

Part 2
DEFINITIONS

§22-201 ~~—~~ **General Interpretation Definitions.**

1. ~~General Interpretation.~~ For the purposes of this ~~Chapter~~Part, 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 chapter or the Zoning Ordinance [Chapter 27] shall be used with a 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

~~2.~~ ~~Definitions.~~ 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:

ACCESS DRIVE OR ACCESSWAY: An existing or approved, -privately owned, constructed and maintained vehicular access roadway accessing more than one dwelling unit or more than one commercial, institutional, or industrial principal use. May also be referred to as "shared driveway".

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.

ACRE: Forty-three thousand five hundred sixty 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 private minor right-of-way providing secondary access to the side or rear of one or more properties but which shall have a maximum right-of-way width of 20 feet. A public or private minor right-of-way providing secondary access to the side or rear on one or more abutting properties, which has a maximum right-of-way width of 20 feet, and is not intended for general traffic circulation. Regardless of whether an alley is given a street name, no new principal building shall have its only frontage onto an alley.

APPLICANT: A landowner or developer, as hereinafter defined, who has filed an application for a subdivision, resubdivision or land-land development, as defined below, including his heirs, successors and assigns.

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 for 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, tract of land 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 having a permanent roof and intended for the shelter, work area, housing or enclosure of persons, animals, vehicles, equipment or materials that has a total volume under roof of greater than 50 cubic feet. "Building" is interpreted as including "or part thereof." See the separate definition of "structure." Any structure involving a permanent roof (such as a porch with a permanent roof or carport) that is attached to a principal building shall be considered to be a part of that principal building. Any structure having a permanent roof and/or permanent walls, a footprint greater than or equal to 100 square feet, and a height greater than or equal to 5 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 (ROADWAY): 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.

~~A general plan for the future growth, protection and development of a municipality, County or region. The document titled "Salisbury Township Comprehensive Plan," or any part thereof, adopted by the Board of Commissioners.~~

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.

COUNTY: Lehigh County, Commonwealth of Pennsylvania.

COUNTY PLANNING COMMISSION: The Lehigh Valley Planning Commission of

Lehigh-Northampton Counties, Pennsylvania.

CROSSWALK (INTERIOR WALK): A publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.

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".

DEVELOPER'S 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.

DRIVEWAY: A privately owned, constructed, and maintained vehicular access from a street or access drive to only one dwelling unit, commercial unit, institutional or industrial principal use. See also "Access Drive."

DWELLING: A building used as nontransient living quarters, but not including a boardinghouse, hotel, motel, hospital, nursing home or dormitory. A dwelling may include a use that meets the definition of a "sectional home." This chapter categorizes dwellings into the following types:

- A. CONVERSION APARTMENT A new dwelling unit created within an existing building.
- B. EFFICIENCY UNIT A type of dwelling unit including sleeping and living areas within a single room and that also includes cooking facilities and a bathroom and that has a minimum of 400 square feet of habitable floor area, after deleting any area within a basement or cellar.
- C. GARDEN APARTMENTS Three or more dwelling units within a building that are separated by only horizontal floors or by a combination of horizontal floors and vertical walls (see definition of "townhouses"). This shall include buildings with a maximum height of 3 1/2 stories or 35 feet, whichever is lesser. The individual dwelling units may be leased or sold for condominium ownership.
- D. MID-RISE APARTMENTS Three or more dwelling units within a building that is higher than 35 feet or 3 1/2 stories and less than 60 feet or five stories (whichever is less).

E. SECTIONAL HOME A type of dwelling that meets a definition of "single-family detached dwelling," "single-family semidetached dwelling," "townhouse" or "garden apartment" that is substantially but not wholly produced in two or more major sections off the site and then is assembled and completed on the site, and that does not meet the definition of a "manufactured/mobile home," and that is supported structurally by its exterior walls, and that rests on a permanent foundation.

F. SINGLE-FAMILY DETACHED DWELLING A dwelling unit accommodating a single family and having open area on all sides.

G. MANUFACTURED/MOBILE HOME

1) A type of single-family detached dwelling that meets all of the following requirements:

2) Is transportable;

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;

6) Is not a recreation vehicle; and

7) Includes a minimum of 300 square feet of interior floor space.

