

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 06-2021-636

AN ORDINANCE

**OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF
SALISBURY, LEHIGH COUNTY, PENNSYLVANIA, AMENDING PART 2,
“DEFINITIONS”, OF CHAPTER 22 (SUBDIVISION AND LAND
DEVELOPMENT ORDINANCE) OF THE SALISBURY TOWNSHIP CODE
OF ORDINANCES**

WHEREAS, the Township’s Department of Community Development has proposed changes to Part 2, “Definitions”, of the Township’s Subdivision and Land Development Ordinance; and

WHEREAS, the Planning Commission recommended approval of the proposed changes to Part 2, “Definitions” of the Subdivision and Land Development Ordinance at their meeting held on May 11, 2021; and

WHEREAS, a public hearing was held on June 24, 2021 for input from the public on the proposed changes to Part 2, “Definitions” of the Subdivision and Land Development Ordinance; and

WHEREAS, the Board of Commissioners has carefully reviewed and considered the proposed changes to Part 2, “Definitions”, of the Township’s Subdivision and Land Development Ordinance.

Now, THEREFORE, be it ORDAINED and ENACTED by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania, that Part 2, “Definitions” of Chapter 22 of the Salisbury Township Code of Ordinances shall be amended in its entirety as follows:

ARTICLE I.

Part 2, “Definitions” of Chapter 22 shall be amended, to read as follows:

**Part 2
DEFINITIONS**

§22-201 – General Interpretation.

1. For the purposes of this Chapter, words and terms used herein shall be interpreted as follows:
 - A. Words in the present tense shall include the future tense.
 - B. "Used" or "occupied," as applied to any land or building, include the words "intended, arranged, or designed to be used or occupied".
 - C. The singular shall include the plural, and the plural shall include the singular.
 - D. The masculine gender shall include the feminine and the neuter, and vice-versa.
 - E. The word "shall" is always mandatory, and the word "may" or "should" is always permissive.
 - F. If a word is not defined in this Part, but is defined in the Township Zoning Ordinance [Chapter 27], as amended, the definition in that ordinance shall apply. Any word or term not defined in this Part or the Zoning Ordinance [Chapter 27] shall be used with a common dictionary meaning of standard usage.
 - G. The terms "person", "subdivider", "developer", and "landowner" shall include an individual, a corporation, an unincorporated association, a partnership, an organization, or other legal entity which is recognized by law as the subject of rights and duties.

§22-202 - Terms Defined

When used in this chapter, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context clearly indicates otherwise:

ACCESSWAY: A privately owned, constructed, and maintained vehicular access roadway accessing more than three dwelling units on the same lot, more than two dwelling units on separate lots, or any commercial, institutional, or industrial principal uses. The term “accessway” and its regulations shall also apply to the “pole” portion of a flag lot, regardless of the use or number of units on the lot. May also be referred to as “shared driveway” or “access drive”.

ACCESS EASEMENT: A paved or gravel access that is not a public street, and that legally and permanently guarantees the right for occupants of a certain lot(s) or building(s) to traverse such easement across property that such occupants may not own in order to reach a street.

ACCESSORY BUILDING OR STRUCTURE: Any building or structure detached from and subordinate to a principal building or structure on the same lot and which is used for purposes that are clearly customarily incidental to the uses of the principal building or structure. Any portion of a principal building or structure used for an accessory use shall not be considered to be an accessory building or structure.

ACCESSORY USE: A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building. An accessory use may or may not be located within a principal structure.

ACRE: Forty-three thousand five hundred sixty (43,560) square feet.

ADDITION: An extension or increase in floor area or height of an existing building or structure beyond the walls or roof of an existing building or structure.

ADJACENT: Includes contiguous lots that share a common lot line or that are separated only by a street, alley, or waterway. May also be referred to as “adjoining”.

ALLEY: A public right-of-way providing secondary access to the side or rear of one or more abutting properties, which has a maximum right-of-way width of 20 feet. Regardless of whether an alley is given a street name, no new principal building shall have its only frontage onto an alley. See also “street classification”.

APPLICANT: A landowner or developer who has filed an application with the Township, including all heirs, successors, assigns, and designated agents.

AVERAGE DAILY TRAFFIC (ADT): Average 24-hour traffic count based on day of week and month application. All ADT computations shall be in accordance with current PennDOT requirements.

