

ORDINANCE NO. 2020- 5

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MOUNT JOY,  
ADAMS COUNTY, PENNSYLVANIA, CHAPTER 110, ZONING, TO PROVIDE  
FOR AND ESTABLISH REQUIREMENTS AND STANDARDS FOR FLAG LOTS AND  
TO CORRECT ERRORS AND OMISSIONS**

**WHEREAS**, the Township desires to amend the Zoning Ordinance of Mount Joy Township to provide for and establish requirements and standards for flag lots and to correct errors and omissions.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Mount Joy Township:

**Section 1. Purpose**

The purpose of this Ordinance is to amend the Zoning Ordinance to provide for and establish requirements and standards for flag lots and to correct errors and omissions.

**Section 2. Enabling Authority**

This Ordinance is enacted pursuant to the enabling authority of the Pennsylvania Municipalities Planning Code, Article VI, 53 P.S. § 10609.

**Section 3. Proposed Amendments to Zoning Ordinance**

Except as otherwise noted, the following amendments show new text in italics; text to be deleted is shown as stricken. Where new text requires section renumbering, such renumbering shall be made upon adoption of the Ordinance.

The Zoning Ordinance is amended as follows:

Section 110-108 Limitations on principal uses and structures, amend subsection E. as follows: All principal uses shall be on lots with frontage on a street (public or private) or, in the event of a nonconforming landlocked *or flag lot, have* ~~having~~ access to a public or private street by means of a lawfully established access easement of a width suitable to handle them amount and type of traffic likely to be generated *or, in the event of a conforming flag lot the pole of the flag lot fronts on a public or private street.*

Section 110-111 Definitions

MANUFACTURING, LIGHT, amend to read:

The assembly, fabrication, manufacture, production or processing of goods or products where no process involved produces noise, vibration, glare, air emissions, or fire hazard measurable beyond the structure in which conducted, *including the distribution, storage or warehousing of goods primarily of a commercial nature.*

LOT LINE, FRONT, amend to add "In the event of a flag lot, the front lot line shall be coincident with the line of the flag most parallel to the right-of-way of a street. In the determination of the front lot line of a flag lot, the flagpole shall be disregarded.

LOT WIDTH, amend to read "For a flag lot, the flagpole shall be excluded for measurement of the lot *width (see definition of Lot Line, Front).*"

Section 301. Table of Uses, amend to delete "Laundromat or dry-cleaning".

Section 302. Dimensional requirements, amend to insert new Subsection B.

B. Flag lot. A flag lot is permitted where all of the following requirements are satisfied:

- (1) The flag lot and the remainder lot (*remaining after subdivision of the flag lot*) each is a minimum of 10 acres;
- (2) the flag lot pole is *a minimum of 50'* in width; and
- (3) the number of flag lots *created by subdivision* does not exceed two per lot of record (*parent tract*) as of [insert effective date of the amendment ordinance].

*Note: The Township's Subdivision and Land Development Ordinance states additional requirements for purposes of regulation of a subdivision to create a flag lot.*

Section 110-402 Specific requirements, subsection A. Adult Use, Subsection (2)(a)[2] amend to read:

Identification of all federal and state laws and regulations applicable to the proposed use, ~~including, but not limited to, the Pennsylvania Liquor Code and Act 120 of 1990,~~ and description in sufficient detail that demonstrates that the proposed use will be operated in full compliance with the identified laws:

Section 110-402 Specific requirements, Subsection D. Alternative energy system as accessory use, amend to delete Subsection (11).

Section 110-402 Specific requirements, Subsection E. Bed-and-breakfast, Subsection (6), amend from "~~limited lodging accessory use~~" to "*bed-and-breakfast use*".

Section 110-402 Specific requirements, Subsection H. Care dwelling as an accessory use to dwelling use, Subsection (2)(c), amend to read "located only in a side or rear yards".

Section 110-402 Specific requirements, Subsection S. Historic building, Subsection (4)(e), amend definition of "partial demolition" to read "but is not ~~be~~ limited to".

Section 110-402 Specific requirements, Subsection HH Sober living residence, Subsection (13), amend to read:

The owner/operator of the use shall provide contact information to the residents for the purpose of submitting and responding to complaints regarding the condition and operation of *the dwelling* or conduct of the ~~occupants~~ *residents* of the dwelling, and shall have the responsibility to take action to resolve such complaints.

Section 110-402 Specific requirements, Subsection II. Solar energy system, amend to delete Subsection (2)(e).

Section 110-402 Specific requirements, Subsection II. Solar energy system, Subsection (10)(a) amend to read "the use of a single *row* of repeated species".

Section 110-402 Specific requirements, Subsection NN. Wireless telecommunications facilities and support, subsection (21)(c)[1] amend to read "within [~~six, 12~~] *twelve* months".

Section 110-502 Noise, Subsection C. amend to read from "of such ~~use~~".

Section 110-602 Required number of parking spaces and loading areas, Subsection B.,

amend title to read "Use not ~~be~~ specifically listed in the table."

amend subsection (G)(2) to read "~~BCD-BPC~~ and ~~BCD-O~~ *BPC-O* Districts".

Section 110-708 Buffer area, Subsection F to read "shall be free of structures, dumpsters or other types of solid waste".

Section 110-809 General sign regulations:

amend Subsection B.(2) to read "in the ~~C~~, AC and OC Districts".

amend Subsection C.(2) to read "may be *allowed* ~~made~~ by the Zoning Officer to achieve

Section 110-1101 Zoning Hearing Board's functions, Subsection A.(1)(a)[2], amend from

“filling” to “filing”.

Section 110-1104 Public hearings, Subsection B., amend to read “shall designate by ordinance and to”.

Section 110-1204 Public hearings, Subsection B, amend to read “shall designate by ordinance and to”.

Section 110-1402 Zoning permits, amend:

Subsection A.(3) to read “expire ~~six~~ twelve months from”.

Subsection C.(2)(e) to read “A zoning permit *has been issued* for the temporary retail use and *is* prominently displayed”.

**Section 4. Effective Date**

This Ordinance shall become effective within five calendar days after the date of enactment of this Ordinance.

ENACTED this 3rd day of September, 2020

ATTEST:

Shannon Hare  
Shannon Hare, Secretary

SEAL

MOUNT JOY TOWNSHIP  
ADAMS COUNTY, PENNSYLVANIA

John E. Gormont  
John E. Gormont, Chairman

David R. Updyke  
David R. Updyke, Vice Chairman

Jeffrey Patterson  
Jeffrey Patterson, Supervisor

Terry Scholle  
Terry Scholle, Supervisor

Bernie Mazer  
Bernie Mazer, Supervisor