8) The terms "mobile home" and "manufactured home" have the same meaning. See the definition of "sectional home."

H. SINGLE-FAMILY SEMIDETACHED DWELLING One dwelling unit accommodating one family that is attached and completely separated by a vertical, unpierced, wall to only one additional dwelling unit. One side yard shall be adjacent to each dwelling unit. This use is commonly known as 1/2 of a twin home. Each unit may or may not be on a separate lot.

I. TOWNHOUSE One dwelling unit that is attached to two or more dwelling units, and with each dwelling unit being completely separated from each other by vertical fire-resistant walls. Each dwelling unit shall have its own outside access. Side yards shall be

adjacent to each end unit. Townhouses are also commonly referred to as "row houses" or "single-family attached dwellings."

J. TWO-FAMILY DETACHED DWELLING Two dwelling units accommodating one family each, with both dwelling units within a single building on a single lot, and without the dwelling units being completely separated by a vertical wall. The building shall have two side yards. May also be referred to as a "duplex"

DWELLING UNITS: One dwelling occupied that is only occupied by persons meeting the definition of one "family" or a "group home" (refer to Salisbury Township Zoning Ordinance [Chapter 27] for the definition of these terms). Each dwelling unit shall have its own sanitary, sleeping and cooking facilities and separate access to the outside, or access to a common hallway or balcony that connects to outside access at ground level. A dwelling unit shall have only one cooking facility within a single room or two abutting rooms that open into each other. 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.

~~DWELLING (RESIDENCE, RESIDENTIAL STRUCTURE): A building used as nontransient living quarters and containing one or more dwelling units. The term dwelling shall not be deemed to include recreational vehicle, rooming or boarding house, bed and breakfast home, tourist home, hotel, motel, hospital, nursing home, dormitory, fraternity or sorority house. Refer to the Zoning Ordinance of Salisbury Township [Chapter 27] for definitions of specific types of dwellings or dwelling units.~~

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.

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 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: Describing the elevation of the finished surface of an Engineering project, and also the rise or fall in 100 feet of horizontal distance.

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.

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:

1. A subdivision of land.
2. Construction of one or more principal, non-residential structures regardless of the number of occupants.
3. Construction of a non-residential addition or accessory structure with a footprint greater than or equal to 1,000 square feet.
4. The conversion of an existing structure to increase the number of uses or occupants by means of, or for, the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features.
5. Construction of a new, or expansion of an existing, parking area by 8 or more parking spaces.
6. Construction of a principal, multi-family dwelling or twin dwelling.
7. Work involving a change of 5,000 square feet or more of impervious coverage, work involving 5,000 square feet or more of new impervious coverage, or an aggregate of each, both on-lot and within the public right-of-way, regardless of use.
8. Work involving 10,000 square feet or more of site alterations, both on-lot and within the public right-of-way, regardless of use.
9. The following shall be excluded from the definition of "Land Development":
 - A. The construction of a single-family detached dwelling on an existing lot.
 - B. The conversion of an existing single-family detached dwelling or a single-family semi-detached dwelling, into not more than four residential units, unless such units are intended to be condominiums.
 - C. Commercial communication towers and their structures.
 - D. Tree Harvesting.

Any of the following activities:

- (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

- (a) ~~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.~~
- (b) ~~The division or allocation of land or space, whether initially or cumulatively, between or among two 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) ~~The following shall be excluded from the definition of "Land Development":~~
 - (a) ~~The conversion of an existing single family dwelling or a single family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium.~~
 - (b) ~~Commercial communication towers and their accessory structures.~~
 - (c) ~~The addition of an accessory building on a lot subordinate to an existing principal building.~~

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 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:** 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. Refer to the Zoning Ordinance of Salisbury Township [Chapter 27] for specific definitions of "lot area," "lot depth,"~~

~~"corner lots," "interior lots," "flag lots," "through lots" and "reverse frontage lots."~~

LOT CONSOLIDATION: The deletion of a lot line for the purpose of joining or annexing a lot to an adjacent lot, parcel, or tract of land shall be deemed a lot consolidation. For any lot consolidation plan, a unification or consolidation deed, containing one perimeter property description of the united lots, shall be recorded in the Office of the Recorder of Deeds of Lehigh County following approval of the lot consolidation, and evidence of the recording shall be submitted to the Township.