BEST MANAGEMENT PRACTICE (BMP): PA DEP and Township requirements to maintain stormwater quality control.

BLOCK: Property bounded on one side by a street, and on the other three sides by a street, railroad right-of-way, public park, watercourse, Township line, lots held in separate ownership, or any combination thereof. The length shall be measured from center line to center line of intersecting streets.

BOARD OF COMMISSIONERS: The Board of Commissioners of Salisbury Township, Lehigh County, Pennsylvania.

BUILDING: Any structure, excluding a swimming pool, having a permanent roof and/or permanent walls, a footprint greater than or equal to 10 square feet, and a height greater than or equal to 6 feet. The term "permanent walls" includes, but is not limited to, screens, windows, glass, and lattice work. The term "permanent walls" does not include covering over footers or support poles for a deck or porch less than or equal to 3 feet high. All buildings are structures but only those structures that meet this definition shall be considered buildings.

BUILDING LINE OR BUILDING SETBACK LINE: See "Setback Line."

BUILDING, PRINCIPAL: A building used for the conduct of the principal use of a lot, and which is not an accessory building.

CANOPY: The total area of the tree or trees where the leaves and outermost branches extend. When the tree canopy size cannot be calculated, it shall be assumed that a single tree has a canopy of seven hundred (700) square feet. May also be referred to "drip line" of the tree.

CARTWAY: The paved portion of a street right-of-way intended for vehicular use and on-street parking, but not including the shoulder of the street.

CENTRALIZED WATER SYSTEM: A utility operated by a Municipality or a company, regulated by the Public Utility Commission, which supplies potable, domestic water for use by more than one household, business or institution.

CHAIRPERSON: Includes Chairman, Chairwoman, Chair and Acting Chairperson (when applicable).

CLEAR SIGHT TRIANGLE: An area to be kept free of visual obstruction. Refer to §27-803, Subsection 3, of the Salisbury Township Zoning Ordinance [Chapter 27] for specific requirements.

COMPREHENSIVE PLAN: The document entitled the "Salisbury Township Comprehensive Plan," or any part thereof, adopted by the Board of Commissioners, as amended.

CONSTRUCTION: Includes the placing of construction materials in a permanent position and fastening in a temporary or permanent position, or the demolition of a pre-existing building.

CONSTRUCTION AREA: The total land areas proposed to be used for and/or within any and all of the following:

- A. Areas within the proposed lot that are within 15 feet of any or all of the following existing or proposed features:
 - 1) Principal buildings or principal structures (other than the required rear yard in Subsection C below).
 - 2) Accessory structures or uses existing or proposed at the time of development of the principal building or structure.
 - 3) An accessory building of more than 500 square feet of building coverage.
- B. Areas within the proposed lot that are within 10 feet of any existing or proposed gravel or paved areas (including driveways) serving nonresidential uses, other than walkways.
- C. Areas within the proposed lot that are within 40 feet of the rear of a principal building.
- D. Areas within a directly abutting portion of a proposed public or private street, from the center line inward to the closest lot line of the abutting lot.
- E. Gravel or paved areas (including driveways) serving residential uses other than walkways.
- F. Areas proposed to be graded.

COOKING FACILITY: An area or room equipped for the storage and preparation of food within a building. A cooking facility must contain a properly functioning sink, range, and

refrigerator. A permanently-installed cooktop and oven may be included in lieu of a range. May also be referred to as a “kitchen”.

COUNTY: Lehigh County, Commonwealth of Pennsylvania.

COUNTY PLANNING COMMISSION: The Lehigh Valley Planning Commission of Lehigh-Northampton Counties, Pennsylvania.

DEDICATION: An offer or tender of title to land by its owner for any public use.

DEED: A written instrument whereby real property is conveyed.

DEVELOPER: Any landowner, or agent of such landowner, or tenant with the permission of the landowner, who makes or causes to be made a subdivision, a land development or a resubdivision of land including the deletion of any lot line. May also be referred to as “subdivider”.

DRIVEWAY: A privately owned, constructed, and maintained vehicular access from a street or access drive to serve one to three dwelling units on the same lot.

