

PART 2

TERMS AND DEFINITIONS

Section 201. General Rules of Construction.

- A. The language and words set forth in this Part 2 of this Chapter are defined in order to facilitate the interpretation of the Chapter for administrative purposes and in the carrying out of duties by appropriate officers. Unless otherwise expressly stated, the following words shall, for the purpose of this Chapter, have the meaning indicated herein.
1. Words used in the present tense include the future tense.
 2. The singular includes the plural and vice versa.
 3. The words “should” and “may” are permissive; the words “shall” and “will” are mandatory.
 4. The word “person”, “applicant,” “subdivider,” “developer” and “landowner” includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
 5. The masculine gender includes the feminine and neuter. The feminine gender includes the neuter and masculine. The neuter gender includes both feminine and masculine.
 6. The word “building” includes structure and shall be construed as if followed by the phrase “or part thereof.”
 7. The word “used” or “occupied” as applied to any land or structure shall be construed to include the phrase, “intended, arranged, or designed to be used or occupied”.
 8. The word “erected” shall be inclusive of the words “constructed, altered, or moved.”
 9. Except as provided in subsection 11. below, for those words used in this Chapter but not defined herein, the definitions found in the Pennsylvania Municipalities Planning Code (MPC) or various chapters of the Codified Ordinances of the Borough of Camp Hill specifically including but not limited to Chapter(s):
 - a. 71 relating to animals;
 - b. 79 relating to building construction;
 - c. 90 relating to construction code, uniform;
 - d. 174 relating to stormwater management;
 - e. 176 relating to streets and sidewalks;
 - f. 179 relating to subdivision and land development; and
 - g. 190 relating to vehicles and traffic; and

shall apply.

10. For those words used in this Chapter but also which are defined in various chapters of the Codified Ordinances of the Borough of Camp Hill, wherever and whenever the terms and associated definitions are not consistent, the terms and associated definitions used in this Chapter shall govern the regulations and standards in this Chapter.
11. For those words used in this Chapter but not defined herein or any of the definitions found in various chapters of the Codified Ordinances of the Borough of Camp Hill, the definition of the term found in the most recent edition of Webster's Unabridged Dictionary shall apply.
12. Except for references to and related abbreviations for specific zoning districts, and as otherwise noted in this Chapter, for those notations, numerals, words, and phrases included parenthetically subsequent to specific text and regulations used in this Chapter, the information included parenthetically shall be considered guidance and explanatory, and the specific text and regulations listed prior to the parenthetical reference used in this Chapter shall govern.

B. Illustrations and Tables

1. In instances of any differences of meanings or implications between the text of this Chapter and any caption, illustration or table, the text shall control. No caption, illustration, or table shall be construed to limit the scope or intent of the text of this Chapter.

Section 202. Definitions.

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

ABANDONMENT: The relinquishment of property, or a cessation of the use of the property, by the owner without the intention of transferring rights to the property to another owner, or of resuming the use of the property.

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

ACCESS DRIVE: See ACCESS ROAD and DRIVEWAY.

ACCESS AISLE: The traveled way by which automobiles and other similar motor vehicles enter and depart parking spaces.

ACCESS ROAD: See ACCESS DRIVE and DRIVEWAY.

ACCESSORY ALTERNATIVE ENERGY SYSTEM: An alternative energy system that supplies energy primarily for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company. This definition shall not in any way limit or preclude those accessory alternative energy systems conducted pursuant to and part of power purchase agreements.

ACCESSORY APARTMENT: An individual independent dwelling unit, incorporated into the principal or accessory building or structure located on an owner occupied lot upon which the permitted principal use is a single family detached dwelling, and which meets the requirements for such use in Part 11 of this Chapter relating to *Additional Supplemental Standards and Requirements for Specific Accessory Uses*.

ACCESSORY DWELLING UNIT FOR CARE OF RELATIVE: An accessory dwelling unit that is especially created for and limited to occupancy by a close relative of the residents of the principal dwelling unit, is necessary to provide needed care and supervision to such relative, and meets the requirements for such use in Part 11 of this Chapter relating to *Additional Supplemental Standards and Requirements for Specific Accessory Uses*.

ACTIVITY: The use of land, structure, or building for a specific purpose.

ADAPTIVE REUSE: The act of converting structures to a new use other than that for which it was originally designed and used, in a sympathetic, compatible, and context sensitive manner.

ADDITION: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (An extension or increase in floor area or height of a building or structure.).

ADJACENT: Two (2) or more abutting lots or two (2) or more lots separated only by a public street right-of-way, another lot, or as otherwise specified in this Chapter.

AESTHETIC: The perception of artistic elements, or elements in the natural or man-made environment which are pleasing to the eye.

AGRICULTURAL OPERATION: Equivalent Section 107 of the most recent version of the MPC. (An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.)

AIRPORT OVERLAY ZONING DISTRICT TERMS & PHRASES: Unless specifically defined elsewhere in this Part 2 of this Chapter, the following words and phrases when used in Part 6 of this Chapter relating to the *Airport Overlay Zoning District (APO)* shall have the meaning given to them in this subsection:

- (1). **AIRPORT(S) CAPITAL CITY AIRPORT (CXY) AND HARRISBURG INTERNATIONAL AIRPORT (MDT):** Any area of land or water which is used or intended to be used for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or air navigation facilities for rights-of-way, together with all airport buildings and facilities thereon.
- (2). **AIRPORT ELEVATION:** The highest point of an airport's usable land area measured in feet above sea level. The Airport Elevation for Capital City Airport is three hundred forty seven (347) feet; and the Airport Elevation for Harrisburg International Airport is three hundred ten (310) feet.
- (3). **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.
- (4). **AIRPORT HAZARD AREA:** Any area of land or water upon which an airport hazard might be established if not prevented as provided for in Part 6 of this Chapter relating to *Airport Overlay Zoning District (APO)* and Act 164 of 1984 (Pennsylvania Laws Relating to Aviation).
- (5). **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 is derived from the approach surface.

- (6). 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 (or 20:1) for a horizontal distance of four thousand (4,000) feet. The conical surface zone is based on the conical surface.
- (7). FAA: Federal Aviation Administration of the United States Department of Transportation.
- (8). HEIGHT: For the purpose of determining the height limits in all Airport Overlay Zoning District related zones set forth in Part 6 of this Chapter relating to *Airport Overlay Zoning District (APO)*, the datum shall be mean sea level elevation unless otherwise specified.
- (9). HORIZONTAL SURFACE ZONE: An imaginary plane one hundred fifty (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. The horizontal surface zone is derived from the horizontal surface.
- (10). LARGER THAN UTILITY RUNWAY: A runway that is constructed for and intended to be used by propeller driven aircraft of greater than twelve thousand five hundred (12,500) pounds maximum gross weight, and jet powered aircraft.
- (11). 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.
- (12). OBSTRUCTION: Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth by Part 6 of this Chapter relating to *Airport Overlay Zoning District (APO)*.
- (13). 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.
- (14). PRIMARY SURFACE ZONE: An imaginary surface longitudinally centered on the runway, extending two hundred (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 is derived from the primary surface.
- (15). RUNWAY: A defined area of an airport prepared for landing and takeoff of aircraft along its length.
- (16). 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 is derived from the transitional surface.
- (17). TREE: Any vegetative object of natural growth.

- (18). UTILITY RUNWAY: A runway that is constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight or less.
- (19). VISUAL RUNWAY: A runway intended solely for the operation of aircraft using visual approach procedures.

ALTERATION: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (Any construction or renovation to an existing structure other than repair or addition.) Also includes any change, addition, or modification in construction, occupancy, or use.

ALTERNATIVE ENERGY SYSTEM: Any one (1) or more method and facility used in the conversion, storage, and distribution including electrical infrastructure, transmission lines, and other appurtenant structures and facilities of renewable energy sources, including but not limited to sunlight, wind, rain, tides, and geothermal heat.

AMENDMENT: Revisions to the zoning text and/or the zoning map to depict a change in use, standards and criteria, or zoning district location(s).

ANIMAL HOSPITAL: An establishment offering veterinary services to all types of animals, which also includes outdoor or overnight keeping or boarding of animals.

ANTENNA STANDARD: A device, partially or wholly exterior to a structure or building, that is used for receiving electronic signals (other than a satellite dish antenna which is treated separately) or for transmitting short-wave or citizens band radio frequencies. This shall include antennae used by an amateur ham radio operator or by a contracting business or utility to communicate with its employees, but shall not include a "Commercial Communications Antenna." This term includes any accessory supporting structures.

ANTENNA SUPPORT STRUCTURES: Any structure, mast, pole, tripod or tower, including any guy wires and braces utilized for the purpose of supporting an antenna or antennas.

APARTMENT: An individual independent dwelling unit within a residential building.

APARTMENT CONVERSION: The creation of multi-family dwelling units or apartments by converting an existing single family detached dwelling without substantially altering the exterior of the building.

APPLICANT: Equivalent Section 107 of the most recent version of the MPC. (A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.)

APPLICATION FOR DEVELOPMENT: Equivalent Section 107 of the most recent version of the MPC. (Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.)

APPURTENANCES: The visible, functional, or ornamental objects accessory to, and part of buildings.

ARCADE: A continuous passageway parallel to and open to a street, open space, or building, usually covered by a canopy or permanent roofing, and accessible and open to the public.

ART GALLERY: An establishment primarily engaged in the display and retail sales of original and limited edition art works, but also may include on-site production of art works.

Arts and Learning Center: An arts and learning center is a functionally unique facility with a specific focus and purpose to encourage life-long learning and provide services in the

community for all age groups and to provide facilities such as studio space, gallery space, venues for learning and performance, offices, workshop areas, educational facilities, tools and technical equipment. The arts and learning center use(s) shall be a non-profit organization geared toward exposing, generating, and making accessible life-long learning opportunities to interested individuals. The building shall contain a minimum of 10,000 square feet in gross floor area and provides space to non-profit community service companies involved in art making, education and life-long learning and who support improving the quality of life and intellectual gain for the community. The use may include offices for other community non-profit organizations, government agencies and community groups. The use shall not include residential uses or any type of "Treatment Center." Services may include full education and art courses, programs, exhibits and demonstrations, workshops from/for professional community organization, educational/arts activities and tutoring.

ASSISTED LIVING FACILITY: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. This classification shall include, but not be limited to, the following: residential board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug abuse center and convalescent facilities.) For purposes of this Chapter, assisted living facilities shall not include halfway houses, group homes, social rehabilitation facilities, and alcohol and drug abuse centers. Assisted Living Facilities shall be licensed as Personal Care Centers by the Commonwealth of Pennsylvania.

AUTHORITY: Equivalent Section 107 of the most recent version of the MPC. (A body politic and corporate created pursuant to the act of May 2, 1945 (P.L.382, No.164), known as the "Municipality Authorities Act of 1945.")

AUTOMATED BANKING FACILITY: An establishment that contains automated devices performing banking or financial functions which are operated by the consumer or patron primarily for those who remain in their automobile, but may also be operated by those customers walking up to the device.

AUTOMOBILE, BOAT, HEAVY EQUIPMENT, MOBILE / MANUFACTURED HOME, RECREATIONAL VEHICLE, AND OTHER SIMILAR MOTOR VEHICLE RENTAL / SALES, REPAIR / SERVICE, WASHING, and/or FUEL / GAS SALES: An establishment involving the indoor and/or outdoor display, sale, or rental of new and used motor vehicles including cars, motorcycles, trailers, boats, heavy equipment and construction vehicles, mobile / manufactured homes, recreational vehicles and motorhomes, trucks, other similar motor vehicles, and mobile / manufactured homes, and which may include washing and polishing of vehicles, major and minor mechanical repairs and body work, straightening of body parts, painting, welding, or rebuilding of transmissions state inspections, oil changes and lubrications, and tune-ups conducted within a completely enclosed building or structure. Additionally, this use includes the dispensing or sale of gas/fuel for motor vehicles; the sale and installation of lubricants, tires, batteries, and similar vehicle accessories.

AUTOMOBILE WRECKING, JUNK, AND SCRAP STORAGE and SALES: An establishment used for the storage, collection, baling, packing, sorting, handling, disassembling, recycling, resource recovery, purchase or sale of any material which has been used, salvaged, scrapped or reclaimed, but is capable of being reused in some form including, but not limited to, metals, fiber, paper, cloth and rags, rubber, rope, bottles, machinery, tools, appliances, fixtures, utensils, lumber, boxes, crates, pipe and pipe fittings, tires, two (2) or more motor vehicles which are inoperable and do not have a current and valid inspection sticker as required by the Commonwealth of Pennsylvania, and motor vehicle parts, but not including garbage or other organic wastes. No material which fails to meet this definition because it is discarded and incapable of being reused in some form shall be placed in any

establishment as herein defined. In no zoning district shall this use be considered to be accessory or incidental to another use.

AWNING: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (An architectural projection that provides weather protection, identity or decoration and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight frame structure over which is covering is attached.)

BANK: An establishment in which money is kept for savings or commercial purposes, investment purposes, supplied for loans, or exchanged, and that includes routine interactions with customers and/or patrons. A bank may also provide financial counseling, planning, and services related to money management, and includes those establishments considered savings and loans and credit unions.

BAR: See TAVERN / BAR

BED AND BREAKFAST: An owner-occupied or manager-occupied establishment within a single family detached dwelling and/or the associated accessory structure, providing temporary, overnight lodging accommodations in sleeping rooms/units for transient guests and related meal service for compensation. Bed and breakfast may also host accommodations for private events (e.g., weddings and conferences). Temporary, overnight lodging occurs within individual sleeping rooms/units which do not contain cooking facilities.

BEER AND ALE WHOLESAL E DISTRIBUTION: An establishment engaged in the sale and delivery of beer and ale, and similar alcoholic beverages (e.g., malt liquor and wine coolers) in wholesale quantities to retail sellers, as well as retail sales to the public.

BERM: A mound of soil, either natural or man-made, used to obstruct views and attenuate sound, among other purposes.

BEST MANAGEMENT PRACTICES (BMPs): Equivalent Article II of the most recent version of Chapter 174 relating to stormwater management. (Activities, facilities, designs, measures or procedures used to manage stormwater impacts from regulated activities, to promote groundwater recharge and to otherwise meet the purposes of this chapter. BMPs include but are not limited to infiltration, filter strips, low-impact design, bioretention, wet ponds, permeable paving, grassed swales, forested buffers, sand filters and detention basins. Pennsylvania Handbook of Best Management Practices for Developing Areas, Spring 1998, or other credible source as approved by the Municipal Engineer.)

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

BLOCK FACE: The edge of a block of lots sharing lot frontage on a street in common, and that is located between two (2) intersecting streets.

BOARDING HOUSE (INCLUDING "ROOMING HOUSE"): Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (A building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit.) A boarding house shall not include a use that meets the definition of a treatment center, hotel, motel, personal care home, bed and breakfast, group home, group care facility, long term care facility, and/or similar type group living use. A boarding house may involve the provision of meals to residents, but shall not include a restaurant open to the public.

BOROUGH COUNCIL: The Camp Hill Borough Council also may be referenced as the "Borough Council". (See GOVERNING BODY).

BOROUGH ENGINEER: A qualified, professional engineer licensed and registered to practice in the Commonwealth of Pennsylvania, designated by Camp Hill Borough Council to furnish professional and technical assistance for the administration of this Chapter.

BOROUGH SOLICITOR: The licensed attorney licensed to practice in the Commonwealth of Pennsylvania, designated by the Camp Hill Borough Council to furnish professional legal assistance for the administration of this Chapter.

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

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

BUILDING: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (Any structure used or intended for supporting or sheltering, any use or occupancy.)

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

BUILDING, ATTACHED: A building connected to another building or structure via one (1) or more common party wall(s).

BUILDING, DETACHED: A building surrounded by open space on the same lot.

BUILDING CODE OFFICIAL: The administrative officer certified by the PA Department of Labor and Industry to manage, supervise, administer code enforcement activities, and issue building permits under the authority of the PA Uniform Construction Code pursuant to Chapter 90 relating to construction code, uniform, who is appointed by the Camp Hill Borough Council. See ZONING OFFICER.

BUILDING FACADE: The front exterior face, elevation, or wall of a principal building that is often facing the street rights-of-way, excluding alleys.

BUILDING FOOTPRINT: The sum total of the ground area of a site occupied by any building measured from the exterior face of exterior walls; this includes courts and decks or porches when covered by a roof.

BUILDING HEIGHT: The vertical distance of a building measured from the average elevation of the finished grade in front of the building to the:

- (1). Top of the highest roof beams on a flat or shed roof;
- (2). Deck level on a mansard roof; and
- (3). Average distance between the eaves and the ridge level for gable, hip, and gambrel roofs.

