

**ORDINANCE NUMBER 2-89**

**ZONING ORDINANCE**

**for**

**KISKIMINETAS TOWNSHIP**

**Armstrong, Pennsylvania**

Effective Date: January 1, 1990

Amended: June 8, 1994

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ZONING ORDINANCE  
KISKIMINETAS TOWNSHIP, ARMSTRONG COUNTY, PENNSYLVANIA

AN ORDINANCE regulating the location and the use of structures and land for residences, business, industry, and other purposes; regulating the location and height of structures, size of yards and other open spaces, automobile parking and the density of population; providing a method of administration by establishing a Zoning Hearing Board, and prescribing duties and powers of officials and prescribing penalties for violations.

WHEREAS the provisions of this Zoning Ordinance are designed to promote, to protect and to facilitate public health, safety, morals and general welfare: coordinated and practical community development; proper density of population; civil defense and disaster evacuation; provision of adequate light and air; police protection; vehicle parking and loading space; transportation; water; sewage, schools; public grounds, and other public requirements; and

WHEREAS, the provisions of this Zoning Ordinance are designed to prevent overcrowding of land; blight; danger and congestion in travel and transportation; and loss of health, life or property from fire, flood, panic or other dangers; and

Whereas, the provisions of this Zoning Ordinance are designed to continue and preserve the natural resources and agricultural land and activities within Kiskiminetas Township;

BE IT HEREBY ordained by the Township Supervisors of the Township of Kiskiminetas, County of Armstrong, Commonwealth of Pennsylvania.

ARTICLE ONE:

BASIC PROVISIONS

101 TITLE: This Ordinance may be cited as the "Kiskiminetas Township Zoning Ordinance".

102 EFFECTIVE DATE: This Ordinance shall take effect the first day of January, 1990.

103 DEFINED WORDS: Words used in a special sense in this Ordinance are defined in Article Six.

104 COMMUNITY DEVELOPMENT OBJECTIVES: The community development objectives which are the basis for the provisions of this Ordinance are set forth in the Comprehensive Plan as adopted and amended by the Board of Supervisors.

105 ZONING MAP: A map entitled "Kiskiminetas Township Zoning Map" is hereby adopted as a part of this Ordinance. The Zoning Map shall be

kept on file for examination in the office of the Township Secretary in the Township Offices.

106 COMPLIANCE: No structure shall be located, erected, constructed, reconstructed, moved, altered, converted, or enlarged; nor shall any structure or land be used or be designed to be used, except in full compliance with all the provisions of this Ordinance and after the lawful issuance of all permits and certificates required by this Ordinance.

107 SEVERABILITY: If any provision of this Ordinance or the application of any provision to particular circumstances is held invalid, the remainder of the Ordinance or the application of such provision to other circumstances shall not be affected.

108 INTERPRETATION: The provisions of this Ordinance shall be held to be the minimum requirements for the protection of the health, safety, morals and general welfare of Kiskiminetas Township.

## ARTICLE TWO:

## DISTRICT REGULATIONS

201 ZONING DISTRICTS: The Township is divided into the Districts stated on Table 201 as shown by the district boundaries on the Zoning Map.

202 DISTRICT BOUNDARIES: District boundaries shown within the lines of roads, streams, and transportation rights-of-way shall be deemed to follow the centerlines. The vacation of roads shall not affect the location of such district boundaries. When the Zoning Officer cannot definitely determine the location of a district boundary by such centerlines, by the scale or dimensions stated on the Zoning Map, or by the fact that it clearly coincides with a property line, he shall refuse action, and the Zoning Hearing Board, upon appeal, shall interpret the location of the district boundary with reference to the scale of the Zoning Map and the purposes set forth in all relevant provisions of this Ordinance.

203 PERMITTED USES: The permitted uses for each District are shown on Table 201.

203.1 A permitted use shall be reviewed and approved as if it were a conditional use if the Zoning Officer determines that such use is: 1) adjacent to any natural or artificial body of water; 2) within two hundred (200) feet of the intersection of any arterial or collector road; 3) to be developed on a site having land exceeding a slope of twenty-five percent (25%) or having other recognized hazardous geologic condition; 4) within the landing approach area of an aircraft or helicopter landing facility; 5) within a flood plain; or 6) of unique historic significance.

204 CONDITIONAL USES: The Board of Supervisors may authorize Conditional Uses as specified on Table 201 if all conditions and provisions of Article Four are met.

204.1 Uses in the following categories shall be considered as and may be approved only as Conditional Uses: any permitted use or structure at an intersection or interchange of a major throughfare or transportation artery; at a natural or artificial body of water; at a place of relatively steep slope or grade, or other area of hazardous geological or topographic feature; at a place of historical or patriotic interest or value; at a flood plain area; or at other places having a special character or use affecting and affected by their surroundings.

205 PROHIBITED USES: Uses not specifically listed as permitted or conditional uses in a district shall be prohibited in that district.

DISTRICT	"A." AGRICULTURAL	"A-E" AGRICULTURAL RESIDENTIAL	"R" RESIDENTIAL	"R-S" SUBURBAN RESIDENTIAL	"B" BUSINESS	"I" INDUSTRIAL
PERMITTED USES	Agriculture Single Family Dwelling Public and Parochial Schools Public Parks and Playgrounds Churches Mobile Homes Accessory Uses	Agriculture Single Family Dwelling Public and Parochial Schools Public Parks and Playgrounds Churches Mobile Homes Accessory Uses	Single Family Dwelling Public and Parochial Schools Public Parks and Playgrounds Churches Accessory Uses	Single Family Dwelling Two Family Dwelling Town Houses Public and Parochial Schools Public Parks and Playgrounds Churches Accessory Uses	Retail Store Restaurant, Bar Personal Services Business Services Theater Office, Bank Amusement Uses Recreation Places Motel Commercial School Public Utility Building Public Parking Lot Vehicular Sales Auto Service Repair Public Buildings Accessory Uses	Light Manufacturing Research Laboratory Office Warehousing Wholesale Distributor Contractor's Yard Truck Terminal Public Utility Structure Public Buildings Agricultural Accessory Uses
CONDITIONAL USES	Cemeteries Directional Sign Family Business Mineral Extraction Mobile Home Park Oil and Gas Wells Open Recreation Personal Care Homes Sanitary Land Fill	Airport Cemeteries Dependent Dwelling Directional Sign Mineral Extraction Mobile Home Park Oil and Gas Wells Open Recreation Personal Care Homes Public Building Public Utility Building Recreation Club	Cemeteries Dependent Dwelling Directional Sign Group Homes Hospital, Clinic Nursery Schools Oil and Gas Wells Open Recreation Personal Care Homes Public Building Public Utility Building Recreation Club	Apartments Commercial Recreation Dependent Dwelling Directional Sign Funeral Homes Hospital Oil and Gas Wells Personal Care Homes Public Buildings Public Utility Structures Recreation Club	Apartments Commercial Recreation Directional Sign Light Manufacturing Mobile Homes Sales Oil and Gas Wells Research Laboratory Shopping Centers Single Family Dwelling Wholesale Businesses	Auto Salvage Commercial Recreation Directional Sign Industrial Park Manufacturing Mineral Extraction Oil and Gas Wells Personal, Business Services Restaurant, Bar Retail Store
OPTIONAL DEVELOPMENT	Planned Residential Development	Planned Residential Development	Planned Residential Development	Planned Residential Development	Planned Development	Planned Development
MINIMUM LOT AREA	One Acre	One Acre	12,000 Square Feet	7,500 Square Feet	One Acre	One Acre
PER FAMILY	One Acre	One Acre	12,000 Square Feet	2,500 Square Feet	One Acre	One Acre
MIN. WIDTH	150 Feet	150 Feet	80 Feet	60 Feet	150 Feet	150 Feet
FRONT YARD	40 Feet	40 Feet	36 Feet	35 Feet	35 Feet	35 Feet
SIDE YARD	20 Feet	20 Feet	10 Feet	10 Feet	20 Feet	20 Feet
REAR YARD	30 Feet	30 Feet	30 Feet	25 Feet	20 Feet	20 Feet

\*The minimum lot area is also limited by Section 206.1

206 LOT AND YARD REQUIREMENTS: The minimum lot area, minimum width of lot, minimum depth of front yard, minimum width of each side yard for each district shall be as shown on Table 201.

206.1 Where septic tanks or on lot sewage treatment occurs, the minimum lot size shall not be less than required by the sewerage enforcement agency, and in no case shall it be less than one acre.

206.2 Two principal structures, together with permitted accessory structures, may be located on any lot provided that minimum front, side and rear yards are provided for each principal structure. Two or more principal structures may be permitted as a Planned Residential Development after approval and recording of the Development Plan as required by Ordinance.

206.3 Lots which abut on more than one street shall provide the required front yards along every street.

206.4 All structures, whether attached to the principal structure or not, and whether open or enclosed, including porches, carports, balconies or platforms above normal grade level, shall not project into a required front, side, or rear yard, except as provided herein.

206.4(a) Structures accessory to single family residences may extend into required rear and side yards, but not closer than ten feet to rear and side yard lot lines.

206.4(b) Minor utility fixtures, unenclosed patios, and articles of decoration around a main building may be located in any required yard.

206.4(c) A buttress, chimney, cornice, pier, or pilaster extending no more than twenty four inches (24") from the wall of the principal structure may be located in any required yard.

206.5 The Zoning Officer may authorize the projection of a principal structure into a required front yard on a lot located between two structures which may be non-conforming with respect to the front yard, provided the resulting front yard shall not be less than the median front yard of the two adjacent structures.

206.6 Any portion of a lot once counted as a yard or as lot area per family in compliance with the area requirements of the District regulations of this Ordinance, shall not be counted again as required yard or lot area per family for another building.

206.7 No required yard in any district shall be used for parking vehicles except on a driveway. In single-family developments, not more than twenty-five percent of the front yard may be devoted to driveway access. In single-family attached developments, not more than fifty percent of the front yard may be devoted to driveway

access. In multiple family developments, not more than fifty percent of the front yard may be devoted to driveway access. In non-residential districts, driveway access shall be as permitted by site plan approval.