DWELLING: A building used as non-transient living quarters, but not including a boardinghouse, group home, hotel, motel, hospital, nursing home, dormitory, fraternity house, sorority house, or recreational vehicle. May also be referred to as a “residence”, “residential building”, or “residential structure”. This Chapter categorizes dwellings into the following types:

- A. DUPLEX – Two dwelling units, accommodating one family each, with all dwelling units within a single building on a single lot. All dwelling units shall share a common outside access and common yard area. The building shall have open areas on all sides. May also be referred to as a “two-family detached dwelling” or “multi-family detached dwelling” but does not include “twin dwellings”, “townhouses”, “garden apartments”, “mid-rise apartments”, or “high-rise apartments”. This category shall also include mixed-use buildings with one permitted non-residential unit and one dwelling unit within the same building provided the commercial use is a permitted use within the zoning district.
- B. TRIPLEX – Three dwelling units, accommodating one family each, with all dwelling units within a single building on a single lot. All dwelling units shall share a common outside access and common yard area. The building shall have

open areas on all sides. May also be referred to as a “three-family detached dwelling” or “multi-family detached dwelling” but does not include “townhouses”, “garden apartments”, “mid-rise apartments”, or “high-rise apartments”. This category shall also include mixed-use buildings with one permitted non-residential unit and two dwelling units within the same building provided the commercial use is a permitted use within the zoning district.

- C. GARDEN APARTMENTS - Four or more dwelling units, accommodating one family each, within a single building that are separated by only horizontal floors or by a combination of horizontal floors and vertical walls. All dwelling units shall share a common outside access, or multiple outside accesses, and common yard area. This shall include buildings with a maximum height of 3 1/2 stories or 35 feet, whichever is lesser. The building shall be on a single lot; however, the individual dwelling units may be sold for condominium ownership and/or leased. May also be referred to as “Low-Rise Apartments”.
- D. HIGH-RISE APARTMENTS – Four or more dwelling units within a single building that are separated by only horizontal floors or by a combination of horizontal floors and vertical walls. All dwelling units shall share a common outside access, or multiple outside accesses, and common yard area. This shall include only buildings that are higher than 60 feet or five stories (whichever is less). The building shall be on a single lot; however, the individual dwelling units may be sold for condominium ownership and/or leased.
- E. MID-RISE APARTMENTS - Four or more dwelling units within a single building that are separated by only horizontal floors or by a combination of horizontal floors and vertical walls. All dwelling units shall share a common outside access, or multiple outside accesses, and common yard area. This shall include only buildings that are higher than 35 feet or 3 1/2 stories and less than 60 feet or five stories (whichever is less). The building shall be on a single lot; however, the individual dwelling units may be sold for condominium ownership and/or leased.
- F. MOBILE HOME - A type of single-family detached dwelling that meets all of the following requirements:
- 1) Is transportable and/or can be relocated;
 - 2) Has an attached axle(s);

- 3) Is designed for permanent occupancy;
- 4) Is contained in a single piece, or two substantial pieces designed to be joined into one integral unit capable of again being separated for repeated towing;
- 5) 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 with or without a permanent foundation; and
- 6) Is not a recreation vehicle.

- G. SINGLE-FAMILY DETACHED DWELLING - One dwelling unit accommodating one family that is within a separate building and having open areas on all sides. The building shall contain no other dwelling units or uses, except home-based businesses as permitted within the Salisbury Township Zoning Ordinance. "Single-family detached dwelling" shall not include a dwelling unit that meets the definition of "mobile home".
- H. TOWNHOUSE - One dwelling unit accommodating one family that is attached to two or more dwelling units, with each dwelling unit being completely separated from each other by vertical, unpierced walls. Side yards shall be adjacent to each end unit and each dwelling unit shall have independent outside access. Each unit may be on a separate lot with the property line running through the common walls or combined with other townhouses on a single lot. May also be referred to as "rowhouse".
- I. TWIN DWELLING - One dwelling unit, accommodating only one family, that is attached and completely separated by a vertical, unpierced, wall to one additional dwelling unit. One side yard shall be adjacent to each dwelling unit and each dwelling unit shall have independent outside access. Each unit may be on a separate lot with the property line running through the common wall or combined with other twin dwellings on a single lot. May also be referred to as a "single-family semidetached dwelling".

DWELLING UNIT: A residential unit within a dwelling occupied by persons meeting the definition of "family". Each dwelling unit shall have its own sanitary and cooking facilities as well as separate access to the outside, or access to a common hallway or balcony that connects to outside access at ground level. No dwelling unit shall include a separate habitable area that is completely separated by interior walls so as to prevent interior access from the remainder of the

habitable area. Each dwelling unit shall only have one cooking facility and be served by only one sanitary sewer connection, one water connection, and one electric connection except when approved by Special Exception of the Zoning Hearing Board.