See Figure 2.1 Building Height

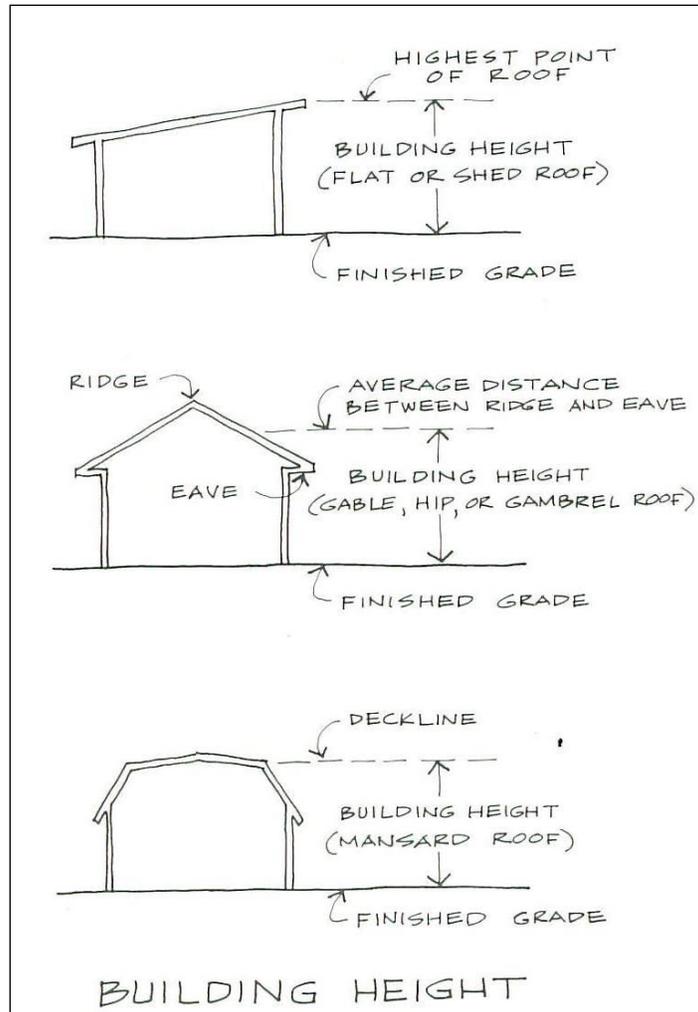


Figure 2.1 Building Height

(Source: The New Illustrated Book of Development Definitions, 1993)

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

BUILDING ORIENTATION: Generally refers to the manner in which a building is positioned on a lot as described by the relationship between the front of the building and the front lot line (e.g., a front building façade parallel to the front lot line.)

BUILDING PERMIT: A document signed by the Building Code Official, as required in Chapter 79 relating to building construction and Chapter 90 relating to construction code, uniform, as a condition that must be met prior to commencing with the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure or building, that acknowledges that such building or structure complies with the provisions of Chapter 79 relating to building construction, Chapter 90 relating to construction code, uniform, and this Chapter relating to zoning.

BUILDING, PRINCIPAL: The main or primary building or structure, the use of which is primary and essential to that of any accessory building, structure, or other accessory use of the lot, and which is located on the same lot as any accessory building, structure, or other accessory use of the lot.

BUILDING SETBACK LINE: See SETBACK LINE.

BUS / TRANSIT SHELTER: A structure providing temporary cover or protection, as from the weather, to riders waiting to board buses and other similar public transportation motor vehicles.

CALIPER, TREE: The diameter of a tree trunk measured at four and one half (4 ½) feet from ground level.

CANOPY: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (A permanent structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity or decoration, and shall be structurally independent or supported by attachment to a building on one end by not less than one stanchion on the outer end.)

CARPORY: A roofed structure that is enclosed on not more than two (2) sides and provides space for the parking of motor vehicles, and is accessory to a principal or accessory structure, unless it is attached to the building or structure, in which case it shall comply with all applicable principal or accessory structure standards of this Chapter.

CARTWAY: Equivalent Section 301 of the most recent version of Chapter 179 relating to subdivision and land development. (The portion of a street or alley which is improved, designed, or intended for vehicular use.)

CEMETERY: An establishment involving the burial of and/or long term interment of human or animal remains either in the ground or in structures (e.g., columbariums, mausoleums, and entombments).

CERTIFICATE OF USE AND OCCUPANCY: The certificate issued by a duly authorized Borough officer which permits the use of a building or structure in accordance with the approved plans and specifications and which certifies compliance with the provisions of law for the use and occupancy of the land and structure in its several parts, together with any special stipulations or conditions of the building permit and/or zoning permit.

CHANGE OF USE: Any use that differs from the previous use of a structure or land.

CHARACTER AREA: Area of the community that has achieved a unique, recognizable, character that is different from neighboring areas. These differences may be the result of topography, age and style of housing and buildings, built environment, land use development patterns, landscaping, street patterns, open space, or streetscapes.

CHIMNEY: A structure containing one (1) or more flues for drawing off emissions from stationary sources of combustion.

CLEAN WOOD: Natural wood that has no paint, stains, or other types of coatings, and natural wood that has not been treated with, including but not limited to, copper chromium arsenate, creosote, or pentachlorophenol. For the purposes of this Ordinance, the term shall include all wood intended to be used as fuel, including but not limited to trees, cordwood, logs, lumber, sawdust, and wood from manufacturing processes including butt offs, shavings, turnings, sander dust, wood pellets, slabs, bark, chips, and waste pallets.

CLEAR SIGHT TRIANGLE: Equivalent Section 301 of the most recent version of Chapter 179 relating to subdivision and land development. (A triangular-shaped portion of land established at a street intersection in which nothing is permitted to be erected, placed, planted, or allowed to grow in a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.)

CLINIC, MEDICAL: An establishment where three (3) or more full time equivalent licensed medical professionals who are authorized by law to examine, diagnose, and treat patients, including physicians, dentists, opticians, psychologists, and other similar medical personnel and vocations, examine and treat patients on an outpatient basis. Such a facility may also include a pharmacy provided that such use has access only from the interior of the

building or structure. This use shall not include overnight accommodation of patients. This use shall also include those establishments commonly known as ambulatory surgical, urgent, and emergency centers without overnight accommodations.

CLUBHOUSE OR LODGE, PRIVATE: An establishment exclusively serving members and their guests, or premises or buildings that are used for social, recreational and administrative purposes, provided there are no vending stands, merchandising, or commercial activities except as required for the membership or fundraising of such club. This use shall not include a bar, boarding house, nightclub, restaurant, or tavern open to the general public, or an auditorium, unless that particular use is permitted in that zoning district and the applicable requirements of that use are met, provided they are operated primarily to serve members and their guests. Private clubhouses and lodges shall not be construed to be a sexually oriented business and/or related use as defined herein this Part of this Chapter

CLUB, PRIVATE: An organization catering exclusively to members and their guests and not the general public. Private clubs shall include but not be limited to, educational, fraternal, service, and political organizations, labor unions, and social and athletic clubs.

CO-LOCATION: The act of placing two (2) or more communications antennas or facilities on one (1) tower or other support structure.

COLD-FRAME: An unheated outdoor structure consisting of a wooden or concrete frame and a top of glass or plastic, used for protecting seedlings and plants from the cold.

COMMERCIAL RECREATION, INDOOR: An establishment operated as a gainful business, open to the public, for the purpose of leisure time activities, public recreation or entertainment, including, but not limited to, amusement arcade, arena, assembly hall, bingo parlor, bowling alley, gymnasium, health and fitness club, miniature golf course, skating rink, shooting range, swimming pool, tennis courts, etc., when operated within a completely enclosed building or structure.

COMMERCIAL RECREATION, OUTDOOR: An establishment operated as a gainful business and open to the public upon open land, wholly or partially outside of a building or structure, for the purpose of leisure time activities, public recreation or entertainment (e.g., swimming pool, tennis court, batting and pitching cages, go-cart track, and skating rinks, and that may also include amusement rides or regular live entertainment). This use excludes a park, golf course, and an outdoor shooting range.

COMMERCIAL VEHICLE: Any motor vehicle licensed by the Commonwealth of Pennsylvania as a commercial vehicle.

COMMON OPEN SPACE: Equivalent Section 107 of the most recent version of the MPC. (A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.)

COMMUNITY CENTER: An establishment used for non-commercial recreational, social, educational, and cultural activities, open to the public or a designated part of the public, owned or operated by a public or non-profit group or agency.

COMMUNITY GARDEN: An area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops (e.g., flowers) for personal or group use, consumption or donation. Community gardens may be divided into separate plots for cultivation by one (1) or more individuals or may be used collectively by members of the group and may include common areas maintained and used by group members.

COMPATIBLE: Capable of associating or blending with or being associated or blended because of sensitive, harmonious, agreeable, appropriate, or consistent combination with another or other.

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

COMPOSTING: The mixing of decomposing refuse matter for the purpose of creating fertilizer material.

CONDITIONAL USE: Equivalent Section 107 of the most recent version of the MPC. (A use permitted in a particular zoning district pursuant to the provisions in Article VI.)

CONDOMINIUM: A form of ownership of real property, as defined in the Pennsylvania Uniform Condominium Act of 1980, which includes a multiple unit land development in which there is a system of separate ownership of individual units of occupancy and undivided interest of land and common facilities. For purposes of this Chapter, the specific uses associated with a condominium shall be regulated by the applicable standards of this Chapter regardless of the form of ownership.

CONSISTENT: In agreement; compatible.

CONSTRUCTION: The construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of mobile / manufactured homes.

CONTEXT: The conditions and circumstances that are relevant to a setting, event, fact, etc.

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

CONTINUING CARE RETIREMENT FACILITY: An age-restricted development or establishment that provides a continuum of accommodations and care, from independent living to long-term bed care, and enters into contracts to provide lifelong care in exchange for the payment of monthly fees and an entrance fee.

CONVENIENCE STORE: An establishment primarily engaged in the retail sale of frequently or recurring needed goods for household consumption, prepackaged food and beverages, foods prepared on site, magazines, lottery tickets, tobacco products, and limited household supplies and hardware; as well as the rental of videotapes, DVDs and videogames, provided that a sexually oriented business and/or related use are specifically prohibited. The use also may include the on-site consumption of food and beverages, as well as the retail sale of fuel for passenger vehicles, oil, grease, automobile accessories, propane, and kerosene, and automatic car washing facilities.

CONVENTION CENTER: A group of uses designed and constructed as an integrated development to serve those attending consumer trade shows, association conferences and meetings, sports shows, banquets, receptions and other similar functions.

COPY SHOP / BUSINESS SERVICE: An establishment primarily engaged in providing custom printing, photocopying, faxing, mailing, courier service and/or other similar business and office support services, along with accessory sales of materials and items related to copying and mailing.

CORNICE: The projecting horizontal element that tops a wall or flat roof.

CRAFTSMAN / ARTISAN STUDIO: An establishment primarily engaged in the on-site production, display, and sale of goods created on-site by hand manufacturing generally involving only the use of hand tools and/or other domestic mechanical equipment. Typical uses include painting and other media-art, ceramics, fabric crafts, candle-making,

and jewelry manufacturing. All such production associated with this use shall occur within a completely enclosed building.

CROP: A harvestable product including but not limited to herbs, fruits, flowers or vegetables, planted, grown, and cultivated in the soil.

CROPS / GARDENING: The use of land for the tilling of the soil; the raising, maintenance, and cultivation of crops, and also including horticulture, apiculture, floriculture, viticulture, for personal, and generally non-commercial purposes.

CURB: Equivalent Section 301 of the most recent version of Chapter 179 relating to subdivision and land development. (A stone or concrete boundary usually marking the edge of the cartway or paved areas.)

CURB CUT: The opening along the curb line at which point vehicles may enter or leave the roadway.

DAYCARE: An establishment offering care or supervision of persons under the age of sixteen (16), special needs adults in lieu of care or supervision by family members, elderly persons (generally sixty-two [62] years of age and older), mentally disabled, and/or physically handicapped persons who need such daily assistance because of their physical or cognitive disability, or disease. This use shall not include persons who need oversight because of criminal and/or violent behavior. This use may involve occasional overnight stays, but shall not primarily be a residential use. The use shall involve typical stays of less than a total of sixty (60) hours per week per person:

- (1). DAYCARE, ACCESSORY: An accessory use to a residential dwelling unit, whereby care and supervision is offered to no more than three (3) non-residents of the site during any calendar day. Since an accessory daycare does not require zoning approval, no business advertising signs shall be permitted. Additionally, any permitted accessory daycare use shall maintain an exterior appearance that resembles and is compatible with any existing dwelling on the lot and in the neighborhood. No modifications to the external appearance of the building used for the accessory daycare, except fire and safety requirements, which would alter its residential character, shall be permitted.
- (2). DAYCARE, COMMERCIAL: An establishment operated as a gainful business that provides care and supervision to more than six (6) non-residents of the site during any calendar day. Commercial daycare facilities can be operated as principal uses or as accessory uses associated with other uses (e.g., schools, places of worship, industries, residential complex, etc.); however, in no case shall a commercial daycare be considered an accessory use to an individual dwelling unit. Commercial daycare facilities shall include "group child daycare homes" and "child daycare centers," as defined and regulated by the Pennsylvania Department of Public Welfare.
- (3). DAYCARE, FAMILY: An accessory use to a residential dwelling unit, in which the care and supervision is offered to between four (4) and six (6) non-residents of the site during any calendar day. Family daycare facilities must be registered with the Pennsylvania Department of Public Welfare.

DECIDUOUS: Plants that drop their leaves before becoming dormant in winter.

DECK: An elevated, open, exterior structure, platform, or floor supported on at least two (2) opposing sides by an adjacent structure, and/or posts, piers or other independent supports.

DEED RESTRICTION: A restriction on the use of the land set forth in the deed or instrument of conveyance. Such restriction usually runs with the land and is binding upon subsequent owners of the property. The municipality is not responsible for enforcing a deed restriction, unless the restriction resulted from a condition or stipulation of the subdivision or land development approval process, and in which the municipality is a party.

DENSITY, NET: The number of dwelling units or units of occupancy per acre of net lot area.

DEP: Pennsylvania Department of Environmental Protection.

DEVELOPER: Equivalent Section 107 of the most recent version of the MPC. (Any landowner, agent of such landowner, or tenant with the permission of such land-owner, who makes or causes to be made a subdivision of land or a land development.)

DEVELOPMENT: Shall include the following:

- (1). Use, occupation, erection, construction, reconstruction, movement, alteration, razing, demolition, removal, placement, or extension (vertical or horizontal) of a structure, building or sign;
- (2). Change of the type of use or expansion of the use of a structure, building, or area of land;
- (3). Creation or establishment of a new use of a structure, building, and area of land.
- (4). Creation of a new lot or alteration of existing boundaries.
- (5). Alteration or development of any improvement or unimproved real estate, including, but not limited to, mining, dredging, filling, grading, paving, excavation or drilling operations for underground utilities provided the final grade is not altered;
- (6). Construction or installation of lakes, ponds, dams, or other water retention basins;
- (7). Land development as defined herein this Part 2 of this Chapter, shall be included in this definition;
- (8). Infill, redevelopment, replacement, and adaptive reuse as defined in this Part 2 of this Chapter, shall be included in this definition.
- (9). Other activities required to have a permit and/or approval by this Chapter.

DEVELOPMENT PLAN: Equivalent Section 107 of the most recent version of the MPC. (The provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this act shall mean the written and graphic materials referred to in this definition.)

DISTRIBUTION: A process whereby materials, goods, cargo, and products are received and stored by one entity and then delivered to another.

DISTRIBUTION CENTER: An establishment engaged in the receipt, storage, and distribution of goods, products, cargo, and materials, including transshipment by boat, rail, air, or motor vehicle.

DOG DAY CARE: An establishment operated as a gainful business in which the care and supervision to more than one (1) non-resident small domestic and usual house pet and/or animal (e.g., dogs and cats) occurs during any calendar day.

DORMER: A projection from a sloping roof which contains a window.

DORMITORY: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories or fraternity houses.)

DRIVE-IN: A business establishment, including an eating establishment, that offers refreshments, entertainment, goods or services to patrons, who purchase and/or consume such refreshments, entertainment, or services on the premises and outside of the building or structure, including patrons who may receive services, obtain goods, or be entertained while remaining in their motor vehicles.

DRIVE-THRU: A structure designed for providing goods and services to drivers and patrons who remain in their vehicles before and during the on-site activity.

DRIVEWAY: Equivalent Section 301 of the most recent version of Chapter 179 relating to subdivision and land development. (A private roadway providing vehicular access for vehicles to a parking space, garage, dwelling or other structure) See ACCESS DRIVE and ACCESS ROAD.

DUMPSTER: A container, generally two (2) or more cubic yards in capacity, for the disposing of refuse, whether generated by residential, non-residential, or other use.

DWELLING: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (A building that contains one or two dwelling units, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.)

DWELLING, MULTI-FAMILY: A building occupied, and used by three (3) or more families living independently of each other, wherein each dwelling unit shall contain private bath and kitchen facilities. Includes apartment homes/houses. See Figure 2.2 Multi-Family Dwelling Example – Plan View and Figure 2.3 Multi-Family Dwelling Example – Profile View.