206.8 Non-residential structures or uses shall not be located or conducted closer to any other lot line of any lot in any "R" District than the distance specified in the following schedule.

MINIMUM Side or Rear Yard Abutting any lot in any "R" District

MINIMUM YARD DEPTH	USE
20 feet	Off-street parking spaces, access drives for non-residential uses.
40 feet	Churches, schools, public or semi-public structures.
70 feet	Recreation facilities, entertainment facilities, motels, all business uses and all industrial uses.

207 HEIGHT REGULATIONS: No structure shall exceed 45 feet in height above average ground level unless approved by the Zoning Hearing Board. The Board may authorize a variance to the height regulations in any district if:

207.1 All front, side and rear yard depths are increased by one foot for each additional foot of height; or

207.2 The structure is any of the following and does not constitute a hazard to an established airport: television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers, and scenery lofts, cooling towers, ornamental towers and spires, chimneys, elevator bulkheads, smokestacks, conveyors, and flagpoles.



ARTICLE THREE:  
GENERAL REGULATIONS

301 NON-CONFORMING USES: The following provisions shall apply to all non-conforming uses:

301.1 A Zoning Permit must be obtained by the owner of any non-conforming use as evidence that the use lawfully existed prior to the adoption of the provision which made the use non-conforming.

301.2 A non-conforming use may be continued; however it shall not be extended, expanded, or changed unless to a conforming use, except when permitted as a special exception by the Zoning Hearing Board in accordance with the following:

301.2(a) The new use will more closely correspond to the uses permitted in the District.

301.2(b) The changed use will be in keeping with the character of the neighborhood in which it is located.

301.3 In the event that a non-conforming use, conducted in a structure or otherwise, ceases, for whatever reason, for a period of one year, or is abandoned for any period, such non-conforming use shall not be resume

302 NON-CONFORMING STRUCTURES: A non-conforming structure used or occupied by a permitted use may be enlarged or expanded when permitted as a special exception by the Zoning Hearing Board in accordance with the following:

(a) The extended or expanded non-conforming structure will provide adequate off-street parking as required by Section 308 of this ordinance, and

(b) There is no additional encroachment on lot and yard requirements; and the expansion conforms to all requirements of this ordinance.

302.1 Any non-conforming structure or a structure housing a non-conforming use damaged by fire, flood, explosion, or other casualty may be reconstructed and used as before if such reconstruction is performed within twelve months of such casualty, and if the restored structure has no greater coverage and contains no greater cubic content than before such casualty.

302.2 Where a non-conforming use is conducted inside a structure, the floor area of the structure and the non-conforming use within it may be enlarged to an extent not greater than fifty percent (50%) of the floor area existing at the time of adoption of this Ordinance, when permitted as a special exception by the Zoning Hearing Board in accordance with the following:

302.2(a) There shall be no increase in non-compliance, if any, with lot and yard requirements; and

302.2(b) Off-street parking, as required by Section 308 shall be provided as to the enlarged portion.

302.3 Any non-conforming permanent sign legally existing on the effective date of this Ordinance may continue to exist, provided that signs which are structurally deteriorated to the extent that the cost of restoration would exceed fifty percent (50%) of the cost of replacing the structure shall be removed.

302.4 The Zoning Officer may authorize the replacement of any porch, if there is no increase in the size of the porch.

303 NON-CONFORMING LOTS OF RECORD: Any non-conforming lot of record existing on the effective date of this Ordinance and then held in separate ownership different from the ownership of adjoining lots shall be exempt from the minimum lot area, depth and width requirements provided they are used in accordance with minimum yard requirements, and that uses other than a one family house conform to the minimum lot area per family requirements of this Ordinance.

304 ACCESSORY USES: The following provisions shall apply to accessory uses:

304.1 A Zoning Occupancy Permit shall be required for every accessory use or structure. A review of the proposed site plan as required in Section 306 shall be required for uses or structures accessory to any principal uses other than one-family houses, farms, town houses and two-family houses, except where in the judgement of the Zoning Officer the accessory use or structure does not affect or alter the site in any significant way.

304.2 Accessory farm buildings shall not be erected within one hundred (100) feet of a neighboring property.

304.3 Intensively used feed lots, runs, or pens for more than fifty (50) animals or five hundred (500) fowl shall not be located within two hundred (200) feet of a neighboring property. Pastures or crop lands shall not be considered as feed lots in interpreting this provision.

304.4 No structure, run or pen intended for use as a shelter or for raising other than common domestic animals shall be permitted as an accessory use within any Residential district except where an agricultural use exists, in which case the provisions of 304.3 shall apply.

304.5 Roadside stands for sale or agricultural products shall be permitted if:

304.5(a) They are erected at least 30 feet back from nearest edge of roadway surface;

304.5(b) They are used exclusively for the sale of agricultural products grown in the Township;

304.5(c) Parking space is provided off the road right-of-way.

304.6 Every private swimming pool shall be enclosed by a fence or wall constituting a barrier to small children, four feet in height with a gate which shall be locked when the pool is not in use by or under the supervision of the owner or other designated responsible person of the premises upon which it is installed. Private swimming pools of the above ground type which have vertical walls of at least four feet from ground level and removable steps shall not be required to be fenced, but shall otherwise meet the requirements of this Section.

304.7 The exterior storage of any motor vehicle which does not have a current license and inspection sticker shall constitute an auto salvage business and shall not be permitted as an accessory use.

304.8 Family Day Care shall be permitted as an accessory use to a single family dwelling, provided that it meets all county, state and federal requirements.

305 SPECIAL EXCEPTIONS: The following uses may be authorized with such conditions as are deemed appropriate by the Zoning Hearing Board:

305.1 Living quarters in an accessory structure as an accessory use to a single family house to accommodate domestic employees of the residents to the principal building.

305.2 The accommodation of not more than two non-transient roomers as an accessory use to a single-family house provided that no sign is displayed.

305.3 The pursuit of vocational or avocational interests by a resident shall be deemed an accessory use to a dwelling, provided:

305.3(a) Such activity is clearly subordinate to the dwelling, does not occupy more than twenty-five percent of the floor area of one floor, does not entail internal or external alterations or construction features not customary in dwellings, and there is no external evidence of any non-residential activity.

305.3(b) In connection with which there is no person employed, no display or sign other than a name plate, no mechanical equipment used other than normal domestic or household equipment, no facilities which

are dangerous or incompatible with the residential environment, and no selling of a commodity or nonprofessional service on the premises.

305.3(c) In connection with a home office, not more than one assistant is employed and no colleagues or associates use such office.

305.3(d) One additional off-street parking space shall be provided for each two hundred (200) square feet of floor area devoted to such activity.

305.3(e) Reasonable safeguards are established against detrimental emission of smoke, fumes, odors, dust, noise, vibration, glaring light, or visual blight or pollution of any kind.

306 SITE PLAN REVIEW: No Zoning Permit or Zoning Occupancy Permit shall be issued for any use upon any lot except a one-family home, farm, or duplex until a Site Development Plan has been submitted, reviewed and approved in accordance with the following provisions, provided however that existing structures where the occupancy is being changed without any change in use category or new construction or addition to structures and without change in the site are exempt from this requirement.

306.1 The application for approval of a proposed Site Development Plan shall be submitted in the office of the Zoning Officer and shall be accompanied by a fee established by resolution of Board of Supervisors to cover the cost of review. The Zoning Officer shall set a reasonable time schedule to be followed prior to the presentation of the application to the Board of Supervisors.

306.2 The application shall consist of not less than seven copies of the letter of application together with not less than seven prints of each drawing submitted as part of the proposed Site Development Plan. The Proposed Site Development Plan shall be drawn in accordance with standard architectural and engineering practices to clearly indicate the following:

306.2(a) Property lines and total acreage of parcel proposed for development;

306.2(b) All existing streets, rights-of-way, and easements related to the development;

306.2(c) The location of existing driveways on adjacent properties;

306.2(d) The location of relevant natural features, including, but not limited to, streams or other natural water courses and adjacent lands which are subject to flooding, and significant stands of existing trees;

306.2(e) The location of existing structures, sewerage and water, including structures located on abutting property if within fifty feet of the common property line;

306.2(f) Required front, side and rear yard lines, and any required building line;

306.2(g) Contour lines at two foot intervals where average slope is ten percent or less, and five foot intervals where average slope exceeds ten percent, and twenty (20) foot intervals where average slope exceeds twenty-five (25%) percent;

306.2(h) Location, dimensions, total square footage and ground floor elevations of proposed structures, walkways, driveways, entrances, parking facilities, loading spaces, landscaping, signs, lighting facilities; fences or walls, fire hydrants and fire lanes and other site improvements or amenities;

306.2(i) Contours and sufficient elevations to show proposed gradings and data to show gradient of access drives, parking facilities and surface water run-off.

306.2(j) Location and approximate size of utilities to serve the development;

306.2(k) Schematic elevations at an appropriate architectural scale;

306.2(l) Surface water runoff controls;

306.2(m) Title block giving name of development, property owner, developer, northpoint, date and scale (minimum, 1" = 50'); and

306.2(n) Such other information as may be required by the Zoning Officer.

306.4 Action shall be taken by the Board of Supervisors, either approving or disapproving, within sixty five (65) days from the date of the regular Board of Supervisors meeting at which the site plan first appears as an agenda item. Failure of the Board of Supervisors to so act shall be considered approval of the plan as submitted. The Board of Supervisors may attach such conditions as they deem appropriate to approval. Approval may be conditioned upon the grant of a variance or of a special exception by the Zoning Hearing Board where such variance or special exception is required, but such conditional approval by the Board of Supervisors shall not be binding on the Zoning Hearing Board, and the conditional approval shall be canceled if the requested variance or special exception is denied by the Zoning Hearing Board.

