
PROJECT MEMORANDUM



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Huntingdon County Comprehensive Plan Update DM/A Project No. 05-183

TO: Comprehensive Plan Committee

FROM: DM/A Planning Group

DATE: March 31, 2006

RE: Comprehensive Plan Consistency Policy

One of the intended purposes of the amendments to the Pennsylvania Municipalities Planning Code (MPC) undertaken in 2000 was to promote consistency between all levels of government charged with planning and land use regulation. Act 68 of 2000 also highlighted the role of the County planning Commission in coordinating and analyzing the consistency of planning efforts at various levels.

For the first time, the MPC started to define what consistency was, how consistency was to be achieved, and provided incentives for consistency. Consistency is defined in the MPC as:

“agreement or correspondence between matters being compared which denotes a reasonable, rationale, similar connection or relationship”.

The amendment clearly charged the County Planning Commission with directing efforts to achieve consistency. Section 301.4.(b) of the MPC now reads as follows:

Section 301.4. Compliance by Counties

(b) County planning commissions shall publish advisory guidelines to promote general consistency with the adopted county comprehensive plan. These guidelines shall promote uniformity with respect to local planning and zoning terminology and common types of municipal land use regulations.

This Project Memorandum discusses the intent of a Comprehensive Plan Consistency Policy and potential approaches the County Planning Commission could take to promote and implement consistency. The purpose of such a policy is to:

- Encourage the adoption, or revision, of municipal plans and ordinances to achieve consistency with the goals, objectives and policies of the County Comprehensive Plan;
- Encourage innovation in municipal ordinances to effectively manage land use in a manner consistent with the County Comprehensive Plan;
- Foster multi-municipal planning efforts to effectively address planning issues facing Huntingdon County municipalities; and

- Promote the use of professional planning expertise to address land use and other planning issues at the municipal and multi-municipal level.

Below is a list of potential approaches the County can consider to implement to meet the stated purpose of Consistency Policy. Not all of these approaches may be applicable to Huntingdon County at this time. Due to funding, staffing and level of municipal interest, the Consistency Policy may need to be further refined over time. Each approach should be reviewed with the Comprehensive Plan Committee to identify the pros and cons of each approach and to develop the preferred approach to be included in the Comprehensive Plan Update.

Changes to County Reviews

The Huntingdon County Planning Commission is afforded the opportunity, in accord with several state and federal laws, to review grant applications, project proposals, and development plans submitted by municipalities, agencies or developers. The purpose of the review is to ensure that such proposals and plans conform to the county comprehensive plan. The Huntingdon County Planning Commission should take its review role seriously and uphold the vision and objectives of the county plan. It should represent and be accountable to the broad public interest that created the plan.

Establish Comprehensive Plan Implementation Partnership

It is acknowledged that the Huntingdon County Planning Commission has only partial ability to implement the Comprehensive Plan. Municipalities have authority in community development and infrastructure projects, zoning, other regulations and taxation. Independently governed and financed agencies play lead roles in economic development, housing, agriculture, etc. Therefore, municipalities and agencies should be recruited as partners in implementing the plan. They should be asked to support plan implementation voluntarily and cooperatively, and be encouraged to do the things they do best in support of county plan vision and objectives.

Recent amendments to the MPC address this issue directly. Article 11 of the MPC is entitled Joint Municipal Planning Commissions but it provides much more than this subject. Article 11 enables regional planning and specifies its objectives. It defines municipal versus County roles in the regional planning process. And finally, it provides for inter-municipal implementation agreements. Section 1104 states:

(a) In order to implement multi-municipal comprehensive plans, under section 1103 counties and municipalities shall have authority to enter into intergovernmental cooperative agreements.

(b) Cooperative implementation agreements between a county and one or more municipalities shall:

(1) Establish the process that the participating municipalities will use to achieve general consistency between the county or multi-municipal comprehensive plan and zoning ordinances, subdivision and land development and capital improvement plans within participating municipalities, including adoption of conforming ordinances by participating municipalities within two years and a mechanism for resolving disputes over the interpretation of the multi-municipal comprehensive plan and the consistency of implementing plans and ordinances.

(2) Establish a process for review and approval of developments of regional significance and impact that are proposed within any participating municipality. Subdivision and land development approval powers under this act shall only be exercised by the municipality in which the property where the approval is sought.

Under no circumstances shall a subdivision or land development applicant be required to undergo more than one approval process.

(3) Establish the role and responsibilities of participating municipalities with respect to implementation of the plan, including the provision of public infrastructure services within participating municipalities as described in subsection (d), the provision of affordable housing, and purchase of real property, including rights-of-way and easements.

