

**ARTICLE 2.
DEFINITIONS**

2.01 General Word Usage

Certain words, phrases and terms, are listed and defined in Section 2.02, in order to facilitate the interpretation of this ordinance for administrative purposes and in the performance of duties by appropriate officers and by the Zoning Hearing Board. In addition, the following provisions and rules shall be observed and applied throughout this Ordinance, except as otherwise expressly stated in the text.

- A.** Words used or defined in one tense or form shall include other tenses and derivative forms.
- B.** Words in the singular number shall include the plural number and words in the plural number shall include the singular number.
- C.** The masculine gender shall include the feminine and the feminine gender shall include the masculine.
- D.** The word "shall" is mandatory.
- E.** The word "may" is permissive.
- F.** The word "person" includes individuals, firms, corporations, associations, trusts and any other similar entities.
- G.** Unless otherwise expressly stated herein, the word "occupied" includes the words "designed or intended to be occupied"; the word "used" includes the words "arranged, designed or intended to be used".
- H.** The words "Township" or "Municipality" mean Southampton Township, Cumberland County, Pennsylvania.
- I.** The words "Township Board", "Board" or "Governing Body" mean the Board of Supervisors of Southampton Township.
- J.** The words "Planning Committee" mean the Southampton Township Planning Committee.
- K.** The words "Recorder" and "Recorder of Deeds" mean the Cumberland County Recorder of Deeds.
- L.** In case of any difference of meaning or implication between the text of this Ordinance and any caption, illustration or table, the text shall control.

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2.02 Defined Words and Phrases

Abandonment.

To cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods or remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

Abutting.

"Abutting" means having a common border with, or being separated from such common border by an alley or easement.

Access.

"Access" a means of vehicular approach or entry to or exit from property.

Accessory Building, Use, or Structure.

"Accessory building or use" means a building or use which:

- A. Is subordinate to and serves a principal building or principal use;
- B. Is subordinate in area, extent or purpose to the principal building or principal use served;
- C. Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use; and
- D. Is located on the same lot as the principal building or principal use.

Accessory Building Apartment.

A dwelling unit located within a single-family, detached dwelling or within a building accessory to the single-family, detached dwelling and on the same lot.

Accessory Solar Energy System

An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power, and supply electrical or thermal power primarily for on-site use. An accessory solar energy system consists of one (1) or more free-standing ground, or roof mounted solar arrays or modules, or solar related equipment and is intended to primarily reduce on-site consumption of utility

power or fuels.

Adult-Related Facilities.

A business or club which engages in one or more of the following areas of sales, services, or entertainment:

- A.** ADULT ARCADE: means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by the depicting or describing of ‘specified sexual activities’ or ‘specified anatomical areas.’
- B.** ADULT BOOKSTORE OR ADULT VIDEO STORE: means a commercial establishment which as one of its principal business purposes offer for sale or rental for any form of consideration, any one or more of the following: 1. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations which depict or describe ‘specified sexual activities’ or ‘specified anatomical areas’ or 2. Instruments, devices or paraphernalia which are designed for use in connection with ‘specified sexual activities.’
- C.** ADULT CABARET: means a nightclub, bar, restaurant or similar commercial establishment which features: 1. Persons who appear in a state of nudity; or 2. Live performances which are characterized by the exposure of ‘specified anatomical areas’ or by ‘specified sexual activities’ or 3. Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of ‘specified sexual activities’ or ‘specified anatomical areas.’
- D.** ADULT MOTEL: means a hotel, motel or similar commercial establishment which: 1. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of ‘specified sexual activities’ or ‘specified anatomical areas’ and has a sign visible from a public right of way which advertises the availability of this adult type of photographic reproductions; or 2. Offers sleeping rooms for rent four (4) or more times in one calendar day during five (5) or more calendar days in any continuous 30-day period.
- E.** ADULT MOTION PICTURE THEATER: means a commercial establishment where for any form of consideration films, motion pictures, video cassettes, slides, or similar photographic reproductions are shown which are characterized by the depiction or description of ‘specified sexual activities’ or ‘specified anatomical areas.’

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- F.** ADULT THEATER: means a theater, concert hall, auditorium, or similar commercial establishment which features persons who appear in a state of nudity or live performances which are characterized by the exposure of ‘specified anatomical areas’ or ‘specified sexual activities.’

Agricultural Uses.

Agricultural uses shall include the following:

- A.** The tilling of the soil, the raising of crops, fruits and vegetables, greenhouses and nurseries.
- B.** Processing and direct marketing of agricultural products produced by the farmer in their natural or manufactured state.
- C.** The hatching and raising on a commercial scale of poultry, rabbits, fish or dairy farming.
- D.** The raising and grazing of horses, cattle, sheep, goats and other like animals raised for grain, including supplementary feeding of such animals, provided that such raising or grazing is not part of, nor conducted in conjunction with, a livestock slaughter house or animal by-products business.
- E.** The keeping and raising of hogs, provided that there shall be no feeding of any market or house refuse, garbage or offal, other than that produced on the premises.
- F.** The slaughtering, dressing and marketing of poultry, cattle, sheep, hogs and rabbits incidental to the operation of a farm.
- G.** Public and private stables and riding academies.
- H.** Bee keeping.
- I.** Viticulture

Agritourism Enterprise

Accessory uses conducted on a working farm and offered to the public or to invited groups for the purpose of recreation, entertainment, education or active involvement in the farm operation. These activities must be related to agriculture or natural resources and incidental to the primary farm operation on the site. These activities may include a fee for participants. Examples include but are not limited to hay rides, corn mazes, farm tours,

rodeos, educational exhibits, etc.

