

Paradise Township
York County, Pennsylvania

**Subdivision and Land
Development Ordinance**

1/28/2009

Consultant:



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ARTICLE 1 - SHORT TITLE, PURPOSE, AUTHORITY & JURISDICTION

Section 101 Short Title

This Ordinance shall be known as and may be cited as the "Paradise Township Subdivision and Land Development Ordinance".

Section 102 Purpose

The purpose of these subdivision and land development regulations is to provide for the harmonious development of the Township by:

- A. Assisting in the orderly and efficient integration of land developments within the Township.
- B. Ensuring conformance of subdivision and land development plans with the Zoning Ordinance, Comprehensive Plan, Sewage Facilities Act (Act 537), public improvement plans, and other adopted plans and regulations.
- C. Ensuring the provision of adequate public facilities including streets, walkways, street lighting, water supply, storm and sanitary sewage facilities, recreation sites, open spaces, and other necessities and amenities to the general welfare of Township residents.
- D. Securing the protection of the environmental resources of the Township.
- E. Providing standard procedures for the equitable processing of all subdivision and land development plans.
- F. Ensuring coordination of inter-municipal public improvement plans and programs.
- G. Encouraging and promoting flexibility and ingenuity in the layout and design of subdivision and land development.
- H. In general promoting greater health, safety, and welfare of the citizens of the Township.

Section 103 Authority and Jurisdiction

No subdivision or land development of any lot, tract or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main or other improvements in connection therewith shall be laid out, constructed, opened, or dedicated for public use of travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance. The authority for the control and regulation of subdivision and land development within the Township shall be as follows:

- A. Approval by the Township Board of Supervisors. The Paradise Township Board of Supervisors, hereinafter referred to as the Board of Supervisors, shall be vested with the authority to approve or disapprove all subdivision and land development plans.
- B. Review by the Township Planning Commission. The Paradise Township Planning Commission, hereinafter referred to as the Planning Commission, shall be vested with the review of subdivision and land development plans and providing recommendations thereon to the Board of Supervisors.
- C. Review by the County Planning Commission. Plans for subdivision and land development located within Paradise Township shall be submitted to the York County Planning Commission for review and report. Said submission shall take place before

approval of any plans by the Township. However, if a report is not received from the County Planning Commission within 30 days after submission by the Township, the Township may proceed without the report.

PART 2 - DEFINITIONS

Section 201 Application and Interpretation

Words, phrases, and terms defined in this Section shall have the meanings herein indicated, unless otherwise expressly stated in another section of this Ordinance. Words, phrases, and terms not herein defined shall be presumed to be used in their ordinary context, unless otherwise specified herein. Additionally, the following rules of interpretation apply

- A. Words in the present tense imply the future tense.
- B. The singular includes the plural, and the plural includes the singular.
- C. The male gender includes the female and the neuter and vice-versa.
- D. The words "person," "subdivider," "landowner," "developer," and "applicant" include also a partnership, corporation, association, or other legal entity.
- E. The words "street", "road", and "highway" shall have the same meaning.
- F. The words "shall" and "must" are always mandatory. The words "may" or "should" are always permissive.
- G. The words "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be occupied."

Section 202 Terms Defined

The following words, phrases, and terms shall have the indicated meaning:

ADJACENT – When used to describe lots, it shall mean lots that share a common property or lot line or that are separated by only a street, waterway, or similar feature.

AGENT - any person, other than the applicant, who, acting for the applicant submits to the Township Supervisors subdivision or land development plans for the purpose of obtaining approval thereof.

AGRICULTURAL PURPOSES - the use of land for farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, or animal or poultry husbandry; and the necessary accessory uses for packing, treating, or storing the produce and equipment or housing and feeding the animals, and/or the use of a structure as a dwelling for a family headed by a full-time farm worker.

APPLICANT - a landowner, subdivider, or developer, as hereinafter defined, who has filed an application for subdivision or land development including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT - every application, whether preliminary, tentative or final required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plan or for the approval of a land development plan.

BLOCK - a land area bounded by streets.

BUILDING – Any structure on a lot, having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals, or property. (See also "Structure").

BUILDING, ACCESSORY – A building subordinate to and detached from the principal building on the same lot and used for purposes customarily incidental to the principal building.

BUILDING, ATTACHED – A building which has 2 or more party walls in common.

BUILDING, DETACHED – A building which has no party wall.

BUILDING, PRINCIPAL – A building in which is conducted the principal use of the lot on which it is located.

BUILDING, SEMI-DETACHED – A building which has only one party wall in common.

BUILDING COVERAGE - The percentage obtained by dividing the total building footprint of all buildings on a lot by the net area of the lot upon which the buildings are located.

BUILDING FOOTPRINT - The total area of ground occupied by a building.

BUILDING HEIGHT – The total overall height in feet of a building measured from the average grade of the front two corners of the building to the highest point of the roof.

CARTWAY – That portion of a street which is improved, in intended for vehicular use, excluding the shoulders.

CLEAR SIGHT TRIANGLE - an area of unobstructed vision at street and driveway intersections defined by the centerlines of the streets or driveways and by a line of sight between points on their centerlines at a given distance from the intersection of the centerlines.

COMMON OPEN SPACE - a parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

COMPREHENSIVE PLAN – The most recently adopted version of the Official Comprehensive Plan, Paradise Township, York County, including any amendments. As of the writing of this Ordinance, the most recently adopted comprehensive plan is the Jackson Township/Paradise Township Joint Comprehensive Plan, adopted September 5, 2006.

CONSERVATION DEVELOPMENT – An optional type of residential development that involves the permanent preservation of open space and that places dwellings on the most suitable portions of the tract on lots that are smaller than would otherwise be allowed by conventional development. See the Zoning Ordinance for detailed regulations.

CONTOUR LINE – A line on a topographical map connecting points of like elevation.

COUNTY - The County of York, Commonwealth of Pennsylvania.

COUNTY PLANNING COMMISSION - The York County Planning Commission.

CURB - the raised edge of a pavement to confine surface water to the pavement and to protect the abutting land from vehicular traffic.

CURB LINE – A line formed by the face of the existing curb, or in its absence, the outer edge of the shoulder, along which curbing is or may be located.

DENSITY – The number of dwelling units per acre of net lot area.

DEVELOPER - any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEP – The Pennsylvania Department of Environmental Protection, or its successor agency.

DRAINAGE FACILITY - any ditch, gutter, pipe, culvert, storm sewer or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any land development or contiguous land areas.

DRIVEWAY - a private vehicular access between a street and a parking area or garage within a lot or property.

DWELLING A building or structure designed for living quarters for one or more families, including mobile homes; but not including motels or hotels, boarding or rooming houses, nursing homes or other accommodations used for transient occupancy.

DWELLING UNIT – A building or portion thereof arranged or designed for occupancy by one family and having separate cooking and sanitary facilities.

EASEMENT - A limited right of use granted in private land for use by the public or other private parties.

ENGINEER - A Professional Engineer licensed as such in the Commonwealth of Pennsylvania.

FLAG LOT – See Lot, Flag

FLOOD PLAIN - An area subject to flooding by the 100 year flood (Q100) as determined by FEMA Flood Insurance Rate Maps.

FLOODWAY AREA - the channel area that must be kept clear of encroachment or obstruction in order to limit the rise of the water surface elevation of the 100 year flood to 1 foot or less."

FRONTAGE - The portion of a lot abutting the street right-of-way.

FUTURE RIGHT-OF-WAY -

- A. The right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads.
- B. A right-of-way established to provide future access to or through undeveloped land.

GRADE - the slope, expressed in a percent, which indicates the rate of change of elevation of a surface, road, pipe, or similar object.

GUTTER - that portion of a right-of-way carrying surface drainage.

HARDSHIP - a condition not caused by the applicant for which he may request a modification or waiver.

IMPROVEMENTS - Physical changes to the land, including, but not limited to: buildings, structures, pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, grading, street signs, water supply facilities, and sewage disposal facilities that may be necessary to produce useable and desirable lots.

LAND DEVELOPMENT - any of the following activities:

- A. The improvement of one lot or 2 or more contiguous lots, tracts, or parcels of land for any purpose involving;
 - 1. A group of 2 or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or,

2. The division or allocation of land or space, whether initially or cumulatively, between or among 2 or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;
- B. A subdivision of land.
- C. "Land development" does not include development which involves;
1. The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
 2. The addition of any accessory building, including farm building, on a lot or lots subordinate to an existing principal building, or
 3. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this subsection, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.

LANDOWNER - the owner or owners of the legal, beneficial or equitable title to land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LOCATION MAP - a map showing the site with relation to adjoining areas.

LOT - A designated parcel, tract, or area of land held in single and separate ownership, established by a plat or otherwise as permitted by law, and to be used, developed or built upon as a unit.

LOT, CORNER- A lot abutting upon two (2) streets at their intersection.

LOT, FLAG – A lot whose frontage does not satisfy the minimum width requirements for the respective district but that does have sufficient lot width away from the lot’s frontage.

LOT, REVERSE FRONTAGE - A lot fronting on two (2) parallel or non-intersecting streets, other than a corner lot, with vehicular access solely from the street of lesser classification.

LOT ADD-ON – A type of subdivision where a parcel of land that may or may not meet all of the requirements of a lot as defined by this Ordinance and the Zoning Ordinance is subdivided from one lot and conveyed and added to an adjacent lot. The conveyed parcel shall be considered a permanent extension of the lot to which it is added and shall not be removed except by approval of a new subdivision plan.

LOT AREA, GROSS – The total area contained within the lot lines of an individual lot, including area with street rights-of-way and easements.

LOT AREA, NET – The area contained within the lot lines of an individual lot, excluding any area within a street right-of-way, but including the area of any easement. Also referred to as “Lot Area”.

LOT LINES - The lines bounding a lot as described in the recorded title.

LOT OF RECORD – A lot which has been recorded in the Office of the York County Recorder of Deeds on a subdivision plan, deed, or other instrument of conveyance.

LOT WIDTH - The distance between the side property lines as measured along a continuous minimum front setback line. For corner lots, the distance between a side property line and a front property line as measured along a continuous front setback line.

MOBILE HOME - A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in 2 or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. Mobile homes shall be constructed in accordance with the Safety and Construction Standards of the U.S. Department of Housing and Urban Development. This term shall not include a "recreational vehicle"

MOBILE HOME LOT - A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MOBILE HOME PARK - A parcel or contiguous parcels of land which has been so designated and improved that it contains 2 or more mobile home lots for the placement thereon of mobile homes.

MODIFICATION - The granting of an exception to these regulations in accordance with Section 802.

MONUMENT – A concrete or stone marker used to identify specific points on a legal boundary line.

MPC – The Pennsylvania Municipalities Planning Code, Act of July 31, 1968 P.L. 805, No. 247, as reenacted and amended.

MUNICIPAL AUTHORITY - a body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945".

OWNER – See "Landowner"

PA DEP - Pennsylvania Department of Environmental Protection.

PA PUC – Pennsylvania Public Utility Commission.

PARCEL - Any tract or contiguous tracts of land in the same ownership and contained in the same deed. Land separated by an existing State or Township road shall be considered contiguous.

PERFORMANCE BOND – Financial security in the amount and form satisfactory to the Board of Supervisors which may be accepted in lieu of a requirement that certain improvements be completed prior to final plan approval, in accordance with the MPC.

PENNDOT – The Pennsylvania Department of Transportation.

PLAN -The map or drawing of a subdivision or land development, including all supplementary data. Plans are further classified as Sketch, Preliminary, or Final.

PLAN, SKETCH - An informal subdivision or land development plan, not necessarily to scale, indicating salient existing features of a tract and its surrounding and the general layout of the proposed subdivision or land development for discussion purposes only and not to be presented for approval.

PLAN, PRELIMINARY - A tentative subdivision or land development plan, in lesser detail than a final plan, showing the salient existing features of a tract and its surroundings and approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

PLAN, FINAL - A complete and exact subdivision or land development plan, prepared for official recording, to define property rights and proposed streets and other improvements.

PLANNING COMMISSION - The Planning Commission of Paradise Township.

PROFESSIONAL CONSULTANTS – Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects, and planners.

PROPERTY LINES – See “Lot Lines”

PUBLIC Owned, operated, or controlled by a government agency (Federal, State, County or Municipal including a corporation created by law for the performance of certain specialized governmental functions).

PUBLIC HEARING - A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action on zoning-related matters.

PUBLIC IMPROVEMENTS – The construction, extension, alteration, or improvement of public facilities which are offered for public dedication. Such improvements may include, but are not limited to: streets, traffic control devices, sanitary sewer systems, water supply systems, stormwater management facilities, street lights, sidewalks, and curbs.

PUBLIC MEETING - A forum held pursuant to notice under 65 Pa. C.S. CH. 7 (Relating to open meetings).

PUBLIC NOTICE- Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

PUBLIC SEWER A sanitary sewer system that is a public utility.

PUBLIC WATER A water supply system that is a public utility.

PUBLIC UTILITIES - Use or extension thereof which is operated, owned or maintained by a municipality or municipal authority or which is privately owned and approved by the Pennsylvania Public Utility Commission for the purpose of providing public sewage disposal, treatment, or both; public water supply, storage, treatment or any combination thereof; and/or electric, gas or oil generating or treatment facilities, supply works, substations, transmission lines, distribution lines.

RECEIVING AREAS – Areas of the Township or specific zoning districts in which transferable development rights may be attached to lots to permit the development of additional dwelling units.

RECREATIONAL VEHICLE – A vehicle that is built on a single chassis, designed to be self propelled or towed by a light-duty truck, and is designed not as a permanent dwelling but as temporary living quarters for recreation, travel, camping, or seasonal use.

RESIDUE TRACT – The portion of the original lot remaining after the subdivision of a new lot or lots from the original lot.

RESUBDIVISION - any subdivision or land development which has been approved by the Township which changes, or proposes to change property lines and/or public rights-of-way not in strict accordance with the approved plan.

RIGHT-OF-WAY - land opened for use as a street, alley or crosswalk.

RIGHT-OF-WAY LINE – See “Street Line”

SANITARY SEWER SYSTEM - a system of piping and appurtenances whether municipally or privately owned, designed for the collection and transmission of liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions to a wastewater treatment plant for treatment and discharge (not including septic tanks).

