

PART 2

DEFINITIONS

§22-201. Word Usage.

1. As used in this chapter, words expressed in the singular include their plural meanings, and words expressed in the plural include their singular meanings. Words used in the present tense include the future. The word “person” includes a corporation and its responsible officer, an unincorporated association and a co-partnership, as well as an individual or other similar entity. The words “building” and “street” are used generically and shall be construed as if followed by the phrase “or part thereof.” The term “watercourse” includes “drainage ditch” and “stream.” The word “may” is permissive, and the words “shall” and “will” are mandatory, subject to the provisions of Part 7 hereof.
2. The following definitions are frequently cross-referenced with other words of similar meaning:
 - A. The term “Council” shall always mean the Chalfont Borough Council.
 - B. The term “Planning Commission” shall always mean the Planning Commission of Chalfont Borough.
 - C. The term “County Planning Commission” shall always mean the Bucks County Planning Commission.
 - D. The term “municipality” or “Borough” shall always mean Chalfont Borough, Bucks County, Pennsylvania.

(Ord. 359, 11/14/2006)

§22-202. Terms Defined.

The following words and phrases, as used in this chapter, shall have the meanings indicated below, except when such meanings are clearly out of context:

ALLEY — a paved area providing service access to the side or rear of lots.

APPLICANT — a landowner or developer who has filed an application for development, including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT — every application, whether preliminary or final, required to be filed and approved prior to the start of construction or development, including but not limited to an application for a building permit, for

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the approval of a subdivision plat or plan or for the approval of a development plan.

AUTHORITY — a body politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipalities Authority Act of 1945.”²

BLOCK — an area bounded by streets.

CARTWAY — the portion of a street or alley intended for vehicular use.

CLEAR SIGHT TRIANGLE — an area of unobstructed vision at street intersections defined by the streets and by a line of sight between points on their center lines.

CROSSWALK — a right-of-way for pedestrian travel across or within a block.

CUL-DE-SAC — a minor street intersecting another street at one end and terminating at the other end in a paved vehicular turnaround.

DEVELOPER — any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT PLAN — the provisions for development as presented in written and graphic form, including a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities.

DRAINAGE — the flow of water or liquid waste and the methods of directing such flow, whether natural or artificial.

DWELLING — a building, designed and constructed for residential purposes, in which people live.

EASEMENT — a right granted for the use of private land for certain public or quasi-public purposes; also, the land to which such a right pertains.

FLOOD-PRONE AREA — a relatively flat or low land area adjoining a stream, river or watercourse which is subject to partial or complete inundation or any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

FLOODWAY — the channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of the one-hundred-year magnitude without cumulatively increasing the water surface elevation more than one foot.

² Editor's Note: See 53 Pa.C.S.A. § 5601 et seq.

FOREST — one-quarter acre or more of wooded land where the largest trees measure at least six inches in diameter 1 1/2 feet from the ground. The forest shall be measured from the dripline of the outer trees. A forest is also a grove of trees forming one canopy where 10 or more trees measure at least six inches in diameter at 4 1/2 feet from the ground.

LAND DEVELOPMENT —

A. The improvement of one or two or more contiguous lots, tracts or parcels of land for any purpose involving:

- (1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots, regardless of the number of occupants or tenure; or
- (2) 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.

B. A subdivision of land.

C. The following activities shall not be considered to be land developments:

- (1) The addition of an accessory residential building of less than 1,000 square feet or accessory farm building of less than 1,000 square feet on a lot or lots subordinate to an existing residential or farm building; and
- (2) The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into no more than three residential units which does not involve any external changes or additions to the structure, unless such units are intended to be a condominium.

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 area contained within a lot, including the area of any easement, and measured from the curblines (not necessarily the right-of-way line) to the rear of the lot.

MUDSLIDE-PRONE AREA — any area characterized by unstable slopes and land surfaces whose history, geology, soil, bedrock structure and climate indicate a potential for mudslides.

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MULTIPLE-DWELLING BUILDING — a building providing separate living quarters for three or more families.

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

PUBLIC MEETING — a forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."³

PUBLIC NOTICE — notice published once each week for two consecutive weeks in a newspaper of general circulation in the Borough. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

REGULATORY FLOOD — a flood having an average frequency of occurrence on the order of once in 100 years, although the flood may occur in any year.

REGULATORY FLOOD ELEVATION — the one-hundred-year flood elevation based upon the information contained in the official Flood Insurance Study.

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, nor 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 at the cost of reproduction.

RIGHT-OF-WAY — land set aside for use as a street, alley or crosswalk.

SIGHT DISTANCE — the length of a street, measured along the center line, which is continuously visible from a point four feet above the center line.

STREET — a strip of land which is intended primarily as a means of vehicular and pedestrian circulation, which may also be used as a space for sewers, public utilities, shade trees and sidewalks.

A. **HALF-STREET** — a street of less than the required right-of-way width (prohibited under §22-704, Subsection 14).

³ Editor's Note: See 65 Pa.C.S.A. § 701 et seq.

SUBDIVIDER — the person or his authorized agent for whom a subdivision is prepared.

SUBDIVISION —

- A. A division of a single lot, tract or parcel of land, or part thereof, whether on an existing street or otherwise, into two or more lots, tracts or parcels of land, including changes in street lines or lot lines, after the effective date of this chapter, 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 division by lease of land for agricultural purposes in parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.
- B. Any site plans for the development of a parcel of land which involves the installation of streets or alleys, or both, and any plans for the development of land for a shopping center or multiple-dwelling building.
- C. Resubdivision.
- D. The land subdivided, the process of subdividing it or the plan thereof.

TREE PROTECTION ZONE (TPZ) — an area that is radial to the trunk of a tree, in which no construction activity shall occur. The tree protection zone shall be measured 20 feet from the trunk of the tree to be retained or the distance from the trunk of the tree to two feet beyond the outer edges of the branches of the tree. Where there is a group of trees or woodlands, the tree protection zone shall be the aggregate of the protection zones for the individual trees.

WETLANDS — those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support and which, under normal conditions, do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

(Ord. 359, 11/14/2006)

