

## ARTICLE 2

### TERMS AND DEFINITIONS

#### § 208-201. General Interpretations.

In this Chapter, the following rules of interpretation shall be used:

- A. Terms used in the present tense shall include the future tense.
- B. Terms used in the singular include the plural and vice versa.
- C. The terms “should” and “may” are permissive; the terms “shall” and “will” are mandatory.
- D. The terms “person,” “applicant,” “subdivider,” “developer,” and “landowner” include a corporation, unincorporated association, a partnership, other legal entity, as well as an individual.
- E. The masculine gender includes the feminine and neuter. The feminine gender includes the neuter and masculine. The neuter gender includes both feminine and masculine.
- F. The terms “building,” “structure,” “sign”, or “land” shall be construed as if followed by the phrase “or part thereof” or “portion thereof”.
- G. The term “used” or “occupied” as applied to any land, building, or structure shall be construed to include the phrase “intended, arranged or designed to be used or occupied.”
- H. The term “erected” shall be inclusive of the terms “constructed, altered, or moved.”
- I. Except as provided in the subsection below relating to *Dictionary (§ 208-201.K.)*, for those terms used in this Chapter but not defined in Article 2 or elsewhere in this Chapter, the definitions found in the Pennsylvania Municipalities Planning Code (MPC) or various chapters of the Codified Ordinances of the Township of Lower Moreland specifically including, but not limited to, Chapter(s):
  - (1) 82 relating to Building Construction;
  - (2) 108 relating to Floodplain Conservation and Damage Prevention;
  - (3) 150 relating to Property Maintenance;
  - (4) 172 relating to Stormwater Management and Grading;
  - (5) 176 relating to Streets and Sidewalks; and
  - (6) 180 relating to Subdivision of Landshall apply.

- J. For those terms used in this Chapter but also which are defined in various chapters of the Codified Ordinances of the Township of Lower Moreland, wherever and whenever the terms and associated definitions are not consistent, the terms and associated definitions used in this Chapter govern the regulations and standards in this Chapter.
- K. Dictionary. For those terms used in this Chapter but not defined in this Chapter or in the terms and associated definitions found in various chapters of the Codified Ordinances of the Township of Lower Moreland, the definition of the term found in the most recent version of Webster's Unabridged Dictionary shall apply.
- L. Captions, Figures and Tables. In instances of any differences of meanings or implications between the text of this Chapter and any caption, figure, or table, the text shall control. No caption, figure, or table shall be construed to limit the scope or intent of the text of this Chapter.
- M. Rules for Determining Distance Requirements for Separation or Spacing of Uses. Unless specified elsewhere in this Chapter:
- (1) When the regulations of this Chapter require that two (2) or more uses be separated by some minimum distance, the separation distance shall be measured horizontally from lot line to lot line along the shortest imaginary line between the subject lots.
  - (2) Where uses or structures are required to be separated by some minimum distance from a zoning district boundary, street line, lot line, use, or structure, the separation distance shall be measured horizontally from the lot line of the lot which the use is located, to the zoning district boundary, street line, lot line, use, or structure, as applicable, along the shortest imaginary line between the lot and the zoning boundary, street line, lot line, use, or structure, as applicable.
- N. Rules for Determining Seating Space. Unless specified elsewhere in this Chapter:
- (1) A seating space in a place of public assembly shall be considered as a fixed permanent seat.
  - (2) In the case of bleachers, benches or the flat tops of walls, one (1) seating space shall be eighteen (18) inches in width and sixteen (16) inches in depth. Seating spaces with eighteen (18) inches in width and thirty (30) inches or more in depth shall count double when access is provided to both sides.
  - (3) In the case of open floor area used for temporary seating purposes, seating area shall be calculated as one (1) seat per nine (9) square feet of open floor area.

**§ 208-202. Specific Terms and Definitions.**

For the purposes of this Chapter, the following terms shall have the following meanings:

**ABANDONMENT:** The relinquishment of property, or a cessation of the use of the property, by the owner without the intention of transferring rights to the property to another owner, or of resuming the use of the property.

**ACCESSORY BUILDING:** See “Building, Accessory”.

**ACCESSORY STRUCTURE:** See “Structure, Accessory”.

**ACCESSORY USE:** See “Use, Accessory”.

**ACTIVE ADULT HOUSING DEVELOPMENT:** a residential development planned and developed according to a unified plan comprised of Single-Family Attached Dwellings, the permanent resident of which is intended to be persons aged 55 years and older, as permitted under the Federal Housing for Older Persons Act. 80% of the residents shall be 55 years or older and no one under the age of 19 shall be permitted to live in any of the dwellings longer than three (3) months in a calendar year. All Active Adult Housing Development uses shall include one or more accessory uses such as clubhouses, guard houses, recreational uses including golf course/country clubs, sports courts, swimming pools, and fitness centers, and such other accessory uses associated with an Active Adult Housing Development use.

**ADDITION:** Equivalent definition in the IBC as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (An extension or increase in floor area or height of a building or structure.)

**ADJACENT:** Two (2) or more lots, uses, or structures lying near or close to one (1) or more lots, uses, structures, lot line, or right-of-way lines. An adjacent object or feature may also adjoin another object or feature.

**ADJOIN:** Areas of contiguous lots that share a common property line or lot line, or lots separated by a common border including easements, but excluding lots entirely separated by a street right-of-way, railroad, or another lot; or contiguous structures that are attached to another structure separated by a common element or feature including, but not limited to, a party wall, building wall, structural post, etc. Adjoin is more specific than adjacent.

**ADULT-ORIENTED ESTABLISHMENTS & RELATED TERMS:** Unless specifically defined elsewhere in Article 2 of this Chapter, the following terms and phrases when used in this Chapter including, but not limited to, “Adult-Oriented Establishments” shall have the meaning given to them in the subsections below ((1) through (10)) unless the context clearly indicates otherwise:

- (1) **ADULT BOOKSTORE:** Equivalent definition in Title 68 of the Pennsylvania Consolidated Statutes relating to Real and Personal Property, Part II relating to Real Property, Subpart E relating to Uses of Property, Chapter 55 relating to Adult-Oriented Establishments. (An establishment having a substantial or significant portion of its stock and trade in, or an establishment which as one of its principal business purposes offers for sale, books, films, video cassettes or magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas and, in conjunction therewith, has facilities for the presentation of adult entertainment for observation by patrons.)

- (2) ADULT ENTERTAINMENT: Equivalent definition in Title 68 of the Pennsylvania Consolidated Statutes relating to Real and Personal Property, Part II relating to Real Property, Subpart E relating to Uses of Property, Chapter 55 relating to Adult-Oriented Establishments.
- (a) An exhibition of any adult-oriented motion pictures, meaning those distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.
  - (b) A live performance, display or dance of any type which has as a significant or substantial portion of the performance any actual or simulated performance of specified sexual activities or exhibition and viewing of specified anatomical areas, removal of articles of clothing or appearing unclothed, pantomiming, modeling or any other personal services offered customers.
- (3) ADULT MINI-MOTION PICTURE THEATER: Equivalent definition in Title 68 of the Pennsylvania Consolidated Statutes relating to Real and Personal Property, Part II relating to Real Property, Subpart E relating to Uses of Property, Chapter 55 relating to Adult-Oriented Establishments. (An enclosed building with a capacity of less than 50 persons which has a principal business purpose of exhibiting, presenting or selling material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.)
- (4) ADULT MOTION PICTURE THEATER: Equivalent definition in Title 68 of the Pennsylvania Consolidated Statutes relating to Real and Personal Property, Part II relating to Real Property, Subpart E relating to Uses of Property, Chapter 55 relating to Adult-Oriented Establishments. (An enclosed building with a capacity of 50 or more persons which has a principal business purpose of exhibiting, presenting or selling material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.)
- (5) ADULT-ORIENTED ESTABLISHMENT: Equivalent definition in Title 68 of the Pennsylvania Consolidated Statutes relating to Real and Personal Property, Part II relating to Real Property, Subpart E relating to Uses of Property, Chapter 55 relating to Adult-Oriented Establishments. (The term includes, without limitation, the following establishments when operated for profit, whether direct or indirect:
- (a) Adult bookstores.
  - (b) Adult motion picture theaters.
  - (c) Adult mini-motion picture theaters.
  - (d) Any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures or where an entertainer provides adult entertainment to a member of the public, a patron or a member.

- (e) An adult entertainment studio or any premises that are physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio or any other term of like import.

The term "booths, cubicles, rooms, studios, compartments or stalls" for purposes of defining "adult-oriented establishments" does not mean enclosures which are private offices used by the owner, manager or persons employed on the premises for attending to the tasks of their employment, and which are not held out to the public for the purpose of viewing motion pictures or other entertainment for a fee, and which are not open to any persons other than employees.)

- (6) OTHER ADULT-ORIENTED USE: Any establishment, other than defined in this Chapter, that offers its patrons or members, services or entertainment characterized by an emphasis on matter depicting, describing or relating to "Specified Anatomical Areas" or "Specified Sexual Activities".
- (7) PORNOGRAPHIC MATERIAL: Any photograph, writing, drawing, motion picture or other visual material depicting sexual conduct or items for sale, including devices and appliances designed and marketed as useful primarily for arousing sexual stimulation or stimulation of the sexual organs.
- (8) SEXUAL CONDUCT:
  - (a) Physical contact of the unclothed male genital, buttock or pubic area with the unclothed female genital, buttock or pubic area or the unclothed male buttock of another, where such contact is visible;
  - (b) The depiction of the male genital, either clothed or unclothed, in a discernibly turgid state;
  - (c) Acts of sexual intercourse, either heterosexual or homosexual, where physical contact of the unclothed male or female genitals or pubic area with the unclothed female or male genitals, pubic area or buttocks of another is visible;
  - (d) Oral sexual activity where oral or facial contact, male or female, with unclothed genital, pubic area or buttocks of another is visible;
  - (e) Acts of masturbation where the unclothed female or male genitals, pubic area or buttocks is visible;
  - (f) Visible fondling of the unclothed genitals, breasts or pubic area of a male or female by another; or
  - (g) Acts of sexual intercourse by a male or female with any animal other than a human being where physical contact of the unclothed male or female genitals, pubic area or buttocks with the genitals or buttocks of an animal is visible or where masturbation or oral sexual activity with an animal is visible.

- (h) The depiction of human or animal excretory functions which are visible.
  - (i) The flagellation or torture by or upon a human being who is nude or clad in undergarments or in revealing or bizarre costumes or the condition of one who is nude or so clothed and is being fettered, bound or otherwise physically restrained, where the primary purpose is sexual stimulation or the stimulation of the sexual organs.
- (9) SPECIFIED ANATOMICAL AREAS: Equivalent definition in Title 68 of the Pennsylvania Consolidated Statutes relating to Real and Personal Property, Part II relating to Real Property, Subpart E relating to Uses of Property, Chapter 55 relating to Adult-Oriented Establishments.
- ((a) Less than completely and opaquely covered:
    - [1] human genitals or pubic region;
    - [2] buttocks; or
    - [3] female breasts below a point immediately above the top of the areola.
  - (b) Human male genitals in a discernible turgid state, even if completely opaquely covered.)
- (10) SPECIFIED SEXUAL ACTIVITIES: Equivalent definition in Title 68 of the Pennsylvania Consolidated Statutes relating to Real and Personal Property, Part II relating to Real Property, Subpart E relating to Uses of Property, Chapter 55 relating to Adult-Oriented Establishments. (The term includes any of the following:
- (a) Human genitals in a state of sexual stimulation or arousal.
  - (b) Acts of human masturbation, sexual intercourse or sodomy.
  - (c) Fondling or erotic touching of human genitals, pubic region, buttocks or female breasts.)

AGRICULTURAL OPERATION: Equivalent definition in the MPC. (An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.)

AIRPORT OVERLAY ZONING DISTRICT/O-AP TERMS & PHRASES: The following terms and phrases when used in this Chapter including, but not limited to, Article 4 of this Chapter relating to the *Airport Overlay Zoning District/O-AP* (§ 208-405.) shall have the meaning given to them in the subsections below ((1) through (18)) unless the context clearly indicates otherwise:

- (1) AIRPORT, NORTHEAST PHILADELPHIA (PNE): Any area of land or water which is used or intended to be used for the landing and takeoff of aircraft and any appurtenant areas which are used, or

intended to be used, for airport buildings or air navigation facilities for rights-of-way, together with all airport buildings and facilities thereon.

- (2) AIRPORT ELEVATION: The highest point of an airport's usable land area measured in feet above sea level. The Airport Elevation for Northeast Philadelphia Airport is one hundred twenty (120) feet.
- (3) AIRPORT HAZARD: Any structure or object, natural or manmade, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined in 14 CFR Part 77 and 74 Pa. Cons. Stat. § 5102.
- (4) AIRPORT HAZARD AREA: Any area of land or water upon which an airport hazard might be established if not prevented as provided for in Article 4 of this Chapter relating to *Airport Overlay Zoning District/O-AP* (§ 208-405.) and Act 164 of 1984 (Pennsylvania Laws Relating to Aviation).
- (5) APPROACH SURFACE ZONE: An imaginary surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of the runway based on the planned approach. The inner edge of the approach surface is the same width as the primary surface and expands uniformly depending on the planned approach. The Approach Surface Zone is derived from the approach surface.
- (6) CONICAL SURFACE ZONE: An imaginary surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) feet horizontally to one (1) foot vertically (or 20:1) for a horizontal distance of four thousand (4,000) feet. The Conical Surface Zone is based on the conical surface.
- (7) HEIGHT: For the purpose of determining the height limits in all O-AP related zones set forth in Article 4 of this Chapter relating to *Airport Overlay Zone/O-AP* (§ 208-405.), the datum shall be mean sea level elevation unless otherwise specified.
- (8) HORIZONTAL SURFACE ZONE: An imaginary plane one hundred fifty (150) feet above the established airport elevation that is constructed by swinging arcs of various radii from the center of the end of the primary surface and then connecting the adjacent arc by tangent lines. The radius of each arc is based on the planned approach. The Horizontal Surface Zone is derived from the horizontal surface.
- (9) LARGER THAN UTILITY RUNWAY: A runway that is constructed for and intended to be used by propeller driven aircraft of greater than twelve thousand five hundred (12,500) pounds maximum gross weight, and jet powered aircraft.
- (10) NON-PRECISION INSTRUMENT RUNWAY: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.
- (11) OBSTRUCTION: Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth by Article 4 of this Chapter relating to *Airport Overlay Zoning District/O-AP* (§ 208-405.).

- (12) PRECISION INSTRUMENT RUNWAY: A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.
- (13) PRIMARY SURFACE ZONE: An imaginary surface longitudinally centered on the runway, extending two hundred (200) feet beyond the end of paved runways or ending at each end of turf runways. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The Primary Surface Zone is derived from the primary surface.
- (14) RUNWAY: A defined area of an airport prepared for landing and takeoff of aircraft along its length.
- (15) TRANSITIONAL SURFACE ZONE: An imaginary surface that extends outward and upward from the edge of the primary surface to the horizontal surface at a slope of seven (7) feet horizontally to one (1) foot vertically (7:1). The Transitional Surface Zone is derived from the transitional surface.
- (16) TREE: Any vegetative object of natural growth.
- (17) UTILITY RUNWAY: A runway that is constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight or less.
- (18) VISUAL RUNWAY: A runway intended solely for the operation of aircraft using visual approach procedures.

ALTERATION: Equivalent definition in the IBC as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (Any construction or renovation to an existing structure other than repair or addition.) Also includes any change, addition, or modification in construction, occupancy, or use.

ALTERNATIVE ENERGY TERMS & PHRASES: Unless specifically defined elsewhere in Article 2 of this Chapter, the following terms and phrases when used in this Chapter including, but not limited to, Articles 5 and 8 of this Chapter shall have the meaning given to them in the subsections below ((1) through (16)) unless the context clearly indicates otherwise:

- (1) ALTERNATIVE ENERGY SYSTEM: A system or facility used in the conversion, storage, and distribution of renewable energy sources, including electrical infrastructure, transmission lines, and other appurtenant structures and facilities. This term includes, but is not limited to, renewable energy sources such as sunlight, wind, rain, tides, and geothermal heat facilities.
- (2) ALTERNATIVE ENERGY SYSTEM, ACCESSORY: An alternative energy system that supplies energy primarily for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company. This definition shall not in any way limit or preclude those accessory alternative energy systems conducted pursuant to and part of power purchase agreements.