EASEMENT: Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of the owner's property.

ENGINEER: A licensed professional engineer registered in the Commonwealth of Pennsylvania.

FAMILY: One or more persons living in a single dwelling unit and functioning as a common household unit. A family shall not include more than three persons who are not related to each other by blood, government-sanctioned civil unions, official foster relationship, marriage, or adoption. The term “related” shall be limited to relationships such as father, mother, daughter son, grandparent, great-grandparent, sister, brother, uncle, aunt, niece, nephew, sister-in-law, brother-in-law, mother-in-law, father-in-law, stepfather, stepmother, legal guardian, and first cousin. This term shall not include relationships such as second, third, or more distant cousins.

FOOTPRINT: The perimeter of a structure measured at the outer edge of the outside walls of the structure, including cantilevered portions of the structure. When calculating the footprint of a structure, retractable and/or removable awnings shall not be included.

FORESTRY: 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.

GRADE: The average ground elevation of the surface adjoining a structure or land development project, calculated as existing and/or proposed. May also measure the rise or fall, in 100 feet increments, of horizontal distance such as along a roadway.

HISTORIC FEATURE: Any site, structure, or object that is listed or may be eligible to be listed on the National Register of Historic Places, on any officially adopted Municipal inventory of historic places, or is determined by a qualified historic preservation professional to be historically or architecturally significant.

IMPERVIOUS SURFACE: Any structure or man-made surface with a runoff factor of 0.80 or greater. For purposes of this Chapter, gravel/stone surfaces and pavers laid with a minimum of two (2) inches between each paver shall not be considered impervious.

IMPROVEMENTS AGREEMENT: An agreement, in a form and manner acceptable to the Township, requiring a developer to install and, for an eighteen-month period after installation as approved by the Township, to maintain the improvements required by this chapter and any improvements or amenities which appear on the plan in accordance with the requirements of this chapter, and, further, to provide financial security for the construction of the improvements and to provide indemnification to the Township.

LAND DEVELOPMENT: The following activities are regulated as a land development and subject to the land development approval requirements set forth in this Chapter. All sizes and numbers are calculated as an aggregate over the proceeding five years regardless of the permits and approvals issued for each proceeding activity:

- A. A subdivision, resubdivision, or consolidation of land.
- B. Construction of one or more principal, non-residential structures regardless of the number of occupants.
- C. Construction of a non-residential addition with a footprint greater than or equal to 1,000 square feet.
- D. Construction of two or more dwelling units on a single lot.
- E. The conversion of an existing structure to increase the number of uses or occupants.
- F. The conversion of an existing residential structure or dwelling unit into a non-residential structure or unit.
- G. The conversion of an existing structure into condominiums.
- H. Construction of a new, or expansion of an existing, parking area by 12 or more parking spaces.
- I. Work involving 5,000 square feet or more of new impervious coverage, both on-lot and within the public right-of-way, regardless of use.
- J. Work involving 10,000 square feet or more of site alterations, both on-lot and within the public right-of-way, regardless of use.

The following shall be excluded from the definition of “Land Development”:

- 1) The construction of a single-family detached dwelling on an existing lot.
- 2) The conversion of an existing single-family detached dwelling or a single-family semi-detached dwelling, into not more than three residential units, unless such units are intended to be condominiums.
- 3) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.
- 4) 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 exclusion, 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 the Township.
- 5) Commercial communication towers and their structures.
- 6) An approved tree harvesting operation when the value of the trees, logs, or other timber products removed exceeds \$2,000 per calendar year.
- 7) The subdivision of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or access easement.
- 8) The reconfiguration and/or movement of site improvements previously approved as part of land development project as long as the proposed work does not meet any of the criteria listed in 1 through 10 above.

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

LOT: The designated area of land within the lot area. May also be referred to as “parcel”.

LOT AREA: An area of land which is determined by the limits of the property lines bounding that area and expressed in terms of square feet or acres. Any portion of a lot included in a street right-of-way shall not be included in determining lot area. Property lines shall be bound by a singular tax parcel, as determined by the Lehigh County Tax Assessment Office and Lehigh County Geographic Information Systems Office. When a tax parcel spans more than one municipality, the taxing municipality shall have sole control over the development and use of the lot and its entire lot area shall be included when calculating lot area, setbacks, building coverage, and impervious coverage.

