

ARTICLE II

INTERPRETATION AND DEFINITIONS

SECTION 201 GENERAL INTERPRETATION

For the purpose of this Ordinance, the terms and words listed in this Article shall have the meaning herein defined. Words not herein defined shall have the meanings given in Webster's Unabridged Dictionary and shall be interpreted so as to give this Ordinance its most reasonable application. For the purpose of this Ordinance, the following rules of interpretation shall apply:

- A. Words in the present tense include the future tense.
- B. Words in the singular include the plural and words in the plural include the singular.
- C. Words used in the masculine include the feminine and neuter.
- D. The words "used" and "occupied" shall be construed to include the words "or intended, arranged or designed to be used or to be occupied, or offered for occupancy".
- E. The term "such as" shall be considered as introducing a typical or illustrative designation of items, and shall not be interpreted as constituting a complete list.
- F. The word "person" and "owner" includes a partnership, corporation, association, trust, estate, or any other legally recognized entity as well as an individual and the officers of any corporation and the members of any partnership
- G. The words "building" and "structure" shall be construed as if followed by the phrase "or part thereof".
- H. The word "erect" shall mean to build, construct, or relocate any structure or building.
- I. References to "codes, ordinances, resolutions, plans, maps, governmental bodies, commissions or agencies, or officials" are references to codes, ordinances, resolutions, plans, maps, governmental bodies, commissions or agencies, or officials of District Township or the Commonwealth of Pennsylvania as in effect or office from time to time including amendments thereto or revisions or successors thereof, unless the text indicates another reference is intended.
- J. All definitions included in the MPC shall be incorporated by reference herein.

SECTION 202 SPECIFIC WORDS AND PHRASES

Unless otherwise stated, the following words and phrases shall be construed throughout this Ordinance to have the meanings indicated in this Section.

Accessory Structure: A subordinate building, the use of which is customarily incidental to and which is on the same lot as the principal building. These structures shall include, but not be limited to, detached garages and storage sheds.

Accessory Use: A use customarily incidental and subordinate to the principal use of a building or structure or principal use of the land, or a use not a principal use.

Additions: Extensions added to an existing principal building or accessory structure that increase the ground coverage of the structure. These extensions shall include, but not be limited to, fully enclosed rooms, attached garages, screened porches, decks and stoops.

Agent: Any person, other than a landowner or developer, who, acting with the written authorization of the landowner or developer, submits to the Planning Commission and Township Supervisors subdivision or land development plans for the purpose of obtaining approval thereof.

Agriculture or Agricultural Purposes: The cultivation of the soil and the raising and harvesting of the products of the soil including but not by way of limitation, nurserying, horticulture, forestry, and the breeding and raising of customary domestic animals.

Alley: See “Service Street”.

Annexation: To append or unite a lot, tract or parcel to an adjacent lot, tract or parcel, thus creating and resulting in one lot comprised from two or more adjacent lots. Annexation in this context shall be deemed to mean the increase in area or size of an existing lot, tract or parcel and shall not be construed to mean the creation of a new building lot for development purposes.

Architect: A licensed architect registered in the Commonwealth of Pennsylvania.

Best Management Practice (BMP): Structural devices or other methods that temporarily store or treat storm water runoff to reduce flooding, remove pollutants, and provide other environmental amenities.

Block: A tract of land, a lot, or two or more contiguous lots, bounded by streets, public parks, railroad rights-of-way, watercourses, boundary lines of the Township, unsubdivided land or by any combination of the above.

Board: See “Supervisors”.

Building: Any structure or appendage to a structure constructed or used for a residence, business, industry or other public or private purpose, or accessory thereto, which contains a roof and which is intended for sheltering persons, animals, or property.

Building, Accessory: A detached, subordinate building or structure, the use of which is customarily incidental to that of the principal building or use and which is located on the same lot as occupied by the principal building or use.

Building, Attached: A building that has two or more walls or portions thereof in common with an adjacent building.

Building, Detached: A building that has no parts or walls in common with an adjacent building.

Building, Principal: A building or structure in which is conducted, designed to be conducted, or intended to be conducted the primary use of the lot on which it is located.

Building Semi-Detached: A building that has one wall or portion thereof in common with an adjacent building.