SCREEN, SCREENING - Evergreen and/or deciduous trees and bushes, walls, fences or earth berms of sufficient height and density to conceal from the view of property owners in adjoining districts, or on adjoining lots, the structures and uses on the premises on which the screen is located.

SENDING AREAS – Areas of the Township or specific zoning districts within which transferable development rights may be severed from lots.

SETBACK – The minimum required horizontal distance between a property line or street right-of-way line and a setback line.

SETBACK, FRONT – The minimum required horizontal distance between a street right-of-way line and the front setback line projected the full width of the lot.

SETBACK, REAR – The minimum required horizontal distance between a rear property line and the rear setback line projected the full width of the lot

SETBACK, SIDE – The minimum required horizontal distance between a side lot line and the side setback line projected from the front setback line to the side setback line.

SETBACK LINE – A line defining the minimum required horizontal distance between a property line or street right-of-way line and a building or structure.

SINGLE AND SEPARATE OWNERSHIP – The ownership of a lot by one or more persons which ownership is separate and distinct from that of any abutting or adjoining lot.

STORMWATER MANAGEMENT FACILITY – See “Drainage Facilities”

STREET - A public or private way, excluding driveways, which affords the principal means of access to abutting properties, intended to be used by vehicular traffic or pedestrians. Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other dedicated and accepted public right-of-way or private right-of-way.

Streets are further classified as follows:

- A. Arterial Street; Highway - A street or road which is used primarily for through traffic, including all roads classified by the Township Comprehensive Plan as arterial streets.
- B. Collector Street- A street which carries traffic from local streets to the major system of arterial streets, including but not limited the principal entrance streets of a residential development and all roadways identified in the Township Comprehensive Plan as collector streets.
- C. Cul-de-sac Street - A street with one end open for public vehicular and pedestrian access.
- D. Half or Partial Street - A street parallel and adjacent to a property line having a lesser right-of-way width than required for satisfactory improvement and use of the street.
- E. Local Street - A street which is used primarily for access to the abutting properties.
- F. Private Street - A street not offered for dedication to the Township or Commonwealth of Pennsylvania.
- G. Through Street – A street that continues in both directions until intersecting with another street.
- H. Service Drive or Alley - A minor street which is used primarily for vehicular service access to the back or the side of properties otherwise abutting a street.

STREET GRADE - the officially established grade of the street upon which a lot fronts or in its absence the established grade of other streets upon which the lot abuts at the midway of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

STREET LINE - the line defining the edge of a street right-of-way and separating the street from abutting property or lots. Also known as the "right-of-way line".

STRUCTURE - any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVIDER - any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land.

SUBDIVISION - the division or resubdivision of a lot, tract or parcel of land by any means into 2 or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted. The division of lots, tracts, or parcels of land along natural or manmade features such as roads, streets, bodies of water, etc., shall constitute a subdivision, which shall require Township approval as set forth herein.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE – The Paradise Township Subdivision and Land Development Ordinance.

SUBSTANTIALLY COMPLETED -Where, in the judgment of the Township engineer, at least 90% (based on the cost of the required improvements for which financial security was posted pursuant to Section 614) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

TOWNSHIP - Paradise Township, York County, Pennsylvania.

TOWNSHIP ENGINEER - a professional engineer licensed as such by the Commonwealth of Pennsylvania and employed by the Township or engaged as a consultant thereto.

THROUGH STREET –

TRANSFERABLE DEVELOPMENT RIGHT – The right to construct one residential dwelling that can be transferred from a lot in the sending area to a lot in the receiving area to permit additional density in the receiving area and to preserve open space in the sending area. Specific regulations are contained within the Zoning Ordinance.

UNDEVELOPED LAND - land in parcels sufficiently large for future land development which is presently in agriculture, woodland or lying fallow.

USE - The specific purpose for which land, a building or a structure is designed, arranged, intended, occupied or maintained.

USE, ACCESSORY - A use customarily incidental and subordinate to the principal use and located on the same lot with this principal use. An accessory use is not permitted on a lot without a principal use.

USE, PRINCIPAL - The main or primary use of property, buildings or structures.

WATERCOURSE - Any channel of conveyance of surface water having a defined bed and banks, whether natural or man-made, with permanent or intermittent flow such as a stream, river, creek, brook, run, or swale.

WATER SUPPLY SYSTEM - a system of piping and appurtenances whether municipally or privately owned, designed for the transmission and distribution of safe, potable water from a centralized water supply or source to residences, commercial buildings, industrial plants or institutions. (Not including individual on-lot wells.)

WAIVER - The granting of an exception to these regulations in accordance with Section 802.

ZONING ORDINANCE – The most recent edition of the Paradise Township Zoning Ordinance, including all amendments.

ARTICLE 3 – PROCEDURE

Section 301 Pre-application Consultation.

Copies of this Ordinance shall be available at reasonable charge on request for the use of any person who desires information concerning subdivision and land development standards and procedures in effect within Paradise Township. Any prospective applicant may request a meeting with the Township staff or Planning Commission to discuss and review tentative plans and discuss the applicability of the provisions of this Ordinance.

Section 302 Sketch Plan.

The applicant shall submit 5 copies of a Sketch Plan of the proposed development at least 14 days prior to the regularly scheduled Planning Commission meeting.

- A. A Sketch Plan will be considered for informal review and discussion only and shall not constitute formal filing of the plan with the Township.
- B. As far as may be practical on the basis of the Sketch Plan review and discussion, the Township will informally advise the applicant as promptly as possible to the extent to which the proposed land development conforms to this Ordinance and other applicable regulations and will discuss possible plan modifications necessary to secure conformance.

Section 303 Submission of Plans.

- A. Applications for approval of Preliminary and Final Plans for all proposed land developments lying within the Township shall be filed with the Township Secretary at least 30 days prior to a regularly scheduled Planning Commission meeting. Such submission of plans shall be accompanied by a fee as specified in Section 804
- B. The applicant shall submit the Preliminary and Final Plans drawn on mylar or other permanent drafting film along with 8 blue or black line paper prints, as well as 2 copies of the required supporting data. Plan and supporting data copies shall be sufficient in number to satisfy the requirements for plan referrals (Section 305). Preliminary and Final Plans shall comply with the requirements of Article 4.

Section 304 Minor Subdivision or Land Development Plans.

The initial plan filed with the Board of Supervisors shall be considered as a Preliminary Plan. However, in the event that a subdivision or land development plan, initially or cumulatively, subdivides a parcel existing on September 12, 1977 into 5 or fewer lots and involves no new streets or other public improvements, it shall be considered a Minor Plan. Minor Plans shall proceed directly to Final Plan preparation in compliance with the requirements of Section 403. The processing of a Minor Plan shall be consistent with the procedures for processing a Final Plan as required in Article 3.

Section 305 Referral of Plans.

All plans, whether Preliminary or Final, shall be forwarded by the Township Secretary to the Township Planning Commission for review and recommendation to the Township Supervisors. Where review by any of the following agencies is required, the applicant shall transmit copies of the plan for review and comment:

- A. To the York County Planning Commission, as required by Section 103 of this Ordinance.
- B. To the York County Conservation District for review and recommendations concerning erosion and sedimentation control.
- C. To each affected public utility.
- D. To the Township Engineer for review of engineering requirements.
- E. To the Pennsylvania Department of Transportation.
- F. To the Pennsylvania Department of Environmental Protection
- G. To the U.S. Army Corps of Engineers
- H. To any other agency affected by or having an interest in the plan

Section 306 Review of Plans.

All plans, whether Preliminary or Final, shall be reviewed by the Township Planning Commission with reference to the following:

- A. The standards, provisions and requirement of this Ordinance.
- B. Any proposals contained in the Township Comprehensive Plan, Sewage Facilities Act (Act 537), or other adopted plans.
- C. Site suitability for the particular type of development proposed.
- D. The availability for necessary services and facilities.
- E. The requirements of the Township Zoning Ordinance, Official Map, or other applicable Ordinance or Regulation.
- F. Any State Highway, either existing or proposed by the Pennsylvania Department of Transportation.
- G. Comments and recommendations received pursuant to plan referrals described in Section 305.
- H. Comments and recommendations of interested citizens.

Section 307 Public Hearings.

Before acting on any subdivision or land development plan, the Board of Supervisors may hold a public hearing thereon pursuant to public notice.

Section 308 Approval of Plans.

- A. At a scheduled meeting, the Board of Supervisors shall render its decision concerning the plan, whether Preliminary or Final, and communicate its decision in writing to the applicant within the time limits established by the MPC.
- B. Final Plan approval shall not be granted until such improvements as required by this Ordinance and shown on such Final Plan have been completed or alternative actions as specified in Article 6 have been taken.
- C. When the plan is not approved in terms as filed, the decision shall specify the defects found in the plan and describe the requirements which have not been met and shall, in each case, cite to the provisions of the statute or ordinance relied upon.

- D. The decision of the Board of Supervisors concerning plan approval, whether Preliminary or Final, shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address.
- E. If the approval of a plan is conditional, the applicant shall indicate acceptance of the conditions by signing a form listing the conditions imposed. If the applicant fails to accept the conditions of approval within 10 days of the date of the decision, the plan shall be automatically denied based on the ordinance provisions noted in the conditional approval letter. The conditions of approval shall be satisfied within 6 months of the date of the decision, unless the decision specifically notes otherwise. Failure to satisfy the conditions within the time specified shall constitute disapproval.
- F. Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required by the MPC shall be deemed as approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner or presentation of communication shall have like effect.

Section 309 Effect of Changes in this Ordinance.

Changes in this Ordinance shall affect plans as follows:

- A. From the time an application for approval of a plan, whether preliminary or final, is duly filed as provided in the Ordinance, and while such application is pending approval or disapproval, no change or amendment of this Ordinance, the Zoning Ordinance or other governing ordinance or plan shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.
- B. When an application for approval of a plan, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in this Ordinance, the Zoning Ordinance or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval.
- C. Where final approval is preceded by preliminary approval, the aforesaid five (5) year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of this Ordinance or the governing ordinance or plans as they stood at the time when the application for such approval was duly filed. The five-year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement or completion of the development, and for the duration of any sewer or utility moratorium or prohibition which was imposed subsequent to the filing of an application for preliminary approval of a plan. In the event of an appeal filed by any

party from the approval or disapproval of a plan, the five-year period shall be extended by the total time from the date the appeal was filed until a final order in such matter has been entered and all appeals have been concluded and any period for filing appeals or requests for reconsideration have expired. Provided, however, no extension shall be based upon any water or sewer moratorium which was in effect as of the date of the filing of a preliminary application

- D. Where the landowner has substantially completed the required improvements as depicted upon the final plan within the aforesaid 5 year limit, or any extension thereof as may be granted by the Board of Supervisors, no change of any ordinance or plan enacted subsequent to the date of filing of the preliminary plan shall modify or revoke any aspect of the approved final plan pertaining to zoning classification or density, lot, building, street or utility location.
- E. In the case of a preliminary plan calling for the installation of improvements beyond the 5 year period, a schedule shall be filed by the landowner with the preliminary plan delineating all proposed sections as well as deadlines within which applications for final plan approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plan approval, until final plan approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of the Board of Supervisors at its discretion.
- F. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of 25 percent of the total number of dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by the Board of Supervisors at its discretion. Provided the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plan approval, including compliance with landowner's aforesaid schedule of submission of final plans for the various sections, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plan within 5 years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said 5 year period the aforesaid protections shall apply for an additional term or terms of 3 years from the date of final plan approval for each section.
- G. Failure of landowner to adhere to the aforesaid schedule of submission of final plans for the various sections shall subject any such section to any and all changes in this Ordinance, zoning, and other governing ordinance enacted by the Township subsequent to the date of the initial preliminary plan submission.

Section 310 Effect of Preliminary Plan Approval.

- A. Approval of the Preliminary Plan by the Board of Supervisors constitutes conditional approval of the development as to the character and intensity of development, the general layout, and the approximate dimensions of streets, lots, and other planned features. This approval binds the applicant to the general scheme shown on the Preliminary Plan.
- B. Approval of the Preliminary Plan shall not constitute approval of the Final Plan, nor does it authorize recording of the Preliminary Plan or the sale of any lots, however, such

approval does authorize the applicant to proceed with the preparation of the Final Plan, installation and construction of improvements and/or the posting of a bond guarantee as specified in this Ordinance.

- C. Submission of a Final Plan shall take place within 5 years after the approval of the Preliminary Plan of the Township. If the applicant does not submit a Final Plan during that time the approved Preliminary Plan becomes null and void.

Section 311 Effect of Final Plan Approval.

- A. Approval of the Final Plan by the Board of Supervisors constitutes final approval of the subdivision or land development as to the character and intensity of development, the layout, and the dimensions of streets, lots or other planned features. This approval binds the applicant to the scheme shown on the Final Plan.
- B. The recording of the Final Plan must be accomplished before the applicant can proceed with the sale of any lots or the construction of buildings or structures.

Section 312 Recording of Final Plan.

- A. Upon approval of the Final Plan, the plan shall be recorded in the office of the Recorder of Deeds of York County in the manner and within the time limit specified in the MPC.
- B. The recording of the Final Plan shall not constitute grounds for tax assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plan.

Section 313 Resubdivision.

For any replatting or resubdivision of land, the same procedures and regulations apply as prescribed for any original subdivision.

Section 314 Lot Add-Ons.

Lot add-ons shall be permitted for the purposes of straightening lot lines and conveying parcels of property between existing lots. Plans for the sole purpose of performing a lot add-on may be submitted as a Minor Subdivision Plan in accordance with Section 304.

- A. The parcel to be conveyed must be contiguous to the lot to which it will be added and shall be considered a permanent addition.
- B. The lots resulting from the add-on shall comply with all dimensional requirements of the Zoning Ordinance.
- C. No new lots shall be created
- D. The applicant shall submit a copy of the deeds to be recorded for the two resultant lots. The deed for the enlarged lot shall provide a description which reflects the proposal to permanently join the add-on parcel to the existing lot

ARTICLE 4 - PLAN REQUIREMENTS

Section 401 Sketch Plan Requirements.