LOT LINE: The recorded property lines bounding the lot as herein defined; however, any line that denotes an adjoining public or private street or railroad right-of-way shall be interpreted as the lot line for the purpose of determining the location of the setbacks. May also be referred to as “property line”.

- A. **FRONT LOT LINE** - A lot line separating the lot from the primary street right-of-way. When a lot abuts two or more streets, not including an alley, or there is no frontage along a street right-of-way, the front lot line shall be determined by reviewing previous development plans. If development plans are not available to determine which is the primary street right-of-way, it shall be the street in which the building is oriented towards and/or has its address along, unless the Zoning Officer determines that the front yard should follow the clearly predominant front yard orientation of the development of abutting lots.
- B. **REAR LOT LINE** - A lot line opposite and most distant from the front lot line.
- C. **SECOND FRONT LOT LINE** – A lot line separating the lot from the approved and/or dedicated secondary street right-of-way. If development plans are not available to determine which is the secondary street right-of-way, it shall be the street in which the building is not oriented towards and/or does not have its address along, unless the Zoning Officer determines that the front yard should follow the clearly predominant front yard orientation of the development of abutting lots.
- D. **SIDE LOT LINE** - Any lot line other than a front or rear lot line.

LOT WIDTH: The distance measured between each side lot line or the side lot line and either the second front lot line or rear lot line, whichever is applicable when a second side lot line is not present. In the case of a curve, it is the arc distance along the curve. The measurement may be taken at either the street right-or-way or front setback line, whichever is applicable.

LOT, CORNER: A lot abutting two or more intersecting streets.

LOT, FLAG: An irregularly shaped lot characterized by an elongated extension from a street (the “pole”) to the principal part of the lot. The flag shape of the lot is normally intended to provide for access to an otherwise landlocked interior parcel. On a flag lot, setbacks and width are measured within the principal part of the lot, beyond the “pole” section of the lot area. The front lot line shall be the lot line parallel to the nearest street and/or where the “pole” enters the lot. For a flag lot, the area of the “pole” portion of the flag lot shall not be included in the total lot area required for the “Minimum Lot Area” for lot size.

LOT, INTERIOR: A lot other than a corner lot.

LOT, REVERSE-FRONTAGE: A lot that abuts two approximately parallel streets, not including an alley, but only has access onto one street.

LOT, THROUGH: A lot that abuts two approximately parallel streets, not including an alley, with access onto both streets.

MAINTENANCE AGREEMENT: An agreement, in a form and manner acceptable to the Township, requiring the developer of public improvements to make any repairs or reconstructions and to maintain such improvements for a period not to exceed 18 months from the date of the developer's completion of such improvements to Township standards and the Township's inspection and certificate of acceptance of such improvements.

MAINTENANCE GUARANTEE: The financial security which is acceptable to the Township (including, but not limited to, irrevocable letters of credit, restrictive or escrow accounts) to secure the promise made by a developer in the maintenance agreement that dedicated improvements shall be maintained by the developer.

MONUMENT: A stone or concrete monument with a flat top at least four inches in diameter or square and at least 24 inches in length. Stone monument shall contain an indented cross or 1/4 inch drill hole. Concrete monuments shall contain a copper or brass dowel (plug).

OFFICIAL PLAN: Comprehensive Plan, Zoning Ordinance [Chapter 27], Official Street Map, Standard Construction Specifications and Details or any other plans formally adopted by the Township.

OPEN SPACE: The area of a lot unoccupied by principal or accessory structures, driveways, or parking areas, but may include areas occupied by walkways, patios and porches

without roofs, and other areas occupied by outdoor recreation or play apparatus, gardens and trees.

OPEN SPACE, COMMON: A parcel or parcels of land which meet all of the following requirements:

- A. It is designed, intended and suitable for active or passive recreation by residents of a development or the general public.
- B. It is managed through by an approved system for perpetual maintenance.
- C. It is deed-restricted to permanently prevent the use of land for uses other than common open space.
- D. It does not include any of the following: street rights-of-way as approved or to be dedicated driveways, access drives that serve other uses, buildings (other than accessory buildings, such as recreational gazebos and pools, clearly intended for noncommercial recreation), off-street parking (other than that clearly intended and necessary to only serve noncommercial recreation), any area needed to meet a requirement for any other individual lot, any area deeded over to an individual property owner for their own use, or land within 25 feet of overhead electrical transmission lines or towers of 35 kilovolts or greater capacity.
- E. It does not include stormwater detention or retention basins and infiltration facilities, unless the applicant proves to the satisfaction of the Township that such area has been designed and will be maintained in a manner that it will be suitable for recreational uses during most times of the year and/or will serve as a scenic and ecological asset, such as having the appearance of a natural pond. An underground stormwater detention facility may be approved to serve as common open space only if the surface is improved to be usable for recreation and is not used for vehicle parking.