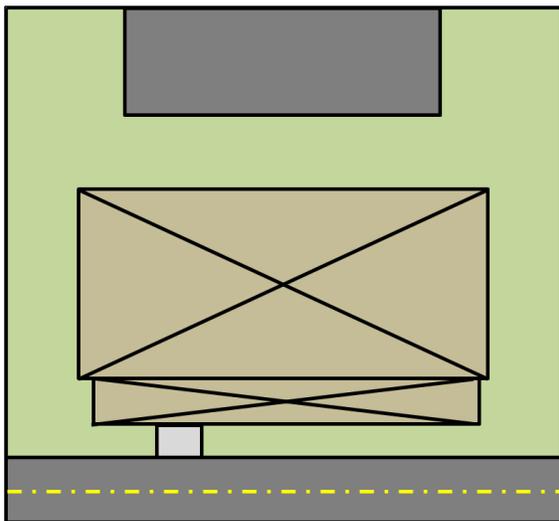


Figure 2.2 Multi-Family Dwelling
Example – Plan View

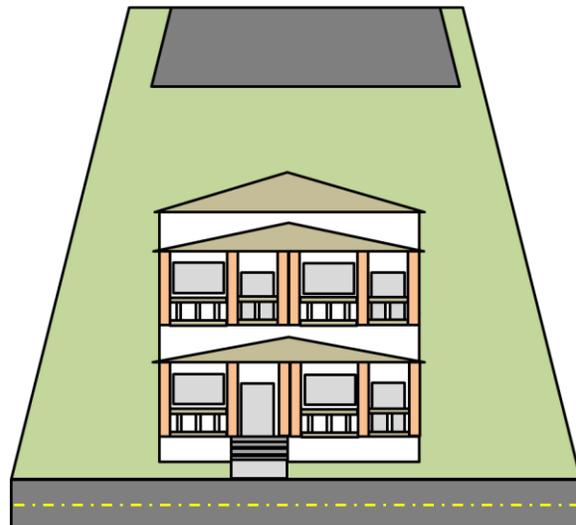


Figure 2.3 Multi-Family Dwelling
Example – Profile View

DWELLING, SINGLE FAMILY ATTACHED: A building containing one (1) dwelling unit occupied and used by one (1) family, having at least one (1) party wall in common with other single family attached dwelling(s). For units having one (1) party wall, there shall be one (1) side yard, and for units having two (2) party walls, there shall be no side yards (except on corner lots). Standards and regulations of this Chapter shall apply to individual units, whether on a common lot or on individual lots. Includes townhomes/houses and row homes/houses. See Figure 2.4 Single Family Attached Dwellings Example – Plan View, Figure 2.5 Single Family Attached Dwellings Example – Profile View, Figure 2.6 Single Family Attached Dwellings (On 1 Lot) Example – Plan View, and Figure 2.7 Single Family Attached Dwellings (On 1 Lot) Example – Profile View.

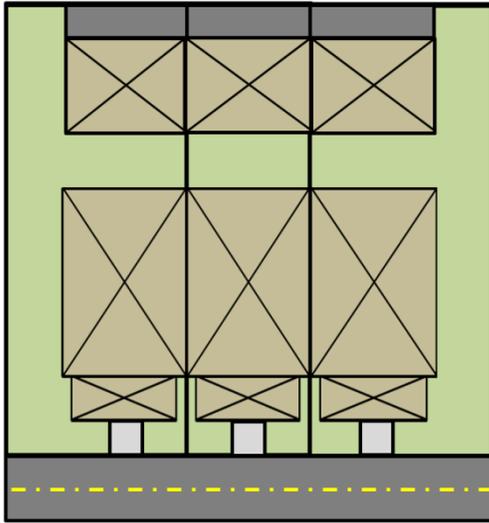


Figure 2.4 Single Family Attached Dwellings Example – Plan View



Figure 2.5 Single Family Attached Dwellings Example – Profile View

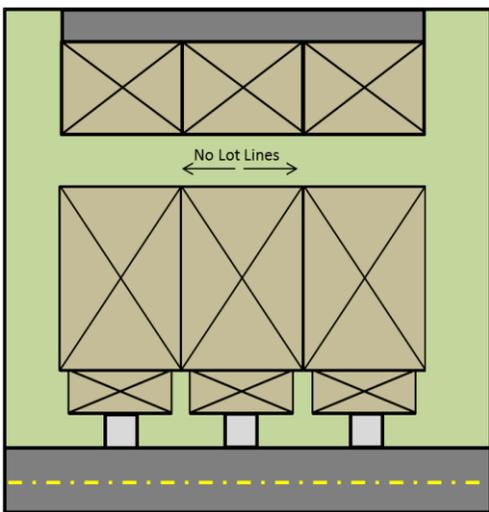


Figure 2.6 Single Family Attached Dwellings (On 1 Lot) Example – Plan View



Figure 2.7 Single Family Attached Dwellings (On 1 Lot) Example – Profile View

DWELLING, SINGLE FAMILY DETACHED: A building containing one (1) dwelling unit occupied and used by one (1) family, and having two (2) side yards (except on corner lots). See Figure 2.8 Single Family Detached Dwelling Example – Plan View and Figure 2.9 Single Family Detached Dwelling Example – Profile View.

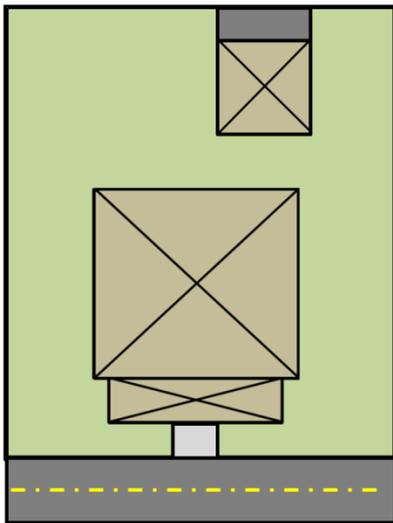


Figure 2.8 Single Family Detached Dwelling Example – Plan View

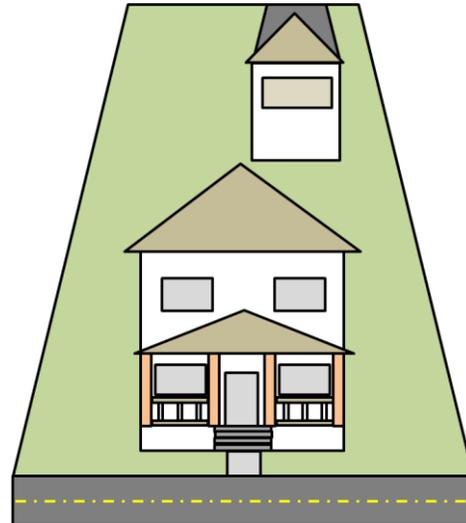


Figure 2.9 Single Family Detached Dwelling Example – Profile View

DWELLING, SINGLE FAMILY SEMI-DETACHED: A building containing one (1) dwelling unit occupied and used by one (1) family and having one (1) party wall in common with another single family semi-detached dwelling building and one (1) side yard (except on corner lots). See Figure 2.10 Single Family Semi-Detached Dwelling Example – Plan View and Figure 2.11 Single Family Semi-Detached Dwelling Example – Profile View.

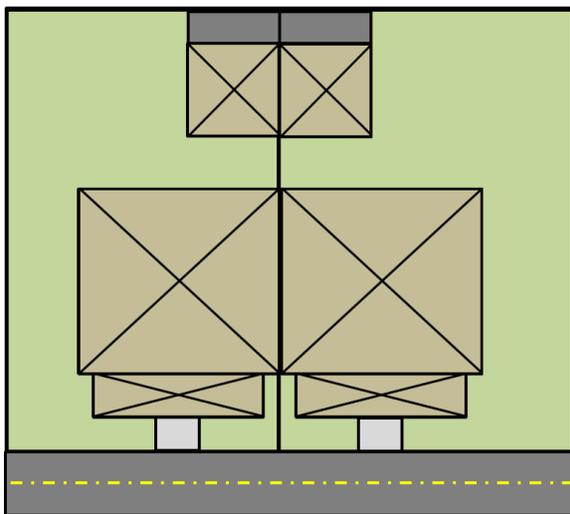


Figure 2.10 Single Family Semi-Detached Dwelling Example – Plan View



Figure 2.11 Single Family Semi-Detached Dwelling Example – Profile View

DWELLING, TWO FAMILY DETACHED: A building containing two (2) dwelling units each occupied and used by one (1) family, with one (1) dwelling unit arranged over the other or beside the other, and having two (2) side yards (except on corner lots). See Figure 2.12 Two Family Dwelling Example – Plan View and Figure 2.13 Two Family Dwelling Example – Profile View.

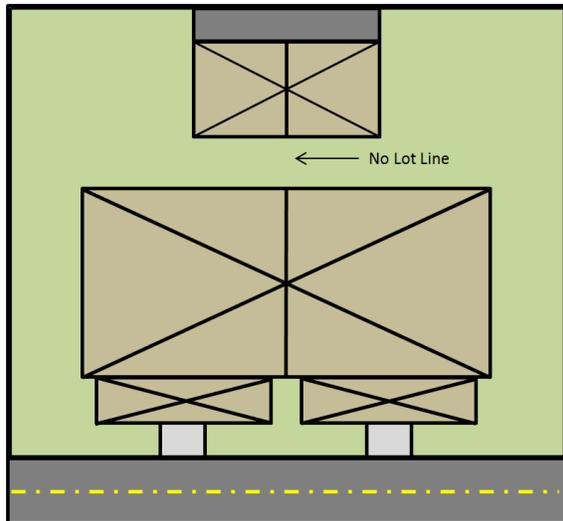


Figure 2.12 Two Family Dwelling Example – Plan View

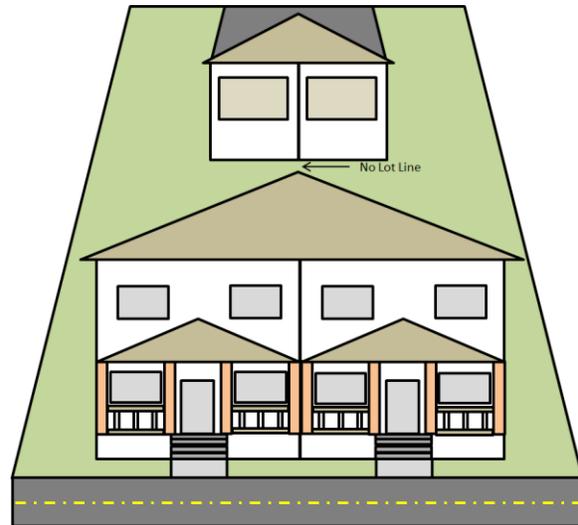


Figure 2.13 Two Family Dwelling Example – Profile View

DWELLING UNIT: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation). For purposes of this Chapter, "or more persons" shall specifically be limited to not more than one (1) family.

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

EAVE: Projecting overhang at the lower border of a roof and extending from a primary wall or support.

EMERGENCY SERVICES: An establishment for the maintenance, fueling, storage, dispatching, or parking of vehicles and/or equipment utilized for fire, emergency medical, and ambulatory services and related activities, other than those owned and/or operated by the Borough, and/or its authorized municipal authorities and/or agents. This use may include accessory housing for related personnel while on call.

EMPLOYEES, NUMBER OF: The greatest number of workers, including both part-time and full-time both compensated and volunteer, and both employees and contractors present on a lot at any one (1) time, other than clearly temporary and occasional persons working on physical improvements to the site.

ENLARGEMENT: An increase in the size of an existing structure or use, including physical size of the property, structure, building, parking, and other improvements.

ENROLLMENT: The largest number of students under educational supervision at any one (1) time.

EROSION: The removal of surface materials by the action of natural elements.

ESSENTIAL SERVICES: The provision by public utilities, municipal, or other governmental units regulated by the Public Utility Commission (PUC) or other governmental agencies of underground or overhead gas, electrical, steam

or water pipes, sewer and storm sewer facilities, and wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants and similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate services by such public utilities, municipal, or governmental units or for the public health, safety or general welfare.

ESTABLISHMENT: Any organization, including a business, whether private, public, governmental, social, or otherwise, together with its owners, directors, employees, members, merchandise, inventory, and equipment, founded for a specific purpose.

EVERGREEN: Plants having foliage that persists and remains green throughout the year.

EXCAVATION: Equivalent Section 301 of the most recent version of Chapter 179 relating to subdivision and land development. (Any act by which earth, sand, gravel, rock, or any other similar materials is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting therefrom.)

EXISTING USE: An activity or use of land occurring on a lot or parcel as of the effective date of this Chapter.

FAMILY: One (1) or more persons related by blood, marriage, legal guardianship, licensed or court-appointed foster care, or legal adoption who maintain one (1) common household and reside in one (1) dwelling unit; or no more than four (4) persons who are not related to each other by blood, marriage, legal guardianship, licensed or court-appointed foster care, or legal adoption except persons possessing a handicap as set forth in "Group Home" and within the meaning of the Fair Housing Act (42 USC Section 3602(h), or successor legislation) who reside in one (1) dwelling unit and live and cook together as a single housekeeping unit shall be considered a family

FARMER'S / FLEA MARKET, OUTDOOR: An outdoor establishment used for the sale of raw agricultural and food products, and assorted new and used goods by vendors or auctioneers on a periodic basis.

FENCE: Any freestanding and uninhabitable structure constructed of wood, glass, metal, plastic materials, wire, wire mesh, or masonry erected, intended and maintained; and/or hedges, "living fences" and other natural vegetation planted, intended and maintained; either, singularly, or in combination to provide screening or divide one property from another property or public street right-of-way; enclosing an area; helping assure privacy or protection; and/or to define and mark the property or lot line(s).

FILL: Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting there from. The amount of fill shall be considered the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade.

FINANCIAL SERVICE, OTHER: An establishment, excluding banks, savings and loans, and credit unions, where the principal business is the receipt, disbursement, or exchange of funds and currencies and includes those establishments considered pawn shops, payday lending, and check cashing businesses.

FINISHED GRADE: The elevation of the land surface of a site after completion of all site preparation work.

FIRE ESCAPE: A structure, device, or appurtenance, including stairways, railings, ladders, etc. attached to the exterior of a building, erected for emergency exit in the event of fire.

FLOODPLAIN: Unless specifically defined elsewhere in this Part 2 of this Chapter, the following words and phrases when used in Part 6 of this Chapter relating to the Floodplain Overlay Zoning District (FPO) shall have the meaning given to them in this subsection:

- (1). ACCESSORY USE OR STRUCTURE: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
- (2). BASEMENT: Means any area of the building having its floor below ground level on all sides.
- (3). BUILDING: A combination of materials to form a permanent structure having walls and a roof. Included are all manufactured homes and trailers to be used for human habitation.
- (4). COMPLETELY DRY SPACE: A space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.
- (5). 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 or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.
- (6). ESSENTIALLY DRY SPACE: A space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.
- (7). FLOOD: A temporary inundation of normally dry land areas.
- (8). FLOODPLAIN AREA: A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.
- (9). FLOODPROOFING: Means 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.
- (10). FLOODWAY: The designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Chapter, the floodway shall be capable of accommodating a flood of the one hundred (100) year magnitude.
- (11). HISTORIC STRUCTURE: Any structure that is:
 - (a). Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the interior as meeting the requirements for individual listing on the National Register;
 - (b). Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - (c). Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
 - (d). Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (i). By an approved state program as determined by the Secretary of the Interior or

- (2). Directly by the Secretary of the Interior in states without approved programs.
- (12). IDENTIFIED FLOODPLAIN AREA: The floodplain area specifically identified in this Chapter as being inundated by the one hundred (100) year flood.
- (13). LAND DEVELOPMENT: Any of the following activities:
 - (a). 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 of two 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, either initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
 - (b). A subdivision of land.
- (14). LOWEST FLOOR: The lowest floor of the lowest fully enclosed area, including basement. An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this Chapter.
- (15). MANUFACTURED HOME: A structure, transportable in one (1) or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than one hundred eighty (180) consecutive days.
- (16). MANUFACTURED HOME PARK: A parcel of land under single ownership, which has been planned and improved for the placement of two (2) or more manufactured homes for non-transient use.
- (17). MINOR REPAIR: The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring or mechanical or other work affecting public health or general safety.
- (18). NEW CONSTRUCTION: Structures for which the start of construction commenced on or after March 10, 1977, and includes any subsequent improvements thereto.
- (19). ONE HUNDRED (100) YEAR FLOOD: A flood that, on the average, is likely to occur once every one hundred (100) years (i.e. that has one (1) percent chance of occurring each year, although the flood may occur in any year).