Building Addition: An increase in floor area or expansion of an existing building or structure, the expansion of which shall be attached to the building or structure.

Building Area: The total area of the greatest outside dimensions, on a horizontal plane, of a building or structure.

Building Coverage: That portion of a lot covered or occupied by structures. For the purpose of computation, building coverage excludes fences, free-standing walls, retaining walls, playground equipment, wading pools no more than 30 inches above grade, cornices, eaves, gutters, stoops, balconies, fire escapes, and unenclosed steps.

Building Envelope: The building envelope is that area of the lot that has no building restrictions. The building envelope shall not include the area of any required setbacks (except for driveways which cross yards), buffer yards or floodplains.

Building Line: A line formed by the intersection of a horizontal plane and a vertical plane that coincides with the exterior surface of a building or structure on any side. In the case of a cantilevered or projected section of a building, except overhanging eaves, gutters and cornices, the vertical plane will coincide with the most projected surface.

Building Setback Line: The line within a property (usually) parallel to the right-of-way or property line), defining the required minimum distance between any enclosed structure and the adjacent street right-of-way or property line.

Front Setback Line: The line nearest the front of and across a lot establishing the minimum open space to be provided between the front line of buildings and structures and the front lot line.

Side Setback Line: The line nearest the side of and across a lot establishing the minimum open space to be provided between the side line of buildings and structures and the side lot line.

Rear Setback Line: The line nearest the rear of and across a lot establishing the minimum open space to be provided between the rear line of buildings and structures and the rear lot line.

Cartway (Roadway): The portion of a street right-of-way, paved or unpaved, used for the passage of vehicles.

Center Line of Street or Road: A line midway between and parallel to the two street or road property or right-of-way lines, or as otherwise defined by the Board of Supervisors.

Clear Sight Triangle: An area of unobstructed vision at the intersection of two (2) or more streets, driveways or alleys. It is defined by lines of sight between points at a given distance from the intersection of the centerlines of streets, driveways or alleys.

Community Sewer System: See Sanitary Sewage Disposal, Community.

Comprehensive Plan: The Comprehensive Plan adopted by the Board of Supervisors pursuant to Article III of the Pennsylvania Municipalities Planning Code which indicates the general locations recommended for the various functional classes of public works, places and structures and for the general physical development of the Township, and includes any unit or part of such plan separately adopted and any amendment to such plan or part thereof.

Conservation: The planned management of a natural feature to prevent its exploitation, destruction, or neglect.

Conservation Plan: A plan for controlling the adverse effects of any site disturbance on natural features for an identified area of land, including a map(s) and narrative that, at a minimum, outlines methods and management practices which will be employed to prevent or minimize said impacts.

Construction: The construction, reconstruction, extension, expansion or relocation of a building or structure including the placement of mobile homes.

Consultant: A professional retained by the Board of Supervisors to assist in the administration and/or enforcement of this Ordinance.

COE: United States Army Corps of Engineers.

County: The County of Berks, Commonwealth of Pennsylvania.

County Planning Commission: The Berks County Planning Commission.

Critical Wildlife Habitat: Those areas that are necessary for the survival of an individual or group of a given species.

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

Cul-de-Sac: A street intersecting another street at one end and terminating at the other in a vehicular turnaround.

Curb: The raised edge of a pavement to confine surface water to the pavement and to protect the abutting land from vehicular traffic; all curbs shall be constructed in accordance with the specifications in this Ordinance or any other Ordinance enacted by the Board of Supervisors setting requirements for the construction of roads, curbs and sidewalks.

DBH: The diameter of a tree at breast height, usually measured 4.5 feet from the ground surface.

Dedication: The deliberate setting aside of land by its owner for any general and public use, reserving to himself no other rights than those that are compatible with the full exercise and enjoyment of the public uses to which the property has been dedicated. Dedication as herein defined, includes formal acceptance by District Township as an executed and acknowledged deed, and does not include an acceptance by public use or otherwise by operation of law.

DEP: The Pennsylvania Department of Environmental Protection.

Department of Transportation (PennDOT): The Department of Transportation of the Commonwealth of Pennsylvania or any agency successor thereto.

