

**TOWNSHIP OF MOUNT JOY**

Lancaster County, Pennsylvania

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**ORDINANCE NO. 342-2024**

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AN ORDINANCE TO AMEND THE MOUNT JOY TOWNSHIP CODE OF ORDINANCES, CHAPTER 119, SUBDIVISION AND LAND DEVELOPMENT, AND CHAPTER 135, ZONING, TO MAKE ADMINISTRATIVE AND TECHNICAL CHANGES AND UPDATES.

BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Mount Joy, Lancaster County, Pennsylvania, as follows:

Section 1. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article III, Plan Processing Procedure, §119-24, Acceptance for filing, Subsection A, Initial filing, shall be amended by adding a new Paragraph (1) which shall provide as follows:

- (1) No submission is complete without payment of the required filing fee and the posting of escrow in the amounts established by resolution by the Board of Supervisors.

Section 2. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article III, Plan Processing Procedure, §119-25, Preliminary review process, shall be amended as follows:

\* \* \*

B. Submission requirements.

- (1) Two initial copies, 24 inches by 36 inches, of the plan are required.

\* \* \*

F. (Reserved.).

Section 3. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article III, Plan Processing Procedure, §119-26, Final plan review process, shall be amended as follows:

\* \* \*

B. Submission and approval. The final plan, complying with all applicable requirements, shall be submitted to the Township Secretary with an application for final approval within one year from the date of the unconditional approval of the preliminary plan. The one-year period may be extended by the Planning Commission upon a showing by the developer that circumstances beyond his control have prevented submission of the final plan within the one-year period and that such circumstances have been overcome or will be overcome in the foreseeable future. Failure to submit the final plan within such period requires submission of a new preliminary plan.

(1) The final plan shall be reviewed in accordance with the procedure set forth in §119-25.D through L. The number of copies and the type of copies of a final plan to be submitted shall be in accordance with the requirements for plans in §119-25.B. If the final plan is approved subject to conditions, the applicant shall satisfy all conditions and submit the plan for signature within one year after plan approval. Failure to satisfy conditions or submit the required copies shall result in the expiration of the final plan approval and require submission of a new final plan.

(2) After approval by the Planning Commission, the final plan set shall be submitted to the Township Secretary for signature. The developer shall also provide one electronic copy of the final plan in the format specified by the Township Engineer.

\* \* \*

Section 4. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article III, Plan Processing Procedure, §119-29, As-built plans, shall be amended to provide as follows:

**§119-29. As-built plans.**

A developer shall file as-built plans of all street improvements, stormwater management facilities, public water supply facilities, public sewage disposal facilities and other public improvements at the completion of construction and before any dedication for public use. One paper set of as-built plans and one set in an electronic format acceptable to the Township Engineer shall be filed with the Township Secretary. The Township Engineer shall review and approve the as-built plan. The Township shall not release of the financial security until the as-built plan is submitted, reviewed and approved by the Township Engineer, and the Township Engineer has issued the completion certificate.

Section 5. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article IV, Information to be Included on or With Plans, §119-31, General plan requirements, shall be amended as follows:

\* \* \*

B. Location and identification.

\* \* \*

- (8) A location map, drawn to a scale of a minimum of one inch equals 2,000 feet relating the subdivision or land development to at least two intersections of road center lines.

\* \* \*

Section 6. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article IV, Information to be Included on or With Plans, §119-32, Required reports, shall be amended as follows:

\* \* \*

A. Water and sewer facilities feasibility report.

\* \* \*

- (7) If connection to an existing public water system is proposed, the subdivider or developer shall so state.

\* \* \*

- (11) In the case of subdivisions or land developments of five or fewer existing or proposed residential units, the water feasibility study is not required.

\* \* \*

B. Wetland studies.

\* \* \*

- (4) Requirements for wetland studies:

\* \* \*

- (c) Included in the report as appendixes or tables shall be:

\* \* \*

- [3] A letter from the United States Army Corps of Engineers verifying the wetland boundaries shall also be attached to the preliminary plan. The verified boundaries shall be shown on the preliminary plan map.

\* \* \*

- [5] (Reserved.).