306.4(a) Site plan approval shall not be official until and unless the site plan as approved by the Board of Supervisors and including all conditions of approval by the Board of Supervisors is filed with the Zoning Officer within ninety days of action by the Board of Supervisors.

306.4(b) Site plan approval shall be valid for a period of one year following the Board of Supervisors action. If the proposed improvements are not under construction within one year or completed within two years, the Board of Supervisors approval shall be void.

306.5 The Board of Supervisors shall not approve a Site Development Plan unless the following standards are met:

306.5(a) Screening: A planted visual barrier, or landscape screen shall be provided and maintained on any property in a commercial or industrial district which is contiguous to any residential district, except where natural or physical barriers exist which are deemed to provide an adequate buffer by the Planning Agency. This screen shall be composed of plants and trees arranged to form both a low level and a high level screen. The high level screen shall consist of trees planted with specimens no younger than three years in age, and planted at intervals of not more than ten feet. The low level screen shall consist of shrubs or hedges planted at an initial height of not less than two feet, placed in alternating rows to produce a dense visual barrier. Any plant not surviving three years after planting, shall be replaced.

306.5(b) Storage: Any article or material stored temporarily outside an enclosed building as an incidental part of the primary commercial or industrial operation, shall be so screened by opaque ornamental fencing, walls or evergreen planting, that it cannot be seen from adjoining public streets or adjacent lots, when viewed by a person standing on ground level.

306.5(c) Landscaping: Any part or portion of the site which is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks and designated storage areas, shall be planted with an all-season ground cover and shall be landscaped with trees and shrubs in accordance with an overall landscape plan and shall be in keeping with natural surroundings. Any off-street parking area with five or more spaces, shall provide a landscaped perimeter for the parking area of not less than five percent of the parking area which shall be in addition to open area requirements of the district. At least one tree per five parking spaces, or portion thereof, shall be provided.

306.5(d) Lighting. All parking areas, driveways and loading areas, entry ways, and pedestrian paths shall be provided with a lighting

system which shall furnish an average minimum of 0.5 foot candles within such areas during hours of operation. All lighting shall be completely shielded from traffic on any public right of way and from any residential district.

306.5(e) Interior Circulation. The interior circulation of traffic in commercial areas shall be designated so that no driveway or access lane providing parking spaces, shall be used as a through-street. If parking spaces are indicated by lines with angles other than 90°, then traffic lanes shall be restricted to one-way permitting head-in parking. No driveway or street used for interior circulation shall have traffic lanes less than ten feet in width.

306.5(f) Access. Areas provided for loading and unloading of delivery trucks and other vehicles, and for the servicing of shops by refuse collection, fuel and other service vehicles, shall be adequate in size and shall be so arranged that they may be used without blockage, or interference with the use of public streets or sidewalks, other accessways or automobile parking facilities.

306.5(g) Traffic Control. No design shall be approved which is likely to create substantial pedestrian or vehicular traffic hazards endangering the public safety. Safety requirements which may be imposed in such a review shall include traffic control devices, acceleration or deceleration lanes, turning lanes, traffic and lane markings, walkways, and signs. The developer shall be responsible for the construction of any such traffic control devices.

306.5(h) Stormwater Management: Adequate stormwater retention facilities shall be provided to ensure that stormwater run-off after development shall not be greater than the run-off which would occur from the site in its natural state during a storm with a one hundred year probability.

307 SIGNS: No sign shall be permitted in any District except as an accessory use as herein provided:

307.1 Permit: No sign, except a name plate or temporary real estate sign as specified herein, shall hereafter be erected or altered in any way unless a sign permit has been issued by the Zoning Officer. Applications for sign permits shall include detailed drawings of the construction and design of the sign, and shall be accompanied by such fee as may be required by resolution of the Governing Body.

307.2 Conformance: No new sign shall be permitted on any property unless every sign on the property shall be in conformance with this Section. A sign which is not expressly permitted is prohibited.

307.3 Animation: No sign shall move, flash or emit noise.

307.4 Traffic Hazard: No sign shall be constructed, located or illuminated in any manner which causes undue glare, distraction, confusion, nuisance or hazard to traffic or other properties or which obstructs free and clear vision of traffic flow.

307.5 Nameplate: In any district a sign not exceeding one square foot in surface size is permitted which announces the name, address, or professional activity of the occupant of the premises on which said sign is located.

307.6 Bulletin Board: A bulletin board or marquee not exceeding twenty-four square feet is permitted in connection with any church, school or similar public structure.

307.7 Temporary Real Estate Sign: A temporary real estate or construction sign of reasonable size is permitted on the property being sold, leased or developed. Such sign shall be removed promptly when it has fulfilled its function.

307.8 Business Sign: Business signs shall be permitted in connection with any legal business or industry when located on the same premises, and if they meet the following requirements:

307.8(a) Signs shall not contain information or advertising for any product not sold on the premises.

307.8(b) Signs shall not have a combined aggregate surface size greater than three square feet for each foot of width of the principal structure on the premises.

307.8(c) Signs shall not project over public right-of-way.

307.8(d) Signs and structures shall not be illuminated in any manner which causes undue distraction, confusion or hazard to vehicular traffic.

307.9 Billboards: Billboards may be authorized by the Board as a special exception in the I-1 Industrial District provided:

307.9(a) Billboards shall not be closer than thirty (30) feet to any public right-of-way or any adjacent property,

307.9(b) Billboards shall not have a combined aggregate surface size greater than four hundred (400) square feet,

307.9(c) No billboard shall be located closer to any other billboard than eight hundred (800) feet, nor closer to any business sign than two hundred (200) feet.



307.9(d) Billboards shall not be illuminated in any manner which causes undue distraction, confusion or hazard to vehicular traffic.

308 OFF-STREET PARKING: Off-street parking spaces shall be provided in accordance with the specifications in this section in any district whenever any new use is established or existing use is enlarged. No offstreet parking space shall have an area less than 200 square feet.

Use	Parking Spaces Required
Single Family Dwelling, Two Family Dwelling; Town House	2 per dwelling unit.
Multiple-Family Dwellings	2 per dwelling unit.
Church & School	1 per 6 seats in the principal assembly room
Private Clubs or Lodge	1 per 4 members
Theater	1 per 4 seats
Hospitals & Rest Homes	1 per 3 beds + 1 for each 2 employees on the maximum working shift
Professional Offices, Business Services, Wholesale Houses, and Medical Clinics	1 for every 250 square foot of floor space
Retail Businesses, Eating & Drinking Places, & Personal Service Establishments	1 for every 200 square feet of floor space
Bowling Alleys	4 for each alley
Funeral Homes	8 per viewing room, 25 minimum
Recreational Assembly Places; e.g. Dance Halls, Night Clubs	1 for every 50 square feet of floor space
Industrial	1 for each 2 employees on the maximum working shift.

308.1 Parking spaces may be located on a lot other than that containing the principal use only with the approval of the Zoning Hearing Board.

308.2 Any off-street parking lot for more than five vehicles shall be graded for proper drainage and surfaced so as to provide a durable and dustless surface.

308.3 Any lighting used to illuminate any off-street parking lot shall be so arranged as to reflect light away from adjoining premises in any "R" District.

309 OFF-STREET LOADING: One off-street loading berth of not less than 35 feet by 10 feet shall be provided for every business and industrial use with a floor area of more than 10,000 square feet; with one additional berth required for each additional 25,000 square feet of floor area.

310 TEMPORARY STRUCTURES: Temporary structures and trailers used in conjunction with construction work shall be permitted only during the period that the construction work is in progress. Permits for temporary structures other than construction trailers shall be issued for no longer than a six-month period, provided however that temporary structures and trailers in industrial and business districts may be permitted without time limit if located more than fifty (50') feet from every property line.

311 ENVIRONMENTAL PROTECTION REQUIREMENTS: The following provisions shall apply to all uses of land in all districts unless otherwise noted. Certain activities, such as highway construction and the like, may be excepted from the following requirements provided such activities are closely controlled by other governmental environment protection agencies, and that Township reviewing agencies are satisfied that the spirit and intent of the Zoning Ordinance is being met through the review processes, bonding requirements and administrative activities of the appropriate environmental protection agencies.

311.1 No cut or fill grade shall exceed a slope of 2/1 or fifty per cent. This provision shall apply to all cuts and fills exceeding 100 square feet in exposed surface area including cuts and fills on land naturally exceeding 2/1 in slope.

311.2 All lands, regardless of their slope, from which structures or natural cover has been removed or otherwise destroyed, shall be appropriately graded and seeded within a reasonable time of such clearance activity. The phrase "a reasonable time" shall be interpreted to be within two weeks during the growing season and shall be rigidly applied to construction activities in order to accomplish the intent of keeping erosion to an absolute minimum.

311.3 Any person, partnership or corporation proposing to dispose of wastes on any land within Kiskiminetas Township must first obtain permits from the United States Environmental Protection Agency and appropriate Pennsylvania and Armstrong County agencies, and must certify that such wastes are not hazardous to the health, safety and welfare of residents of the Township. Hazardous wastes shall not be deposited in Kiskiminetas Township.

311.4 No cutting, fill, or other disturbing of land is permissible within 100 feet of the edge of natural drainage courses except

as permitted by action of the Zoning Hearing Board. In such cases, the Board may grant permission provided special precautions are taken to insure against continuing erosion or other circumstances which may be harmful to the immediate watercourse or in any way pollute the stream or watercourse.

312 MOBILE HOMES: Mobile homes shall be permitted outside of mobile home parks only when they comply with the following requirements:

312.1 A site plan for the placement of the mobile home shall be approved in accordance with §306.

312.2 The mobile home shall be placed on posts extending below the frost line or on a permanent foundation and any and all openings in such foundation shall be enclosed. The mobile home shall be anchored securely with tie downs, and shall have all wheels removed.

313 MOBILE HOME PARKS: Mobile home parks shall be permitted as planned residential projects as regulated in this ordinance, only if in accordance with all Township, State and County laws and only if the following requirements are met:

313.1 The minimum area of a mobile home park shall be twelve (12) acres.

313.2 Each mobile home site within the mobile home park shall have a minimum area of 6,000 square feet.

313.3 Each mobile home site shall have a minimum width of 40 feet.

313.4 Not less than 15 per cent of the gross area of the mobile home park shall be improved for recreational activities for the residents of the park.