- A. General Requirements for Sketch Plans. The Sketch Plan may be a free-hand drawing and should be accompanied by an application for Subdivision and Land Development Approval. A Sketch Plan need not be drawn to exact scale nor are precise dimensions required.
- B. Sketch Plan Requirements for a Land Subdivision or a Mobilehome Park. The Sketch Plan for either a Land Subdivision or a Mobilehome Park should show the following:
 - 1. Name and address of developer, name of municipality, title, north arrow, date and approximate scale.
 - 2. Existing tract boundaries.
 - 3. Location map showing relation of the land development to the surrounding area and community.
 - 4. Existing and proposed streets, easements and rights-of-way.
 - 5. Proposed general lot layout.
 - 6. Number of acres in tract, average lot size, approximate number of lots, existing zoning, anticipated type of development, and any variances or special exceptions that have been granted.
 - 7. All public reservations such as schools, parks, etc.
 - 8. Topography of tract or sketch showing existing drainage patterns and slope directions.
 - 9. Any flood-prone or flood plain, or wetland areas.

Section 402 Preliminary Plan Requirements.

- A. The Preliminary Plan shall be clearly and legibly drawn on linen, reproducible mylar or another permanent drafting film approved by the Township Engineer. The plan shall be prepared on one or more sheets uniformly measuring 24" x 36". Plans shall be drawn to a scale of 10, 20, 30, 40, 50, or 100 feet to the inch. The scale used shall be the largest that will reasonably fit on the plan sheets.
- B. All Preliminary Plans shall show the following:
 - 1. Title block, preferably in the lower right-hand corner of each sheet, containing the name of the subdivision or land development, name of the municipality, name and address of the owner of record of the property or his authorized agent, source of title, name and address of the person or firm responsible for preparing the plan, graphic scale, written scale, the plan date and the date(s) of all plan revisions.
 - 2. North point indicating direction to the north.
 - 3. A location map, at a scale of not less than 2,000 feet to the inch, showing the proposed development and adjoining areas. Such map shall show sufficient

information to enable Township officials to locate the proposed land development such as (but not limited to) the boundaries of the tract, any existing and proposed roads, and any municipal boundaries.

4. The entire existing tract boundaries with bearings and distances and existing and proposed corner and line monuments.
5. The names of owners of immediately adjacent unplatted land and the names and recording information of proposed or existing land developments immediately adjacent.
6. Existing contours at vertical intervals of one foot or less for land with an average natural slope of 10 percent or less; at vertical intervals of 5 feet for land with average natural slope over 10 percent. Contours shall be accompanied by a notation indicating the datum to which contour elevations refer along with at least one benchmark.
7. Location of all existing watercourses, flood hazard areas, wetlands, tree masses, rock outcrops, soil types, features regulated by the Environmental Overlay Zoning District, and other significant natural features within or adjacent to the tract.
8. Location, name, right-of-way width and cartway width of all existing streets, driveways, and service streets within or adjacent to the tract, including those streets that are preliminarily approved or recorded but unimproved.
9. Location of all existing buildings, sewers, water mains, stormwater management facilities, culverts, petroleum lines, gas lines, electric transmission lines, fire hydrants, historic structures and resources regulated by the Historic Overlay Zoning District, and all other man-made features within or adjacent to the tract.
10. Location and width of all existing easements and rights-of-way within or adjacent to the tract. The grantee and purpose for which the easements or rights-of-way have been established must be noted.
11. Identification of existing features to be removed.
12. Layout of proposed lots, approximate dimensions of lot lines, approximate size of each lot, proposed building setback lines, and building locations.
13. Lot numbers shall be used to identify each lot. Land which has been previously subdivided shall be numbered consecutively and not contain the same lot numbers used in the prior subdivisions.
14. Location, names, cartway width, and right-of-way width of all proposed streets and location and width of the future right-of-way required for the expansion of existing streets.
15. Typical cross-sections for proposed streets showing construction materials and specifications.
16. The point of access of driveways on corner lots.
17. Clear sight triangles at each street intersection and each proposed driveway intersection with a street or another driveway.

18. Location, width and purpose of all proposed easements and rights-of-way.
 19. Location, dimensions, and purpose of areas to be dedicated or reserved for public and semi-public uses or to be reserved for common use of all property owners and/or tenants in the land development.
 20. The size and location of proposed water mains, sanitary sewers, and stormwater management facilities. If on-site water and sewer systems are proposed, the location of the proposed well and/or sewage disposal system. For on-lot sewage disposal systems, all perc test and probe locations, including those for the primary and reserve areas, must be shown and satisfactory test sites must be identified.
 21. The sections or phases, if any, to be followed in the construction of the land development. The phasing plan shall comply with Section 309.D.
 22. Table of site and development data including statements of total acreage of the entire existing tract, proposed use of the property, and existing zoning classification, density, number of proposed lots, proposed minimum lot size, type of water supply and sewage disposal facilities proposed and lineal feet of new streets proposed. If the property is proposed to be used for residential purposes, the number of proposed dwelling units shall also be listed.
 23. Certificate, signature, and seal of the registered professional surveyor that the survey within the plan is correct. Certificate, signature and seal of the registered professional surveyor, engineer, or landscape architect that prepared the plan that all other information of the plan is correct.
 24. The owner's signature and notarized statement to the effect that the applicant is or represents the owner of the land proposed to be developed and that the land development shown on the Preliminary Plan is made with owner's free consent.
 25. All existing restrictions shall be referenced on the plan. If there are no such restrictions, a note shall be added to the plan stating such. If the developer proposes to impose new restrictions on future lot owners by deed restrictions, or covenants, the text of such provisions shall be shown on the plan, or shall accompany the plan if such text is too lengthy to place on the plan. In either event, a note shall be placed on the plan referencing such restrictions. Provision for signatures by the Township Planning Commission indicating their review of the plan (5 spaces for signatures and 1 space for review date).
 26. Provision for signature by the Township Engineer indicating his review of the plan (1 space for Engineer's signature, 1 space for review date).
 27. Provision for signatures by the Township Supervisors indicating their approval of the plan (3 spaces for signatures and 1 space for approval date).
 28. Notice that a highway occupancy permit is required pursuant to S.420 of the Act of June 1, 1945 (P.L. 1242, No. 428) known as the "State Highway Law" for access to highways under Pennsylvania Department of Transportation jurisdiction.
- C. The following certificates and data shall accompany a Preliminary Plan:
1. Application for Subdivision or Land Development approval.

2. Filing fees (see Section 804).
3. Hydrogeologic Study (See Section 511.B.2)
4. A DEP Planning Module for Land Development as required by the Pennsylvania Department of Environmental Protection.
5. A water supply report (See Section 512.B.2)
6. Water Supply: If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Board of Supervisors that the subdivision is to be supplied by a certified 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 certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable.
7. Proof of any variances, special exceptions, or conditional uses which may have been granted.
8. Where proposed development covers only a part of the developer's entire tract, a Sketch Plan shall be submitted of the prospective development for the remainder of the tract. Such Sketch Plan shall be prepared in accordance with Section 401 of this ordinance.
9. Centerline profiles for each proposed street showing complete vertical geometry including lengths of vertical curves, grades and centerlines of intersecting streets and existing (natural) centerline grades and grading cross sections.
10. Horizontal and vertical alignment for each proposed sanitary sewer, storm sewer and water distribution system. Information on manhole locations, size and type of material to be utilized and drainage calculations shall be submitted. Storm sewer plan and profile and sanitary sewer plan and profile shall also be submitted.
11. Preliminary engineering designs of any proposed bridges or culverts. These designs shall be in sufficient detail for public bid contract construction.
12. A plan for the surface drainage of the subdivision or land development. Such plan shall include stormwater run-off calculations and a drawing of present and proposed grades and facilities for accommodating the anticipated run-off in accordance with the requirements stated in the Paradise Township Stormwater Management Ordinance.
13. Whenever a land development plan proposes to dispose of stormwater runoff on to an adjacent property not within a natural watercourse or in a manner which exceeds the capability of a natural watercourse, approval of the affected owners shall be obtained and submitted with the land development plan after they have reviewed the required surface drainage plan.
14. Where the land included in the proposed development plan has an electric transmission line, a gas pipeline, or a petroleum or petroleum product transmission line located within the tract, the plan shall be accompanied by a

letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement which shall contain the above data.

15. In the event that the plans propose the use of utility or other services extending from another municipality, a statement or certificate indicating that the proposal has been reviewed by the municipality or municipal authority.
16. A plan for the control of erosion and sedimentation along with evidence of any required approvals of the York County Conservation District.
17. Copies of all required permits, or pending applications for such permits, and related documentation from the Department of Environmental Protection, and any other Commonwealth or federal agency, where any alteration or relocation of a stream, watercourse or wetland is proposed. In addition, documentation shall be submitted indicating that all affected adjacent municipalities have been notified of the proposed alternation or relocation.
18. An agreement that the applicant will install all underground utilities (if required) before paving streets and/or constructing sidewalks.
19. Other certificates or data as may be required by this Ordinance, or any other Township ordinance or regulation, must be submitted prior to Preliminary Plan approval, if requested by the Township Supervisors.
20. A traffic impact study, prepared in accordance with Section 517.
21. Approval of proposed street names by the US Postal Service and York County 911.
22. Subdivision plans for land within the Agricultural Zoning District shall provide the information required by Section 404.B.5 of the Zoning Ordinance.
23. A plan that proposes to use Transferable Development Rights shall include all necessary information to demonstrate compliance with Section 1337 of the Zoning Ordinance.
24. A plan that proposes a Conservation Development, as defined by the Zoning Ordinance, shall include all necessary information to demonstrate compliance with Section 1310 of the Zoning Ordinance.

Section 403. Final Plan Requirements

- A. The Final Plan shall be clearly and legibly drawn on linen, reproducible mylar or another permanent drafting film approved by the Township Engineer. The plan shall be prepared on one or more sheets uniformly measuring 22" x 36". Plans shall be drawn to a scale of 10, 20, 30, 40, 50, or 100 feet to the inch. The scale used shall be the largest that will reasonably fit on the plan sheets.
- B. All Final Plans shall show the following:
 1. Title block containing the name of the subdivision or land development, name of the municipality, name and address of the owner of record of the property or his authorized agent, name and address of the person or firm responsible for

Preparing the plan, written scale, graphic scale, the plan date and the date(s) of all plan revisions.

2. North point indicating direction to the north.
3. A location map, at a scale of 2,000 feet to the inch, showing the proposed development and adjoining areas. Such map shall show sufficient information to enable Township officials to locate the proposed land development such as (but not limited to) the boundaries of the tract, any existing and proposed roads, and any municipal boundaries.
4. The entire existing tract boundaries and proposed lot lines with bearings to the nearest second and distances to the nearest one hundredth (.01) of a foot. The error of closure for the existing tract shall not exceed one foot in 10,000 feet.
5. The name of owners of adjacent unplatted land and the names and recording information of proposed or existing land developments adjacent.
6. Existing significant natural or man-made features within or adjacent to the tract. All natural or man-made features, includes watercourses, flood hazard areas, wetlands, tree masses, soil types, buildings, sewer mains, water mains, culverts, gas lines, petroleum lines, and electric transmission lines.
7. Location, width, descriptions, and purpose of all existing and proposed rights-of-way and easements.
8. For all street rights-of-way and property lines, dimensions, bearings or deflection angles of all straight lines and radii, arcs and central angles of all curves. Dimensions shall be in feet and hundredths of a foot. Bearings shall be in degrees, minutes and seconds for all street rights-of-way, driveways, and property lines. The location, bearing and length of every proposed property line shall be based upon survey data and shall be certified to the same by the Surveyor responsible for the plan. The error of closure shall not exceed one foot in 10,000 feet.
9. Lot numbers shall be used to identify each lot. Land which has been previously subdivided shall be numbered consecutively and not contain the same lot numbers used in the prior subdivisions. Lot numbers shall be in conformity with the approved Preliminary Plan.
10. Status of plans which involve previously subdivided land shall be titled as "Revised Final Subdivision of ...".
11. All existing streets, driveways, and service drives on, and adjacent to any part of the tract, including name, right-of-way width and roadway width.
12. The point of access of driveways on all lots.
13. Clear sight triangles at each street intersection and each proposed driveway intersection with a street or another driveway.
14. Offer of dedication of land for the widening of existing streets and the location of the future right-of-way line for existing streets.

15. Primary control points, or descriptions and ties to such control points to which all dimensions, angles, bearings, and similar data on the plan refer.
16. Location of permanent reference monuments and markers.
17. Certification, with seal, to the effect that the survey and plan are correct, by the registered professional surveyor responsible for preparing the plan.
18. Existing contours at vertical intervals of one foot or less for land with an average natural slope of 10 percent or less; at vertical intervals of 5 feet for land with average natural slope over 10 percent. Contours shall be accompanied by a notation indicating the datum to which contour elevations refer along with at least one benchmark.
19. Layout of proposed lots, size of each lot and building setback lines on all lots.
20. Location and width of all proposed street rights-of-way and names of all proposed streets.
21. Typical cross-sections for proposed streets.
22. Location, dimensions, and purpose of areas to be dedicated or reserved for public and semi-public uses to be reserved for common use of all property owners and/or tenants in the land development.
23. If streets, parks or other areas or portions of them are to be dedicated to the Township, a note stipulating that the legal means of conveyance shall be dedicated.
24. Table of site and development data, including statements of total acreage of the entire existing tract, proposed use of the property and existing zoning classification, density, number of proposed lots, proposed minimum lot size, type of water supply and sewage disposal facilities proposed and lineal feet of new streets proposed. If the property is proposed to be used for residential purposes, the number of proposed dwelling units shall also be listed.
25. For on-site water supply, proposed well locations. For on-site sewage disposal system, the location of all perc tests and probes must be shown and satisfactory tests identified.
26. Location, size and invert elevation of all proposed water mains, sanitary sewers, and stormwater management facilities, and the location of all manholes, inlets and culverts.
27. Identification of existing features to be removed.
28. Location and general exterior dimensions of principal and accessory buildings.
29. Location and dimensions of vehicular entrances, exits, driveways, access barriers, acceleration and deceleration lanes.
30. Location, arrangement and dimensions of parking spaces, width of aisles, width of bays and angle of parking.
31. Location and dimensions of pedestrian entrances, exits and walks.

