

PART 2
DEFINITIONS

§27-201. Word Usage.

As used in this Chapter, words and terms used herein shall be interpreted as follows:

- A. Words used in the present tense include the future.
- B. The singular include the plural and plural includes the singular.
- C. The word "building" includes the word "structure" and shall be construed as if followed by the words "or part thereof."
- D. The word "lot" includes the word "plot" or "parcel."
- E. The term "shall" means "mandatory."
- F. The term "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be occupied."
- G. The word "person" includes a corporation, firm, company, partnership and association, as well as the individual and includes a trustee, receiver, assignee or similar representative.
- H. The word "commission" and the words "Planning Commission" always means the Chalfont Borough Planning Commission.
- I. The word "Council" or the words "Borough Council" always mean the Chalfont Borough Council.
- J. The word "Board" or the words "Zoning Hearing Board" always mean the Chalfont Borough Zoning Hearing Board.

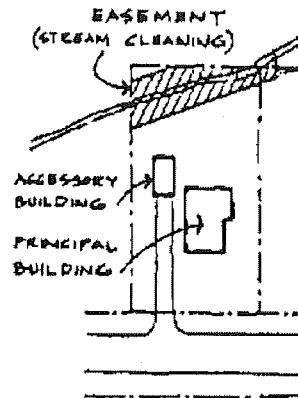
(Ord. 319-A, 3/21/2000, Art. 2, §114-6)

§27-202. Terms Defined.

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Chapter to have the meanings indicated in this Part:

FIGURE 1.

ACCESSORY STRUCTURE



ACCESSORY USE OR STRUCTURE — a use, building or structure which is customarily incidental and subordinate to the principal use, building or structure and which is located on the same lot therewith.

AGENT — any person, other than the landowner of a lot, who, acting under specific authorization of the landowner, submits plans, data and/or applications to the Zoning Officer or other designated Borough official for the purpose of obtaining approval thereof.

AGRICULTURE — the cultivating of the soil and the raising and harvesting of the products of the soil including, but not by the way of limitation, nursery, nursery sales yards, horticulture and forestry and animal husbandry.

ALTERATION — an incidental change, rearrangement, replacement or enlargement in the structural parts of a building or structure or in the means of egress, by extending on a side or by increasing in height or the moving from one location or position to another. This shall not add additional square footage or affect the location of the structure or building.

APPLICANT — any landowner, lessee or his/her authorized agent who submits plans, data and/or applications to the Borough for the purpose of obtaining approval thereof.

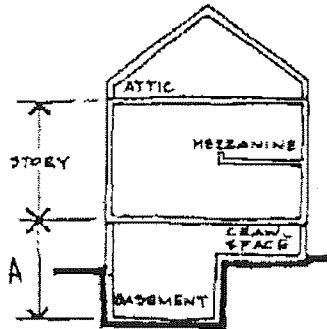
AUTHORITY — a body politic and corporate created pursuant to the Act of May 2, 1945, (P.L. 382, No. 164) known as the "Municipality Authorities Act of 1945."

BABY-SITTING — the temporary care of any number of children at a dwelling customarily and regularly occupied by the children as their residence.

BASEMENT — an enclosed area of a building partly or completely below grade. A basement shall be considered as a floor for the purpose of gross floor area measurement if the ceiling is five feet or more above the basement floor level. A basement must meet the latest adopted version of the BOCA Code.

FIGURE 2

BASEMENT STORIES



WHEN 'A' IS GREATER THAN 5 FEET,
THE BASEMENT IS A FLOOR.

BUFFER AREA — a strip of required yard space adjacent to the boundary of a property or district, not less in width than is designated in §27-514 of this Chapter and on which is placed year-around shrubbery, hedges, evergreens or other suitable planting of sufficient height and density to constitute an effective screen and give maximum protection and immediate screening to an abutting property or district. A buffer area may include a wall or fence; provided, that such wall or fence shall be screened or constructed in such a manner that it will not conflict with the character of the abutting district.

BUILDING — any structure having enclosing walls and a roof, permanently located on the land.