313.5 The mobile home park shall be appropriately landscaped and shall be screened from adjacent properties in conformance with §306.5(a).

313.6 The mobile home park shall meet all applicable requirements of the Armstrong County Subdivision and Land Development Ordinance.

313.7 All utilities located in the mobile home park shall be located underground.

313.8 Coin-operated laundries, laundry and dry-cleaning pickup stations and other commercial convenience establishments may be permitted in mobile home parks provided: (1) they are subordinate to the residential character of the park; (2) they are located, designed

and intended to serve only the needs of persons living in the park;  
(3) the establishments and the parking areas related to their use shall not occupy more than 10 per cent of the total area of the park; and  
(4) the establishments shall present no visible evidence of their commercial nature to areas outside the park.

ARTICLE FOUR:  
CONDITIONAL USES

401 GENERAL: Conditional Uses as specified in Article 2 may be allowed or denied by the Board of Supervisors after recommendations by the Planning Commission in accordance with the criteria and provisions.

402 APPLICATION: Applications for conditional uses shall be filed with the Zoning Officer and shall be accompanied by:

402.1 An application fee in an amount equal to that set by resolution of the Board of Supervisors.

402.2 Five copies of a site plan and supporting data which shows the size, location, and topography of the site, the use of adjacent land, the proposed size, bulk, use and location of buildings; the location and proposed function of all yards, open spaces, parking areas, driveways, storage areas and accessory structures; the location of all utilities, the provisions for parking, moving or loading of vehicles; and the timing of construction proposed.

403 REVIEW: The Zoning Officer shall forward copies of the Application to the Board of Supervisors and to the Planning Commission for review and approval.

403.1 The Planning Commission shall forward its recommendation within 45 days unless the petitioner agrees in writing to a time extension and failure to act within the allotted time shall be deemed to be a favorable recommendation.

403.2 The Board of Supervisors may attach such conditions as they deem necessary to the approval of any conditional use. The approved site plan and all attached conditions shall be recorded by the petitioner within 30 days of final approval. All development, construction and use shall be in accordance with the approved plan, unless a revised plan is submitted, approved and recorded. Any development contrary to the approved plan shall constitute a violation of this Ordinance.

404 CRITERIA FOR APPROVAL: A conditional use shall be approved if and only if it is found to meet the following criteria:

404.1 The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.

404.2 The proposed use shall meet all special standards which may be applied to its class of conditional uses as set forth in this Article.

404.3 The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the Performance Standards of Section 405.

404.4 The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.

404.5 The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.

404.6 The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.

404.7 The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.

404.8 Apartments shall have a minimum lot area of 2,500 square feet for each apartment exclusive of any portion of the lot used for any other purpose.

404.9 Automobile salvage yards shall comply with all Township, County and State regulations, shall not be located on parcels less than fifteen acres in area, shall be entirely enclosed by a chain link fence with weatherproof strips to limit visibility, such fence to have a height not less than eight feet, and shall provide screening on all sides as required by §306.5(a).

404.10 Dependent dwellings shall be attached to the principal dwelling, shall not be located on lots of less than 12,000 square feet.

404.11 A family business as an accessory to an agricultural use shall not be located on sites of less than forty (40) acres, and no operation shall be conducted closer than two hundred (200) feet to any adjoining property. No structure shall be erected, modified or used in connection with such family business unless it is compatible with a structure customarily accepted as an accessory to the agricultural operation conducted on the site. No family business shall be initiated nor operated until and unless the family member who is the owner of such operation shall be in residence on the site. For the purposes of this ordinance, a person shall be considered to be in residence if and only if the site is listed as that person's principal residence for state and federal tax purposes, and with the Department of Motor Vehicle records.

404.12 A heliport or helicopter pad shall not be located on lots of less area than the minimum recommended by appropriate State and

Federal regulatory agencies, and the landing area shall be not less than three hundred (300) feet to any residential property, nor less than one hundred (100) feet from any commercial or industrial property or any public right-of-way.

404.13 A hospital shall not be located on a lot less than twelve thousand (12,000) square feet plus 300 square feet for each bed or in-patient facility.

404.14 Mineral extration shall not be approved except after receipt and review of all drawings and documents which are required to be submitted by the applicant to the State for review and approval of such extractive activity.

404.15 Mobile home parks shall meet all the requirements of Section 313.

404.16 Public buildings when located in or adjacent to a residential district shall provide proper separation and protection for abutting residential property.

404.17 Public Utility Buildings when located in or adjacent to a residential district shall provide proper separation and protection for abutting residential property, and shall not require routine trucking movements on local residential or substandard streets.

404.18 Sanitary land fills shall not be located on sites of less than one hundred (100) acres, and no operation shall be conducted closer than four hundred (400) feet to any adjoining property. No sanitary land fill shall be approved except after receipt and review of all drawings and documents which are required to be submitted by the applicant to the Pennsylvania Department of Environmental Resources for review and approval of such activity nor until the applicant is in full compliance with Section 311.3 of this Ordinance.

404.19 Intermediate Care Facilities, Personal Care Homes and Group Dwellings shall be at least 2,000 feet apart from each other, shall not be located on lots of less than 12,000 square feet, nor on lots having less than four hundred square feet for every sleeping room or for every two beds, whichever is greater. Such uses shall have side yards of not less than twenty (20) feet, and shall not be approved unless:

404.19 (a) Plans prepared by an architect or engineer are submitted which clearly indicate that adequate light, ventilation and fireproofing are provided, and that the dwelling facility and its accommodations shall be functional and convenient with regard to the specific needs of the group to be housed in the facility.



404.19 (b) The Board of Supervisors has found that plans and programs for management of the group dwelling are adequate and appropriate to the population to be housed and that adequate provisions have been made to assure the safety and welfare of the residents of the facility and of the adjacent neighborhood.

404.19 (c) Such dwelling has been approved after a Fire and Safety Code inspection by the Department of Labor and Industry; be in compliance with the Department of Public Welfare, Office of Mental Health standards existing at time of issue of license, and with the latest revision of licensing requirements.

404.19 (d) Change of ownership or of any conditions of original approval shall constitute a new use and the full procedure for obtaining approval of the conditional use shall be required.

404.20 A Directional Sign of a reasonable size directing traffic may be located at or near the intersection of public streets as a conditional use in connection with any legal business or industry provided it contains no information other than instructions for the convenience of vehicular traffic in reaching such business or industry.

405 PERFORMANCE STANDARDS: All conditional uses shall comply with the requirements of this Section. In order to determine whether a proposed use will conform to the requirements of this Ordinance, the Board of Supervisors may obtain a qualified consultant to testify, whose cost for services shall be born by the applicant.

405.1 Fire Protection: Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

405.2 Electrical Disturbances: No activity shall cause electrical disturbance adversely affecting radio or other equipment in the vicinity.

405.3 Noise: Noise which is determined to be objectionable because of volume, frequency, or beat shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes shall be exempt from this requirement.

405.4 Vibrations: Vibrations detectable without instruments on neighboring property in any district shall be prohibited.

405.5 Odors: No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.

405.6 Air Pollution: No pollution of air by flyash, dust, smoke, vapors, or other substance shall be permitted which is harmful to health, animals, vegetation or other property.

405.7 Glare: Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.

405.8 Erosion: No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties.

405.9 Water Pollution: Water pollution shall be subject to the standards established by the State Sanitary Water Board.

405.10 Nuclear Radiation: No activity shall emit nuclear radiation which is hazardous.

406 PLANNED DEVELOPMENTS: Planned Group Units and Planned Residential Developments may be allowed or denied by the Board of Supervisors after recommendation by the Planning Commission in accordance with the procedures set forth in Article 5.

406.1 A Development Plan for a Planned Group Unit or a Planned Residential Development shall be approved if, and only if, it is found to meet the following criteria:

406.1(a) The proposed Development Plan preserves the community development objectives of this Ordinance, and is consistent with the Comprehensive Plan.

406.1(b) Where the proposed Development Plan departs from Zoning and Subdivision Regulations otherwise applicable to the subject property, such departures must be shown to be in the public interest and promote the health, safety, and general welfare of the public.

406.1(c) The proposals for the maintenance and conservation of any proposed common open space are reliable, and the amount and extent of improvements of such open space is adequate with respect to the purpose, use, and type of development proposed.

406.1(d) The physical design of the proposed Development Plan adequately provides for public services, pedestrian and vehicle traffic facilities and parking, light, air, recreation and visual enjoyment.

406.1(e) The total environment of the proposed Development Plan is harmonious and consistent with the neighborhood in which it is located.

406.1(f) The proposed Development Plan will afford a greater degree of protection of natural watercourses, topsoil, trees, and other features of the natural environment, and prevention of erosion, landslides, siltation and flooding than if subject property were developed in accordance with the provisions of the Zoning and Subdivision Ordinances which otherwise apply.

406.1(g) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the Performance Standards of §405.

406.1(h) In the case of a Development Plan which proposes development over a period of years, the Development Plan will provide at each stage of development a sufficient proportion of open space, planned facilities and amenities, and other improvements and conditions as required in this Article and as intended to protect the interests of the public and of the residents of the planned residential development in the integrity of the development plan.

407 PLANNED GROUP UNITS: Planned Group Units may be approved under provisions of this Ordinance if, and only if, they comply with the following standards and provisions.

407.1 Ownership: The entire site for the Planned Group Units shall be owned or controlled by the developer.

407.2 Minimum Size: The site shall not be less than five acres.

407.3 Frontage: The minimum frontage abutting on a public right of way shall not be less than four hundred feet.

407.4 Access: The site must provide for access from regional or collector streets indicated in the Comprehensive Plan to assure convenient and safe access which will not cause undue congestion or hazard on local streets.

