

Planning Commission University

The Crash Course for Municipal Planning Commission
Members in Cumberland County



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Why is This Course Needed?

- Citizen planners may receive little to no training
 - Expectations
 - Technical issues
 - Administrative competencies
- Promote basic competency
- Promote countywide consistency
- Improve local planning



1. The General Assembly has introduced legislation in past years that requires for training for local planning commission members. To date such legislation has failed to gain any support.
2. PCU was awarded the “Planning Excellence Award for Public Outreach” by the Pennsylvania Chapter of the American Planning Association in 2012.

The MPC...

Establishing the legal framework for the PC

What is the MPC?

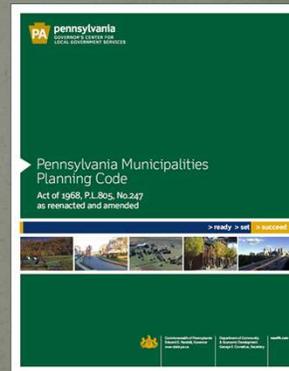
- PA Municipalities Planning Code
 - Act 247 of 1968, as amended
 - Includes counties & home rule municipalities
 - Excludes Philadelphia & Pittsburgh
- Enabling legislation that allows local governments to perform planning activities
- Includes required provisions and procedural framework for planning activities
- Does not require planning

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1. In Pennsylvania, local governments derive their powers from the state. The MPC is the enabling legislation that effectively empowers local governments to plan.
2. Provisions and definitions included in the MPC should be strictly followed. Ordinances and plans that are not compliant with the MPC could later be found invalid.

Legal Authorization

- Article II of the MPC authorizes the creation of planning commissions
- Governing body must create PC by ordinance
- Both counties and municipal governments may create a PC



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1. The MPC is the state's enabling legislation for land use planning and regulation. No municipality is required to plan or regulate land use, but if it chooses to plan, it must follow the provisions found in the MPC.
2. All planning commissioners should familiarize themselves with the MPC. A digital copy of the MPC is part of the online resources.
3. The "Governing Body" (GB) is the board of elected officials for a municipality and can take the form of Borough Council, Township Supervisors, or Township Commissioners. A publication called "A Citizens Guide to Local Government" is included with the online resources and describes each form of local government.

Composition and Organization of a PC

- Appointed by governing body
- PC comprised of 3-9 members
 - Majority must be citizens not employed by or an elected official of the municipality
 - Appointed to 4-year terms
- May appoint up to 3 alternates
- May be compensated
- May be removed for mal/mis/non feasance



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1. On a 3-member PC, at least 2 members must be citizens (i.e. resident of the municipality that is not employed by or an elected official of that municipality). On a 4- or 5-member PC, at least 3 must be citizens. On a 6- or 7-member PC, at least 4 must be citizens. On a 8- or 9-member PC, at least 5 must be citizens.
2. Act 2 of 2002 amended the MPC to allow PC members to be compensated – see Section 202.
3. Section 206 authorizes the removal of PC members by the governing body for just cause.
4. Section 207 states the PC may choose its own officers for annual renewable terms.
5. A 2015 MPC amendment allows municipalities to appoint up to 3 alternates to the PC. Consider using alternates to ensure that a full slate of PC members participates in every meeting. Alternate positions are also excellent proving grounds for prospective new PC members.

Composition and Organization of a PC

- Elect chair, vice-chair & any other officers
- May take a variety of formats
 - Commission, department, committee
- Establish own rules for procedures
- Subject to requirements of Sunshine Act & Open Records Law
 - Meetings/minutes/records must be advertised & open to public

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1. The differing formats of a planning agency are described in Section 201 of the MPC. Typically a Planning Commission is a volunteer board of appointed officials, a Planning Department is a staff of municipal employees that administer a planning program, and a Planning Committee is a planning agency comprised of members of the governing body. Cumberland County has one planning committee. Several of the larger municipalities in the county have a planning department. The Cumberland County Planning Commission uses a combined model of a Planning Commission and Planning Department. In that case, the Planning Department serves as the staff to the 9-member appointed Planning Commission and responsibilities are divided between the two organizations.
2. PCs may develop their own rules for procedures where not otherwise stipulated by state or federal law. Do not violate the Sunshine or Open Records Act. Consult your municipal solicitor if you have questions regarding your rules and procedures.

What should we do?

Roles, Responsibilities, Resources, Relationships

Roles and Responsibilities

- All activities are at the request of the governing body
- What is the best use of your PC's time?
- Required (MPC 209.1.a)
 - Prepare comprehensive plan
 - Keep records of all actions
 - Prepare annual report to governing body (due in March)
- Optional (MPC 209.1.b)
 - Review and comment on S/LD applications
 - Prepare land use ordinances
 - Review land use ordinance amendments
 - Prepare & present various studies & plans
 - Approve S/LD plans

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1. Nothing precludes the PC from asking the GB for permission to undertake a certain activity. If your PC is currently just reviewing S/LD plans, think of what else you could or should be doing and communicate those needs to the governing body.
2. The GB may delegate approval authority to the PC to speed up the review process on S/LD activities. Typically, such authority includes minor S/LD plans as the elected officials retain approval authority for larger S/LD plans.
3. Each of these roles will be considered in more detail in the other sessions of PCU.

Relationships

- PC must interact with a variety of other organizations
- Governing body
 - Important to understand philosophy & policies
 - Regular two-way contact
- Other commissions boards, committees, authorities
 - Zoning Hearing Board
 - Recreation commission
 - Historic preservation committee
 - Environmental advisory committee
 - Water and sewer advisory committee
- County planning commission
- Other municipalities
- Residents, private property owners, developers, design professionals, business owners



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1. Do not plan in a vacuum. The PC needs to coordinate and work with a variety of other organizations. Identify those organizations in your community and establish a relationship with them.
2. The PC and its associated planning documents represent the “glue” that holds the municipality together. The PC is the only municipal body that by virtue of its business has regular contact with a wide variety of other municipal boards and committees. Develop and leverage those relationships for the betterment of your community.

Resources

- Every PC member should have as applicable:
 - Municipalities Planning Code
 - DCED Planning Series publications
 - Municipal comp plan
 - SALDO and zoning ordinance
 - Official map
 - County Data
 - Comp plan
 - Online GIS data/tools
 - Any related maps / plans
 - Village plans, downtown plans, etc.
- Many of these documents are included as part of the online resources

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1. The most recent version of the MPC and the DCED Planning Series is found with the online resources.
2. Copies of your municipal comprehensive plan, SALDO and zoning ordinance are essential to do your job.
3. Without the basic tools listed on this slide, you will be unable to perform your PC responsibilities as effectively as possible.

Comprehensive Plan Preparation and Amendment

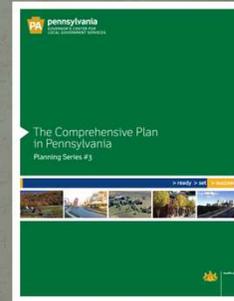
Your Community's Roadmap to Success



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PCs and the Comprehensive Plan

- Article 3 of the MPC authorizes comp plan preparation
- Section 209.1 of the MPC assigns PC responsibility to prepare the comp plan
- Comp plan serves decision making foundation for all other PC duties
 - S/LD review
 - Ordinance amendments



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1. Where is your community now? Where has it been? Where does it want to go? And How does it want to get there? A comprehensive plan is your tool to answer these questions and achieve the associated goals.
2. PCs are the lead agency in the preparation of the comprehensive plan. Take this role seriously and make sure your comprehensive plan is up to date and reflects reality.
3. Without a relevant comprehensive plan, PC's cannot adequately perform their other duties. Be sure to make time with your PC to keep the comprehensive plan updated and pertinent.

Comprehensive Plan

- Plan that sets a vision for the municipality or county
 - Considers all elements of a community
 - Identifies what we want our community to look like
 - “Road map” to get what you want
- Is not legally binding
- Required only at county level
- Required consistency with zoning ordinance
- No required format
- Should be reviewed every 10 years



1. Comprehensive plans are policy documents. Section 303.c of the MPC states that the action of a GB cannot be invalidated because of a conflict with the comprehensive plan.
2. Comprehensive plans should be dynamic documents. Section 301.c of the MPC states that the comprehensive plan should be reviewed every 10 years. If your municipality is fast growing, a review may be warranted earlier than 10 years.
3. Although not a legal document, the comprehensive plan is the foundation upon which municipalities' ordinances are based. Thus, the comprehensive plan should be carefully coordinated and consistent with the zoning and other municipal ordinances. The comprehensive plan asserts a policy vision that is only achievable if legal regulations are in place to make it happen.
4. Develop a comprehensive plan design/layout that works for your community. A comprehensive plan does not have to be a long document...short and succinct works easily well and in many cases better.