Detention Basin: A vegetated basin designed to drain completely after storing runoff only for a given storm event and releasing it at a predetermined rate. Also known as a dry pond.

Developer: Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development Said agent or tenant must have written authority to act on behalf of the landowner.

Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, logging, excavation, or drilling operations.

Double Frontage Lot: A lot, other than a corner lot, fronting on two (2) streets.

Drainage Facility: Any ditch, gutter, pipe, culvert, storm sewer, or other structure designed, intended or constructed for the purpose of carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any subdivision or contiguous land areas.

Drainage Right-of-Way: The lands required for the installation of storm sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public, particularly the owners of downstream land, against flood damage.

Driveway: Every entrance or exit used by vehicular traffic to or from properties abutting a street or highway.

Dwelling: A house, apartment building or other building designed or used primarily for human habitation. The word "dwelling" shall not include boarding or rooming houses, hotels, motels, tents, trailers or any structure designed or used for transient residence.

Dwelling Unit: A building or portion thereof providing one or more rooms arranged for the use of one or more individuals living together as a single housekeeping unit, and having no cooking or sanitary facilities in common with any other dwelling unit.

Earth Disturbance: Any activity including, but not limited to construction, mining, farming, timber harvesting, and grubbing which alters, disturbs and exposes existing land surfaces. (See "land disturbance activity").

Easement: A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose, and within which the lessee or owner of the property shall not erect any permanent structure, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

Easement of Access: Any driveway or other entrance from a public or private road. A field road providing access to agriculturally used fields and not providing access to any residential, commercial or industrial structure is not considered an easement of access.

Encroachment: Any physical action which may jeopardize the health and longevity of a natural feature, or any structure or activity which in any manner changes the course, current or cross-section of any wetland, water course, or body of water.

Endangered: A species or subspecies in danger of extinction throughout all or a significant portion of its range.

Endorsement: The affixing of the reviewing and/or approving authority's stamp and the signatures of the appropriate authority on the Record Plan.

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

Engineer, Professional: A person duly licensed as a professional engineer by the Commonwealth of Pennsylvania.

Environmentally Sensitive Areas: Those areas such as wetlands, high water table areas, rare, threatened or endangered plant communities and species, and steep slope areas that are susceptible to environmental degradation.

EPA: The United States Environmental Protection Agency.

Erosion: The removal of soil particles by the action of water, wind, ice, or other geological agents.

Financial Security: A letter of credit or other form of guarantee in accordance with the requirements of Article V of the Municipalities Planning Code posted by a developer to secure the completion of improvements indicated on an approved plan.

Flood Plain: The land adjoining a river or stream that has been or may be expected to be inundated with flood waters in a one hundred (100) year frequency flood. The flood plain areas are identified on flood plain maps prepared by the Federal Emergency Management Agency and available for review at the District Township Municipal Building.

Frontage: The width of a lot or property which abuts a street, being the distance measured along the street right-of-way line from one side lot line to the other.

Governing Body: The Board of Supervisors of District Township, Berks County, Pennsylvania.

Grade: The slope expressed in a percent that indicates the rate of change of elevation in feet per hundred feet.

Grade, Finished: The completed surfaces of lawns, walks, and roads brought to elevations as shown on official plans or designs relating thereto.

Ground Water: Subsurface water in a zone of saturation.

Groundwater Recharge: Replenishment of geologic structures and rock or soil interstices that have the capacity to store water.

Hardship: A condition, not economic in nature, not caused by the applicant or developer for whom he may request a waiver.

Health Officer: The duly constituted municipal official designated to administer and enforce the health provisions of this and other Township Ordinances. The Health Officer shall administer this Ordinance in accordance with its literal terms. The Health Officer also may be the Enforcement Officer, Building Inspector and/or Zoning Officer of the Township.

Hedgerow: A line of plants that may occur naturally where seeds collect and are left undisturbed, such as along fence lines, property lines, or between fields, or that is specially planted or left undisturbed, e.g., to act as a windbreak or vegetative buffer along a drainage channel or water course.

High Water Table Areas: Areas which have a year round or seasonal high water table which comes to within twenty (20) inches of the ground surface, as established by DEP regulations.