- (20). PERSON: An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.
- (21). RECREATIONAL VEHICLE: A vehicle which is
- (a). Built on a single chassis;
 - (b). Not more than four hundred (400) square feet, measured at the largest horizontal projections;
 - (c). Designed to be self-propelled or permanently towable by a light-duty truck;
 - (d). Not designed for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.
- (22). REGULATORY FLOOD ELEVATION: The one hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1 1/2) feet.
- (23). REPETITIVE LOSS: Flood related damages sustained by a structure on two (2) separate occasions during a ten (10) year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds twenty-five (25) percent of the market value of the structure before the damages occurred.
- (24). SPECIAL PERMIT: A special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks and subdivisions and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.
- (25). STRUCTURE: Anything constructed or erected on the ground or attached to the ground including, but not limited to buildings, sheds, manufactured homes, and other similar items. This term includes any man-made object having an ascertainable stationary location on or in land or water whether or not affixed to land.
- (26). 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 dwelling, shall be exempted.
- (27). SUBSTANTIAL ADDITIONS TO MANUFACTURED HOME PARKS: Any repair, reconstruction, or improvement of an existing manufactured home park or manufactured home subdivision, where such repair, reconstruction, or improvement of the streets, utilities, and pads will equal or exceed fifty (50) percent of the value of the streets, utilities, and pads before the repair, reconstruction, or improvement is started.
- (28). SUBSTANTIAL DAMAGE: Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred.
- (29). SUBSTANTIAL IMPROVEMENT: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market

value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage or "repetitive loss" regardless of the actual repair work performed. The term does not, however include either:

- (a). Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or;
 - (b). Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure".
- (30). UNIFORM CONSTRUCTION CODE (UCC): The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third (3rd) party or the Pennsylvania Department of Labor and Industry. Applicable to residential and commercial buildings, The Code adopted The International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the Commonwealth floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

FLOOR AREA, GROSS: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.)

FLOOR AREA, HABITABLE: See "HABITABLE SPACE" equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.)

FLOOR AREA, NET: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (The actual occupied area not including unoccupied accessory areas such as corridors, stairways, toilet rooms, mechanical rooms and closets.)

FLOOR AREA RETAIL, NET: The sum total of all floor area space relegated to use by the customer and the retail employee to conduct retail sales, including the display area used to indicate the variety of goods available for customers, but not including office space, storage space, and other general administrative areas.

FOOD SERVICE: An establishment in which food is processed and/or prepared on the premises, and which may be sold and/or consumed on the premises. This term shall also include bakeries and catering establishments.

FORESTRY (TIMBER HARVESTING): Equivalent Section 107 of the most recent version of the MPC. (The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.)

FORM: Generally refers to the type of building or structure (e.g., two [2] story structure) and its architectural characteristics.

FUNERAL HOME: An establishment conducting embalming and cremation activities which may include the viewing of the deceased and ceremonies connected therewith prior to burial or cremation, but not including cemeteries, columbariums, mausoleums, and entombments.

GARAGE, PRIVATE: An accessory enclosed or covered space for the storage of one (1) or more vehicles, provided that no business, occupation, or service is conducted for profit therein nor holds space therein, unless otherwise permitted elsewhere in this Chapter.

GARAGE, PUBLIC PARKING: Any garage other than a private garage that is used for parking or storage of motor vehicles.

GARAGE SALES / YARD SALES: The accessory use of any lot for the occasional sale or auction of only common household goods and furniture and items of a closely similar character.

GARDENING: The cultivation of herbs, fruits, flowers, or vegetables.

GOVERNING BODY: Equivalent Section 107 of the most recent version of the MPC. (The council in cities, boroughs and incorporated towns; the board of commissioners in townships of the first class; the board of supervisors in townships of the second class; the board of commissioners in counties of the second class through eighth class or as may be designated in the law providing for the form of government.) For purposes of this Chapter, the governing body shall be the Camp Hill Borough Council. See also **BOROUGH COUNCIL**.

GOVERNMENT FACILITY, OTHER THAN MUNICIPAL OWNED USE: Any establishment, use, facility, and/or structure owned and/or operated by a government, government agency or government authority for valid public health, public safety, public welfare, or similar governmental purpose other than the Borough, its municipal authorities, and/or authorized agents. This term shall not include permitted uses defined, listed, and/or regulated separately elsewhere in this Chapter.

GREENHOUSE: A structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or for personal enjoyment.

GROUND COVER: A planting of low-growing plants or sod that in time forms a dense mat covering the area, preventing soil from being blown or washed away and the growth of unwanted plants.

GROUP CARE FACILITY: An establishment providing shelter, counseling, and other rehabilitative services in a family-like environment for at least nine (9) but fewer than fifteen (15) residents, plus such minimum supervisory personnel as may be required to meet licensing standards of the Commonwealth of Pennsylvania, specifically the Pennsylvania Department of Public Welfare. Residents may not be legally related to the facility operators or supervisors and, by reason of physical, mental, or developmental disability, chemical or alcohol dependency, or family or school adjustment problems, require a minimum level of supervision but do not require medical or nursing care or general supervision.

GROUP HOME: A dwelling inhabited by not more than eight (8) handicapped persons, as identified and provided for by the Fair Housing Act and this Chapter. This definition does not include persons occupying a hotel, motel, bed and breakfast, halfway house, boarding house, treatment center or institution. A group home involves persons functioning as a common household unit, providing non-routine support services and oversight to persons who need such assistance to avoid being placed in an institution because of physical, mental, or developmental disability, or old age, or individuals who meet the definition of "handicap", as defined by applicable federal law. (NOTE: The Federal Fair Housing Act amendments define "handicap" as follows: "(1) a physical or mental impairment which substantially limits one (1) or more of such person's major life activities; (2) a record of having such an impairment; or (3) being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance as defined in Section 802 of Title 21." This definition was

subsequently adjusted by Section 512 of the Americans with Disabilities Act [ADA] to address certain situations related to substance abuse treatment.) For the purposes of this Chapter, group homes shall be permitted and regulated as single family detached dwellings.

HALFWAY HOUSE: A non-institutional living arrangement with treatment and support services for persons with substance abuse problems or for inmates and parolees approaching parole release date or release from a corrections institution. The halfway house operates under the rules and regulations of the Pennsylvania Department of Health or Department of Corrections or similar authorities. The residents are provided full-time supervision and counseling on employment, vocations, finances and community living.

HAZARDOUS MATERIAL: Materials which are classified by the U.S. Environmental Protection Agency (EPA), the Pennsylvania Department of Environmental Protection (DEP), or the Borough of Camp Hill as having the potential to damage health or impair safety. Hazardous materials include but are not limited to inorganic mineral acids or sulfur, fluorine, chlorine, nitrogen, chromium, phosphorous, selenium, arsenic and their common salts, lead, coal tar acids, such as phenols and cresols and their salts, petroleum products, and radioactive material. Also included are floatable materials with the potential to cause physical damage, such as logs, storage tanks, and large containers, located in flood prone areas.

HAZARDOUS WASTE: Any substance classified by the EPA, the DEP, or the Borough of Camp Hill as having the potential to damage health or impair safety, including garbage, refuse, sludge from an industrial or other wastewater treatment plant, sludge from a water supply treatment plant or air pollution facility, and other discarded material including solid, liquid, semisolid, or contained gaseous material resulting from municipal, commercial, industrial, institutional, mining or agricultural operations, and from community activities, or any combination of the above, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may:

- (1). Cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population; or,
- (2). Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

(NOTE: "Hazardous Waste" shall also include any added components from the Solid Waste Management Act of July 7, 1980, P.L. 380, No. 97, as amended).

HAZARDOUS WASTE FACILITY: An establishment, facility, or group of structures, above ground or underground storage tanks, or any other area, structures, or buildings used for the purpose of permanently housing or temporarily holding hazardous waste for the storage or treatment for any time span other than the normal transportation time through the Borough.

HEIGHT: The vertical distance of a structure measured from the average elevation of the finished grade surrounding the structure to the highest point of the structure. See also BUILDING HEIGHT.

HEIGHT OF COMMUNICATION TOWER: The vertical distance measured from the ground level to the highest point on a communications tower, including antennas mounted on the tower.

HELIPORT: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (An area of land or water or structural surface that is used, or intended for the use, for the landing and taking off of helicopters, and any appurtenant areas that are used, or intended for use, for heliport building or other heliport facilities. Heliport shall be licensed by the FAA and/or PennDOT.

HERITAGE CONSERVATION OVERLAY ZONING DISTRICT TERMS & PHRASES - Unless specifically defined elsewhere herein this Article, the following words and phrases when used in Part 6 of this Chapter relating to the Heritage

Conservation Overlay Zoning District (HCO) shall have the meaning given to them herein this subsection unless the context clearly indicates otherwise:

- (1). ARCHITECT: A qualified, professional architect licensed to practice in the Commonwealth of Pennsylvania.
- (2). ARCHITECTURE: The art/science of building design and construction; a method or style of building; the product of construction; the recognizable features for any kind of structure; the materials and methods used to produce a structure.
- (3). DEMOLISH OR DEMOLITION: To tear down, raze, destroy, do away with.
- (4). HISTORIC PROPERTY: A parcel of land containing one (1) or more historic resources.
- (5). HISTORIC RESOURCE: Any building, structure, site, object or district that is listed in the National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource within a National Register listed or locally designated historic district; or with an opinion of certification that the property is eligible to be listed on the National Register of Historic Places either individually or as a contributing resource to a historic district. For purposes of this Chapter, resources classified as Class I and Class II shall be considered historic resources.
- (6). HISTORICAL COMMISSION: An advisory board designated by the Camp Hill Borough Council under the authority of the Borough Code for the purpose of dealing with matters pertaining to the Borough's identified cultural, scenic, and historic resources.
- (7). INTEGRITY: Historic integrity is the composite of seven qualities: location, design, setting, materials, workmanship, feeling, and association. All seven qualities do not need to be present as long as the overall sense of past time and place is evident. All properties change over time. The retention of integrity depends upon the nature and degree of alteration or change. It is not necessary for a property to retain all the physical features or characteristics that it had during its period of significance. However, the property must retain the essential physical features that enable it to convey its past identity or character and therefore its significance.
- (8). MAINTENANCE: To keep in its existing state, preserve from failure or decline, upkeep.
- (9). NATIONAL REGISTER OF HISTORIC PLACES: the official federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering and culture.
- (10). OBJECT: A construction primarily artistic in nature or relatively small in scale and simply constructed (e.g., a statue, mile-post, hitching-post, etc.)
- (11). RECYCLE OR SALVAGE: When used in connection with historic resources shall mean retention of reusable building materials for reuse.
- (12). SITE: The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical, cultural, or archaeological value regardless of the value of any existing structure.

HOME IMPROVEMENT CENTER, LUMBER SALES, BUILDING MATERIALS SALES: An establishment providing for the sale of materials, products, and supplies for home improvement, lawn, and garden, lumber, and other similar building materials and products, including hardware stores.

HOME OCCUPATION: A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling.

HOOPHOUSE: A structure made of piping or other material covered with translucent plastic, constructed in a “half-round” or hoop shape.

HOSPITAL: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (Buildings or portions thereof used on a 24-hour basis for the medical, psychiatric, obstetrical or surgical treatment of inpatients who are incapable of self-preservation.)A hospital shall be licensed as such by the Commonwealth of Pennsylvania. The term “hospital” shall not include any facility which houses the criminally insane or provides treatment for persons actively charged with or serving a sentence after being convicted of a felony.

HOTEL: An establishment providing temporary, overnight lodging accommodations for transient guests for compensation, in sleeping rooms/units that each has separate access to a common interior corridor and which may provide additional supporting services (e.g., restaurants, meeting rooms, recreation facilities, and living quarters for a resident manager or proprietor).

HOUSEHOLD: Persons living together in a single dwelling unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit.

IMPERVIOUS LOT COVERAGE: See LOT COVERAGE.

IMPERVIOUS SURFACE (IMPERVIOUS AREA): Equivalent Article II of the most recent version of Chapter 174 relating to stormwater management. (A surface that has been compacted or covered with material to the extent that it is highly resistant to infiltration by water, including, but not limited to, conventional impervious surfaces such as paved streets, roofs, compacted stone, and sidewalks. In addition, the following shall be considered impervious surfaces when used by motor vehicles: graveled areas, paver blocks, bricks, and cobblestone.)

IMPOUNDMENT: A body of water (e.g., pond) confined by a dam, dike, floodgate, or other barrier.

IMPROVEMENTS: Equivalent Section 301 of the most recent version of Chapter 179 relating to subdivision and land development. (Any man-made immovable item which becomes part of, placed upon, or is affixed to, real estate.)

INCOMPATIBLE: Incapable of associating or blending with or of being associated or blended with another or other because of insensitivity, disharmony, inappropriateness, unsuitability, or incongruity.

INDUSTRIAL USES:

- (1). **GENERAL INDUSTRIAL:** An establishment primarily:
 - (a). Involving the processing and manufacturing of semi-finished and/or finished materials or products predominately from extracted, raw, and/or recycled materials; or
 - (b). Engaged in the storage of, manufacturing processes, or shipping of flammable or explosive materials; or
 - (c). Engaged in the storage, manufacturing processes, and/or shipping of materials or products that potentially involve hazardous or commonly offensive conditions; and
 - (d). Due to the more intensive nature of the processes, materials, products, etc. such uses that may disturb or endanger neighboring properties.

- (2). LIGHT INDUSTRIAL: An establishment primarily:
- (a). Involving the manufacturing, predominately from previously prepared semi-finished or finished materials, products, or parts of finished materials and products, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution, as well as the repair of such finished products; but
 - (b). Excluding the processing of extracted, raw, and/or recycled materials; and
 - (c). Due to their lower intensity nature of such processes, materials, or products, produces no noise, vibration, air pollution, fire hazard or noxious emission, which would disturb or endanger neighboring properties.
 - (d). Involved in the production and/or repair services of major appliances; electrical instruments; office and vending machines; precision instruments; electronic devices; timepieces; jewelry; musical instruments; novelties; mass-produced personal and office furniture and equipment; wood products (e.g., cabinetry); printed materials including all forms of media and signs; lithographic plates; type composition; machine tools; dies and gauges; ceramics; apparel; lightweight metal castings; film processing; light sheet metal products; tinsmithing, welding, plumbing, heating, ventilating and air-conditioning plastic goods; pharmaceutical goods, medical supplies, optical goods, and related equipment and appliances; and food products and frozen food lockers; taxidermy, but not animal slaughtering or curing nor rendering of fats, when such facilities are in a completely enclosed building and/or structure.

INDUSTRY: The manufacturing, compounding, processing, assembly, or treatment of materials, articles, or merchandise.

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

INOPERABLE MOTOR VEHICLE: A vehicle intended to be self-propelled that shall not be operable under its own power for any reason, or a vehicle that shall be without a valid current registration and valid current certificate of inspection, or any vehicle in a major or severe state of disrepair.

JUNK: Any scrap, waste, reclaimable material, or debris, whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed of, or other use or disposition.

JUNK VEHICLE: Includes any vehicle or trailer that meets any of the following conditions:

- (1). Cannot be moved under its own power, in regards to a vehicle designed to move under its own power, other than a vehicle clearly needing only minor repairs;
- (2). Cannot be towed, in regards to a trailer designed to be towed;
- (3). Has been separated from its axles, engine, body or chassis; and/or
- (4). Includes only the axle, engine, body parts and/or chassis, separated from the remainder of the vehicle.

KENNEL, COMMERCIAL: An establishment in which three (3) or more pets or domesticated animals (such as dogs and cats, but not including livestock, horses, poultry, or wild animals) are kept, boarded, raised, bred, treated, or

sold as a gainful business whether or not licensed through the Department of Agriculture, in accordance with the Pennsylvania Code, Title 7, Chapter 21, as amended or revised. For the purpose of this definition, the production of more than two (2) litters in any calendar year shall be considered a commercial kennel business. This use shall also include an establishment providing obedience training, behavior modification training, and/or specialized skill training services to animals, dogs, and their owners or handlers.

LAND DEVELOPMENT: Equivalent Section 301 of the most recent version of Chapter 179 relating to subdivision and 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:
 - A. A group of 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
 - B. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
2. A subdivision of land.
3. "Land development" does not include development which involves:
 - A. The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
 - B. The addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal building; or
 - C. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.)

LANDOWNER: Equivalent Section 107 of the most recent version of the MPC. (The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.)

LAUNDRY AND DRY CLEANING FACILITY, INDUSTRIAL: An establishment engaged in supplying, on a rental or contract basis, laundered items including:

- (1). Table and bed linens; towels; diapers; and uniforms, gowns, or coats of the type used by doctors, nurses, barbers, beauticians, and waitresses; and/or
- (2). Industrial work uniforms and related work clothing (e.g., protective apparel [flame and heat resistant] and clean room apparel); dust control items (e.g., treated mops, rugs, mats, dust tool covers, cloths, and shop or wiping towels).

LAUNDRY AND DRY CLEANING, PERSONAL: An establishment engaged in one (1) or more of the following:

- (1). Dry-cleaning services;
- (2). Laundering services;
- (3). Dropoff and pickup sites for laundries and/or drycleaners; and/or
- (4). Specialty cleaning services for specific types of garments and other textile items (e.g., fur, leather, or suede garments; wedding gowns; hats; draperies; and pillows) but excluding carpets and upholstery.

These establishments may provide all, a combination of, or none of the cleaning services on the premises.

LEASE: A contractual agreement for the use of lands, structures, buildings, or parts thereof for a fixed time and consideration.

LIBRARY: An establishment in which literary, musical, artistic or reference material (e.g., books, manuscripts, recordings or films) are kept for use but generally not for sale.

