

**MOUNT JOY TOWNSHIP
LANCASTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 2026 - ____**

AN ORDINANCE TO AMEND THE MOUNT JOY TOWNSHIP ZONING ORDINANCE OF 2012: ARTICLE XXVI, SECTION 135-352, ACTIVE-ADULT COMMUNITY DESIGN OPTION, TO MODIFY MINIMUM DENSITY, BUILDING SETBACK, AND VEHICULAR CIRCULATION STANDARDS; ARTICLE XXV, SECTION 135-343, MINIMUM OFF-STREET PARKING REQUIREMENTS, TO ESTABLISH PARKING STANDARDS FOR CERTAIN ACTIVE-ADULT COMMUNITIES; AND TO AMEND THE OFFICIAL ZONING MAP OF MOUNT JOY TOWNSHIP TO REZONE APPROXIMATELY 85 ACRES OF LAND IDENTIFIED AS TAX MAP PARCEL NOS. 4617897900000 AND 4610611600000 LOCATED ALONG SNYDER ROAD FROM A – AGRICULTURAL DISTRICT TO R-1 – LOW-DENSITY RESIDENTIAL DISTRICT.

The Board of Supervisors of Mount Joy Township hereby ordains:

Section 1. The Mount Joy Township Zoning Ordinance, Chapter 135, Zoning, Article XXVI, Design Options and Density Incentives, Section 135-352, Active-Adult Community Design Option, Section B, Eligibility criteria, Subsection (7) shall be amended to read as follows:

(7) The minimum density of development shall be 2.0 dwelling units per net developable acre, and the maximum density of development shall be 7.5 dwelling units per net developable acre;

Section 2. The Mount Joy Township Zoning Ordinance, Chapter 135, Zoning, Article XXVI, Design Options and Density Incentives, Section 135-352, Active-Adult Community Design Option, Section F, Building design and development criteria, Subsection (3), Building setbacks, shall be amended to add a new Subsection (g), which shall read as follows:

(g) In active-adult communities consisting exclusively of single-family detached dwellings and single-family semidetached (duplex) dwellings, the minimum setback from the paved edge of all cartways, interior access drives, lanes, or streets may be reduced from 30 feet to 25 feet, provided that each dwelling unit is designed with a two-car garage.

Section 3. The Mount Joy Township Zoning Ordinance, Chapter 135, Zoning, Article XXVI, Design Options and Density Incentives, Section 135-352, Active-Adult Community Design Option, Section F, Building design and development criteria, Subsection (10), Vehicular circulation system, shall be amended to add a new Subsection (f), which shall read as follows:

(f) Alternative Street Standard for Active-Adult Communities Consisting Exclusively of Single-Family Detached and Semidetached (Duplex) Dwellings. In active-adult communities consisting exclusively of single-family detached dwellings and single-family semidetached (duplex) dwellings, interior local streets may be designed with two travel

lanes, no parallel parking lanes, and a minimum cartway width of 24 feet, in lieu of the minimum cartway widths specified in Subsection (10)(a).

Section 4. The Mount Joy Township Zoning Ordinance, Chapter 135, Zoning, Article XXV, Parking Regulations, Section 135-343, Minimum off-street parking requirements, Subsection A.(5), Active-adult communities, shall be amended to add a new Subsection (e), which shall read as follows:

(e) In active-adult communities consisting exclusively of single-family detached dwellings and single-family semidetached (duplex) dwellings, where each unit is designed with a two-car garage and a driveway that accommodates two additional vehicles accessing the garage, no additional off-street parking spaces shall be required. The four on-lot spaces provided per unit shall satisfy the requirements of Subsection (a) and any visitor-parking expectation for this housing type.

Section 5. Zoning Map Amendment. The Official Zoning Map of Mount Joy Township, Lancaster County referenced in Chapter 135, Zoning, Article VI, Zoning Districts, Section 135-52, Zoning Map, of the Mount Joy Township Zoning Ordinance is hereby amended by changing the official zoning designation of approximately 85 acres of land indexed at Tax Map Parcel Nos. 4617897900000 and 4610611600000 located along Snyder Road and as is further described and depicted in attached Exhibit "A" from its current zoning classification as A – Agricultural District to R-1 – Low-Density Residential District. The lands that are the subject of this amendment are more particularly described and depicted in Exhibit "A" attached hereto and incorporated herein by reference.

Section 6. Recording. This Ordinance is incorporated by reference into the official Ordinance Book of Mount Joy Township, Lancaster County pursuant to Section 610(c) of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10610(c).