Homeowners' Association: An unincorporated association or not-for-profit corporation whose membership consists of the lot owners of a residential development. A homeowners' association shall also include a condominium unit owners' association. All such associations shall comply with the requirements for unit owners' associations contained in the Pennsylvania Uniform Condominium Act, 68 Pa. C.S. Section 3101 et seq.

Hydric Soil: A soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions that favor the growth and regeneration of wetlands vegetation. The following soils, classified in the Soil Survey of Berks County, Pennsylvania, U.S. Department of Agriculture, Soil Conservation Service, September 1970, are hydric soils:

- Atkins silt loam (Au)
- Baile silt loam (Ba)
- Baile very stony silt loam (Bd)

Impervious Area: Any portion of a lot covered by an impervious surface.

Impervious Surface: Those surfaces that do not absorb rain. All buildings, including roof overhangs, parking areas, driveways, roads, sidewalks, and such areas as those in concrete and asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the Township Engineer to be impervious within the meaning of this definition will also be classed as impervious surfaces.

Improvements: Includes, but not limited to, grading, paving, curbing, street lights and signs, fire hydrants, water mains, sanitary sewer mains including laterals to the street right-of-way line, storm drains including all necessary structures, sidewalks, cross-walks, street trees, and monuments.

Land Development:

A. 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 non-residential buildings, whether proposed initially or cumulatively, or a single non-residential 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 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.

B. Land Development shall not include the following:

1. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;

2. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
3. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park.

For purposes of this subclause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

Land Disturbance Activity: Any use involving the installation of ground cover, grading, filling or excavation of land; or the erection of a dwelling or other principal structure; or the modification, removal, filling, or alteration of an existing stormwater management facility or drainage easement.

Land Disturbance Plan: A plan that is designed to minimize the impacts of a land disturbance activity.

Landscape Architect: A licensed landscape architect registered in the Commonwealth of Pennsylvania.

Landscaping: The planting of turf, trees, shrubs, and other appropriate vegetative materials and ground cover within the open areas of a lot other than for agricultural purposes, and including the maintenance and replacement thereof, for the purposes of erosion control, retention of precipitation, protection against the elements and promotion of human comfort and welfare.

Location Map: A map showing the site with relation to adjoining areas.

Lot, Corner: A lot at the junction of and abutting on two or more intersecting streets, either public or private, at the point of intersection, or at the point of abrupt change in direction of a single street, the interior angle of which is not greater than 135 degrees.

Lot, Flag: A single lot that lacks the normal required lot width at the street, but which has an access strip leading from a public or private street to the main portion of the lot.

Lot Area: The total horizontal area within the lot lines of a lot following exclusion of:

- A. Areas within an existing or proposed, public or private, easement or right-of-way the terms or conditions of which restrict or limit the nature, dimensional characteristics, or intensity of development or development activities within the said easement or right-of-way; and
- B. In the case of an interior lot, any right-of-way, easement or accessway connecting such interior lot to a road or street.

Lot Line: A line dividing one lot from another lot or from a street or alley.

Lot Line, Front: On an interior lot, the lot line abutting the street; on a corner or through lot, each lot line which abuts a street; on a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained.

Lot Line, Rear: A lot line which does not intersect a front lot line and is most distant from, and most parallel to, a front lot line.

Lot Line, Side: Any lot line that is not a front or rear lot line.

Maintenance Guaranty: A guaranty by the subdivider/developer that he shall maintain all improvements in good condition for a period after completion of construction and inspection of any improvements intended for public use.

Marker: A solid metal pin of at least $\frac{3}{4}$ " in diameter and at least 24" in length.

Mitigation: Includes (a) avoiding the impact altogether by not taking a certain action or parts of an action; (b) minimizing impacts by limiting the degree of magnitude of the action or its implementation; (c) rectifying the impact by repairing, reducing or eliminating the impact over time by preservation and maintenance operations during life of the action; and (e) compensating for the impact by replacing or providing substitute resources.

Mobilehome Park Operator or Operators: The owner of a mobilehome park, or his authorized agent, who is duly licensed by the Township for maintaining a Mobilehome Park therein.