BUILDING AREA — the aggregate of the maximum horizontal cross-section areas of all buildings on a lot above the ground level, measured at the greatest outside dimensions, excluding cornices, eaves, gutters or chimneys projecting not more than 18 inches, bay windows not extending through more than one story and not projecting more than five feet, steps and balconies.

BUILDING ENVELOPE — the building envelope is that area of a lot that has no development restrictions. The building envelope shall not include the area of any required setbacks (except for driveways which would cross yards) buffer yards or natural features with 100% protection standard.

BUILDING SETBACK LINE — the line which establishes the minimum depth of front yard for the particular district as measured from the legal right-of-way line.

BUILDING, PRINCIPAL — a building in which is conducted the principal use of the lot on which it is situated.

BUILDING SPACING — the minimum distance between two buildings. The building space shall be measured from the outermost wall or projections, excluding ornamental features, cornices and gutters, provided these exceptions do not encroach more than two feet.

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CONDITIONAL USE — a use permitted in a particular zoning district pursuant to the provisions of §27-1809 of this Chapter.

CONDOMINIUM — an ownership arrangement, not a land use, therefore it is allowed in any district and under the same restrictions as the residential land uses that it comprises. A “condominium” shall not negate lot or other requirements intended to provide adequate land, air and privacy. A “condominium” is a dwelling unit which has all of the following characteristics:

- (A) The unit (the interior and associated exterior area designated for private use in the development plan) is owned by the occupant.
- (B) The unit may be any permitted dwelling type or land use.
- (C) All or a portion of the exterior open space and any interior spaces are owned and maintained in accordance with the Pennsylvania Uniform Condominium Act 68 Pa.C.S.A. §3103 et seq., and in accordance with the provisions for open space, roads or other development features as specified in this Chapter and the Subdivision and Land Development Regulations [Chapter 22].

DECISION — final adjudication of any board or other body granted jurisdiction under this Chapter, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the Court of Common Pleas of Bucks County and the judicial district wherein the Borough lies.

DENSITY — a measure of the number of dwelling units per acre calculated by dividing the total number of dwelling units on a lot by the base buildable site area.

DETERMINATION — final action by an officer, body or agency charged with the administration of this Chapter or applications thereunder, except the Borough Council and Zoning Hearing Board. Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

DRIVEWAY — a vehicular accessway connecting a street and a parking lot or garage and located within a lot. All driveways within the legal right-of-way shall be paved with bituminous or concrete paving.

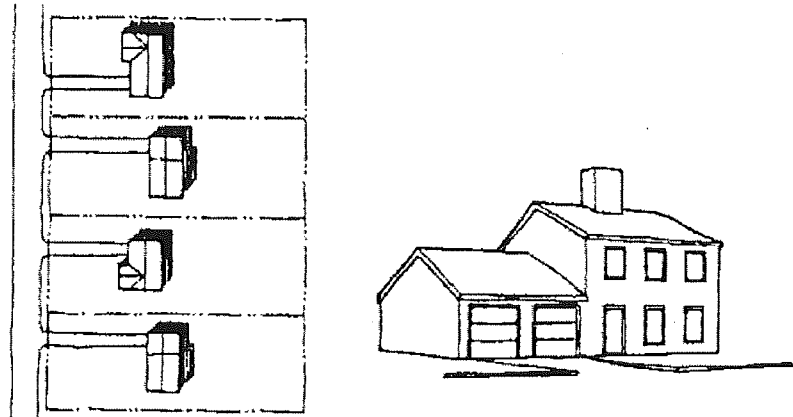
DWELLING — a building designed for and occupied exclusively for residential purposes, excluding a hotel, rooming house, tourist home, institutional home, residential club, motor court and the like, but not including the following.

DWELLING UNIT — a building or portion thereof providing complete housekeeping facilities for one family.

- (A) Single-Family Detached Dwelling. A single family detached dwelling on an individual lot with private yards on all sides of the house and with no public

or community open space. Detached dwellings may include dwellings constructed on the lot, prefabricated dwellings, manufactured dwellings, modular dwellings and mobile homes. See Figure 3.