- (3) CLOSED LOOP GEOTHERMAL WELL SYSTEM: Equivalent definition in Chapter 17 of the Montgomery County Public Health Code relating to Individual Water Supply, Irrigation Well, and Geothermal Well System Regulations. (A heat pump system using groundwater, surface water, or sub-surface as the heating/cooling source which continuously circulates a heat transferring liquid through sealed pipe and a heat exchanger. The internal liquid is not consumed from or discharged into the environment.)
- (4) GEOTHERMAL ENERGY SYSTEM: An energy-generating system that uses the Earth's thermal properties in conjunction with electricity to provide greater efficiency in the heating and cooling of buildings.
- (5) GEOTHERMAL WELL: Equivalent definition in Chapter 17 of the Montgomery County Public Health Code relating to Individual Water Supply, Irrigation Well, and Geothermal Well System Regulations. (A well installed for the purpose of extracting water for heating or cooling.)
- (6) HEIGHT, TURBINE: A turbine's vertical measurement, from the average finished grade of the front of the turbine measured from the highest point of the wind turbine rotor plane to the ground level.
- (7) OPEN-LOOP GEOTHERMAL WELL SYSTEM: A heat pump system using groundwater or surface water as the heat/cooling source, circulated through the heat exchanger and returned to the environment via a separate discharge point.
- (8) ROTOR DIAMETER: The cross-sectional diameter of the circle swept by the rotating blades.
- (9) SOLAR ACCESS: The access of a solar energy system to direct sunlight.
- (10) SOLAR ENERGY PRODUCTION: A solar energy system that supplies energy primarily for off-site/off-premise use.
- (11) SOLAR ENERGY SYSTEM: An alternative energy system which includes any solar collector consisting of one (1) or more cells, panels, or arrays designed to collect and convert solar power into another form of energy such as electricity or heat, and other structures and buildings, used in the conversion, storage, and distribution, including electrical infrastructure, transmission lines, and other appurtenant structures and facilities.
- (12) STANDING-COLUMN GEOTHERMAL WELL SYSTEM: A type of open-loop geothermal heating and/or cooling system that circulates ground water from a water well through a heat exchanger and returns the discharge water from the water-source heat pump to the same water well that it was pumped from. The water withdrawal and return locations within the water well bore are separate as far as is possible. Some standing-column geothermal systems discharge some of the circulating ground water to enhance their heat transfer.
- (13) TURBINE HEIGHT: See "Height, Turbine" in "Alternative Energy Terms & Phrases".
- (14) WIND CHARGER: A wind energy system direct-current generator used for charging storage batteries.

- (15) WIND ENERGY SYSTEM: An alternative energy system which includes a device such as a wind charger, wind turbine or other electric generation facility designed to convert wind power into another form of energy such as electricity or heat, consisting of one (1) or more wind turbines and other structures and buildings, including meteorological towers, electrical infrastructure, transmission lines, and other appurtenant structures and facilities.
- (16) WIND TURBINE: A device 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.
- (17) WIND TURBINE TOWER: The vertical component of a wind energy system that elevates the wind turbine and, as applicable, attached blades above the ground.

ANTENNA: An exterior device or apparatus designed for wireless communications through transmission and/or receiving of electromagnetic waves, or otherwise.

APARTMENT: An individual, independent dwelling unit within a building.

APPLICANT: Equivalent definition in the MPC. (A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.)

APPLICATION FOR DEVELOPMENT: Equivalent definition in the MPC. (Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.)

APPURTENANCES: The visible, functional, or ornamental objects accessory to, and part of buildings.

AREA, BUILDING: Equivalent definition in the IBC as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (The area included within surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included with the horizontal projection of the roof or floor above.)

ATTACHED BUILDING: See "Building, Attached".

AUTHORITY: Equivalent definition in the MPC. (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.")

AUTOMATED BANKING FACILITY: An establishment that contains automated devices performing banking or financial functions which are primarily operated by the consumer or patron who remain in their motor vehicle, but may also be operated by those customers or patrons walking up to the device.

AWNING: Equivalent definition in the IBC as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (An architectural projection that provides weather protection, identity or decoration and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight frame structure over which a covering is attached.) For purposes of this Chapter, an awning may either be permanently attached to a building or may be raised or retracted to a position against the building when not in use.

BAFFLES: A usually static device that regulates the flow of light.

BALCONY: An exterior floor projecting from, and supported by the building or structure to which it is attached.

BASE ZONING DISTRICT: A zoning district other than an overlay zoning district.

BERM: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (A linear earth mound with a maximum slope of three to one [3:1] with grass cover or a maximum slope of two to one [2:1] when shrubbery or ground cover is used.)

BICYCLE/PEDESTRIAN PATHWAY: A specified easement, path, trail, or other reservation which is designed for and used exclusively by bicycles and pedestrians.

BLOCK: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (An area bounded by three [3] or more streets.)

BUFFER: An open area of land that is located between two (2) or more uses or lots, and intended to mitigate negative impacts, such as visual and noise, of the more intense/dense use or zoning district on the less intense/dense use or zoning district.

BUFFER YARD: An open area of land that is located between two (2) or more uses or lots, intended to mitigate negative impacts, such as visual and noise, of the more intense/dense use or zoning district on the less intense/dense use or zoning district, whose dimensions normally exceed, but may include where specified, the setback or yard requirements, and which is generally planted and may include required screening, and within which no building, structure, or otherwise shall be permitted except those used as part of required screening as otherwise provided for in this Chapter.

**BUILDING:** Equivalent definition in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (Any structure used or intended for supporting or sheltering, any occupancy.)

**BUILDING, ACCESSORY:** A detached building, the use of which is customarily incidental and subordinate to that of the principal building, structure, or use in extent, area and purpose, and which is located on the same lot as that occupied by the principal building, structure, or use.

**BUILDING, ATTACHED:** A building connected to another building via two (2) or more common party walls, or roof, breezeway, or porch, and separated from lot lines and other buildings by open space on all other sides. (See Figure 2-2.1)

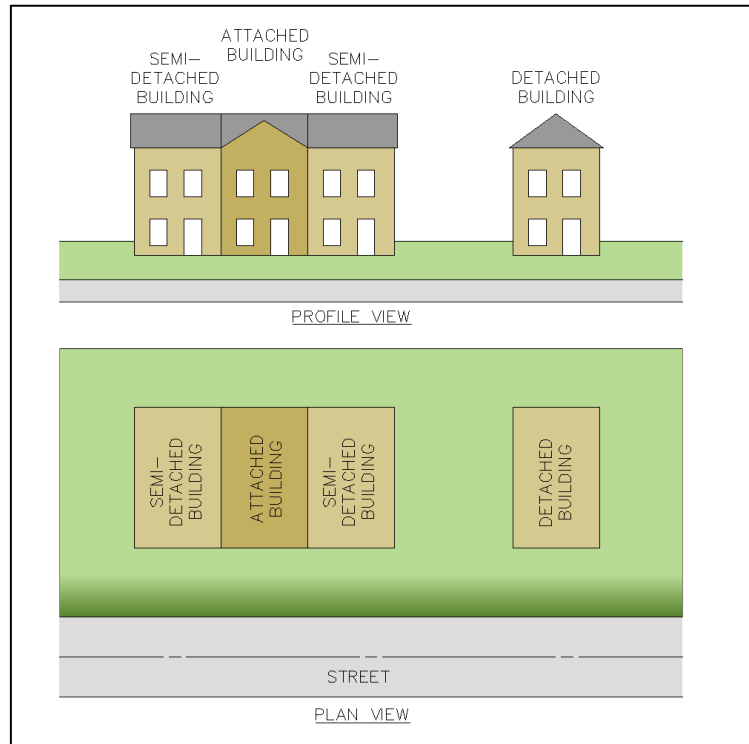


Figure 2-2.1

**BUILDING, DETACHED:** A building separated from lot lines and other buildings by open space on all sides. (See Figure 2-2.1)

**BUILDING, PRINCIPAL:** The main or primary building, the use of which is greater in extent, area, and purpose and is essential to that of any accessory building, structure, or use.

**BUILDING, SEMI-DETACHED:** A building connected to only one (1) other building via one (1) common party wall, roof, breezeway, or porch, and separated from lot lines and other buildings by open space on all other sides. (See Figure 2-2.1)

**BUILDING, TEMPORARY:** A building without any foundation or footings, sited and established for a fixed, specified time period with the intent to discontinue and remove such building upon the expiration of the fixed, specified time period.

**BUILDING AREA:** See "Area, Building".

**BUILDING CODE OFFICIAL:** The administrative officer certified by the PA L&I to manage, supervise, administer PA UCC activities including, but not limited to, code enforcement activities and issue building permits under the authority of the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction, who is appointed by the LMT BOC.

**BUILDING COVERAGE:** See "Coverage, Building".

**BUILDING FACADE:** The front exterior face, elevation, or building wall of a principal building, located below the eave line, that is often parallel, or essentially parallel, to the lot's frontage on a street, excluding alleys. See "Building Line, Front".

**BUILDING HEIGHT:** See "Height, Building".

**BUILDING LINE:** A line created by the perimeter of that portion of a principal building or principal structure nearest a lot line.

**BUILDING LINE, FRONT:** The building line nearest the front lot line or street line. See "Building Façade". (See Figure 2-2.2)

**BUILDING LINE, REAR:** The building line nearest the rear lot line. (See Figure 2-2.2)

**BUILDING LINE, SIDE:** The building line nearest the side lot line. (See Figure 2-2.2)

**BUILDING PERMIT:** A document signed by the Building Code Official, as required in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction, as a condition that shall be met prior to commencing with the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure or building, that acknowledges that such building or structure complies with the provisions of the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction, and this Chapter.

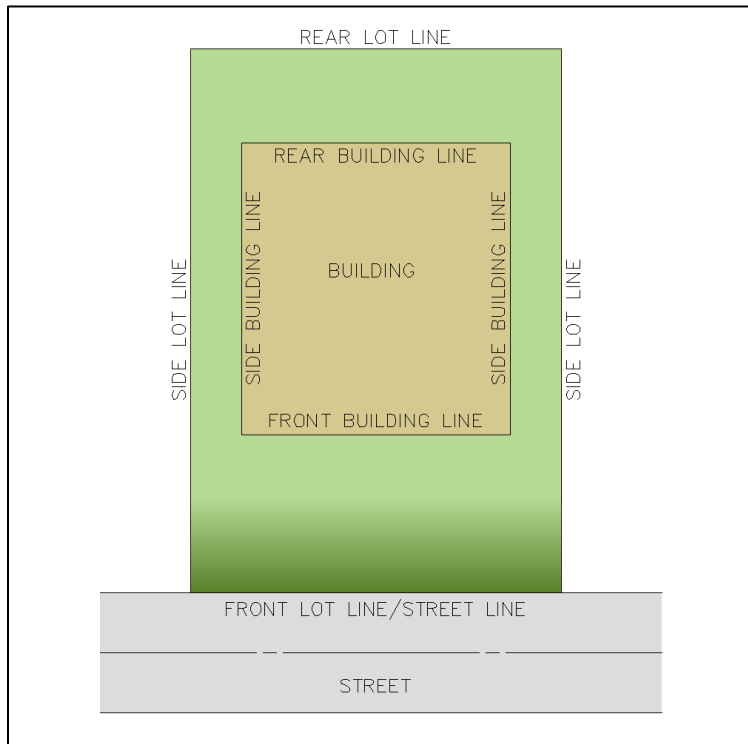
**BUS/TRANSIT SHELTER:** A structure providing temporary cover or protection, as from the weather, to riders waiting to board buses and other similar public transportation motor vehicles.

**CANOPY:** Equivalent definition in the IBC as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (A permanent structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity or decoration, and shall be structurally independent or supported by attachment to a building on one [1] end by not less than one [1] stanchion on the outer end.)

**CARPORT:** A roofed structure that is enclosed on two (2) or less sides and provides space for the parking or storage of motor vehicles.

**CARTWAY:** Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (The paved portion of a street right-of-way intended for vehicular use.)

**CHANGE OF USE:** Any use that differs from the previous use of land, structure, or building.



CLEAR SIGHT TRIANGLE: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the streets.)

COMMERCIAL TIMBER HARVESTING: That part of forestry involving cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products. Includes tree harvesting and logging. See "Forestry (Commercial Timber Operation)".

COMMERCIAL VEHICLE: Any motor vehicle licensed by the Commonwealth of Pennsylvania as a commercial vehicle, or operated for the transportation of persons or property in furtherance of any business enterprise.

COMPATIBLE: Capable of associating or blending with or being associated or blended because of sensitive, harmonious, agreeable, appropriate, or consistent combination with another.

COMPOSTING: The mixing of decomposing refuse matter for the purpose of creating fertilizer material.

CONDITIONAL USE: Equivalent definition in the MPC. (A use permitted in a particular zoning district pursuant to the provisions in Article VI.)

CONDOMINIUM: Equivalent definition in the Pennsylvania Uniform Condominium Act of 1980 (Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners). For purposes of this Chapter, the specific uses associated with a condominium shall be regulated by the applicable standards of this Chapter regardless of the form of ownership.

CORNER LOT: See "Lot, Corner".

COVER, VEGETATIVE GROUND: Non-invasive, non-noxious species of natural, living materials including but not limited to grass, flowers, shrubs, trees, or other plantings installed in such a manner so as to form a continuous, all-season cover over the ground.

COVERAGE, BUILDING: A measure of the intensity of the use of a piece of land measured as that portion or percentage of the lot area covered with buildings and other similar types of roofed structures.

COVERAGE, LOT: A measure of the intensity of the use of a piece of land measured as that portion or percentage of the lot area covered with structures, buildings, driveways, parking areas, loading facilities, bicycle/pedestrian pathways, patios, decks, and other similar types of structures as well as improved surfaces. Includes the water surface area of swimming pools.

CROP: A harvestable product including, but not limited to, herbs, fruits, flowers or vegetables, planted, grown, and cultivated in the soil.

CROPS/GARDENING: The use of land for the tilling of the soil; the raising, maintenance, and cultivation of crops, and also including horticulture, apiculture, floriculture, and vitaculture, for personal and, generally, non-commercial purposes.

**CURB:** A stone, concrete, or other improved boundary structure usually marking the edge of the street, driveway, or paved area.

**CURB CUT:** The opening along the curb line at which point vehicles may enter or leave the street.

**DAY CARE:** An establishment offering care or supervision of persons under the age of sixteen (16), special needs adults in lieu of care or supervision by family members, elderly persons (generally sixty-two [62] years of age and older), mentally disabled, and/or physically handicapped persons who need such daily assistance because of their physical or cognitive disability, or disease.

**DAY CARE, FAMILY:** An accessory use to a residential dwelling unit, in which day care and supervision is offered to between four (4) and six (6) non-residents of the site during any calendar day.

**DECK:** An elevated, uncovered (by a roof), occupiable structure supported on at least two (2) opposing sides by an adjoining structure and/or posts, piers, or other independent supports.

**DEED RESTRICTION:** A restriction on the use of the land set forth in the deed or instrument of conveyance. Such restriction usually runs with the land and is binding upon subsequent owners of the property. The Township of Lower Moreland is not responsible for enforcing a deed restriction, unless the restriction resulted from a condition or stipulation of the subdivision or land development approval process, and in which the Township of Lower Moreland is a party.

**DENSITY:** A measure of the number of dwelling units permitted per acre of land.

**DENSITY, NET:** The measure of the number of dwelling units divided by the net lot area.

**DETACHED BUILDING:** See “Building, Detached”.

**DEVELOPER:** Equivalent definition in the MPC. (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:** Equivalent definition in the MPC. (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 act shall mean the written and graphic materials referred to in this definition.)

**DIRECT VEHICULAR ACCESS:** A curb cut, driveway, or other approved lot access leading directly onto an adjoining public street right-of-way. In the case of the requirement for direct vehicular access to an arterial or collector street, the point of access shall be onto the arterial or collector street without traversing any other public street right-of-way.