ORDINANCE: This chapter and any provisions or amendments thereof, enacted by the Board of Commissioners.

PARCEL: See “lot”.

PARKING FACILITIES: Outdoor areas or specially designed buildings or garages used for the parking or temporary storage of vehicles.

PERFORMANCE GUARANTEE: Financial security which is acceptable to the Township (including, but not limited to, irrevocable letters of credit, restrictive or escrow accounts) to secure the promise made by a developer in the development improvement agreement that certain improvements shall be made by the developer.

PLAN (OR PLAT): A map of a land development, a subdivision, a resubdivision of land, or a lot consolidation or lot line deletion.

- A. **AS-BUILT PLAN** — A complete and exact plan, identified as such with the title "as-built plan," prepared for the Township's permanent streets, water lines, sanitary sewer, storm sewer mains and lines, and drainage facilities and any other public utilities which are to be conveyed or transferred to the Township.
- B. **FINAL PLAN** — A complete and exact plan, identified as such with the title final plan, prepared for official recording as required by this Part to define property rights and proposed streets and other improvements.
- C. **PRELIMINARY PLAN** — A complete plan, identified as such with the title Preliminary Plan, accurately showing proposed streets and lot layout and such other information as is required by this chapter.
- D. **PRELIMINARY/FINAL PLAN** — A complete and exact plan, identified as such with the title preliminary/final plan, prepared for official recording and review by the Planning Commission as required by this Part for minor subdivisions, resubdivisions or lot consolidation plans.
- E. **RECORD PLAN** — The copy of the final plan which contains all the original required endorsements and certifications and which is recorded with the Lehigh County Recorder of Deeds.
- F. **SKETCH PLAN** — An informal plan, identified as such with the title Sketch Plan on the map, indicating existing features of a tract and its surroundings and the general layout of the proposed subdivision.

PLANNING COMMISSION OR TOWNSHIP PLANNING COMMISSION: The Planning Commission of the Township of Salisbury, Lehigh County, Pennsylvania.

PROPERTY IMPROVEMENT: Physical changes to the land, including, but not limited to, buildings, streets, curbs, gutters, streetlights and signs, water mains and laterals, hydrants,

sanitary sewer mains and laterals, stormwater drains and structures, open space improvements, shade trees and buffer plantings, and all other additions to the lot area which are required by the Ordinance or are deemed necessary to result in a complete subdivision or land development in the fullest sense of the term.

PROPERTY LINE: See “Lot Line”

RESIDENTIAL: A building which conforms to the definition of “dwelling”.

RIGHT-OF-WAY: Areas beyond each property’s lot area which is not privately owned. Areas of right-of-way include, but are not limited to, streets and alleys.

ROADWAY: The paved portion of a street right-of-way which includes both the cartway and the shoulder, when required.

SANITARY FACILITIES: All of the following: sink with piped water, a toilet, and a bathtub or shower with piped water.

SANITARY SEWAGE DISPOSAL, CENTRALIZED COMMUNITY: A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a temporary central treatment and disposal plant generally serving a neighborhood area or development.

SANITARY SEWAGE DISPOSAL, CENTRALIZED PUBLIC: A sanitary sewerage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant operated via a public agency.

SANITARY SEWAGE DISPOSAL, ON-LOT: Any privately owned structure designed to biochemically treat sanitary sewage within the boundaries of an individual lot.

SANITARY SEWER CONNECTION: The connection consisting of all pipes, fittings, and appurtenances from the drain outlet of a dwelling or building to the inlet of the street or main collector sewer pipe of the sewerage system serving the subdivision or land development.

SEPTIC TANK: A covered watertight settling tank in which raw sewage is biochemically changed into solid, liquid and gaseous states to facilitate further treatment and final disposal.