Monument: A stone or concrete monument with a flat top at least 4" diameter or square and at least 24" in length (preferred 30" to 36"). Concrete monuments shall contain a copper or brass dowel (plug). The bottom sides or radius shall be at least 2" greater than the top, to minimize movements caused by frost.

MPC: The Pennsylvania Municipalities Planning Code.

Multi-family Residential building: Any residential building other than a single family detached dwelling.

Municipalities Planning Code: The Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as amended and reenacted, 53 P.S. Section 10101 et seq.

Municipality: The Township of District, Berks County, Pennsylvania.

Natural Feature: A component of a landscape identified by District Township as important for conservation. The natural features intended to be conserved and protected by this Ordinance include the following:

- A. Wetlands.
- B. Steep slope areas.
- C. Agricultural soils.
- D. Seasonal high water table soil areas.
- E. Surface water resources.
- F. Flood plains.
- G. Groundwater resources
- H. Prime and critical wildlife habitat.
- I. Natural woodland communities.
- J. Rare, threatened, endangered or unique plant communities and species.
- K. Rare, threatened, endangered or unique animal communities and species.

Non-Residential: Any use other than single or multi-family dwellings. An institutional use in which persons may reside, such as a dormitory, prison, nursing home, or hospital, shall be considered a non-residential use.

NWI: National Wetland Inventory.

Obstruction: Any wall, dam, wharf, embankment, levee, dike, pile abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across or projecting into any channel, watercourse, or floodprone area, which may impede, retard, or change the direction of the

flow of water either in itself or by catching or collecting debris carried by such water or is placed where the flow of the water might carry the same downstream to the damage of life and property.

Official Plans: The Comprehensive Development Plan and/or Official Map and/or Topographical Survey and/or such other Plans, or portions thereof, as may have been adopted by the Township pursuant to statute, for the area in which the subdivision or land development is located.

Old Field: An upland area containing a dominance of herbaceous vegetation and recently established woody shrubs, seeding and saplings.

On-lot Utilities:

Sewage Disposal System: Any septic system or structure designed to biochemically treat sewage within the boundaries of an individual lot.

Water Distribution System: A system for supplying and distributing potable water to a single dwelling or other building from a source located on the same lot.

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

Open Space, Passive: An open space area not occupied by any structures or impervious surfaces.

Open Space, Restricted: An open space area permanently preserved from development.

Open Space Area - Mobilehome Park: That part of a mobilehome park not included within the street areas, parking areas, areas laid out in mobilehome spaces, or areas occupied by service buildings thereof.

Owner: The owner of record of a parcel of land.

Parcel: See Lot.

Parking Area: An area on a lot utilized for the parking of vehicles for a single unit of occupancy.

Parking Lot: An area on a lot containing any use other than agriculture or one (1) single family detached dwelling utilized for the parking of three (3) or more vehicles.

Parking Space: An off-street space available for the parking of a vehicle. The minimum area required for a single space shall be ten (10) feet wide by twenty (20) feet long. For the purpose of this Ordinance, the minimum number of parking spaces required for the Zoning Ordinance shall not include space within garages. Occupancy of one (1) space shall not restrict ingress or egress to another space.

Permeable Surface: A surface which permits the passage of water (opposite of impervious surface).

Plan, As-Built: A plan of the original approved facilities showing those changes made during the construction process, including all supplementary data specified in Section 610 of this Ordinance.

Plan, Final: A complete and exact subdivision and/or land development plan, including all supplementary data specified in Section 403 of this Ordinance.

Plan, Improvement Construction: A complete and exact subdivision and/or land development plan, prepared in accordance with Article V of this Ordinance, the sole purpose of which is to permit the construction of only those improvements required by this Ordinance, as an alternative to guaranteeing the completion of those improvements by a corporate bond or other surety.

Plan, Lot Annexation: A complete and exact subdivision plan including all supplementary data specified in Section 404 of this Ordinance.

Plan, Preliminary: A subdivision and/or land development plan including all required supplementary data specified in Section 402 of this Ordinance, showing approximate locations.

Plan, Record: A final plan which contains the original endorsement of the local municipality and the Planning Commission which is intended to be recorded with the Berks County Recorder of Deeds.

