

PARADISE TOWNSHIP PLANNING COMMISSION

MEETING MINUTES

October 28, 2019

The regularly scheduled meeting of the Paradise Township Planning Commission was held September 23, 2019 at the Paradise Township Municipal Building.

1. Call to Order and Pledge to the Flag

The meeting was called to order by Chairman Kevin Barnes at 7:00PM.

2. Attendance:

Kevin Barnes
Bob Nivens
Tom Bosley
Brent Auchey
Barry Schuchart
Mike Zeigler
Zoning Officer Neal Doyle
Doug Stambaugh P.L.S.
There were four (4) others present.

3. Approval of the Meeting Minutes of September 23, 2019:

A motion to approve the Minutes was made by Mike Zeigler and seconded by Brent Auchey. The motion passed unanimously.

4. Citizen's Concerns or Comments:

Ray Sherry questioned whether or not he would be allowed to construct a 700 ft. long access drive to his 98 acre property on Holtzschawmm Road, tax ID 42IE22 for farming purposes. A sketch plan was made available. It would use crusher waste on a 40 ft. wide right of way on his neighbor's property. Storm water management was discussed and a management plan may be required. Supervisor Craumer was in attendance and did not see any issues.

5. Communications:

- a. Kevin Barnes presented the notes from the Supervisors meeting of October 14, 2019.
- b. Miscellaneous: There were none.
- c. Zoning Officer: There were none.

6. Sketch Plans:

- a. Clark Craumer presented a sketch plan for the John Miller property on Rt. 30, parcel 42HE44 and 42HE44A where they are proposing to resubdivide the two parcels back into one. This will be put on next month's PTPC agenda.

7. Old Business:

- a. Tall Grass Meadows, Phase 2 (Plan Expires: January 10, 2020)-
As no one from KPI or Tall Grass were in attendance, Bob Nivens motion, seconded by Tom Bosley, to postpone the discussion. The motion passed. It was reported that York County Conservation withdrew the NPDES permit for the site and Tall Grass will need to resubmit their plans.
- b. Fireworks Ordinance- The Spring Garden ordinance was discussed. Clark Craumer brought up that other localities within the Northern York County Regional Police coverage area did not want to add to the existing state ordinance as it might cause confusion amongst the officers. On this note, this ordinance has been dropped from the PTPC agenda.
- c. Mobile Home Park Ordinance-
The proposed ordinance revisions (SALDO Part 7, Zoning Section 1323) were reviewed. A motion was made by Tom Bosley, seconded by Mike Zeigler, to forward these two changes to the Supervisors for APPROVAL. The motion passed. The proposed changes below are in RED and are ITALICIZED.

SALDO PART 7 - MOBILE HOME PARK PROVISIONS

Section 701 Approval Required

It shall be unlawful for any person to construct, alter or extend any mobile home park within the limits of the Township until plans have been approved by the Township in accordance with the provisions of this Ordinance. *Unless otherwise expressly stated, the definitions of words used in this part are contained in Part 2, Definitions section of this ordinance.*

Section 702 Application for Mobile Home Park Approval

Applications for mobile home park approval shall conform to the requirements and procedures as established in ~~Parts~~ *Articles* 3 and 4 of this Ordinance.

Section 703 Mobile Home Park Improvements

All improvements required in mobile home parks shall be provided in accordance with the provisions of this Article 7 and Article 6.

Section 704 Site Location and Dimensions

The location and minimum area of all mobile home parks shall be in accordance with the Township Zoning Ordinance and shall also comply with the following minimum requirements:

- A. The location of the mobile home park must conform to the Township Comprehensive Plan with respect to streets, public sites and proposed utilities.
- B. Not located on flood plains or subject to flooding or located with respect to adverse influences from swamps, marshes or other water hazard areas.
- C. Not subject to any hazard or nuisance such as excessive noise, vibration, smoke, toxic matter, heat, odor, glare, etc.
- D. Mobile home parks located adjacent to an arterial street or located adjacent to industrial or commercial properties, shall provide a planting screen at least fifteen (15') feet wide or approved fencing shall be provided along the abutting side separating the park and such adjacent nonresidential uses.
- E. *Overall net densities do not exceed six (6) dwelling units per acre.*

Section 705 Mobile Home Lots

- A. All lots shall abut a park street.
- B. The lot upon which the mobile home is located shall be, as a minimum, as specified in the Township Zoning Ordinance.
- C. The lot or parcel shall be seeded and landscaped.