\* \* \*

Section 7. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article IV, Information to be Included on or With Plans, §119-34, Preliminary plans, shall be amended as follows:

\* \* \*

E. Certificates, notifications, reports and studies.

(1) Certificates.

\* \* \*

(e) Where the plan indicates that water will be supplied through a means other than private wells owned and maintained by individual owners of lots, a cooperative agreement or agreement to serve the area in question, whichever is appropriate, from the entity which will provide the public water supply shall be submitted.

\* \* \*

Section 8. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article IV, Information to be Included on or With Plans, §119-37, Minor subdivision and/or land development plans, shall be amended as follows:

\* \* \*

B. Location and identification. Minor subdivision and/or land development plans shall include all information required in §119-31B and §119-31C.

\* \* \*

Section 9. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article VI, Design Standards, §119-52, Streets, private streets, alleys and lot access requirements, shall be amended as follows:

\* \* \*

L. Clear sight triangles and stopping sight distance at street intersections.

(1) Clear sight triangles. There shall be provided and maintained at all intersections a clear sight triangle. The triangle shall be formed by the center lines of the two intersecting streets and the stopping sight distance, as defined in §119-52.L(2) below, in both directions along the center line of the intersected street (See Appendix No. 14). Clear sight triangles shall be indicated on all plans, and a note shall be provided on the plans which states that no structures, landscaping or grading may be constructed, installed or performed within the area of the clear sight triangle which would obscure the vision of motorists. All new deeds created for lots which contain clear sight triangles shall provide that no structure, landscaping or grading shall be erected, installed or performed within the area of the clear sight triangle which will obscure the vision of motorists.

\* \* \*

O. **Streetlighting.** Streetlighting shall be provided along all new streets that are located within the designated growth area. The Planning Commission may also require streetlighting along new streets located outside the designated growth area on a case-by-case basis. Streetlighting standards shall be as follows:

(1) Streetlights shall be installed and spaced accordingly in order to provide the following lighting standards for streets:

<b>Use</b>	<b>Location</b>	<b>Maintained Footcandles<sup>1</sup></b>	<b>Uniformity Ratio (max:min)<sup>2</sup></b>
Streets, street intersections and street signs	Residential subdivisions and land developments	0.4	6:1
	Nonresidential subdivisions and land developments	0.9	6:1

Notes:

<sup>1</sup> Illumination levels are maintained horizontal footcandles in a particular location that project onto pavement or other area surface.

<sup>2</sup> Uniformity ratio is a measure of the dispersion of light on an area. The ratio is measured as maximum light level to minimum light level. Example: 6:1 for the given area, the maximum level of illumination shall be less than six times the minimum level of illumination ( $0.4 \times 6 = 2.4$ ).

\* \* \*

R. **Street construction standards.** All roads or streets shown on the land development plans shall be constructed and improved in the manner described in this section.

\* \* \*

(8) Placement of backfill in trench excavations shall be as follows:

(a) Trenching in areas of new street or road construction (“unimproved”).

\* \* \*

[2] Backfill the remainder of the trench with PennDOT specification 2A stone in uncompacted lifts of no more than eight inches, compacting each lift to 90% proctor density. Backfill shall continue in this manner until subgrade elevation is reached.

\* \* \*

S. **Driveways, access drives and specific traffic control requirements.**

\* \* \*

- (2) Driveways. Driveways that serve any dwelling on a single lot or an agricultural use, at a minimum, shall be designed in accordance with the following:

\* \* \*

- (g) Driveways shall be designed with clear sight triangles in accordance with §119-52.L.

\* \* \*

Section 10. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article VI, Design Standards, §119-53, Vehicle parking facilities; sidewalks and curbs, shall be amended as follows:

\* \* \*

B. Sidewalks.

- (1) Paved sidewalks shall be provided along the frontage of existing streets and on both sides of a new street and access drive that serve all subdivisions and land developments, with the exception to those subdivisions or land developments located outside the adopted designated growth area, as indicated in the Township Comprehensive Plan. The Township may require sidewalks outside the designated growth area if the subdivision or land development is located:

\* \* \*

C. Curbs.

- (1) Concrete curbs shall be provided for all subdivisions and land developments along existing and proposed street frontages, access drives, and along the edge of any landscaped portions of a parking facility. For developments located outside the designated growth area, curbing shall not be required along all street frontages, access drives and along the edge of any landscaped portion of a parking facility, unless the Township Engineer determines it is necessary for stormwater management and control purposes. Concrete curbs may be required by the Township in subdivisions and land developments outside the designated growth area in the following locations:

\* \* \*

Section 11. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article VI, Design Standards, §119-56, Easements and utility location, shall be amended as follows:

\* \* \*

- B. Nothing shall be placed, planted, set or put within the area of an easement that would adversely affect the function of the easement or conflict with the easement agreement. This requirement shall be noted on the final plan and shall be included in all new deeds created for lots which contain an easement.

\* \* \*

Section 12. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article VI, Design Standards, §119-57, Survey monuments and markers, shall be amended as follows:

\* \* \*

- B. Three monuments shall be spaced around the proposed project with precise bearings and distances labeled which reference those monuments to known property corners.

\* \* \*

(5) (Reserved.).

\* \* \*

Section 13. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article VI, Design Standards, §119-59, Landscaping and street tree requirements, shall be amended as follows:

\* \* \*

- G. Street trees shall be provided in all subdivisions and land developments which include new streets.

\* \* \*

- (4) The following tree species are acceptable to meet the street tree requirements. Other tree species may be used, provided acceptable information is submitted to indicate that the species are hardy trees or fit the site's ecosystem:

- (a) Smaller trees suitable for placement under utility wires:

- [1] American hornbeam (*Carpinus caroliniana*).

- [2] American smoketree (*Cotinus obovatus*).

- [3] Amur maackia (*Maackia amurensis*).

- [4] Columnar sargent cherry (*Prunus sargentii* 'Columnaris').

- [5] Constellation dogwood (*Cornus* x 'Rutcan').

- [6] Crabapple, fruitless (*Malus* species).
  - [7] Eastern redbud (*Cercis canadensis*).
  - [8] Fringetree (*Chionanthus virginicus*).
  - [9] Ivory silk lilac (*Syringia reticulata* ‘Summer Snow’ or ‘Ivory Silk’).
  - [10] Okame cherry (*Prunus x incum* ‘Okame’).
  - [11] Paperbark maple (*Acer griseum*).
  - [12] Serviceberry (*Amelanchier lamarkii*) / Allegheny serviceberry (*Amelanchier laevis*).
  - [13] Thornless cockspur hawthorn (*Crataegus crus-galli* var. *inermis*).
- (b) Medium trees suitable where adequate room for root and canopy growth is available and no overhead utility wires:
- [1] American yellowwood (*Cladastris kentukea*).
  - [2] ‘Frontier’ Hybrid elm (*Ulmus carpinifolia* x *parvifolia* ‘Frontier’).
  - [3] Goldenraintree (*Koelreuteria paniculata*).
  - [4] Persian ironwood/Parrotia (*Parrotia persica*).
  - [5] Thornless honeylocust (*Gleditsia triacantos* ‘Imperial’).
  - [6] Upright European hornbeam (*Carpinus betulus* ‘Fastigate’).
  - [7] *Zelkova serrata* ‘Musashino’.
- (c) Large trees suitable for open areas:
- [1] American linden or basswood (*Tilia Americana*).
  - [2] Blackgum (*Nyssa sylvatica*).
  - [3] Ginkgo, fruitless (*Ginkgo biloba*).
  - [4] Hybrid Maples.
  - [5] Japanese pagoda tree (*Sophora japonica*).
  - [6] Japanese zelkova (*Zelkova serrata* ‘Village Green’, ‘Green Vase’, and ‘Halka’).
  - [7] Katsura (*Cercidiphyllum japonica*).
  - [8] London planetree (*Platanus x acerifolia* ‘Bloodgood’).
  - [9] Prairie Pride hackberry (*Celtis occidentalis*).
  - [10] Purple Robe black locust (*Robinia psuedoacacia* ‘Purple



Robe’).

- [11] Red maple (*Acer rubrum*).
- [12] Shumard oak (*Quercus shumardii*).
- [13] Silver linden (*Tilia tomentosa* ‘Sterling’).
- [14] Swamp white oak (*Quercus bicolor*).
- [15] Sweetbay magnolia (*Magnolia virginiana*).
- [16] Sweetgum ‘Rotundiloba’ (*Liquidambar styracflua* ‘Rotundiloba’).