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 approved or dedicated street right-of-way.
- B. REAR LOT LINE A lot line opposite and most distant from the front lot line.
- C. SIDE LOT LINE Any lot line other than a front or rear lot line. A side street lot line is a side lot line separating a lot from a street.

~~LOT LINES: The property lines bounding the lot. Refer to the Zoning Ordinance of Salisbury Township [Chapter 27] for specific definitions of "front, side, and rear lot lines," "lot width" and diagrams of each.~~

LOT WIDTH: The distance measured between points where the front building setback lines meet side property lines. In the case of a curve, the arc distance along the curve.

LOT, CORNER: A lot abutting on two or more intersecting streets which have an interior angle of less than 135° at the intersection of the right-of-way lines of the two streets. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangent to the curve at the points beginning within the lot or at the points of intersection of the side lot lines with the street lines intersects at an angle of less than 135°.

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.

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

LOT, REVERSE-FRONTAGE: A lot that abuts two approximately parallel streets but only has access onto one street.

LOT, THROUGH: A lot that abuts two approximately parallel streets 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:~~ 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.

~~A parcel or parcels of land, or an area of water, or a combination of land and water within a tract:~~

- ~~(1) Designed, intended and suitable for active or passive recreation by residents of a development or the general public.~~
- ~~(2) Which has an approved system for perpetual maintenance.~~
- ~~(3) Is deed restricted to permanently prevent the use of land for uses other than common open space.~~
- ~~(4) Which does not include any of the following:
 - ~~(a) Street rights-of-way as approved or to be dedicated.~~
 - ~~(b) Accessways.~~
 - ~~(c) Buildings, (other than accessory buildings and pools clearly intended for noncommercial recreation).~~
 - ~~(d) Off-street parking, (other than clearly intended for noncommercial recreation).~~
 - ~~(e) Any area needed to meet a requirement for an individual lot.~~
 - ~~(f) 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.~~~~

ORDINANCE: This chapter and any provisions or amendments thereof, enacted by the

Board of Commissioners.

PARCEL: A tract, lot or area of land.

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.

- (1) 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.
- (2) 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.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) 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.

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, hydrants, sanitary sewer mains, 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: ~~Has the same meaning as "lot line."~~See "Lot Line"

RESIDENTIAL USE: Includes properties which only contain up to 4 dwelling units per lot. A permitted home occupation does not exempt a property from its residential use status. Shall not include institutional group homes, nursing homes, treatment centers, or personal care centers which shall be considered institutional uses.

RESUBDIVISION: 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. In any such resubdivision, a unification or consolidation deed, containing one perimeter property description for the new lots, shall be recorded in the Office of the Recorder of Deeds of Lehigh County following approval of the resubdivision, and evidence of the recording shall be submitted to the Township.

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.~~Land reserved for the public or others for future use as a street or other public purpose. Unless otherwise stated, "right-of-way" shall mean the existing street right-of-way line that is dedicated or approved to be dedicated.~~

RIGHT-OF-WAY, EXISTING OR LEGAL: The line separating a lot from the established official street right-of-way that is owned by the Township, or will be owned by the Township or commonwealth after the completion of any proposed subdivision, land development or development of a use under this chapter.

RIGHT-OF-WAY, FUTURE: Land that is dedicated or is required to be defined or reserved for future dedication for use as a street and for related public improvements. The terms "ultimate right-of-way," "right-of-way reserved for future dedication" and "future right-of-way" shall have the same meaning. If a future right-of-way is not required to be defined, then "future right-of-way" shall have the same meaning as "existing right-of-way."

ROADWAY: See "cartway." 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 adjacent street right-of-way or exterior lot line (when the property is not abutted by a right-of-way). Such line shall be measured at right angles from and parallel to the front lot line.
- B. Any building setbacks shall be measured from the foundation, exterior wall 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. See exceptions for eaves and cornices in § 27-309.
- 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.