Alluvial Soils.

Soil formed from material, such as gravel, sand or clay, deposited by a stream of water and showing little or no modification of the original materials or soil forming processes.

Alterations.

As applied to a building or structure, any change or rearrangement in the total floor area, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Antenna.

Any device used for the transmission or reception of radio, television, wireless telephone, pager or any other wireless communication signals along with necessary base cabinets or equipment shelters. This definition shall not include private satellite dishes or television antenna or amateur radio equipment whether ham or citizen band.

Apartment.

"Apartment" means a dwelling unit contained in a building comprising three or more dwelling units, each of which has an entrance to a hallway or balcony in common with at least one other dwelling unit.

Area, Building.

"Building area" means the aggregate of the maximum horizontal cross section area of all the buildings on a lot excluding cornices, eaves, gutters or chimneys projecting not more than thirty (30) inches, bay windows not extending through more than one (1) story and not projecting more than two (2) feet, uncovered porches, terraces, balconies and steps.

Automobile Garage, Private.

An accessory building for the storage of one or more automobiles and/or other vehicles accessory and incidental to the primary use of the premises, provided that no business, occupation or service is conducted therein nor space therein for more than one (1) automobile is leased to a non-occupant of the premises.

Automobile Service Station.

A building or lot or part thereof supplying and selling gasoline or other equivalent fuel for motor vehicles at retail direct from pumps and storage tanks and which may include accessory facilities for rendering services such as lubrication, washing and repairs.

Base Flood.

"Base flood" means the flood which has been selected to serve as the basis upon which the Flood Plain Conservation District management provisions of this ordinance have been prepared; for purposes of this zoning ordinance the 100 year flood as delineated on the FHB/FIRM Maps prepared by the Federal Insurance Administration, U.S. Department of Housing and Urban Development.

Base Flood Elevation.

"Base flood elevation" means the 100 year flood elevation, as defined and delineated by the Federal Insurance Administration, U.S. Department of Housing and Urban Development. The base flood elevation shall be established as a point on the boundary of the Flood Plain Conservation District as defined in Sections 6.02 and 6.04, closest to the construction site in question.

Basement.

A story partly underground but having one-half or more of its height above the average level of the adjoining ground.

Bed and Breakfast Inn.

A single family detached dwelling, or portion thereof, where short-term lodging rooms and meals are provided. The operator of the inn shall live on the premises or in adjacent premises. A boarding house.

Berm.

An earthen mound designed to create a visual and sound barrier between a use and adjoining properties, streets, and adjacent uses.

Billboard.

A sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

Buffer.

An area to be used as means of limiting the effects created by a use on adjoining properties, streets and uses, including but not limited to screening, fencing and use of berms.

Buildable Area.

"Buildable area" means the space remaining on a zoned lot after the minimum open space requirements, such as coverage, yards, and setbacks, have been met.

Building.

"Building" means a structure built, maintained or intended for use for the shelter or enclosure of persons, animals or property of any kind. The term is inclusive of any part thereof.

Building, Height Of.

The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roof, and to the mean height between eaves and ridges for gable, hip and gambrel roofs.

Building, Principal.

"Principal building" means a building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

Building Setback Line.

The line within a property defining the required minimum distance between any building or structure and the front, side or rear property line. It shall be a straight line parallel to the front, side or rear property line of rectilinear lots. On a curvilinear lot, the building setback line shall be radial to the arc. No point on the parallel to the tangent shall be a distance less than the minimum setback distance.

Camping Ground.

A parcel of land used by campers for seasonal, recreation, or other similar temporary living purposes, in buildings of a movable, temporary, or seasonal nature, such as cabins, trailer campers, tents or shelters, but not including a mobile home camp court, or park.

Carport.

"Carport" means an open space for the storage of one or more vehicles in the same manner as a private garage, which may be covered by a roof supported by columns or posts.

Cellar.

A story partly underground and having more than one-half of its clear height below the average level of the adjoining ground. A cellar shall not be considered in determining the required number of stories.

Cemetery.

Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

Cluster Development.

A development design option which allows the minimum lot areas and yard requirements to be reduced so that buildings and lots can be grouped together in a more efficient and environmentally sensitive configuration, provided that the remaining area is set aside as common open space, used for recreation or to preserve environmentally sensitive areas.

Common Open Space.

A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

Communication Tower.

A structure and necessary auxiliary components used for the purpose of sending and receiving electronic signals as an integral component of a communication system.

Conditional Use.

A use that, owing to some special characteristics attendant to its operation or installation, is permitted in a district subject to approval by the Board of Supervisors in conjunction with Article VI of the Pennsylvania Municipalities Planning Code, and is subject to special requirements in addition to the usual requirements of the district in which it may be located.

Condominium.

"Condominium" means ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, together with individual ownership in fee of a particular unit or apartment in such building or on such parcel of land, and may include dwellings, offices and other types of space in commercial buildings or on property.

Conservation Area.

Environmentally sensitive and valuable lands protected from any activity that would significantly alter their ecological integrity, balance, or character, except in cases of overriding public interest.

Conservation Easement.