32. Location, arrangement and dimensions of truck loading and unloading spaces and docks.
33. Location, dimensions and materials of walls, fences, buffers, screen plantings and landscaped areas.
34. Location and dimensions of unenclosed storage areas and screening (if applicable).
35. Location, size, height and orientation of all signs other than signs attached flush to building facades.
36. Location and dimensions of all other proposed facilities and structures.
37. Finished grades, slopes and banks.
38. The sections or phases, if any, to be followed in the construction of the land development.
39. The owner's signature and notarized statement to the effect that the applicant is or represents the owner of the land proposed to be developed and that the Land Development shown on the Final Plan is made with his or their free consent and that it is desired to record the same.
40. All existing restrictions shall be referenced on the plan. If there are no such restrictions, a note shall be added to the plan stating such. If the developer proposes to impose new restrictions on future lot owners by deed restrictions, or covenants, the text of such provisions shall be shown on the plan, or shall accompany the plan if such text is too lengthy to place on the plan. In either case, a note shall be placed on the plan referencing such restrictions.
41. No plan which will require access to a highway under the jurisdiction of the PA Department of Transportation shall be finally approved unless the plan contains a notice that a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law", before driveway access to a State highway is permitted.
42. Provision for signature by the Township Engineer indicating his review of the plan (1 space for Engineer's signature, 1 space for review date).
43. Provision for signatures by the Township Planning Commission indicating their review of the plan (5 spaces for signatures and 1 space for review date).
44. Provision for signatures by the Township Supervisors indicating their approval of the plan (3 spaces for signatures and 1 space for approval date).
45. Provisions for proof that the York County Planning Commission has reviewed the plan, or that thirty (30) days have transpired as noted in Section 103 of this Ordinance.
46. Provision for the recording information from the York County Courthouse Recorder of Deeds.
47. Any Final Plan not preceded by a Preliminary Plan shall comply with Section 402

- C. Final Plan Requirements for a Mobilehome Park: In addition to the requirements of Sections 403.(A) and 403.(B), the Final Plan for a Mobilehome Park shall show the requirement set forth in Part 7.
- D. The Final Plan shall be accompanied by the following certificates and data:
1. Application for subdivision or Land Development approval.
 2. Filing fee and recording (see Section 804).
 3. Proof of any variances or special exceptions which may have been granted.
 4. Corrected and updated from the Preliminary Plan, all detailed drawings and specifications for improvements shall be submitted.
 5. Certification from the owner/developer that if the proposed development is to utilize on-lot disposal systems, the owner/developer is aware, or will make aware to prospective buyers, that all new construction of septic systems will become a part of the Paradise Township On-Lot Management District and will fully comply with the requirements set forth in the Paradise Township On-Lot Management District Ordinance.
 6. Where the land included in the proposed development plan has an electric transmission line, a gas pipeline, a water transmission line, or a petroleum or petroleum product transmission line located within the tract, the plan shall be accompanied by a letter from the owner or the lessee of such right-of-way stating any condition on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement which shall contain the above data.
 7. Whenever a Land Development Plan proposes to dispose of stormwater runoff onto an adjacent property not within a natural watercourse or in a manner which exceeds the capability of a natural watercourse, a letter from the affected property owners stating their approval of the proposal after they have reviewed the required surface drainage plan.
 8. Certification from the Township Engineer that the developer has installed all improvements to the specifications of this Ordinance and any conditions attached by the Township Supervisors or certification from the Township Solicitor that the developer has posted an improvement bond or other accepted security in an amount sufficient to assure completion of all improvements, or in the case of a minor land development made sufficient in lieu of improvements fee payment.
 9. An approved DEP Planning Module for Land Development as required by the Pennsylvania Department of Environmental Protection.
 10. Where a public water supply is proposed, evidence that the subdivision or land 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.

11. In the event that the Plan proposes the use of utilities or other services from another municipality, a statement or certificate indicating that the proposal has been reviewed and approved by the municipality or authority concerned.
12. A plan for the control of erosion and sedimentation along with a letter of approval from the York County Conservation District indicating concurrence with the proposed method of controlling sedimentation and erosion must be submitted.
13. Final engineering designs of any proposed bridges or culverts.
14. A plan for the surface drainage of the land development. Such plan shall include stormwater run-off calculations and a drawing of present and proposed grades and facilities for accommodating the anticipated run-off in accordance with the requirements stated in the Paradise Township Stormwater Management Ordinance. Where the Final Plan is preceded by an approved Preliminary Plan accompanied by this surface drainage information, it need not accompany the Final Plan, unless changes between the Preliminary Plan and Final Plan necessitate revisions to the stormwater plan or facilities.
15. Copies of all required permits, or pending applications for such permits, and related documentation from the Department of Environmental Protection, and any other agency, where any alteration or relocation of a stream, watercourse or wetland is proposed. In addition, documentation shall be submitted indicating that all affected adjacent municipalities have been notified of the proposed alteration or relocation.
16. Notation that any development proposed within flood-prone or flood plain areas shall be in compliance with the provisions of this Ordinance and the floodproofing specifications as outlined in Chapter 8 of the Paradise Township Code of Ordinances. or other regulations.
17. Offers of dedication and/or reservation of land for public purposes.
18. An agreement that the applicant will install all underground utilities (if required) before paving streets and/or construction sidewalks.
19. If a Final Plan for a land development other than a major land subdivision covers only a part of the developer's entire tract, a Sketch Plan shall be submitted of the prospective development for the remainder of the tract. Such Sketch Plan shall be prepared in accordance with Section 401 of this Ordinance. However, if the Final Plan is for a minor land subdivision, this requirement shall be waived if the developer certifies that the Final Plan constitutes the entire extent of his development intentions.
20. Other certificates or data as may be required by this Ordinance, any other Township ordinance or regulations, or such certificate or data as may be required by the Township Supervisors upon the recommendations of review agencies must be submitted prior to Final Plan approval if requested by the Township Supervisors.
21. Subdivision plans for land within the Agricultural Zoning District shall provide the information required by Section 404.B.5 of the Zoning Ordinance.

22. A plan that proposes to use Transferable Development Rights shall include all necessary information to demonstrate compliance with Section 1337 of the Zoning Ordinance.
23. A plan that proposes a Conservation Development, as defined by the Zoning Ordinance, shall include all necessary information to demonstrate compliance with Section 1310 of the Zoning Ordinance.

ARTICLE 5 - DESIGN STANDARDS

Section 501 Application of Standards.

- A. The following subdivision and land development principles, standards and requirements will be applied by the Township in evaluating plans for proposed land developments.
- B. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, and general welfare.
- C. The Board of Supervisors may permit modifications of the standards and requirements of this Ordinance in accordance with Section 802.

Section 502 Location of Site.

All subdivision and land development plans must reflect a location which has given consideration to the following factors:

- A. The location of the subdivision or land development must conform to the Township Comprehensive and Act 537 Plans with respect to streets, public sites and proposed utilities.
- B. The proposed use of the land in any subdivision or land development must conform to the Township Zoning Ordinance.
- C. Land subject to hazards of life, health, or property as may arise from fire, floods, disease, excessive noise, falling aircraft, or considered uninhabitable for other reasons may not be developed unless the hazards have been removed or the plans show adequate safeguards against them.
- D. A subdivision or land development must be coordinated with existing subdivisions or land developments in the neighborhood so that entire area may be developed harmoniously.

Section 503 General Design Standards for Sites

In the layout of any subdivision or land development, attention must be focused on conditions which can affect development. These can include the following:

- A. The subdivision or land development shall preserve trees, groves, waterways, scenic points, historic spots and other community assets and landmarks on the basis of Township determination.
- B. In a tract containing slopes of 15% or greater, such factor must be considered in the plan for subdivision or land development. See Article 10 of the Zoning Ordinance for additional regulations.
- C. Land subject to flooding or other hazards to life, health, or property and land deemed to be topographically unsuitable shall not be platted for residential occupancy or for such other uses as may increase danger to health, life or property or aggravate erosion or flood hazard until all such hazards have been eliminated or unless adequate safe-guards against such hazards are provided by the land development plans. Such land within the

development shall be set aside on the plan for uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions. Where flooding is known to have occurred within the area shown on the plan, such area shall be clearly marked "subject to periodic flooding". Any building erected in any designated flood plain area as specified by engineering data regarding the "100 year flood", shall meet the flood proofing specifications as outlined by Chapter 8 of the Paradise Township Code of Ordinances.

Section 504 Street Systems - General

All streets proposed to be constructed within the Township shall conform to the following general design requirements:

- A. Proposed streets shall be planned with regard to the existing street system, public convenience in terms of fire protection and pedestrian traffic, probable volumes of traffic, existing and proposed use of land on abutting properties and future extensions of the street system.
- B. Residential streets shall be so laid out as to discourage through traffic; however, the arrangement of streets shall provide for continuation of existing or platted streets and for proper access to adjoining undeveloped tracts suitable for future development.
- C. Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites.
- D. The streets must be properly located and designed with regard to the proposed traffic functions, including the minimizing of through-traffic on local streets and the protection of major street capacities from excessive marginal access.
- E. The arrangement, character, extent, width, grade, and location of all streets and highways must conform to any applicable Township or County Comprehensive Plan or Official Map.
- F. All subdivisions of 10 or more dwelling units shall have 2 means of ingress and egress.

Section 505 Street Design

- A. Width - Minimum street widths shall be as follows:

Classification	Right-of-Way Width	Minimum Cartway Width
Arterial	As per PennDOT Requirements	
Collector	60'	36'
Local	50'	32'
Service Drive or Alley	20'	16'
Permanent Cul-de-sac	50'	32'

- B. Exceptions to Width Requirements. Provisions for additional street width and right-of-way must be required when determined to be necessary as a part of the Comprehensive Plan.
- C. Existing Road Frontage Along Street of Improper Right-of-Way Width. In the case of a plan for land development (including subdivision) fronting on an existing public street of improper right-of-way width, the developer shall be asked to provide dedication of land for widening the existing right-of-way to meet the minimum right-of-way

standards as specified in Section 505.A. Any dedication of right-of-way will be measured from the centerline of the existing roadway.

1. In the event the developer is unwilling to make a dedication of a right-of-way, when requested, one-half the width of the minimum right-of-way standards specified in Section 505.A shall be added to the minimum setbacks required along the existing public street. In these instances, setbacks shall then be measured from the centerline of the existing roadway.
 2. For all plans for land development (including subdivision) in which any of the property fronts on an existing or proposed public street, the developer shall be required to improve the portion of the roadway on which the proposed development fronts to meet the minimum roadway standard as specified in this Ordinance. This includes shoulders, embankment, gutter, berms, and/or curbing, for the entire road width for the entire length of road frontage along the highway. The Board of Supervisors in lieu of requiring such improvements at the time of subdivision or land development may accept the payment of a uniform lineal footage fee to be established by the Township by resolution. Said fee shall be placed in a Highway Capital Improvement Fund.
- D. Dead End Streets. Dead end streets are prohibited, but may be permitted upon Township approval, for the purpose of allowing for future street extension. In this case temporary cul-de-sacs must be constructed, on the land of the developer, with an all weather turnaround of the same radius as that which would be required for a permanent street, the turnaround to be removed when the street is continued.
- E. Cul-de-sac Streets. Cul-de-sacs shall be a minimum of 250 feet in length. They should in general not exceed 500 feet in length unless topographic conditions and/or tract shape warrant an increase that is approved by the Township. They must be provided with a paved turnaround with a minimum diameter of 80 feet to the outside curb or edge of cartway and 100 feet to the legal right-of-way. The length of the cul-de-sac street shall be measured from the center of the turnaround to the point of intersection of the centerline of the cul-de-sac street and the right-of-way line of the first intersecting through street. A snow storage easement measuring 20 feet by 20 feet shall be provided at the end of the cul-de-sac. The easement area shall be graded away from the road and shall drain to the stormwater management system.
- F. Half Streets. New half or partial streets are permitted only where the developer obtains agreement in writing from the adjoining property owner to dedicate and improve as required the other half of the street at such time as the adjoining property is developed and where essential to reasonable development of a tract in conformance with the other requirements and standards of these regulations. Half streets will also be permitted where needed to complete existing half streets.
- G. Private Streets or Roads. Private streets and roads are discouraged. When permitted, they shall conform to the specifications and requirements of public streets as specified in this Ordinance.
- H. Curves. Where connecting straight street lines deflect from each other, the lines must be connected with a true, circular curve. The minimum radius of the centerline for the curve must be as follows:

Type of Street	Minimum Radius
Arterial	500'
Collector	300'
Local	200'

Straight portions of the street must be tangent to the beginning or end of curves. Except for local streets there must be a tangent of at least 100 feet between reverse curves. For curves on arterial streets, proper superelevation must be provided as required by the Township and the Pennsylvania Department of Transportation.

I. Vertical Curves. Changes in grade shall be joined by parabolic vertical curves of sufficient length to permit the sight distances listed in Section 505.L.

J. Grades. The grades of streets must meet the following requirements:

Street Classification	Maximum Grade	Minimum Grade
Arterial	6%	1%
Collector	7%	1%
Local Streets	12%	1%
Cul-de-sac turnaround	5%	1%
Alleys or Service Drives	14%	1%

K. Crown. The slopes of the crown on local and collector streets shall be at least ¼ inch per foot but not more than ½ inch per foot.

L. Sight Distances. Proper sight distance must be provided with respect to both horizontal and vertical alignment. Measured along the centerline, three and one-half (3.5') feet above grade, the minimum sight distance must be as follows:

Type of Street	Sight Distance
Arterial	400'
Collector	200'
Local	200'
Cul-de-sac	200'

M. Slope of Banks. Measured perpendicular to the street centerline may not exceed 3 to 1 for fills, or 2 to 1 for cuts. Such slopes shall be suitably planted with perennial grasses or other vegetation to prevent erosion.

