

Exhibit RS1

Fri, Dec 2, 2022, 2:56 PM

Good afternoon, Randy,

Thank you for your question regarding how Mt. Joy Township (Township) can still receive impact fees and change zoning overlays even though its Regional Strategic Plan is out of date. Please know that our office cannot provide you with any legal advice, but I am happy to share with you my best understanding of the issues based upon my research.

To answer your question: it appears that the Regional Strategic Plan serves as the Township's comprehensive plan, and not it's official zoning map.

Comprehensive plans are authorized by statute (Section 301 of the Municipalities Planning Code (MPC); or Act 247 of 1968) and are meant to be used as a document outlining a municipality's visions for the future. While they are not meant to include specific zoning policies, they often include information on a municipality's history, recent trends, and other analysis. The MPC also grants municipalities the option to draft these comprehensive plans together (Section 1102 Intergovernmental Cooperative Planning and Implementation Agreements), as is the case of Mt. Joy Township. Mt. Joy's Regional Strategic Plan was adopted on April 29, 2010, by Resolution 6 of 2010. From the Regional Strategic Plan, page 1:

"Through the creation of the Regional Strategic Plan, which will serve as Elizabethtown Borough's and Conoy, Mount Joy, and West Donegal Townships' regional comprehensive plan, the municipalities further demonstrate a clear understanding that critically important service delivery, environmental, economic, utility and transportation systems are regional by nature and their proper planning, development, and management will only improve with a regional perspective."

There are many municipalities across the Commonwealth that may have comprehensive plans which are out of date, however, there are limited options available that compel municipalities to update them in a timely manner. From the Township's incorporating resolution (Resolution 6 of 2010), there does not appear to be any reference to a date at which point the Township's Regional Strategic Plan would expire. The Township does appear to be in the process of reviewing the Plan, though, as there is a Planning Commission Meeting Scheduled for December 5th, at 7:00PM as published on the Township's website. While the Township's website acknowledges that updating the plan was to begin between 2019-2020, the COVID-19 Pandemic may have delayed any in-person inter-municipal planning at that time.

Zoning maps differ from comprehensive plans, as zoning maps outline what land development is permitted in any given area of a municipality. Mt. Joy's official zoning map was last updated on March 19, 2018, pursuant to Mt. Joy Zoning Ordinance 314-2018. An online copy of this map can be found at this link. Moreover, the ordinance enacting impact fees for the Township appears to remain in effect and can be found in Chapter 125 (Transportation Impact Fees) of the Mt. Joy Ordinances. This impact fee is collected to generate revenues for funding the costs of transportation capital improvements. Chapter 125 of the Transportation Impact Fees was adopted on June 21, 2004, by Ordinance No. 196 (amended on May 15, 2006, by Ordinance No. 217, and on May 16, 2016, by Ordinance No. 302). A schedule of current impact fee calculations for Mt. Joy Township can be found here.

I do hope this information is helpful to you and answers your question. Again, please know that I cannot offer you any legal advice. The above is my best understanding of these issues based upon my research. If I can be of assistance on any other local government-related matter, please let me know.

Best,
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