Comprehensive Plan

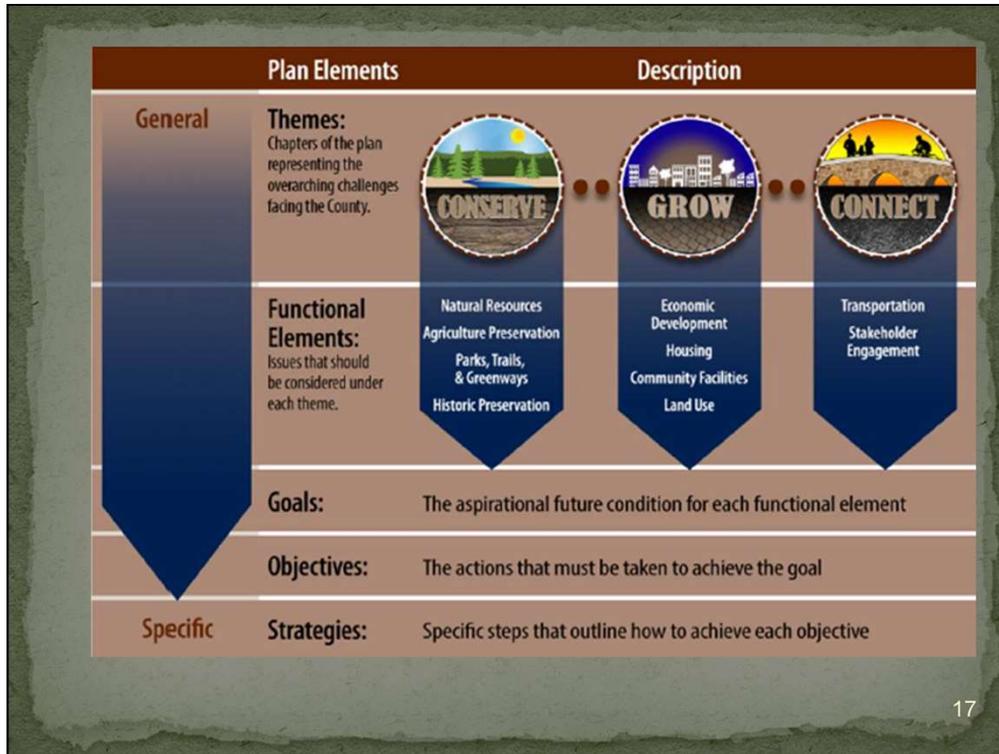
- Focus on what is important in community
- Commonly cited priority issues
 - Transportation
 - Economic development
 - Housing
 - Natural resource protection
 - Recreation/quality of life
 - Land use
- Includes background studies, goals and implementation strategies

1. Comp plans can also include other elements or areas of focus including:
 - Rural areas (limited range of public utilities and infrastructure including no public water / sewer, etc.)
 - Growth Areas (full range of public utilities and infrastructure including public water / sewer, etc.)
 - Energy Conservation Plan including alternative energy (solar, wind, etc.)
 - Others
2. There are no specific standards for how specific elements should be considered in a plan. Each municipality should evaluate the importance of each element in their community and exert a commensurate level of time and investment in developing that plan element. If a plan element is not that important in your community, do not spend a lot of time or effort in developing an insignificant plan. Focus on what is important.



Cumberland County Comprehensive Plan 2017

Adopted: November 30, 2017



1. Comprehensive plans should be logically laid out. As a starting point, each community should identify those issues that are important in their community. Not every issue listed in Section 301 of the MPC will be important in every community. There is no need or requirement to cover each of the issues listed in Section 301 of the MPC in exhaustive detail.
2. Goals, objectives and strategies are the keys to the comprehensive plan. Identify what is important, what you are going to do, and how you are going to do it. The best comprehensive plans are action-oriented and can show progress in a community.

CONSERVE

Natural Resources

Natural Resources

Cumberland County is fortunate to have significant natural features that deliver essential ecological services to the County. Additionally, these natural resources contribute to the County's scenic beauty, economic prosperity, and overall quality of life. The wooded ridges of Blue Mountain and South Mountain, the stream corridors of the Yellow Breeches and Conodoguinet Creeks, and the Susquehanna River along the eastern boundary are natural resources that define Cumberland County. With its rich agricultural soils, wetlands, and riparian areas, the valley land nestled between the ridges increases the diversity of the County's natural resources.

This section of the plan includes objectives and strategies for the following natural resources:

- Woodlands
- Steep Slopes
- Hydrology
- Floodplains
- Wetlands
- Natural Area Inventory (NAI) sites
- Wildlife

Natural Resources Goal

Conserve the significant natural resources that are needed to support the physical, social, and economic health of Cumberland County.

Why Natural Resources Matter for Cumberland County:

- Nearly half of Cumberland County's landscape contains important natural resources, including:
 - Woodlands = 35% of County
 - Slopes 25% or greater = 7% of County
 - Floodplains = 5% of County
 - Wetlands = 2% of County¹
- Important natural resources of the County lack permanent protection.
- The population of Cumberland County is expected to steadily grow, and conservation efforts need to respond to the demands of the increasing population. The current pace of development exceeds the pace of land preservation efforts.²
- Conservation and economic development are not mutually exclusive concepts. The County's open spaces provide natural system services and recreational and property-value benefits that exceed an estimated \$1 billion annually.³

Goal #1:
Natural Resources

Goal #2:
Agriculture Preservation

Goal #3:
Parks, Trails and Greenways

Goal #4:
Historic Preservation

Succinct goal statement

Relevant background data

Mountain Creek

1. Every issue/element in a comprehensive plan should have a goal statement.
2. Goal statements should be supported by relevant background data. Background data can overwhelm a comprehensive plan. Less is more. Only include that data which is required to support the goals, objectives, or strategies of your plan. Consider summarizing the data in the plan and including detailed data in the appendix.



Natural Resources

Goal #1:
Natural Resources

Goal #2:
Agriculture
Preservation

Goal #3:
Parks, Trails and
Greenways

Goal #4:
Historic Preservation

Natural Resources Objectives and Strategies

To achieve its natural resources goal, Cumberland County will pursue the following objectives and strategies:

Objective 1: Preserve and protect important environmental features.

Strategies: A) Identify important natural features with highest ecological value that warrant protection.

Through its Land Partnerships planning efforts, the County analyzes water resources, floodplains, woodlands, slopes (25+ percent), NAI sites, and wetlands to identify areas with high conservation value. The County should work with its municipalities and other conservation stakeholders to preserve these priority conservation areas through voluntary acquisitions, easements, or local planning tools. The priority conservation areas identified in Cumberland County can be viewed by clicking on the image to the left while pressing the "control" key.

B) Support acquisition of important natural features through voluntary easements and fee simple acquisition.

Cumberland County should provide technical assistance and competitive Land Partnerships grants to municipalities and conservation organizations to support permanent preservation of Priority Conservation Areas. Preservation efforts should be consistent with the Future Land Use Map and priority conservation areas identified in Land Partnerships.

C) Support local and regional conservation stakeholders' initiatives that protect natural resources.