(4) Require a yearly report by participating municipalities to the county planning agency and by the county planning agency to the participating municipalities concerning activities carried out pursuant to the agreement during the previous year. Such reports shall include summaries of public infrastructure needs in growth areas and progress toward meeting those needs through capital improvement plans and implementing actions, and reports on development applications and dispositions for residential, commercial, and industrial development in each participating municipality for the purpose of evaluating the extent of provision for all categories of use and housing for all income levels within the region of the plan.

(5) Describe any other duties and responsibilities as may be agreed upon by the parties.

(c) Cooperative implementation agreements may designate growth areas, future growth areas and rural resource areas within the plan. The agreement shall also provide a process for amending the multi-municipal comprehensive plan and redefining the designated growth area, future growth area and rural resource area within the plan.

(d) The county may facilitate convening representatives of municipalities, municipal authorities, special districts, public utilities, whether public or private, or other agencies that provide or declare an interest in providing a public infrastructure service in a public infrastructure service area or a portion of a public infrastructure service area within a growth area, as established in a county or multi-municipal comprehensive plan, for the purpose of negotiating agreements for the provision of such services. The county may provide or contract with others to provide technical assistance, mediation or dispute resolution services in order to assist the parties in negotiating such agreements.

The County would seek resolutions from municipalities to support the Comprehensive Plan and would agree to review how their plans and ordinances can help implement the Plan. The County will seek resolutions of support during the first years of this plan. Municipalities that agree to support the vision will enter into a "Plan Implementation Partnership" with the County. Municipalities that participate in the Partnership have access to technical assistance and planning grants (if funding is available) to assist them in improving local planning programs and achieving consistency with the principles of the Huntingdon County Comprehensive Plan.

The county would be required to undertake the development of an implementation agreement to operationalize the Plan. Such implementation agreement should be developed with the assistance of local officials, county planning staff, solicitors and planning consultant(s). It should be detailed enough to convey the expectations of each municipality yet simple enough to be understood and not discourage involvement.

County Consistency Review Report

Either in conjunction with a municipality that signed on to the Partnership, or independently, after receiving an endorsed Memorandum of Understanding from a municipality, the County

Planning Commission would complete a detailed review of municipal plans and ordinances to determine consistency with the County Comprehensive Plan. The County Consistency Review Report would analyze municipal planning and land use documents such as:

- Municipal Comprehensive Plan
- Open Space, Recreation and Natural Resources Plan
- Zoning Ordinance
- Subdivision and Land Development Ordinance
- Act 537 Plan
- Other documents deemed appropriate

Creation of Planning Grant Assistance Program

The development of a grant assistance program may take a number of forms based on the funding available to the County. The program may allow for county funds to be dispersed to municipalities, or multi-municipal groups, to undertake planning activities. Or the program could provide grant writing assistance to a municipality, or group of municipalities, seeking to apply for an existing grant program, such as the LUPTAP program.

In either capacity, the County through the establishment of the grant program or grant assistance guidelines can ensure that the municipal planning projects are consistent with the direction and vision of the County Comprehensive Plan.

Community Indicators

To keep the Comprehensive Plan in the forefront of community discussion and debate, measurable indicators of its direct and indirect impacts could be developed. Indicators are typically used to reflect the status of larger systems. They are a way of seeing the "big picture" by looking at small pieces of it. Positive trends of indicators are a measure of success and commitment to the Plan. Negative trends will point out deficiencies in achieving the goals, objectives, policies, and most importantly, the vision of the Plan. By knowing the status of the indicators, the County Planning Commission can make better decisions to act where most needed.

Indicators are selected in various categories to reflect the goals, objectives and policies of the plan. These categories would be determined by the Comprehensive Plan Committee and could include:

- Community Planning Indicators
- Land Use Indicators
- Environmental Indicators
- Socioeconomic Indicators
- Housing Indicators
- Economic Indicators
- Cultural and Historic Resources Indicators
- Transportation Indicators
- Community Facilities and Services Indicators

The availability of a good base of information is important when the specific indicators for each category are determined. Although some data may initially seem to be beneficial to trend, inaccurate or infrequent reported data hinders the usefulness when reviewing and reporting on the selected indicators.

As mentioned above, each approach will be discussed in greater detail with the Comprehensive Plan Committee at its April 20, 2006 meeting. Following input from the Committee and county staff, a draft Plan Consistency Policy will be prepared for review and incorporation into the Comprehensive Plan Update.