SETBACK LINE:

- A. The line within a lot defining the required minimum distance between any structure to be erected or use to be developed and the corresponding lot line. Such line shall be measured at right angles from and parallel to the corresponding lot line.
- B. Any building setbacks shall be measured from the foundation, exterior wall, roof overhang, or other component of a structure that is closest to the right-of-way line or lot line from which the setback is being measured.
- C. Unless otherwise stated, setback distances are for both accessory and principal structures.
- D. For a building setback measured from a private street, the setback shall be measured from the right-of-way of such a street, if a right-of-way exists. If a private street does not have a right-of-way, the setback shall be measured from the edge of the cartway.

SHOULDER: The portion of roadway adjacent to the cartway for accommodation of stopped vehicles for emergency use. Does not include areas of the cartway to be designated as on-street parking.

SIDEWALK: A pedestrian accessway which is adjacent to street, access drive, or driveway and conforms to the regulations of this chapter.

SIGHT DISTANCE: The distance along a roadway that an object of specified height is continuously visible to the driver. This distance is dependant on the height of the driver's eye above the road surface, the specified object height above the road surface, and the height of sight obstructions within the line of sight.

SITE ALTERATION: All ground disturbance including, but not limited to: new impervious coverage; regrading existing topography; alterations to lakes, ponds, marshes, or floodplains; clearing vegetation; construction of a stormwater detention basin; and altering watercourses. Site alterations does not include the repaving/replacement of an existing impervious surface unless the size is increased and/or the topography is altered.

SLOPE: The vertical increase in height of ground level divided by the horizontal length of that area of ground, measured in percent.

SOIL CONSERVATION DISTRICT: The Soil and Water Conservation District for Lehigh County.

SOIL PERCOLATION TEST: A field test conducted to determine the absorption rate of the soil at a given location and depth for on-lot sanitary sewage disposal facilities or stormwater infiltration facilities.

SOIL SURVEY: A scientific survey of soil conditions and characteristics prepared by an engineer or soil scientist and approved or certified by the U.S. Soil Conservation Service.

SOIL TEST PROBE: An excavation to determine whether sufficient suitable soils are present for an on-lot sanitary sewage disposal facility or stormwater infiltration facility.

STORMWATER CONTROL BASIN: Any of either stormwater detention, retention, infiltration, or sedimentation designed to control either volume, rate, or quality of stormwater runoff.

STREET: A public or private thoroughfare which affords means of access to abutting properties or that is a regional highway/expressway, but not including a driveway or accessway. The terms "street," "highway" and "road" have the same meaning and are used interchangeably.

STREET CENTER LINE: The center of the existing street right-of-way or, where such cannot be determined, the center of the traveled cartway.

STREET CLASSIFICATION: The functional classification of streets into the following types, as shown in the Comprehensive Plan for existing streets and as determined by the Township Engineer for future streets:

- A. ALLEY - A street designed as a secondary access to properties, with a maximum width of 20 feet.
- B. ARTERIAL STREET - A street designed to carry large volumes of through traffic for the connection of residential areas and for circulation outside of residential areas.
- C. COLLECTOR STREET - A street designed to carry moderate volumes of traffic between local streets and arterial streets, and usually provides only limited vehicular access to abutting properties.

- D. CUL-DE-SAC STREET - A local street which is permanently terminated at one end by a vehicle turnaround and which intersects another street at the other end.
- E. LOCAL STREET - A street designed to carry low volumes of traffic and provide direct access from abutting properties to collector and arterial streets.
- F. LOOP STREET - A local street which intersects other streets on each end and may intersect a cul-de-sac street at some point between each end.
- G. REGIONAL HIGHWAY OR EXPRESSWAY - A street that provides direct links between metropolitan areas, which carries large volumes of high-speed traffic, that does not permit on-street parking, and that has no at-grade intersections. Typically, this classification is for state roads.

STREET, PRIVATE: A street that does not meet the definition of a "street, public."

STREET, PUBLIC: A street that is owned and maintained by either Salisbury Township or PennDOT.

STRUCTURE: Any man-made object having an ascertainable location on, below, or in land or water, whether or not affixed to the land. The term "structure" shall not include a child's playset or playhouse, as long as its design is clearly that for play and it will not be utilized as a storage shed or similar type of use.

SUBDIVIDER: See "Developer".