FIGURE 3.



DWELLING, SINGLE-FAMILY DETACHED

(B) Single-Family Attached Dwelling.

- (1) Twin. Two single-family attached dwelling units having only one dwelling unit from ground to roof and only one wall in common with another dwelling unit. See Figure 4.
- (2) Duplex. A single-family attached structure with one dwelling unit located above another dwelling unit. The dwelling units share a common lot area which is the sum of the required lot areas of all dwelling units within the building. There shall be no more than two dwelling units per structure and each unit shall have individual outside access.

FIGURE 4.



DWELLING, ATTACHED

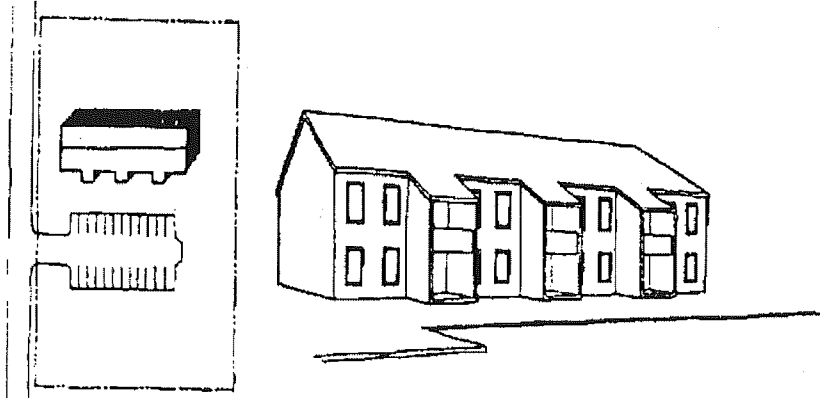
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- (3) Townhouse. A single-family attached dwelling unit with one dwelling unit from ground to roof, having individual outside access and in a row of at least three such units.

C. Multiple Dwelling.

- (1) Garden Apartments. A grouping of dwelling units sharing common elements which may include common outside access. See Figure 5.

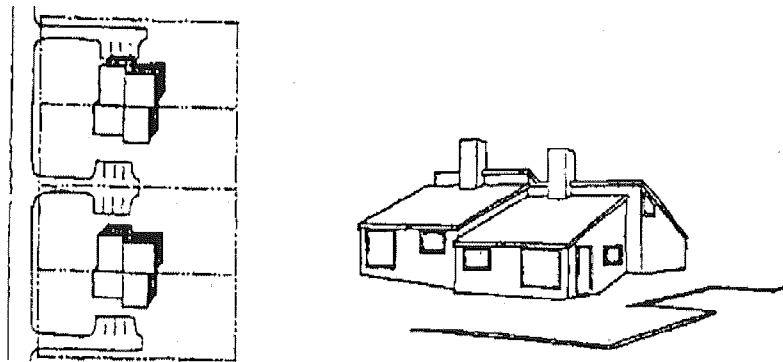
FIGURE 5.



DWELLING, GARDEN APARTMENT

- (2) Multiple Unit. An attached dwelling unit which may be arranged in a variety of configurations side by side, back to back or vertically. The dwelling units share a common lot area which is the sum of the required lot areas of all dwelling units within the building. The essential feature is the small number of units attached. See Figure 6.

FIGURE 6.



DWELLING, QUADRUPLEX

EASEMENT — a grant of the specified use of a parcel of land by the property owner to a person, the public or a corporation. See Figure 1.

EMPLOYEE — a person who is employed or is engaged in gainful activity. This term is utilized in parking standards of this Chapter as a measure of the number of parking spaces required. It shall refer to the maximum number of employees on duty at any time, at a place of business, whether the employees are full or part time. If shifts are involved and two shifts overlap, it refers to the total of both shifts.

ESTABLISHMENT — an economic unit, generally at a single physical location, where business is conducted or services or industrial operations are performed.