Section 506 Intersection Design

A. Angle of Intersections. Intersections must be as nearly at right angles as possible. However, in no case should they deviate from the standards below:

	Type of Intersection				
	Arterial with Arterial	Arterial with Collector	Collector with Collection	Collector with Local	Local with Local
Angle of Intersection of Street Centerlines	90°	75-105°	75-105°	75-105°	75-105°

- B. Intersection Grades. Intersection must be approached on all sides by level areas. These level areas must have a minimum length of 50 feet (measured from the intersection of the centerlines) within which no grade may exceed a maximum of 4%.
- C. Intersection Curve Radii. Design of curb or edge of pavement must take into account such conditions as types of turning vehicles, likely speeds of traffic, angle of turn, number of lanes, and whether parking is permitted; but curb or edge of pavement radii must not be less than the following:

Type of Intersection	Minimum Simple Curve Radii of Curb or Edge of Pavement
Arterial with Arterial	40 ft. or more, as determined after consultation with Pennsylvania Department of Transportation
Arterial with Collector and Local	35 feet
Collector with Collector	30 feet
Collector with Local Street	25 feet
Local Street with Local Street	20 feet

Three-centered compound curves equivalent to the above minimum simple curves are permitted and encouraged where applicable. Radius corners or diagonal cutoffs must be provided on the property lines substantially concentric with, or parallel to the chord of the curb radius corners.

- D. Clear Sight Triangles. Clear sight triangles of 75 feet (150 feet for Arterial Streets) measured along street centerlines from their points of junction shall be provided at all intersections and no buildings, structure, grade or planting higher than 3 feet above the centerline of the street shall be permitted within such sight triangles.
- E. Sight Distance. Sight distance shall be provided at all intersections in accordance with the PennDOT Design Manual, Part 2, Highway Design, Publication 13M, including any subsequent updates or amendments.
- F. Distance Between Intersections. The distance between intersections shall be measured from centerline to centerline and along the centerline of the through street. The distance shall be in accordance with the following:

Through Street --- Intersecting Street	Type of Intersection				
	Arterial --- Arterial	Arterial --- Collector or Local	Collector --- Collector	Collector --- Local	Local --- Local
Minimum Distance Between Intersections	800'	800'	600'	500'	500'
Minimum separation for streets not in alignment with a street on the opposite side of a through street	Must be in alignment with planned or proposed streets entering from opposite side.			200'	200'

G. Multiple Intersections. Multiple intersections shall be prohibited.

Section 507 Other Street Provisions

- A. Service drives or alleys. Service drives and alleys are encouraged to be used where appropriate. As described within the Zoning Ordinance, alleys are especially encouraged and appropriate within the V zoning district. Alleys shall generally be privately owned and maintained. If proposed for public dedication, they shall meet all requirements for liquid fuels funds.
- B. Dead End Service Drives or Alleys. Where service drives or alleys dead end, they must be provided with a paved circular or T-style turnaround.
- C. Access. Streets shall be laid out to provide access to all lots and to adjacent undeveloped areas, and the developer shall improve these streets to the limits of the development. All street stubs or future right-of-way areas provided in anticipation of future development on an adjacent undeveloped area shall be utilized and continued when the land develops in the future.
- D. Driveways.
 - 1. For each frontage, a lot may have driveways as indicated below. Multiple driveways along a frontage shall be located at least 100 feet from each other, measured centerline to centerline. Each lot shall have a maximum of two driveways.
 - a. Frontage less than 200 feet – 1 driveway
 - b. Frontage 200 feet or greater – 2 driveways
 - 2. When a lot has frontage on more than one street, principal access shall be from the street of lesser classification or the street that provides the safest ingress and egress.
 - 3. Driveways shall be set back the following minimum distances:
 - a. 40 feet from the right-of-way line of an intersecting street on the same side of the road.
 - b. 3 feet from all property lines.
 - c. 5 feet from a fire hydrant

4. Driveways shall not be located within the clear sight triangle of an adjacent intersection.
5. Driveways shall comply with the sight distance requirements of PA Code Title 67, Chapter 441.
6. A driveway that intersects with a state-owned roadway shall require a PennDOT Highway Occupancy Permit.
7. The minimum angle between the centerline of the driveway and the street shall not be less than sixty-five (65) degrees nor more than one hundred and fifteen (115) degrees.
8. Where a driveway enters a bank through a cut, the shoulders of the cut may not exceed 2:1 in slope.
9. The portion of any driveway located in the road or street right-of-way shall be constructed to the same specifications as Township Roads (Section 602). A drainage pipe placed under a driveway along any Township Road shall be of sufficient size to convey stormwater, as approved by Township Engineer.
10. Driveways for Single Family dwellings.
 - a. Driveways shall be at least 12 feet in width and shall not exceed 20 feet in width at the right-of-way line.
 - b. Driveways shall be paved a minimum of 15 feet from the edge of the street cartway and shall be designed to keep stones and other driveway material off of the street.
 - c. Driveways that enter a street other than a minor street shall be designed and constructed with adequate turnaround area so that vehicles may enter the street in a forward direction.
 - d. Driveways shall not exceed 8% slope within 25 feet of the right of way line.
 - e. Each dwelling shall be provided with its own driveway. Shared driveways shall not be permitted.
 - f. A clear sight triangle shall be provided at each driveway with points located on the roadway 75 feet from the intersection of the centerlines and on the driveway 5 feet behind the right-of-way line.
11. Driveways for multi-family dwellings and non-residential uses.
 - a. Driveways shall be at least 12 feet in width for each lane of traffic. The maximum width of a driveway at the right-of-way line shall be 35 feet.
 - b. Driveways shall be paved a minimum of 50 feet from the edge of the street cartway and shall be designed to keep stones and other driveway material off the street.
 - c. Where multiple adjacent uses will require access to a collector or arterial roadway, the Township may require the use of a shared driveway or driveways to reduce traffic hazards and congestion.

- d. Driveways shall not exceed 8% slope within 40 feet of the right-of-way line.
 - e. A 75 foot clear sight triangle, as described in Section 506.D, shall be provided at each driveway.
- E. Reserve Strips. Controlling access to the development or to adjacent areas is prohibited except when their control is definitely placed in the jurisdiction of the Township under conditions approved by the Board of Supervisors.
- F. Street Names. Street names shall not duplicate existing or platted street names, or approximate such names by the use of suffixes such as "land," "way," "drive," "court," or "avenue". New streets shall bear the same name of the existing or platted street of which they are a continuation or with which they are in alignment. Written approval of street names must be obtained from the Address Management Systems office of the US Postal Service and York County 911. Street names must be approved by the Board of Supervisors.

Section 508 Blocks

- A. The length, width and shape of blocks shall be determined with due regard to the following:
- 1. Provisions of adequate sites for type of buildings proposed.
 - 2. Zoning requirements.
 - 3. Topography.
 - 4. Requirements for safe and convenient vehicular and pedestrian circulation.
- B. Blocks shall have a maximum length of 1,600 feet, and so far as practical, a minimum length of 500 feet. In the design of blocks longer than 1,100 feet, special consideration shall be given to the requirements of satisfactory fire protection and pedestrian connections. Mid-block pedestrian easements and sidewalks shall be provided to minimize walking distances.
- C. Residential blocks shall be of sufficient depth to accommodate 2 tiers of lots, except where reverse frontage lots bordering a major traffic street are used.
- D. In commercial and industrial areas, the block layout shall be designed with reference to service the public and with provisions for adequate off-street parking and loading facilities.

Section 509 Lots and Lot Sizes

- A. Lot Layout. All lots will conform to the following requirements:
- 1. Except as provided in Section 509.B, all lots shall have continuous frontage on a dedicated public street (existing or proposed), or upon a fully improved private street meeting public street standards. Provided however, that any lot that can be subdivided further based on current zoning provisions need not have continuous frontage, but all frontage must have required single lot width for the applicable zoning district. Lots fronting upon unimproved private streets or not fronting upon a street shall not be approved.

2. Flag lots or lots with long narrow panhandles or strips of land connecting the main body of the lot with the street and providing the sole access from the street to that lot shall not be created when lots can be designed to provide full frontage along the street. The Board of Supervisors may at its discretion approve a limited number of flag lots under the following circumstances and may attach any reasonable conditions to such approval:
 - a. The flag lot is being created to serve a home site in the back of an existing tract of land where there is no potential of direct street access to the proposed lot.
 - b. There are no more than two (2) adjoining flag lots.
 - c. The “flagpole” or access portion of the flag lot shall maintain a minimum width of 50 feet and shall not change direction more than once.
 - d. The area of the “flagpole” shall not be included with the main body of the lot in satisfying the minimum lot size requirement.
 3. The lot width shall be always measured at the minimum front setback line.
 4. Double frontage lots are prohibited, except where employed to prevent vehicle access to major traffic streets as in a reverse frontage application.
 5. Maximum lot depth to width ratio. Lots subdivided in the AG and the RC districts only shall have a maximum depth to width ratio of 3 to 1. This restriction shall not apply to the following situations: (a) non-residential uses, (b) residual tracts of at least 5 acres with at least 200 feet of lot width, and (c) agricultural lots of at least 25 acres.
 6. Depth and width of parcels laid out or reserved for nonresidential use shall be adequate for the use proposed and sufficient to provide satisfactory space for off-street parking and unloading.
 7. Side lot lines shall be substantially at right angles or radial to street lines.
 8. Corner lots, double frontage and reverse frontage lots shall provide for front setbacks on all streets.
 9. The size, shape and orientation of lots shall be appropriate for the type of development and use contemplated.
- B. Lots with Private Access. Parcels of land existing as of March 5, 1979, which have their access by means of a private road or private right-of-way, shall be permitted to be subdivided for future additional development only if subdivision will result in no more than 5 approved lots or separate tracts of land whose sole access is by private drive or right-of-way, and there shall be not permitted future additional development or subdivision approval in excess of the 5 lots, unless said private road is improved to comply with the standards set forth for new streets in Part 5 and Part 6 of this ordinance.

- C. All subdivision plans approved by the Township under the provisions of this Section shall include the following note, and shall be subject to the provisions specified therein:

RESTRICTIONS AND/OR CONDITIONS RELATING TO PRIVATE DRIVES
SERVING RESIDENTIAL LOTS

Each Deed for the transfer or conveyance of any lot shown on the above subdivision plan shall contain restrictions and/or conditions that the private driveways shown hereon shall remain private driveways and that the purchasers or owners of said lots shall be responsible for the construction, maintenance, repair and snow removal of said private drives, which restrictions and/or conditions shall be deemed to be covenants running with the land. So long as said drives remain private drives, Paradise Township shall have no responsibility or obligation for construction, maintenance, repairs or snow removal. No further subdivision of any of said lots shall be permitted unless and until said private drives have been constructed or improved to current Township standards and offered for dedication by the owners or purchasers of the lots as public streets of the Township.

- D. Lot Dimensions. The dimensions and areas of the lots must conform to the Township Zoning ordinance. Where no public water and public sewerage exists, the minimum dimension and areas of lots required by the Township Zoning Ordinance may be modified on the basis of the results of soil tests and hydrogeologic evaluation. The Board of Supervisors, in conjunction with the Pennsylvania Department of Environmental Protection, must analyze the results of the soil tests and the hydrogeologic evaluation performed on the development, in accordance with Section 511. On the basis of this analysis, the Township may increase the minimum lot sizes and widths specified in the Township Zoning Ordinance.
- E. Setback Lines. The setback lines for buildings must conform to the Township Zoning ordinance.
- F. Buffers and Screens. Buffers and screens shall be provided in accordance with the Zoning Ordinance.
- G. Grading. Lots shall be graded to sufficient elevation to secure drainage away from buildings and to prevent the collection of stormwater in pools. Top soil shall be preserved and redistributed as cover and shall be suitably planted with perennial grasses or ground cover.

Section 510 Excavations and Fills

- A. Cut and fill slopes shall not be steeper than 3 to 1 for fills, or 2 to 1 for cuts.
- B. Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills, by installation of temporary or permanent drainage across or above these areas.
- C. Cut and fills shall not endanger adjoining property.
- D. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.

- E. Fills shall not encroach on natural watercourses or constructed channels.
- F. Fills placed adjacent to natural watercourses or constructed channels shall have suitable protection against erosion during periods of flooding.
- G. During grading operations, necessary measures for dust control will be exercised.
- H. Grading equipment shall not be allowed to cross streams. Provisions will be made for the installation of temporary or permanent culverts or bridges.

Section 511 Sewage Disposal

The planned land development shall be provided with the most effective means of sewage disposal service consistent with the Township's Act 537 Plan and Comprehensive Plan and DEP regulations.

- A. Public sewage disposal system.
 - 1. Where a land development is located within the LDR, MDR, V, or C zoning district and there is an existing public sanitary sewer system on or within 1,000 feet of the planned development, a complete sanitary sewer system must be installed and connected to the existing public sanitary sewer system.
 - 2. Where a land development is located within the LDR, MDR, V, or C zoning district and plans approved by the Township provide for the installation of a public sanitary sewer system within 5 years within 1,000 feet of the planned development there must be provided a complete sanitary sewer system ready to be connected to the planned main sanitary sewer system and:
 - a. Connected to a temporary package treatment plant until connection to a public sanitary sewer system is made, or
 - b. Capped, and on-site sewage disposal systems provided until such time that connection to a public sanitary sewer system can be made.
 - 3. Where a land development is located within the LDR, MDR, V, or C zoning district, but farther than 1,000 feet from an existing or planned sewer system, connection to a public sanitary sewer system shall be required where such a system can feasibly be provided to the proposed land development, and where such a system can adequately fulfill the sewage disposal needs of the land development. The developer shall submit a feasibility report concerning the distance to and availability of sewer facilities for a proposed land development.
- B. On-Site sewage disposal systems.
 - 1. Where a feasibility report required by Section 511.A.3 indicates that connection to a public sanitary sewer system and treatment plant is not feasible, or where a land development is within the A or RC zoning district, the adequate provision of on-site sewage disposal systems must be investigated.
 - 2. When a subdivision or land development plan subdivides a parcel existing on September 12, 1977 (or March 5, 1979), into 5 or more lots, whether initially or cumulatively, the applicant shall, in accordance with the Paradise Township Sewage Facilities Act (Act 537), complete a preliminary Hydrogeologic Study in accordance with current DEP regulations and the Sewage Facilities Planning

Module. The results thereof shall supersede the requirements of the Zoning Ordinance with regard to minimum lot area but in no event shall be less than the required minimum lot area for that zone. Furthermore, projects that are within ¼ mile of an area or well with nitrate-nitrogen concentrations of 5mg/l or greater, Component 1 Planning Modules will not be allowed. In these areas, a Component 2 Planning Module with the hydrogeological information is required. Areas within ¼ mile of an area with nitrate-nitrogen levels greater than 10 mg/l shall be designated as unsuitable for on-lot disposal. (See Exhibit X of the Paradise Township Act 537 Plan for approximate nitrate-nitrogen levels in the Township).

