

CITY OF JOHNSTOWN, PENNSYLVANIA

ORDINANCE NO. 5330

**Bill No. 5 of 2022
2022**

Introduced in Council February 9,

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, AMENDING THE ZONING ORDINANCE OF THE CITY OF
JOHNSTOWN, BY PROHIBITING PARKING IN CERTAIN RESIDENTIAL YARDS AND
EXCLUDING CERTAIN TYPES OF BARRIERS FROM THE DEFINITION OF FENCE.**

WHEREAS, the City Council of the City of Johnstown has determined that the parking of vehicles in yards within residential zoning districts adversely affects community appearance, orderly development and property values; and

WHEREAS, illegally parked vehicles are detrimental to the safety and welfare of the general public, tending to reduce the value of private property, to invite vandalism, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, and are detrimental to the economic welfare of the city by producing urban blight which is adverse to the maintenance and continuing development of the city, and;

WHEREAS, the use of cables and other such items to identify and isolate certain parcels adversely affects community appearance, orderly development and property values; and

WHEREAS, the Planning Commission of the City of Johnstown was provided notice of the City's intention to seek this amendment to the Zoning Ordinance and was provided the opportunity to make recommendations; and

WHEREAS, public notice of the intention to seek this amendment was provided in a manner as prescribed by the Zoning Ordinance of the City of Johnstown; and

WHEREAS, a public hearing was held on November 10, 2021.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the City Council of the City of Johnstown, Cambria County, and Commonwealth of Pennsylvania, that the City of Johnstown Zoning Ordinance is hereby amended as follows:

SECTION 1. Section 1260.046 Walls and Fences, is hereby amended by adding the following:

A screening wall or fence and/or a solid fence or enclosure of not more than six feet in height may be erected in any required side or rear yard or within the buildable area. A screening wall or fence may be erected up to the property line, but no part shall extend into or go over such property line. Fences in the front yard are limited to four feet, unless changed by a special exception.

Allowable types of fencing include the following:

- a) cut or simulated stone, brick, concrete, wood, wood composite, vinyl, metal panels, and chain link.
- b) wire mesh or plastic mesh fence shall only be permitted temporarily and directly surrounding a vegetable or flower garden from April – November annually

- c) rope, cable, wire, dirt mounds, gravel mounds, or other types of fencing not specified may be permitted by special exception of the Zoning Hearing Board

(Ord. 5139, passed 11/27/2013)

SECTION 2. Section 1260-052 is hereby added: VEHICLE PARKING ON RESIDENTIAL YARDS PROHIBITED –

- (a) For the purposes of this Section, the following definitions shall apply:

Corner Lot – A residential lot located at the intersection of two streets.

Driveway - A private, continuous driving surface providing ingress and egress for vehicles from a garage or carport to an adjacent street, alley or other improved public way, which may also serve as an off-street parking area.

Front Yard – The area extending across the full width of the lot between the front lot line and the front building wall.

Improved Surface - A continuous area used for the movement or parking of vehicles that is constructed of concrete, asphalt, brick, pavers or other equivalent materials, or gravel or crushed stone.

Rear Yard - The area extending across the full width of the lot between the rear lot line and the rear building wall.

Residential Lot – Any parcel situated within the R1 One-Family Residence District (Section 1260.061), R2 Two-Family Residence District (1260.062), R3 Multi-Family Residence District (1260.063) and TND Traditional Neighborhood District (1260.064).

Side Yard – The area that extends the width between the front and rear yards of the lot between the interior side lot line and the side building wall.

Street Yard - The area of a lot which lies between the property line adjacent to street or right-of-way and the building wall, and as such building wall line extends from the outward corners of the building, parallel to the street.

Vehicle - Any and every motorized or non-motorized device in, upon or by which a person, persons, or property is or may be transported, drawn or moved upon a street, highway, waterway or airway and shall include but is not limited to any automobile, bus, truck, tractor, motor house, farm machinery, motorcycle, scooter, moped, all-terrain vehicle, boat, boat trailer, aircraft, golf cart, go-cart, trailer, fifth-wheel trailer, camper, camper shell, wheeled towing frame, semi-tractor, semi-tractor trailer, truck bed mounted on a chassis, dumpster, mobile home, and recreational vehicle. This definition does not include non-motorized bicycles, small engine lawnmowers and devices of similar scale.

- (b) It shall be unlawful for the owner, occupant or person in charge of any residential lot or the owner of a vehicle to park or to permit the parking of a vehicle on an unimproved surface, unimproved driveway, or unimproved parking area in the front yard, street yard, side yard or rear yard of any residential lot.

(c) Exceptions:

1. A vehicle parked on an unimproved surface if site construction, building improvements, or landscaping activities require parking of said vehicle on said unimproved surface. The vehicle shall be removed from the unimproved surface within 72 hours of the completion of the portion of the project requiring said parking.
2. Vehicles may be parked on any unimproved surface at a residential lot during officially-declared winter storm warnings so as to allow for the plowing of streets. Vehicles must be removed from residential lots within twenty-four (24) hours of the storm warning being lifted.

ADOPTED: March 9, 2022

By the following vote:

Yeas: Mr. Capriotti, Mr. Britt, Mrs. Mock, Mr. Arnone, Ms. Huchel, Mayor Janakovic, Rev. King

Nays:



Frank J. Janakovic, Mayor
Michael Capriotti, Deputy

Mayor

ATTEST:

I do hereby certify the forgoing is true and correct copy of Ordinance No. **5330** as the same adopted by City Council of the City of Johnstown, Pennsylvania.



Ethan Imhoff, City Manager