FAMILY — a group of individuals not necessarily related by blood, marriage, adoption or guardianship living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability. These uses shall be distinguished from a group occupying a boarding house, club, fraternity or hotel.

FLOOR AREA — the sum of the areas of the several floors of the building or structure, including areas used for human occupancy or required for the conduct of the business or use and basements, attics and penthouses, covered porches and decks as measured from the exterior face of the walls. It does not include open porches or decks, attics not used for human occupancy or storage nor any floor space in an accessory building.

FLOOR AREA RATIO — the gross floor area of all buildings or structures on a lot divided by the total lot area. Also defined as the maximum square foot amount of total floor area permitted for each square foot of lot are given as percentage.

GARAGE —

- A. Garage, Private. A building accessory to or an integral part of a single-family or two-family dwelling, for the storage of one or more motor vehicles owned and used by the owner or tenant or a member of his household.
- B. Garage, Public. A building, other than a private or a storage garage, one or more stories in height used for the storage of motor vehicles.
- C. Garage, Storage. A building, not a private or public garage, one story in height used solely for the storage of motor vehicles (not trucks) but not for the sale, service or repair of motor vehicles.

GREENHOUSE — a building permitted for this specific use, usually made of glass or some other transparent material, used for the cultivation, storage or protection of plants.

HEARING — an administrative proceeding conducted by the Borough Council or the Zoning Hearing Board pursuant to this Chapter.

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HEIGHT OF BUILDING — a building's vertical measurement from the mean level of the ground surrounding the building to a point at the highest point of the roof.

HOMEOWNERS ASSOCIATION — a nonprofit corporation of homeowners for the purpose of owning, operating and maintaining various common properties.

HYDRIC SOILS — a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions that favor the growth and regeneration of wetlands vegetation. Wetlands vegetation consists of those species that have adapted to the saturated soils and periodic inundations occurring in wetlands. The following soils classified in Soil Survey of Bucks and Philadelphia Counties, Pennsylvania, U.S. Department of Agriculture, Soil Conservation Service, July, 1975, are hydric soils:

- A. Bowmansville silt loam.
- B. Hatboro silt loam.
- C. Doylestown silt loam.
- D. Towhee silt loam.

IMPERVIOUS SURFACE — a surface that does not absorb stormwater. All buildings, hard surfaced parking areas and driveways, roads, sidewalks and any area in bituminous paving concrete and packed stone shall be considered impervious surfaces within this definition. In addition, other areas determined by the Borough Engineer to be impervious within the meaning of this definition will also be classified as impervious.

IMPERVIOUS SURFACE RATIO — determined by dividing the total area of all impervious surfaces within the site by the net buildable site area.

IMPROVEMENT — any alteration of a lot, tract or parcel of land or any structure thereon which requires the issuance of a building permit and which is designed to accommodate a new use category or a change from one use category to another use category under this Chapter or to accommodate a change within a single use category where that change results in the application of a new or more stringent zoning ordinance requirement.

INDOORS — a space within a structure covered by a roof and enclosed within four permanent walls.

LIVESTOCK — any member of the bovine, equine, porcine and ruminant species including, but not limited to, confined domesticated hares, rabbits, horses, ponies, cows, pigs, steer, sheep and goats.

LOADING SPACE — a space, accessible from a street or way, in a building or on a lot, for the temporary use of vehicles while loading or unloading merchandise or materials.

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

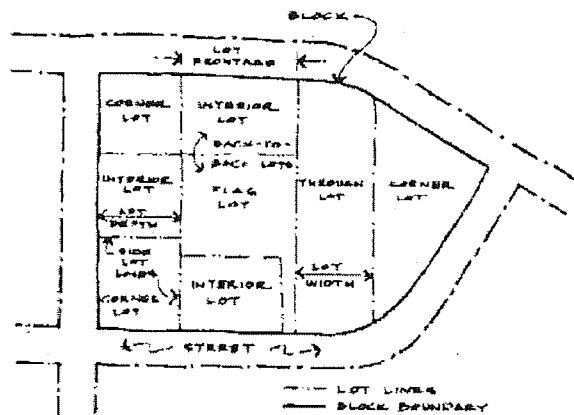
LOT AREA — the total horizontal area of a lot lying within the lot lines; provided, that no area of land lying within any street or legal right-of-way line shall be deemed to be a portion of any "lot area." The area of any lot abutting a street shall be measured to the right-of-way line only.