SETBACK LINE:

- ~~(1) The line within a lot defining the required minimum distance between any structure to be erected or use to be developed and the adjacent street right-of-way or exterior lot line (when the property is not abutted by a right-of-way). Such line shall be measured at right angles from and parallel to the front lot line.~~
- ~~(2) Any building setbacks shall be measured from the foundation, exterior wall or other component of a structure that is closest to the right-of-way or lot line from which the setback is being measured. See exceptions for eaves and cornices in § 27-803, Subsection 2, of the Zoning Ordinance [Chapter 27].~~
- ~~(3) Unless otherwise stated, setback distances are for both accessory and principal structures.~~
- ~~(4) Private Streets. 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 or a change in impervious coverage; regrading existing topography; alterations to lakes, ponds, marshes, or floodplains; clearing vegetation; construction of a stormwater detention basin; and altering watercourses~~Includes regrading existing topography, filling lakes, ponds, marshes or floodplains, clearing vegetation or altering watercourses.~~

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.

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.

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 the principal means of access to abutting property, including any avenue, boulevard, parkway, lane, highway, freeway, road and any other ways, except an alley, used or intended to be used by vehicular traffic or pedestrians.~~

~~STREET CLASSIFICATION:~~

- ~~(1) ARTERIAL STREET — A street designed to carry large volumes of through~~

- ~~traffic for the connection of residential areas and for circulation outside the residential area. Normally controlled by traffic signs and signals.~~
- (2) ~~COLLECTOR STREET—A street designed to carry moderate volumes of traffic between local streets and arterial streets, and provides only limited vehicular access to abutting properties. Traffic on these streets is normally controlled by signs~~
- (3) ~~LOCAL STREET—A street designed to carry low volumes of traffic and provide direct access from abutting properties to collector and arterial streets.~~
- (a) ~~CUL-DE-SAC STREET—A street which is designed to remain permanently closed at only one end. For the purpose of this definition, the length of a cul-de-sac shall be measured along the center line of the cul-de-sac from the point where the center line terminates within the turnaround to the right of way line of the street with which the cul-de-sac intersects. Where one cul-de-sac street connects with another street that has only one point of access with another public road besides the first cul-de-sac, both streets shall be considered to be one single cul-de-sac system. The length of the cul-de-sac system shall be equal to the longest length from the single point of access of the entire system to the public road system to any turn-around.~~
- ~~[Image]~~
- (b) ~~LOOP STREET—A loop street is a local street that has its only ingress and egress at two points on the same adjoining street. A loop shall not ultimately furnish access to more than 30 dwelling units.~~
- ~~[Image]~~
- (c) ~~MARGINAL ACCESS STREET—A marginal access street is a local street which is parallel and adjacent to collector or arterial streets and provides access to abutting properties.~~
- (4) ~~SERVICE STREET—A nondedicated minor right of way for public use providing primary or secondary access to nonresidential properties.~~
- (5) ~~STUB STREETS—To provide an integrated street system, all stub streets of abutting subdivisions shall be incorporated into the proposed street system. Stub streets greater than 200 feet in length shall be provided with a temporary turnaround to the standards required for culs-de-sac, unless otherwise approved by the Township Engineer. Guardrails, which meet Township specifications, shall be placed as barricades at the end of every stub street constructed as part of a subdivision.~~
- (6) ~~THROUGH STREETS—A street which is not a cul-de-sac or dead-end street, as those are defined within the Salisbury Township Subdivision and Land Development Ordinance [Chapter 22].~~

~~STREET, HALF OR PARTIAL: A street whose vertical cross-section has not been completely constructed; e.g., the binder and wearing courses have not been provided.~~

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

STREET: A public or private thoroughfare which affords principal means of access to abutting properties or that is a regional highway/expressway, but not including an alley or a driveway. 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. 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. Access onto these streets is normally controlled by stop signs restricting oncoming traffic and traffic signals.
- B. 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. Traffic on these streets is normally controlled by signs.
- C. LOCAL STREET A street designed to carry low volumes of traffic and provide direct access from abutting properties to collector and arterial streets.
- 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. 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.
- F. MARGINAL ACCESS STREET A local street which is parallel or adjacent to collector or arterial streets and which provides access to abutting properties.
- 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.
- H. SERVICE STREET A nondedicated minor right-of-way for public use, providing

primary or secondary access to nonresidential properties.