Section 7. Savings Clause. Nothing in this Ordinance or in Chapter 135 of the Mount Joy Township Zoning Ordinance, as hereby amended, shall be construed to affect any suit or proceeding in any court, any rights acquired, or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 135 prior to the adoption of this amendment.

Section 8. Severability. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part or provision had not been included herein.



Fidelity National Title Insurance Company

EXHIBIT A

The Land is described as follows:

TRACT 1:

ALL THAT CERTAIN farm or tract of land with any buildings and improvements thereon erected, situated on the eastern side of the public road leading from the Lancaster and Harrisburg State Road to Milton Grove, west of the Village of Florin, in the Township of Mount Joy, County of Lancaster, and State of Pennsylvania, and bounded and described as follows, to wit:

BEGINNING at the southwest corner thereof, at a limestone in the public road aforesaid, 11.3 feet from the present line on the east side of said road, a corner of lands now or late of Barbara Raymond, and formerly the Estate of Aaron G. Fretz, deceased, and formerly of the Estate of David S. Miller, deceased, now or late of Elmer W. Strickler, North 12 degrees East 2433.5 feet to a limestone in the said road (18.5 feet from the present fence line on the east side of said road); thence by land of Ada N. Garber, South 78 degrees 05 minutes East 1948 feet to an iron pin in the public road leading from Milton Grove to Florin (24.3 feet from the present fence line on the west side of said road; and said iron pin bearing South 15 degrees 10 minutes West 65.25 feet from a limestone at the present fence line on the east side of said road, a corner of land formerly of Amos R. Nissley, now or late of Ada N. Garber and David R. Forney); thence in said road by lands of said David R. Forney, South 15 degrees 10 minutes West 1028 feet to a limestone; thence extending in the middle of said road and in a private lane by property now or late of E.S. Weaver, North 56 degrees 10 minutes West 27.9 feet, more or less, to an iron pin in the middle of a private lane on the western side of the aforesaid public road; thence extending by said property now or late of E.S. Weaver, South 28 degrees 37 minutes West 1044.3 feet to a stone; thence extending by property now or late of said E.S. Weaver, North 57 degrees 15 minutes West 784.1 feet to an iron pin; and South 21 degrees 20 minutes West 755 feet to a limestone; thence by land now or late of Barbara Raymond, North 69 degrees 30 minutes West 204 feet to a limestone; and North 74 degrees 40 minutes West 532 feet to the place of BEGINNING; CONTAINING approximately 89 acres and 112.06 feet, more or less.

EXCEPTING AND RESERVING those tracts of land as conveyed in Record Book O-83 page 242, Record Book F-87 page 75, Record Book P-89 page 270, Record Book C-90 page 638, and Record Book T-92 page 515.

ALSO EXCEPTING AND RESERVING all that certain tract of land situate along the east side of Snyder Road (LR 36068), being shown as Lot 6 on Subdivision Plan Book J-143 page 104, located in the Township of Mount Joy, County of Lancaster, and State of Commonwealth of Pennsylvania.

TRACT 2:

ALL THAT CERTAIN tract of land situate along the east side of Snyder Road (LR 36068), being shown as Lot 6 on Subdivision Plan Book J-143 page 104, located in the Township of Mount Joy, County of Lancaster, and State of Commonwealth of Pennsylvania.

TRACT 3:

ALL THAT CERTAIN tract of land being a portion of the former Pleasure Road which Mount Joy Township vacated in accordance with the provisions of the Second Class Township Code, and being located in the Township of Mount Joy, County of Lancaster, and Commonwealth of Pennsylvania:

BEGINNING at a point in the westerly right-of-way line of Fairview Road (S.R. 4035) where the -westerly right-of-way line of (to be abandoned) Pleasure Road (T-867) intersects same; THENCE along the westerly right-of-way line of Fairview Road (S.R. 4035), South 15 degrees 34 minutes 12 seconds East 30.88 feet to a

EXHIBIT A
(Continued)

point; THENCE along the dividing line between lands of Martha Nissley Weidman and lands now or formerly of Sumpman Brothers, South 16 degrees 31 minutes 34 seconds West 622.05 feet to a point; and South 17 degrees 31 minutes 34 seconds West 450.45 feet to a point in the dividing line between Mount Joy Township and Mount Joy Borough; THENCE along said dividing line, North 54 degrees 43 minutes 26 seconds West 17.32 feet to a point; THENCE along the westerly right-of-way line of (to be abandoned) Pleasure Road, T-867, North 17 degrees 31 minutes 34 seconds East 450.16 feet to a point; and North 16 degrees 31 minutes 34 seconds East 642.93 feet to a point, the place of BEGINNING.

BEING composed of the westerly 1/2 of the 33 foot right-of-way of (to be abandoned) Pleasure Road (T-867), and situated in Mount Joy Township, Lancaster County, Pennsylvania.