Numerous conservation stakeholder groups implement natural resource protection activities throughout the County. The activities of these organizations complement County actions and allow for important shared priorities to be addressed. The Cumberland County Planning Commission (CCPC) should actively participate and provide leadership, as appropriate, to regional collaboratives, including but not limited to:

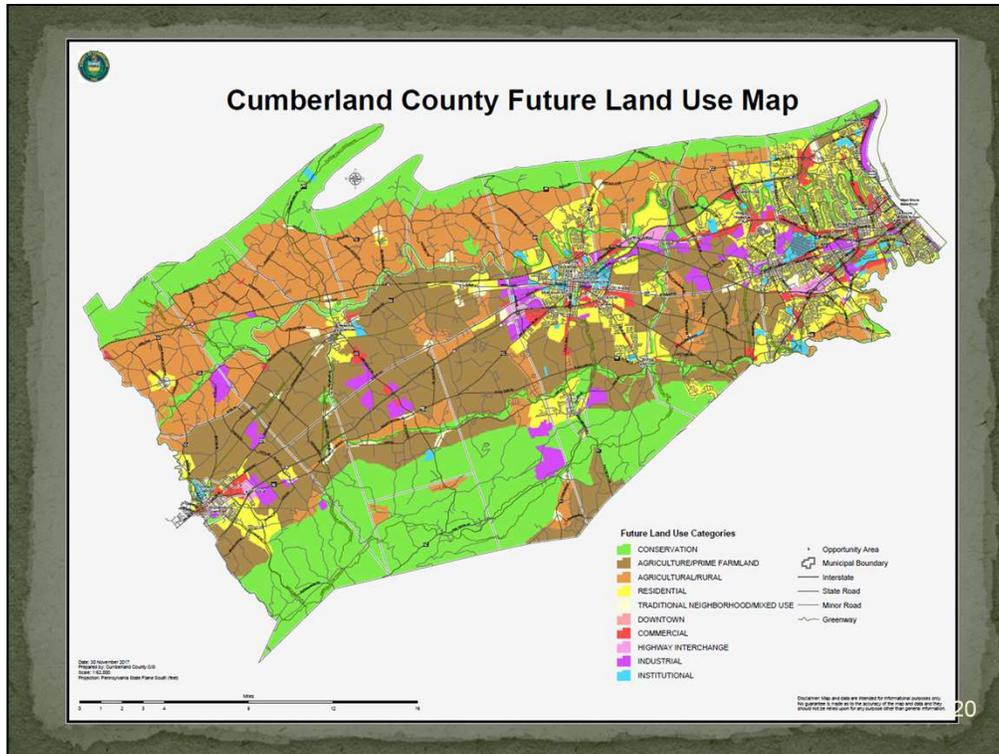
- Central PA Conservancy
- Cumberland Conservation Collaborative
- South Mountain Partnership
- Kittatinny Coalition
- Appalachian Trail Conservancy
- Watershed organizations



Priority conservation lands in Cumberland County. Hold control and click the image to view a larger map.

Objective statement

Strategies to achieve objective



1. The future land use map is an essential element of a comprehensive plan. The map shows a preferred land use pattern for the future. Ideally strategies in the plan and the zoning ordinance are designed to achieve consistency with the future land use map.
2. Built out communities may choose to simply use their zoning map as their future land use map given their limited supply of undeveloped land.

5 Keys for Implementable Comp Plans

1. Focus on real, relevant community issues
2. Keep it succinct and simple.
3. Devise practical and workable recommendations
4. Identify and recruit partners to implement
5. Get local ownership of the plan and commitment to implement.

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1. The goal of a comprehensive plan is to develop an action plan that addresses community issues. Simply completing the plan is not a desirable goal.
2. Implementable comprehensive plans can be read and understood by most residents. Avoid robust background data and jargon.
3. The comprehensive plan should be an action plan, not an encyclopedia of data about a community. Recommendations should include an action, responsible party, and timeline for completion.
4. The municipal government, while tasked with preparing the comprehensive plan, is not the sole organization responsible for implementation. Other community partners should be recruited to participate in the plan development process and ultimately their fair share of implementation activities.
5. Even if a comprehensive plan is prepared by a consultant, the local municipality and its partners must assume ownership of the plan. This commitment should be secured at the start of the planning process.
6. Reference material from the PA Department of Community and Economic Development on creating an implementable comprehensive plan is included with the online resources.

Adoption Procedure

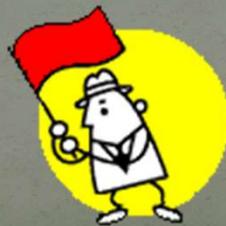
- PC required to hold 1 public meeting
- Draft final sent for 45-day review to:
 - Local school district
 - County Planning Commission
 - Contiguous municipalities, school districts
- Governing body required to hold 1 public hearing after 45 day review period
- Adoption by majority resolution

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1. Sections 301, 302 & 306 of the MPC indicate that:
 - The PC holds a public meeting to consider the comprehensive plan before it goes to the governing body.
 - The County, school district, and adjacent municipalities must have 45 days to review and comment on the comprehensive plan.
 - Governing body must hold a public hearing not sooner than 45 days after the comprehensive plan is sent to the County, school district, and adjacent municipalities.
 - Governing body must consider comments from County, school district, and adjacent municipalities
 - Governing body adopts comprehensive plan by resolution.
 - Municipalities must send a certified copy of adopted comprehensive plan to the county within 30 days of adoption.
2. Electronic copies are often a more cost effective and expedient method of soliciting required review from school districts, counties, and contiguous municipalities.
3. GB holds public hearing in accordance with public notice – once each week for two successive weeks in a newspaper of general circulation in the municipality.

Red Flags of Outdated Comp Plans

- Over 10 years old
- Zoning ordinance is newer than the comp plan
- Future land use map does not reflect zoning
- Repeated zoning map amendments
- What is being built does not reflect community character or desired results
- Lack of success with public funding opportunities



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1. An out of date comprehensive plan often starts a “chain reaction” of undesirable events in a municipality. Without a clear vision for the future, the zoning ordinance is modified haphazardly through piecemeal zoning amendment requests. Resulting development often occurs in locations or in design that conflicts with existing communities. Public funding opportunities are often missed as demonstrating consistency with funding guidelines is nearly impossible using a document that has no relevance to the current community.
2. If you see any of these red flags in your community consider these questions:
 - What elements of the comprehensive plan are the most out of date?
 - What elements of the comprehensive plan have the greatest need for update?
 - Are there elements that do not need updated?
3. If your PC determines that the comprehensive plan needs updated, notify your GB of the PC’s interest in starting an update process. The GB must authorize the PC to update the comprehensive plan.

Who Should Update the Plan?

- Hire a consultant
- Use in-house staff
- Use PC members
- County Planning Department
- Combination of all the above



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1. There are various options for deciding who will actually perform the comprehensive plan update work. Each option has its pros and cons. The following list considers each option.
 - Consultant – provides wide range of expertise; costs money; may not be as familiar with community; enables a fast paced project without burdening staff or volunteers.
 - In-House Staff – utilizes existing resources; takes advantage of significant local knowledge; may take longer as staff have other duties; may be limited by expertise of staff.
 - PC members – takes advantage of significant local knowledge; may take longer as PC members are volunteers; may not have depth of experience; no cost to prepare
 - County Planning Department – little to no cost; takes advantage of professional staff; may take longer depending upon depth of update and county workload; may not be as familiar with the community; enables access to previously developed mapping and data resources.
 - Combination – create a “team” from the categories listed above; combines the strengths of each group; maximizes use of existing resources; may still involve costs if consultant is involved.
2. Strictly using a consultant with little to no local input for a comprehensive plan update is highly discouraged. Not only is this a costly update option, it rarely includes the local input vital to making a meaningful comprehensive plan.

Subdivision and Land Development Plan Review

The Devil's in the Details



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What is a SALDO?

- Provide a legal framework and process for the division and improvement of land
- Resulting plans serve as public record of land ownership and associated improvements
- Standards can be waived by governing body



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1. Subdivision = creating or altering a lot line.
2. Land development = public or private improvements on a piece of property.
3. Every division or improvement of land requires the preparation, submission and approval of a S/LD plan to the municipality, county, and other participating organizations.
4. The GB can waive the standards of the SALDO if an applicant provides sufficient evidence that the standards should not apply to his application.

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Role of the PC and S/LD Plan Review

- 1st public review and most comprehensive level of review for subdivision and land development activities
- Primary interface between residents/ developers and the governing body.



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1. S/LD review is the most common activity of most PCs. Despite it being the most common, it is also the most reactive. Plans that come through a PC have already been developed according to the plans and ordinances on the books at that time. While some changes can be secured, major changes to the layout, look, and character of a development are often not feasible if such concepts are not included in the ordinances in effect at that time.
2. S/LD review is a technical task that takes time to complete. Allow yourself plenty of time before the meeting to review the plan. Come prepared to the meeting with questions and specific ordinance citations where the plan does not comply with the ordinance.
3. You do not need a specialized degree to review a S/LD plan. Leave the technical details such as roadway design or stormwater management calculations to the municipal staff or professional (i.e. planning, engineer, and solicitor). Ask questions of these professionals to clarify their review of the plan and to enhance your layperson's understanding of complex, technical issues.
4. Be sure to ask plenty of questions of the applicant. Do not assume that they have complied with all aspects of the ordinance. In many cases, problems on a plan go unnoticed especially if PC members are hesitant to ask questions.
5. The County Planning Commission is required by law to review and comment on every S/LD application in the county. The County PC has a staff of competent planning professionals that are familiar with a variety of plans and ordinances from across the county and state. Municipal PCs should tap the experience of the County PC and invite their attendance and participation at municipal PC meetings.