**DONATION DROP-OFF BIN:** A container, storage unit, or structure, other than an accessory building, designed for the acceptance and temporary storage of charitable or non-profit donated items (e.g., common household goods including clothing, shoes, toys, books, small appliances, etc.) by the general public, with the collection of the donated items made at a later date or time.

**DOUBLE FRONTAGE LOT:** See “Lot, Double Frontage”.

**DRIVE-THRU/DRIVE-UP:** A structure designed for providing goods and services to drivers and patrons who remain in their motor vehicles before and during the on-site activity.

**DRIVEWAY:** Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (A private vehicular service road providing access to single lot, building, dwelling or garage.)

**DWELLING:** Equivalent definition in the IBC or IRC (as applicable) as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (A building that contains dwelling units, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.)

**DWELLING, MULTI-FAMILY:** A building containing a series of three (3) or more dwelling units generally arranged in an over-under configuration; two (2) or more dwelling units may share common entrances or other common areas. Includes apartment homes/houses. (See Figure 2-2.3)

**DWELLING, QUADRAPLEX:** A type of single-family attached dwelling including a series of four (4) semi-detached buildings arranged in both a side-by-side and in a front-to-back configuration; each building contains only one (1) dwelling unit; and each dwelling unit has an individual entrance.

**DWELLING, SINGLE-FAMILY ATTACHED:** A series of three (3) or more semi-detached and attached buildings arranged in a side-by-side configuration; each building contains only one (1) dwelling unit; and each dwelling unit has an individual entrance. (See Figure 2-2.4)

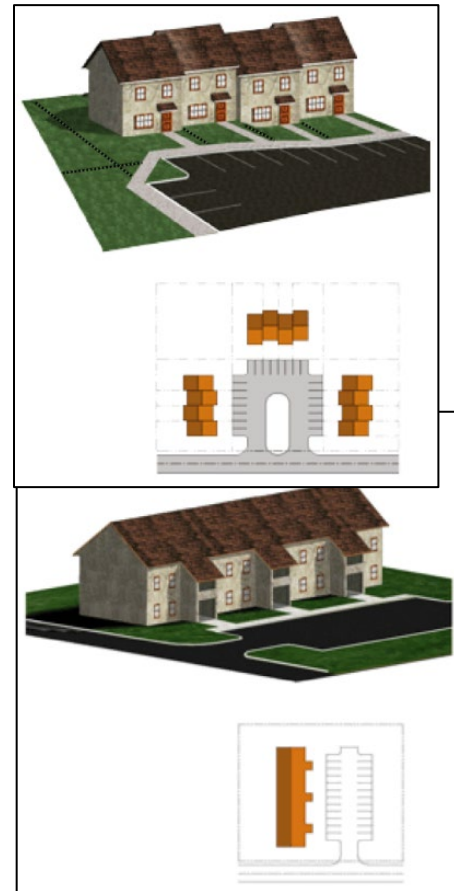


Figure 2-2.3

Figure 2-2.4



**DWELLING, SINGLE-FAMILY DETACHED:** A detached building containing one (1) dwelling unit. (See Figure 2-2.5)

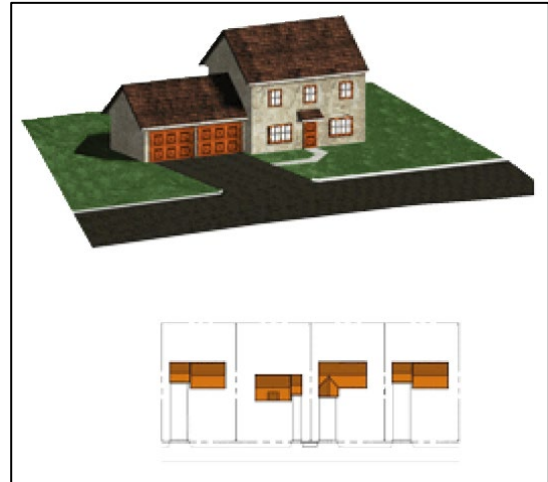


Figure 2-2.5

**DWELLING, SINGLE-FAMILY SEMI-DETACHED:** A series of two (2) semi-detached buildings arranged in a side-by-side configuration; each building is located on an individual lot; each building contains only one (1) dwelling unit; and each dwelling unit has an individual entrance. (See Figure 2-2.6)

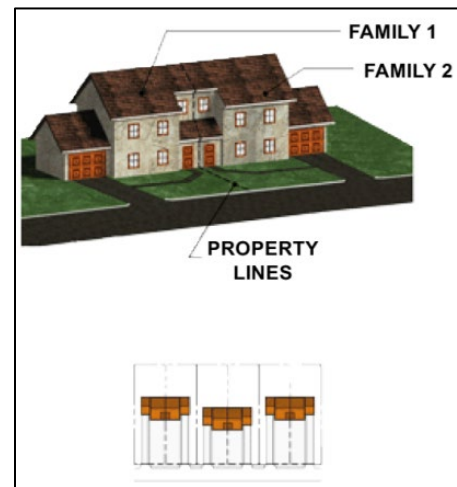


Figure 2-2.6

**DWELLING, TWO-FAMILY DETACHED:** A detached building containing a series of two (2) dwelling units arranged in an over-under, front-to-back, or side-by-side configuration; each building contains no more than two (2) dwelling units; dwelling units may share common entrances or other common areas. (See Figure 2-2.7)

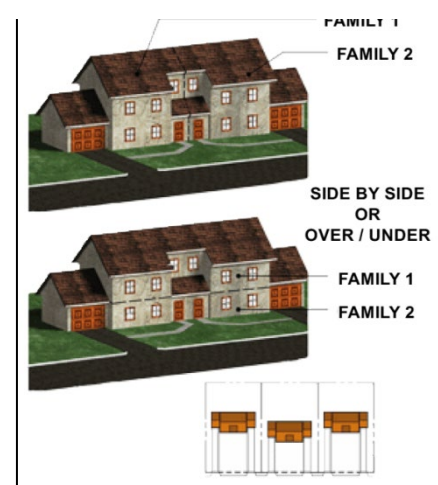


Figure 2-2.7

**DWELLING UNIT:** Equivalent definition in the IBC or IRC (as applicable) as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation). For purposes of this definition, "or more persons" shall specifically be limited to a maximum of one (1) family.

EASEMENT: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (A right-of-way granted, but not dedicated, for limited use of private land for a private, public or quasi-public purpose.)

EAVE: Projecting overhang at the lower border of a roof and extending from a primary wall or support.

EAVE LINE: The horizontal line created by the lowest points of the building's eaves. (See "Roof Line").

ELECTRONIC NOTICE: Equivalent definition in the MPC. (Notice given by a municipality through the Internet of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing.)

EMPLOYEES, NUMBER OF: The greatest number of workers (including both part-time and full-time) both compensated and volunteer and both employees and contractors present on a lot at any one (1) time, other than clearly temporary and occasional persons working on physical improvements to the site.

ENLARGEMENT: An increase in the size of an existing structure or use, including physical size of the property, structure, building, parking, and other improvements.

ESSENTIAL UTILITY SERVICES: An accessory use in which public utilities needed for the health, safety, and general welfare of the community, including underground, surface, or overhead gas, electrical, steam or water, sewer or storm sewer distribution, collection, or conveyance facilities and systems including, but not limited to, wires, mains, drains, sewers, pipes, laterals, conduits, cables, traffic signals, hydrants, pump stations, and similar equipment and facilities are provided for principal uses. Includes bus shelters. Excludes establishments primarily engaged in generation, production, or treatment operations including, but not limited to, power plants; towers; substations; water treatment plants; sewage treatment and/or disposal plants; public transportation; maintenance facilities; and other similar public service structures and uses.

**ESSENTIALLY PARALLEL:** A maximum of forty-five (45) degrees of being parallel. (See Figure 2-2.8)

**ESTABLISHED ORDINARY HIGH WATER MARK:** The point on the bank or shore of watercourse, stream, lake, or pond up to which the presence and action of the water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetation, or other easily recognized characteristic.

**ESTABLISHMENT:** Any organization, including a business, whether private, public, governmental, social, or otherwise, together with its owners, directors, employees, members, merchandise, inventory, and equipment, founded for a specific purpose.

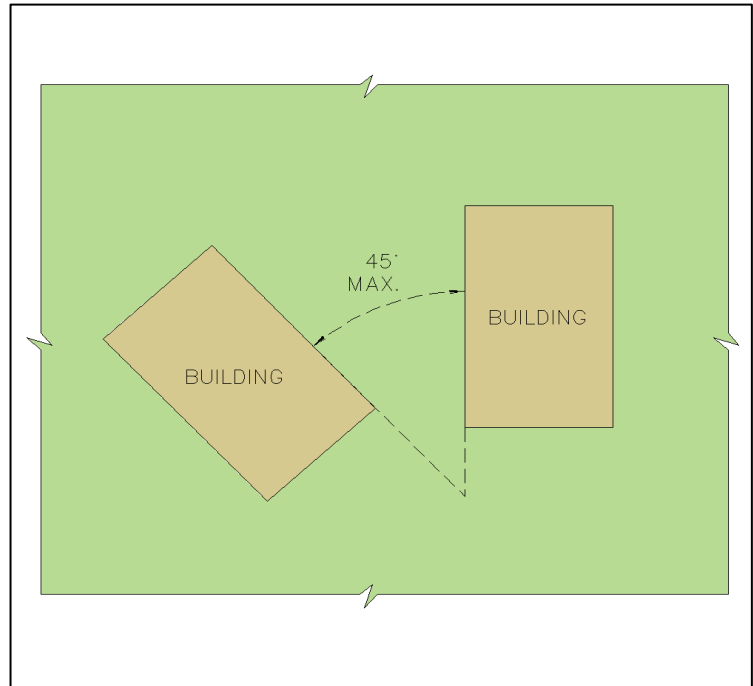


Figure 2-2.8

**EXISTING GRADE:** The elevation of the land surface of a site prior to any earth disturbance for site preparation work.

**EXISTING RIGHT-OF-WAY:** See “Right-Of-Way, Existing”.

**EXISTING USE:** An activity or use of land occurring on a lot or parcel as of the effective date of this Chapter.

**FAMILY:** One (1) or more persons related by blood, marriage, legal guardianship, licensed or court-appointed foster care or legal adoption who maintain one (1) common household and reside in one (1) dwelling unit; or a maximum of three (3) persons who are not related to each other by blood, marriage, legal guardianship, licensed or court-appointed foster care, or legal adoption, except that as persons possessing a handicap as set forth in “Group Home” and within the meaning of the Fair Housing Act (42 USC Section 3602(h), or successor legislation) who maintain one (1) common household and reside in one (1) dwelling unit shall be considered a “Family”.

**FAMILY DAY CARE:** See “Day Care, Family”.

**FAMILY MEMBER:** A person related by blood, marriage, legal guardianship, licensed or court-appointed foster care or legal adoption to the owner of the premises or establishment. A roomer, boarder, or lodger is not considered a family member.

**FENCE:** Any freestanding and uninhabitable structure erected, intended and maintained to provide screening or divide one (1) property from another property or public street right-of-way; enclose an area; help assure privacy or protection; or define and mark the property or lot line or street line.

**FINISHED GRADE:** The elevation of the land surface of a site after completion of all site preparation work.

**FIRE ESCAPE:** A structure, device, or appurtenance, including stairways, railings, ladders, etc., attached to the exterior of a building, erected for emergency exit in the event of fire.

**FLAG LOT:** See “Lot, Flag”.

**FLAG LOT RESIDENCE:** A flag lot established for a permitted single-family detached dwelling use.

**FLOODPLAIN:** See “Floodplain Area” equivalent definition in Chapter 108 of the LMT Codified Ordinances relating to Floodplain Conservation and Damage Prevention. (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.)

**FLOOR AREA, GROSS:** Equivalent definition in the IBC as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.)

**FLOOR AREA, HABITABLE:** See “HABITABLE SPACE” equivalent definition in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (Space in a structure for living, sleeping, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility spaces and similar areas shall not be construed as habitable spaces.)

**FLOOR AREA, NET:** Equivalent definition in the IBC as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (The actual occupied area not including unoccupied accessory areas such as corridors, stairways, toilet rooms, mechanical rooms and closets.)

**FLOOR AREA, NET RETAIL:** The sum total of all floor area space relegated to use by the customer and the retail employee to conduct retail sales, including the display area used to indicate the variety of goods available for customers, but not including accessory office space, storage space, and other general administrative areas.

**FLOOR AREA RATIO:** The gross floor area of all buildings or structure on a lot divided by the total lot area.

**FORESTRY (COMMERCIAL TIMBER OPERATION):** Equivalent definition in the MPC. (The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.)

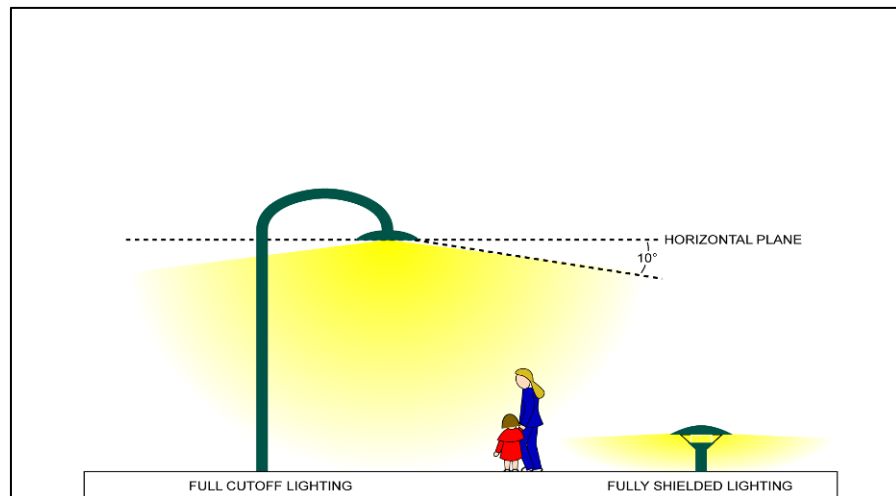
**FRONT BUILDING LINE:** See “Building Line, Front”.

**FRONT LOT LINE:** See “Lot Line, Front”.

**FRONT SETBACK:** See “Setback, Front”.

FRONT YARD: See “Yard, Front”.

FULL CUTOFF: Attribute of a lighting fixture from which no light is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than ten (10) percent of the lamp’s intensity is emitted at or above an angle ten (10) degrees below that horizontal plane, at all lateral angles around the fixture. (See Figure 2-2.9)



GARDENING: The cultivation of herbs, fruits, flowers, or vegetables.

GLARE: The sensation produced by lighting that causes an annoyance, discomfort or loss in visual performance and visibility to the eye.

GOVERNING BODY: Equivalent definition in the MPC. (The council in cities, boroughs and incorporated towns; the board of commissioners in townships of the first class; the board of supervisors in townships of the second class; the board of commissioners in counties of the second class through eighth class or as may be designated in the law providing for the form of government.) For purposes of this Chapter, the governing body shall be the LMT BOC. See also “Township Board of Commissioners”.

GROUND COVER: Equivalent definition in Chapter 172 of the LMT Codified Ordinances relating to Stormwater Management and Grading. (Low-growing plant materials planted and growing in such a manner so as to conceal the earth surface.)

GROUND FLOOR: The first (1<sup>st</sup>) floor of a building above the average finished grade of the ground at the front of the building.

GROUP HOME: A dwelling inhabited by a maximum of eight (8) handicapped persons, as identified and provided for by the Fair Housing Act and this Zoning Ordinance. A group home involves persons functioning as a common household unit, providing non-routine support services and oversight to persons who need such assistance to avoid being placed in an institution because of physical, mental, or developmental disability, or old age, or individuals who meet the definition of “handicap”, as defined by applicable federal law. (NOTE: The Federal Fair Housing Act amendments define “handicap” as follows: “(1) a physical or mental impairment which substantially limits one (1) or more of such person’s major life activities; (2) a record of having such an impairment; or (3) being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance as defined in Section 802 of Title 21.” This definition was subsequently adjusted by Section 512 of the Americans with Disabilities Act [ADA] to address certain situations related to substance abuse treatment.) For the purposes of this Zoning Ordinance, group homes shall be permitted and regulated as the applicable residential dwelling type.