407.5 Safety: The site shall be so developed as to avoid danger to health or peril from fire, flood, or other hazard. Land containing or providing hazards to life, health and property, such as quarries, open ditches, land subject to flooding, subsidence, or underground fires shall not be developed for residential purposes until such hazards have been eliminated or adequate safeguards are provided under the Development Plan.

407.6 Permitted Uses: Permitted uses and conditional uses as specified in Table 201 for the zoning district in which a proposed Planned Group Unit is to be located may be permitted in the Planned Group Unit provided their design, arrangement, landscaping,

construction and relationship to adjacent properties and uses meet all requirements set forth in this Ordinance:

407.7 Yards and Open Spaces: The front, side and rear yards shall not be less than the minimum requirements of the District in which the Planned Group Unit is located. Not less than fifteen per cent of the total site area shall be set aside for open space, and such open space shall be landscaped in a manner suitable for the uses intended for the development.

407.8 Building Spacing: The requirements determining the spacing of buildings shall be as flexible as possible so as to encourage imaginative site design. The spaces between buildings shall guarantee adequate light, air and emergency access. The minimum distance between the nearest points of any exterior building walls shall be not less than thirty feet.

407.9 Building Groupings: Structures shall be oriented so as to ensure adequate light and air exposures for walls containing main window exposures or main entrances. Each structure shall be so arranged so as to avoid undue exposure to concentrated loading or parking facilities.

407.10 Off-Street Parking: Off-street parking spaces shall be provided at the minimum ratio of one space for every two-hundred (200) square feet of gross floor area for retail uses, office uses and amusement uses. All other uses shall provide parking in accordance with §308.

408 PLANNED RESIDENTIAL DEVELOPMENTS. Planned Residential Developments may be approved under provisions of this Ordinance if, and only if, they comply with the following standards and provisions.

408.1 Ownership. The entire site for the Planned Residential Development shall be owned or controlled by the developer.

408.2 Minimum Size: The site shall not be less than ten acres.

408.3 Frontage: The minimum frontage abutting on a public right of way shall not be less than two hundred feet.

408.4 Access: The site must provide for access from existing or proposed roads which are adequate to assure convenient and safe access which will not cause undue congestion or hazard on local streets.

408.5 Safety: The site shall be of such a character so as to avoid danger to health or peril from fire, flood, or other hazard. Land containing or providing hazards to life, health and property, such as quarries, open ditches, land subject to flooding, subsidence, landslide prone, or underground fires shall not be subdivided for residential purposes until such hazards have been eliminated or adequate safeguards are provided under the Development Plan.

**408.6 Permitted Uses:** The following uses may be permitted in a Planned Residential Development provided their design, arrangement, landscaping, relationship to adjacent properties and uses, and construction meet the requirements set forth in this Ordinance:

**408.6(a)** In the "A" Agricultural District: one-family houses, mobile homes, recreation facilities, and accessory uses.

**408.6(b)** In the "A-R" Agricultural Residential District: one-family houses, mobile homes, recreation facilities, and accessory uses.

**408.6 (c)** In the "R-" Residential District: one-family houses, two-family houses, town houses, garden apartments, recreation facilities, and accessory uses.

**408.6(d)** In the "R-S" Suburban Residential District: one-family houses, two-family houses, town houses, recreation facilities, and accessory uses.

**408.7 Permitted Density:**

(a) The overall density shall not exceed an average lot area per dwelling unit specified in the following table. In calculating lot area for density purposes, any areas having a slope greater than forty percent (40%) shall be subtracted from the lot area; and one-half of any areas having a slope of twenty-five percent (25%) or more up to forty percent (40%) shall be subtracted from the lot area. For such calculations the slope shall be measured between contours having vertical intervals no greater than twenty (20) feet.

(b) MINIMUM LOT AREA (Square Feet) PER FAMILY	"A-"	"A- R"	"R-S"	"R"
One- Family Dwelling	35,000	17,500	8,000	8,000
Mobile Homes	8,000	6,000	-	-
Two-Family House	-	-	8,000	4,000
Town Houses	-	-	4,000	3,000
Garden Apartments	-	-	-	3,000

**408.8 Open Space Requirements:** Not less than fifteen percent of the total site area shall be set aside for open space, and not less than fifty percent (50%) of such open space shall be developed for recreational

purposes to a degree commensurate with its location and probable usage. The Common Open Space shall be so dedicated or otherwise preserved and maintained so as to always remain open and available for use by the occupants of the Planned Residential Development. The Common Open Space, including all improvements and facilities, shall be either:

408.8(a) Dedicated for public use to a public body which agrees to operate and maintain the dedicated land and facilities, but no public body is obliged by this Ordinance to accept such dedication, or

408.8(b) Deeded to an organization representing the property owners of the development, which organization shall covenant to operate and maintain such land and facilities. Such organization may not be dissolved nor dispose of the Common Open Space unless the maintenance of the Common Open Space is otherwise guaranteed to the satisfaction of the Board of Supervisors.

408.9 Common Open Space Maintenance: If the organization established to own and maintain Common Open Space, or any successor organization, fails to maintain such Common Open Space in reasonable order and condition in accordance with the development plan, the Township may serve written notice upon such organization or upon the residents of the Planned Residential Development setting forth the maintenance deficiencies, requiring correction of deficiencies within thirty days, and stating the date and place of a hearing thereon which shall be held within fourteen days of the notice. At such hearing the Township may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they shall be corrected. If the deficiencies so set forth shall not be corrected within the specified time limit, the Township, in order to preserve the taxable values of the properties within the Planned Residential Development and to prevent the Common Open Space from becoming a public nuisance, may enter upon and maintain the Common Open Space for one year. This maintenance shall not constitute a taking nor vest in the public any rights to use the Common Open Space. Before the expiration of the year, the Board of Supervisors shall set a public hearing where such organization or residents of the Planned Residential Development may show cause why maintenance by the Township should not, continue for another year. If the Board of Supervisors determines that such organization is ready and able to maintain said Common Open Space in reasonable condition, the Township shall cease to maintain said Common Open Space at the end of said year. If the Board of Supervisors shall determine that such organization is not ready and able to maintain said Common Open Space in a reasonable condition, the Township may, in its discretion, continue to maintain said Common Open Space during the next succeeding year and, subject to a similar hearing and determination, in each year thereafter.

408.9(a) The cost of such maintenance by the Township shall be assessed ratably against the properties within the Planned Residential Development that have a right of enjoyment of the Common Open Space, and shall become a lien on said properties. The Township at the time of entering upon said Common Open Space for the purpose of maintenance shall file with the County a notice of lien upon properties affected.

408.10 Minimum Building Setback: No structure shall be located closer to any boundary of the site than forty feet. Any structure exceeding thirty-five feet in height shall be set back one additional foot for every two feet of height exceeding thirty-five feet.

408.11 Building Spacing: The requirements determining the spacing of buildings shall be as flexible as possible so as to encourage imaginative site design. The spaces between buildings shall guarantee adequate light, air and emergency access. The minimum distance between the nearest points of any exterior building walls shall be not less than twenty feet.

408.12 Maximum Size of Structure: No structure shall have a maximum dimension greater than 250 feet. No town house shall have a height greater than three stories, or 35 feet. No apartment shall have a height greater than three habitable stories, or 35 feet. Chimneys, spires, towers, tanks, or similar projections may exceed the prescribed height limitation by not more than twenty-five percent.

408.13 Building Groupings: Structures used for dwelling units shall be oriented so as to ensure adequate light and air exposures for walls containing main window exposures or main entrances. Each structure shall be so arranged so as to avoid undue exposure to concentrated loading or parking facilities.

408.14 Staging Development: The density of development within various portions of the Planned Residential Development may vary, provided each such area or portion of the Development Plan meets all requirements of this Ordinance. It is further required that programs for the construction of areas of greater density concentration than permitted on the entire tract will be offset by site improvements which, because of their size or cost, are in proportion to the number of dwelling units to be constructed in each stage. As an alternative to part or all of the site improvements required to offset development densities in excess of the overall permitted density, the Township may require the reservation of open space by grant, easement, or covenant in favor of the Township in an amount and location necessary to balance the excess development density of each stage.

409 REQUIRED IMPROVEMENTS: The following improvements shall be completed in connection with every Planned Group Unit and Planned Residential Development, and such improvements will be in conformance

with such standards as may be specified and required in the Sub-division Regulations enforced in Kiskiminetas Township or other Township, County or State law.

409.1 Off-Street parking spaces shall be provided in accordance with the provisions of §308.

409.2 Areas should be provided for bus loading areas and bus shelters within one quarter mile of each residential concentration. The bus loading area shall be large enough for a bus to pull out of the flow of traffic.

409.3 Where street lights are provided, the cost of installation, operation and maintenance shall be born by the home owners, the home owners' association or by such other person who is responsible for the maintenance and upkeep of the Planned Development.

409.4 Proposed streets shall be related to street plans or parts thereof as have been officially adopted by the Board of Supervisors. Proposed streets shall conform to the requirements herein as well and as to any other plans, statute, ordinance, law or regulation applicable thereto. Streets shall be logically related to the topography in order that usable lots and reasonable grades shall be produced. Minor streets shall be so laid out as to discourage through traffic, but provisions will be required for street connections into and from adjacent areas.

409.5 Where a Planned Development abuts or contains an existing or proposed major traffic street, the Board of Supervisors may require marginal access streets, rear service alleys, reverse frontage lots or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with major streets, and separation of local and through traffic.

409.6 Suitable drainage structures, culverts, storm sewers, ditches and related installations shall be provided to insure adequate drainage of all points along the streets.

409.7 Concrete monuments shall be set at the intersection of all lines forming angles in the boundary of the Planned Development. Iron or steel markers shall be set at the beginning and ending of all curves along street property lines, at all points where lot lines intersect curves, either front or rear, and at all angles and property lines of lots and at all other lot corners.

409.8 Pedestrian interior walks shall be required where necessary to assist circulation or provide access to community facilities. Such interior walks shall have a paved width of not less than four feet.



