an UNENCLOSED STRUCTURE; a deck placed upon wood posts is an UNENCLOSED STRUCTURE. **[Added 5-2-94 by Ord. No. 1626]**

130.3.387. USE – An activity, business or purpose for which any LOT or STRUCTURE is utilized.

130.3.388. USE, ACCESSORY – A subordinate USE which is clearly incidental and related to that of a PRINCIPAL STRUCTURE or PRINCIPAL USE of the LOT.

130.3.389. USE, AUTHORIZED – Any PRINCIPAL or ACCESSORY USE allowed by this chapter as a PERMITTED USE BY RIGHT, CONDITIONAL USE, USE BY PLANNED DEVELOPMENT or USE BY SPECIAL EXCEPTION.

[13] Editor's Note: Figure 1 is included at the end of §130.25

130.3.390. USE, AUTHORIZED MIXED – A MIXED USE authorized by this chapter.

130.3.391. USE BY PLANNED DEVELOPMENT – An AUTHORIZED USE which may be granted only by the BOARD OF COMMISSIONERS in accordance with Article V of this chapter and the MPC. Nonresidential USES BY PLANNED DEVELOPMENT are CONDITIONAL USES granted in accordance with the express standards and criteria of this chapter.

130.3.392. USE BY SPECIAL EXCEPTION – An AUTHORIZED USE which may be granted only by the ZONING HEARING BOARD in accordance with express standards and criteria.

130.3.393. USE, CONDITIONAL – An AUTHORIZED USE which may be granted only by the BOARD OF COMMISSIONERS pursuant to express standards and criteria after recommendation by the PLANNING COMMISSION and after a PUBLIC HEARING held in accordance with the requirements of this Chapter.

130.3.394. USE, MIXED – Two (2) or more PRINCIPAL BUILDINGS on one (1) LOT or SITE or the conduct of more than one (1) PRINCIPAL USE within one (1) PRINCIPAL BUILDING on one (1) LOT or SITE, which PRINCIPAL USES or BUILDINGS have differing zoning requirements. **[Amended 10-1-90 by Ord. No. 1453]**

130.3.395. USE, NONCONFORMING – Any USE of a LOT or STRUCTURE which does not comply with this chapter and which USE lawfully existed prior to the effective date of this chapter or amendment thereto.

130.3.396. USE PERMITTED BY RIGHT – An AUTHORIZED USE which, upon an APPLICATION FOR DEVELOPMENT, may be granted by the ZONING ADMINISTRATOR in accordance with the provisions of this chapter.

130.3.397. USE, PRINCIPAL – The main purpose or activity for which a LOT is used or for which a STRUCTURE or part of a STRUCTURE or LOT is used.

130.3.398. UTILITY RUNWAY – A RUNWAY that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less. **[Added 10-1-12 by Ord. No. 2074]**

130.3.399. VARIANCE – An adjustment to the general terms of this chapter granted by the ZONING HEARING BOARD in accordance with the MPC.

130.3.400. VEHICLE REPAIR BAY – An area within a BUILDING, designated for mechanical or body repair of a vehicle.

130.3.401. VISUAL RUNWAY – A RUNWAY intended solely for the operation of aircraft using visual approach procedures. **[Added 10-1-12 by Ord. No. 2074]**

130.3.402. WASTE TRANSFER FACILITY – A facility which receives and temporarily stores waste at a location other than the LOT or SITE where it is generated, which may or may not involve the treatment of the waste, and which facilitates the transfer of the waste to a facility for further processing or disposal.

130.3.403. WELL SITE – A graded pad designed and constructed for the drilling of one or more OIL AND GAS wells. [**Added 11-8-10 by Ord. No. 2042]**

130.3.404. WETLAND – Any area declared by the appropriate state or Federal agency to be a WETLAND.

130.3.405. YARD – A required open space unoccupied and unobstructed by any PRINCIPAL STRUCTURE or portion of a PRINCIPAL STRUCTURE; however, ACCESSORY STRUCTURES, PARKING AREAS and DRIVEWAYS are permitted in YARDS in accordance with the requirements of this chapter.

130.3.406. YARD, FRONT – A YARD extending across the full LOT WIDTH and abutting the FRONT LOT LINE. The required minimum depth measurement of the FRONT YARD shall be the horizontal distance between the FRONT LOT LINE (except when the YARD borders U.S. Route 19, when it shall be the horizontal distance from the centerline of U.S. Route 19) and the line parallel thereto at a distance from the FRONT LOT LINE in accordance with the YARD requirements set forth for each ZONING DISTRICT in this chapter. (See Illustration Nos. 130-4, 130-5.) **[Amended 10-6-97 by Ord. No. 1750]**

130.3.407. YARD, REAR – A YARD extending between the SIDE YARDS of the LOT and abutting the REAR LOT LINE. The required minimum depth measurement of the REAR YARD shall be the horizontal distance between the REAR LOT LINE (except when the YARD borders U.S. Route 19, when it shall be the horizontal distance from the centerline of U.S. Route 19) and a line parallel thereto at a distance from the REAR LOT LINE in accordance with the YARD requirements set forth for each ZONING DISTRICT in this chapter. (See Illustration Nos. 130-4, 130-5.) **[Amended 10-6-97 by Ord. No. 1750]**

130.3.408. YARD, SIDE – A YARD extending between the rear line of the FRONT YARD and the REAR LOT LINE and abutting the SIDE LOT LINE. The required minimum width measurement of the SIDE YARD shall be the horizontal distance from the SIDE LOT LINE (except when the YARD borders U.S. Route 19, when it shall be the horizontal distance from the center line of U.S. Route 19) and a line parallel thereto at a distance from the SIDE LOT LINE in accordance with the YARD requirements set

forth for each ZONING DISTRICT in this chapter. (See Illustration Nos. 130-4, 130-5.) **[Amended 10-6-97 by Ord. No. 1750]**

130.3.409. ZONING ADMINISTRATOR – The TOWNSHIP Manager or his designated representative appointed in accordance with the laws of the TOWNSHIP and assigned to the Department of Planning and Community Development, whose duty it shall be to administer this chapter. The "ZONING ADMINISTRATOR" shall be the zoning officer as required by the MPC. The "ZONING ADMINISTRATOR" shall have all the powers and be subject to all the provisions as set forth in the MPC with respect to zoning officers. **[Amended 4-4-83 by Ord. No. 1024]**

130.3.410. ZONING APPROVAL – Approval under the provisions of this chapter certifying that an APPLICATION FOR DEVELOPMENT or application for OCCUPANCY PERMIT has fulfilled the requirements of this chapter.

130.3.411. ZONING DISTRICT – An area of the TOWNSHIP in which regulations under this Chapter uniformly apply.

130.3.412. ZONING DISTRICT CLASSIFICATION – The designation of a ZONING DISTRICT indicating the PRINCIPAL USE(S) allowed as AUTHORIZED USES in the ZONING DISTRICT.

130.3.413. ZONING DISTRICT MAP – The official map of the TOWNSHIP, entitled "Zoning District Map of the Township of Upper St. Clair, Allegheny County, " which indicates the ZONING DISTRICTS and other relevant information thereon and which is a part of this chapter by reference. The map shall be signed and attested by the TOWNSHIP Manager and shall bear the seal of the TOWNSHIP. All amendments shall be noted on the map by the TOWNSHIP Engineer, including date of adoption, and shall be attested to by the TOWNSHIP Manager.

130.3.414. ZONING HEARING BOARD – The ZONING HEARING BOARD of the TOWNSHIP.

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