**HABITABLE FLOOR AREA:** See “Floor Area, Habitable”.

**HEIGHT, BUILDING:** A building's vertical measurement, from the average finished grade of the front of the building to the highest point of the roof. (See Figure 2-2.10)

**HEIGHT, STRUCTURE:** A structure's, other than a building, vertical measurement, from the average finished grade of the front of the structure to the highest point.

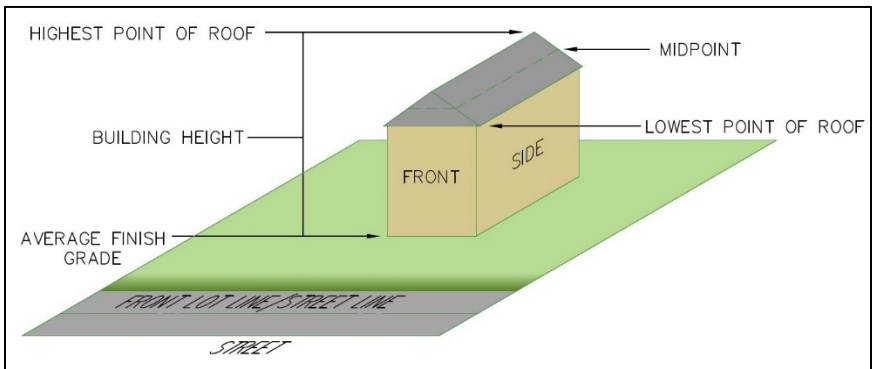


Figure 2-2.10

**HELIPORT:** Equivalent definition in the IBC as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (An area of land or water or structural surface that is used, or intended for the use, for the landing and taking off of helicopters, and any appurtenant areas that are used, or intended for use, for heliport building or other heliport facilities.)

**HELIPORT, PRIVATE:** A heliport which is privately owned and which is not open or intended to be open to the public.

**HOME OCCUPATION:** A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling.

**HOUSEHOLD:** Persons living together in a single dwelling unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit.

**IMPERVIOUS SURFACE:** Equivalent definition in Chapter 172 of the LMT Codified Ordinances relating to Stormwater Management and Grading. (Those surfaces which do not absorb rain. All buildings, parking areas, driveways, streets, sidewalks and any areas in concrete, asphalt, and packed stone shall be considered impervious surfaces within this definition. In addition, all areas determined by the Township Engineer to be impervious within the meaning of this definition will also be classed as impervious surfaces.)

**IMPROVED SURFACE:** A portion of a lot graded for proper drainage and improved with a durable and dustless surface, such as concrete, bituminous concrete, or other approved alternative material or design as part of a readily accepted stormwater BMP, for activities such as a driveway, parking, loading, and vehicle stacking; display or storage; and other similar improvements associated with motor vehicles; and also including, but not limited to, pedestrian pathways; refuse collection station; outside display; outside storage; and outside dining.

**IN-LAW SUITE:** A dwelling incorporated as an accessory use into a building containing a permitted principal single family detached dwelling.

**INOPERABLE VEHICLE:** Equivalent definition in the IPMC as referenced in Chapter 150 of the LMT Codified Ordinances relating to Property Maintenance. (A vehicle which cannot be driven upon the public streets for reason including, but not limited to, being unlicensed, wrecked, abandoned, and state of disrepair, or incapable of being moved under its own power.) Includes unregistered or uninspected vehicles.

**INTERIOR LOT:** See “Lot, Interior”.

**JOINT USE PARKING:** See “Parking, Shared”, “Parking, Joint Use” or “Shared Parking”.

**LAND DEVELOPMENT:** Equivalent definition in the MPC. (Any of the following activities:

- (1) The improvement of one [1] lot or two [2] or more contiguous lots, tracts or parcels of land for any purpose involving:
  - (a) a group of two [2] 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
  - (b) the division or allocation of land or space, whether initially or cumulatively, between or among two [2] or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- (2) A Subdivision of Land.)

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

**LEASE:** A contractual agreement for the use of lands, structures, buildings, or parts thereof for a fixed time and consideration.

**LIVESTOCK:** Large animals or farm animals kept either in open fields or structures for the purpose of providing food, clothing, breeding and production, or work, including, but not necessarily limited to, the following: horses, ponies, donkeys, mules, cattle, sheep, goats or swine but also including llamas, alpacas, poultry and other fowl.

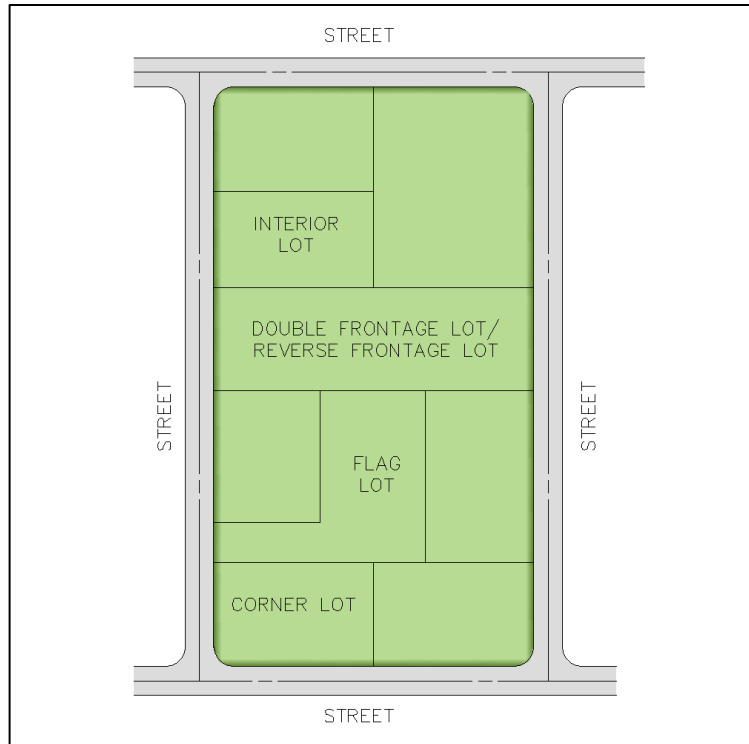
**LOADING FACILITY:** An improved surface designed and used for the temporary parking of a motor vehicle while loading or unloading merchandise or materials.

**LOADING FACILITY, PASSENGER:** An improved surface designed and used for the stopping or standing of a motor vehicle while loading or unloading (“drop-off” or “pick-up”) of passengers.

**LOT:** Equivalent definition in the MPC. (A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.) Also referred to as parcel or tract.

**LOT, CORNER:** Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (A lot which has an interior angle of less than one hundred thirty-five [135] degrees at the intersection of two [2] street lines. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangent to the curve at the points beginning within the lot or at the points of intersection of the side lot lines intersect at an angle of less than one hundred thirty-five [135] degrees.) For purposes of this definition, “abutting” shall mean “adjoining”. (See Figure 2-2.11)

**LOT, DOUBLE FRONTAGE:** An interior lot extending between and having lot frontage on two (2) streets. (See Figure 2-2.11)



**Figure 2-2.11**

**LOT, FLAG:** An irregular, interior lot, whose lot frontage does not meet the minimum lot width requirement at the street line (See Figure 2-2.11), and is comprised of two (2) parts:

- (1) “**Flag**”: The larger portion of the flag lot located furthest away from the adjoining street line that is the location of the principal use; and
- (2) “**Flagpole**”: The longer, narrower portion of the flag lot between the street line and a line drawn parallel or radial thereto at the point where the flag lot attains the required minimum lot width of the applicable zoning district, that connects and provides access between the “flag” portion of the lot and the adjoining street, and is located between adjoining lots.

(See Figure 8-2.1)

**LOT, INTERIOR:** Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (Any lot which is not a corner lot.) (See Figure 2-2.11)

**LOT, REVERSE FRONTAGE:** A double frontage lot with access restricted to one (1) of the streets, usually the street of lesser classification or the street conveying the lesser amount of existing or proposed daily traffic. (See Figure 2-2.11)

**LOT ACCESS:** A way or means of approach to provide vehicular access to a property.

**LOT AREA:** The total area of the lot located between lot lines and street lines, including the area of any easement, but excluding the area of any right-of-way, and in the case of subdivision or land development, excluding the area of any ultimate right-of-way.



**LOT AREA, NET:** The total area of the lot located between lot lines and street lines, but excluding the area of any easement, ultimate right-of-way, or any applicable restrictive covenant.

**LOT COVERAGE:** See “Coverage, Lot”.

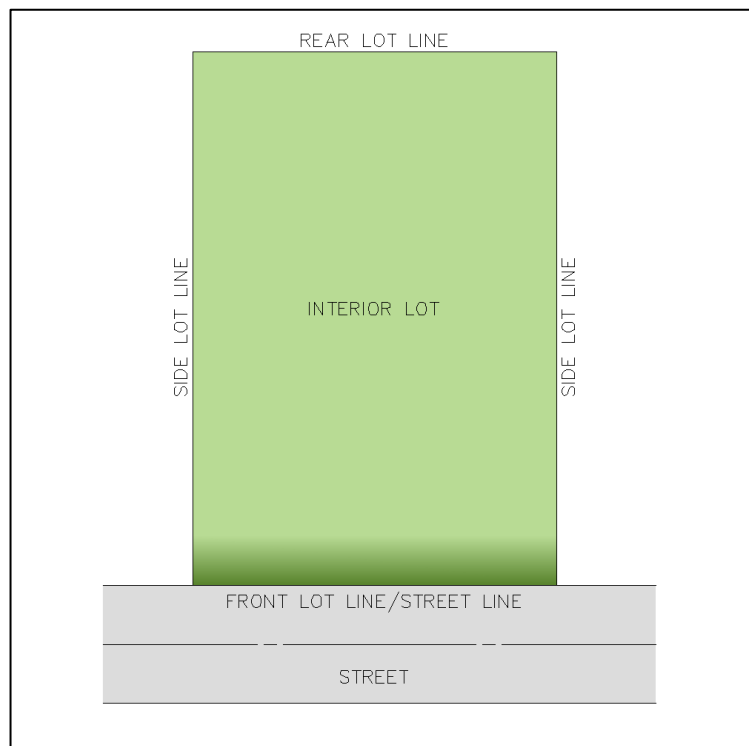
**LOT FRONTAGE:** That portion of a lot adjoining the street line (excluding an alley) and regarded as the front of the lot.

**LOT LINE:** Equivalent definition in the IBC as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (A line dividing one lot from another; or from a street or any public place.)

**LOT LINE, FRONT:** See “Street Line”. (See Figure 2-2.12)

**LOT LINE, REAR:** Any lot line which is parallel to or essentially parallel to the street line, except for a lot line that is itself a street line. (See Figure 2-2.12)

**LOT LINE, SIDE:** Any lot line which is not a street line or a rear lot line. (See Figure 2-2.12)

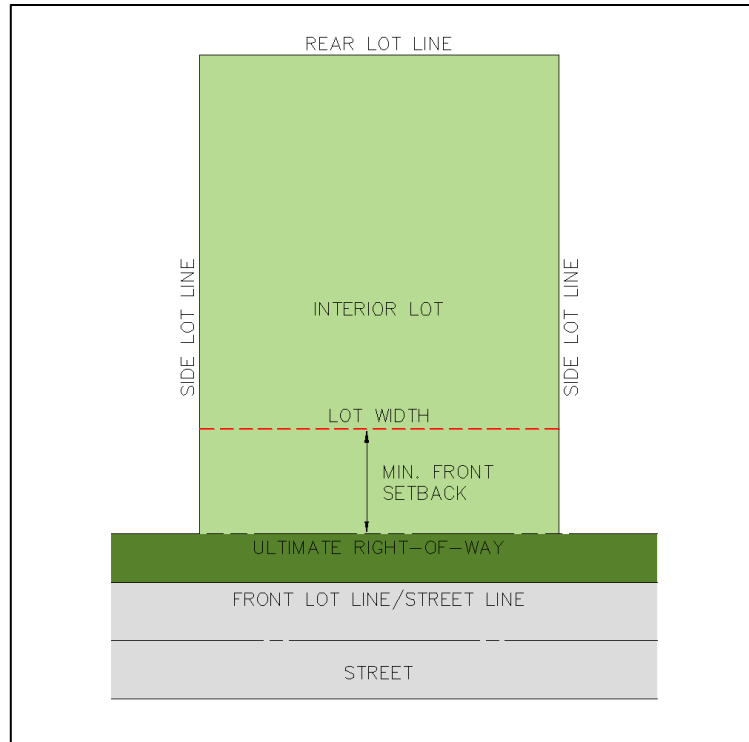


**Figure 2-2.12**

**LOT WIDTH:** The horizontal distance between the side lines of a lot measured at the minimum front setback. (See Figure 2-2.13)

**MAILED NOTICE:** Equivalent definition in the MPC. (Notice given by a municipality by first class mail of the time and place of a public hearing and the particular nature of the matter to be considered at the hearing.)

**MANUFACTURED HOME:** Equivalent definition in the PA UCC. (Under Section 901(a) of the Act (35 P.S. §.7210.901.(a)), housing which bears a label as required by and referenced in the Manufactured Housing Act (35 P.S. §§.1656.1-1656.9), certifying that it conforms to Federal construction and safety standards adopted under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C.A. §§. 5401–5426).



**Figure 2-2.13**

**MANUFACTURED HOME PARK:** See “Mobile Home Park”.

**MANUFACTURED HOME STAND OR PAD:** That part of an individual manufactured home space that has been reserved for the placement of a manufactured home and appurtenant structures and connections.

**MARQUEE:** Equivalent definition in the IBC as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (A permanent roofed structure attached to and supported by the building and that projects into the public right-of-way.) For purposes of this Chapter, this term shall also include marquees that may project over private property.

**MEDICAL MARIJUANA DISPENSARY:** A shop or store holding a permit issued by the Pennsylvania Department of Health to dispense medical marijuana and that sells medical marijuana to the ultimate consumer. Hours of operation shall be limited to 7:00 AM to 6:00 PM. Other retail sales, other activities, accessory/ancillary uses, and outside storage/display are not allowed as a part of this use nor are they allowed in/on the same structure/property as this use. In addition, the establishment and operation of a Dispensary shall fully comply with the Pennsylvania Medical Marijuana Act (35 P.S. §10231.101 *et seq.*) and the regulations promulgated thereunder, including, but not limited to, Chapters 1141, 1151 and 1161 of Title 28 of the Pennsylvania Code (28 PA Code Chpts. 1141, 1151, and 1161), as amended.

**MEDICAL MARIJUANA GROWER/PROCESSOR:** An industrial facility holding a permit issued by the Pennsylvania Department of Health to grow and process medical marijuana and that sells medical marijuana to Medical Marijuana Dispensaries for sale to the ultimate consumer. Retail sales, other activities, accessory/ancillary uses, and outside storage/display are not allowed as a part of this use nor

are they allowed in/on the same structure/property as this use. In addition, the establishment and operation of a Grower/Processor shall fully comply with the Pennsylvania Medical Marijuana Act (35 P.S. §10231.101 *et seq.*) and the regulations promulgated thereunder, including, but not limited to, Chapters 1141 and 1151 of Title 28 of the Pennsylvania Code (28 PA Code Chpts. 1141 and 1151), as amended.

MIXED USE: Use and occupancy of a building or land with two (2) or more complementary and integrated uses, including one (1) or more non-residential use and one (1) or more residential use.

MIXED USE DEVELOPMENT: The development of a tract of land, or building with two (2) or more complementary and integrated uses including one (1) or more non-residential use and one (1) or more residential use.

MOBILE HOME: See “Mobilehome” equivalent definition in the MPC. (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 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.) For purposes of this Chapter, a mobile home shall be considered a “manufactured home”.

MOBILE HOME LOT: See “Mobilehome Lot” equivalent definition in the MPC. (A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home). For purposes of this Chapter a mobile home lot, shall be considered a “manufactured home lot”.

MOBILE HOME PARK: See “Mobilehome Park” equivalent definition in the MPC. (A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes). For purposes of this Chapter a mobile home park, shall be considered a “manufactured home park”.

MULTI-FAMILY DWELLING: See “Dwelling, Multi-Family”.

MULTI-MODAL DEVELOPMENT: The development of a tract of land with two (2) or more complementary and integrated uses, including one (1) or more non-residential use and one (1) or more residential use, within a quarter (1/4) mile of SEPTA’s Philmont and/or Bethayres Stations, within one or more buildings, with non-residential and residential uses on the first floor and residential uses on the upper floors.