SUBDIVISION: The division or consolidation of a lot, as defined by one of the following categories:

- A. LOT CONSOLIDATION - The deletion of a lot line for the purpose of joining a lot to an adjacent lot, parcel, or tract of land.
- B. LOT LINE ADJUSTMENT - Any replatting of land which involves a change of any existing lot line and does not involve the creation of any additional lot or lots, the creation of any new street or any extension of or improvements to an existing street. May also be referred to as "resubdivision".
- C. MAJOR SUBDIVISION – Any subdivision which does not constitute a lot

consolidation, lot line adjustment, or minor subdivision.

D. MINOR SUBDIVISION – Any subdivision which involves the creation of no more than four lots for residential purposes only and does not involve the creation of any new street or the extension or improvement of any existing street.

SUBDIVISION, NATURAL: Any tract or parcel of land divided into two or more separate areas by a natural feature or a public street.

SURVEYOR: A licensed surveyor registered by the Commonwealth of Pennsylvania.

TEMPORARY: Unless otherwise provided for regarding a specific provision, or unless otherwise approved by the Township, "temporary" shall mean not lasting or occurring more than 30 total days in any calendar year (January 1st through December 31st).

TEMPORARY STRUCTURE: Unless otherwise provided for regarding a specific provision, or otherwise approved by the Township, any structure, as defined above, that will be situated on a lot for not more than 30 days in any calendar year (January 1st through December 31st).

TOWNSHIP: The Township of Salisbury, Lehigh County, Pennsylvania, or its designee.

TOWNSHIP COMMISSIONERS: The Township Board of Commissioners of Salisbury Township, Lehigh County, Pennsylvania.

TOWNSHIP SECRETARY: The person appointed by the Township Board of Commissioners to perform the duties of the Secretary of the Township, as set forth in Article IX of the First Class Township Code, or his duly authorized representative.

TRACT: The combination of lots that are submitted to be approved together as part of a single subdivision or land development project.

TREE HARVESTING: The portion of "forestry" which involves the cutting down of trees and removing logs for any type of business or other commercial purpose. Does not include trees permitted to be removed as part of an approved development or construction project nor does it include trees removed as part of an approved Christmas tree farm or other cropping farming use. May also be referred to as "timber harvesting" or "logging". "Tree harvesting" does not include other activities associated with the removed trees such as, but not limited to, on-

site retail sales, manufacturing, and processing.

USE: The purpose, activity, occupation, business or operation for which land or a structure is designed, arranged, intended, occupied or maintained. Uses specifically include but are not limited to the following: activity within a building, activity outside of a building, any structure, recreational vehicle storage or parking of commercial vehicles on a lot.

WATER CONNECTION: The connection consisting of all pipes, fittings and appurtenances from the water pipe to the inlet pipe to the distribution system within the dwelling or nonresidential unit.

WATER DISTRIBUTION SYSTEM, COMMUNITY: A system for supplying and distributing water to one or more dwelling units or buildings located on one or more lots from a common source and/or buildings, within a single neighborhood.

WATER DISTRIBUTION SYSTEM, ON-SITE: A system for supplying and distributing water to one or more dwelling units located on a lot from a source located on the same lot.

WATER DISTRIBUTION SYSTEM, PUBLIC: A system for supplying and distributing water from a common source to dwellings and other buildings, but generally not confined to one neighborhood.

WATERCOURSE: A discernible, definable natural course or channel along which water is conveyed ultimately to streams and/or rivers at lower elevations. A watercourse may originate from a lake or underground spring(s) and be permanent in nature or it may originate from a temporary source such as runoff from rain or melting snow. The term "watercourse" shall include rivers, streams, creeks, rivulets, channels, lakes, a ditch, a drain, a dry run, springs, ponds, dammed waters, wetlands and all other bodies or channels of conveyance of surface and underground waters.

WETLAND: An area of land and/or water meeting one or more definitions of a wetland under federal and/or Pennsylvania statutes or regulations.

YARD: An area between a specified lot line and the required setback line for each side. Such yard shall extend the full width between the two parallel lines. Includes "front yard", "side yard", and "rear yard". See definition of "lot line" for further classifications regarding the determination of each yard.

ARTICLE II.

This Ordinance shall be effective immediately.

DULY ORDAINED and ENACTED by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania this 24th day of June, 2021, in lawful session duly assembled.

Attested:

TOWNSHIP OF SALISBURY
(Lehigh County, Pennsylvania)

Cathy Bonaskiewich
Township Secretary

By: _____
Debra Brinton
President, Board of Commissioners