LOT, CORNER — a lot located at the intersection of two or more streets. A lot abutting on a curbed street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135°. See Figure 7.

LOT, INTERIOR — a lot other than a corner lot with frontage on only one street. See Figure 7.

LOT, THROUGH — a lot with the frontage of two parallel or approximately parallel streets and which is not a corner lot, may also be referred to as a double frontage lot. See Figure 7.

Figure 7
LOTS



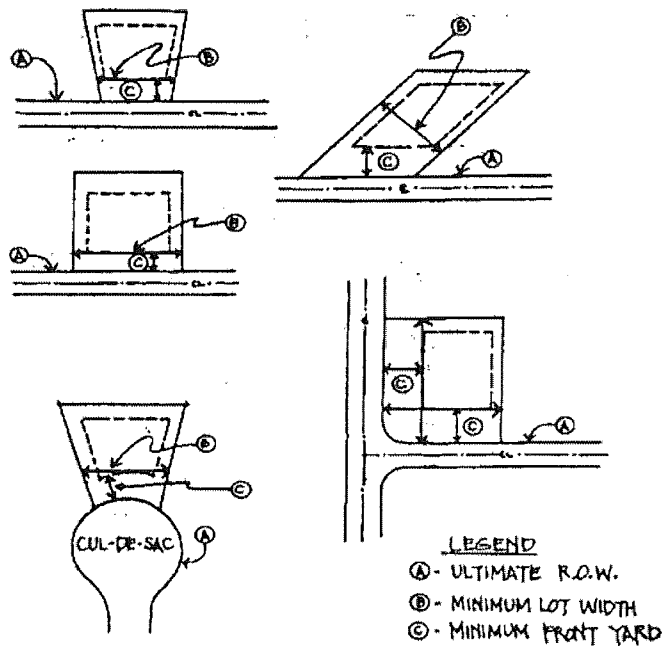
LOT LINE — a property boundary line of any lot held in a single and separate ownership, except that, in the case of any lot abutting a street, the "lot line" for such portion of the lot as abuts the street shall be deemed to be the same as the right-of-way line.

LOT WIDTH — the minimum distance between side lot lines at the ultimate right-of-way building setback (See Figure 8). The width shall be measured in one of the following ways:

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- A. Where both side lot lines are perpendicular to the street line or where the side lot lines angle in opposite directions, the width is measured parallel to the street line.
- B. In the case of the lot being located on a curved road or cul-de-sac where the side lot lines angle in opposite directions, lot width is measured along the shortest tangent to the arc of the building setback line.
- C. Where both side lot lines angle in the same direction and are not perpendicular to the street line, lot width shall be the shortest distance between both side lot lines, measured along a line extending through the intersection of the front yard and a side yard setback lines.
- D. For a corner lot, the minimum lot width must be met along both streets.

FIGURE 8. LOT WIDTH CALCULATIONS



MANUFACTURED HOUSING — a dwelling manufactured under the authority of 42 U.S.C. §540 of the National Manufactured Home Construction and Safety Standards Act, is transportable in one or more sections, is built on a permanent chassis and is used as a place of human habitation, but is not constructed with a permanent hitch other than for the purpose of delivery to a permanent site and which does not have wheels or axles permanently attached to its body or frame.

MOBILE HOME — a transportable, single-family dwelling intended for permanent occupancy, contained in one unit or in two or more units designed to be joined into one integral unit capable of being again separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that unit may be

used without a permanent foundation. For the purpose of this Chapter any single mobile home on a lot outside of a mobile home park shall be considered a detached dwelling unit and as such shall be subject to all applicable regulations in this or other Borough ordinances.