Section 706 Erection and Placement of Mobile Homes

- A. The mobile home shall be located at least thirty (30') feet from any other mobile home ~~or~~ *and* the edge of ~~pavement of any street or~~ *the street Right of Way.*
- B. The mobile home shall be placed upon and securely fastened by means of an approved tie-down system to a concrete or bituminous pad which shall be built upon a frost-free foundation or footer. In no instance shall it be placed upon jacks, loose block, or other similar arrangements.
- C. An enclosure of design and material compatible with the mobile home shall be erected around the entire base of the mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
- D. Any garage, utility shed or other similar building or structure shall conform with all applicable Zoning and Building Code requirements, ~~if such are in existence.~~ *or be at least 20 ft. from any other structure.*

Section 707 Areas for Nonresidential Uses

- A. No part of any park shall be used for nonresidential purposes, except such uses that are required for recreation, direct servicing, management or maintenance of the park and its residents.
- B. Portions of parks not to exceed 5 percent of the total land area may be used for commercial purposes, if in the opinion of the Township such uses are primarily intended to serve the residents of the park. Such 5 percent of the total land area shall also contain all parking and landscaped areas associated with the commercial uses.
- C. Nothing contained in this Section shall be deemed as prohibiting the display and sale of a mobile home when located on an approved mobile home lot in compliance with Section 706 and connected to utilities.

Section 708 Street System

All streets within mobile home parks whether offered for public dedication or not shall conform to the following standards:

- A. A safe and convenient vehicular access shall be proved from abutting public streets and roads.
- B. The streets or roads in a mobile home park shall be located and build with regard to:
 - 1. Providing traffic-ways for convenient access to each mobile home lot and other important facilities in the park.
 - 2. Designed to recognize existing easements which are to be preserved.
 - 3. Permit connection to existing facilities where necessary for the proper functioning of drainage and utility easements.
- C. Circulation. The street system should provide convenient circulation by means of local streets and property located collector streets. Local streets shall be so located that their use by through traffic will be discouraged. Where a mobile home park abuts or contains an existing or proposed arterial street, the Township may require marginal access streets, reverse frontage or such other treatment as may be necessary to afford separation of through and local traffic.
- D. Pavement Width. All roads shall be built to Township specifications as for local streets.
- E. Right-of-Way. Streets that are proposed for dedication to public use shall provide minimum right-of-way widths as follows:
 - 1. Collector Street - 60 feet
 - 2. Local Street - 50 feet

F. Alignment and Grades. Streets shall be adapted to the topography and shall have suitable alignment and gradient for safety of traffic, satisfactory surface and groundwater drainage, and proper functioning of sanitary and storm sewer systems.

1. Centerline grades shall not be less than 1%. Centerline grade shall not exceed the following:

- a. Collector Streets - 7%
- b. Local Streets - 12%

2. At intersections a leveling area of at least 50 feet shall be provided having not greater than 4% grades.

G. Intersections. Street intersections shall generally be at right angles. No street shall intersect another at an angle of less than seventy-five (75) degrees or more than one hundred and five (105) degrees.

1. Intersections of more than two (2) streets at one point shall be prohibited.
2. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of two hundred (200') feet between their centerlines.
3. Minimum curb radii at street intersections shall be as follows:

Intersection	Pavement Edge
Collector with Collector	30'
Collector with Local	25'
Local with Local	20'

H. Street Surfacing. Streets shall be surfaced to the grades and dimensions shown on the street profile and cross-section plan submitted and approved with the final plan. The paving and wearing surface shall be constructed according to the specifications contained in Section 602.