3. Each lot shall be provided with a tested and approved primary and replacement absorption area. The replacement area shall be protected by an easement that prohibits any use that would impair its use in the future. The replacement area shall be protected during construction to ensure that construction activity does not disturb the area.
 4. A small flow treatment facility may be permitted only when no suitable location for a soil absorption area can be found on the lot.
- C. If on-site sewage disposal systems or connection to a public sanitary sewer system or installation of a public sanitary sewer system are not feasible, the development shall not be approved.

Section 512 Water Supply

The proposed land development shall be provided with the most effective means of water supply.

- A. Public water supply system.
1. Where a land development is located within the LDR, MDR, V, or C zoning district and there is an existing public water supply system on or within 1,000 feet of the planned development, a complete water main system must be installed and connected to the existing public water supply system.
 2. Where a land development is located within the LDR, MDR, V, or C zoning district and plans approved by the Township or water supplier provide for the installation of public water facilities within 5 years within 1,000 feet of the planned development, there must be provided a complete water supply system ready to be connected to the planned main water supply system.
 3. Where there are no such existing or planned public water supply systems, a community water supply system approved by the Township Engineer and the Pennsylvania Department of Environmental Protection may be provided, along with satisfactory provision for its operation and maintenance, including the organization responsible for administration of rates and any permit requirements.
 4. Where a land development is located within the LDR, MDR, V, or C zoning district, but farther than 1,000 feet from an existing or planned water system, connection to a public water supply system shall be required where such a system can feasibly be provided to the proposed land development, and where

such a system can adequately fulfill the water supply needs of the land development. The developer shall submit a feasibility report concerning the distance to and availability of water facilities for a proposed land development.

B. Individual water supply systems.

1. Where a feasibility report required by Section 512.A.4 indicates that a public water supply system is not feasible or where a land development is within the A or RC zoning district, each lot in the planned development must be provided with an individual water supply system.
2. When individual water supply system(s) are proposed as part of a land development, a water supply report shall be prepared, sealed, signed, and dated by a Professional Geologist, licensed and registered in the Commonwealth of Pennsylvania. The report shall be submitted along with any recommendations of DEP.
 - a. The water supply report shall consist of an assessment of the proposed land development on groundwater. The report shall do the following:
 1. Establish location and character of geologic boundaries including recharge rates.
 2. Establish average annual rainfall depth and reduce to account for drought conditions (40% of average)
 3. Calculate drought year recharge.
 4. Compare recharge to anticipated daily water usage for typical single family dwelling (300 GPD).
 5. Compile and map well driller's records for wells within ¼ mile of the proposed development.
 6. Analyze all test wells drilled as required below.
 - b. The developer shall drill test wells in accordance with the following minimum standards:
 1. For developments of 6 lots or less, a test well shall be drilled for each lot.
 2. For developments of 7 to 20 lots, a well shall be drilled for 6 lots plus 50% of the remaining lots.
 3. For developments of 21 lots or more, a well shall be drilled for 13 lots plus 25% of the remaining lots.
 - c. Once wells are drilled, well pump tests must be performed and the following information submitted to the Township:
 1. Depth of well, depth of pump intake, and depth of the static water level (undisturbed for 24 hours).
 2. The well drawdowns shall be monitored and the water level shall be measured after pumping as follows:

Well Capacity	Pumping Time
1 to 4 GPM	Pump 6 hours after drawdown
Over 4 to 8 GPM	Pump 3 hours after drawdown
Over 8 GPM	Pump 3 hours

- d. Each well or combination of wells must yield a minimum of one gallon per minute. The yield computation in gallons per minute shall be computed upon completion of the pumping time after drawdown.
 - e. The Township Engineer shall review the yield and groundwater supply projections as contained in the water feasibility report prior to the approval of the Preliminary or Final Plan by the Board of Supervisors.
3. Water Supply Wells. All individual water supply systems shall comply with minimum standards approved by DEP and shall be subject to the following additional requirements:
- a. Minimum isolation distances shall be maintained from any proposed well as follows:

Description	Distance
Distance from a property line to allow easement or right-of-way access to the well without encroaching on adjoining properties	10 feet
Distance from dedicated road right-of-way line or any established future roadway widening easement, whichever is greater	15 feet
Distance from a building foundation, for the purpose of protecting the well from a foundation or soil treated to control pests, insects, or vermin. (A distance of less than 30 feet may be considered in the replacement of an existing well which does not meet this 30 feet distance requirement.)	30 feet
Distance from the nearest part of any existing or proposed on-site sewage absorption system, including the drain field.	100 feet
Distance from the nearest part of any existing or proposed septic tank, whether on the land of the applicant or adjoining lands.	50 feet
Distance from any gravity sewer line except that said distance may be reduced to 10 feet when the gravity sewer is constructed of cast iron pipe with water tight bell and spigot joints, or flanged joints fitted with water tight gaskets or mechanical joints, or is constructed of solvent welded schedule 40 or SDR equivalent PVC or bell and spigot SDR PVC pipe.	50 feet
Distance from any sewage force main.	50 feet
Distance from the nearest part of any existing or proposed storm water seepage pit.	50 feet
Distance from any driveway	10 feet

- b. A well may not be located within or under any building other than a separate structure constructed specifically for the housing of pumping equipment.
- c. All suction lines from wells shall be at least 100 feet from all identifiable sources of contamination.
- d. Any pressure water supply line shall be at least 10 feet removed from any subsurface disposal areas.
- e. All wells shall be located so as to be accessible for cleaning, treatment, repair, testing, inspection, and such other attention as may be necessary.

- f. All well heads shall be protected from surface wash or flooding.

Section 513 Storm Drainage

A Stormwater management plan shall be provided in accordance with the Paradise Township Stormwater Management Ordinance.

Section 514 Other Utilities

- A. Easements. Width and Location. Easements with a minimum width of 20 feet shall be provided for poles, wires, conduits, stormwater management facilities, sanitary sewers, gas, water and heat mains and/or other utility lines intended to serve the abutting lots. No structures shall be placed within such easements. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- B. Underground Installations. Electric, telephone and all other utility facilities shall be installed underground.
- C. Natural Gas Lines. All natural gas lines must be installed in compliance with the USAS B31.8, 1968 as amended. Between a proposed dwelling unit and the centerline of a natural gas transmission line which may traverse the development, there must be a minimum distance of 100 feet measured in the shortest distance. In instances such that topographic conditions decrease the hazards involved or in which it would cause undue hardship in the efficient layout of the development, the Board of Supervisors may reduce this requirement.
- D. Petroleum Lines. Between a proposed dwelling unit and the centerline of a petroleum products transmission line which may traverse the development, there must be a minimum distance of 100 feet measured in the shortest distance. In instances such that topographic conditions decrease the hazards involved or in which it would cause undue hardship in the efficient layout of the development, the Board of Supervisors may reduce this requirement.

Section 515 Local Recreation Sites

- A. Residential Subdivision and/or land development plan applications shall consider the recreational needs that will be generated by the proposed development and shall provide for those recreational needs as provided by this Section.
- B. Where a proposed park, playground, open space, or other local or neighborhood recreation site is shown on the Township Comprehensive Plan or other recreation plan, or where the Township considers that a local recreation site is necessary to carry out the purpose of this Ordinance, the Township may require the dedication of all or a portion of such site in accordance with the standards following:
 - 1. The land to be dedicated must be of suitable size, dimensions, topography, access, and general character for the proposed use.
 - 2. The amount of land so required for this purpose shall be 0.027 acres per dwelling unit shown on the plan.
- B. Where the application of these area standards would result in an open space or recreation site too small to be usable, or if the Comprehensive Plan or other recreation plan calls for such local recreation site to be located elsewhere, or if a suitable local

recreation site cannot be properly located in the land development, as determined by the Township, the applicant shall construct recreation facilities at an existing public park or recreation site, pay a fee in lieu of the dedication of land, or perform some combination thereof, to be determined by the Township.

- C. The amount of the fee must be substantially equal to the value of the land that would be set aside if the standards specified above in Section 515.B were to be applied. The fee shall be \$1,500 per dwelling unit, excluding the residual tract, providing the residual tract contains a pre-existing dwelling.
- D. The fee may be used for purposes of improving existing recreational areas provided that the area is accessible and beneficial to the new development. Alternatively, the fee may be used for recreational facilities or purposes that directly benefit the new development. The use of the fee must be in accordance with a formally adopted Comprehensive Plan or other recreation plan that provides definite principles and standards as contained in the subdivision and land development ordinances.
- E. The fee must be paid to the Township prior to the approval of the Final Plan.
- F. All monies paid to the Township in this manner shall be kept in a capital reserve fund established as provided by law. Monies expended from this account shall be used for the purposes set forth in Section 515. Any fee unused within 3 years of deposit shall be refunded together with accrued interest to the original payor.

Section 516 Watercourses and Drainageways

Where a land development is traversed by a watercourse, stream channel or other drainageway, the developer must provide a drainage easement conforming substantially to the existing alignment of the drainageway. The easement must be a width adequate to:

- A. Preserve the unimpeded flow of natural drainage.
- B. Widen, deepen, relocate, improve or protect the drainageway.
- C. Install a stormwater sewer.

Any changes in the existing drainageway must be approved by the Pennsylvania Department of Environmental Protection.

Section 517 Traffic Impact Studies

- A. A traffic impact study is required for all subdivisions and land developments which meet any of the following criteria:
 - 1. Proposing 20 or more new dwelling units.
 - 2. Proposing 75 or more new parking spaces.
 - 3. Generating 100 or more new one-way trips during the peak hour of the proposed development, as determined by the latest edition of the Trip Generation Manual by the Institute of Transportation Engineers (ITE).
 - 4. Whenever the Board of Supervisors shall find that there are reasonable grounds to believe that the existing transportation network may be inadequate to handle the volume or character of traffic likely to result from the proposed subdivision or land development.

5. A Traffic Impact Study is also required for all subdivisions and land developments if there are capacity, safety, or access deficiencies within the study area.
- B. The Township Engineer and Township Officials shall hold a pre-study meeting with the developer and/or the developer's engineer and the York County Planning Commission to review the proposed development and its potential impact on the surrounding area. A final scope of work shall be provided to the Township at this meeting. At that meeting, the following study elements shall be discussed and agreed to:
1. Study area limits.
 2. Type and intensity of development
 3. Number and length/area of new roads, driveways, internal ring roads, internal access points and parking accommodations; location of site access points
 4. Any capacity, safety, or access problems previously documented for the existing roadways within the study area
 5. Anticipated completion of all phases of the development, i.e., project horizon
 6. The peak hour(s) of the development.
 7. Growth rate of the study area.
- C. Elements of the Traffic Impact Study.
1. Study summary
 - a. A brief overview of the development project shall be provided.
 - b. The developer, the developer's engineer and any other parties involved in the preparation of the traffic impact study shall be noted.
 - c. The limits of study area shall be described.
 - d. A summary of the key findings and recommendations of the study shall be provided.
 2. Overview of the proposed development.
 - a. The following information shall be provided in this section: characteristics of the development site; the type and intensity of the development; number and length/area of new roads, driveways, internal ring roads, internal access points, and parking accommodations; location of site access points onto existing roads; and construction staging.
 - b. The geographic limits of the study area, along with a description of any features and landmarks, shall be provided.
 3. Base or existing traffic conditions.
 - a. A description of each existing road and intersection within the study area shall be provided, and shall include right-of-way and cartway width, posted speed limits, pavement condition, and current daily traffic volume count. Annual Average Daily Traffic (AADT) counts for State roads can

- be obtained from PennDOT. Traffic counts shall be less than three (3) years old and shall include collection of truck percentages by approach.
- a. Intersection turning movement counts at all site access points and key road intersections shall be conducted during peak hours of the existing traffic and peak hours of the development. The counts shall be provided on an intersection schematic diagram.
 - b. All highway improvements that are guaranteed by either the Township or PennDOT for implementation by the project horizon year shall be listed.
 - c. An inventory of existing public or private transportation services available within one mile of the site shall be made and included in the study.
 - d. A capacity analysis and a determination of levels of service on the study area's roadways and intersections, as well as the site's access points and internal circulation (if applicable) shall be conducted. The analysis shall utilize the techniques described in the most current edition of the Highway Capacity Manual.
 - e. Gap or queue studies shall be conducted where applicable for unsignalized and signalized intersections, respectively.
 - f. The frequency of intersection and mid-block accidents shall be examined and hazardous locations identified. Specifically, an inventory of accidents over a three 3 year period shall be conducted, and accident clustering identified.
4. Background traffic growth/future traffic conditions without development.
 - a. The anticipated rate of growth per year for the study area shall be determined without the proposed development. This would require contacting neighboring municipalities to identify potential developments. The method used to determine the growth rate must be approved by the Township Engineer. Information sources which may be used to calculate the growth rate are previous regional transportation planning studies, traffic impact studies done for planned or recently constructed developments within the study area, the York County Comprehensive Plan, PennDOT's Bureau of Planning and Research's Traffic Volume Report, and population trend information.
 - b. Future no-build and peak hour volumes for roads and intersections with the study area shall be calculated. Intersection schematic diagrams with the calculated volumes shall also be prepared.
 - c. Capacity analysis to determine Level of Service (LOS) at critical locations shall be conducted. The analysis shall take into consideration any guaranteed road improvements as noted in Section 518.C.3.c.
 5. Analysis of future conditions with the proposed development
 - a. Trip generation

1. The total number of vehicle trips to be generated by the site shall be estimated using the ITE Trip Generation Manual, most current edition; or another trip generation source approved by the Township Engineer. All sources used to aid in the calculation of trip generation must be referenced in the study.
 2. For commercial uses, if the calculation for either pass-by or diverted link trips is required, the estimates must be justified in the report, based upon the ITE Trip Generation Manual.
- b. Trip distribution
1. The directional characteristics of the site traffic flow shall be determined using one of the following methods: existing traffic or planning studies conducted in or in proximity to the study area, proportion of volumes on the existing roadways that abut the site; professional experience, or travel demand forecasting techniques using computer modeling. The sources of information used to calculate trip distribution shall be provided in the study.
 2. For larger developments with proposed parking facilities, the distribution of traffic flow shall be calculated for s, internal ring roads, and internal reservoir access points, as well as the parking facilities specifically. Potential pedestrian circulation shall be treated in the same manner.
- c. Trip assignment
1. Vehicle trips shall be assigned to the mainline and turning movement volumes for future conditions with the development. Acceptable sources which can be used to assign the site-generated traffic are the same as mentioned in Section 518.C.5.a.1. The assignment shall be documented in the study text.
 2. Trip assignments shall be made for applicable internal vehicle and pedestrian movements.
- d. Peak hour volumes. As a result of the above calculations, mainline and turning movement counts for all site access points and the existing roadway network within the study area shall be provided. Internal vehicular, and pedestrian volumes, if applicable, shall also be provided. Schematic diagrams showing these volumes shall be provided in the study text.
- e. Capacity level of service (LOS) analysis.
1. Capacity analysis shall be performed and levels of service shall be determined on the study area roadways and intersections for future traffic conditions with the development. The analysis shall include the guaranteed improvements in the analysis for the future scenario without development. (See Section 518. C.4.d) The LOS results for future build and future no-build scenarios shall be compared.