OPEN SPACE — that area of land and water to be maintained for the common use and enjoyment of residents of the Borough and may include trees, a floodplain, areas around ponds, streams or other bodies of water, land for recreational purposes, land for historical areas and areas with other natural or unique features. Areas set aside or preserved for open space shall be suitable for the designated purposes.

PARKING SPACE — an off-street space available for the temporary parking of one motor vehicle.

PARKING LOT — a portion of a lot area designed for the primary use of the temporary storage of more than one vehicle.

PARTY WALL — a wall on an interior lot line used or a wall adapted for joint service between two buildings.

POULTRY — any type of domestic or wild fowl, including chickens, quail, pheasants, ducks, emu, ostriches and pigeons.

PRINCIPAL USE OR STRUCTURE — a use, building or structure which is the principal use, building or structure of any lot or parcel.

PRIVATE CLUB — a building and related facilities owned or operated by a corporation, association or a group of individuals established for the fraternal social, educational, recreational or cultural enrichment of its members and not primarily for profit and whose members pay dues and meet certain prescribed qualifications for membership.

PUBLIC HEARING — a formal meeting held pursuant to public notice by the Borough Council or the Planning Commission or the Zoning Hearing Board intended to inform and obtain public comment, prior to taking action in accordance with this Chapter.

PUBLIC UTILITY — a private or municipal corporation organized and existing for the distribution and sale of water, electricity, gas or the collection and disposal of sanitary waste or sewage, in accordance with the laws of the Commonwealth of Pennsylvania.

PUBLIC UTILITIES FACILITIES — a building or structure and its equipment used for the transmission and exchange of telephone, radio telephone, gas, electricity, sewer and water facilities; provided, however, that in a residential district, these shall not include public business facilities, the storage of materials, trucks or repair facilities or the housing of repair crews.

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RECREATIONAL VEHICLE — a vehicle or piece of equipment, whether self-propelled or designed to be towed or carried, intended to be used primarily for leisure, recreation or travel. Recreational vehicles or units include travel trailers, truck mounted campers, motor homes, folding tent campers and automobiles or trucks designed for vacation uses and other vehicles not suitable for daily congenital family transportation. Snowmobiles, minibikes, all terrain vehicles, go carts, boats and boat trailers are also deemed recreational vehicles.

REPORT — any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, no shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request and copies thereof shall be provided according to the Borough's fee schedule.

RETAIL SALES — the sale of goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

RIGHT-OF-WAY — land set aside for use as a street or other means of travel or for use by a utility.

- A. Existing Right-of-Way. The legal right-of-way as established by the Borough or Commonwealth or other appropriate governing authority and currently in existence.
- B. Ultimate Right-of-way. The right-of-way deemed necessary by Chalfont Borough or by other governmental agencies with jurisdiction over roads within the Borough to provide adequate width for future street improvements. The line from which all future property setbacks are measured and also known as the street line.

ROOMER, BOARDER OR LODGER — a person occupying any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping but not for cooking and eating purposes and paying compensation for lodging or board and by prearrangement for a period of time 30 days or more to an owner or operation. Any person occupying such room or rooms and paying such compensation without prearrangement or for a period of less than 30 days shall be classified for purposes of this Chapter, not as a roomer, boarder or lodger but as a guest of a commercial lodging establishment (motel, hotel, bed and breakfast, tourist home).

SITE AREA — all land area within the site as defined by a site survey.

SITE AREA, BASE — see §27-511.

SITE AREA, NET BUILDABLE — see §27-511.

SITE CAPACITY — see §27-511.

SPECIAL EXCEPTION — permission or approval granted by the Zoning Hearing Board in accordance with Part 18 hereof, in situations where provisions therefore is made by the terms of §27-1808.

STORY — that part of a building located between a floor and the floor or roof above. The first story of a building is the lowest story having 75% or more of its wall area above grade level. A half story is a story under a gable, hip or gambrel roof the wall plates of which on at least two opposite exterior walls are not more than two feet above such story. See Figure 2.