Plan, Sketch: An informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings, with the general layout of a proposal prepared in accordance with Section 401 of this Ordinance.

Planning Commission or Township Planning Commission: The Planning Commission of the Township of District, Berks County, Pennsylvania.

Planning Module for Land Development: A revision to the Township Official Plan submitted in connection with the request for approval of a subdivision or land development in accordance with DEP regulations.

Planting, Screen: A strip of planting sufficient to provide an effective screen.

Preservation: The maintenance of a natural resource in its original, undisturbed state.

Prime Agricultural Soils: Soil designated within land capability classes I, II and III in the soil survey of Berks County, U.S. Department of Agriculture, Soil Conservation Service.

Prime Wildlife Habitat: Those areas necessary to maintain an existing population of a given species, the destruction of which will cause a reduction in population density.

Principal Building: A building or buildings in which is conducted the main or principal use of the lot on which said building is situated.

Principal Use: The main or primary purpose for which any land, structure, building and/or sign or use thereof is designed, arranged or intended, or for which they may be occupied or maintained under the District Township Zoning Ordinance, as amended. All other structures, buildings, signs and/or uses on the same lot or incident or supplementary thereto and permitted under the Zoning Ordinance shall be considered accessory uses.

Protect: To defend the integrity of a given right or natural resource.

Rare: A species or subspecies that due to unique habitat requirements or sporadic distribution may not commonly occur in a given area or region.

Recorder of Deeds: The Recorder of Deeds in and for Berks County, Pennsylvania.

Recreational Vehicle: A vehicle with or without motive power which may be driven or towed on the public highways by a passenger vehicle without a special hauling permit, and which is designed for human occupancy under transient circumstances such as camping, travel, or other recreation, sometimes known as a "travel-trailer," "camping-trailer" or "motor home".

Registered Professional: A person duly licensed as a professional engineer, surveyor, or landscape architect by the Commonwealth of Pennsylvania.

Replacement Location: A location designated as the future location of an individual on-lot sewage system that shall be installed should the initial individual on-lot system installed or to be installed fail or otherwise become inoperable and which shall meet all the regulations of DEP and all applicable Township Ordinances for an individual on-lot sewage system.

Reserve Strip: A parcel of ground in separate ownership separating a street from other adjacent properties, or from another street, either proposed or existing.

Restricted Open Space: see Open Space, Restricted.

Resubdivision: Any redivision of land, limited to changes in lot lines on the approved Final Plan or Recorded Plan as specified in Article III, Section 308, of these regulations. Other replattings shall be considered as constituting a new subdivision of land. See "Subdivision.

Retention Basin: A basin containing a permanent pool of water designed to store runoff for a given storm event and release it at a predetermined rate.

Reverse Frontage Lot: A lot extending between and having frontage on two generally parallel streets, (excluding service streets), with vehicular access solely from one street.

Review: The process of making a determination whether a subdivision or land development plan and required accompanying documents and data, conform with the ordinance and other applicable ordinances, laws, rules, and regulations.

Right-of-Way: Land reserved or dedicated for use as a street, alley, pedestrian way, utility location, or for other specified public or private use.

Right-of-Way Lines: The lines that form the boundaries of a right-of-way.

Riparian Land: Land that is traversed or bounded by a natural watercourse.

Roadway: See "Cartway".

Rock Outcrops: Areas consisting of exposures of solid bedrock.

Sanitary Sewage Disposal, On-site: Any structure designed to biochemically treat sanitary sewage within the boundaries of an individual lot.

Sanitary Sewage Disposal, Community: A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

Seasonal High Water Table Soils: Those soils in which the groundwater surface is no more than twenty (20) inches from the ground surface at certain times of the year. According to the Berks County Soil Survey, these soils are Atkins, Baile, Glenville, and Philo.

Sediment: Soils or other surficial materials transported by surface water as a product of erosion.

Sedimentation: The process by which sediment is deposited on stream bottoms.

Sedimentation Control: The use of manmade or other methods to minimize accelerated erosion and sedimentation.

Sediment Basin: A temporary dam or barrier constructed across a waterway or at other suitable locations to intercept the runoff and to trap and retain the sediment.

Seep: A wetland with standing water derived from an underground source.