Purpose of PC's S/LD Review

- Evaluate if a proposal meets the standards in the subdivision and land development ordinance (SALDO), zoning ordinance and other applicable regulations.
- “Big picture” non-ordinance review.
- Consider waivers requested by the applicant.
- Provide opportunities for public comment.
- Recommend course of action to the GB.

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1. S/LD review can take up a large amount of a PC's time. The ultimate purpose of this time consuming exercise is to provide a thorough review of each plan, ensure that it meets the requirements of the ordinance, and make a solid recommendation to the GB on an appropriate course of action. Some PCs do not get greatly involved in detailed technical review – rely on professional staff or engineer review. PC members should be familiar with general ordinance regulations related to the plan.
2. Some of the important aspects of a PC review are the non-ordinance considerations. As a knowledgeable member of your community, you know it better than anyone, especially developers that may be coming from out of town and not have a high degree of familiarity outside of the project site. One of your key functions is to bring your local knowledge to the planning process, ask questions, and where appropriate work with the developer to improve the S/LD plan. (Example - Water ponds on site, traffic backs up certain times, poor sight distances etc.).

S/LD Stakeholders

Should not recommend to GB until considered:

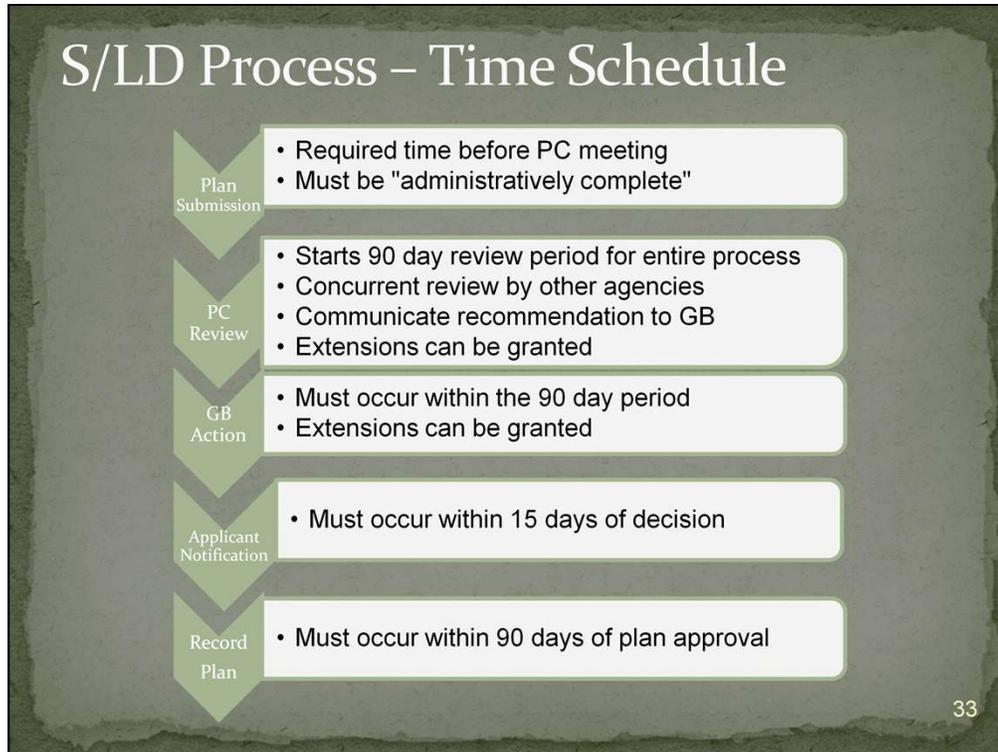
- Municipal authorities / Utilities
- State agencies (DEP, PennDOT, etc)
- County Conservation District
- County Planning Department
- Residents, business owners, and neighbors
- Adjacent municipalities



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1. Numerous other stakeholders review a S/LD plan commensurate with the PC's review. Each stakeholder has its respective purpose, authority, and timeline for review. All approvals must be secured before a S/LD plan can be approved and recorded.
 - Municipal authorities – Determine if public sewer and public water services are available to a proposed S/LD. Typically they provide a letter indicating that capacity is available.
 - Utilities – Electric, gas, telephone, and cable service is needed for many S/LD applications. The utilities will determine if adequate capacity is available to serve the S/LD and how service can be extended/expanded to serve the S/LD.
 - Department of Environmental Protection (DEP) – Typically holds authority for reviewing and approving the sewage facilities planning for a S/LD and the stormwater management practices through the issuance of a National Pollution Discharge Elimination System (NPDES) permit.
 - Pennsylvania Department of Transportation (PennDOT) – Reviews applications and issues permits for access to state roads (Highway Occupancy Permits). In many cases, PennDOT may require certain roadway improvements to support the level of traffic generated from a S/LD. While PennDOT may issue an HOP permitting highway access, municipalities can still deny a plan if it does not comply with the S/LD ordinance.
 - County Conservation District – Reviews and enforces erosion and sedimentation controls during construction. May also be the permitting and enforcement authority for certain types of NPDES permits.
 - County Planning Department – Required to review and provide comments on S/LD plans within 30 days of receipt.
2. PC members should be aware of the S/LD stakeholder organizations and consider their respective input when reviewing S/LD applications. These organizations often have a specialized focus that could be overlooked through a general review of the plan.

S/LD Process – Time Schedule



1. This is a simplified diagram of the S/LD process. The process can be complex and time consuming. While some applications may be approved in 3-6 months, others may take several years before they are finally approved.
2. The PC's review of the S/LD plan is the most detailed review that will occur throughout the process. A thorough review at the PC level sets the stage for a plan to efficiently move through the rest of the process without any new "surprises".
3. A S/LD application must be acted upon within 90 days. The 90 day time period begins following the next date of the regular meeting of the GB or PC (whichever first reviews the application) following the date the application is filed or from 30 days of whenever the application is filed, whichever comes first. If the GB does not take action within 90 days, plan is approved.
4. Applications should only be considered, and the associated 90 day time period started, for complete plans. Staff in your municipality should consider using an administrative completeness checklist. Such a checklist will make sure that all required elements of the plan are complete and the plan is ready for review. PC or GB reviews of incomplete plans wastes time and can lead to rushed decisions or requests for extensions on plans to meet the 90 day review window. A sample checklist is included with the online resources.
5. Extensions to the time limit can be made at any time during the review process- PC review or GB action. The applicant must agree to it in writing.
6. Actions after the PC review are largely dependent upon the staff and GB of your municipality. These partners will make sure that the decision on the S/LD plan is accurately communicated within the prescribed timeframe. The applicant is responsible for making sure plans get recorded in the required timeframe. In some cases that responsibility is assumed by the municipality.

PC S/LD Review Responsibilities

- Be prepared
 - Review plan before the meeting – Plan purpose
 - Review staff comments before meeting
 - Visit site before meeting
- Ask questions of applicant and municipal staff.
- Consider impacts from the neighbor/citizen point of view.
- Request changes to the plan where:
 - Plan does not meet ordinance
 - “Common sense” non-ordinance improvements



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1. A S/LD plan cannot be adequately reviewed at the PC meeting where it will be considered. The plan should be reviewed in advance of the meeting, deficiencies noted, and questions prepared.
2. PC members should ask any and all questions of the applicant and municipal staff. Make sure you fully understand what is being proposed. If you do not understand, ask a question. If something does not seem right, ask a question. The PC review is the most thorough and detailed review. An unaddressed question at the PC level will likely not get caught elsewhere in the review process.
3. PC members should request changes to the plan where the plan does not meet the ordinance. Similarly, PC members should request practical, non-ordinance changes to the plan that improve the quality of the S/LD plan. In most cases, the applicant can only be legally required to make changes where the plan does not meet the ordinance. However, applicants may agree to other non-ordinance changes that improve their development. Any changes the applicant agrees to should be documented in the minutes of the meeting and reflected on future versions of the plan.