409.9 When topsoil has been removed from the surface on a slope where erosion may cause a displacement of loose material, the area shall be seeded or otherwise treated as soon as possible to prevent damage to adjacent property or streets.

409.10 All utilities located within a Planned Development shall be located underground.

409.11 Surety bonds to ensure satisfactory completion of required improvements and maintenance, inspection procedures and acceptance of any public rights-of-way shall conform to the requirements of the Subdivision Regulations enforced for Kiskiminetas Township.

409.12 If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the planned development, the developer shall present evidence to the Board of Supervisors that the planned development is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement, or a commitment or agreement to serve the area in question, whichever is appropriate shall be acceptable evidence.

410 GUARANTEE OF IMPROVEMENTS: No Planned Development shall be finally approved unless all improvements required by Township law have been installed in strict accordance with such law, or unless a guarantee that the improvements will subsequently be installed by the developer, in the form of a bond, a letter of credit, or deposit of funds or securities in escrow which are acceptable to the Board of Supervisors and are in an amount sufficient to cover the cost of the improvements which may be required, plus ten percent. Such bond or other security shall provide for, and secure to the public, the completion of all declared improvements within a period of one year from the date of final approval of the plan.

411 PROCEDURES FOR PLANNED DEVELOPMENTS: Planned developments, including Planned Residential Developments and Planned Group Units shall require submission, review and approval of a preliminary application and of a final application in accordance with the following procedures and requirements.

411.1 The preliminary application shall include a Location Map, Site Map, Proposed Development Plan, and Engineering Report. The application shall be submitted to the Zoning Officer with not less than seven copies, and shall be accompanied by the fee.

411.2 The Zoning Officer shall forward one copy each of the preliminary application to the Planning Commission, the Township Engineer,

the Health Department, and the County Planning Commission. the Board of Supervisors shall not approve the preliminary application until reports from each of these agencies have been received, or until the expiration of thirty days from the date the copies of the application for development were forwarded to said agencies.

411.3 The Board of Supervisors shall hold a public hearing within sixty days of the filing of such preliminary application. the Board of Supervisors may continue such hearing, or refer the application back the the Planning Commission, but shall complete the hearing within sixty days of the initial hearing. The Board of Supervisors shall render their decision not later than sixty days after the conclusion of the public hearing.

411.4 The Board of Supervisors shall give tentative approval to a Proposed Development Plan if, and only if, it is found to meet the criteria set forth in Article Four.

411.5 The grant or denial of tentative approval shall include findings of fact related to the Proposed Development Plan as submitted for approval, and the reasons for the decision shall be set forth with particularity in what respect the Proposed Development Plan would or would not be in the public interest including, but not limited to, each of the cited criteria.

411.6 In the event a Development Plan is granted tentative approval, with or without conditions, the Board of Supervisors may set forth in the official written communication the time within which an application for final approval of the Development Plan shall be filed or, in the case of a Development Plan which provides for development over a period of years, the periods of time within which applications for final approval of each part thereof shall be filed.

411.7 The decision of the Board of Supervisors shall be in writing and shall be given to the developer personally, or mailed to him at his last known address, not later than five working days following the decision.

411.8 Failure of the Board of Supervisors to render decision and to communicate it to the Applicant in the time and in the manner required, shall be deemed an approval of the application and terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation or of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation and communication shall have like effect.

411.9 The Board of Supervisors may:

411.9(a) Grant tentative approval of the subject Development Plan as submitted;

411.9(b) Grant tentative approval subject to specified conditions not included in the Development Plan as submitted; or

411.9(c) Deny approval of the Development Plan.

411.10 If the Developer chooses to reject any conditions attached to the grant of tentative approval, he may void such tentative approval by notifying the Board of Supervisors within thirty days of the date of the decision.

411.11 The grant of tentative approval may be revoked by the Board of Supervisors if they are notified by the Developer of his intention to abandon the proposed Development Plan. The grant of tentative approval shall be deemed to be revoked if the Developer does not submit an application for final approval within the time limits required by this Article.

411.12 Application for final approval of each phase shall be filed with the Zoning Officer not later than twelve months following the grant of tentative approval, unless otherwise specified by the Board of Supervisors. The application shall comprise one reproducible copy and six prints of the Development Plan for the phase, including a Site Plan and supplementary data, and a Certificate of Completion of Improvements or a Guarantee of Improvements as required by this Ordinance.

411.13 Recording: Upon the approval of a final plat, the developer shall within ninety days of such final approval record such plat in the office of the Recorder of Deeds of Armstrong County.

412 CRITERIA FOR APPROVAL: Planned Developments may be allowed or denied by the Governing Body after recommendation by the Planning Commission in accordance with the procedures set forth in Section 411.

412.1 FINDINGS OF FACT: A Development Plan for a Planned Residential Development shall be approved if, and only if, it is found to meet the following criteria:

412.1(a) Comprehensive Plan: The proposed Development Plan preserves the community development objectives of this Ordinance, and is consistent with the Comprehensive Plan.

412.1(b) Variances: Where the proposed Development Plan departs from Zoning and Subdivision Regulations otherwise applicable to the subject property, such departures must be shown to be in the

public interest and promote the health, safety, and general welfare of the public.

412.1(c) Open Space: The proposals for the maintenance and conservation of any proposed Common Open Space are reliable, and the amount and extent of improvements of such open space is adequate with respect to the purpose, use, and type of development proposed.

412.1(d) Infrastructure: The physical design of the proposed Development Plan adequately provides for public services, pedestrian and vehicle traffic facilities and parking, light, air, recreation and visual enjoyment.

412.1(e) Neighborhood: The total environment of the proposed Development Plan is harmonious and consistent with the neighborhood in which it is located, and that the long term development of any unused portion of the land owned or controlled by the developer will be harmonious and consistent with the portion of the land proposed for approval.

412.1(f) Environment: The proposed Development Plan will afford a greater degree of protection of natural watercourses, topsoil, trees, and other features of the natural environment, and prevention of erosion, landslides, siltation and flooding than if subject property were developed in accordance with the provisions of the Zoning and Subdivision Ordinances which otherwise apply.

412.1(g) Safety: No use or design feature in the proposed Development Plan shall involve any element or cause any condition or traffic hazard that may be dangerous, injurious, or noxious to any other property or persons.

412.1(h) Timing: In the case of a Development Plan which proposes development over a period of years, the Development Plan will provide at each stage of development a sufficient proportion of open space, planned facilities and amenities, and other improvements and conditions as required in this Article and as intended to protect the interests of the public and of the residents of the Planned Residential Development and the integrity of the Development Plan.

**ARTICLE FIVE:  
ADMINISTRATION AND ENFORCEMENT**

**501 ZONING OFFICER:** The Zoning Officer, who shall be appointed by the Board of Supervisors, shall:

**501.1** Administer and enforce the provisions of this Ordinance in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use which does not conform to this Ordinance.

**501.2** Issue Zoning Permits and Zoning Occupancy Permits.

**501.3** Maintain a permanent file of all Zoning Permits and applications as public records.

**501.4** The Zoning Officer shall identify and register all non-conforming uses, and structures as required by law. A zoning occupancy permit shall then be issued to the owner of said use, or structure.

**502 ZONING PERMIT:** A Zoning Permit shall be obtained before any person or entity may:

**502.1** Occupy or use any vacant land; or

**502.2** Occupy or use a structure hereafter constructed, reconstructed, moved, altered, or enlarged; or

**502.3** Change the use of a structure or land to a different use; or

**502.4** Change a non-conforming use.

**502.5** Applications for a Zoning Permit shall be accompanied by a plot plan showing clearly and completely the location, dimensions, and nature of any structure involved, and such other information as the Zoning Officer may require for administration of this Ordinance, together with the filing fee in accordance with the schedule annually affixed by resolution of the Board of Supervisors.

**502.6** Zoning Permits shall become null and void one year from date of issue. Prior to continuance of the activity or change for which the original Permit was issued, a new Zoning Permit must be obtained. The Zoning Permit may be renewed by the Zoning Officer if there has been no change in applicable zoning regulations, and if such renewal is requested within one month of the date of expiration of said Zoning Permit. If applicable zoning regulations have been changed, the full review and approval procedure required by this Ordinance shall apply. Any zoning permit issued by authorization of the Zoning Hearing Board shall not be renewed except by authority of the Zoning Hearing Board.

502.7 Within sixty days after the receipt of an application, the Zoning Officer shall either approve or disapprove the application or submit the application to appropriate review agencies in conformance with the provisions of this Ordinance. All Zoning Permits shall be conditional upon the commencement of work within one year and substantial completion within two and one half years.

502.8 Prior to the issuance of a Zoning Permits for any use in a flood plain the Zoning Officer shall require the applicant to indicate compliance with all applicable State and Federal laws.

502.9 The Zoning Officer shall inspect the site during construction to determine whether work is in compliance with the approved zoning permit, and he may require certification by a qualified engineer or surveyor that all structures are being built to the required elevations and to other standards set forth by the zoning permit.

502.10 If the Zoning Officer finds that work does not comply with the applicable standards, or that there has been a misrepresentation by any applicant, the Zoning Officer shall revoke the zoning permit.

502.11 If the Zoning Officer finds reasonable grounds to believe that there has been a violation of any provisions of this Ordinance, he shall give notice of such alleged violation. Such notice shall (a) be in writing; (b) include a statement of the reasons for its issuance; (c) allow a reasonable time not to exceed a period of thirty (30) days for the performance of any act it requires; (d) be served upon the property owner or his agent in accordance with law; and (e) contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Ordinance.

503 ZONING OCCUPANCY PERMITS: Prior to occupancy of land or structure or to the change of tenants, ownership, or occupants of any structure other than a one-family house, mobile home or farm, a Zoning Occupancy Permit shall be obtained stating that the premises is in full compliance with this Zoning Ordinance.

503.1 A Zoning Occupancy Permit shall be revocable where the Zoning Officer determines that the occupant is not complying with every condition required by the issuance of said permit.