Section 709 Blocks

A. The size and shape of blocks shall be determined with regard to:

1. Need for convenient access, automotive and pedestrian movement.
2. Providing desirable lot depths for interior walkways and easements for utilities to be located within the block.

B. Blocks shall not exceed a maximum length of one thousand six hundred (1,600) feet.

Section 710 Street Lights

Street lights shall be provided to illuminate streets, driveways, and walkways for the safe movement of vehicles and pedestrians at night. Their type and location shall be shown on the plan.

Section 711 Off-Street Parking Area

~~Two~~ **Three** paved off-street parking spaces for automobiles shall be provided for each mobile home. Required parking spaces shall be so located as to provide convenient access to the mobile home, but shall not exceed a distance of two hundred (200') feet from the mobile home that it is intended to serve.

Section 712 Walks

- A. All mobile home parks shall be provided with common pedestrian walks on both sides of the street. Such walks shall be at least four (4') feet in width and shall commence at least four (4') feet outside of the curb line. Construction to be in accordance with Section 604.H.
- B. Pedestrian interior walkways may be required where necessary to assist circulation by separation of pedestrian and automobile traffic. The Township may waive requirements for sidewalks on one or both sides of the street where interior walkways in the judgment of the Township better serve the needs of the mobile home park.
- C. All mobile homes shall be connected to common pedestrian walks with an individual walk at least 2 feet in width.

Section 713 Curbs

Curbs shall be installed along both sides of all streets in accordance with Section 603.

Section 714 Recreation Areas

- A. In all mobile home parks and recreation area, or areas, with suitable facilities shall be maintained within the park for the use of all park residents.
- B. Land required for such recreation shall be not less than ~~10~~ **20** percent of the gross site area. Such land should generally be provided in a centralized location, or decentralized in larger mobile home parks.

Section 715 Easements

- A. Easements shall be provided for all utilities not located in a street and for well-defined watercourses.
- B. Utility easements shall have a minimum width of twenty (20') feet. Easements for natural watercourses shall be of sufficient width to permit maintenance and provide for future flow.
- C. Easements shall be centered on or adjacent to side and rear lot lines whenever possible.

Section 716 Water Supply

~~If the Mobile Home Park can be served by the extension of an existing public water supply system, as determined by the Township, the applicant shall construct a system of water mains and connect with such water supply system and provide a connection for each mobile home, service building or other facility.~~

~~Where a public water supply system is not available, the applicant shall provide a water system meeting the requirements and approval of the Pennsylvania Department of Environmental Protection.~~

- A. *General. An accessible, adequate, safe and potable water supply shall be provided in each mobile home park. Where a public water supply of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply used exclusively. When a satisfactory public water supply is not available, a private water system maybe be developed and used. If more than 15 connections or 25 persons are serviced by the private water system, the mobile home park owner must submit water samples annually to the Environmental Protection Agency as required by the Safe Drinking Water Act, effective June 24, 1977. In addition, water systems must be in compliance with any other applicable Federal, State and/or local regulations.*
- B. *Source of Supply*
 - 1. *The water supply shall be capable of supplying a minimum of 150 gallons per day per mobile home.*
 - 2. *Every well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source.*
 - 3. *No well casings, pumps, pumping machinery or suction pipes shall be placed in any pit, room or space extending below ground level nor in any room or space above ground which is walled in or otherwise enclosed unless such rooms, whether above or below ground have free drainage by gravity to the surface of the ground.*
- C. *Water Storage Facilities. All water storage reservoirs shall be covered, watertight and constructed of impervious material. Overflows and vent of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.*
- D. *Water Distribution System*
 - 1. *The water system of the mobile home park shall be connected by pipes to all mobile homes, buildings and other facilities requiring water.*
 - 2. *The water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of backflow or back-siphonage.*
 - 3. *The system shall be so designed and maintained as to provide a pressure of not less than 20 psi, under normal operating conditions, with a minimum pipe width of a diameter approved by the Township Engineer.*
- E. *Individual Water Riser Pipes and Connections*

1. Individual water-riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position.
2. The water-riser pipe shall extend at least four inches above ground elevation. The pipe shall be at least 3/4 inch. The water outlet shall be capped when a mobile home does not occupy the lot.
3. Adequate provision shall be made to prevent freezing of service lines, valves and riser pipes and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.
4. A shut-off valve below the frost line shall be provided near the water-riser of each mobile home lot.
5. Underground stop and waste valves shall not be installed on any water service.