An easement granting a right or interest in real property that is appropriate to retaining land or water areas predominately in their natural, scenic, open, or wooded condition; retaining such areas as suitable habitat for fish, plants, or wildlife; or maintaining existing land uses.

Construction.

"Construction" means the construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure including the placement of mobile homes.

Convenience Store (Mini-market).

Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same, and having a gross floor area of less than five thousand (5,000) square feet. If gasoline is sold on the premises, the establishment shall be classified as a convenience store or a gasoline service station based on the source of the majority of its revenue.

Cooperative.

"Cooperative" means ownership in common with others of a parcel of land and of a building or buildings thereon which would normally be used by all the occupants, together with individual rights of occupancy of a particular unit or apartment in such building or buildings or on such parcel of land, and may include dwellings, offices and other types of space in commercial buildings or on property where the lease, sale or exchange of a unit is subject to the agreement of the group of persons having common ownership.

Cul-de-sac.

"Cul-de-sac" means a local or minor street intersecting another street at one end and terminated at the other by a vehicular turnaround.

Cut.

"Cut" means an excavation, the difference between a point on the original ground and a designated point of lower elevation on the final grade, and also means the material removed in excavation.

Dairy.

A commercial establishment for the manufacture or processing of dairy products.

Day Care Center.

Children's day care center shall mean any building or structure operated by any nursery, person, association, corporation, institution or agency which provides care and supervision, at least twice a week, for six (6) or more children under eighteen (18) years of age or special needs adults, in lieu of care and supervision ordinarily provided by parents in their own homes, with or without charge. Such Day Care use shall be in compliance with the applicable State regulations.

Day Care (Home Occupation).

A private residence where care, protection and supervision are provided by the owner or tenant of such residence, at least twice a week, for five (5) or less children under eighteen (18) years of age excluding those of the adult provider, in lieu of care and supervision ordinarily provided by parents in their own homes, with or without charge.

Density, Gross.

"Gross density" means the quotient of the total number of dwelling units divided by the total area, in acres, of a site.

Detention Basin.

"Detention Basin" means a vegetated pond designed to drain completely after storing runoff only for a given storm event and release it at a predetermined rate and is also known as a dry pond.

Drainage Facility.

"Drainage facility" means any ditch, gutter, culvert, storm sewer, basin, or other structure designed, intended or constructed for the purpose of diverting surface waters from, or carrying surface waters off streets, public rights-of-way, parks, recreational areas or any part of any subdivision or contiguous land area.

Developer.

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

Development.

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets and other paving, utilities, mining, dredging, filling, grading, excavation or drilling operations, and the subdivision of land.

Development Plans.

The provisions for development including a planned residential development; a plat of subdivision; all covenants relating to use, location and bulk of buildings and other structures; intensity of use or density of development; streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this Ordinance shall mean the written and graphic materials referred to in this definition.

Dwelling.

A building or structure designed for living quarters for one (1) or more families, including mobile homes which are supported by a permanent foundation, but not including tents, cabins, travel trailers, motels, hotels, rooming houses, boarding homes, convalescent homes or other accommodations used for transient occupancy.

Dwelling, Attached.

"Attached dwelling" means three or more adjoining dwelling units, each of which is separated from the others by one or more unpierced walls from ground to roof.

Dwelling, Multiple Family.

"Multiple family dwelling" means a building designed for or containing two or more dwelling units, sharing access from a common hall, stair or balcony.

Dwelling, Single Family Detached.

"Single family detached dwelling" means a dwelling designed for and occupied by not more than one family and having no roof, wall or floor in common with any other dwelling unit.

Dwelling, Semi-Detached.

"Semi-detached dwelling" means two dwelling units, attached side to side, sharing only one common wall with the other; or two dwelling units arranged one over the other.

Dwelling Unit.

"Dwelling unit" means a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

Easement.

The right of a person, government agency, or public utility company to use public or private land owned by another for a specific purpose.

Essential Services.

The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies or private corporations under contract to a municipality, of gas, electrical, telephone, steam or water transmission or distribution system, and sewage disposal systems, including buildings, enclosures, wells, pumping stations, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic light signals, hydrants, and other similar equipment and accessories and services in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other agencies or private corporations under contract to a municipality including firehouses or fire companies and emergency services under agreement with the municipality or for the public health or safety or general welfare.

Facility Owner.

The entity or entities having a legal or equitable interest in the Wind Energy Facility, including the respective successors and assigns.

Family.

One or more persons related to each other by blood, adoption, marriage, or otherwise by law, who are occupying the same dwelling unit and are living and cooking together as a single housekeeping unit, exclusive of foster children, household servants, and not more than two additional persons who are not so related. Apart from the above, not more than four persons living and cooking together as a single housekeeping unit though not so related, shall be deemed to constitute a family. A "family" as herein defined specifically excludes a boarding or rooming house, lodging house, club, fraternity, hotel or any similar group living arrangement.

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Farm.

Any parcel of land which is used for gain in the raising of agricultural products, livestock, poultry, or dairy products, including necessary farm structures within the prescribed limits and the storage of equipment customarily incidental to the primary use. For the purpose of this ordinance, a farm shall not include the raising of fur-bearing animals, riding academy, livery or boarding stables, or dog kennels.

Farm-Related Business.