Septic Tank: A covered watertight settling tank of monolithic concrete or other DEP-approved material in which raw sewage is biochemically changed into solid, liquid, and gaseous states to facilitate further treatment and final disposal.

Setback: The required horizontal distance between a structure and a street right-of-way or property line, as set forth in the District Township Zoning Ordinance.

Setback, Front: The required distance between the street line and the front building line projected the full width of the lot. Commonly called "front yard".

Setback, Rear: The required distance between the rear lot line and the rear building line projected the full width of the lot. Commonly called the "rear yard".

Setback, Side: The required distance between the side lot line and the side building line projected from the front yard to the rear yard. Commonly called the "side yard".

Sewage Enforcement Officer: The Township official, who being certified by the State Board of Certification or Pennsylvania Department of Environmental Protection, issues and reviews permit applications and conducts such investigations, inspections and tests as are necessary to implement the Pennsylvania Sewage Facilities Act as amended, and the rules and regulations issued thereunder, and Township Ordinances.

Shoulder: The portion of a street, contiguous to the main traveled portion, for accommodation of stopped vehicles, for emergency use, and for lateral support of base and surface courses and pavements.

Sight Distance: The length of street, measured along the centerline, which is continuously visible from any point three and one-half (3 ½) feet above the centerline.

Single Family Detached Dwelling: A dwelling on a single lot designed and occupied exclusively as a residence for one (1) family.

Site Disturbance: Any activity which involves removal of vegetation, or which causes land on a given site to be exposed to the danger of erosion, including clearing, grading, filling, plowing, and other types of earthmoving.

Soil Percolation Test: A field test conducted in accordance with Pennsylvania Department of Environmental Protection (PADEP) standards to determine the suitability of the soil for on-site sanitary sewage disposal facilities by measuring the absorptive capacity of the soil at a given location and depth.

Special Protection Waters:

Exceptional Value Waters: High quality streams or watersheds which constitute an outstanding National resource, such as waters of National and State parks and wildlife refuges and waters of exceptional recreational or ecological significance.

High Quality Waters: Streams or watersheds where the quality of the waters exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water.

Spring: A small stream of water flowing naturally from the earth.

Steep Slope Area:

Steeply Sloping Land: Land with a topographic gradient in excess of twenty-five percent (25%).

Strongly Sloping Land: Land with a topographic gradient in excess of twelve percent (12%) but not in excess of twenty-five percent (25%).

Storm Sewer: A system of pipes, conduits, swales, or other similar structures including appurtenant works which carries intercepted runoff, and other drainage, but excludes domestic sewage and industrial wastes.

Storm Water: Drainage runoff from the surface of the land resulting from precipitation or snow or ice melt.

Storm Water Management: A program of controls and measures including BMPs designed to regulate the quantity and quality of storm water runoff from a development while promoting the protection and conservation of groundwaters and groundwater recharge.

Storm Water Management and Earth Disturbance Ordinance: The District Township Storm Water Management and Earth Disturbance Ordinance, as amended.

Storm Water Management Facilities: Those controls and measures used to effect a storm water management program.

Stream: A natural drainage way having defined bed and banks that supports aquatic life including, but not limited to, fish, reptiles and macroinvertebrates.

Street: A strip of land, including the entire right-of-way (i.e. not limited to the cartway) to provide access to more than one lot. The word "street" includes street, avenue, boulevard, thoroughfare, road, highway, freeway, parkway, lane, alley, viaduct and other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. Streets are further classified according to the function they perform.

Minor or Residential Street: A street used for local traffic as a means of access to abutting residential lots.

Cul-de-Sac Street: A minor street intersecting another street at one end, and terminating at the other end by a vehicular turn-around.

Half (Partial) Street: A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for improvement and use of the street.

Marginal Access Street: A minor street, parallel and adjacent major street (but separate from it by a reserve strip) which provides access to abutting properties and controls intersections with the major street.

Collector Street: A street designed and located to provide the means to drain traffic off local streets before volumes get too high and to provide access for through traffic between residential neighborhoods and districts within the Township to major streets and/or a street used for access to non-residential properties, i.e., commercial, industrial, professional, etc.