Section 717 Sewage Disposal

- ~~A. If the Mobile Home Park can be served by the extension of an existing approved public sanitary sewerage system, as determined by the Township, the applicant shall provide a system of sanitary sewer mains and shall provide lateral connections to each mobile home service building or other facility in accordance with Abbottstown-Paradise Joint Sewer Authority Specifications.~~
- ~~B. Where a sanitary sewer system is not accessible, the developer shall provide a sanitary sewerage system meeting the requirements and approval of the Pennsylvania Department of Environmental Protection.~~
- ~~C. Septic tank and tile field disposal systems are not acceptable for mobile home park developments.~~
- A. An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Such system shall be reviewed and approved by the Pennsylvania Department of Environmental Protection and the Abbottstown-Paradise Joint Sewer Authority prior to plan approval.
- B. Individual Sewer Connections
1. Each mobile home lot shall be provided with at least three-inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each lot that the sewer connection to the mobile home drain outlet will approximate a vertical position.
 2. The sewer connection shall have a nominal inside diameter of not less than three inches and the slope of any portion thereof shall be at least 1/4 inch per foot. All joints shall be watertight.
 3. All materials used for sewer connections shall be semi rigid, corrosion resistant, nonabsorbent and durable. The inner surface shall be smooth.
 4. Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rims of the riser pipe shall extend at least six inches above ground elevation.
- C. Sewer Lines. All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements, shall be separated from the park water supply system and stormwater drainage systems and shall have water tight joints.
- D. Sewage Treatment and/or Discharge. When a private sewage disposal system is proposed to service a mobile home park, the proposed system shall be in compliance with the Pennsylvania Department of Environmental Protection specifications and approved by the Board of Supervisors prior to approval of the plan.

Section 718 Storm Drainage

- A. The ground surface in all parts of a park shall be graded and equipped to drain surface water in a safe, efficient manner. Storm sewers, culverts, and related facilities shall be provided as necessary:
1. To permit the unimpeded flow of natural watercourses.

2. To protect structures and mobile home stands.
 3. To provide safe and convenient use of streets, lot areas and other facilities in the park.
- B. A drainage plan shall be prepared in accordance with the Paradise Township Stormwater Management Ordinance and submitted for review and approval by the Township prior to the approval of a mobile home park.
- C. All stormwater facilities shall be kept completely separate from any sanitary sewer system.
- D. Where the construction of streets and necessary stormwater system in a park is such that the direction of stormwater flow is diverted to affect surrounding properties, the applicant shall obtain sufficient drainage easements to provide adequate disposal of the stormwater.

Section 719 Utility Systems, **Refuse, Insect and Rodent Control**

~~Electric, telephone and other utility facilities shall be provided as necessary within the mobile home park. Such utilities shall be installed underground and maintained in accordance with the local utility company's specifications regulating such systems.~~

A. Electrical System General Requirements

1. *Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with local electric power company specifications regulating such systems.*
2. **Power Distributions Lines**
 - a. *All power lines shall be placed underground at least 18 inches below the ground surface and shall be insulated and specifically designed for such installation. Such lines shall be located not less than one foot distance from any other utility line, facility or installation.*
 - b. *Meter poles shall have a maximum height of 6 feet.*
3. **Individual Electrical Connections.** *Each mobile home lot shall be provided with an approved disconnecting device and over current protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.*
4. **Required Grounding.** *All exposed noncurrent-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall NOT be used as an equipment ground for mobile homes or other equipment.*

B. Natural Gas System General Requirements

1. *Natural gas piping systems when installed in mobile home parks shall be maintained in conformity with the specifications of the gas company serving the area.*
2. *Each mobile home lot provided with piped gas shall have an approved shut-off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.*