STREET — a right-of-way, municipally or privately owned, serving as a means of vehicular and pedestrian travel, furnishing access to abutting properties and space for public utilities. A street shall include the terms avenue, boulevard, highway, parkway, lane, alley and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. Streets are further classified as follows:

- A. Principal Arterial Highway. Provides minimal land access with a high degree of travel mobility, servers major center of urban activity and travel generation, generally serves the highest traffic volume corridors and the longest trip lengths, thus carrying a significant proportion of the total urban area travel and should be continuous, both internally and between major rural connections. The following is an arterial highway: Butler Pike (U.S. 202).
- B. Minor Arterial Street. Provides greater emphasis on land access with a lower level of travel mobility than on principal arterials, includes most bus routes not on principal arterials and serves larger schools, industries, hospitals, plus small commercial areas not incidentally served by principal arterials. The following are arterial streets: Limekiln Pike/North Main Street (S.R. 0152), Bristol Road (S.R. 2025).
- C. Collector Streets. Provide minimal emphasis on travel mobility, low travel speeds, full land access, penetrate neighborhoods to distribute or collect trips and serve minor travel generators such as local elementary schools, small individual industrial plants, office, commercial and warehouse locations not served by principal or arterials. The following are collector streets: Park Avenue (S.R. 1006), Sunset Avenue (S.R. 1006), Moyer Road.

STREET LINE — the dividing line between a lot and the outside boundary or right-of-way line of a public street, road or highway legally opened or officially

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plotted or between a lot and a privately owned street, road or way over which the owners or tenants of two or more lots held in single and separate ownership have the right-of-way.

STREET, PAPER — a street accepted for dedication that has never been built, but is shown on an approved plan, subdivision plat, tax maps of official map.

STRUCTURAL ALTERATION — any change in or addition to the supporting or structural members of a building, such as the bearing walls, partitions, columns, beams, girders or enclosing porches or any change which would convert an existing building into a different structure or adapt it to a different use or which in the case of a nonconforming use would prolong the life of such use.

STRUCTURE — any manmade object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

STUDIO — the workroom of an artist or photographer.

USE — any activity, occupation, business or operation carried on or intended to be carried on in a building or other structure on a parcel of land.

VARIANCE — the modification of this Chapter granted by the Zoning Hearing Board on grounds of practical difficulties or unnecessary hardship, not self imposed pursuant to §27-1807 of this Chapter and §910.2(a) of the Pennsylvania Municipalities Planning Code (Act 247).

YARD — an open space on the same lot with a structure, extending along a lot line or street line and inward to the structure. The size of a required yard shall be measured as the shortest distance between the structure and a lot line or street line. See Figure 9.