An accessory use at which goods and services are rendered in support of local farming operations or to supplement on-farm income. Examples of Farm Related Businesses include, but are not limited to:

- a. Sales or repair of agricultural equipment;
- b. Blacksmith shops, farriers;
- c. Butcher shops;
- d. Grain mills;
- e. Processing and sales of agricultural products not produced by the owner;
- f. Seed, feed, fuel, and fertilizer distributors;
- g. Composting and other farm waste storage facilities;
- h. Welding shops;
- i. Arts and crafts manufacturing and sales;
- j. Woodworking, furniture and cabinet making shops;
- k. Nurseries.
- l. Other similar uses not specifically listed as permitted which, in the opinion of the Board of Supervisors, are of the same general character and which will not be detrimental to the district.

Facility Owner

The entity or entities having a legal or equitable interest in the Wind Energy Facility, including the respective successors and assigns.

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Fence.

"Fence" means any structure constructed of wood, metal, wire mesh or masonry erected for the purpose of screening one property from another either to assure privacy or to protect the property screened. For the purpose of this Zoning Ordinance a masonry wall is considered to be a fence.

Fill.

"Fill" means the sand, gravel, earth or other material placed or deposited such as to form an embankment or raise the elevation of the land surface.

Flicker.

A repeating cycle of changing light intensity.

Flood.

A temporary inundation of normally dry land areas.

Flood Fringe.

That portion of the flood plain outside the floodway.

Flood Plain Area.

Relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation in a one-hundred (100) year flood.

Floodproofing.

Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood-Prone Area.

A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

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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 (100) year magnitude without increasing the water surface elevation of that flood more than one foot (1'0") at any point.

Floor Area, Gross.

"Gross floor area" means the sum of the floor area for each of a building's stories measured from the exterior limits of the faces of the structure. The floor area of a building includes basement floor area and includes attic floor area only if the attic area is considered habitable. It does not include cellars and unenclosed porches or any floor space in an accessory building or in the principal building which is designed for the parking of motor vehicles in order to meet the parking requirements of the Zoning Ordinance, or any such floor space intended and designed for accessory heating and ventilating equipment. It shall include the horizontal area at each floor level devoted to stairwells and elevator shafts.

Forestry.

The management of forest and timberlands when practiced in accordance with accepted silviculture principles.

Garage, Private.

A building for the private use of the owner or occupant of a principal building situated on the same lot of the principal building for the storage of motor vehicles, with no facilities for mechanical service or repair of a commercial or public nature.

Garage, Public.

A building designed and used for the storage of automotive vehicles operated as a business enterprise with a service charge or fee being paid to the owner of operator for the parking or storage of privately owned vehicles.

Glare

The effect produced by light with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

Gross Leasable Area.

The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the

centerline of joint partitions and from outside wall faces.

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Ground Clearance.

The minimum distance between the ground and any part of the wind turbine blade, as measured from the lowest point of the arc of the blades.

Ground Floor.

"Ground floor" means the floor of a building nearest the mean grade at the front of the building.

Group Home.

A dwelling shared by four or more handicapped persons, including resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents, with the primary goal of enabling the resident to live as independently as possible in order to reach their maximum potential.

As used herein, the term "handicapped" shall mean having: 1) a physical or mental impairment that substantially limits one or more of such person's major life activities so that such person is incapable of living independently; 2) a record of having such an impairment; or 3) being regarded as having such an impairment. However, "handicapped" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals. The term "group home" shall not include alcoholism or drug treatment center, work release facilities for convicts or ex-convicts, or other housing facilities serving as an alternative to incarceration.

Hazardous Material.

Materials which have the potential to damage health or impair safety. Hazardous materials include, but are not limited to, inorganic mineral acids or sulfur, fluorine, chlorine, nitrogen, chromium, phosphorus, selenium, and arsenic and their common salts, petroleum products, and radioactive material. Also included are floatable materials with the potential to cause physical damage, such as logs, storage tanks, and large containers.

Home Occupation.

"Home occupation" means a business, profession, occupation or trade conducted for gain or support and located entirely within a residential building, or a structural accessory thereto, which use is accessory, incidental and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such

building.

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Hospital.

"Hospital" means an institution as approved by the State Medical Board in which patients or injured persons are given medical or surgical care.

Hotel.

A building containing rooms intended or designed to be used or which are used, rented or hired out to be occupied or are occupied for sleeping purposes by guests and where only a general kitchen and dining room are provided within the building as an accessory use.

House Pet.

"House pet" means any cat, dog, bird, hamster and such other animal as is customarily house kept. "House pet" shall not include the keeping of horses, pigs, rabbits or baby chicks, chickens or any such farm animals.

Housing for the Elderly.

- A. Independent. A building or group of buildings containing dwellings where the occupancy of the dwellings is restricted to persons 55 years of age or older, or couples where either the husband or wife is 55 or older. This does not include a development that contains convalescent or nursing facilities.
- B. Semi-independent. A residential facility for four or more elderly persons (age 55 or older) within which are provided living and sleeping facilities, and such services as meal preparation, laundry services and room cleaning. Such facilities may also provide transportation for social & medical appointments and counseling.
- C. Dependent. A full health and continuing care nursing home facility, which may be a condominium or cooperative that has nursing home services as a part of the facility.

Hub Height.

The distance measured from the surface of the tower foundation to the highest point of the wind turbine hub, to which the blade is attached.

Impervious Cover.

Any material impenetrable by precipitation, including buildings, structures and paved areas. For purposes of this ordinance, impervious cover shall be deemed to include graveled

driveways and parking areas.