C. Liquefied Petroleum Gas (LPG) System General Requirements

1. *Liquefied petroleum gas systems provided for mobile homes, service buildings or other structures when installed shall be maintained in conformity with any applicable rules and regulations.*
2. *Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.*
3. *Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.*
4. *All LPG piping located outside of the mobile home shall be well supported and protected against mechanical injury. Undiluted LPG in liquid form shall not be conveyed through piping equipment and systems in mobile homes.*
5. *Vessels of more than 12 and less than 60 U.S. gallons gross capacity may be installed on a mobile home lot and shall be securely but not permanently fastened to prevent accidental overturning.*

6. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure unless such installations are specially approved by the authority having jurisdiction.

D. Fuel Oil Supply System General Requirements

1. All fuel oil supply systems provided for mobile homes, service buildings and other structures shall be installed and maintained in conformity with any applicable rules and regulations.

2. All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, but not permanently, fastened in place.

3. All fuel oil supply systems provided for mobile homes, service buildings and other structures shall have shut-off valves located with five inches of storage tanks.

4. Storage tanks located in areas subject to traffic shall be protected against physical damage.

E. All Other Utilities. Any other utility, such as telephone or cable, servicing a mobile home park shall be installed underground, as applicable, and maintained in accordance with the respective utility company specifications regulating such systems.

F. Refuse Handling. The storage, collection and disposal of refuse in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident, fire hazards or air pollution and shall comply with the Pennsylvania Department of Environmental Resources regulations governing mobile home parks. Plans for refuse handling, storage and disposal shall be subject to review and approval by the Township Supervisors, Planning Commission and the Pennsylvania Department of Environmental Resources.

G. Insect and Rodent Control. Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the Pennsylvania Department of Environmental Resources regulations governing mobile home parks.

Section 720 Fire Hydrants

A. Fire hydrants shall be installed if their water supply source is capable to serve them in accordance with the requirements of the local fire authority.

B. If provided fire hydrants shall be located within five-hundred (500') feet of any mobile home, service building or other structure in the park, and shall be installed in accordance with all applicable regulations.

Section 721 Service Buildings and Other Community Service Facilities

A. Every mobile home park shall have a structure clearly designated as the office of the mobile home park manager.

B. Service and accessory buildings located in a mobile home park shall be used only by the residents of the mobile home park.

Section 722 Special Designs

The Township may, at the direction of the Board of Supervisors, waive or modify certain requirements with regard to layout of lots, lot dimensions, setback requirements, size and shape of blocks, and location of walks, in the case of an innovative mobile home park design, such as one not utilizing the concept of an individual mobile home lot, if said action will not nullify the overall objectives of this regulation or conflict with the comprehensive plan; and a minimum of twenty (20%) percent of the total tract acreage is reserved for the recreational use of the mobile home park residents.

~~A. Overall net densities do not exceed six (6) dwelling units per acre, and~~

~~B. A minimum of twenty (20%) percent of the total tract acreage is reserved for the recreational use of the mobile home park residents.~~

Section 723 Inspection of Mobile Home Parks

A. The Township is hereby authorized to make such inspections as are necessary to determine satisfactory compliance with this Part and regulations issued hereunder.

- B. *The Township shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Part and regulations issued hereunder.*
- C. *The Township shall have the power to inspect the register containing a record of all residents of the mobile home park.*
- D. *It shall be the duty of the owners and/or occupants of the mobile home park and mobile homes contained therein, or of the person in charge thereof, to give the Township access to such premises at reasonable times for the purpose of inspection.*
- E. *It shall be the duty of every occupant of the mobile home park to give the owner thereof or his agent or employee access to any part of such mobile home park or its premises at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this Part and regulations issued hereunder, or with any lawful order issued pursuant to the provisions of this Part.*

Section 724 Removal of Mobile Home

It shall be unlawful for the mobile home park owner or owner, tenant or custodian of a mobile home to remove, or attempt to remove from Paradise Township a mobile home without first obtaining a permit from the Township Building Inspector, Codes Enforcement Officer, and/or Township Tax Collector. A removal permit shall be granted upon payment of a fee as previously set by resolution and submission of the following information:

- A. *The street address of the mobile home.*
- B. *The Names of the owners and of the occupants of the mobile home.*
- C. *Evidence of payment of all taxes duly assessed by the Township, the County of York and the Spring Grove Area School District.*

Section 725 Notices and Hearings

- A. *Whenever the Township determines that there are reasonable grounds to believe that there has been a violation of any provision of this Part or regulations issued hereunder, notice shall be given of such alleged violation to the person to who the permit or license was issued, as hereafter provided. Such notice shall:*
 - 1. *Be in writing.*
 - 2. *Include a statement of the reasons for its issuance.*
 - 3. *Allow a reasonable time for the performance of any act it requires.*
 - 4. *Be served upon the owner or his agent as the case may require; provided, that such notice or orders shall be deemed to have been properly served upon such owner or agent when a copy thereof has been sent by certified mail to his last known address, or when he has been served by such notice by any method authorized or required by the laws of this State.*
 - 5. *Contain an outline of remedial action which, if taken, will affect compliance with the provision of this Part and regulations issued hereunder.*
 - 6. *Include a statement pursuant to subsection B of this Section indicating the right of any person affected by a notice of violation to a hearing.*
- B. *Any person affected by any notice which has been issued in connection with the enforcement of any provisions of this Part, or regulation issued hereunder, may request a hearing on the matter before the Board of Supervisors; provided that such person file in the office of the Township a written petition requesting such hearing and setting forth a brief statement of the grounds thereof within 10 days after the day the notice was served. The filing of the request for a hearing shall operate as a stay of the notice and of the suspension except in the case of an order issued under subsection E, herein. Upon receipt of such petition the Board of Supervisors shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall commence not later than 30 days after the day on which the petition was filed; provided that upon*

application of the petitioner, the Board of Supervisors may postpone the date of the hearing for a reasonable time beyond such thirty-day period when, in their judgement the petitioner has submitted good and sufficient reasons for such postponement.

- C. After such hearing the Board of Supervisors shall make findings as to compliance with the provision of this Part and regulations issued hereunder and shall issue an order in writing sustaining, modifying or withdrawing the notice which shall be served as provided in subsection A.4 herein. Upon failure to comply with any order sustaining or modifying a notice, the license of the mobile home park affected by the order shall be revoked.*
- D. The proceedings at such a hearing, including the findings and decision of the Board of Supervisors and together with a copy of every notice and order related thereto shall be entered as a matter of public record in the office of the Board of Supervisors but the transcript of the proceeding need not be transcribed unless judicial review of the decision is sought as provided by this Section. Any person aggrieved by the decision of the Board of Supervisors may seek relief therefrom in any court of competent jurisdiction as provided by the laws of this this Commonwealth.*
- E. Whenever the Township finds that an emergency exists which requires immediate action to protect the public, they may without notice or hearing, issue an order reciting the existence of such and emergency and requiring that such action be taken as they may deem necessary to meet the emergency including the suspension of the permit or license. Notwithstanding any other provision of the Part, such order shall be effective immediately. Any person to whom such and order is directed shall comply therewith immediately, but upon a petition to the Board of Supervisors, shall be afforded a hearing as soon as possible. The provisions of subsections C. and D. herein shall be applicable to such hearing and the order issued thereafter.*

Section 726 Amendments

Requests for amendments to the Part shall be made by the applicant and submitted to the Township Code Enforcement Officer within 14 days of the regularly scheduled Township Planning Commission meeting. The Planning Commission shall then review the request and forward their comments to the Board of Supervisors within 60 days from the date of the regularly scheduled Planning Commission meeting at which time it was first reviewed. Only after a public hearing is held pursuant to public notice as defined by the Pennsylvania Municipalities Planning Code, Act 247, Article 1, as amended, shall the Board of Supervisors act upon the request.