Plat Specifications	Yes	No	N/A
1. Name of proposed subdivision/land development shown			
2. Owner/developer name, address & telephone number shown			
3. Municipality name shown			
4. Tax parcel number/Deed reference shown			
5. North point shown			
6. Map scale shown (written/graphic)			
7. Date of plan preparation shown			
8. Certification of surveyor/engineer shown			
9. Location map shown			
10. Total property map (bearings, distances, area, primary control point) shown			
11. Names of adjacent landowners/subdivision shown			
12. Lot numbers shown			
13. Lot dimensions shown			
14. Lot areas shown			
15. Permanent monuments and markers shown			
16. Building setbacks shown			
17. Existing natural features shown -			
Wetlands			
Floodplains			
Woodlands, streams, etc.			
18. Contours at required interval shown			
19. Easements shown and identified			
20. Existing man-made features shown -			
Building (s)			
Storm drainage facilities			
Sewer mains			
Water mains			
21. Proposed man-made features shown -			
Building (s)			
Storm drainage facilities			
Sewer disposal - public () on-lot ()			
Water supply - public () well ()			
22. Existing streets shown -			
Name			
R/W width			
Paving width			
Dedicated R/W width			
23. Proposed streets shown -			
Name			
R/W width			
Paving width			
Profiles			
24. Curbs shown			
25. Sidewalks shown			
26. Existing and proposed coverage shown			
27. Parking schedule provided shown			
28. Traffic study completed			
29. Recreation area shown/fee in-lieu-of provided			
30. Erosion and sedimentation control plan shown			
31. Statement of ownership, signature and notarization shown			
32. Dedicatory statement shown			
33. Approval blocks shown			
34. PADOT Highway Occupancy Permit statement shown			
35. Consistency with Future Land Use plans -			
County plans			
Municipal plans			
36. Agricultural Conservation Easement Shown			

1. This is the County's S/LD plan review checklist. The checklist is generalized and captures the review elements we look for on every plan countywide. The checklist also includes a listing of some non-ordinance based considerations for S/LD plan review. The checklist is included on with your online resources and can be readily modified for use in your municipality.

Key S/LD Review Issues

- Meet area and bulk requirements of zoning district.
- Community impacts:
 - Traffic/Accessibility – car, bike, pedestrian, transit
 - Improvement responsibilities
 - Stormwater management / flooding; Post=Pre
 - Impervious coverage
 - Environmental, general and specific
 - Floodplains, wetlands, steep slopes, woodlands, etc.
 - Neighboring properties
 - Landscaping and lighting
- Ownership and maintenance of public/private facilities.
- Easements, purpose and provisions.

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1. Of all the aspects of a S/LD review these issues receive the most attention during the review process. Detailed studies are often required for each of these impacts. PC members should rely on the municipal staff to decipher the technical language included in these documents to establish a basic understanding of the impact and associated remediation efforts.
2. Most of the impacts noted above can be mitigated in some fashion. The SALDO and zoning ordinance often have specific standards on how these impacts can be acceptably mitigated.

Common S/LD Plan Mistakes

- Incomplete data
 - no parking schedule
 - no landscape plan
 - no proposed site info - density, impervious area
 - no sight distances provided
- Required supporting documentation not submitted or incomplete. (i.e. traffic reports, stormwater reports).



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1. Keep an eye out for these common mistakes. Municipal staff will catch most of these mistakes, but PC members should be vigilant in their review to make sure that the plan is error free.
2. A S/LD plan will eventually be a recorded document that is a permanent record of the site and associated improvements. Mistakes missed during the review can and will cause problems later on. Thus, S/LD plans should be thoroughly reviewed and corrected, even for seemingly unimportant details, to make sure that the most accurate record possible is created.

Questions to Ask During S/LD Review

- Did you consider....?
- Would you do....if asked.?
- Why did you....?
- Why didn't you....?
- When will....occur?



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1. How you ask a question is as important of what you are asking. Consider asking open ended questions that allow the applicant to provide you with insight into how decisions were made. Further, such open ended questions allow the applicant to agree to plan modifications without the PC making a direct request. With the PC's advisory role, it cannot require the applicant to do anything. Thus, getting willful concurrence from the developer on a course of action is preferable.
2. Listen carefully to the answers and descriptions provided by the applicant. In many cases their dialogue will either answer questions you have or generate new questions.

Recommending Action

- Has the applicant complied with the ordinance provisions?
- If the applicant has agreed to non-ordinance items, are they shown on the plan?
- Have all requisite approvals from stakeholders been secured or in process?

*AFTER ANSWERING THESE ITEMS THE PC MAY
RECOMMEND ACTION TO THE GB*

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1. These questions need to have solid answers before the PC can make a recommendation to the GB on a S/LD application.
2. If the plan does not contain the right information in the proper level of detail, request revisions and do not recommend approval until it has the proper information.
3. Keep the 90 day clock and the subsequent reviews required in that timeframe in mind as you review S/LD applications. The clock keeps ticking as applicants must make revisions and return to the PC for subsequent reviews. In some cases a time extension may be required to accommodate the ongoing review process. If the applicant does not agree to the time extension and there are still deficiencies in the plan, note those deficiencies and recommend disapproval to the GB. In most cases, the applicant is agreeable to a time extension as starting the process over again as a result of a plan denial costs time and money.

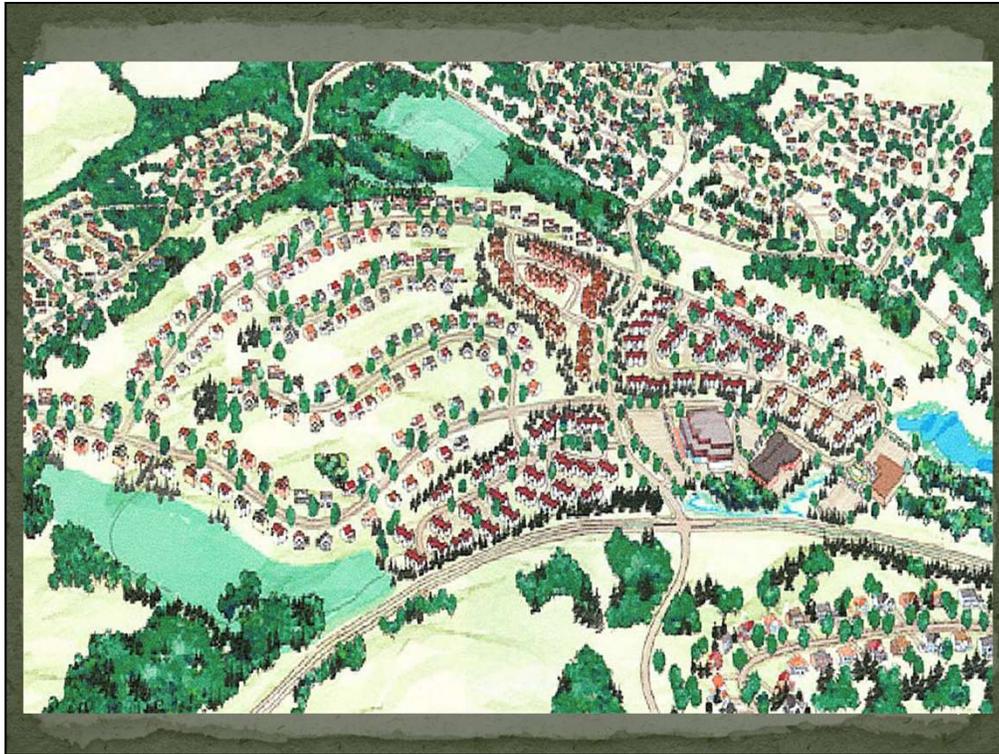
Recommending Action

- Approval
- Approval with Conditions
 - Reasonable
 - Enforceable
 - Routine (i.e. do not cause major plan changes)
- Denial
 - Plan does not comply with ordinance provisions (cite ordinance references).
 - Outside approvals not secure or underway.
 - Expiration of time limit - no extension requested.
 - Provide detailed justification.



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1. If a plan meets the ordinance requirements, the PC should recommend approval to the GB. The PC should not recommend disapproval of a project simply because it is unpopular or generates too much traffic. Disapprovals must be supported by ordinance citations and detailed justification that shows how a plan does not meet the ordinances and the applicant's inability to make the requisite changes.
2. Any conditions the PC attaches to a plan should be clearly documented and show the applicant's concurrence on the specifics of what should be done and when.
3. Consider the zoning officer's enforcement responsibilities when attaching conditions. Will the zoning officer be able to accurately measure and determine compliance with the conditions that the PC is attaching to a given S/LD plan? If not, the condition may not be appropriate.
4. A PC may issue a conditional approval of a plan that assumes certain minor administrative improvements will be corrected prior to GB review and action. In these cases, a conditional approval is likely preferred over requiring the applicant to come back to the PC for another meeting that costs more time and money.