504 GUARANTEE OF IMPROVEMENTS: Prior to issuance of a zoning occupancy permit for any site plan, conditional use or other approval required by this Ordinance wherein the developer is required or has agreed as a condition of approval to provide and install specific amenities and improvements, the developer shall have completed all such improvements or provide a guarantee of installation and completion of such improvements.

504.1 The improvements to be guaranteed shall include but not be limited to the installation of streets, shrubbery and other plant materials, installation of sidewalks, fences or other landscape materials, the provision of driveways, pathways or other remedy related to circulation, and the demolition and removal of any structure.

504.2 The guarantee shall be a completion bond, escrow agreement or account approved by the Township Solicitor as to form and content, and shall be in the amount of one hundred and ten percent (110%) of the estimated cost of all remaining improvements.

504.3 The Board of Supervisors shall promptly release the developer from the guarantee only if they determine with appropriate advice from the Zoning Officer that all improvements have been completed in accordance with all agreements set forth as a condition of the required zoning approval.

505 ENFORCEMENT REMEDIES: Any person, partnership, or corporation who or which shall violate the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by a municipality, pay a judgement of not more than five hundred dollars (\$500), plus all court costs including reasonable attorneys fees incurred by the Township. Each day that a violation is continued shall constitute a separate offense. In case any building, structure or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance, the Board of Supervisors in addition to other remedies, may institute in the name of the Township any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure or land, or to prevent, in or about such premises any act, conduct, business or use constituting a violation.

506 VACANT

507 AMENDMENTS: The Board of Supervisors may amend this Ordinance as proposed by a member of the Board of Supervisors, by the Planning Commission, or by a petition of a person residing or owning property within the Township in accordance with the following provisions:

507.1 Petitions for amendment, shall be filed with the Planning Commission, and the petitioner, upon such filing, shall pay an advertising deposit and a filing fee in accordance with a schedule annually affixed by resolution. The Planning Commission shall review the proposed amendment and report its findings and recommendations in writing to the Board of Supervisors and to the petitioner. The proposed amendment shall be introduced before the Board of Supervisors only if a member of the Board of Supervisors elects to do so. If an amendment proposed by petition is not introduced the advertising deposit shall be refunded to the petitioner.

507.2 Any proposed amendment introduced by a member of the Board of Supervisors without written findings and recommendations from the Planning Commission shall be referred to the Planning Commission for review at least thirty days prior to public hearing by the Township.

507.3 Before voting on the enactment of an amendment, the Board of Supervisors shall hold a public hearing thereon pursuant to public notice. If, after any public hearing held upon an amendment, the proposed amendment is revised or further revised to include land previously not affected by it, the Board of Supervisors shall hold another public hearing pursuant to public notice before proceeding to vote on the amendment.

508 ZONING HEARING BOARD: In accordance with law, the Board of Supervisors shall appoint a Zoning Hearing Board, which Zoning Hearing Board shall adopt rules to govern its procedures. The Zoning Hearing Board shall hold meetings, keep minutes, and pursuant to notice, shall conduct hearings, compel the attendance of witnesses, take testimony under oath, and render decisions in writing, all as required by law. A fee shall be charged in accordance with a schedule annually affixed by resolution of the Board of Supervisors for any appeal or proceeding filed with the Zoning Hearing Board. The Zoning Hearing Board shall have the functions, powers and obligations specifically granted by law.

508.1 Appeals from the Zoning Officer: The Zoning Hearing Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of this Ordinance or of the Zoning Map or any valid rule or regulation governing the action of the Zoning Officer. Appeals from decisions or interpretations of the Zoning Officer may be made by landowners, developers, or persons aggrieved and may relate to such subject matter as to whether a Zoning Permit or Zoning Occupancy Permit should be issued or whether a stop work order should be issued.

508.2 Challenges to the Validity of the Ordinance: The Zoning Hearing Board shall hear challenges to the validity of this Ordinance or map raising substantive questions. Procedural questions or an alleged defect in the process of enactment or adoption of any ordinance or map shall be raised by an appeal taken directly from the action of the Board of Supervisors to the Court. Challenges to the validity of the ordinance or map to the Zoning Hearing Board include challenges such as exclusionary zoning or spot zoning.

508.3 Variances: The Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the property of the



applicant. In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Zoning Ordinance. The Zoning Hearing Board may grant a variance provided the following findings are made where relevant in a given case:

508.3(a) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shaped, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the district in which the property is located;

508.3(b) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of such property;

508.3(c) That such unnecessary hardship has not been created by the appellant;

508.3(d) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and

508.3(e) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

508.4 Special Exceptions: The Zoning Hearing Board shall hear and decide requests for special exceptions enumerated in §305. A special exception is issued for an exceptional use which may be permitted within a particular zoning district if the Zoning Hearing Board determines its availability. Such uses are made available as a privilege, not as a right, assuming that the requisite facts and conditions detailed in this Ordinance are found to exist. In granting a special exception, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Ordinance.

508.5 In considering applications for special exceptions and variances in flood plain districts the Zoning Hearing Board shall give due consideration to the danger to life and property due to increased flood heights or velocities caused by encroachment. No special exception or variance shall be granted for any proposed use, development,

or activity within the floodway that will cause any increase in flood levels during the one hundred (100) year flood.

508.5(a) The Zoning Hearing Board shall notify the applicant for such special exception or variance, in writing, that the construction of a structure below the one hundred (100) year flood elevation increases risks to life and property, and will result in increased premium rates for flood insurance.

508.6 Stay of Proceedings: Upon the filing of proceedings before the Board appealing a determination of the Zoning Officer, challenging an ordinance or requesting a variance or special exception and during the pendency of such proceedings before the Zoning Hearing Board all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body and all official action thereunder shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Zoning Hearing Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order which may be granted by the Zoning Hearing Board or by the Court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body.

508.7 Hearings: The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the following requirements:

508.7(a) Notice shall be given to the public, the applicant, the Zoning Officer, such other persons as the Board of Supervisors shall designate by ordinance and to any person who has made timely request for the same. Notices shall be given at such time and in such manner as shall be prescribed by ordinance, or in absence of ordinance, provision by rules of the Zoning Hearing Board.

508.7(b) The hearing shall be conducted by the Zoning Hearing Board, or the Zoning Hearing Board may appoint any member as a hearing officer.

508.7(c) The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Zoning Hearing Board and any other person, including civic or community organizations permitted to appear by the Zoning Hearing Board.

508.7(d) The chairman or acting chairman of the Zoning Hearing Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

508.7(e) The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.

508.7(f) Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.

508.7(g) The Zoning Hearing Board or hearing officer, as the case may be, shall keep a full and carefull record of the proceedings, and a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost.

508.7(h) The Zoning Hearing Board or hearing officer shall not communicate directly or indirectly with any party or his representative in connection with any issue involved, except upon notice and opportunity for all parties to participate, shall not take notice of any communication, report, staff memoranda or other materials unless parties are afforded an opportunity to contest the materials so noticed and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.

508.7(i) The Zoning Hearing Board or the hearing officer, as the case may be, shall render a written decision, or when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Zoning Hearing Board or hearing officer. Where the Zoning Hearing Board fails to render the decision within forty-five (45) days after the last hearing before the Zoning Hearing Board or hearing officer or fails to hold the required hearing on the application within sixty (60) days from the date of the applicant's request for hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Zoning Hearing Board to meet or render a decision as hereinabove provided, the Township shall give public notice of said decision within ten (10) days in the same manner as provided in §508.7(a).

508.7(j) A copy of the final decision, or where no decision is called for, of the findings, shall be delivered to the applicant and to all other persons who have filed their name and address with the Zoning Hearing Board personally or by mail not later than the day following its date.

ARTICLE SIX:  
DEFINITIONS

601 GENERAL: Certain words used in this Ordinance are defined below. Words used in the present tense shall include the future. The singular number shall include the plural, and the plural the singular. The word "shall" is mandatory and not permissive.

ACCESSORY STRUCTURE: A subordinate structure, located on the same lot as the main structure, or a portion of the main structure, the use of which is clearly incidental to and customarily found in connection with the main structure or principal use of the land.

ACCESSORY USES: A subordinate use which is clearly incidental and related to that of a main structure or main use of land.

AGRICULTURE: Any use of land or structures for farming, dairying, pasturage, agriculture, horticulture, floriculture, arboriculture, or animal or poultry husbandry. Uses permitted in conjunction with an agricultural use may include barns, stables, corn cribs, silos and any other use or structure that is clearly related to an agricultural operation.

AMUSEMENT USE: A theatre, stadium, arena, bowling alley, or related facility for the presentation of musical, theatrical or sporting events where the number of spectators normally is greater than the number of players and where such use is not accessory to a school or church.

APARTMENT: A dwelling unit in a multiple family residential structure containing three or more dwelling units.

APPLICANT: A land owner, or holder of an agreement to purchase land, lessee or other person having a proprietary interest in land or the heirs, successors, assigns of such person who has filed an application for the use, improvement of development of any parcel or structure under this Ordinance.

AREA: Area of a lot or site shall be calculated from dimensions derived by horizontal projection of the site.

AUTOMOBILE SALVAGE: The dismantling or wrecking of used motor vehicles, trucks, trailers, farm equipment or mobile homes, or the storage, sale or dumping of dismantled or partially dismantled, obsolete, or wrecked vehicles or their parts.

BASIC GRADE: A reference plane representing the average of the finished ground level adjoining a structure at all its exterior walls.

**BOARD:** Board of Supervisors of the Township of Kiskiminetas, County of Armstrong, Commonwealth of Pennsylvania.

**BUSINESS SERVICES:** A service shop or office providing services and sales of office supplies and equipment where the repair and maintenance of equipment is limited, and does not include manufacturing or industrial operations.

**CLINIC:** Any establishment where human patients are examined and treated by doctors or dentists but not hospitalized overnight.

**CLUB:** An organization comprised mainly of the residents of the neighborhood in which it is located, the primary purpose of which is the advancement of its members or of the community in education, cultural or civic pursuits and activities.