Section 727 Penalties

Any person who violates or fails to comply with any or all of the requirements or provisions of this Part, or who fails or refuses to comply with any notice, order or direction of any officer or employee of the Township given pursuant to the authority herein conferred shall, upon conviction thereof, be sentenced to pay a fine of not less than \$50 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

ZONING SECTION 1323 - MOBILE HOME PARKS

- A.** The design of the mobile home park shall comply with the Paradise Township Subdivision and Land Development Ordinance.
- B.** The minimum lot area for the mobile home park shall be 10 acres. The area of the mobile home park shall be adequate in size and the land shall be suitable by reason of topography and drainage.
- C.** Individual mobile homes shall, in every case, ~~provide not less than the required minimum front, side, and rear yard area for a single family dwelling.~~ **meet the requirements established in SALDO Part 7, Section 706.**
- D.** Each mobile home lot shall abut upon a public street or a private street having a right-of-way width of not less than 50 feet which shall be improved to current Township specifications for street improvements.

- E. The gross area of the mobile home park (less the area of the streets and rights-of-way and less any area deemed by the Township unsuitable for the purpose referred to above) shall be at least equal to the total number of mobile home lots times the lot area required for a single family dwelling for the district **as detailed in Part 7, SALDO**. ~~in which the mobile home park is located.~~
 - F. In addition to the required front, side, and rear setbacks around the perimeter of the mobile home park, there shall be adequate space provided for buffer yards and screen planting as required by the Zoning Hearing Board.
 - G. The Zoning Hearing Board may restrict the proximity of mobile homes or other improvements to adjoining properties or may attach such other conditions or safeguards to the use of the land for a mobile home park as may be deemed necessary to protect the general welfare.
 - H. The mobile home park shall provide buffer yards in accordance with Section 1412.
 - I. Each mobile home lot shall be provided with a hard surfaced mobile home stand providing a foundation that will not heave, shift, or settle unevenly because of frost action, inadequate drainage, vibration, or other forces acting on the superstructure. Each mobile home stand shall be equipped with appropriately designed utility connections and shall have minimum dimensions of 50 feet by 24 feet. The space between the floor of the mobile home and the mobile home stand shall be enclosed to conceal all supports and utility connections.
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d. **Junkyard Ordinance-**

Bob Nivens motioned, seconded by Tom Bosley, to postpone discussion for another month. The motion passed.

e. **Personal Service Providers Ordinance-Home Occupation Ordinance-**

The PTPC reviewed the Home Occupation ordinance, Zoning Section 1317. Below is the modified Zoning Section 1317 as suggested by the PTPC. Bob Nivens motioned, seconded by Tom Bosley to forward these changes to the Supervisors with our recommendation for **APPROVAL**. The motion passed

Section 202 – Termed Definitions (Note: included for reference only, no change)

HOME OCCUPATION - A business or commercial activity other than a no-impact home-based business that is conducted as an accessory use to a principal dwelling.

NO-IMPACT HOME-BASED BUSINESS - A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use.

Section 1317 Home Occupation (Note: replaces existing section)

- A. A home occupation shall be conducted on a property with a single-family detached dwelling that is a permitted use or that is an existing nonconforming use. The home occupation shall be owned and managed by at least one occupant of the dwelling.
- B. The maximum areas utilized by all home occupation on the property shall be as follows:
 - 1. 30% of the habitable floor area within the dwelling or 600 square feet whichever is less.
 - 2. No more than 20% of the total lot area or 15,000 square feet whichever is less. This includes but is not be limited to habitable and inhabitable floor area within structures, outdoor storage, outdoor areas utilized for business activities, and off-street parking.