Industrial Park.

A planned, coordinated development of a tract(s) of land with two or more separate industrial buildings. Such development is planned, designed, constructed and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design and orientation, and open space.

Industry, Heavy.

A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Industry, Light.

A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

Junk Yard.

Any area and/or structure used primarily for the collecting, storage and sale of waste paper, rags, scrap metal or discarded material or for the collecting, dismantling, storage and salvaging of machinery or vehicles primarily not in running condition and for the sale of parts thereof.

Kennel.

An establishment licensed to operate a facility housing dogs, cats, or other household pets and where grooming, breeding, boarding, training or selling of animals is conducted as a business.

Lot.

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

Lot Area.

The area contained within the property lines of a lot excluding space within any public right-of-way, but including the area of easement.

Lot, Corner.

A lot at the junction of and abutting on two (2) or more intersecting streets or private roads or at the point of abrupt change of a single street or private road, where the interior angle is less than one hundred and thirty-five degrees (135) and the radius of the street or private road line is less than one hundred feet (100'0").

Lot Coverage.

The percentage of the lot area covered by any and all impervious surfaces.

Lot, Depth.

"Depth of lot" means the mean horizontal distance between the street line and rear lot line, measured along the mean direction of the side lines of the lot.

Lot, Double Frontage.

An interior lot having frontage on two (2) streets.

Lot Frontage.

The lot dimension measured along the street line of any street abutting a lot.

Lot, Interior.

A lot other than a corner lot.

Lot Line.

"Lot line" means a line bounding a lot which divides one lot from another or from a street or any other public or private space.

Lot Line, Rear.

"Rear lot line" means that lot line which is parallel to and most distant from the front lot line of a lot; in the case of an irregular, triangular or gore-shaped lot, a line twenty feet in length, entirely within the lot, parallel to and at the maximum possible distance from, the front line shall be considered to be the rear lot line. In the case of lots which have frontage on more than one road or street, the rear lot line shall be opposite the lot line along which the lot takes access to a street.

Lot Line, Side.

"Side lot line" means any lot line other than a front or rear lot line.

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Lot of Record.

"Lot of record" means any validly recorded lot which at the time of its recordation complied with all applicable laws, ordinances and regulations.

Lot Width.

"Lot width" means the mean horizontal distance between the side lot lines measured at the building setback line. Where there is only one side lot line, lot width shall be measured between such lot line and the opposite lot line or future right-of-way line.

Manufacturing.

"Manufacturing" means the process and/or converting of raw, unfinished or finished materials or products, or any or either of them into an article or substance of different character or for use for a different purpose; industries furnishing labor in the case of manufacturing, rebuilding or refinishing of manufactured articles.

Meteorological Tower.

A tower used for the measurement of wind speed.

Microwave Antenna for Satellite Communication.

"Microwave antenna for satellite communication" means a parabolic ground based reflector, together with its pedestal and any other attachments and parts thereof, commonly referred to as a dish shaped antenna, used or intended to receive radio or electromagnetic waves from an overhead satellite.

Mobile Home or Manufactured Home.

- A. Mobile Home. A transportable, factory-built, single family dwelling intended for permanent occupancy, contained in one (1) unit, or in two (2) or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. Mobile home is the preferred term used to refer to such units built prior to the enactment of the Federal Manufactured Housing Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

- B. Manufactured Home.** A factory-built single family structure that is manufactured under the authority of the Federal Manufactured Housing Construction and Safety Standards Act of 1974, is transportable in one or more sections, is built on a permanent chassis, and is used as a place of human habitation; but which is not constructed with a permanent hitch or other device allowing transport of the unit 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.

For purposes of this ordinance, a mobile home or manufactured home shall be considered as a single family dwelling unit and one such unit shall be permitted on a single tract of land in all zones that permit single family dwellings, provided that no other dwelling units exist on the tract, and that all other applicable provisions of this ordinance are met. In addition, unless specifically referenced otherwise by the text of this ordinance, the terms manufactured home and mobile home shall be deemed to refer to the same type of residential housing, and said terms may be used interchangeably in the text.

Mobile Home/Manufactured Home Court or Park.

Any site, lot or tract of land upon which two or more authorized mobile homes/manufactured homes are parked permanently or temporarily, either free of charge or for revenue purposes, and shall include any appurtenant facilities used or designed as part of the equipment of such mobile home/manufactured home court or park.

Mobile Home/Manufactured Home Subdivision.

An area designed exclusively for mobile homes or manufactured homes and mobile dwelling units where lots are not rented but sold.

Motel.

A building or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units designed primarily for transient automobile travelers and provided with accessory off-street parking facilities. The term "motel" includes buildings designed as tourist courts, auto courts and other similar designations but shall not be construed to include mobile or immobile trailers or homes.

Nonconforming Lot.

A lot, the area or dimension of which was lawful prior to the adoption or amendment of this

ordinance but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

Revised as per Ordinance No. 2013-1

Nonconforming Structure.

A structure or part of a structure manifestly not designed to comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation. Such non-conforming structures include, but are not limited to, non-conforming signs.

Nonconforming Use.

A use, whether of land or a structure, which does not comply with the applicable use provisions in this zoning ordinance or amendment heretofore or hereafter enacted where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

Non-Participating Landowners.

Any landowner except those on whose property all or a portion of a wind energy facility is located pursuant to an agreement with the facility owner or operator.

