

ORDINANCE NO. 2020 - 6

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA, CHAPTER 86, SUBDIVISION AND LAND DEVELOPMENT, TO AMEND THE DEFINITION OF LAND DEVELOPMENT AND REQUIREMENTS FOR FLAG LOTS, AND TO CORRECT ERRORS AND OMISSIONS

WHEREAS, Mount Joy Township adopted a Subdivision and Land Development Ordinance for Mount Joy Township on June 14, 1990, which ordinance was amended at the time of the adoption of the Code of the Township of Mount Joy and codified therein as Chapter 86, and which ordinance as then codified has thereafter been amended over time;

WHEREAS, Mount Joy Township desires to amend its Subdivision and Land Development Ordinance to amend the definition of land development Subsection (3)(b)[1] and [2], to amend and add requirements for flag lots, and to correct various 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 Mount Joy Subdivision and Land Development Ordinance to amend the definition of land development Subsection (3)(b)[1] and [2], to amend and add requirements for flag lots, and to correct various errors and omissions.

Section 2. Enabling Authority

This Ordinance is enacted pursuant to the enabling authority of the Pennsylvania Municipalities Planning Code, Article V. Subdivision and Land Development, 53 P.S. §§ 10501. *et seq.*

Section 3. Amendment of the Mount Joy Township Subdivision and Land Development 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.

Amend the Subdivision and Land Development Ordinance as follows:

Section 86-7 Land Development, Subsection (3)(b)[1] and [2], amend to read:

- (b) the addition *to an existing structure or the construction of a new single an accessory structure building* on a lot *existing as of the effective date of this Ordinance* ~~or lots subordinate to an existing principal building~~; provided, however, that the *accessory structure* ~~addition of a non-residential building~~ does not:
- [1] *if the addition or new accessory structure is to be used for agricultural purpose, exceed a total square footage of 4,000 square feet* ~~if the accessory structure is to be used for agricultural purpose~~;
- [2] *if the addition or new accessory structure is to be used for a non-residential purpose, exceed a total square footage of 1,000 square feet* ~~if the accessory structure is to be used for a non-agricultural purpose or 10% of the principal non-residential structure's building's square footage, whichever is less, as existed as of any addition of an accessory structure made following the effective date of this Ordinance~~;

Section 86-7, Definition of Minor Land Development Plan, Part (4) Utility Plan, amend “~~telephonic~~” to read “*telephone/wireless communications*”.

Section 86-7 Definition of Topsoil to amend “~~call~~” to “*called*.”

Section 86-9 Sketch plan, subsection C.(1) amend to read “~~seven~~ *fifteen* calendar days”.

Section 86-10 Preliminary plan procedures, amend:

Subsection C.(3) to read “the written ~~decisions~~ *decision* shall specify”.

Subsection E.(2)(f) to read “to minimize ~~expensive~~ *extensive* wetland”.

Section 86-12 Final plan procedures, Subsection B, amend to insert new subsection (2):

(2) One copy of the application, plan and accompanying documentation to the Township Zoning Officer.

Section 86-17 General site standards, Subsection F, amend to read: "Land subject to hazards of to life, health or property".

Section 86-22 Lots, Subsection E.(2), amend to replace the existing language in its entirety with the following:

Where a flag lot is permitted by the Zoning Ordinance:

*(a) the driveway to the flag lot shall not be shared with any other lot; and
(b) the distance from the property line of the flag lot pole to the property line of another flag lot pole shall be no less than the minimum lot width requirement for the zoning district in which the flag lot is located.*

Note: The Township's Zoning Ordinance states additional requirements for purposes of regulation of a flag lot.

Section 85-28 Sewer and water supply systems, Subsection K.(2), to amend "arid nitrates" to "and nitrates".

Section 86-36 Open space and recreation areas, Subsection F.(5), to amend to read "maybe may be received" to "may be received."

Section 86-45 Modifications and exceptions, subsection C.(g), to amend to read "Allowance of flag *not in compliance with Section 86-19* lots where necessary".

Section 86-57 Water supply, Subsection B.(2), to amend "~~that either~~" to "*than neither*".

Section 86-65 Mobile home specifications, Subsection B., amend to read "shall be *the same*".

Section 86-67 Notices and revocation of license, Subsection A.(4), amend to read "to ~~have~~ have been".

Section 4. Repealer

All other ordinances of Mt. Joy Township that conflict with this Ordinance are hereby repealed. All other ordinances of the Township not specifically amended or repealed hereby shall remain in full force and effect.

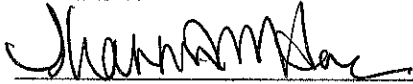
Section 5. Effective Date


This Ordinance shall become effective five days from the date of enactment.

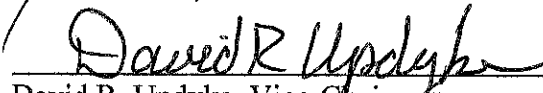
ENACTED this 3rd day of September, 2020.

BOARD OF SUPERVISORS
MT. JOY TOWNSHIP,
ADAMS COUNTY, PENNSYLVANIA

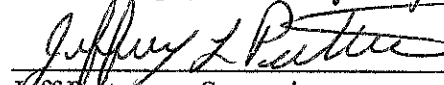
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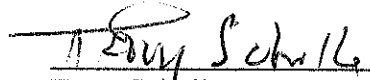

Shannon Hare, Secretary

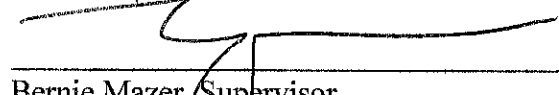

John Gormont, Chairman


David R. Updyke, Vice-Chairman

SEAL:


Jeff Patterson, Supervisor


Terry Scholle, Supervisor


Bernie Mazer, Supervisor