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

STREET, PROPOSED: A street which is shown on a proposed subdivision or land development application or has been approved by the Board of Commissioners, but has not yet been open to traffic.

STREET, PUBLIC: A street that is owned and maintained by 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 a child and it will not be utilized as a storage shed or similar.
~~Any man-made object having an ascertainable, stationary location on, below, or in land or water, whether or not affixed to the land. The term "structure" shall, inter alia, include: building, sign, fence, wall, garage, carport, stadium, platform, walkways, storage sheds, tower, swimming pool, porch or deck that is covered by a roof and similar structures. "Structure" shall be interpreted as including the words "or part thereof."~~

SUBDIVIDER: See "Developer."

SUBDIVISION: 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 division of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access, or any residential dwelling, shall be exempt.

- (1) 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.
- (2) MAJOR SUBDIVISION — Any subdivision which does not constitute a minor subdivision.

SUBDIVISION, NATURAL: Any tract or parcel of land divided into two or more separate areas by one or more public streets.

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

TEMPORARY: Unless otherwise provided for in regards to 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.

TEMPORARY STRUCTURE: Unless otherwise provided for in regards to 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.

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.

~~A parcel of land, the dimensions and extent of which are determined by the latest official records or by the latest approved recorded map of a subdivision of which the tract is a part. A tract may include lands covered by more than one legal description.~~

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 nursery and/or tree farm 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 open to the sky and not covered by buildings and that is on the same lot as the subject structure or use. Regulations of specific districts prohibit principal and accessory structures within specified required minimum yards.

YARD, FRONT: An area required to be open to the sky and not occupied by buildings between the front lot line (which usually is the future street right-of-way line) and a line drawn parallel to such front lot line at a distance specified by a specific section of this chapter. Such yard shall extend the full width of the lot from side lot line to side lot line.

- A. The front yard shall be on a side that faces towards a public street, whenever one public street abuts the lot.
- B. When a lot abuts onto two or more public streets, the applicant may choose the front yard, unless the Zoning Officer determines that the front yard should follow the clearly predominant front yard orientation of the development of abutting lots.
- C. No accessory or principal structure shall extend into the required front yard, except as provided in this chapter.

YARD, REAR: An area required to be open to the sky and not occupied by buildings between the rear lot line and a line drawn parallel to such rear lot line at a distance specified by a specific section of this chapter. Such yard shall extend the full width of the lot from side lot line to side lot line. A principal structure shall not extend into the required rear yard for a principal structure, and an accessory structure shall not extend into the required rear yard for an accessory structure, except as provided in this chapter.

YARD, SIDE: An area required to be open to the sky and not occupied by buildings between each side lot line and a line drawn parallel to such side lot line at a distance specified by a specific section of this chapter. Such yard shall extend the full width of the lot from front lot line

to rear lot line. A principal structure shall not extend into the required rear yard for a principal structure, and an accessory structure shall not extend into the required rear yard for an accessory structure, except as provided in this chapter.

~~YARD: An open space on the same lot with a structure (or a group of structures) which lies between the required building setback lines and the lot lines and which is unoccupied and unobstructed from the ground upward except as permitted in the Township Zoning Ordinance [Chapter 27].~~

- (1) ~~FRONT YARD — An open, unoccupied space, open to the sky, between the front property line and a line drawn parallel thereto at such distance therefrom as may be specified for any zoning district, and extending for the full width of the lot.~~
- (2) ~~SIDE YARD — An open, unoccupied space, open to the sky, between the side property line and a line drawn parallel thereto at such distance therefrom as may be specified for any zoning district and extending from the required front yard setback to the required rear yard setback.~~
- (3) ~~REAR YARD — An open, unoccupied space, open to the sky, between the rear property line and a line drawn parallel thereto at such distance therefrom as may be specified for any zoning district and extending the full width of the lot.~~