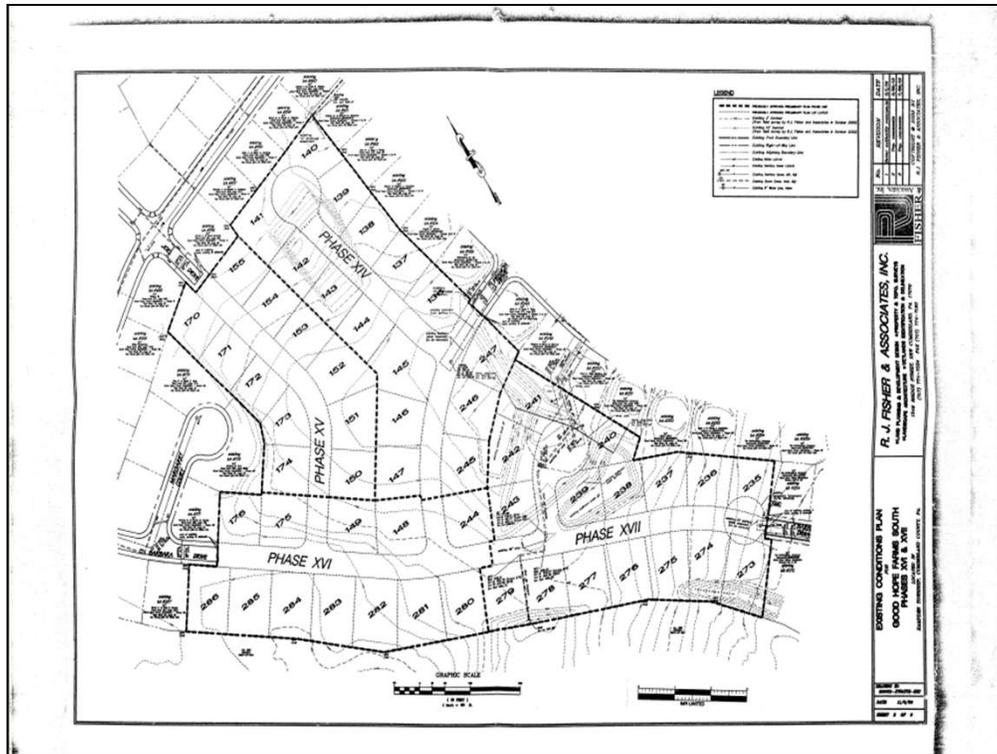


1. As a PC member, you will regularly see a rendering of proposed development activity. While the development may ultimately look like the rendering, in many cases they do not. A sound S/LD ordinance and a thorough S/LD review process are two key ingredients to making sure the renderings end up reflecting reality.
2. Do you like what you see? If not, maybe your zoning and S/LD ordinances need to be revisited. Developers will create S/LD plans that comply with your ordinances. Problematic plans may be reflective of underlying problems in your ordinances.

GENERAL NOTES:

1. The intent of this plan is to re-subdivide and consolidate lots 12, 13, 14 and 15 from the subdivision plan recorded in Plan Book 88 Page 40. Lots 12 and 13 will become Lot '12R'. Lots 14 and 15 will become Lot '14R'.
2. Boundary and existing conditions information from a plan prepared by Louis J. Harford, P.L.S. for property owner, and from a subdivision plan prepared by Roger C. Watson dated 8/25/2003 recorded in Plan Book 88 Page 40.
3. The 100-year flood plain is shown on plan according to the Township of East Pennsboro Flood Hazard Boundary Map H-01-03, Panel H and I-03, Community No. 420359B.
4. Access for proposed Lot '14R' shall be limited to Hill Road.
5. Contractor shall contact PA One Call before any construction begins.
6. All public improvements shown shall comply with the Township's "Standard Material and Construction Specifications for Public Improvements."
7. No building permit will be issued until the Township Engineer has verified the sight distance for proposed driveways.
8. All lots are covered with woods and brush.
9. An NPDES permit and approved erosion control plan are still in effect from the previously approved plan.
10. All property corners that are not already marked shall be marked with iron pins.
11. A recreation fee of \$1,000 per dwelling unit is required at the time of building permit application.
12. The certificate of occupancy will be issued pending actual driveway inspection by the Township Engineer and Fire Marshall for fire department access.
13. Lot owners are responsible for implementation of the erosion and sediment pollution control and stormwater management plan.

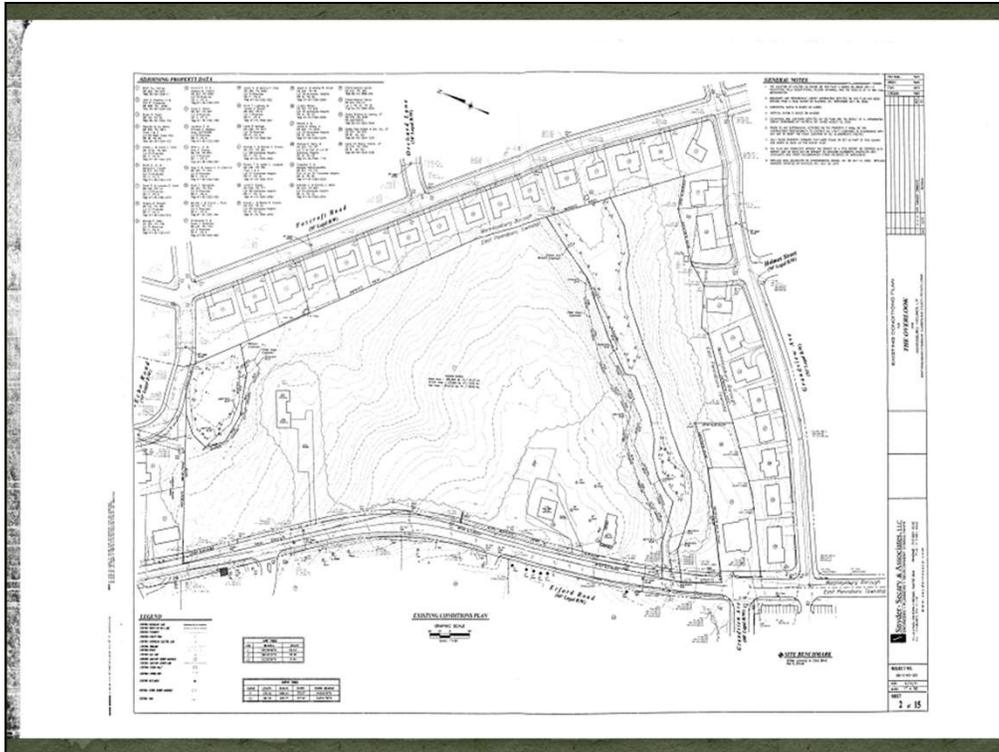
1. The "notes" section is a great starting place when reviewing a plan. Most notes sections will describe what is being done on the plan.
2. If through the course of a S/LD plan review the applicant agrees to take certain action, the notes section is a good place to memorialize what is agreed upon, especially if there is no other appropriate place to show it on the plan.