LIGHTING WORDS & PHRASES: Unless specifically defined elsewhere herein this Chapter or in the Codified Ordinances of the Borough of Camp Hill, the following words and phrases when used in this Chapter relating to the outdoor lighting and other performance standards set forth in Part 7 of this Chapter relating to *Performance Standards for All Uses* shall have the meaning given to them herein this subsection unless the context clearly indicates otherwise:

- (1). FOOTCANDLE: A unit of illumination produced on a surface, all points of which are one (1) foot from a uniform point source of one (1) candle.
- (2). FULL(Y) SHIELDED or FULL CUT-OFF TYPE FIXTURE: An outdoor lighting fixture that is shielded or constructed so that all light emitted is projected below a horizontal plane running through the lowest light-emitting part of the fixture.
- (3). GLARE: Direct light that causes annoyance, discomfort or loss in visual performance and visibility, and/or ability to focus.
- (4). ILLUMINANCE: The quantity of light arriving at a surface divided by the area of that surface, measured in footcandles.
- (5). LIGHT TRESPASS: Light emitted by a lighting fixture that falls beyond the boundaries of the property on which the fixture is installed.
- (6). RECESSED CEILING FIXTURE: An outdoor lighting fixture recessed into a canopy ceiling so that the bottom of the fixture is flush with the ceiling.
- (7). UPLIGHTING: Any light source that distributes illumination above a ninety (90) degree horizontal plane.

LIQUOR STORE: Defined by the Liquor Code, 47 P.S. § 1-101 et seq.

LIVESTOCK: Large animals and/or farm animals, including, but not necessarily limited to, the following: horses, ponies, donkeys, mules, cattle, sheep, goats or swine but also including poultry. For the purposes of this Chapter, livestock shall not be considered domestic pets.

LIVING FENCE: A continuous hedgerow of living plant material planted, intended, and maintained for the purpose of screening or dividing one property from another property or public street right-of-way; enclosing an area; helping assure privacy or protection; and/or to define and mark the property or lot line(s).

LIVING SPACE: Equivalent Section 202 of the most recent version of the IRC as part the most recent version of Chapter 90 relating to construction code, uniform. (Space within a dwelling unit utilized for living, sleeping, eating, cooking, bathing, washing and sanitation purposes.).

LOADING SPACE: Except as otherwise provided in Part 9 of this Chapter relating to *Loading and Unloading Standards*, an off-street loading / unloading space upon an area of land, open or enclosed, other than a street right-of-way, excluding alleys, used primarily for the standing, loading or unloading of motor trucks, tractors and trailers, and/or other service vehicles so as to avoid undue interference with the public use of streets,excluding alleys.

LONG TERM CARE FACILITY: See “NURSING HOMES” equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (Nursing homes are long-term care facilities on a 24-hour basis, including both intermediate care facilities and skilled nursing facilities, serving more than five person and any of the persons are incapable of self-preservation.) A long term care facility shall be licensed as such by the Department of Health of the Commonwealth of Pennsylvania.

LOT: Equivalent Section 107 of the most recent version of the MPC. (A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.)

LOT, CORNER: A lot at the junction of and abutting on two (2) or more intersecting streets, excluding alleys, or at the point of abrupt change of a single street, where the interior angle is less than one hundred thirty-five (135) degrees or the radius of the street line is less than ten (10) feet. A corner lot shall have two (2) front lot lines and one (1) side lot line, and one (1) rear lot line. The rear lot line for a corner lot shall coincide with the lot line abutting any alley, otherwise it shall be the lot line opposite the lot line along the street of address. See Figure 2.14 Typical Lots.

LOT, DEPTH: The horizontal distance measured between the street right-of-way and the closest rear property line on a corner and reverse frontage lot, the depth shall be measured from the street right-of-way line of the street address to the directly opposite property line.

LOT, DOUBLE FRONTAGE or THROUGH LOT: Equivalent Section 301 of the most recent version of Chapter 179 relating to subdivision and land development. (An interior lot having frontage on two (2) streets.) See Figure 2.14 Typical Lots.

LOT, INTERIOR: A lot whose side lot lines do not abut upon any street, excluding alleys; a lot other than a corner lot. Lots abutting and bounded by one street, two (2) alleys, and one other lot shall be considered interior lots. See Figure 2.14 Typical Lots.

LOT, REVERSE FRONTAGE: Equivalent Section 301 of the most recent version of Chapter 179 relating to subdivision and land development. (A lot extending between, and having frontage on an arterial street and a minor street, and with vehicular access solely from the latter.) For purposes of this Chapter, “reverse frontage lots” are considered a type of an “interior lot”. See Figure 2.14 Typical Lots.

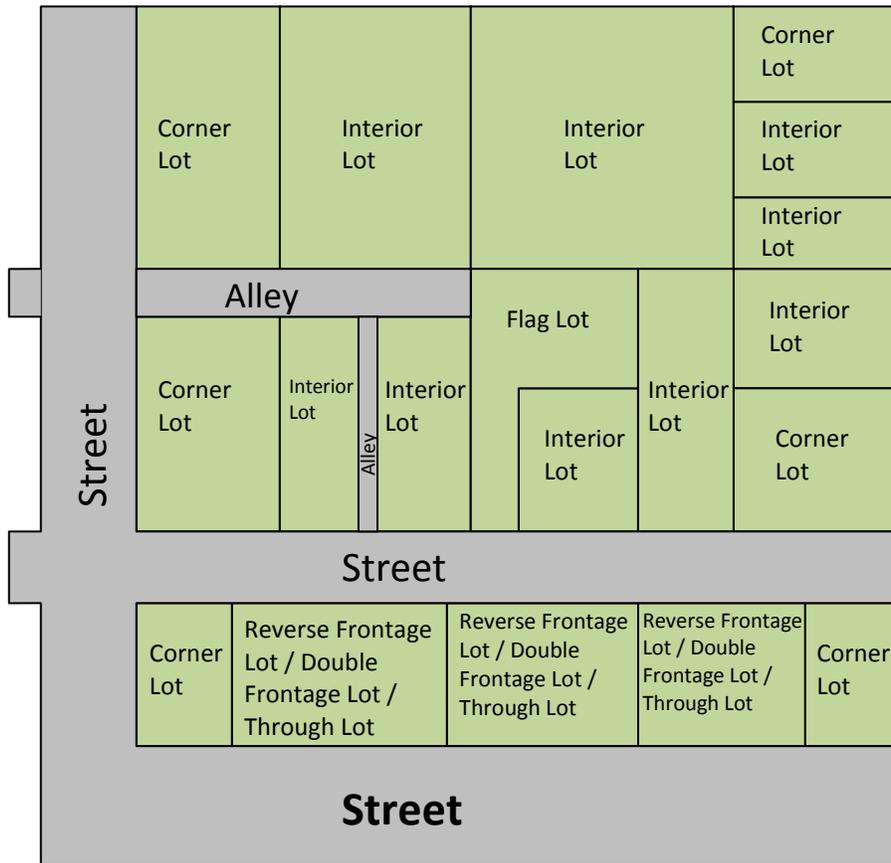


Figure 2.14 Typical Lots

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

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

LOT COVERAGE: That portion or percentage of the lot area covered by impervious surface. See IMPERVIOUS LOT COVERAGE.

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

LOT LINE: A line that separates a lot from another lot or from a street or any other public or private space.

LOT LINE, FRONT: The lot line separating a lot from the ultimate street right-of-way, excluding alleys. In the case of a corner lot abutting a street right-of-way on more than one (1) side there shall be two (2) front lot lines, one (1) side lot line and one (1) rear lot line. The rear lot line for a corner lot shall coincide with the lot line abutting any alley, otherwise it shall be the lot line opposite the lot line along the street of address.

LOT LINE, REAR: The lot line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped lots, a line ten (10) feet in length entirely within the lot, parallel to and at a maximum distance

from the front lot line. A corner lot shall have two (2) front lot lines and one (1) side lot line, and one (1) rear lot line. The rear lot line for a corner lot shall coincide with the lot line abutting any alley, otherwise it shall be the lot line opposite the lot line along the street of address.

LOT LINE, SIDE: Any lot line other than a front or rear lot line. A corner lot shall have two (2) front lot lines and one (1) side lot line, and one (1) rear lot line. The rear lot line for a corner lot shall coincide with the lot line abutting any alley, otherwise it shall be the lot line opposite the lot line along the street of address.

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

LOT WIDTH: The horizontal distance between the side lines of a lot measured either at the front lot line (lot frontage), or at the front building setback line, as specified in the applicable zoning district.

MANUFACTURING: A function involving either the processing, conversion or production of materials, goods, or products.

MARQUEE: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (A permanent roofed structure attached to and supported by the building and that projects into the public right-of-way.)

MASSAGE: Any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating the external soft parts of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or other similar preparations.

MASSING: Generally refers to the scale of a building or structure in relationship to those in vicinity of it (e.g., on abutting or adjacent lots, or neighborhood).

MEAN: The average of a series of figures computed by adding up all the figures and dividing by the number of figures.

MINERALS: Equivalent Section 107 of the most recent version of the MPC. (Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.)

MINERAL EXTRACTION: The removal from the surface or beneath the surface of the land of bulk mineral resources using significant machinery. This use also includes accessory stockpiling and processing of mineral resources. "Mineral extraction" includes but is not limited to the extraction of sand, gravel, topsoil, limestone, sandstone, oil, gas, coal, clay, shale and iron ore. The routine movement of and replacement of topsoil during construction shall not by itself be considered to be mineral extraction.

MINI-STORAGE WAREHOUSE: See "SELF-SERVICE STORAGE FACILITY" equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.)

MIXED USE: Occupancy of a structure or land by more than one (1) use, generally permitted non-residential and permitted residential uses, as permitted in the applicable zoning district.

MIXED USE DEVELOPMENT: The development of a tract of land, or structure with a variety of complementary and integrated uses.

MOBILE / MANUFACTURED HOME: See “MANUFACTURED HOME” Equivalent Section 401 of the most recent version of the PA UCC. (Under section 901(a) of the act (35 P.S. §.7210.901.(a)), housing which bears a label as required by and referenced in the Manufactured Housing Act (35 P.S. §§.1656.1-1656.9), certifying that it conforms to Federal construction and safety standards adopted under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.A. §§. 5401 – 5426). See also “MOBILEHOME” equivalent Section 107 of the most recent version of the MPC. (A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation) except “mobilehome” shall be considered “manufactured / mobile home”.

MOBILE / MANUFACTURED HOME PARK: See “MOBILEHOME PARK” equivalent Section 107 of the most recent version of the MPC. (A parcel of land in a mobilehome park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobilehome) except “mobilehome” shall be considered “manufactured / mobile home”.

MOBILE / MANUFACTURED HOME STAND OR PAD: That part of an individual mobile /manufactured home space that has been reserved for the placement of a mobile / manufactured home and appurtenant structures and connections.

MOTEL: An establishment providing temporary, overnight lodging accommodations for transient guests for compensation, in sleeping rooms/units that each has separate access directly to the outside and which may provide such additional supporting services as restaurants, recreation facilities, and living quarters for a resident manager or proprietor.

MPC: The Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.O. 805, No. 247, as amended and reenacted, also referred to as the ‘Municipalities Planning Code’, ‘PA MPC’, and/or ‘MPC’ in this Chapter.

MUNICIPAL OWNED USE: Any establishment, use, facility, and/or structure that is owned and/or operated by the Borough, its municipal authorities, and/or authorized agents.

MUSEUM: An establishment where objects of artistic, historical, or scientific importance or interest are kept, studied, and displayed.

NEW USE: Any new activity or use of land, structure, or building on a lot or parcel that was not occurring as of the effective date of this Chapter.

NIGHTCLUB: An establishment that may offer the on-site consumption of alcoholic or non-alcoholic beverages and where music, dancing, and/or live entertainment as part of the operations. For the purposes of this definition, “live entertainment” is also meant to include the use of disc jockeys for the purposes of supplying musical entertainment. Nightclubs offering the sale of alcohol shall be considered a bar / tavern and must comply with all provisions and standards for bars / taverns as defined and regulated in this Chapter. Nightclub includes an “Under 21” club which features entertainment. Nightclubs shall not be construed to be a sexually oriented business and/or related use as defined herein this Part 2 of this Chapter.

NO-IMPACT HOME OCCUPATION:

See “NO-IMPACT HOME-BASED BUSINESS” equivalent Section 107 equivalent Section 107 of the most recent version of the MPC. (A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those

normally associated with residential use. The business or commercial activity must satisfy the following requirements:

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

NON-CONFORMING LOT: See "NONCONFORMING LOT" equivalent Section 107 of the most recent version of the MPC. (A lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.)

NON-CONFORMING STRUCTURE: See "NONCONFORMING STRUCTURE" equivalent Section 107 of the most recent version of the MPC. (A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.)

NON-CONFORMING USE: See "NONCONFORMING USE" equivalent Section 107 of the most recent version of the MPC. (A use, whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.)

NON-PHASE 2 OUTDOOR FURNACE: An outdoor furnace that has not been certified or qualified by the EPA as meeting a particulate matter emission limit of thirty-two hundredth (0.32) pounds per million British Thermal Units (Btu) output or power and is labeled accordingly.

OFFICE, PROFESSIONAL AND BUSINESS: An establishment in which one (1) or more persons are employed in the management, direction or conducting of business / commerce and whose staffs / employees serve clients who seek advice and consultation regarding business / commerce. A business office may include the administrative, corporate or professional offices for profit, non-profit or charitable organizations, but also includes contractors, real estate, stock and bond brokers, accountants, adjusters, appraisers, utility companies, lawyers, clergy,

teachers, architects, engineers, landscape architects, planners, interior designers, insurance agents, and similar office-oriented uses.

OFFICE, MEDICAL: An establishment where patients are admitted on an outpatient basis for examination and treatment by not more than (2) full time equivalent licensed medical professionals who are authorized by law to examine, diagnose, and treat patients, including physicians, dentists, opticians, psychologists, other similar medical personnel and vocations. Such an establishment shall not have overnight accommodations or a pharmacy, and shall include such uses as reception areas, offices, consultation rooms, and x-ray provided that such uses have access only from the interior of the building or structure.

OFF-STREET PARKING: A temporary storage (surface or structure) for a motor vehicle that is directly accessible to an access aisle and that is not located on a dedicated right-of-way, and is located upon the same lot as a principal use or, in the case of joint parking, within close proximity.

ON-STREET PARKING: A temporary storage (surface) for a motor vehicle within a dedicated right-of-way, excluding alleys.

OPACITY: Not transparent or translucent; impenetrable to light; not allowing light to pass through, measured by the observation of any two (2) square-yard area lying between one (1) foot above the established grade of the area to be concealed and the top or the highest point of the required screen, if otherwise not specified, shall be six (6) feet. See Figure 2.15 Typical Opacity Example.

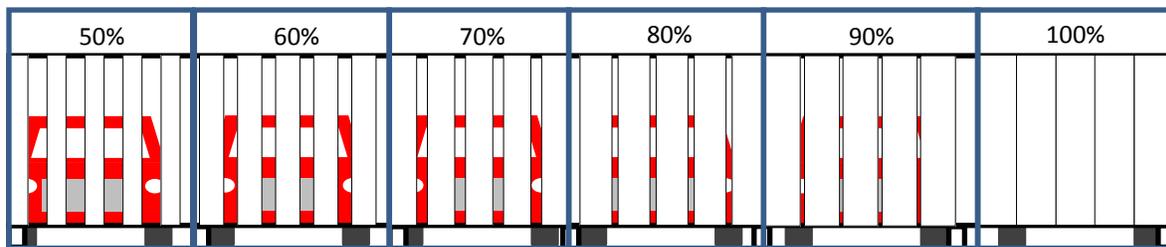


Figure 2.15 Typical Opacity Example

OPEN SPACE: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designed, or reserved for public or private use or enjoyment or for the use and enjoyment of owners, occupants, and their guests.

OPEN SPACE, PRIVATE: Open space held in private ownership, the use of which is normally limited to the occupants of a single dwelling or building.

OPEN SPACE, PUBLIC: Open space owned by a public agency and maintained by it for the use and enjoyment of the general public.

OUTDOOR CAFÉ / DINING: A portion of an establishment which includes an exterior seating area associated with a food services, restaurant, tavern / bar, or other similar establishment.

OUTDOOR FURNACE: A fuel-burning device:

- A. Designed to burn clean wood, coal, natural gas, kerosene, propane, domestic heating oil provided that such fuels comply with all applicable sulfur limits and are used as starters or supplemental fuels for dual fired outdoor furnaces, and other types of fuel approved in writing by PA DEP upon receipt of a written request;

- B. That the manufacturer specifies for outdoor installation or for installation in structures not normally intended for habitation by humans or domestic animals, including structures such as garages and sheds; and
- C. Which heats building space and/or water through the distribution, typically through pipes, of a fluid heated in the device, typically water or a mixture of water and antifreeze.