2. The study shall recommend a course of corrective action if the projected generation of vehicle trips from a development decreases the LOS of the existing mainline or turning movements to an "E" or less.
6. Transportation development improvements.
 - a. If deficiencies are evident on the study area roadways and at critical intersections, the developer or the developer's engineer shall consult with the Township Engineer and Township officials to develop improvements to remedy these deficiencies. A description including cost and probable funding of these improvements, accompanied by schematic layouts, shall be provided in the text. The developer and Township shall prepare an agreement to effect the improvements in accordance with Article 6 of this Ordinance.
 - b. The same procedure shall be followed if deficiencies or potential hazards are evident for internal traffic and pedestrian circulation.
 - c. Capacity/Level of Service (LOS) Analysis. The proposed improvements in LOS for mainline and turning movements shall be tested. (The goal of this exercise is to ensure that the roadway or intersection operates at an LOS no worse than the existing conditions and with no specific movement on the mainline having a decrease in LOS.) Any guaranteed improvements tested in the future scenario without development (Section 518.C.4.c) will be included in addition to the proposed improvements.

ARTICLE 6 – IMPROVEMENTS, DEDICATION AND RESERVATION, CONSTRUCTION SPECIFICATIONS

Section 601 Monuments and Markers

A. Specifications. Monuments and markers must be constructed as follows:

Minimum Size	Material
Monument - 6" x 6" x 30"	Concrete or Stone
Marker - 24" x ¾" dia.	Iron Pipes or Iron or Steel Bars

B. Placement and Marking. Monuments and markers must be placed by a Registered Engineer or Surveyor so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the surface of the surrounding ground. Monuments must be marked on top with a copper or brass dowel.

C. Location of Monuments. Monuments must be set:

1. At the intersection of lines forming angles in the boundaries of the development.
2. At the intersection of street lines.

D. Location of Markers. Markers must be set:

1. At the beginning and ending of curves along street property lines.
2. At points where lot lines intersect curves either from or rear.
3. At angles in property lines of lots.
4. At all other lot corners.

E. Removal. Any monuments or markers that are removed must be replaced by a Registered Engineer or Surveyor at the expense of the person removing them.

Section 602 Streets

A. Streets must be surfaced to the grades and dimensions drawn on plans, profiles, and cross-sections submitted by the applicant and approved by the Township. Before paving the street surface, the applicant must install required utilities, including sanitary sewers, and provide, where necessary, adequate subsurface drainage for the streets, as acceptable to the Township. The pavement base and wearing surface must be constructed according to the following Specifications:

B. The construction of surface course and base course must be in accordance with Pennsylvania Department of Transportation Specifications, Publication 408 as amended or supplemented. Specifically, the pavement base and wearing surface must be constructed according to the minimum requirements as follows:

1. Top soil must be removed to subsoil. The subbase may consist of existing material if approved by the Township Engineer. If not approved, the subbase shall consist of 6 inches of No. 2RC crushed aggregate.
2. Base course shall consist of 6 inches of PA DOT 2A crushed aggregate stone. The 6 inch base course shall be measured after it has been properly compacted with a steel wheel roller of not less than 10 tons in weight.

3. On the stone base course above, place and compact 4 inches of Bituminous Concrete Base Course (BCBC).
 4. On the BCBC above, place and compact 2 inches of ID-2 bituminous binder course.
 5. On the 2 inch ID-2 bituminous binder course above, place and compact 1½ inches of ID-2 bituminous wearing course.
 6. The crown of the road or street shall have a fall of ¼ inch per foot measured from the centerline to the cartway edges or curb line of the street or road.
 7. All procedures and specification of the road or street construction must comply with the regulations of PennDOT.
- C. Where subdivision occurs adjacent to an existing road, the applicant is also responsible for the paving the area between the existing edge of pavement and the new edge or curb line. The Board of Supervisors may also require 1½ inch ID-2 wearing course be placed over the entire resulting roadway, existing and widened.

Section 603 Curb and Gutters

- A. Curbs. In all developments involving the construction of new streets concrete curbs must be installed as specified below and shall comply fully with the Americans With Disabilities Act. The type of curbing, vertical or slant, shall be decided by the Planning Commission at the sketch plan phase.
1. Excavate to required depth, remove and dispose of material, and compact the subgrade material to a firm, even surface.
 2. Exposed edges of existing work shall be smooth and square.
 3. Forms shall be placed as appropriate to the type of curbing on 2 sides (front and back).
 4. Forms shall be securely braced to limit deflection during placement of concrete.
 5. Provide openings through curb for drainage pipes. Install one 2 foot, #4 reinforcing bar in the middle of curb centered above the pipe.
 6. Concrete shall be placed in accordance with current standards.
 7. Variation of more than 1/8 " from the established line and grade shall be cause for rejection of that portion of the work.
 8. Form or saw contraction joints 3/16" wide and 2" deep at 10-foot maximum intervals on 2 sides (front and top). Saw as soon as possible after the concrete has set sufficiently to preclude raveling during the sawing and before any shrinkage cracking occurs in the concrete, but in no case later than 24 hours following completion of the curb placement.
 9. Provide ½" expansion joints at 60-foot intervals, at the end of each pour, and at the beginning and end of all radii. ½" expansion joint material shall also separate curb from adjacent sidewalks, poles, hydrants, walls and other permanent structures, except that ¾" thick expansion joint material shall be provided at storm inlets.

10. Unless otherwise indicated, the last 3 feet of curb shall be tapered to a 1½" reveal with expansion joint at the beginning of taper.
 11. Finish top surface with wood floats. Provide depressions for drainage and driveways, as directed by the Engineer.
 12. Provide handicap ramps at all intersections.
 13. Tool all exposed edges to the specified radius.
 14. Do not remove forms until concrete has set.
 15. Begin proper curing immediately after form removal.
 16. Correct minor irregularities with a carborundum stone or mortar comprised of two (2) parts fine aggregate to one (1) part cement.
 17. For slip formed curb, uniformly feed the concrete to the machine so the concrete maintains the shape of the section, without slumping after extrusion. Voids or honeycomb on the surface of the finished curb will not be allowed. Immediately after extrusion, perform any additional surface finishing required.
- B. Gutters. In areas where curbing is not required, suitable gutters must be installed to avoid erosion. The Township may require installation of curbs and/or gutters in any development where the evidence indicates that such improvements are necessary for proper drainage.

Section 604 Sidewalks

- A. Within the V District, as identified within the Zoning Ordinance, sidewalks shall be provided on both sides of the street and in accordance with the zoning regulations for such district.
- B. Within the LDR, MDR, and C Districts, as identified within the Zoning Ordinance, sidewalks shall be provided on both sides of the street. They shall also be required in other zoning districts in order to extend existing sidewalks or to provide pedestrian linkages between existing or proposed origins and destinations.
- C. The sidewalk must commence one foot inside the right-of-way line and extend toward the curb or gutter line.
- D. Sidewalks must be at least 4 feet wide. In the vicinity of shopping centers, schools, recreation areas, and other such facilities, they must be at least 6 feet wide.
- E. The sidewalk must be constructed of 4,000 pound cement concrete, be at least 5 inches thick unless under a driveway, in which case a thickness of 6 inches is required, and be underlain by crushed stone consisting of PaDOT 2RC stone, of at least 4 inches thickness.
- F. A grass planting strip 4 feet in width shall be provided between the curb or edge of the cartway and sidewalk where sufficient space exists.
- G. Pedestrian interior walkways may be required where necessary to assist circulation by separation of pedestrian and automobile traffic. Such interior walkways shall have a width of not less than 10 feet and a paved walk surface of not less than 4 feet in width.

- H. 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 subdivision or land development.
- I. Sidewalk Construction - Sidewalks to be constructed as follows:
1. Excavate to required depth, remove and dispose of material, and compact the subgrade material to a firm, even surface.
 2. Exposed edges of existing work shall be smooth and square.
 3. Construct ramps for the handicapped at all intersections.
 4. Spread aggregate and compact to the thickness shown on the Preliminary Plan.
 5. Concrete shall be placed in accordance with current standards.
 6. Score contraction joints at five (5') foot intervals to sufficient depth to insure cracking at the joint.
 7. Provide ¼" expansion joint at 30-foot intervals and at the end of each pour. ½" expansion joint material shall also separate adjacent curb, poles, hydrants, walls, and other permanent structures.
 8. Apply light broom finish.
 9. Provide depressions for driveways, downspouts, and drainage as directed by the Engineer.
 10. Begin proper curing immediately following form removal.

Section 605 Street Name Signs

The land development shall be provided with street name signs at all intersections. Such signs shall comply with all relevant PennDOT standards. The specific signs to be purchased must be approved by the Township. The signs shall be installed by the applicant in a manner specified by the Township Engineer.

Section 606 Street Lights

- A. For the safety, convenience and attractiveness of the development, provision must be made for the future installation of street lighting, unless conditions require otherwise.
- B. Where electric service is supplied by underground methods, and prior to the installation of streets, curbs, sidewalks and driveways, the applicant shall provide and install conduits where necessary to accommodate the installation of a street lighting system. Installation and location of conduits will comply with the specifications of the appropriate public utility.
- C. All street lights shall comply with the lighting regulations of the Zoning Ordinance.

Section 607 Street Trees

- A. Street trees shall be required in all residential subdivisions and land developments with a density greater than 1 dwelling unit per acre and in all non-residential land developments.
- B. Trees shall be a minimum caliper of 2 inches measured 6 inches above grade.

- C. Trees shall be placed between 40 and 80 feet apart on each side of the street and shall be placed outside of any clear sight triangle.
- D. Trees shall be located between the right-of-way line and the front setback line, at least 5 feet from the sidewalk.
- E. The following species are suitable for use as street trees. They have been selected for their suitability to the local climate, size, shape, hardiness, and cleanliness. Other tree species may be used provided acceptable information is submitted to indicate that the species is a hardy street tree.

Botanical Name	Common Name
Acer campestre	Hedge Maple
Acer platanoides	Norway Maple
Acer pseudoplatanus	Planetree Maple (or Sycamore Maple)
Acer rubrum	Red Maple
Acer saccharum	Sugar Maple
Acer tataricum	Tatarian Maple
Cercidiphyllum japonicum	Katsura Tree
Elaeagnus angustifolia	Russian Olive
Fraxinus pennsylvanica	Green Ash / Red Ash (non-fruiting)
Gleditsia triacanthos inermis	Thornless Common Honeylocust
Koelreutaria paniculata	Goldenraintree
Prunus sargentii	Sargent Cherry
Pyrus calleryana cv. Red Spire	Red Spire Pear
Quercus palustris	Pin Oak
Quercus robur	English Oak
Syringa reticulata reticulata	Japanese Tree Lilac
Tilia cordata	Littleleaf Linden
Tilia tomentosa	Silver Linden
Zelkova serrata cv. Village Green	Japanese Zelkova

- F. When more than 5 street trees are required in a subdivision or land development, no more than 50% of the trees may be of one species.

Section 608 Sewage Disposal

- A. Where the installation of a sanitary sewer system is required by Section 511, the sanitary sewer system design and installation for the development must be in accordance with the Abbottstown-Paradise Joint Sewer Authority specifications. All applicable approvals shall be received from the Pennsylvania Department of Environmental Protection and from the Authority’s Consulting Engineer prior to receiving final plan approval from the Abbottstown-Paradise Joint Sewer Authority. All sanitary sewer installation must be inspected in accordance with the Authority’s specifications. Upon completion of the sanitary sewer system, as built drawings must be filed with the Township and Authority.
- B. Where installation of a sanitary sewer system is not required by Section 511, each lot shall be provided with, at the time improvements are erected thereon, a private sewerage disposal system consisting of a septic tank and tile absorption field or other sewerage disposal system approved by the Township Sewage Enforcement Officer.

Section 609 Water Supply

- A. Where a water supply system or water main system is required by Section 512, the plan for the installation of the mains of a water supply system must be prepared for the development with cooperation of the appropriate water utility company and approved by the Township Engineer. Upon the completion of the water supply system, one copy of the plan for the system as-built must be filed with the Township.
- B. Where the connection to a public water supply system is not required by Section 512, each lot must be provided with an individual water supply system prior to the issuance of a building permit for dwelling units. All such individual systems shall meet all applicable regulations of the Pennsylvania Department of Environmental Protection.