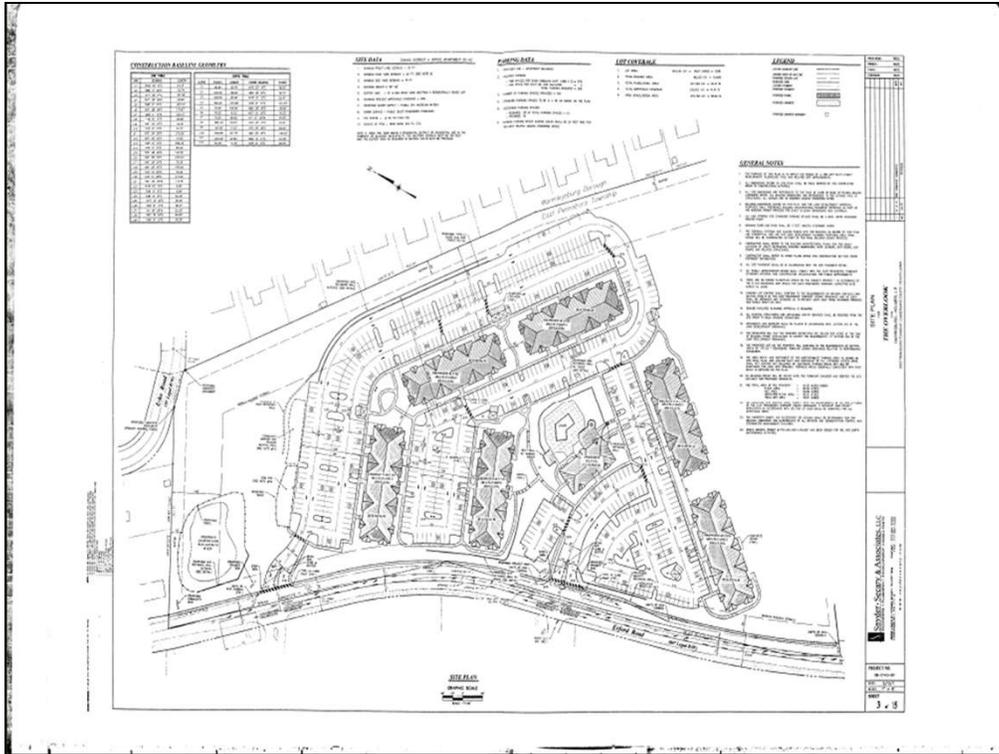
1. Good Hope Farms is a multi-phase residential development. Note that this is Phase 17. For phased projects, check the plan's consistency with the originally submitted preliminary plan that covers the entire development. Phasing schedules are also important to make sure that the development is completed in a reasonable amount of time, not subjected to intervening ordinance changes, and completes a required amount of residential units in a specified time frame.
2. The stormwater facilities in this plan that are found in the public right of way will be maintained by the municipality. Stormwater management facilities on private property are maintained by the property owner.



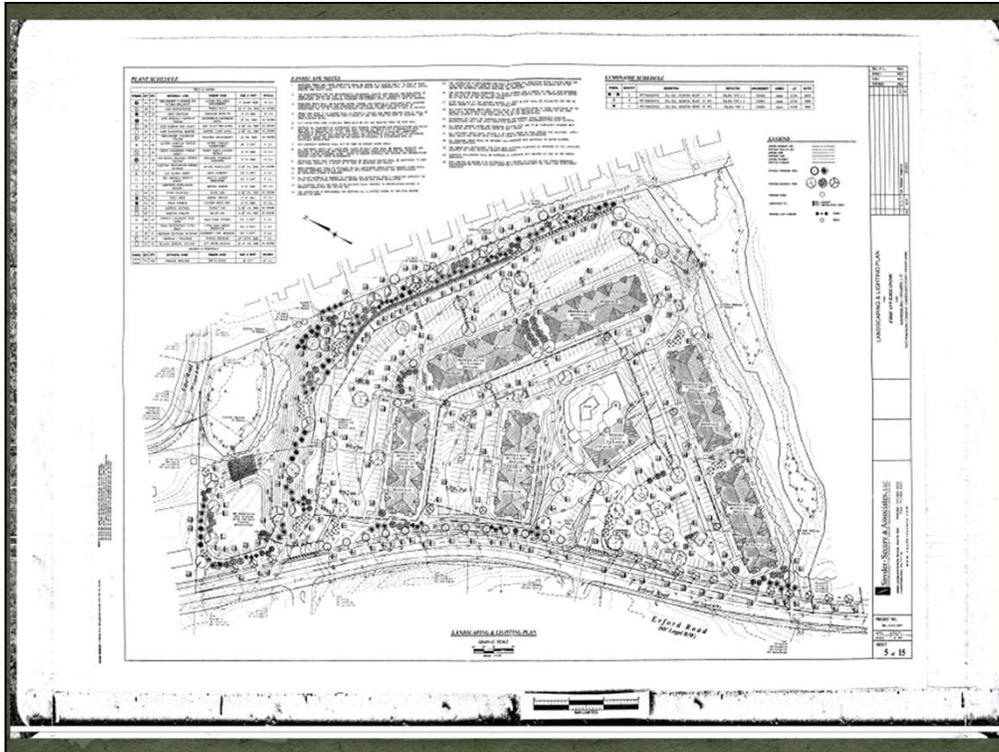
1. This project example is The Overlook in East Pennsboro Township. The project site is the large undeveloped site in the middle of the image.
2. The Overlook is a multi-family development that includes 288 new dwelling units.



1. Although the project is located in East Pennsboro Township, note that the project borders Wormleysburg Borough on the east. If a project spans two municipalities it will need to comply with both ordinances. If the project simply borders another municipality, a courtesy review by the adjoining municipality may be appropriate, although not required.



1. Note the entrance/exits for the development. Large residential developments should have 2 or more points of ingress and egress. The traffic impacts of new development should be considered on the surrounding roadway. In this case, the plan is in the middle of a heavily developed community with existing heavy traffic conditions.
2. Projects cannot be denied because they generate "too much traffic". The developer may often be required to construct transportation improvements to access the site (i.e. traffic signals, turning lanes), but they cannot be required to make major offsite traffic improvements unless the municipality has adopted a traffic impact fee ordinance.



1. Buffering/screening and landscaping are common elements of S/LD plans to decrease conflicts between adjacent land uses. In this example, vegetation is used to screen and buffer single family residences from the new multifamily complex. Mounding, fences, and expanses of open space are often used to buffer and screen adjacent properties.



Ordinance Amendments

Plan, change, plan.



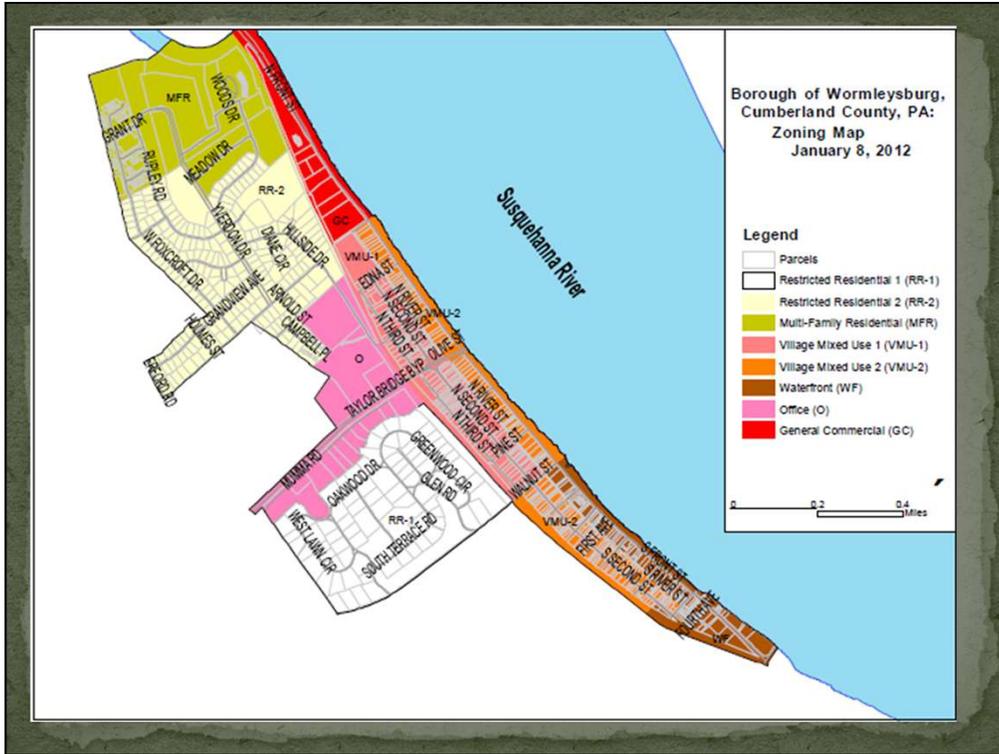
What is a Zoning Ordinance?

- Regulates type of use, size, height, bulk, location and intensity/density of use
- Protect public health, safety, and welfare
- Forward looking, but allows existing uses to continue
- Must provide for “fair share” of all uses



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1. Zoning ordinances from their inception have been largely reactive tools used to prevent nuisances and conflict between neighbors. The first citywide comprehensive zoning plan was created in 1916 in New York City in reaction to the Equitable Building (pictured on this slide) which towered over the surrounding neighborhoods. Similarly the San Francisco zoning ordinance of 1867 restricted slaughterhouses and hog storage in certain areas of the city.
2. Today, zoning should be viewed as a more proactive tool that can be used to encourage certain types of development and preserve important community features to sustain a high quality of life.
3. The general practice of zoning is legal. The Supreme Court upheld the authority of governments to enforce zoning regulations in 1926 in the landmark case of *Village of Euclid, Ohio v. Ambler Realty*. Since then, almost every major city in the United States has adopted a zoning code. Houston, TX is a notable exception.
4. The 1965 legal case *National Land & Investment Co. v. Easttown Twp. Board of Adjustment*, PA Supreme Court set the stage for requiring municipalities to provide for all uses. The court invalidated a 4-acre minimum lot size and in doing so offered that. “Zoning is a means by which a governmental body can plan for the future -- it may not be used as a means to deny the future.”