MUNICIPAL USE: Any establishment, use, facility, or structure that is owned or operated by the Township of Lower Moreland, its municipal authorities, or authorized agents.

NET FLOOR AREA: See “Floor Area, Net”.

NET LOT AREA: See “Lot Area, Net”.

NET RETAIL FLOOR AREA: See “Floor Area, Net Retail”.

NEW USE: Any new activity or use of land, structure, or building on a lot or parcel that was not occurring as of the effective date of this Chapter.

**NEWS RACK:** A container, box, or other dispenser, other than an accessory building, designed for self-service or coin operated for the vending or free distribution of newspapers, periodicals or publications.

**NO-IMPACT HOME OCCUPATION:** See “No-Impact Home-Based Business” equivalent definition in the MPC. (A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use.) See Article 8 of this Chapter relating to *No-Impact Home Occupation in Specific Residential Use Regulations (§ 208-804.G.)*.

**NON-COMMERCIAL KEEPING OF LIVESTOCK:** An accessory use which is clearly secondary to the use as a residential dwelling in which livestock are kept exclusively by the residents of the site, and which is not part of an agricultural operation.

**NONCONFORMING LOT:** Equivalent definition in the MPC. (A lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning 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.)

**NONCONFORMING SIGN:** A sign that was legally erected and maintained at the effective date of this Chapter, or amendment thereto, that does not currently comply with sign regulations of the applicable zoning district.

**NONCONFORMING STRUCTURE:** Equivalent definition in the MPC. (A structure or part of a structure manifestly not designed to comply with the applicable use or extent of 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 nonconforming structures include, but are not limited to, nonconforming signs.)

**NONCONFORMING USE:** Equivalent definition in the MPC. (A use, whether of land or of structure, which does not comply with the applicable use provisions in a 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.)

**NUMBER OF EMPLOYEES:** See “Employees, Number of”.

**OFF-STREET PARKING:** See “Parking, Off-Street”.

**ON-STREET PARKING:** See “Parking, On-Street”.

**OPEN SPACE:** An area of land used for recreation, resource protection, amenities or buffers, which is freely accessible to all residents of a particular development or subdivision or, if dedicated, is accessible to the public, as protected by the provisions of this Chapter and Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land to ensure that it remains in such uses and is protected from future development. Such open space may include improvements and lot coverage to the extent that such is an element of the particular open space use and serves a related function, whether as parking, tennis courts, driveways, or service roads.

OPEN SPACE DEVELOPMENT TERMS & PHRASES: The following terms and phrases when used in this Chapter relating to Open Space Developments shall have the meaning given to them in the subsections below ((1) through (7) unless the context clearly indicates otherwise):

- (1) DENSITY, OPEN SPACE DEVELOPMENT: The measure of the number of dwelling units divided by the net buildable site area.
- (2) FOREST: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (Areas, groves or stands of ten [10] or more largely mature trees with a continuous canopy and covering an area of three-quarters  $\frac{3}{4}$  of one [1] acre or larger. Mature trees are those which are greater than six [6] inches in caliper, except for dogwoods and other small species which shall be considered mature when the caliper is two [2] inches or more. The forest area shall be measured from the dripline of the outer trees and shall encompass the associated intermediate layers in these areas, including the understory shrubs and smaller trees, the ground layer of herbaceous plants, and the forest floor.)
- (3) LAKE or POND: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (Natural or artificial bodies of water  $\frac{1}{4}$  acre or larger which retain water year round. Artificial ponds may be created by dams or result from excavation. The shoreline of such water bodies shall be measured from the spillway crest elevation rather than permanent pool if there is any difference.)
- (4) OPEN SPACE DEVELOPMENT: A method of developing land for residential use utilizing certain performance standards, including, but not limited to, provision for an open space ratio, density, lot coverage, and other standards as set forth in this Chapter, in addition to certain dimensional requirements as set forth in this Chapter. Open Space Developments allow the grouping or clustering of dwelling units, permitting more flexible designs. The subdivision as a whole shall meet all prescribed standards for open space, density, lot coverage, and other requirements of this Chapter and Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land.
- (5) SITE AREA, BASE: That portion of the gross site area remaining after deduction of the area of any existing easement or right-of-way, ultimate right-of-way, or any applicable restrictive covenant.
- (6) SITE AREA, GROSS: The total area of land located within the site as defined in the deed as determined from an actual site survey rather than from a deed description.
- (7) SITE AREA, NET BUILDABLE: That portion of the base site area remaining for development after the deduction of any required open space for resource protection and recreation.

OUTSIDE DINING: A use outside of an enclosed building designed for providing exterior seating and dining facilities for patrons and guests.

OUTSIDE DISPLAY: The display and related sales of items, merchandise, materials, or vehicles outside of an enclosed building.

OUTSIDE REFUSE COLLECTION CONTAINER/STATION: A container, a minimum of two (2) cubic yards in capacity, used for the disposing and collection of trash, garbage, refuse, recyclables, and other similar waste material, outside of an enclosed building.

OUTSIDE SERVICE AREA: Includes portions of any lot, outside of an enclosed building, which are used primarily to provide access for servicing the use on the lot, including land used for delivery of goods, loading, storage, and collection of refuse and wastes, and provisions for maintenance.

OUTSIDE SPORTS COURT: An accessory use which is improved for the use by the principal uses' residents or employees and their respective guests, to engage in non-commercial, recreational sport.

OUTSIDE STORAGE: The keeping of goods, merchandise, materials, or vehicles in the same location outside of an enclosed building for a period of time of more than seventy-two (72) hours in a seven (7) day period, and that are not being displayed for sale. Excludes items which are accessory to an individual single-family dwelling or two-family dwelling, and are not associated with a business operation or enterprise.

OVERLAPPING WALLS: See "Walls, Overlapping".

OVERLAY ZONING DISTRICT: A zoning district that encompasses one (1) or more base zoning districts or other overlay zoning districts and that imposes additional or supplemental requirements and standards other than those which are required by the base zoning districts or other overlay zoning districts.

PARKING, JOINT USE: See "Parking, Shared", "Joint Use Parking" or "Shared Parking".

PARKING, OFF-STREET: A temporary storage (surface or structure) for a motor vehicle that is directly accessible to an access aisle and that is not located on a dedicated right-of-way, and is located upon the same lot as a principal use or, in the case of shared or joint parking, within close proximity.

PARKING, ON-STREET: A temporary storage (surface) for a motor vehicle within a street right-of-way (excluding alleys).

PARKING, SHARED: Parking that is utilized by two (2) or more different uses that generate different parking occupancy rates or peak periods' parking demand. See "Parking, Shared", "Joint Use Parking" or "Shared Parking".

PARKING LOT: Any area of a lot, other than a driveway for an individual single-family or two-family dwelling, used for the temporary parking of three (3) or more motor vehicles.

PARKING SPACE: An improved surface designed and used for the temporary parking of one (1) motor vehicle.

PARKING STRUCTURE: A structure designed and used for the temporary parking of three (3) or more motor vehicles including decks and buildings.

PARTY WALL: A common shared wall between two (2) separate structures, buildings, or dwelling units.

PASSENGER LOADING FACILITY: See "Loading Facility, Passenger".

PATIO: An at-finished grade, uncovered (by a roof), occupiable structure within a yard.

PEDESTRIAN WALKWAY: A specified easement, walkway, path, trail, sidewalk, or other reservation which is designed for and used exclusively by pedestrians.

PERMITTED BY RIGHT USE: A use that is allowed and in which case zoning matters may be approved by the Zoning Officer, provided the application complies with all requirements of this Chapter.

PERENNIAL WATERCOURSE: See "Watercourse, Perennial".

PERSONAL CARE HOME: Equivalent definition in Title 55 of the Pennsylvania Consolidated Statutes relating to Public Welfare, Part IV relating to Adult Services Manual, Subpart E relating to Residential Agencies/Facilities/Services, Chapter 2600 relating to Personal Care Homes.

- ((1) A premise in which food, shelter and personal assistance or supervision are provided for a period exceeding twenty-four [24] hours, for four [4] or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in activities of daily living or instrumental activities of daily living.
- (2) The term includes a premise that has held or presently holds itself out as a personal care home and provides food and shelter to four [4] or more adults who need personal care services, but who are not receiving the services.)

PERSONAL CARE HOME OCCUPATION: A personal care home operated as a home occupation. For purposes of this Chapter the care of a maximum of three (3) adults who are not relatives of the operator shall also be considered a "personal care home occupation."

PERSONS: Individuals, corporations, companies, associations, joint stock companies, firms, partnerships, limited liability companies, corporations and other entities established pursuant to statutes of the Commonwealth of Pennsylvania; provided that person does not include or apply to the Township of Lower Moreland or an authority created by the Township of Lower Moreland.

PERVIOUS SURFACE: Any surface not considered impervious.

PLAT: Equivalent definition in the MPC. (The map or plan of a subdivision or land development, whether preliminary or final.)

PLOT/SITE PLAN: An accurately scaled development plan that illustrates the existing conditions on a land parcel and depicts details of a proposed development.

PORCH: An elevated, covered (by a roof), occupiable structure attached to the wall of a building and supported on at least two (2) opposing sides by an adjoining structure and/or posts, piers, or other independent supports.

PRE-COMMERCIAL TIMBER STAND IMPROVEMENT: A forest practice, such as thinning or pruning, which results in better growth, structure, species composition, or health for the residual stand but which does

not yield a net income to the land owner, usually because any trees cut are of poor quality, too small or otherwise of limited marketability or value.

PRINCIPAL BUILDING: See “Building, Principal”.

PRINCIPAL PUBLIC PEDESTRIAN ENTRANCE: The ordinary, everyday entrance into a building, for use by customers or visitors to the establishment, and not designated solely as an “emergency”, “delivery or service”, or “employee only” entrance.

PRINCIPAL STRUCTURE: See “Structure, Principal”.

PRINCIPAL USE: See “Use, Principal”.

PRIVATE HELIPORT: See “Heliport, Private”.

PUBLIC HEARING: Equivalent definition in the MPC. (A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this act.)

PUBLIC MEETING: Equivalent definition in the MPC. (A forum held pursuant to notice under 65 Pa. C.S. CH. 7 [Relating to open meetings].)

PUBLIC NOTICE: Equivalent definition in the MPC. (Notice published once each week for two [2] 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 not be more than thirty [30] days and the second publication shall not be less than seven [7] days from the date of the hearing.)

QUADRAPLEX DWELLING: See “Dwelling, Quadraplex”.

REAR BUILDING LINE: See “Building Line, Rear”.

REAR LOT LINE: See “Lot Line, Rear”.

REAR SETBACK: See “Setback, Rear”.

REAR YARD: See “Yard, Rear”.

REVERSE FRONTAGE LOT: See “Lot, Reverse Frontage”.

RIGHT-OF-WAY: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (Land set aside for passage, such as a utility, street, alley or other means of travel.)

RIGHT-OF-WAY, EXISTING: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (The legal rights-of-way as established by the Commonwealth or other appropriate governing authority and currently in existence.)



**RIGHT-OF-WAY, ULTIMATE:** Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (The right-of-way as shown on the Official Map, as appropriate to provide adequate width for future street improvements.)

**ROOF LINE:** See "Eave Line".

**SATELLITE DISH ANTENNA:** A concave, parabolic or dish-shaped antenna, or any other apparatus or device that is designed for the purpose of receiving electromagnetic, digital, or other type of signal including video programming signals from direct broadcast satellites ("DBS"), multichannel multipoint distribution (wireless cable) providers ("MMDS"), and television broadcast stations ("TVBS").

**SCREEN:** To inhibit view of or from.

**SCREENING:** A barrier between two (2) or more uses or lots composed of a mixture of landscaping, trees, shrubs, berms, fences, walls or other similar type materials, that is intended to mitigate negative impacts, such as air borne particles, glare, and noise, of the more intense/dense use or zoning district on the less intense/dense use or zoning district.

**SEMI-DETACHED BUILDING:** See "Building, Semi-Detached".

**SENIOR LIVING COMMUNITY:** The development of a building or group of buildings designed for and intended for occupancy by persons who are the age of 55 and older as permitted under the Federal Fair Housing Act, which may include one or more of the following type of units: independent living, personal care, assisted living and/or memory care. A Senior Living Community may, but shall not be required, to include on-site nursing facilities. Commercial and retail uses supportive of the age-restricted housing shall be included as part of a Senior Living Facility as set forth in Section 208-803.P(6)(d).

**SETBACK:** The required horizontal distance between a use, building, or structure and an adjoining lot line or street line, as applicable, and that establishes the area in which said use, building, or structure may be established, erected, or placed.

**SETBACK, FRONT:** The required setback to the street line. Unless specified elsewhere in this Chapter, where an ultimate right-of-way traverses a lot, setbacks shall be computed from such ultimate right-of-way and not from the existing boundary line. (See Figure 2-2.14)

**SETBACK, REAR:** The required setback to the rear lot line. (See Figure 2-2.14)

**SETBACK, SIDE:** The required setback to the side lot line. (See Figure 2-2.14)

**SHARED PARKING:** See “Parking, Joint Use”, “Joint Use Parking” or “Shared Parking”.

**SHIELDED:** The description of a luminaire from which no direct glare is visible at normal viewing angles, by virtue of its being properly aimed, oriented, and located and properly fitted with such devices as shields, baffles, louvers, skirts, or visors.

**SIDE BUILDING LINE:** See “Building Line, Side”.

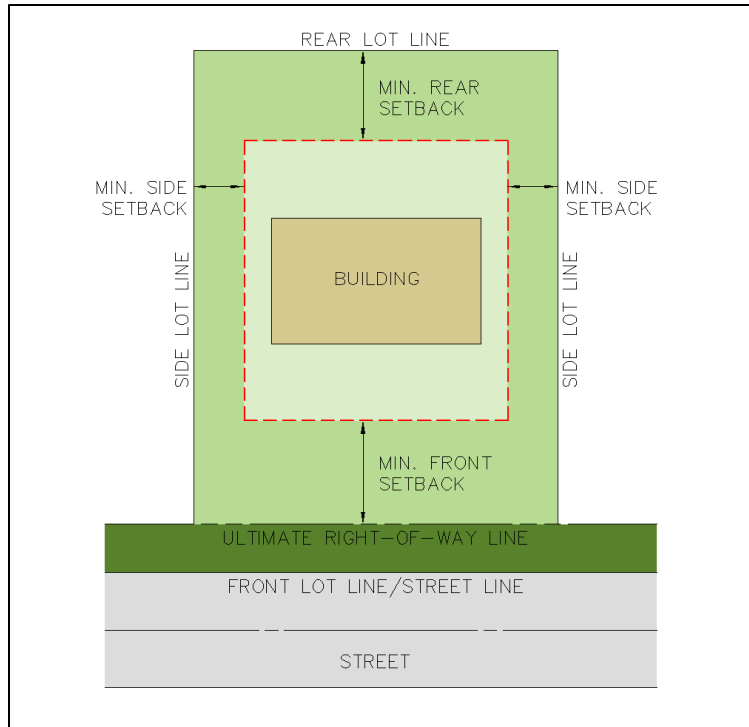
**SIDE LOT LINE:** See “Lot Line, Side”.