Nursery, Horticulture.

Any lot or parcel of land used to cultivate, propagate, and grow trees, shrubs, vines, and other plants including the buildings, structures, and equipment customarily incidental and accessory to the primary use.

Obstruction.

Any wall, dam, wharf, embankment, levee, pile, abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure or matter, in, along, across, or projecting into any channel, watercourse or flood-prone area, which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or is placed where the flow of the water might carry the same downstream causing damage of life and property.

Occupancy, Mixed.

"Mixed occupancy" means occupancy of a building or land for more than one use.

Occupied Building.

A residence, school, hospital, church, public library, commercial building or other building used for public gathering that is in use when the permit application is submitted.

Revised as per Ordinance No. 2013-1

One-hundred (100) Year Flood.

A flood that, on the average, is likely to occur once every one-hundred (100) years (i.e., a flood that has a one percent (1%) chance of occurring each year, although the flood may occur in any year).

Open Space.

An area that is intended to provide light and air, and is designed for either environmental, scenic, or recreational purposes. Open space may include, but is not limited to: lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, swimming pools, wooded areas and water courses. Open space shall not include driveways, parking lots or other surfaces designed or intended for vehicular travel.

Operator.

The entity responsible for the day-to-day operation and maintenance of the wind energy facility.

Parking Space.

An off-street space available for the parking of a motor vehicle and which, in this Ordinance, is held to be an area ten (10) feet wide and eighteen (18) feet long, exclusive of passageways and driveways appurtenant thereto and giving access thereto.

Participating Landowner.

A landowner upon whose property all or a portion of a wind energy facility is located pursuant to an agreement with the facility owner or operator.

Personal Services.

Includes such uses as barber shops, beauty salons, photographic studios, coin operated laundromats, tailor, dress-making, millinery and dry cleaning and laundry operations.

Place of Worship.

A nonprofit use of land or a building or buildings as a place of worship, convent, monastery or similar religious institution, including rectory and parish houses for an organization solely or primarily used as a religious institution when located on the same premise.

Planning Agency.

A planning commission, planning department, or a planning committee of the governing body.

Revised as per Ordinance No. 2013-1

Porch.

"Porch" means a roofed, open, screened or glass enclosed structure projecting from the front, side or rear wall of a building.

Principal Solar Energy System

An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground, or roof mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures.

Public Hearing.

A formal meeting held pursuant to public notice by the Board of Supervisors, Zoning Hearing Board or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this ordinance.

Public Improvement.

"Public improvement" means any improvement, facility or service together with customary improvements and appurtenances thereto, necessary to provide for public needs such as: vehicular and pedestrian circulation systems; storm sewers; flood control improvements; water supply and distribution facilities; sanitary sewage disposal and treatment; and public utility and energy services.

Public Notice.

Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

Recreation, Active.

Leisure time activities, usually of a more formal nature and performed with other individuals, often requiring equipment and taking place at prescribed places, site or fields. Such areas usually require physical alteration of the area before they can occur and are intensively used, such as playgrounds, ball courts and swimming pools.

Recreation, Passive.

Leisure time activities, usually of an informal nature and which can be carried out with little alteration or disruption to the area in which they occur, such as hiking and picnicking.

Recreational Vehicle.

"Recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which has its own motive power or is mounted on or drawn by another vehicle, including camping trailer, motor home, travel trailer and truck camper; and a body width of no more than eight feet and a body length of no more than thirty-five feet when designed for the road, whether licensed or not licensed.

Regulatory Flood Elevation.

"Regulatory flood elevation" means the 100 year flood elevation plus a freeboard safety factor of one and one-half feet.

Repair Services.

Includes such uses as radio, television and appliance repair shops, plumbing shops, carpenter shops, and shoe repair shops.

Restaurant.

A business establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state, in individual servings, or in nondisposable containers, and where the customer consumes these foods while seated at tables or counters located within the building.

Restaurant, Fast Food.

Any establishment whose principal business is the sale of foods, frozen desserts, or beverages in ready-to-consume individual servings, for consumption either within the restaurant building or for carry-out, and where either: 1) foods, frozen desserts, or beverages are usually served in paper, plastic, or other disposable containers, and where customers are

not served their food, frozen desserts, or beverages by a restaurant employee at the same table or counter where the items are consumed; and/or 2) the establishment includes a drive-up or drive through service facility or offers curb service.

Retail Business.

Includes such uses as variety stores, apparel stores, drug stores, grocery stores, eating establishments, antique shops, music shops, sporting good stores, and book, stationery, magazine, candy and tobacco shops.

Revised as per Ordinance No. 2013-1

Right-Of-Way.

"Right-of-way" means land reserved for use as a street, alley, interior walk or for other public purposes.

Rooming House or Boarding House.

"Rooming house" means a dwelling where lodging is provided, for compensation for from five to ten persons, who are not members of a family occupying that dwelling unit and who do not occupy the dwelling as a simple housekeeping unit.

Rotor.

That portion of the wind turbine, i.e. blades and associated hub and shaft, which is intended to be moved or activated by the wind.

School.

Any place offering instruction in any branch of knowledge under the supervision of the Commonwealth of Pennsylvania or lawfully constituted ecclesiastical governing body, person, partnership or corporation meeting the requirements of the Commonwealth of Pennsylvania.

Screening.