For the purposes of this Chapter, the term shall also include outdoor wood-fired boilers, outdoor wood-fired furnaces, outdoor wood-burning appliances, or outdoor hydronic heaters, water stoves, etc

OUTDOOR LIGHTING: An illumination source outside any building or structure, including but not limited to an incandescent bulb, LED, mercury, sodium or neon-filled bulb, and the hardware containing the illumination source and supporting it. Lighting fixtures underneath a roof of an open-sided building, including but not limited to storage sheds, canopies, and gas / fuel pump marquees, are deemed to be "outdoor lighting."

OUTDOOR STORAGE: The keeping, in an unenclosed area, of any goods, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours where said items are retained for direct use by their owner, who shall have direct access thereto without intermediate handling by the proprietor of the facility.

OUTSIDE DISPLAY AND SALES: The display and sales of products and goods primarily outside of an enclosed building or a structure.

OVERLAY ZONING DISTRICT: A zoning district that encompasses one (1) or more underlying or base zoning districts and that imposes additional or supplemental requirements and standards other than those which are required by the underlying or base zoning district(s).

PARK, PLAYGROUND, and OTHER NON-COMMERCIAL OUTDOOR RECREATIONAL USES: A use of land, which may include accessory buildings and structures, for active and/or passive outdoor recreation for the purpose of pleasure, leisure, fellowship, or exercise, commonly involving a sporting activity, camping, hiking, jogging, bicycling, swimming, picnicking, and other related activities which is open to the public. A park may include amenities such as ball fields, tennis courts, trails, playground equipment, restrooms, picnic tables, cooking grills, and similar facilities. For purposes of this Chapter, parks shall not include improvements for or permit uses that are considered to be commercial recreational uses.

PARKING, SHARED: Joint use of a parking compound by more than one (1) use and/or owner.

PARKING COMPOUND: A public or private lot, building or structure that is designed and used for the temporary off-street storage and parking of passenger vehicles. This use shall include surface parking lots and parking structures including buildings and decks.

PARKING LOT: Any area of a lot used for off-street parking facilities, providing for the transient storage of automobiles, and other motorized and non-motorized vehicles.

PARKING SPACE: Except as otherwise permitted in Part 9 of this Chapter, either a covered garage space or uncovered, improved and stabilized space located outside of the public street right-of-way for the transient storage of automobiles, and other similar motor vehicles.

PARKING STRUCTURE: A building or structure where passenger vehicles may be stored for temporary off-street parking, including decks and buildings.

PATIO: See TERRACE.

PARTY WALL: A common shared wall between two (2) separate structures, buildings, or dwelling units.

PEDESTRIAN WALKWAY: A specified easement, walkway, path, sidewalk, or other reservation which is designed for and used exclusively by pedestrians.

PERMITTED BY RIGHT USE: A use that is allowed and in which case, zoning matters may be approved by the Zoning Officer, provided the application complies with all requirements of this Chapter.

PERSON: A corporation, company, association, society, firm, partnership, or joint stock company, as well as an individual, a state, and all political subdivisions of a state or any agency or instrumentality thereof, or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

PERSONAL CARE FACILITY: An establishment defined and licensed by the Pennsylvania Department of Public Welfare in accordance with Title 55 of the Pennsylvania Code, Chapter 2620. A personal care home is a premises in which food, shelter and personal assistance or supervision are provided for a period exceeding twenty-four (24) hours for four (4) or more adults who are not relatives of the operator, and who do not require the services in or of a licensed long-term-care facility, but who do require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation of a residence in the event of an emergency or medication prescribed for self-administration. A "halfway house" shall not be considered a personal care home.

PERSONAL CARE HOME CENTER: See ASSISTED LIVING FACILITY.

PERSONAL SERVICE: An establishment where service oriented activities for personal needs are provided to the general public, but which do not primarily involve retail sales of goods nor professional advisory services. Such activities shall include and be similar to barbershops and beauty shops / salons; health spas; photographic studios; small home appliance repair including radios and televisions; repair shops for tools, bicycles, guns, locks, shoes and watches; tailor, dressmaking, and upholstering shops; individualized tutoring and teaching; and pet / small animal grooming/washing with no overnight boarding. Personal service establishments shall not be construed to be a sexually oriented business and/or related use as defined herein this Part 2 of this Chapter.

PERVIOUS AREA (PERVIOUS SURFACE): Equivalent Article II of the most recent version of Chapter 174 relating to stormwater management. (Any area not defined as impervious area.)

PETS, KEEPING OF: The keeping of animals specifically permitted pursuant to Chapter 71 relating to animals.

PHASE 2 OUTDOOR FURNACE: An outdoor furnace that has been certified or qualified by the EPA as meeting a particulate matter emission limit of thirty-two hundredth (0.32) pounds per million Btu output and is labeled accordingly. Phase 2 outdoor furnace models will be identified with a white hang tag.

PLACE OF WORSHIP: See "RELIGIOUS WORSHIP, PLACE OF SPACE" Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (A building or portion thereof intended for the performance of religious services.) For purposes of this Chapter, places of worship also include all buildings, structures, and uses customarily associated with such principal use including but not limited to rectories, convents, schools, daycare facilities, meeting and food service facilities, cemeteries, columbariums, mausoleums, etc. Includes synagogue, temple, mosque, or other such place for worship and religious activities.

PLANT NURSERY: An establishment primarily engaged in retailing nursery and garden products (e.g., trees, shrubs, plants, seeds, bulbs, mulch, and sod) that are predominantly grown off the premises, but such an establishment may sell a limited amount of a product grown on the premises.

PLAT: Equivalent Section 107 of the most recent version of the MPC. (The map or plan of a subdivision or land development, whether preliminary or final.)

POND: A man-made body of inland water made by construction of a dam or embankment, or by excavating a pit or dugout, other than a stream or lake.

PORCH: A roofed (covered) open area, other than a stoop, providing shelter and shade, attached to or part of and with direct access to or from a building, which creates space for a sociable transition from the public sidewalk / street or adjacent property, to the building to which it is attached.

POST OFFICE: An establishment operated by the U.S. Postal Service, where mail is received, sorted, and delivered, and where stamps and other postal materials are sold.

PRE-COMMERCIAL TIMBER STAND IMPROVEMENT: A forest practice, such as thinning or pruning, which results in better growth, structure, species composition, or health for the residual stand but which does not yield a net income to the land owner, usually because any trees cut are of poor quality, too small or otherwise of limited marketability or value.

PRIVATE: Not publicly owned, operated, or controlled.

PROCESSING: A function that involves only the cleaning, sorting, sizing, packaging or any combination thereof, of products.

PUBLIC GROUNDS:

Equivalent Section 107 of the most recent version of the MPC. (Includes:

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

PUBLIC LAND: Owned, operated or controlled by a government agency (e.g., federal, state, county, and local) including its authorized agent or corporation created by law for the performance of certain specialized governmental functions or any public school district.

PUBLIC HEARING: Equivalent Section 107 of the most recent version of the MPC. (A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this act.)

PUBLIC MEETING: Equivalent Section 107 of the most recent version of the MPC. (A forum held pursuant to notice under 65 Pa. C.S. CH. 7 (Relating to open meetings).)

PUBLIC NOTICE: Equivalent Section 107 of the most recent version of the MPC. (Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.)

PUBLIC STREET / ROAD: A street ordained or maintained or dedicated and accepted by a Borough, City, Township, County, State, or Federal governments and open to public use.

PUBLIC / PRIVATE WORKS FACILITY: An establishment involving the erection, construction, alteration, operation or maintenance of buildings, power plants, towers, substations, water treatment plants, sewage treatment and/or disposal plants, public transportation and road maintenance facilities, and other similar public service structures by a utility, whether publicly or privately owned, or by government agency other than the Borough of Camp Hill, its authorities or authorized agents, including the furnishing of electrical, gas, communication, water supply and sewage disposal services.

RECREATION: Any activity, whether structured or not, in which individuals voluntarily engage during their leisure, including but not limited to:

- (1). Sports (e.g., individual, dual, team, coed recreational, and combative), athletics; both land and water based.
- (2). Arts and crafts, spectating, picnicking, nature study, and board games.
- (3). Dance, drama, music, games, social recreation, special events, hiking / walking, cycling, hobbies, outdoor educational activities, and cultural activities.

RECREATION, ACTIVE: Leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites, or fields.

RECREATION, OPEN SPACE: The area of land suitable for the development of specific active recreation facilities for leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites or fields, including but not limited to baseball fields, soccer fields, football fields, tennis, basketball and other court games, hockey facilities, multipurpose fields and community swimming pools.

RECREATION, PASSIVE: Activities that involve relatively inactive or less energetic activities (e.g., walking, sitting, picnicking, card games, checkers, and similar table games).

RECREATION AREA, ACTIVE: Any area developed in such a manner as to be conducive to those activities that fall within the range of active recreation. Examples: athletic fields and hard-surfaced courts, pools, large dams, bicycle and walking trails, open turf areas, and apparatus areas.

RECREATION AREA, PASSIVE: Any area developed in such a manner as to be conducive of those activities that fall within the range of passive recreation. Examples: scenic vistas, natural areas, craft areas, meeting areas, sitting areas, walkways, sunbathing, gardens, streams and impoundments, social events, picnicking, and spectating areas.

RECREATIONAL VEHICLE: A motor vehicle that is self-propelled or towed and that is designed to be transported along public streets to serve as a mobile temporary residence. For the purposes of this Chapter, the term shall also include towable utility and cargo trailers.

- (1). **CLASS I RECREATIONAL VEHICLES:** Recreational vehicles, campers, travel trailers, RVs boats and trailers used solely for the transport of residents' recreational vehicle(s) that possess less than or equal to two hundred (200) square feet, as measured to the vehicle's outermost edges, and does not exceed a height of ten (10) feet, as measured from the ground to the highest point of the main body of the vehicle. Vehicle height shall not be measured on vehicle accessories (e.g., air conditioners, vents, hatches, masts, antennas, outrigger fishing poles, etc.), but will be measured to the highest point of any flybridge or other boat console.
- (2). **CLASS II RECREATIONAL VEHICLES:** Recreational vehicles, campers, travel trailers, boats and trailers used solely for the transport of residents' recreational vehicle(s) that possess more than two hundred (200) square feet, as measured to the vehicle's outermost edges, and/or that exceeds a height of ten (10) feet, as measured from the ground to the highest point of the main

body of the vehicle. Vehicle height shall not be measured on vehicle accessories (e.g., air conditioners, vents, hatches, masts, antennas, outrigger fishing poles, etc.), but will be measured to the highest point of any flybridge or other boat console.

RECYCLING COLLECTION POINT: An establishment where common household or office related waste materials and items which are readily recyclable (e.g., glass, aluminum, cardboard, and/or paper) is deposited and temporarily stored, at a location other than the site where it was generated, and which facilitates the bulk transfer of accumulated recyclables to a facility for further processing.

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

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

RESEARCH AND DEVELOPMENT FACILITY: Any establishment which carries on investigations, testing, and experimentation in the natural, physical, technical, or social science or engineering and development as an extension of such investigation with the objective of creating end products.

RESTAURANT: An establishment that provides food and drink to patrons and that routinely involves the consumption of at least a portion of such food and drink on the premises. A restaurant may include the accessory sale of alcoholic beverages, and carry-out and delivery services.

RETAIL BUSINESS: An establishment which sells goods or merchandise to the general public for personal and household consumption and provides accessory repair services for goods or merchandise that is similar to that which is sold on the premises and render services incidental to the sale of such goods. Retail businesses shall not be construed to be a sexually oriented business as defined herein this Part 2 of this Chapter.

RETAINING WALL: Any freestanding and uninhabitable structure principally constructed of masonry, concrete, stone, cinder block or similar materials, or in combination, erected between lands of different elevations to protect structures and/or prevent erosion.

RETIREMENT COMMUNITY: A planned development designed to meet the needs of, and exclusively for, the residence of senior citizens.

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

ROAD: See STREET.

ROADSIDE STAND: An accessory structure which primarily involves the retail sale of agricultural and/or garden products (e.g., fresh fruits, vegetables, herbs, flowers or plants) produced on site or on property contiguous to the property on which they are offered for sale, during the harvesting season.

ROOF SLOPE or ROOF PITCH: The amount of vertical rise a roof has compared to the horizontal run measurement of the roof.

- (1). FLAT ROOF = 0 to less than 2/12
- (2). LOW SLOPE ROOF = 2/12 to less than 4/12
- (3). CONVENTIONAL SLOPE ROOF = 4/12 to less than 9/12
- (4). STEEP SLOPE ROOF = 9/12 and higher.

See Figure 2.16 Typical Roof Slope / Pitch Example, Figure 2.17 Typical Roof Slope / Pitch Examples, and Table 2-1 Roof Pitch Table.

Figure 2.16 Typical Roof Slope / Pitch Examples below shows the slope / pitch of a 7/12 meaning that for 12" of horizontal measurement (roof run) the vertical measurement (roof rise) is 7".

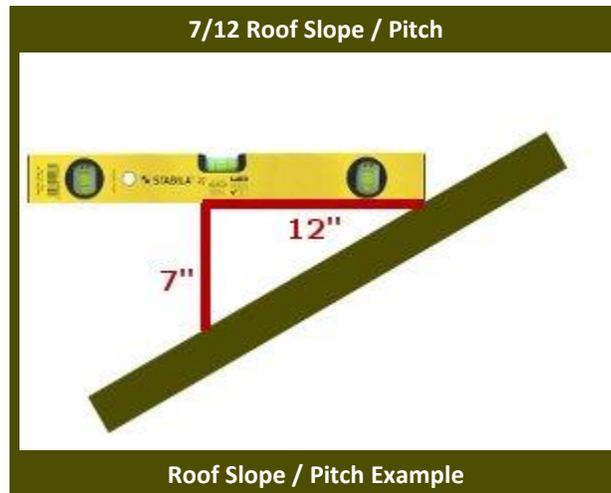


Figure 2.16 Typical Roof Slope / Pitch Example

(Source: <http://www.pole-barn.info/roof-pitch.html>, 2011)



Figure 2.17 Typical Roof Slope / Pitch Example

(Source: <http://www.pole-barn.info/roof-pitch.html>, 2011)

SATELLITE DISH ANTENNA: A concave, parabolic or dish-shaped antenna, or any other apparatus or device that is designed for the purpose of receiving electromagnetic, digital, or other type of signal including video programming signals from direct broadcast satellites (DBS), multichannel multipoint distribution (wireless cable) providers (MMDS), and television broadcast stations (TVBS).

SCHOOL: An establishment offering education or instruction in any branch of knowledge.

SCHOOL, COMMERCIAL: Any school conducted for profit for such instruction as business, art, drama, music, handicraft, dancing, and other similar type low impact uses conducted within a completely enclosed building.

SCHOOL, PUBLIC OR PRIVATE: Any public, sectarian, or private non-profit establishment approved by the Commonwealth of Pennsylvania offering formal academic instruction and services for state-required or largely state-funded programs at the kindergarten, elementary, and secondary levels. This term shall not include those uses considered commercial schools.

SCHOOL, VOCATIONAL: Same as a public or private school except that the primary activity is training in a trade or vocation, which may be conducted wholly or partially outside of an enclosed structure. This term shall not include those uses considered commercial schools.

SCREENING: A barrier between adjacent properties, uses, and/or zoning districts composed of a mixture of landscaping, trees, berms, shrubs, fences, walls and/or other similar type materials, that is intended to mitigate negative impacts(e.g., visual, noise, airborne, etc.) of the more intense/dense use and/or zoning district on the less intense/dense use and/or zoning district.

SCREEN PLANTING: A vegetative material of sufficient height and density to conceal from view, uses and and/or structures on the premises on which the screen planting is located, from occupants on abutting or adjacent properties.

SEAT: Equivalent of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform..

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

- (1). **SETBACK, FRONT:** The distance between the street right-of-way line and the required front setback line. Corner lots shall have two (2) front setbacks. See Figure 2.18 Typical Setbacks and Yards, Interior Lots and Figure 2.19 Typical Setbacks and Yards, Corner Lots.
- (2). **SETBACK, REAR:** The distance between the rear lot line and the required rear setback line. Corner lots shall have one (1) rear setback. See Figure 2.18 Typical Setbacks and Yards, Interior Lots and Figure 2.19 Typical Setbacks and Yards, Corner Lots.
- (3). **SETBACK, SIDE:** The distance between the side lot line and the required side setback line. Corner lots shall have one (1) side setback. See Figure 2.18 Typical Setbacks and Yards, Interior Lots and Figure 2.19 Typical Setbacks and Yards, Corner Lots.