TRACT 1 & 2:

Being Tract 1 of the same premises which John Barnes Company, a Delaware corporation, by Deed dated 3/27/1928 and recorded 4/2/1928 in Lancaster County in Record Book A-29 page 335 conveyed unto Elmer W. Strickler, in fee.

And the said Elmer W. Strickler died 3/13/1937 leaving a Will registered and probated in the Register of Wills Office, in and for Lancaster County, PA, in Estate File No. 114 March 1937, wherein he bequeathed all of his estate to his widow, Mary A. Strickler.

And the said Mary A. Strickler died 2/6/1942 leaving a Will registered and probated in the Register of Wills Office, in and for Lancaster County, PA, in Estate File No. 66 February 1942, wherein she left said premises to her son, Elmer W. Strickler, Jr. during his natural life, and upon his death to her two daughters, Mary Fretz Strickler and Martha Nissley Weidman.

And the said Elmer W. Strickler, Jr. died 1/24/1971, whereby Mary Fretz Strickler and Martha Nissley Weidman received the premises as provided by Mary A. Strickler's Will.

And the said Mary Fretz Strickler, now by marriage Mary F. Sarver, died 11/30/1983, leaving a Will registered and probated in the Register of Wills Office, in and for Lancaster County, PA, in Estate File No. 1992-1165, wherein she appointed Mary Adams as Executrix, to whom Letters Testamentary were granted on 8/20/1992.

And the said Mary Fretz Strickler, now by marriage Mary F. Sarver, devised and bequeathed all the rest, residue and remainder of her estate as follows:

- a. 1/2 interest to her niece, Mary Adams
- b. 1/2 interest to the children of her deceased nephew, Abram H. Weidman, Jr:
Jillian M. Weidman (now by marriage Jillian M. Jones); Abram H. Weidman, III; and Jodi Lynn Weidman (now by marriage Jody Lynn Musser)

And the said Martha N. Weidman, also known as Martha Nissley Weidman, died 10/11/1999, leaving a Will registered and probated in the Register of Wills Office, in and for Lancaster County, PA, in Estate File No. 1999-1556, wherein she appointed Mary Adams as Executrix, to whom Letters Testamentary were granted on 10/20/1999.

And the said Martha N. Weidman, a/k/a Martha Nissley Weidman, devised and bequeathed all the rest, residue and remainder of her estate as follows:

- a. 1/2 interest to her daughter, Mary Adams
- b. 1/2 interest to the widow and heirs of her deceased son, Abram H. Weidman, Jr:
Judith Weidman, widow; Jillian M. Weidman (now by marriage Jillian M. Jones); Abram H. Weidman, III; and Jodi Lynn Weidman (now by marriage Jody Lynn Musser)

TRACT 3:

Being the same premises which Mount Joy Township, a second class township, by Quitclaim Deed dated 3/2/2006 and recorded 3/7/2006 in Lancaster County as Document No. 5503916 conveyed unto Mary Adams, Jillian M. Weidman, Abram H. Weidman, III; and Jodi Lynn Weidman -(1/2 interest); and Mary Adams; Jillian M. Weidman,

EXHIBIT A
(Continued)

n/b/m Jillian M. Jones; Abram H. Weidman, III; Jodi Lynn Weidman, and Judith Weidman -(1/2 interest), in fee.

And the above stated heir and grantee, Judith Weidman, a/k/a Judith M. Weidman (Judith Marie Weidman), has since died leaving a Will registered and probated in the Lancaster Register of Wills Office in Estate Case No. 2021-02914, wherein she appointed Abram H. Weidman, III as Executor, to whom Letters Testamentary were granted on 7/26/2021.

And Charter Homes Development Company and Florin Hills, L.P. join in this conveyance to release any unrecorded equitable interest they may have in subject premises.

CERTIFICATE

I, the undersigned, (Assistant) Secretary of the Township of Mount Joy, Lancaster County, Pennsylvania ("Township") certify that: The foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township which duly was enacted by affirmative vote of a majority of the members of the Board of Supervisors of the Township of Mount Joy at a meeting duly held on the _____ day of _____, _____; that such Ordinance has been duly recorded in the Ordinance Book of the Township; such Ordinance has been duly published as required by law; and such Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Board of Supervisors of the Township of Mount Joy met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S. §701 et seq., as amended, by advertising the date of said meeting, by posting prominently a notice of said meeting at the principal office of the Township of Mount Joy or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to enacting such Ordinance.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township of Mount Joy, this _____ day of _____, _____.

(Assistant) Secretary

[TOWNSHIP SEAL]