\* \* \*

Section 14. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article VI, Design Standards, §119-60, Sanitary sewage disposal and water supply, shall be amended as follows:

\* \* \*

B. Water supply.

\* \* \*

- (5) 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 land development, the applicant shall present evidence that the subdivision or land development is to be supplied by a certificated public utility, by a bona fide cooperative association of lot owners or by the public water provider. A cooperative agreement or a commitment to serve the area in question, whichever is appropriate, shall be acceptable evidence.

\* \* \*

Section 15. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and Land Development, Article VI, Design Standards, §119-61, Mandatory recreation dedication, shall be amended as follows:

\* \* \*

- I. Fee-in-lieu funds disposition. Moneys received from developers shall be placed in a capital reserve fund. Funds may be spent for recreational facility acquisition, development, or maintenance of a community park or other centralized recreation facility designed to serve all Township residents.
- J. (Reserved.).

\* \* \*

Section 16. The Mount Joy Township Code of Ordinances, Chapter 119, Subdivision and

Land Development, shall be amended by deleting Appendix 20, Recreation Districts, in its entirety.

Section 17. The Mount Joy Township Code of Ordinances, Chapter 135, Zoning, Article XXII, Specific Use Regulations, §135-262, Townhouses, shall be amended as follows:

\* \* \*

E. (Reserved.).

\* \* \*

Section 18. The Mount Joy Township Code of Ordinances, Chapter 135, Zoning, Article XXIII, General Regulations, §135-301, Classification of Streets, Establishments of ultimate street right-of-way lines and the dedication of right-of-way, shall be amended as follows:

\* \* \*

A. Arterial streets. Arterial streets are used primarily for fast or heavy traffic, including all roads classified as main and secondary highways by PennDOT.

\* \* \*

(3) For the purposes of applying the standards of this chapter, the following roads shall contain an arterial road classification and contain an ultimate right-of-way width of 60 feet:

\* \* \*

(c) Eagle Parkway (T-833), entire length.

B. Collector streets. Collector streets carry traffic from minor streets to the major system or arterial streets, including the principal entrance streets of a residential development and streets within such a development.

(1) For the purposes of applying standards of this chapter, the following roads shall contain a collector road classification and contain an ultimate right-of-way width of 80 feet:

(a) (Reserved.)

(2) For the purposes of applying the standards of this chapter, the following roads shall contain a collector road classification and contain an ultimate right-of-way width of 60 feet:

\* \* \*

(x) Ridge Run Road (T-316)

(y) Other collector streets identified on the Official Map.

\* \* \*

Section 19. The Mount Joy Township Code of Ordinances, Chapter 135, Zoning, Article XXVIII, Zoning Hearing Board, §135-383, Zoning Hearing Board functions, Subsection B, Special exceptions, Paragraph (2), Traffic and public services, shall be amended to provide as follows:

Traffic and public services. The applicant shall establish by credible evidence that the proposed special exception shall be properly serviced by all existing public service systems. The peak traffic generated by the subject of the application shall be accommodated in a safe and efficient manner or improvements made in order to effect the same. Similar responsibilities shall be assumed with respect to other public service systems, including but not limited to police protection, fire protection, utilities, parks and recreation. If the proposed use or development is estimated to generate more than 1000 daily trips or more than 100 am or pm peak hour trips using accepted engineering standards such as the ITE Trip Generation Manual, the applicant shall provide a traffic study meeting all requirements of Chapter 119, Subdivision and Land Development, §119-32.C(5).

Section 20. All other sections, parts and provisions of the Code of Ordinances of Mount Joy Township shall remain in full force and effect as previously enacted and amended.

Section 21. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 22. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of Mount Joy as provided by law.

DULY ORDAINED AND ENACTED this 19<sup>th</sup> day of February, 2024, by the Board of Supervisors of the Township of Mount Joy, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF MOUNT JOY  
Lancaster County, Pennsylvania

Attest: Patricia J. Bailey  
(Assistant) Secretary

By: Yvona D. Heber  
(Vice) Chairman  
Board of Supervisors