**SIDE SETBACK:** See “Setback, Side”.

**SIDE YARD:** See “Yard, Side”.

**SIGN TERMS & PHRASES:** Unless specifically defined elsewhere in this Article, the following terms and phrases when used in this Chapter including, but not limited to, Article 7 of this Chapter shall have the meaning given to them in the subsections below ((1) through (84) unless the context clearly indicates otherwise:

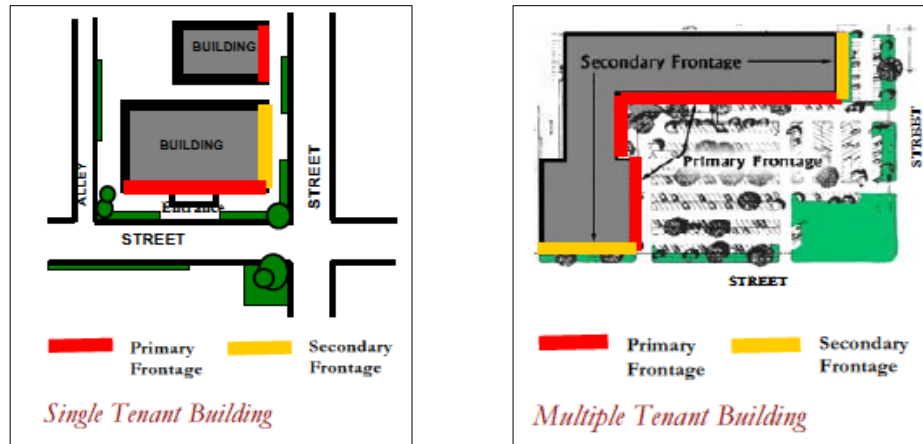
- (1) **ABANDONED SIGN:** A sign which has not identified or advertised an existing business, service, owner, product, or activity for a period of more than one hundred eighty (180) days, or for which no legal owner can be found.
- (2) **ADDRESS SIGN:** A sign that designates the street number or street name for identification purposes, as designated by the USPS or other entity authorized to designate addresses in Lower Moreland Township. (Also known as: nameplate sign.)
- (3) **ANIMATED SIGN:** A sign depicting action, motion, light, or color changes through electrical or mechanical means. Although technologically similar to flashing signs, the animated sign emphasizes



**Figure 2-2.14**

graphics and artistic display.

- (4) ANIMATION: The movement or optical illusion of movement of any part of the sign, structure, design, or pictorial segment, including the movement of any illumination or the flashing or varying of light intensity; the automatic changing of all or any part of the sign face.
- (5) AWNING SIGN: Any sign painted on or applied to an awning.
- (6) BALLOON SIGN: A lighter-than-air, gas-filled balloon, tethered in a fixed location, which has a sign with a message on its surface or attached in any manner to the balloon.
- (7) BANNER: Any cloth, bunting, plastic, paper or similar non-rigid material and attached to any structure, staff, pole, rope, wire, or framing and is anchored on two (2) or more edges or at all four (4) corners. Banners also include non-rigid signs anchored along one (1) edge or two (2) corners, with weights installed that reduce the reaction of the sign to wind. Banners may include text, logos or graphic symbols. Banners are temporary in nature and do not include flags.
- (8) BEACON LIGHTING: Any source of electric light, whether portable or fixed, the primary purpose of which is to cast a concentrated beam of light generally skyward as a means of attracting attention to its location rather than to illuminate any particular sign, structure, or other object.
- (9) BOX SIGN: A sign constructed as a box with enough internal depth to accommodate internal lighting.
- (10) BRIGHTNESS: The luminous intensity of a sign.
- (11) BUILDING UNIT: The building wall frontage of tenant/establishment space. For multi-tenant/establishment buildings, the portion of such building that is owned or leased by a single tenant/establishment shall be considered a building unit.
- (12) BUILDING WALL FRONTAGE: The sum of all ground floor building wall lengths parallel or essentially parallel to the lot's frontage on a street (excluding alleys), frontage oriented to and facing a primary parking area for the building or tenant, or frontage containing the principal public entrance to the building, building unit, or tenant/establishment space. (See Figures 2-2.15 and 2-2.16)



Figures 2-2.15 and 2-2.16 Typical Building Wall Frontages  
 (Source: A Framework for On-Premises Sign Regulations; Alan C. Weinstein, Inc. and D.B. Hartt, Inc., March 2009)

- (13) CANOPY SIGN: Any sign that is part of or attached to a canopy.
- (14) CHANGEABLE-COPY SIGN: A sign on which the copy or symbols change either automatically through electrical or electronic means, or manually through placement or drawing of letters or symbols on a sign panel mounted in or on a track system. The following are subtypes of changeable-copy signs:
  - (a) DIGITAL DISPLAY: A type of illuminated, changeable-copy sign that consists of internally illuminated components capable of changing the message periodically. Digital displays may include but are not limited to LCD, LED, or plasma displays.
  - (b) MANUAL CHANGEABLE-COPY SIGN: A sign on which the copy or symbols are changed manually through placement or drawing of letters or symbols on a sign panel mounted in or on a track system.
  - (c) MESSAGE CENTER SIGN: A type of illuminated, changeable-copy sign that consists of electronically changing alphanumeric text, and often used for gasoline station (fueling station) price signs or scoreboards.
  - (d) TRI-VISION BOARDS: A sign with a slatted face that allows three (3) different copy messages to revolve at intermittent intervals.
- (15) CLEARANCE: The smallest or shortest distance between two (2) or more objects.
  - (a) VERTICAL CLEARANCE: The smallest vertical distance between the finished grade of the ground below the lowest point of a sign, including any framework or structural element, and the lowest point of a sign.
  - (b) HORIZONTAL CLEARANCE: The shortest horizontal distance between the closest points of a sign and one (1) or more objects, including other signs.
- (16) COMMERCIAL MESSAGE: Any sign, wording, logo or other representation that, directly or indirectly,

names, advertises, or calls attention to an establishment, business, product, service, or other commercial or non-residential establishment activity.

- (17) DIRECTIONAL/INSTRUCTIONAL SIGN: A sign located within the interior of a lot which is generally not visible and the copy of which is not readily discernible, as viewed from an adjacent property or the street right-of-way adjoining the lot, and which provides information pedestrian or and vehicular traffic within a site as to the location, direction, instruction, interior operation, or use of site, buildings, or facilities.
- (18) DISSOLVE/APPEAR: A mode of message transition on a message center sign or digital display accomplished by varying the light intensity or pattern, where the first (1<sup>st</sup>) message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second (2<sup>nd</sup>) message.
- (19) ERECT: To build, construct, attach, place, suspend, or affix, which shall also include the painting of wall or window signs or other graphics.
- (20) FADE-IN/FADE-OUT: A mode of message transition on an electronic message center accomplished by varying the light intensity, where the first (1<sup>st</sup>) message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
- (21) FESTOON LIGHTING: A group of light bulbs, not shaded or hooded or otherwise screened to prevent direct rays of light from shining on adjacent properties or street rights-of-way, hung or strung overhead or on a building or structure.
- (22) FLAG: Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns or symbolic devices attached to a pole or staff and anchored along only one (1) edge or supported or anchored at only two (2) corners.
- (23) FLASHING SIGN: A sign whose artificial illumination is not kept constant in intensity at all times when in use and which exhibits changes in light, color, direction or animation.
- (24) FOOT-CANDLE: A unit of incident light (on a surface) stated in lumens per square foot and measurable with an illuminance meter, otherwise known as foot-candle or light meter. One (1) foot-candle is equal to one (1) lumen per square foot
- (25) FOOT-LAMBERT: A unit of emitted light (from a surface) stated in lumens per square foot and measurable with an illuminance meter, otherwise known as foot-candle or light meter. One (1) foot-lambert is equal to one (1) lumen per square foot.
- (26) FREESTANDING SIGN: A sign supported by structures or supports that are placed on, or anchored in, the ground, and that are independent from any building. The following are subtypes of freestanding signs:
  - (a) GROUND SIGN: A sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building. (Also known as monument sign.)

- (b) POLE SIGN: A freestanding sign that is permanently supported in a fixed location by a structure of one (1) or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure.
- (27) GASOLINE STATION (FUELING STATION) CANOPY: A freestanding, open-air structure for the purpose of shielding service station islands from the elements.
- (28) GASOLINE STATION (FUELING STATION) CANOPY SIGN: Any sign that is part of, or attached to a gas station canopy structure.
- (29) GOVERNMENTAL/REGULATORY SIGN: Any sign for the control of traffic, utility, safety, or for identification purposes required by government agencies, utility providers, or public service companies indicating danger or construction, which are erected by or at the order of a public officer, employee or agent thereof, in the discharge of official duties.
- (30) HOLIDAY/SEASONAL DECORATIONS: Signs or displays including lighting which are a non-permanent installation celebrating national, state, and local holidays, religious or cultural holidays, or other holiday seasons.
- (31) HOME OCCUPATION SIGN: Signs which designate home occupations as regulated herein.
- (32) ILLUMINANCE: The quantity of incident light measured in foot-candles.
- (33) ILLUMINATION: A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source, so shielded that no direct illumination from it is visible elsewhere than on and in the immediate vicinity of the sign.
  - (a) EXTERNAL ILLUMINATION: Artificial light, located away from the sign, that lights the sign, but which is itself not visible to persons viewing the sign from any adjacent property or street right-of-way adjoining the lot.
  - (b) INTERNAL ILLUMINATION: A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. For purposes of this Chapter, message center signs, digital displays, and signs incorporating neon lighting shall not be considered internal illumination.
  - (c) HALO ILLUMINATION: A sign using a three (3)-dimensional message, logo, etc., which is lit in such a way as to produce a halo effect. (Also known as back-lit illumination.)
- (34) ILLUMINATED SIGN: A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by reflection of a light source aimed at its surface.
- (35) INCIDENTAL SIGN: A sign of a public service nature such as signs identifying parking lots, telephones, restrooms, loading docks, places of worship, and similar services. These signs shall be informational only and shall not contain any commercial message or advertising.
- (36) INCIDENTAL WINDOW SIGN: Signs displayed in the window indicating information such as an

establishment's hours of operation, credit institutions accepted, commercial and civic affiliations and notifications, and similar information. These signs shall be informational only and shall not contain any commercial message or advertising.

- (37) INFLATABLE DEVICE: A sign that is a cold air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.
- (38) INTERACTIVE SIGN: An electronic or animated sign that reacts to the behavior or electronic signals of drivers.
- (39) LEGIBILITY: The physical attributes of a sign that allow for differentiation of its letters, words, numbers, or graphics, which directly relate to an observer's visual acuity.
- (40) LIMITED DURATION SIGN: A type of non-permanent, on-premises sign that is located on private property for more than thirty (30) days, but not intended to be displayed for an indefinite period.
- (41) LUMINAIRE: A complete lighting unit.
- (42) LUMINANCE: An objective measurement of the brightness of illumination, including illumination emitted by an electronic sign, measured in foot-candles per square foot (ft-cd/sq. ft.).
- (43) MARQUEE SIGN: Any sign attached to a marquee.
- (44) MECHANICAL MOVEMENT SIGN: A sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or from another power source, but shall not include wind-activated movement such as used for banners or flags. Mechanical movement signs do not include digital displays that have changeable, programmable displays.
- (45) MEMORIAL SIGN: A memorial plaque or tablet, including grave markers or other remembrances of persons or events.
- (46) MENU SIGN: A permanently mounted wall sign for displaying the bill of fare available at a permitted eating or drinking establishment.
- (47) MESSAGE DURATION: The time, measured in seconds, during which a message is displayed on a sign panel.
- (48) MESSAGE SEQUENCING: The spreading of one (1) message across more than one (1) sign structure.
- (49) MURAL (OR MURAL SIGN): A large picture/image (including but not limited to painted art) which is painted, constructed or affixed directly onto a vertical building wall, which may contain text, logos, or symbols.
- (50) NEON SIGN: A sign illuminated externally by a neon tube, or other visible light-emanating gas tube, that is bent to form letters, symbols, or other graphics.

- (51) NON-COMMERCIAL MESSAGE: Any sign that does not contain any wording, logo or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.
- (52) OFF-PREMISES SIGN: A sign whose message and design directs attention to a specific establishment, profession, product, service, event, or other commercial or noncommercial activity not sold, offered, or conducted on the same property where the sign is located. (Also known as a third (3<sup>rd</sup>) party sign, billboard, or outdoor advertising.)
- (53) OFFICIAL TRAFFIC SIGN: A sign erected by the Commonwealth of Pennsylvania, or the Township of Lower Moreland which are designed to regulate traffic, describe road conditions or supply directions and meet AASHTO standards.
- (54) ON-PREMISES SIGN: A sign whose message and design relates to a specific establishment, profession, product, service, event, point of view, or other commercial or non-commercial activity sold, offered, or conducted on the same property where the sign is located.
- (55) PENNANT STRINGS: Triangular or irregular pieces of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.
- (56) PERMANENT SIGN: A sign attached to a building, window, or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.
- (57) PERSONAL EXPRESSION SIGN: An on-premises sign that expresses an opinion, interest, or position, but shall not include political signs.
- (58) PORTABLE SIGN: A sign designed to be transported or moved and not permanently attached to the ground or a building. The following are subtypes of portable signs:
  - (a) MOBILE BILLBOARD: A sign affixed to a vehicle or pulled by a vehicle, the primary purpose of which is for off-premises advertising while the vehicle is moving or in traffic.
  - (b) SANDWICH BOARD OR A-FRAME SIGN: A type of freestanding, portable sign consisting of two (2) or less faces and taken down or removed in compliance with Article 7 of this Chapter. Sandwich board or A-Frame signs are typically used to advertise dining, entertainment, or sales. Such signs shall be located on the premises of the establishment, product, event, or activity it advertises.
  - (c) VEHICULAR SIGN: A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the establishment on the lot in which the vehicle is located or is otherwise not incidental to the vehicle's primary purpose.
- (59) PRIMARY BUILDING WALL FRONTAGE: The portion of the building wall frontage containing the principal public entrance to the building, building unit, or tenant/establishment space. (See Figures 2-2.15 and 2-2.16)
- (60) PRIMARY LOT FRONTAGE: On a lot fronting on two (2) or more streets, the lot frontage on the street



conveying the greater amount of existing or proposed daily traffic, or the street of address.

- (61) PRIVATE DRIVE SIGN: A sign indicating a street or drive which is not publicly owned and maintained and used only for access by the occupants of the development and their guests.
- (62) PROJECTING SIGN: A building mounted sign with the sign faces generally perpendicular to the building facade, and shall not include signs located on a canopy, awning, or marquee. (Also known as a blade sign.)
- (63) REFLECTIVE SIGN: A sign containing any material or device which has the effect of intensifying reflected light.
- (64) RESIDENTIAL DEVELOPMENT SIGN: An on-premises sign that identifies the name of the residential development.
- (65) REVOLVING SIGN: A sign which revolves in a circular motion rather than remaining stationary on its supporting structure.
- (66) ROOF SIGN: A building-mounted sign erected above the eave line, or upon, against, or over the roof of the building, whichever is lower.