The use of plant or landscaping materials, fencing, walls and/or earthen berms to aid in the concealment of such features as parking areas and vehicles within them or open storage areas, and to provide privacy between two or more different land uses which abut one another.

Self-Service Storage Facility.

A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers or

garage-type units for the storage of customer's goods, belongings or wares.

Setback.

The setback of a building from a particular lot line is the horizontal distance from such lot line to the part of the building nearest to such lot line.

Shadow Flicker.

Alternating changes in light intensity caused by a moving wind rotor blade casting shadows on the ground and stationary objects.

Revised as per Ordinance No. 2013-1

Shopping Center.

A group of stores planned and designed to function as a unit for the lot on which it is located with off-street parking provided as an integral part of the unit.

Sign.

Any structure, device, light or object, including the ground itself or any part thereof, or any device attached thereto, or painted or represented thereon, which shall be used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, or which shall display or include any letter, word, model, number, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement and which is intended to be seen from off the premises or from a parking lot, and shall be deemed to include signs which are affixed to the inside of windows and glass doors and are intended to be seen from roadways or parking lots.

Solar Easement

A solar easement means a right, expressed as an easement, restriction, covenant, or condition contained in any deed, contract, or other written instrument executed by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar energy systems.

Solar Energy

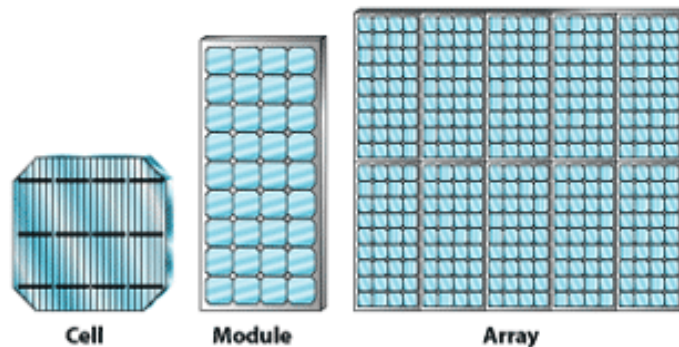
Radiant energy (direct, diffused and/or reflective) received from the sun.

Solar Panel

That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water heating and/or for electricity.

Solar Related Equipment

Items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly



foundations or other structures used for or intended to be used for collection of solar energy.

1. Solar Array: A grouping of multiple solar modules with the purpose of harvesting solar energy.
2. Solar Cell: The smallest basic solar electric device which generates electricity when exposed to light.
3. Solar Module: A grouping of solar cells with the purpose of harvesting solar energy.

Revised as per Ordinance No. 2013-1

Special Exception.

A use in one or more districts for which the Zoning Hearing Board may grant a special use permit pursuant to the provisions of this ordinance.

Stable, Commercial.

"Commercial stable" means a building or land where horses are kept for remuneration, hire, sale, boarding, riding or show.

Stable, Private.

"Private stable" means any building, incidental to an existing residential, principal use, that shelters horses for the exclusive use of the occupants of the premises.

Story.

A story is that part of a building between the surface of any floor and the next floor above it or, in its absence, then the finished ceiling or roof above it. A "split level" story shall be considered a second story if its floor level is six (6) feet or more above the level of the line of the finished floor next below it. Any floor under a sloping roof at the top of a building which is more than two (2) feet below the top plate shall be counted as a story; and, if less than 2 feet below the top plate, shall be counted as a half-story. A basement shall be counted as a story if it averages more than five (5) feet above grade.

Revised as per Ordinance No. 2013-1

Street.

Any street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or other way, whether public or private, used or intended to be used by vehicular traffic or pedestrians.

Street Line or Street Right-of-Way Line.

The street line is that line determining the limit of the street or highway right of the public, either existing or contemplated. Where a definite right-of-way width has not been established, the street line shall be assumed to be at a point twenty-five (25) feet from the centerline of the existing street.

Street Width.

"Street width" means the distance between right-of-way lines measured at right angles to the centerline of the street.

Structural Alteration.

"Structural alteration" means any change in the supporting or structural members of a building or structure, such as the bearing walls, partitions, columns, beams, girders, etc., or any change in the dimension or configuration of the rooms or exterior walls.

Structure.

"Structure" means any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. "Structure" means a building of any kind.

Total Height.

When referring to a wind turbine, the distance measured from the surface of the tower foundation to the highest point of a wind rotor blade when the blade is positioned at 90

degrees to the surface of the ground.

Total Tract Area.

The land area contained within the boundaries of a tract, exclusive of the areas of such permanent easements as are associated with overhead power transmission lines and underground pipelines, and land within the right-of-way of existing public roads that are present on the land at the time of development.

Revised as per Ordinance No. 2013-1

Tower.

The supporting structure of a wind turbine on which a rotor and accessory equipment are mounted.

Trailer.

(Recreational Vehicle) A vehicular, portable structure that may be built with or without a chassis, wheels, and motor or may be mounted on a truck chassis; however, is designed as a temporary dwelling for travel, recreation and vacation use and is either dependent upon a service building for toilet and lavatory facilities or for disposal of stored sewage.

Truck Terminal.

Land and buildings used as a relay station for the transfer of a load from one vehicle to another or one party to another. The terminal cannot be used for permanent or long-term accessory storage for principal land uses at other locations. The terminal facility may include storage areas for trucks and buildings or areas for the repair of trucks associated with the terminal.

Use.