- C. Persons engaged in the home occupation shall be limited to occupants of the dwelling plus two additional persons. The number of employees (including occupants) may be increased to a total of twelve should the additional employees work entirely offsite.
- D. Any improvements to the property or structures to accommodate or facilitate the home occupation, or to make the home occupation compliant with this ordinance requires the approval of a land development plan.
- E. All goods sold on the premises must be produced on the premises or must be goods normally incidental to the approved home occupation.
- F. A home occupation may not in any way alter the residential character of the neighborhood or in any way adversely affect the sale and comfortable enjoyment of the individual property rights of the neighborhood in which the use is located. The occupation shall not produce offensive noise, vibration, dust, odor, pollution, interference with radio or television reception, traffic congestion, or other objectionable conditions which are audible, visible, or otherwise detectible by human senses at the property line. The use of noxious, combustible, explosive or other materials that would endanger the health and safety of the occupants and the surrounding residents are prohibited.
- G. In addition to the required parking for the dwelling unit, additional off-street parking is required as follows:
 - 1. 1 space shall be provided for each employee. Off-site employees that do not report to the site at any time need not be counted for determining required parking spaces. Additionally, 1 space should be provided for each business vehicles that will not be kept within a garage or other dedicated area utilized for the home occupation.
 - 2. 1 space shall be provided for each non-employee that may visit the site at any given time. Justification shall be provided on how this total was determined. A minimum of 1 space is required.
 - 3. No additional driveways are allowed to be created to serve the home occupation.
 - 4. No on street parking shall be permitted.
- H. A sign is permitted in conformance with Article 15.
- I. A maximum number of one-way vehicular trips per day shall not exceed 30.
- J. The front yard shall not be utilized by the home occupation for any purpose except for signage as permitted and for access.
- K. Should the type of business being proposed as part of the home occupation have additional restrictions set forth by the zoning ordinance or any other Township ordinance the home occupation shall also comply with those restrictions. Should conflict exist between those regulations and this section, except for use, the more restrictive regulation shall be followed.
- L. All outdoor areas associated with the home occupation shall provide a bufferyard and screening in accordance with section 1411 of this ordinance.
- M. The applicant shall obtain all other required Federal and State approvals and licenses.
- N. The business shall be registered and in good standing with all applicable Federal, State, and Local taxing authorities.

- O. The owner is required to submit written evidence indicating that the disposal of all materials and wastes will be addressed in a manner that complies with all Federal, State, and Local regulations. At a minimum such evidence shall include copies of contracts with waste haulers licensed to operate within the Commonwealth of Pennsylvania, which are contracted to dispose of the materials and waste used or generated by the Home Occupation or by some other legal means of disposal.

The zoning approval for this use shall remain valid, only so long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the home occupation change in the future, such that the materials used, or wastes generated, changes significantly, either in type or amount, the owner shall inform the zoning office, and shall provide additional evidence demonstrating continued compliance with this section.

- P. The owner shall submit the following signed and notarized statement to the township office:

"I understand that this use has prescribed limitation that are imposed to protect the character of the Township. I also recognize that continued success of my business that requires expansion beyond such limitations at this location would constitute a zoning violation. Should expansion beyond these limitations occur, I understand that I am required to promptly notify the township zoning office of my non-compliance. I acknowledge I will then be required within 6-months to relocate my business to another, more suitable, location with the appropriate zoning. I may request a single time extension with a maximum length of 6-months from the Township Board of Supervisors if I provide adequate evidence that the relocation is not feasible within the initial 6-month time period."

8. New Business:

There was none.

9. Adjournment:

Having no further business, a motion was made by Bob Nivens to adjourn the meeting, seconded by Mike Zeigler. The meeting was adjourned at 8:05 PM.

The next regularly scheduled meeting of the Paradise Township Planning Commission shall be held on November 25, 2019 at 7:00 PM in the Township Municipal Building.

Respectively submitted,

PARADISE TOWNSHIP PLANNING COMMISSION

Bob Nivens

Robert Nivens

Vice Chairman/Secretary

CC: Paradise Township Planning Commission: TB, BS, MZ, KB, BA

Clark Craumer, Supervisor

Neal Doyle, Zoning Officer

Lance Biesecker, Supervisor

CGA, Sharon Myers Esq., Solicitor

Dean Bentzel, Supervisor

GHI, Doug Stambaugh, P.L.S., Township Engineer

Chris Mentzer, Township Secretary

Wayne Smith, Zoning Officer

Amy Perry, Abbottstown-Paradise Joint Sewer Authority