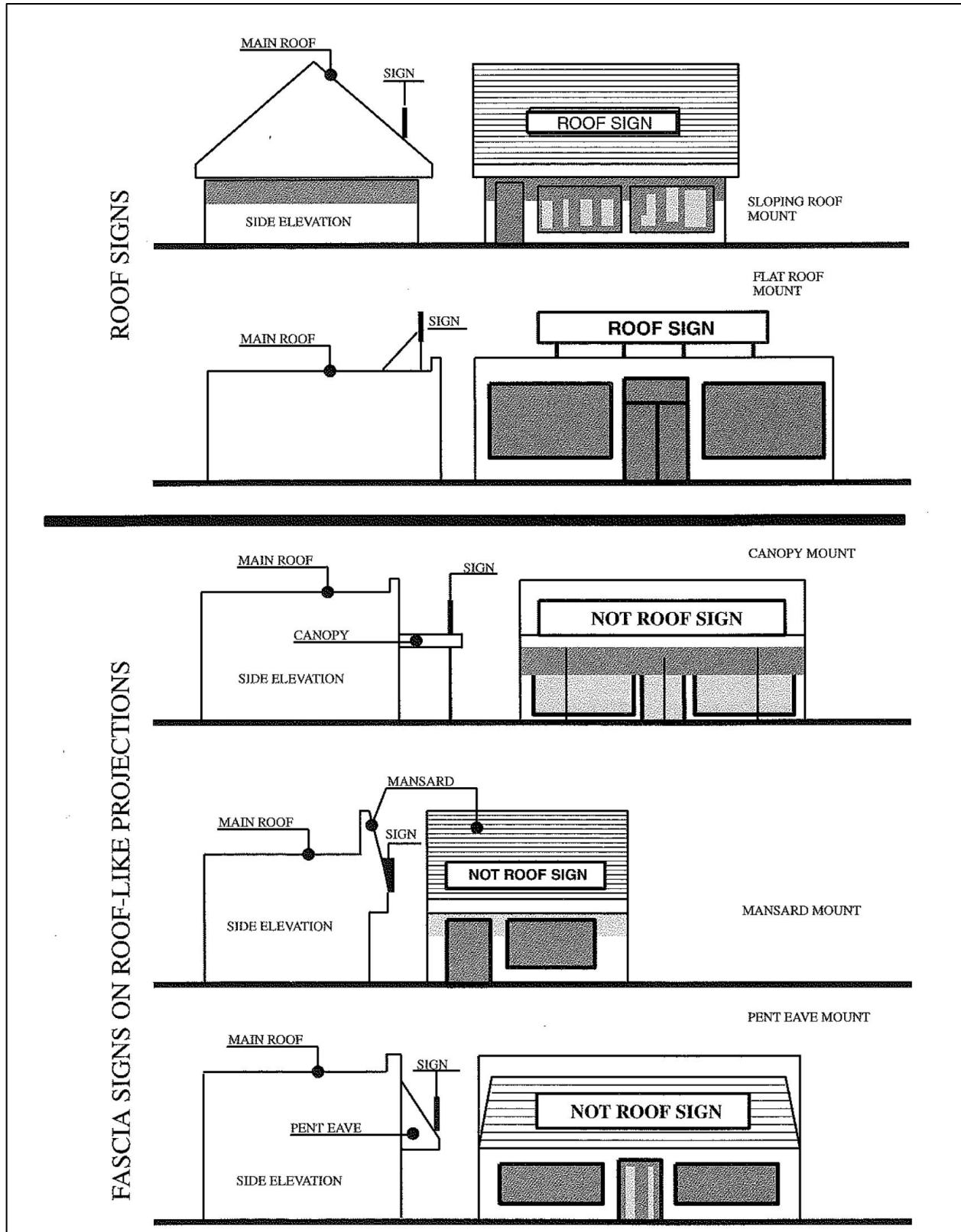


Figure 2-2.17 Typical Sign Types  
 (Source: IZC, International Zoning Code; International Codes Council, Inc., 2009)

- (67) SCOREBOARD: A sign contained within an athletic venue and intended solely to provide information to the attendees of the athletic event, but may include accessory commercial message or advertising.
- (68) SCROLL: A mode of message transition on a Digital Display or Message Center Sign where the message appears to move across the display surface.
- (69) SECONDARY BUILDING WALL FRONTAGE: The portion of the building wall frontage containing the secondary public entrance to the building, building unit, or tenant/establishment space, and all the building walls facing a public street or primary parking area that are not designated as "Primary Building Wall Frontage". (See Figures 2-2.15 and 2-2.16)
- (70) SECONDARY LOT FRONTAGE: On a lot with lot frontage on two (2) or more streets, the lot frontage, on the street conveying the lesser amount of existing or proposed daily traffic, on the street which is not the street of address, and all lot frontages that are not designated as the "Primary Lot Frontage".
- (71) SECURITY/WARNING SIGN: An on-premises sign regulating the use of the premises, such as a "no trespassing," "no hunting," or "no soliciting" sign. (Also known as warning sign.)
- (72) SIGN: Any device, structure, fixture, painting, emblem, or visual image using words, graphics, symbols, numbers, or letters designed and used for the purpose of communicating a message or attracting attention.

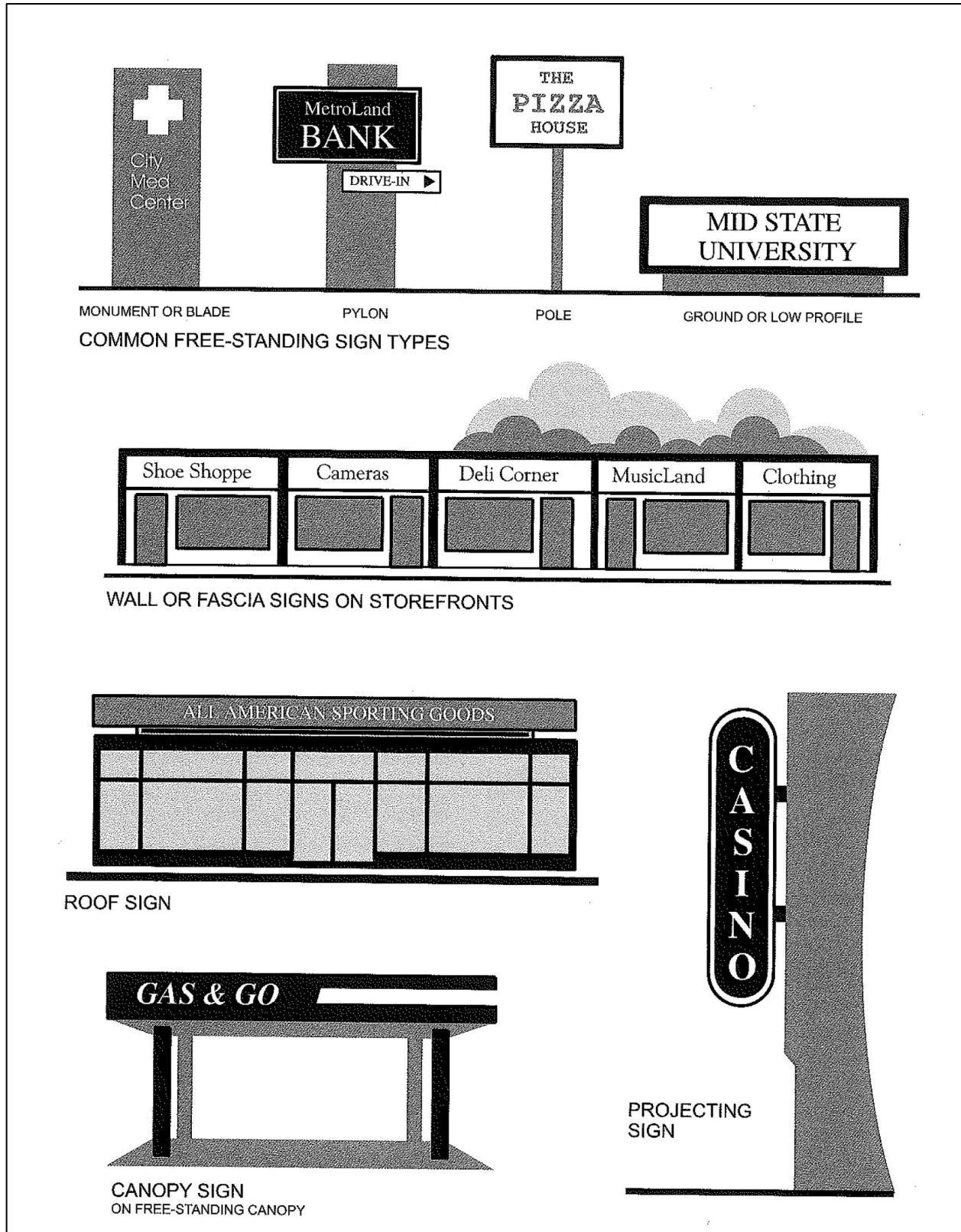


Figure 2-2.18 Typical Sign Types

(Source: IZC, International Zoning Code; International Codes Council, Inc., 2009)

- (73) SIGN AREA: The total dimensions of a sign surface used to display information, messages, advertising, logos, or symbols. See Article 7 of this Chapter for standards for measuring sign area.
- (74) SIGN COPY: The words or message displayed on a sign.
- (75) SIGN FACE: The physical surface of a sign on which words or messages are displayed. The sign area may be smaller than the sign face.
- (76) SIGN HEIGHT: A sign's vertical measurement, together with any supporting framework structure. See Article 7 of this Chapter for standards for measuring sign height.
- (77) SIGN SUPPORTING STRUCTURE: Poles, posts, walls, frames, brackets, or other supports holding a sign in place. The supporting structure is not counted towards the area of the sign.
- (78) SNIPED SIGN: A temporary or permanent sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, utility or other poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public right-of-way. (Also known as bandit sign.) (e.g., garage sale, lost pet, or personal direction signs.)
- (79) STREAMERS: A display made of lightweight, flexible materials, consisting of long, narrow, wavy strips hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind.
- (80) TEMPORARY SIGN: Any sign which is not permanently affixed to land or to any surface or improvement and established for a fixed, specified time period with the intent to discontinue such sign upon the expiration of the fixed, specified time period.
- (81) TRANSITION: A visual effect used on a message center sign or digital display to allow one (1) message to disappear while it is simultaneously being replaced by another.
- (82) VENDING MACHINE SIGN: A sign displayed on a vending machine indicating the brand name of the product being sold or the price of such product.
- (83) VISIBILITY: The physical attributes of a sign and its contents that allow for detection at a given distance, although legibility may be uncertain.
- (84) WALL SIGN: A building-mounted sign which is either attached to, displayed on, or painted on an exterior wall in a manner parallel with the wall surface. A sign installed on a false or mansard roof is also considered a wall sign. (Also known as: fascia sign, parallel wall sign, band sign.)
- (85) WINDOW SIGN: Any sign that is applied, painted, or affixed to a window, or placed inside a window, within three (3) feet of the glass, facing the outside of the building, and the copy of which is readily discernible as viewed from outside the building. Customary displays of merchandise or objects and material without lettering behind a store window are not considered signs.

SINGLE-FAMILY ATTACHED DWELLING: See "Dwelling, Single-Family Attached".

SINGLE-FAMILY DETACHED DWELLING: See "Dwelling, Single-Family Detached".

SINGLE-FAMILY SEMI-DETACHED DWELLING: See “Dwelling, Single-Family Semi-Detached”.

SINGLE AND SEPARATE OWNERSHIP: The ownership of a lot by one (1) or more persons, partnerships or corporations, which ownership is separate and distinct from that of any adjoining lot.

SITE: A lot, tract or parcel of land or a series of adjoining lots, tracts or parcels joined together.

SLOPE: Equivalent definition in Chapter 172 of the LMT Codified Ordinances relating to Stormwater Management and Grading. (The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed by a percentage based upon vertical difference in feet per 100 feet of horizontal distance.)

SPECIAL EXCEPTION USE: Equivalent definition in the MPC. (A use permitted in a particular zoning district pursuant to the provisions of Articles VI and IX.)

STACKING LANE: An improved surface designed to temporarily accommodate a motor vehicle waiting for entry to any drive-thru/drive-up facility or other similar auto-oriented use, which is located in such a way that a parking space or access to a parking space is not obstructed.

STREET: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (A public or private thoroughfare used or intended to be used for passage or travel by motor vehicles and pedestrians and which furnishes access to abutting properties and space for public utilities.) See Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land for a listing of individual streets and their respective street type classifications.

- (1) ARTERIALS: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (Major regional highways, with full volume or partial access control, designed for a large volume of through traffic. An average daily traffic count of 10,001 trips or greater and an intended operating speed of 60 miles per hour is expected.)
- (2) COLLECTORS: Major collectors and minor collectors.
- (3) MAJOR COLLECTORS: (Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (Streets designed to provide access between local or minor collector streets and arterials and expressways. Access is controlled by limiting curb cuts and providing marginal access areas. An average daily traffic count of 3,501 to 10,000 trips and an intended operating speed of 50 miles per hour is expected.)
- (4) MINOR COLLECTORS: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (Streets which primarily serve to connect feeder and local streets with major collectors and arterials. An average daily traffic count of 651 to 3,500 trips and an intended operating speed of 40 miles per hour is expected.)

STREET LINE: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (The dividing line between a lot and the existing boundary of a public street, road or highway legally open or officially recorded by the Township or between a lot and a private street, road or way over which the owners or tenants of two (2) or more lots held in single and separate ownership have the right-of-way. See “Lot Line, Front”. (See Figure 2-2.12)

**STRUCTURE:** Equivalent definition in the MPC. (Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.)

**STRUCTURE, ACCESSORY:** A detached structure, the use of which is customarily incidental and subordinate to that of the principal building, structure, or use in extent, area and purpose, and which is located on the same lot as that occupied by the principal building, structure, or use.

**STRUCTURE, PRINCIPAL:** The main or primary structure, the use of which is greater in extent, area, and purpose and is essential to that of any accessory building, structure, or use.

**STRUCTURE, TEMPORARY:** A structure without any foundation or footings, sited and established for a fixed, specified time period with the intent to discontinue and remove such structure upon the expiration of the fixed, specified time period.

**STRUCTURE HEIGHT:** See "Height, Structure".

**SUBDIVISION:** Equivalent definition in the MPC. (The division or redivision of a lot, tract or parcel of land by any means into two [2] or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten [10] acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.)

**SWIMMING POOL RELATED TERMS & PHRASES:** Unless specifically defined elsewhere in Article 2 of this Chapter, the following terms and phrases when used in this Chapter including, but not limited to, Article 5 of this Chapter relating to *Swimming Pools* shall have the meaning given to them in the subsections below ((1) through (9)) unless the context clearly indicates otherwise:

- (1) **ABOVEGROUND/ON-GROUND POOL:** See "Swimming Pool."
- (2) **BARRIER:** A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.
- (3) **HOT TUB:** See "Swimming Pool."
- (4) **IN-GROUND POOL:** See "Swimming Pool."
- (5) **SPA, NON-PORTABLE:** See "Swimming Pool."
- (6) **SPA, PORTABLE:** A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.
- (7) **SWIMMING POOL:** Any structure intended for swimming or recreation bathing capable of containing water over twenty-four (24) inches or six hundred ten (610) millimeters deep. This includes in-ground, aboveground and on-ground swimming pools, hot tubs and spas.
- (8) **SWIMMING POOL, INDOOR:** A swimming pool which is totally contained within a structure and surrounded on all sides by the walls of the enclosing structure.

(9) SWIMMING POOL, OUTSIDE: Any swimming pool which is not an indoor pool.

TEMPORARY BUILDING: See “Building, Temporary”.

TEMPORARY STRUCTURE: See “Structure, Temporary”.

TEMPORARY USE: See “Use, Temporary”.

TOWNSHIP BOARD OF COMMISSIONERS: The Board of Commissioners of the Township of Lower Moreland.

TOWNSHIP ENGINEER: A qualified, professional engineer licensed and registered to practice in the Commonwealth of Pennsylvania, designated by the LMT BOC to furnish professional and technical assistance for the administration of this Chapter.

TOWNSHIP OF LOWER MORELAND: The body corporate of Lower Moreland Township, Montgomery County, PA, may also be referenced as “the Township”.

TOWNSHIP PLANNING COMMISSION: The Planning Commission of the Township of Lower Moreland.

TOWNSHIP SOLICITOR: The attorney licensed to practice in the Commonwealth of Pennsylvania, designated by the LMT BOC to furnish professional and legal assistance for the administration of this Chapter.

TOWNSHIP ZONING HEARING BOARD: The Zoning Hearing Board of the Township of Lower Moreland.

TOWNSHIP ZONING OFFICER: The duly constituted municipal official designated by the LMT BOC to administer and enforce this Chapter in accordance with its literal terms.

TRADITIONAL NEIGHBORHOOD DEVELOPMENT TERMS & PHRASES: The following terms and phrases when used in this Chapter relating to Traditional Neighborhood Developments shall have the meaning given to them in the subsections below ((1) through (3)) unless the context clearly indicates otherwise:

- (1) ACCESSWAY: Equivalent definition in Chapter 180 relating to Subdivision of Land. (A right-of-way which is used primarily for vehicular service access to the back or side of properties; otherwise abutting a street or open space.) For purposes of this definition, “abutting” shall mean “adjoining”.
- (2) DESIGN CRITERIA: Equivalent definition in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (A manual of written and graphic design guidelines and standards intended to control and regulate the physical appearance of a traditional neighborhood development.)
- (3) TRADITIONAL NEIGHBORHOOD DEVELOPMENT: Equivalent definition in the MPC. (An area of land developed for a compatible mixture of residential units for various income levels and nonresidential commercial and workplace uses, including some structures that provide for a mix of uses within the same building. Residences, shops, offices, workplaces, public buildings, and parks are interwoven within the neighborhood so that all are within relatively close proximity to each other. Traditional neighborhood development is relatively compact, limited in size and



oriented toward pedestrian activity. It has an identifiable center and a discernible edge. The center of the neighborhood is in the form of a public park, commons, plaza, square or prominent intersection of two [2] or more major streets. Generally, there is a hierarchy of streets laid out in a rectilinear or grid pattern of interconnecting streets and blocks that provide multiple routes from origins to destinations and are appropriately designed to serve the needs of pedestrians and vehicles equally.)