Section 610 Storm Drainage

Whenever the evidence available to the Board of Supervisors indicates that natural surface drainage is inadequate, the applicant shall install a stormwater sewer system in accordance with the approved Preliminary Plan and the Township Stormwater Management Ordinance. Pipe type shall be either reinforced concrete (RCP) or polyethylene. The system shall be designed by a Registered Engineer and be approved by the Township Engineer.

Section 611 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. Fire hydrants, if provided, shall be located within 500 feet of any dwelling unit or other structure. Fire hydrants shall be installed in accordance with all applicable regulations.

Section 612 Installation of Improvements

The final responsibility for the installation of the improvements required by this Ordinance rests with the applicant upon installation of improvements in accordance with the specifications of the approved plan and the Township Engineer. The application must take the final steps to dedicate the improvements and have them accepted by the Township.

Section 613 Inspection of Improvements

To cover inspection costs, the applicant must pay a fee to be established by the Board of Supervisors. Any unused portion of this fee will be refunded to the applicant upon completion of the inspections.

Section 614 Fee in Lieu of Improvements

In the case of a minor land development of 5 lots or less and involving no new streets or other public improvements or dedications, the Board of Supervisors in lieu of requiring the construction of curbs, walkways or the paving of the area between the existing edge of pavement and the curb line at the time of subdivision may require the payment of a fee to be placed in an escrow fund to finance their construction at a future date.

Section 615 Completion of Improvements or Guarantee Thereof Prerequisite to Final Plan Approval

- A. No plan shall be finally approved unless the streets shown on such plan have been improved to a mud-free or otherwise permanently passable condition, or improved as

may be otherwise required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by this Ordinance have been installed in accordance with this Ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plan, including improvements or fees otherwise required by this Ordinance, the developer may deposit with the Township financial security in an amount sufficient to cover the costs of such improvements or common amenities including but not limited to, roads, curbs, sidewalks, stormwater detention and/or retention basins and other related drainage facilities, sanitary sewers, recreational facilities, open space improvements, or buffer or screen plantings which may be required. The applicant shall not be required to provide financial security for the costs of any improvements for which financial security is required by and provided to the Department of Transportation in connection with the issuance of a highway occupancy permit pursuant to section 420 of the act of June 1, 1945 (P.L.1242, No.428) known as the "State Highway Law."

- B. When requested by the developer, in order to facilitate financing, the Board of Supervisors, shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining a satisfactory financial security. The final plan or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days unless a written extension is granted by the Board of Supervisors; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.
- C. Without limitation as to other types of financial security which the Township may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this Section.
- D. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business with the Commonwealth.
- E. Such bond or other security shall provide for and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements. The form of bond or other security shall be approved by the Township Solicitor.
- F. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order

to assure that the financial security equals said 110% percent. Any additional security shall be posted by the developer in accordance with this subsection.

- G. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by the applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.
- H. If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 10% of each one year period beyond the first anniversary date from posting of financial security or to an amount of 110% percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one year period by using the above bidding procedure.
- I. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by sections or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
- J. As the work of installing the required improvements proceeds, the party posting the financial security may request the Board of Supervisors to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Board of Supervisors, and the Board of Supervisors shall have 45 days from receipt of such request within which to allow the Township Engineer to certify, in writing, to the Board of Supervisors that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification the Board of Supervisors shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed or, if the Board of Supervisors fails to act within said 45 day period, the Board of Supervisors shall be deemed to have approved the release of funds as requested. The Board of Supervisors may, prior to final release at the time of completion and certification by its engineer, require retention of ten (10%) percent of the estimated cost of the aforesaid improvements.
- K. Where the Board of Supervisors accepts dedication of all or some of the required improvements following completion, the Board of Supervisors shall require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as

depicted on the final plan for a term of 18 months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Section with regard to installation of such improvements, and the amount of the financial security shall not exceed 15% of the actual cost of installation of said improvements.

- L. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Section.
- M. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plan as set forth in this Section, the Township shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plan upon actual completion of the improvements depicted upon the approved final plan. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plan, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

Section 616 Release From Improvement Bond

- A. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Supervisors, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the township engineer. The Board of Supervisors shall, within ten days after receipt of such notice, direct and authorize the township engineer to inspect all of the aforesaid improvements. The township engineer shall, thereupon, file a report, in writing, with the Board of Supervisors, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within 30 days after receipt by the township engineer of the aforesaid authorization from the Board of Supervisors; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the township engineer, said report shall contain a statement of reasons for such nonapproval or rejection.
- B. The Board of Supervisors shall notify the developer, within 15 days of receipt of the engineer's report, in writing by certified or registered mail of the action of said Board of Supervisors with relation thereto.
- C. If the Board of Supervisors or the township engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been

approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.

- D. If any portion of the said improvements shall not be approved or shall be rejected by the Board of Supervisors, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
- E. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Board of Supervisors or the township engineer.
- F. Where herein reference is made to the township engineer, he shall be a duly registered professional engineer employed by the Township or engaged as a consultant thereto.
- G. The applicant or developer shall reimburse the Township for the reasonable and necessary expense incurred in connection with the inspection of improvements. The applicant shall not be required to reimburse the Board of Supervisors for any inspection which is duplicative of inspections conducted by other governmental agencies or public utilities. The burden of proving that any inspection is duplicative shall be upon the objecting applicant. Such reimbursement shall be based upon a schedule established by ordinance. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township's professional consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the professional consultant to the Township for comparable services when fees are not reimbursed or otherwise imposed on applicants.
 - 1. The Board of Supervisors shall submit to the applicant an itemized bill showing the work performed in connection with the inspection of improvements performed, identifying the person performing the services and the time and date spent for each task. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, no later than 30 days after the date of transmittal of a bill for inspection services, notify the Township and the Township's professional consultant that such inspection expenses are disputed as unreasonable or unnecessary and shall explain the basis of their objections to the fees charged, in which case the Township shall not delay or disapprove a request for release of financial security, a subdivision or land development application or any approval or permit related to development due to the applicant's dispute of inspection expenses. Failure of the applicant to dispute a bill within 30 days shall be a waiver of the applicant's right to arbitration of that bill under this section.
 - 2. Subsequent to the final release of financial security for completion of improvements for a subdivision or land development, or any phase thereof, the professional consultant shall submit to the Board of Supervisors a bill for inspection services, specifically designated as a final bill. The final bill shall include inspection fees incurred through the release of financial security.
 - 3. If, the professional consultant and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant shall have the right, within 45 days of the transmittal of the final bill or supplement to the final bill to the applicant, to request the appointment of another professional

consultant to serve as an arbitrator. The applicant and professional consultant whose fees are being challenged shall by mutual agreement, appoint another professional consultant to review any bills the applicant has disputed and which remain unresolved and make a determination as to the amount thereof which is reasonable and necessary. The arbitrator shall be of the same profession as the professional consultant whose fees are being challenged.

4. The arbitrator so appointed shall hear such evidence and review such documentation as the arbitrator in his or her sole opinion deems necessary and shall render a decision no later than 50 days after the date of appointment. Based on the decision of the arbitrator, the applicant or the professional consultant whose fees were challenged shall be required to pay any amounts necessary to implement the decision within 60 days. In the event the Township has paid the professional consultant an amount in excess of the amount determined to be reasonable and necessary, the professional consultant shall within 60 days reimburse the excess payment
5. In the event that the Township's professional consultant and applicant cannot agree upon the arbitrator to be appointed within 20 days of the request for appointment of an arbitrator, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the Township is located (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such arbitrator, who, in that case, shall be neither the Township's professional consultant nor any professional consultant who has been retained by, or performed services for, the Township or the applicant within the preceding five years.
6. The fee of the arbitrator shall be paid by the applicant if the review fee charged is sustained by the arbitrator, otherwise it shall be divided equally between the parties. If the disputed fees are found to be excessive by more than \$5,000, the arbitrator shall have the discretion to assess the arbitration fee in whole or in part against either the applicant or the professional consultant. The Board of Supervisors and the consultant whose fees are the subject of the dispute shall be parties to the proceeding.

Section 617 Remedies to Effect Completion of Improvements

In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved final plan the Board of Supervisors is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If the proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Supervisors may, at its option, install part of such improvements in all or part of the subdivision or land development any may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

Section 618 Offers of Dedication

The offer to dedicate streets, parks, or other areas or portions of them, does not impose any duty upon the Township concerning maintenance or improvement until the proper authorities of the Township have made actual appropriation by ordinance or resolution or by entry or improvement. If land is dedicated for a public site and its use for this purpose is not imminent, the applicant may be permitted to dedicate the land with the privilege of using the surface rights until the Township is ready to use the land. Such dedication with the temporary privilege of use must be noted on the Final Plan.

Section 619 Land Reservation

On sites reserved for eventual public acquisition, no building development is permitted during the period of reservation, said period of time not to extend more than 18 months without consent of the applicant. Such land reservations shall be noted on the Final Plan.

Section 620 Effect of Plan Recording on Dedication and Reservations

Recording the Final Plan after approval of the Board of Supervisors has the effect of an irrevocable offer to:

- A. Dedicate all streets and other public ways to public use.
- B. Dedicate all neighborhood parks and other public areas to public use.
- C. Reserve for possible future public acquisition such additional areas as may be required by the Township.

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.

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 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.

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 the edge of pavement of any street or .
- 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.

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 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 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.

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.

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

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.

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. 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.

PART 8 - ADMINISTRATION AND ENACTMENT

Section 801 Enforcement

It shall be the duty of the building inspector, zoning officer, or other such duly authorized representative of the Board of Supervisors and he is hereby given the power and authority to enforce the provisions of this Ordinance. The enforcement officer shall require that the application for a zoning permit or building permit contain all information necessary to enable him to ascertain whether the proposed building, alteration, or use is located in an approved land development. No zoning permit or building permit shall be issued until the enforcement officer has certified that the site for the proposed building, alteration, or use complies with all the provisions of this Ordinance and conforms to the site description as indicated on the approved and recorded Final Plan.

Section 802 Waivers and Modifications

- A. The Board of Supervisors may grant a waiver or modification of the requirements of one or more provisions of this Ordinance if the literal enforcement will be unreasonable, will exact undue hardship because of peculiar conditions pertaining to the land in question, or when an alternate standard can be demonstrated to provide equal or better results. Any such waiver or modification shall not be contrary to the public interest or to the purpose and intent of this Ordinance.
- B. All requests for a waiver or modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this Ordinance involved and the minimum modification necessary.
- C. The request for waiver or modification shall be referred to the Planning Commission for advisory comments.
- D. The Board of Supervisors shall keep a written record of all action on all requests for waivers and modifications.

Section 803 Amendments

Amendments to this Ordinance shall be made in accordance with the procedures and timelines established by the MPC.

Section 804 Fees

The Board of Supervisors shall by resolution create a schedule of fees to be paid by the applicant at the time of plan submission, to defray the cost of administering and processing of plans.

Section 805 Review Fees

- A. Applicants shall pay review fees charged to the Township by its professional consultants in the review, approval, and inspection of plans and the subsequent development authorized by the approval of such plans.
- B. Review fees shall include reasonable and necessary charges by the Township's professional consultants for review and report thereon to the Township. Such review fees shall be based upon a schedule established by resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges for similar

service in the community, but in no event shall the fees exceed the rate or cost charged by the professional consultant for comparable services to the Township for services which are not reimbursed or otherwise imposed on applicants. Fees charged to the Township relating to any appeal of a decision on an application shall not be considered review fees and may not be charged to an applicant.

- C. The Board of Supervisors shall submit to the applicant an itemized bill showing work performed, identifying the person performing the services and the time and date spent for each task. The fee schedule adopted by the Board of Supervisors may require interim billing, an escrow toward review fees, or other security requirements. In the event the applicant disputes the amount of any such review fees, the applicant shall, no later than 45 days after the date of transmittal of the bill to the applicant, notify the Township and the Township's professional consultant that such fees are disputed, and shall explain the basis of their objections to the fees charged, in which case the Township shall not delay or disapprove a subdivision or land development application due to the applicant's dispute over fees. Failure of the applicant to dispute a bill within 45 days shall be a waiver of the applicant's right to arbitration of that bill under Section 615.G.
- D. In the event that the Township's professional consultant and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the applicant and the Township shall follow the procedure for dispute resolution set forth in Section 615.G, provided that the arbitrator resolving such dispute shall be of the same profession or discipline as the professional consultant whose fees are being disputed.
- E. Subsequent to a decision on an application, the Board of Supervisors shall submit to the applicant an itemized bill for review fees, specifically designated as a final bill. The final bill shall include all review fees incurred at least through the date of the decision on the application. If for any reason additional review is required subsequent to the decision, including inspections and other work to satisfy the conditions of the approval, the review fees shall be charged to the applicant as a supplement to the final bill.
- F. The Township may withhold permits and subsequent required approvals for nonpayment of invoiced review fees.

Section 806 Preventive Remedies

- A. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- B. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:
 - 1. The owner of record at the time of such violation

2. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- C. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

Section 807 Enforcement Remedies

- A. Any person, partnership or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than six hundred dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the Magisterial District Judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the Magisterial District Judge determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the Magisterial District Judge and thereafter each day that a violation continues shall constitute a separate violation.
- B. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
- C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.
- D. Magisterial District Judges shall have initial jurisdiction in proceedings brought under this Section.

Section 808 Appeals

- A. The procedures for securing review of any ordinance, decision, or determination is set forth in Article X-A of the MPC.

B. Nothing herein shall be construed in limitation of the applicant's right to legally contest decisions of the Board of Supervisors with respect to the approval or disapproval of subdivision or land development plans.

Section 809 Interpretation

The provisions of this Ordinance shall be held to be minimum requirements to meet the purposes of this Ordinance. When provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, or regulations, the provisions of this Ordinance shall prevail. When provisions of any statute, other ordinance or regulations impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance, or regulation shall prevail.

Section 810 Effective Date

This ordinance shall take effect immediately upon adoption and publication according to law.

Adopted by the Board of Supervisors of Paradise Township, York County, Pennsylvania into an ordinance the 28th day of JANUARY, 2009.

Attest:

Board of Supervisors
Paradise Township
York County, Pennsylvania

Judith M. Katz

[Signature]
Chairman

[Signature]
Vice-Chairman

[Signature]
Supervisor