The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.

Use Of Building.

"Use of building" means any and every use conducted within a building or accessory thereto.

Use, Principal.

"Principal use" means the specific primary purpose for which land is used.

Variance.

The permission granted by the Zoning Hearing Board following a public hearing that has been properly advertised as required by Act 247, as amended, for an adjustment to some regulation which, if strictly adhered to, would result in an unnecessary hardship and where the permission granted would not be contrary to the public interest, and would maintain the spirit and original intent of this Ordinance.

Revised as per Ordinance No. 2013-1

Wetland.

An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that, under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

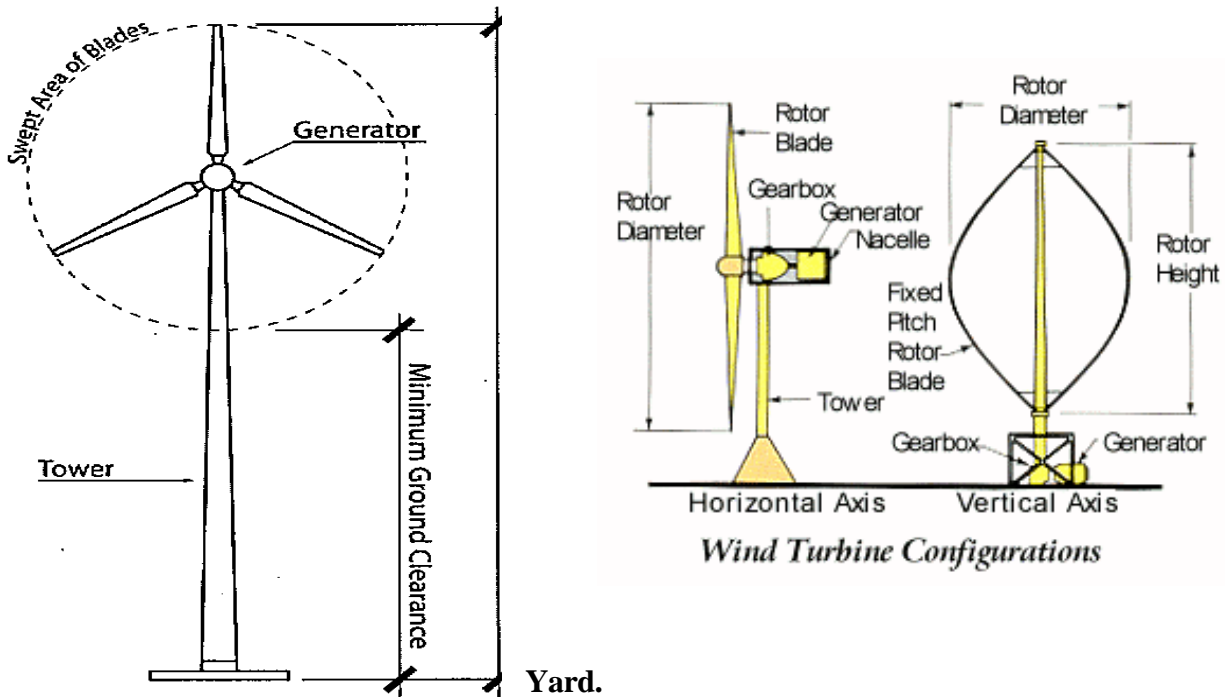
Wind Energy Facility.

An electric generating facility, whose main purpose is to supply electricity, consisting of one or more wind turbines and other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmissions lines and other appurtenant structures and facilities.

1. ACCESSORY WIND ENERGY FACILITY - a system designed as a secondary use on a lot, wherein the power generated is used primarily for on-site consumption.
2. PRINCIPAL WIND ENERGY FACILITY – a system designed as the primary use on a lot, wherein the power generated is used primarily for off-site consumption.

Wind Turbine.

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



"Yard" means an open space on the same lot with a building or building group lying between the front, rear or side wall of a building and the nearest lot line, unoccupied except for projections and the specific minor uses or structures allowed in such open space under these provisions.

Yard, Front.

An open unoccupied space on the same lot with a main building, situated between the street line and front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the street line. Covered porches whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into a required front yard.

Yard, Interior.

An open unoccupied space between the buildings of a dwelling group or between a building and its accessory buildings, not a front, side or rear yard.

Yard, Rear.

A yard on the same lot with a main building, situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot. The depth of the rear yard shall

be measured between the rear line of the lot and the rear line of the main building.

Yard, Side.

A yard on the same lot with the building, situated between the required setback line and the side line of the lot and extending from the front lot line to the rear lot line. Any lot line not a rear line or a front line shall be deemed a side line.

Zoning District.

A portion of the Township or adjacent municipality(s) within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this ordinance (or the adjacent municipality's Zoning Ordinance).

Zoning Map.

The Official Zoning Map of Southampton Township which is an integral part of this ordinance and which is kept up-to-date and on display at the Township office, and/or office of the Township Secretary.

Zoning Officer.

The duly constituted municipal official designated to administer and enforce this Ordinance. The Zoning Officer shall administer the Zoning Ordinance in accordance with its literal terms. The Zoning Officer may also be the Building Inspector or Township Secretary and serve both offices of the Township.

Zoning Permit.

A permit stating that the purpose for which a building or land is to be used is in conformity with the uses permitted and all other requirements under this ordinance for the zone in which it is located or is to be located.