Major Street: A street serving a large volume of comparatively high-speed and long distance traffic, including all facilities classified as main and secondary highways by the Pennsylvania Department of Transportation.

Service Street: A minor public right-of-way providing secondary vehicular access to the side or rear of two or more properties.

Street Line: The dividing line between the street and lot, also known as right-of-way line.

Subdivider: See “Developer”.

Subdivision, Natural: The division of land into two or more portions by virtue of the location of a public road.

Supervisors: The elected governing body of District Township, Berks County, Pennsylvania, known as the “Board of Supervisors”.

Surveyor: A licensed surveyor registered in the Commonwealth of Pennsylvania.

Swale: A natural channel or other low-lying stretch of land that collects or carries surface water runoff.

Threatened: A species or subspecies that is likely to become endangered in the foreseeable future throughout all or part of its range.

Tile Disposal Field: A system of open jointed or perforated pipes laid on the upper strata of the soil to distribute sewage effluent into the soil for absorption and evaporation.

Timbering (Timber Harvesting): The cutting down and removal of trees and logs to be converted to any forest product.

Township: District Township, Berks County, Pennsylvania, as represented by the Board of Supervisors, or its duly authorized agents.

Township Engineer: A duly registered professional engineer employed by the Township or engaged as a consultant thereto or his duly authorized representative.

Township Planning Commission: The Planning Commission of District Township.

Township Representative: The Township Enforcement Officer, Township Engineer, Township Sewage Enforcement Officer, or specialist(s) when accompanied by the Township Engineer, duly authorized by and acting on behalf of the Board of Supervisors in the administration and/or enforcement of this Ordinance.

Township Solicitor: The attorney appointed by the Board of Supervisors, or his duly authorized representative.

Township Zoning Officer: The agent or official designated by the Board of Supervisors to administer and enforce the District Township zoning ordinance, and subdivision/land development ordinance.

Tree Dripline: The line marking the outer edges of the branches of the tree.

Tree Protection Zone (TPZ): An area that is radial to the trunk of a tree in which no construction activity shall occur. The tree protection zone shall be fifteen (15) feet from the trunk of the tree to be retained, or the distance from the trunk to the dripline, whichever is greater. Where there is a group of trees or woodlands, the tree protection zone shall be the aggregate of the protection zones for the individual trees.

Waiver: The granting of a modification to these regulations which in the opinion of the Township Supervisors will not be detrimental to the general welfare, impair the intent of those regulations or conflict with the comprehensive plan.

Watercourse: A perennial or intermittent stream, river, brook, creek, run, channel, swale, pond, lake, or other body of surface water, carrying or holding surface water, whether natural or man-made.

Watercourse, Exceptional Value: A watercourse that has been designated as containing Exceptional Value Waters.

Watercourse, Intermittent: A watercourse that alternately contains and is empty of water.

Watercourse, Man-Made: Any watercourse designed and constructed as a land development improvement, including storm water drainage swales, retention basins, detention basins, farm ponds, canals, aqueducts, or other similar constructions.

Watercourse, Perennial: A watercourse that contains water throughout all seasons of the year.

Water Supply System, On-Site: A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

Water Supply System, Community: A system for supplying and distributing water from a common source to two or more dwellings.

Waters of the Commonwealth: Rivers, streams, creeks, rivulets, impoundments, ditches, water courses, storm sewers, lakes, dammed water, ponds, springs and other bodies or channels of conveyance of surface and underground water, or of their parts, whether natural or artificial, within or on the boundaries of the Commonwealth of Pennsylvania.

Watershed: All the land from which water drains into a particular watercourse.

Wetlands: Area inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of vegetation adapted for life in saturated soil conditions. Wetlands include swamps, marshes, bogs, wet meadows and similar areas.

Wetland Delineation: The defined boundary between a wetland and an upland, in accordance with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, 1987.

Woodland: One-quarter (1/4) acre or more of wooded land where the largest trees measure at least six (6) inches diameter at breast height (dbh) or 4.5 feet from the ground. The woodland shall be measured from the dripline of the outer trees.

Zoning Map: The Official Zoning Map of District Township, Berks County, Pennsylvania.

Zoning Ordinance: The District Township Zoning Ordinance, as amended.