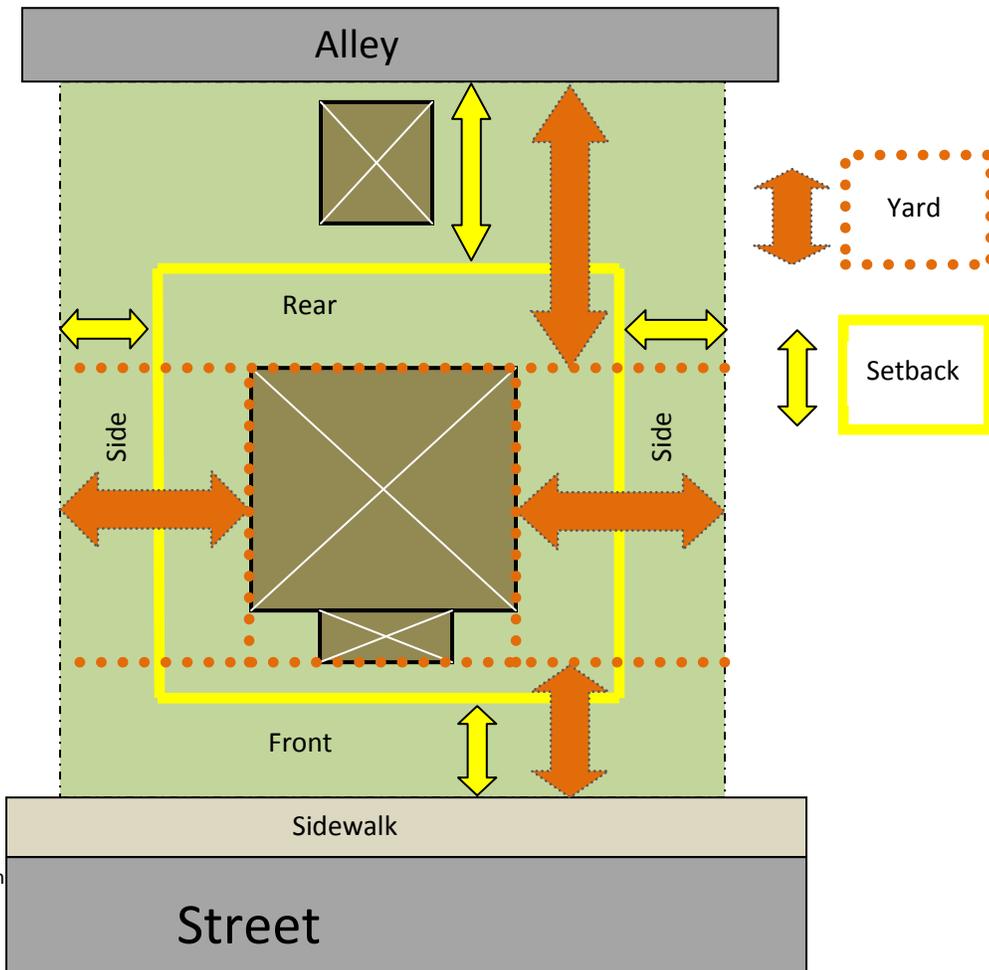


Figure 2.18 Typical Setbacks and Yards, Interior Lots

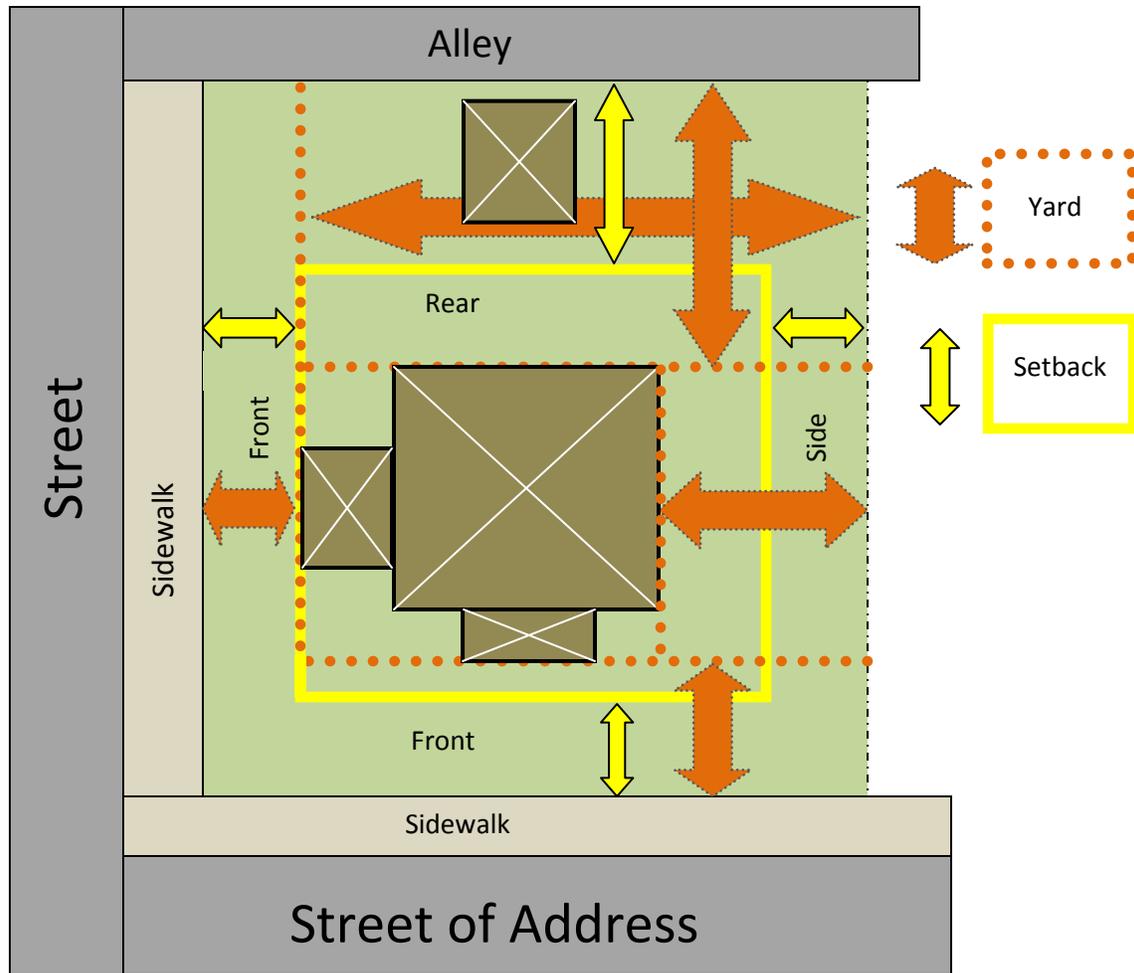


Figure 2.19 Typical Setbacks and Yards, Corner Lots

SETBACK LINE: The line within a property that shall define the required distance between a use, structure, and/or building and the abutting right-of-way line, or front, rear, and side lot lines and that establishes the area in which said use, structure, or building must be established, erected, and/or placed. In the case of lot where a front and/or rear lot line does not coincide with a recorded right-of-way (e.g. land locked lots, lots with substandard access easements, etc.), the setback line(s) shall be measured from the applicable property line(s) closest to the associated recorded right-of-way or ultimate right-of-way.

SEXUALLY ORIENTED BUSINESS AND/OR RELATED USE TERMS AND PHRASES: Unless specifically defined elsewhere herein or in the Codified Ordinances of the Borough of Camp Hill, the following words and phrases when used in this Chapter relating to the “sexually oriented businesses and/or related uses” shall have the meaning given to them in this subsection below unless the context clearly indicates otherwise:

- (1). **ADULT CABARET:** An establishment regularly featuring dancing and other live entertainment if the dancing or entertainment that constitutes the primary live entertainment is distinguished or characterized by an emphasis on exhibiting specific sexual activities or specified anatomical areas for observation by patrons therein.
- (2). **ADULT MEDIA:** Magazines, books, videotapes, movies, slides, CD-ROMs, DVDs, or other devices used to record computer images, or other media that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to hardcore material.

- (3). ADULT MEDIA STORE: An establishment that rents and/or sells media, and that meets any of the following three (3) criteria:
 - (a). Forty (40) percent or more of the net retail floor area is devoted to adult media.
 - (b). Forty (40) percent or more of the stock in trade consists of adult media.
 - (c). It advertises or holds itself out in any forum as “XXX”, “adult”, “sex” or otherwise as a sexually oriented business other than an adult media store, adult motion picture theatre, or adult cabaret.
- (4). ADULT MOTION PICTURE THEATRE: An establishment emphasizing or predominantly showing sexually oriented movies.
- (5). DISPLAY PUBLICLY: The act of exposing, placing, posting, exhibiting, or in any fashion displaying in any location whether public or private, an item in such a manner that it may be readily seen and its content or character distinguished by normal, unaided vision viewing it from a street, highway, alley, or public sidewalk, or from the property of others, or from any portion of the premises where items and material other than adult media are on display to the public.
- (6). EXPLICIT SEXUAL MATERIAL: Any hardcore material.
- (7). HARDCORE MATERIAL: Media characterized by sexual activity that includes one or more of the following: erect male organ; contact of the mouth of one person with the genitals of another; penetration with a finger or male organ into any orifice in another person; open female labia; penetration of a sex toy into an orifice; male ejaculation; or the aftermath of male ejaculation.
- (8). LINGERIE MODELING STUDIO: An establishment that provides the services of live models modeling lingerie to individuals, couples, or small groups in a room smaller than six hundred (600) square feet.
- (9). MEDIA: Anything printed or written or any picture, drawing, photograph, motion picture, film, videotape or videotape production, or pictorial representation, or any electrical or electronic reproduction of anything that is or may be used as a means of communication. Media includes but not limited to books, newspapers, magazines, movies, videos, sound recordings, CD-ROMS, DVDS, other magnetic media and undeveloped pictures.
- (10). MEDIA SHOP: A general term, identifying a category of business that may include sexually oriented material but that is not subject to the special provisions applicable to adult media stores. In that context, media shop means a retail outlet offering media for sale or rent, for consumption off-premises provided that any outlet meeting the definition of adult media store shall be treated as an adult media store.
- (11). OTHER SEXUALLY ORIENTED ESTABLISHMENT: An establishment that offers its patrons, services or entertainment characterized by an emphasis on matter depicting, describing or relating to “specified anatomical areas” or “specified sexual activities”.
- (12). PRIMARY LIVE ENTERTAINMENT: On-site entertainment by live entertainers that characterizes the establishment, as determined (if necessary) from a pattern of advertising as well as actual performances.

- (13). SADOMASOCHISTIC PRACTICES: Flagellation or torture by or upon a person clothed or naked, or the condition of being fettered, bound, or otherwise physically restrained on the part of one clothed or naked.
- (14). SEX SHOP: An establishment offering goods for sale or rent and that meets any of the following criteria:
 - (a). The establishment offers for sale items for any two (2) of the following categories:
 - (i). Adult media;
 - (ii). Lingerie; and/or
 - (iii). Leather goods marketed or presented in a context to suggest their use for sadomasochistic practices; and the combination of such items constitutes more than ten (10) percent of its stock in trade or occupies more than ten (10) percent of its net retail floor area.
 - (b). More than five (5) percent of its stock in trade consists of sexually oriented toys or novelties.
 - (c). More than five (5) percent of its net retail floor area is devoted to the display of sexually oriented toys or novelties.
- (15). SEXUALLY ORIENTED BUSINESS: An inclusive term used to describe collectively: adult cabaret; adult media store; adult motion picture theater; sex shop; and/or other sexually oriented establishment.
- (16). SEXUALLY ORIENTED TOYS AND NOVELTIES: Instruments, devices, or paraphernalia either designed as representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs.
- (17). SPECIFIED ANATOMICAL AREAS: Shall include but are not limited to:
 - (a). Less than completely and opaquely covered human genitals, pubic regions; buttocks; and female breasts below a point immediately above the top of the areola; and
 - (b). Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- (18). SPECIFIED SEXUAL ACTIVITIES: Shall include but are not limited to:
 - (a). Human genitals in a state of sexual stimulation or arousal;
 - (b). Acts of human masturbation, sexual intercourse or sodomy; and
 - (c). Fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.
- (19). VIDEO VIEWING BOOTH OR ARCADE BOOTH: Any booth, cubicle, stall, or compartment that is designed, constructed, or used to hold or seat patrons and is used for presenting motion pictures or viewing publications by any photographic, electronic, magnetic, digital, or other means or media, including but not limited to film, video or magnetic tape, laser disc, CD-ROM, DVD, books,

magazines, or periodicals, for observation by patrons therein. A video viewing booth shall not mean theater, indoor commercial recreation, or a room or enclosure or portion thereof that contains more than six hundred (600) square feet.

SHED: An enclosed structure not intended for residential occupancy which is accessory to the principal use of the property and is typically used to store personal and household property.

SHOPPING CENTER, GENERAL: A mixed use development with any combination of business, non-residential establishments, and other related establishments that are permitted within the applicable zoning district, in a single building or in separate buildings that are planned, constructed and managed as a total entity. All general shopping centers shall be located in a complex that is planned, designed, developed, owned or managed as a single unit with internal vehicle circulation (public or private) off-street parking and loading provided on the property. Provisions for goods delivery separated from customer access, pedestrian access, aesthetic considerations and protection from the elements and landscaping and signage in accordance with an approved land development plan complying with Township ordinances.

SHOPPING CENTER, TOWN: A mixed use development with any combination of business, non-residential establishments, and upper floor accessory residential uses that are permitted within the applicable zoning district, in a single building or in separate adjacent buildings that are planned, constructed and managed as a total entity. All town shopping centers shall be located within a single building or in a complex that is planned, designed, developed, owned or managed as a single unit. Provisions shall be made for coordinated goods delivery, pedestrian access, aesthetic considerations, landscaping and signage.

SIDEWALK: A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

SIDEWALK AREA: That portion of the right-of-way that lies between the edge of the right-of-way line and curb line, regardless of whether the sidewalk exists.

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

SIGN TERMS & PHRASES: Unless specifically defined elsewhere herein this Chapter, the following words and phrases when used in Part 8 of this Chapter relating to exterior signs and outdoor display structures shall have the meaning given to them herein this subsection below unless the context clearly indicates otherwise:

(1) **BILLBOARD:**

(a) **ELECTRONIC GRAPHIC DISPLAYS (DIGITAL BILLBOARD):** An off-premises sign (billboard) or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area where the message change sequences is accomplished immediately or by means of fade. Electronic graphic display signs shall include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto building or other objects.

(b) **VIDEO BILLBOARD:** An off-premises sign (billboard) that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames with mimic the illusion of motion, including but not limited to moving objects,

moving patterns or bands of light, or expanding and contracting shapes and/or fade, dissolve, travel or scrolling features. Video billboards include projected images or messages with these characteristics onto buildings or other objects.

- (2) **BUILDING FACE or BUILDING SIDE:** The vertical area of a particular side of a building, but not including the area of any slanted roof.
- (3) **CHARITABLE EVENT SIGN:** A sign which advertises a special event held a maximum of nine (9) days in any calendar year that primarily is held to benefit an established tax-exempt nonprofit organization.
- (4) **CHRISTMAS TREE SIGN:** A sign which advertises the seasonal sale of Christmas trees.
- (5) **CONTRACTOR'S SIGN:** A sign which advertises a building tradesperson, engineer or architect who is actively conducting significant work on a particular lot that is not such person's place of business.
- (6) **DIRECTIONAL SIGN:** A sign which provides information indicating traffic direction, entry or exit, loading or service area, directions to apartment numbers or parking courts in a development, fire lanes, parking or closely similar information regarding the same lot as the sign is on, and that does not include advertising.
- (7) **FLAG:** A banner or pennant made of fabric or materials with a similar appearance that is hung from a pole in such a way to flow in the wind and that includes the word "Open" or some type of advertising message.
- (8) **FREESTANDING SIGN:** A sign which is self-supporting upon the ground or which is primarily supported by poles attached to the ground and not primarily supported by a building.
- (9) **GARAGE SALE SIGN:** A sign which advertises an occasional garage sale/porch sale or auction.
- (10) **HEIGHT OF SIGN:** The vertical distance measured from the average surrounding ground level surrounding a sign to the highest point of the sign and its supporting structure.
- (11) **HISTORIC SIGN:** A sign that memorializes an important historic place, event or person and that is specifically authorized by the Borough or a county, state or federal agency.
- (12) **HOLIDAY DECORATIONS:** Decorations that commemorate a holiday recognized by the Borough, county, state or federal government and that does not include advertising.
- (13) **HOME OCCUPATION SIGN:** A sign which advertises a permitted home occupation.
- (14) **IDENTIFICATION SIGN:** A sign which only identifies the name and/or occupation of the resident/occupant and/or the name, street address and/or use of a lot, but that does not include other advertising.
- (15) **ILLUMINATED SIGN, INTERNALLY —** A sign illuminated by light from within the sign rather than a source adjacent to or outside of the sign. A sign within a display case with lights only shining onto the front of the sign shall be considered to be externally illuminated.
- (16) **NOT-READABLE SIGN:** A sign that is not readable from any public street or any exterior lot line.