TRANSIT ORIENTED DEVELOPMENT: A development pattern created around the Philmont and Beth Ayres SEPTA stations that is characterized by higher density, mixed uses, a safe and attractive pedestrian environment, reduced parking, and direct and convenient access to the transit station in accordance with the regulations of Article 4 of this Chapter relating to *Transit Oriented Development/O-TOD (§ 208-404.B.)*.

TRANSIT STATION: The area including the platform which supports transit usage and that is owned and/or operated by SEPTA.

TWO-FAMILY DETACHED DWELLING: See “Dwelling, Two-Family Detached”.

ULTIMATE RIGHT-OF-WAY: See “Right-Of-Way, Ultimate”.

UNIT OF OCCUPANCY: An allocation of space within a building or structure that is independent of other such space and that constitutes a separate use. This shall include both fee simple ownership and leaseholds.

USE: The specific activity or purpose for which a lot, building, or structure is intended, designed, arranged, occupied, used, utilized, or maintained.

USE, ACCESSORY: A use of which is customarily incidental and subordinate to that of the principal building, structure, or use in extent, area and purpose, and which is located on the same lot as that occupied by the principal building, structure, or use.

USE, PRINCIPAL: The main or primary use of which is greater in extent, area, and purpose and is essential to that of any accessory building, structure, or use.

USE, TEMPORARY: A use established for a fixed, specified time period with the intent to discontinue such use upon the expiration of the fixed, specified time period.

UTILITY LINE: A line built and maintained in order to transport materials, utilities or services by underground or above ground means, including gas, electric, oil, cable, water, sewage, telephone, fiber optic cables, stormwater, computer lines, and other lines.

VARIANCE: Equivalent definition in the MPC. (Relief granted pursuant to the provisions of Articles VI and IX.)

VEGETATIVE GROUND COVER: See “Cover, Vegetative Ground”.

VILLAGE: Equivalent definition in the MPC. (An unincorporated settlement that is part of a township where residential and mixed use densities of one [1] unit to the acre or more exist or are permitted and commercial, industrial or institutional uses exist or are permitted.)

**WALL:** Equivalent definition in the IBC as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction. (A vertical element with a horizontal length-to-thickness ratio greater than three [3], used to enclose space.)

**WALLS, OVERLAPPING:** That portion of the exterior building walls which are directly opposing when two (2) buildings or more, parallel or essentially parallel, face each other across a yard or court. (See Figure 2-2.19)

**WATERCOURSE:** Equivalent in Chapter 172 of the LMT Codified Ordinances relating to Stormwater Management and Grading. (A channel or conveyance of surface water, such as a stream or creek, having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.)

**WATERCOURSE, PERENNIAL:** A watercourse shown as a continuous blue line, not a dashed blue line, on a United States Geological Survey (USGS) quadrangle map.

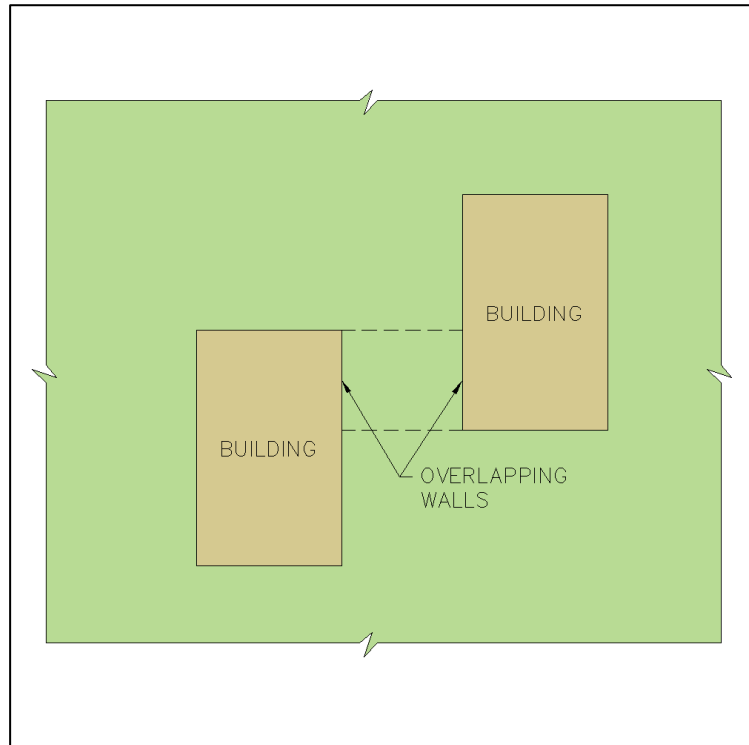


Figure 2-2.19

**WETLAND:** Equivalent in Chapter 180 of the LMT Codified Ordinances relating to Subdivision of Land. (An area inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted to life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. A wetland shall mean an area defined as a "wetland" under federal and state regulations, whichever is more inclusive.)

**WIRELESS TELECOMMUNICATIONS FACILITIES & RELATED TERMS:** Unless specifically defined elsewhere in Article 2 of this Chapter, the following terms and phrases when used in this Chapter including, "Wireless Telecommunications Facilities" shall have the meaning given to them in the subsections below ((1) through (16)) unless the context clearly indicates otherwise:

- (1) **CO-LOCATION:** The mounting of one (1) or more WTFs, including communication antennae, on an existing Tower-Based WTF, utility or traffic light pole, water tower, or other suitable, approved "tall" structure.
- (2) **DISTRIBUTED ANTENNA SYSTEMS (DAS):** A network of spatially separated telecommunications antenna sites connected to a common source that provides wireless service within a geographic area or structure.

- (3) EMERGENCY: A condition that:
- (a) Constitutes a clear and immediate danger to the health, welfare, or safety of the public; or
  - (b) Has caused or is likely to cause facilities in a right-of-way to be unusable and result in loss of the services provided.
- (4) HEIGHT, TOWER-BASED WTF: A Tower-Based WTF's vertical measurement, from the average finished grade of the front of the structure, including any base pad, to the highest point, including telecommunications antennas mounted on the tower and any other appurtenances.
- (5) MONOPOLE: A WTF or site which consists of a single pole structure, designed and erected on the ground or on top of a structure, to support telecommunications antennae and connecting appurtenances.
- (6) NON-TOWER WIRELESS TELECOMMUNICATIONS FACILITY (NON-TOWER WTF): All non-tower wireless telecommunications facilities including, but not limited to, telecommunications antennae and related equipment. Excludes wireless support structures for telecommunications antennae and related equipment.
- (7) STEALTH TECHNOLOGY: Camouflaging methods applied to wireless telecommunications towers, telecommunications antennae and other facilities which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted telecommunications antennae, building-mounted telecommunications antennae painted to match the existing structure, and facilities constructed to resemble trees, shrubs, and light poles.
- (8) SUBSTANTIALLY CHANGE:
- (a) Any increase in the height of a wireless support structure by more than ten (10) percent, or by the height of one (1) additional telecommunications antenna array with separation from the nearest existing telecommunications antenna not to exceed twenty (20) feet, whichever is greater, except that the mounting of the proposed wireless telecommunications facility may exceed the size limits set forth herein if necessary to avoid interference with existing telecommunications antennas; or
  - (b) Any further increase in the height of a wireless support structure which has already been extended by more than ten (10) percent of its originally approved height or by the height of one (1) additional telecommunications antenna array.
- (9) TELECOMMUNICATIONS ANTENNA: Any system of wires, rods, discs, panels, flat panels, dishes, whips, or other similar devices used for the transmission or reception of wireless signals. Includes an omnidirectional antenna (rod), directional antenna (panel), parabolic antenna (disc) or any other wireless antenna. Excludes "Tower-Based Wireless Telecommunications Facility (Tower-Based WTF)" as defined in the subsection below, and also excludes private residents mounted

satellite dishes or television antennas or amateur radio equipment, including without limitation, ham or citizen band radio antennas.

- (10) TELECOMMUNICATIONS EQUIPMENT BUILDING: An unmanned building, cabinet or structure containing telecommunications equipment required for the operation of telecommunications antennas and covering an area on the ground not greater than two hundred fifty (250) square feet per user unless approved by the Township of Lower Moreland.
- (11) TOWER-BASED WTF HEIGHT: See "Height, Tower-Based WTF".
- (12) TOWER-BASED WIRELESS TELECOMMUNICATIONS FACILITY (TOWER-BASED WTF): Any structure that is used for the purpose of supporting one (1) or more telecommunications antennae, including, but not limited to, self-supporting lattice towers, guy towers and monopoles, utility poles, and light poles. DAS hub facilities are considered to be tower-based WTFs.
- (13) WIRELESS: Transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, personal communications service (PCS), microwave, satellite, or radio signals.
- (14) WIRELESS TELECOMMUNICATIONS FACILITY (WTF): The telecommunications antennae, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless telecommunications services.
- (15) WIRELESS TELECOMMUNICATIONS FACILITY APPLICANT (WTF APPLICANT): Any person that applies for a wireless telecommunication facility building permit, zoning approval or permission to use the public right-of-way or other land or property owned by the Township of Lower Moreland.
- (16) WIRELESS SUPPORT STRUCTURE: A freestanding structure, such as a Tower-Based WTF or any other support structure that could support the placement or installation of a WTF if approved by the Township of Lower Moreland.

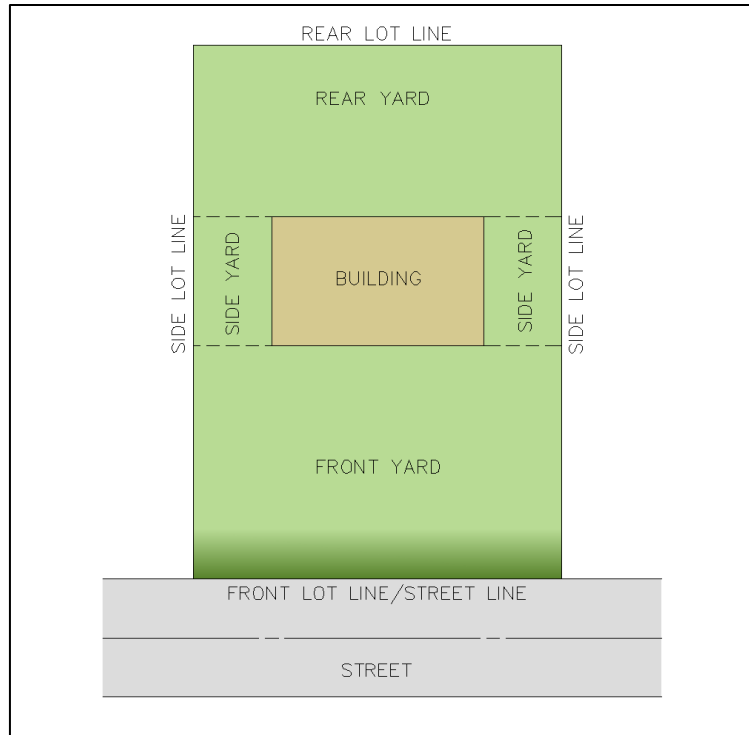
YARD: An unoccupied area, open and unobstructed from the ground, on the same lot as a principal structure.

YARD, FRONT: The yard extending across the full width of the lot and contained between the front building line of the principal structure and the street line, measured perpendicular to the building line of said structure at the closest point to the street line. (See Figure 2-2.20)

**YARD, REAR:** The yard extending across the full width of the lot and contained between the rear building line of the principal structure and the rear lot line, measured perpendicular to the building line of said structure at the closest point to the rear lot line. (See Figure 2-2.20)

**YARD, SIDE:** The yard between the front yard and the rear yard and contained between the side building line of the principal structure and any side lot line(s), measured perpendicular to the building line of said structure at the closest point to the nearest side lot line. (See Figure 2-2.20)

**ZONING CERTIFICATE:** A statement signed by the Township Zoning Officer, setting forth that a building, structure, or use legally complies with this Chapter and a previously issued zoning permit.



**Figure 2-2.20**

**ZONING DISTRICT:** A section or area of Lower Moreland Township designated in this Chapter's text and delineated on the Official Zoning Map, "Township of Lower Moreland, Montgomery County, PA: Official Zoning Map" listed in Article 1 of this Chapter relating to *Zoning Districts and Official Zoning Map* (§ 208-106.), in which regulations for the use of land, structures, buildings, and development are prescribed.

**ZONING MAP:** The map setting forth the boundaries of the zoning districts of the Township of Lower Moreland which shall be part of this Chapter, "Township of Lower Moreland, Montgomery County, PA: Official Zoning Map" listed in Article 1 of this Chapter relating to *Zoning Districts and Official Zoning Map* (§ 208-106.).

**ZONING PERMIT:** A document signed by a Township Zoning Officer, as required in this Chapter, as a condition precedent to the commencement of a use, or the erection, construction, reconstruction, restoration, alteration, conversion or installation of a structure that acknowledges that such use or structure complies with the provisions of this Chapter or authorized variance therefrom.

### **§ 208-203. Abbreviations.**

For the purposes of this Chapter, the following abbreviations shall include the following:

**AASHTO:** American Association of State Highway and Transportation Officials.

**ADA:** The most recent version of the Americans with Disabilities Act of 1990 and 2008 as amended.

**ANSI:** American National Standards Institute, or any successor agency.

ASTM: American Society for Testing and Materials, or any successor agency.

BOA: The Bureau of Aviation of the Pennsylvania Department of Transportation (PennDOT), or any successor agency.

CLOMR: Conditional letter of map revision, regarding flood mapping.

CU: Conditional Use (zoning decision by the LMT BOC). See “Conditional Use”.

DU: Dwelling Unit.

FAA: The Federal Aviation Administration of the United States Department of Transportation (USDOT), or any successor agency.

FAR: Floor Area Ratio.

FCC: The Federal Communication Commission, or any successor agency.

FEMA: The Federal Emergency Management Agency, or any successor agency.

FIA: The Federal Insurance Administration, or any successor agency.

FIS: Flood Insurance Study.

ft.: Feet.

GFA: Gross Floor Area.

hrs.: Hours.

IBC: The most recent version of the International Building Code as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction.

ins.: Inches.

IPMC: The most recent version of the International Property Maintenance Code as adopted pursuant to Chapter 150 of the LMT Codified Ordinances relating to Property Maintenance.

IRC: The most recent version of the International Residential Code as referenced in the PA UCC as adopted pursuant to Chapter 82 of the LMT Codified Ordinances relating to Building Construction.

LMT BOC: See “Township Board of Commissioners”.

LMT PC: See “Township Planning Commission”.

LMT ZHB: See “Township Zoning Hearing Board”.

LOMR: Letter of map revision, regarding flood mapping.

MCCD: The Montgomery County Conservation District, or any successor agency.

MCHD: The Montgomery County Health Department, or any successor agency.

MCPC: The Montgomery County Planning Commission, or any successor agency.

MDC: Maximum Design Capacity.

MPC: The most recent version of the Pennsylvania Municipalities Planning Code Act of 1968, P.L. 805, No. 247 as reenacted and amended.

N/A: Not applicable.

NAICS: The most recent version of the North American Industry Classification System.

NP: Not Permitted.

P: Permitted by Right (zoning decision by Township Zoning Officer). See “Permitted By Right Use”.

PA DEP: The Pennsylvania Department of Environmental Protection, or any successor agency.

PA L&I: The Pennsylvania Department of Labor and Industry, or any successor agency.

PA PUC: The Pennsylvania Public Utility Commission, or any successor agency.

PA UCC: The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third (3rd) party or the PA L&I. Also known as the Pennsylvania Uniform Construction Code.

PennDOT: The Pennsylvania Department of Transportation, or any successor agency.

PHMC: The Pennsylvania Historical and Museum Commission, or any successor agency.

SE: Special Exception (zoning decision by the LMT ZHB). See “Special Exception Use”.

SEPTA: Southeastern Pennsylvania Transportation Authority, or any successor agency.

sq. ft.: Square feet.

TND: Traditional Neighborhood Development. See “Traditional Neighborhood Development”.

UL: The Underwriters Laboratories, or any successor agency.

USDOE: The United States Department of Energy, or any successor agency.

USDOJ: The United States Department of Justice, or any successor agency.

USPS: The United States Postal Service, or any successor agency.

WBCA: The Pennsylvania Wireless Broadband Collocation Act (53 P.S. §11702.1 et. seq.)