**CONDITIONAL USE:** A specific exception to the standard regulations of this Ordinance which requires approval by the Governing Body under terms and procedures and with conditions prescribed herein.

**CONSTRUCTION:** The construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building or structure, including the placement of mobile homes.

**CONTRACTOR'S YARD:** A commercial establishment storing or offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods, but not including the wrecking, salvaging, dismantling or storage of junked automobiles and similar vehicles.

**DEPENDENT DWELLING:** A dwelling unit accessory to a principal one family house, installed and intended solely for the use of elderly parents, or other dependent close relatives.

**DEVELOPMENT:** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, streets, and other paving, utilities, filling, grading, excavation, mining, dredging or drilling operations and the sub-division of land.

**DOMESTIC ANIMAL:** A pet such as a dog or cat or other small tame animal normally staying inside a house and which poses no threat to the health or safety of residents of the house or of neighbors.

**DWELLING:** Any structure designed or used as the living quarters for one or more families.

**DWELLING UNIT:** One or more living or sleeping rooms with cooking and sanitary facilities for one person or one family.

**FAMILY:** Either an individual, or two or more persons related by blood or marriage or adoption, or a group of not more than four persons not so related occupying a premises and living as a single housekeeping unit as distinguished from a group occupying a boarding house, lodging house, club, fraternity, or hotel.

**FAMILY BUSINESS:** A limited commercial use, accessory to a farm which is operated for the convenience of the family residing on the same premises, where the land area of the premises is not less than forty acres, and where such family business utilizes only such structures as might be normal to agricultural operations.

**FRONT YARD DEPTH:** The prescribed minimum open space extending across the entire width of the lot between the front line of building and street right of way.

**GROUP DWELLING:** A dwelling facility owned by a public or non-profit agency operated for not more than eight persons, including staff, living together as a single housekeeping unit.

**HAZARDOUS WASTE:** Any garbage, refuse, sludge from an industrial or other waste water treatment plant, sludge from a water supply treatment plant or air pollution control facility, and other discarded material including solid, liquid, semisolid or contained gaseous material resulting from municipal, commercial, industrial, institutional mining or agriculture operations, or from community activities, or any combination of the above which, because of its quantity, concentration, or physical, chemical or infectious characteristics may:

- 1) cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population, or:
- 2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored or transported, disposed of or otherwise managed.

The term "hazardous waste" shall not include coal refuse as defined in the Act of September 24, 1968 (P. L. 1040, No 318), known as the "Coal Refuse Disposal Act"; and shall not include treatment sludge from coal mine drainage treatment plants, disposal of which is being carried on pursuant to the Clean Streams Law, (P.L. 1987, No. 394); and shall not include solid or dissolved material in domestic sewage, or solid or dissolved material in irrigation return flows or industrial discharges which are point sources subject to permits under §402 of the Federal Water Pollution Control Act, as amended (86 Stat. 880); and shall not include source, special nuclear, or byproduct material as defined by the U S Atomic Energy Act of 1954, as amended (68 Stat. 923).

**FAMILY DAY CARE:** The accessory use of a single-family dwelling for for the care of up to seven (7) children.

**INTERMEDIATE CARE FACILITY** - A facility that provides nursing care and related medical or other personal health services to human patients on planned program of care and administrative management, supervised on a continuous 24 hour basis in an institutional setting.

**LIGHT MANUFACTURING:** The processing and fabrication of certain materials and products where no process involved will produce noise, vibration, air pollution, fire hazard, or noxious emission which will disturb or endanger neighboring properties. Light manufacturing includes the production of the following goods: Home appliances; electrical instruments; office machines; precision instruments; electronic devices; timepieces; jewelry; optical goods; musical instruments; novelties; wood products; printed material; lithographic plates; type composition; machine tools, including operations of machine shops: dies and gauges; ceramics; apparel; lightweight non-ferrous metal castings; film processing; light sheet metal products; plastic goods; pharmaceutical goods; and food products but not animal slaughtering, curing, nor rendering of fats.

**LOADING SPACE:** An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicles while loading or unloading merchandise or materials.

**LOT:** A parcel of land occupied or capable of being occupied by one or more structures.

**LOT OF RECORD:** Any lot which individually or as a part of a subdivision, has been recorded in the Office of the Recorder of Deeds of Washington County.

**LOT, DEPTH OF:** A mean horizontal distance between the front and rear lot lines.

**LOT, MINIMUM AREA OF:** The horizontally projected area of a lot computed exclusive of any portion of the right of way of any public thoroughfare.

**LOT, WIDTH OF:** The mean width measured at right angles to its depth.

**MANUFACTURING:** The processing and fabrication of any article, substance or commodity.

**MINOR REPAIR:** The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway

requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**MOBILE HOME:** A prefabricated dwelling unit designed for transportation on streets and highways on its own wheels or on a flat bed or other trailers, and arriving at the site where it is intended to be occupied as a dwelling complete and ready for occupancy except for connection to utilities and minor or incidental unpacking and assembly operations, and constructed so that it may be used with or without a permanent foundation.

**MOBILE HOME PARK:** A Planned Residential Development which is to be occupied by two or more mobile homes.

**NON-CONFORMING LOT:** A lot of record whose width, area or other dimension does not conform to the regulations of this Ordinance and which was a lot of record or lawfully existed at the time the regulations with which it does not conform became effective.

**ONE-FAMILY HOUSE:** A detached building having accommodations for and occupied by not more than one (1) family.

**PERSONAL CARE HOME:** A premises in which food, shelter and personal assistance or supervision are provided for a period exceeding twenty-four consecutive hours for more than three adults who are not relatives of the operator and who require assistance or supervision in such matters as dressing, bathing, diet, or medication prescribed for self-administration but do not require hospitalization or care in a skilled nursing or intermediate care facility.

**PERSONAL SERVICES ESTABLISHMENT:** A commercial establishment providing such personal services as hair dressing and cutting, clothes cleaning, laundering, shoe repair, tailor shops and the like.

**PLANNED DEVELOPMENT:** A Planned Group Unit or Planned Residential Development as defined and regulated herein.

**PLANNED GROUP UNIT:** A zoning lot on which the development of more than one principal structure is built in accordance with a unified site development plan which may provide for industrial, recreation and open space, and/or commercial uses and which is reviewed and approved in accordance with the provisions of this Ordinance.

**PLANNED RESIDENTIAL DEVELOPMENT:** At least ten acres of land, controlled by one landowner, to be developed as a single entity for a number of dwelling units, the development plan for which does not



correspond in lot size, bulk or type of buildings, density, lot coverage and required open space to the regulations established in any one residential district of the Zoning Ordinance.

**PLANNING COMMISSION:** The Planning Commission of Kiskiminetas Township.

**RECREATION CLUB:** A non-commercial facility operated by and for its members and providing recreational facilities for the use of members and their guests.

**REAR YARD DEPTH:** The prescribed minimum open space extending across the entire width of the lot between the back line of the building or accessory structure and the rear lot line.

**RESEARCH LABORATORY:** A facility for applied research conducted within an enclosed structure where no goods are produced in quantity.

**SANITARY LAND FILL:** A facility designed and operated for the disposal of non-hazardous waste material and conducted in strict accordance with the rules and regulations of all pertinent State and Federal regulatory agencies.

**SEAT:** A fixed seat in a theatre, auditorium or meeting room, or 24 lineal inches of an installed bench or pew, or in the absence of these, six square feet of floor space in the seating area.

**SCHOOL CONVERSION:** The adaptive re-use for housing for the elderly, offices, research facility or similar low intensity use of a school or other public building or facility which is no longer suitable or necessary for its originally intended use.

**SCREENING:** Screening relative to this Ordinance shall mean a fence, evergreen hedge or wall at least six feet high, provided in such a way that it will block a line of sight. The screening may consist either of one or several rows of bush or trees or of a constructed fence or wall.

**SIDE YARD WIDTH:** The prescribed minimum open space extending from the side of any building or accessory structure to the side lot line throughout the entire depth of the yard. Any lot line not a rear line or a front line shall be deemed as a side line.

**SIGN:** Any surface, fabric or device bearing lettered pictorial or sculptured matter designed to convey information visually and exposed to public view; or any structure (including billboards, poster panels, or other graphic displays) designed to carry the above visual information.

**STRUCTURE:** Anything constructed or erected, the use of which requires a fixed location on the ground or an attachment to something having a fixed location on the ground, including, in addition to buildings, billboards, carports, porches, and other building features but not including sidewalks, drives, fences and patios.

**SUPPLY YARD:** A commercial establishment storing or offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods. Supply yards do not include the wrecking, salvaging, dismantling or storage of automobile and similar vehicles.

**TOWN HOUSE:** One of a group of dwelling units attached to each other by party or common walls where each dwelling unit has separate access to front and rear yards.

**TOWNSHIP:** The Township of Kiskiminetas, County of Armstrong, Commonwealth of Pennsylvania.

**VEHICLE SERVICES:** A commercial establishment which provides maintenance and repair services to automobiles, motorcycles and other vehicles of less than 5,000 pounds gross weight, but not including tire recapping or other operations which do not conform to the Performance Standards set forth in §405.

**ZONING OCCUPANCY PERMIT:** A document issued by the Zoning Officer upon completion of the construction of a structure, or change in use of a structure or parcel of land, or change of occupancy of structure, and indicating that the use and structure is in compliance with the Ordinances of the Township having jurisdiction over the location of such use or structure, that all conditions attached to the granting of the Zoning Certificate have been met, and that the structure and land may be occupied and used for the purposes set forth in the Zoning Permit.

**ZONING PERMIT:** A document issued by the Zoning Officer stating that a proposed use or development will be in compliance with this Ordinance, and authorizing the applicant to proceed to obtain all Building Permits.

ORDAINED AND ENACTED this \_\_\_\_\_ day of December 1989; to become effective the first day of January, 1990.

SUPERVISORS

KISKIMINETAS TOWNSHIP

By: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_

Secretary