- (17) OFF-PREMISES SIGN: A sign which directs attention to an object, product, service, place, activity, person, institution, organization, or business that is primarily offered or located at a location other than the lot upon which the sign is located.
- (18) OFFICIAL SIGN: A sign erected by the state, county, Borough or other legally constituted governmental body, or specifically authorized by Borough ordinance or resolution, and which bears no commercial advertising, such as but not limited to traffic signs, signs identifying public transit stops, safety signs, signs identifying public school and playgrounds and like.
- (19) OPEN HOUSE SIGN: A sign which advertises the temporary and periodic open house of a property for sale or rent.
- (20) POLITICAL SIGN: A sign which advertises a person or party seeking political office or a political cause or opinion on a referendum or matter of political concern.
- (21) PORTABLE SIGN: A freestanding sign that is attached to a chassis or legs that allows it to be towed or carried from one (1) location to another and that is not permanently attached to the ground.
- (22) PUBLIC SERVICES SIGN: A sign which advertises the availability of rest rooms, telephones or other similar public convenience.
- (23) REAL ESTATE SIGN: A sign which advertises the availability of property on which the sign is located for sale, rent or lease.
- (24) REQUIRED SIGN: A sign that only includes information required to be posted outdoors by a government agency or the Borough.
- (25) RIGHT-OF-WAY SIGN: A sign posted within the existing right-of-way of a public street and officially authorized by the Borough or PennDOT.
- (26) SERVICE ORGANIZATION / PLACE OF WORSHIP SIGN: An off-premises sign stating the name of a recognized incorporated service organization or place of worship and that states the place and times of meetings or services and/or an arrow directing persons to such location.
- (27) SIGN: Any physical device for visual communication that is used for the purpose of attracting attention from the public and that is visible from beyond an exterior lot line, including all symbols, words, models, displays, banners, flags, devices or representations. This shall not include displays that only involve symbols that are clearly and entirely religious in nature and which do not include advertising.
- (28) SIGN AREA: For purposes of Part 8 of this Chapter:
 - (a) Sign area shall include all lettering, wording and accompanying designs and symbols, together with related background areas on which they are displayed. One freestanding sign may include several signs that are all attached to one structure, with the total sign area being the area of a common geometric form that could encompass all signs.
 - (b) Sign area shall not include any structurally supporting framework, bracing, or supports if such area does not include any display, lettering or sign and if such area is clearly incidental to the sign area itself.

- (c) Where the sign consists of individual letters or symbols attached to or painted directly on a building or window or neon letters, other than an illuminated background that is a part of the sign, the sign area shall be the smallest rectangle that includes all of the letters and symbols.
 - (d) The maximum sign area shall be for each of two (2) sides of a sign, provided that only one (1) side of a sign is readable from any location.
 - (e) Unless otherwise specified, all square footages in regards to signs are maximum sizes.
- (29) SPECIAL SALE SIGN: A temporary banner, flag and other sign that advertises a special sales event or grand opening at a lawful principal commercial business.
 - (30) TEMPORARY AWARD SIGN: A sign which advertises receipt of special award or recognition.
 - (31) TIME AND TEMPERATURE SIGN: A sign with a sole purpose to announce the current time and temperature and any nonprofit public service messages.
 - (32) TRESPASSING SIGN: A sign indicating that a road is private, that trespassing is prohibited on a lot, or controlling certain activities such as hunting and fishing on the lot.
 - (33) WALL SIGN: A sign primarily supported by or painted on a wall of a building. A wall sign may also be displayed upon an awning or canopy, provided other requirements of this chapter are met.
 - (34) WINDOW SIGN: A sign which is readily visible and can be at least partially read from an exterior lot line and which is attached to a window or transparent door or that can be read through a window or transparent door.

SITE: A parcel of land located in a municipality, established by a plat or otherwise as permitted by law, which is the subject of an application for development. A site may include more than one (1) lot.

SITE / PLOT PLAN: An accurately scaled development plan that illustrates the existing conditions on a land parcel and depicts details of a proposed development.

SKILLED OR INTERMEDIATE NURSING CARE: Professionally supervised nursing care and related medical and other health services provided for a period exceeding twenty four (24) hours to an individual not in need of hospitalization, but whose needs are above the level of room and board and can only be met in a long-term-care nursing facility or an inpatient basis because of age, illness, disease, injury, convalescence or physical or mental infirmity.

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

SOLAR ENERGY SYSTEM: An alternative energy system which includes any solar collector consisting of one or more cell(s), panel(s), or array(s) designed to collect and convert solar power into another form of energy (e.g., electricity or heat) and other structures and buildings, used in the conversion, storage, and distribution including electrical infrastructure, transmission lines, and other appurtenant structures and facilities.

SOLID WASTE TRANSFER FACILITY: An establishment where solid waste is received and temporarily stored, at a location other than the site where it was generated, and which facilitates the bulk transfer of accumulated solid waste to a facility for further processing or disposal. Such facility may or may not involve the separation of

recyclables from solid waste. Such facility shall not include an automobile wrecking, junk, and scrap storage and sales establishment; leaf composting; clean fill or septage or sludge application.

SPECIAL EXCEPTION: Equivalent Section 107 of the most recent version of the MPC. (A use permitted in a particular zoning district pursuant to the provisions of Articles VI and IX.)

STACKING LANE: A paved surface designed to accommodate a motor vehicle waiting for entry to any drive-in facility or other similar auto-oriented use, which is located in such a way that a parking space or access to a parking space is not obstructed.

STOOP: A roofed (covered) or unroofed (uncovered) open area, other than a porch, constructed of concrete or masonry, providing direct access to and from a building.

STORY: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. (That portion of a building included between the surface of a floor and the upper surface of the floor or roof next above (also see "Basement", "Mezzanine" and Section 502.1). It is measured as the vertical distance from top to top of two successive tier of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or where there is not a ceiling, to the top of the roof rafters.)

STREAM: A watercourse, other than a lake or pond, having a source, terminus, banks, and channel through which waters flow at least periodically.

STREAM, INTERMITTENT: A stream carrying water during the wet seasons.

STREAM, PERENNIAL: A stream that is present during all seasons of the year.

STREET: Equivalent Section 107 of the most recent version of the MPC. (Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.) Streets shall conform to one (1) of the following categories:

- (1). **ALLEY:** Equivalent Section 301 of the most recent version of Chapter 179 relating to subdivision and land development. (An "alley" is a minor way, which may or may not be legally dedicated, and is used primarily for vehicular service access to the rear or side of properties abutting on a street.)
- (2). **ARTERIAL:** Equivalent Section 301 of the most recent version of Chapter 179 relating to subdivision and land development. (A major street or highway with fast or heavy traffic volumes of considerable continuity and used primarily as a traffic artery for intercommunications among large areas.)
- (3). **COLLECTOR:** Equivalent Section 301 of the most recent version of Chapter 179 relating to subdivision and land development. (A major street or highway which carries traffic from minor streets to the major street system of arterial streets, including principal entrance streets of a residential, commercial or industrial development and streets for major circulation within such developments.)
- (4). **LOCAL:** For purposes of this Chapter, local streets shall include all roads and streets not otherwise identified as arterial streets, collector streets, or alleys.

STREET LINE / RIGHT-OF-WAY LINE: A line defining the edge of a street right-of-way and separating the street from an abutting property or lot. The street line shall be the same as the legal right-of-way line, or the ultimate right-of-way line.

STRUCTURE: Equivalent Section 107 of the most recent version of the MPC. (Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.)

STRUCTURE, ACCESSORY: A structure customarily incidental and subordinate to and detached from the principal structure on the same lot, the use of which is customarily incidental to that of the principal structure on the lot. An accessory structure shall exclude any vehicle as defined by the Pennsylvania Motor Vehicle Code.

STRUCTURE HEIGHT: The vertical distance of a structure, other than a building, measured from the average elevation of the finished grade surrounding the structure to the highest point of the structure.

STRUCTURE, PRINCIPAL: The main, primary, or predominant structure on a given lot, tract, or parcel.

STRUCTURE, TEMPORARY: A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

STUDENT: An individual registered for instruction at a school, within a given calendar year.

SUBDIVISION: Equivalent Section 107 of the most recent version of the MPC. (The division or redivision of a lot, tract or parcel of land by any means into two 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 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.)

SWIMMING POOL: Equivalent Section 202 of the most recent version of the IBC as part the most recent version of Chapter 90 relating to construction code, uniform. [Any structure intended for swimming, recreational bathing or wading that contains water over twenty-four (24) inches (610 mm) deep. This includes in-round, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools.]

SWIMMING POOL, PUBLIC: Any structure or inflatable device, not meeting the definition of ‘private household swimming pool’, intended for admission by the public for recreational purposes regardless of whether or not a fee is charged, for swimming or recreational bathing.

TATTOO PARLOR / BODY PIERCING: A licensed establishment whose principal business activity, either in terms of operation or as advertised, is the practice of one or more of the following:

- (1). Placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin; or
- (2). Creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration;

and as licensed to operate as such by applicable entities.

TAVERN / BAR: An establishment which serves primarily alcoholic beverages for mostly immediate on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board, but may also include the incidental sale of food. Taverns and bars shall not be construed to be a sexually oriented business and/or related use as defined herein.

TELECOMMUNICATIONS 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 omni-directional 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 private residence mounted satellite dishes or television antennas or amateur radio equipment, including without limitation ham or citizen band radio antennas.

TELECOMMUNICATIONS EQUIPMENT BUILDING: An unmanned building or cabinet containing communications equipment required for the operation of communications antennas and covering an area on the ground not greater than two hundred fifty (250) square feet.

TELECOMMUNICATION SIGNAL SITE: A tract or parcel of land that contains a telecommunication antenna and its support structure, but may also include accessory telecommunication equipment building, parking, telecommunication tower, and other uses and equipment associated with and ancillary to telecommunication signal transmission or processing.

TELECOMMUNICATIONS TOWER: A structure other than a building (e.g., monopole, self-supporting or guyed tower) designed and used to support telecommunications antenna.

TERRACE: A level, landscaped, and/or surfaced area, also referred to as a patio, directly adjacent to a principal building at or within three (3) feet of the finished grade and not covered by a permanent roof.

THEATER, INDOOR: An establishment with a building or portion thereof devoted to the showing of moving pictures or theatrical productions on a commercial basis.

THEATER, OUTDOOR AND DRIVE-IN: An establishment upon an open lot or part thereof, with its appurtenant facilities, devoted primarily to the showing of moving pictures or theatrical productions, on a paid admission basis, to patrons seated in automobiles, or on outdoor seats.

THERAPEUTIC MASSAGE: Defined by the Massage Therapy Law, Act 118 of October 9, 2008, as amended, 63 P.S. § 627.1 et seq., from the Pennsylvania State Board of Massage Therapy, the Bureau of Professional and Occupational Affairs.

THERAPEUTIC MASSAGE FACILITY: An establishment where massage therapy services are provided by a person having a valid license in accordance with The Massage Therapy Law, Act 118 of October 9, 2008, as amended, 63 P.S. § 627.1 et seq., from the Pennsylvania State Board of Massage Therapy, the Bureau of Professional and Occupational Affairs. Therapeutic massage establishments shall not be construed to be a sexually oriented business and/or related use as defined in this Part 2 of this Chapter.

TIMBER HARVESTING: That part of forestry involving cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products. Includes tree harvesting and logging.

TREATMENT CENTER: A use, other than a prison or a hospital, providing housing for three (3) or more unrelated persons who need specialized housing, treatment and/or counseling because of:

- (1). Criminal rehabilitation (e.g., criminal halfway house);
- (2). Current addiction to alcohol or a controlled substance that was used in an illegal manner; and/or
- (3). A type of mental illness or other behavior that causes a person to be a threat to the physical safety of others.

TURBINE HEIGHT: The distance measured from the highest point of the wind turbine rotor plane to the ground level.

UNIFORM CONSTRUCTION CODE (UCC): The statewide building code adopted by the Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities, whether administered by the municipality, a third party or the Pennsylvania Department of Labor and Industry; applicable to residential and commercial buildings, the code adopted the International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the Commonwealth floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

UNDEVELOPED LAND: Any lot, tract or parcel of land which has not been graded or in any other manner prepared for the construction of a building or structure.

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

UNIVERSITY/COLLEGE: An educational establishment, authorized by the Commonwealth of Pennsylvania as such to award associate, baccalaureate or higher degrees, including, principal uses for classrooms, libraries, auditoriums, gymnasiums, stadiums, administrative offices, dormitories and dining facilities, boarding houses, maintenance and operating facilities as well as ancillary uses (e.g., research facilities, retail services and businesses) that support student, faculty and staff needs.

USE: The specific purpose or activity for which land and/or structures are designed, arranged, or intended, occupied, and/or maintained.

USE, ACCESSORY: A use customarily incidental and subordinate to the principal use or the principal structure and located on the same lot with such principal use or principal structure. If no principal use or principal structure exists on a lot with an accessory use, then such accessory use shall only be considered a principal use.

USE, PRINCIPAL: The main, primary, or predominant use of any lot, tract, parcel of land, or structure.

USE, TEMPORARY: A use established for a limited duration with the intent to discontinue such use upon the expiration of the time period.

UTILITY LINE: A line built and maintained in order to transport materials, utilities or services by underground or above ground means, including gas, electric, oil, cable, water, sewage, telephone, fiber optic cables, stormwater, computer lines, and other lines.

VARIANCE: Equivalent Section 107 of the most recent version of the MPC. (Relief granted pursuant to the provisions of Articles VI and IX.)

VEGETATIVE COVERAGE: An area covered with a vegetative material including: grass, shrubs, vines, trees, and other landscaping.

VETERINARIAN: A qualified professional trained in the care and treatment of animals.

VETERINARY OFFICE: An establishment used primarily for the treatment, by a veterinarian, of small animals and household pets. No outdoor keeping or boarding of animals is permitted.

WALL: Any freestanding and uninhabitable structure principally constructed of masonry, concrete, stone, cinder block or similar materials either, singularly, or in combination to provide screening or divide one property from another property or public street right-of-way); enclosing an area; helping assure privacy or protection; and/or to define or mark the property or lot line(s).

WAREHOUSE: An establishment used primarily for the indoor storage and handling of products, supplies, or equipment, but not including the maintenance or fueling of commercial vehicles.

WAREHOUSING, DISTRIBUTION AND WHOLESALING: An establishment involving the storage, wholesale and/or distribution of manufactured products, supplies and equipment, but excluding bulk storage of materials that are flammable or explosive or that create a hazard or commonly recognized offensive condition, and also excluding any heavy equipment or truck washing, servicing and/or repair, unless such uses are specifically permitted in that zoning district. Wholesaling of products, supplies and equipment shall not be open to or accessible by the general public, unless incidental to the principal warehousing operation.

WETLANDS: Equivalent Article II of the most recent version of Chapter 174 relating to stormwater management. (Those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, ferns, and similar areas.)

WHOLESALE: Any distribution procedure involving persons who, in the normal course of business, do not engage in sales to the general public.

WIND CHARGER: A wind energy system direct-current generator used for charging storage batteries.

WIND ENERGY PRODUCTION FACILITY: A wind energy system that supplies energy primarily for off-site / off-premise use.

WIND ENERGY SYSTEM: A device (e.g., wind charger, wind turbine, or other electric generation facility) designed to convert wind power into another form of energy (e.g., electricity or heat) and which consists of one or more wind turbines and other structures and buildings, including meteorological towers, electrical infrastructure, transmission lines, and other appurtenant structures and facilities.

WINDMILL: A device that runs on the energy generated by a wheel of adjustable blades or slats rotated by the wind.

WIND TURBINE: A device that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, tower and pad transformer, if any.

WIND TURBINE TOWER: The vertical component of a wind energy conversion system that elevates the wind turbine generator and attached blades above the ground.

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

YARD, FRONT: The yard area extending across the full width of the lot and contained between the building line of the principal structure and the front lot line or street line (excluding alleys), measured perpendicular to the building line of said structure at the closest point to the front lot line. Corner lots shall have two (2) front yards. See Figure 2.18 Typical Setbacks and Yards, Interior Lots and Figure 2.19 Typical Setbacks and Yards, Corner Lots.

YARD, REAR: The yard area extending across the full width of the lot and contained between the building line of the principal structure and the rear lot line, which may include street lines created by alleys, measured perpendicular to the building line of said structure at the closest point to the rear lot line. Corner lots shall have one (1) rear yard, extending from the applicable front yard to the side lot line as well as from the rear lot line to the side yard. See Figure 2.18 Typical Setbacks and Yards, Interior Lots and Figure 2.19 Typical Setbacks and Yards, Corner Lots.

YARD, SIDE: The yard area(s) extending from the front yard to the rear yard and contained between the building line of the principal structure and any side lot line(s), measured perpendicular to the building line of said structure

at the closest point to the nearest side lot line. Corner lots shall have one (1) side yard. See Figure 2.18 Typical Setbacks and Yards, Interior Lots and Figure 2.19 Typical Setbacks and Yards, Corner Lots.

ZONING DISTRICT: A section of the Camp Hill Borough designated in this Chapter text and delineated on the Zoning Map, in which requirements for the use of land, structures, and development standards are prescribed.

ZONING MAP: The map setting forth the boundaries of the Zoning Districts of Camp Hill Borough which shall be part of this Chapter.

ZONING OFFICER: The administrative officer appointed by the Camp Hill Borough Council to administer this Chapter and issue zoning permits. See BUILDING CODE OFFICIAL.

ZONING PERMIT: A document signed by a zoning officer, as required in this Chapter, as a condition precedent to the commencement of a use, or the erection, construction, reconstruction, restoration, alteration, conversion or installation of a structure, that acknowledges that such use and/or structure complies with the provisions of this Chapter or authorized variance therefrom.