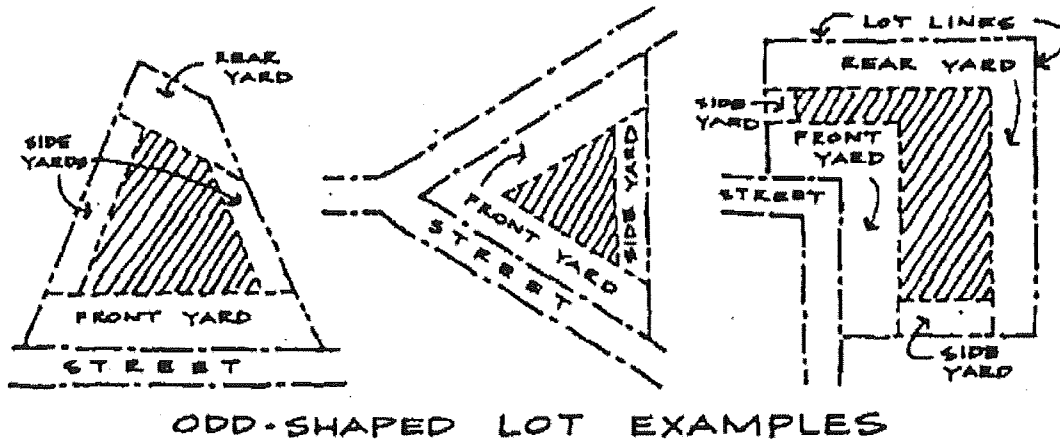
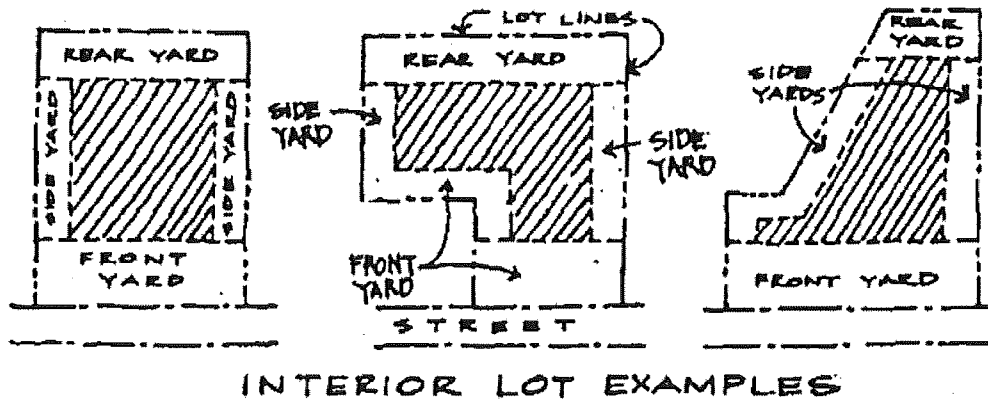
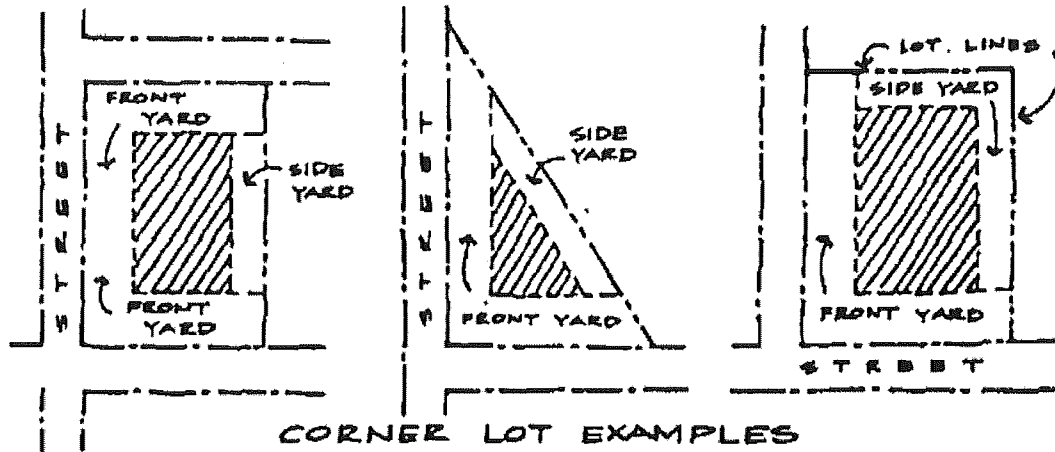
YARD, FRONT — a yard extending along the full width of a front lot line and back to the required building line. On corner and through lots, front yards shall be provided along all street frontages. See Figure 9.

YARD, REAR — the required open space extending from the rear of the principal building on the lot to the rear lot line (not necessarily a street line) across the entire width of the lot. See Figure 9.

YARD, SIDE — the required open space between the side (face) of the closest point of the principal building on the lot and the side lot line, extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed to be a side line. In the case of a through lot, side yards shall extend from the required front yards. On corner lots, one yard not fronting on the two streets shall be designated a side yard. See Figure 9.

(Ord. 319-A, 3/21/2000, Art. 2, §114-7)

FIGURE 9. REQUIRED YARDS



REQUIRED YARDS

 BUILDING (ZONING) ENVELOPE
(TWO DIMENSIONAL)