1. The zoning map shows where the zoning districts are located in a municipality. In general, zoning maps should conform with property boundaries or other well-defined parts of the landscape.

MIXED USE ZONING DISTRICT NAMES	MIXED USE ZONING DISTRICT PURPOSE STATEMENTS	REPRESENTATIVE IMAGES
Village Mixed Use-1 Zoning District (VMU-1)	To encourage the continued use and reuse of land and buildings within established, traditional neighborhoods for a compatible mixture of moderate density residential uses, neighborhood oriented businesses, and those uses which are compatible with established, traditional neighborhoods.	
Village Mixed Use-2 Zoning District (VMU-2)	To encourage the continued use and reuse of land and buildings within established, traditional neighborhoods for a compatible mixture of a variety of residential uses, neighborhood and pedestrian oriented businesses, and those uses which are compatible with established, traditional neighborhoods.	
The Waterfront Zoning District (WF)	To encourage the continued use and reuse of land and buildings within the "town center along the river front" for a compatible mixture of a variety pedestrian oriented businesses, residential uses, those uses which are compatible with the "town center".	

1. Most zoning ordinances have a purpose statement for each zoning district. The purpose statement

TYPES OF USES	VILLAGE MIXED USE-1 ZONING DISTRICT (VMU-1)	VILLAGE MIXED USE-2 ZONING DISTRICT (VMU-2)	THE WATERFRONT ZONING DISTRICT (WF)	SECTION REFERENCE FOR SPECIFIC USE REGULATIONS
A. RESIDENTIAL USES				
Apartment Conversion	N	N	SE - Above ground floor story and rear ½ of building only	1102
Group Home	P	P	P	N/A
Mobile / Manufactured Home Park	N	N	N	1102
Multi-Family Dwelling	N	SE	P	1102
Single Family Attached Dwelling	P	P	P	1102
Single Family Detached Dwelling	P	P	P	N/A
Single Family Semi-Detached Dwelling	P	P	P	N/A
Two Family Detached Dwelling	P	P	P	1102
B. NON-RESIDENTIAL USES				
B.1 COMMERCIAL USES				
Art Gallery	N	P	P	N/A
Bank	N	N	P	N/A
Bed and Breakfast	N	P	P	1103
Boarding House	N	P	P - Above ground floor stories and rear ½ of building only	1103
Commercial Recreation, Indoor	N	N	P	
Commercial Recreation, Outdoor	N	N	P	1103
Copy Shop / Business Service	N	P	P	N/A
Craftsman / Artisan Studio	N	P	P	N/A

1. Use tables or listings show the types of uses that are allowed in the various zoning districts. In many cases, uses may be subjected to additional specific use regulations that are listed elsewhere in the document.

AREA / DESIGN FEATURES	PERMITTED USES				
	SINGLE FAMILY DETACHED DWELLING	SINGLE FAMILY SEMI-DETACHED DWELLING	TWO FAMILY DETACHED DWELLING	OTHER USES, UNLESS SPECIFICALLY LISTED IN PART 11	ACCESSORY USE OR STRUCTURE, OTHER THAN SPECIFIED HEREIN ELSEWHERE THIS CHAPTER INCLUDING PART 7, PART 9, AND PART 11 OF THIS CHAPTER
Net Lot Area - Minimum	5,000 sq. ft. per DU	2,500 sq. ft. per DU	2,500 sq. ft. per DU	5,000 sq. ft.	Included as part of total minimum lot area for principal use.
Lot Width at Lot Frontage - Minimum, Interior Lot	50 ft.	25 ft.	50 ft.	50 ft.	Included as part of total minimum lot width for principal use.
Lot Width at Lot Frontage - Minimum, Corner Lot	65 ft.	40 ft.	65 ft.	65 ft.	Included as part of total minimum lot width for principal use.
Front Setback - Minimum	25 ft.	25 ft.	25 ft.	25 ft.	Not permitted to be located within the front yard
Rear Setback - Minimum	20 ft.	20 ft.	20 ft.	20 ft.	2 ft.
Impervious Lot Coverage - Maximum	40%	45%	45%	50%	Included as part of total maximum impervious coverage for principal use.
Vegetative Coverage - Minimum	25%	25%	25%	20%	Included as part of total minimum vegetative coverage for the principal use.
Building Height / Structure Height - Maximum	40 ft.	40 ft.	40 ft.	40 ft.	25 ft. or not higher than the principal structure, whichever is less.

1. Bulk and area requirements regulate how buildings and structures are placed on lots. Setbacks, height limitations, and impervious coverage limits are typical area and bulk requirements.

- C. Bed and Breakfast: Bed and breakfasts are permitted subject to the following criteria:
1. The lot proposed for development must contain a single family detached dwelling.
 2. In no case shall more than five (5) guest bedrooms for rent be permitted in any one (1) structure, and no more than ten (10) total guest bedrooms for rent shall be permitted per lot.
 3. The owner of the facility or resident manager must reside upon the premises. Proof of residency shall be provided.
 4. Overnight guests shall not occupy the facility for more than fourteen (14) consecutive nights in a thirty (30) day period.
 5. No cooking facilities shall be provided or permitted in individual guest bedrooms.
 6. Accessory uses, customarily incidental to the use of a bed and breakfast, shall be permitted as long as they are permitted accessory and/or principal uses in the applicable zoning district, complement the bed and breakfast use, and do not encumber activities of surrounding lots.

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1. Specific use regulations provide additional criteria with which permitted uses must comply. Be sure specific use regulations are clearly noted in your ordinance and followed.
2. Zoning ordinances commonly contain “general regulations” in addition to specific use regulations. The general regulations apply to all uses whereas the specific use regulations only apply to the designated use.

Zoning Terms

- Use by right
 - specifically authorized by the ordinance – requires no additional special permission
- Conditional use
 - requires hearing by governing body
- Special exception
 - requires hearing by Zoning Hearing Board
- Variance
 - change from specific requirements of the zoning ordinance approved by the Zoning Hearing Board
- Curative Amendment
 - challenge to the validity (legality) of an ordinance

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1. Curative amendment “cures” or fixes an ordinance or a portion thereof that is “invalid”. It may exclude certain uses or may not have followed the required processes for amendment.
2. CU and SE are permitted but need approval of GB/ZHB and conditions applied therein.

Why Amend Ordinances?

- Change in Municipalities Planning Code
- Update to Comprehensive Plan
- Change in policy
- External Forces



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1. Amendments are not necessarily detrimental. They allow municipalities to adjust to changing circumstances and needs.
2. A change in the MPC many times requires amendments to local ordinances to be in compliance.
3. Updates to the comprehensive plan may trigger an ordinance amendment to ensure both documents are “generally consistent”.
4. Changes in policy often occur when a new GB is seated after an election.
5. External forces are often beyond your control such as development in an adjacent municipality.

Your Ordinances May Need Updated If...

- Large number of variance/waiver requests.
- Large number of rezoning applications.
- Several new types of land uses or procedures.
- Comp plan is newer than the zoning ordinance.
- Recognize new needs for public lands/streets.



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1. Sometimes ordinance amendments may be suggested by the municipality. The PC, Zoning Hearing Board, and GB are all good sources to help identify ordinance provisions that may be in need of an update.
2. Keep a running list of ordinance provisions that are commonly misunderstood, waived, or debated at your PC meeting. Reoccurring problems are usually indicative of an ordinance that needs updated.

Types of Zoning Amendments

- Text
 - Uses
 - Design Requirements
 - Procedural
- Map
- Curative Amendment
 - Challenges the validity of the ordinance



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There are several types of zoning amendments. All fit into 3 broad categories – Text, Map, and Curative.

Text

1. Type of land use being added or deleted from a zone – i.e. multi-family dwelling, shopping center, etc.
2. Design criteria – i.e. number of parking spaces, setback distances, etc.
3. Procedural – i.e. specified time to act on a plan, procedures for submission, etc. Many times these are policy decisions based on the most efficient way to process an issue with resources available.

Map

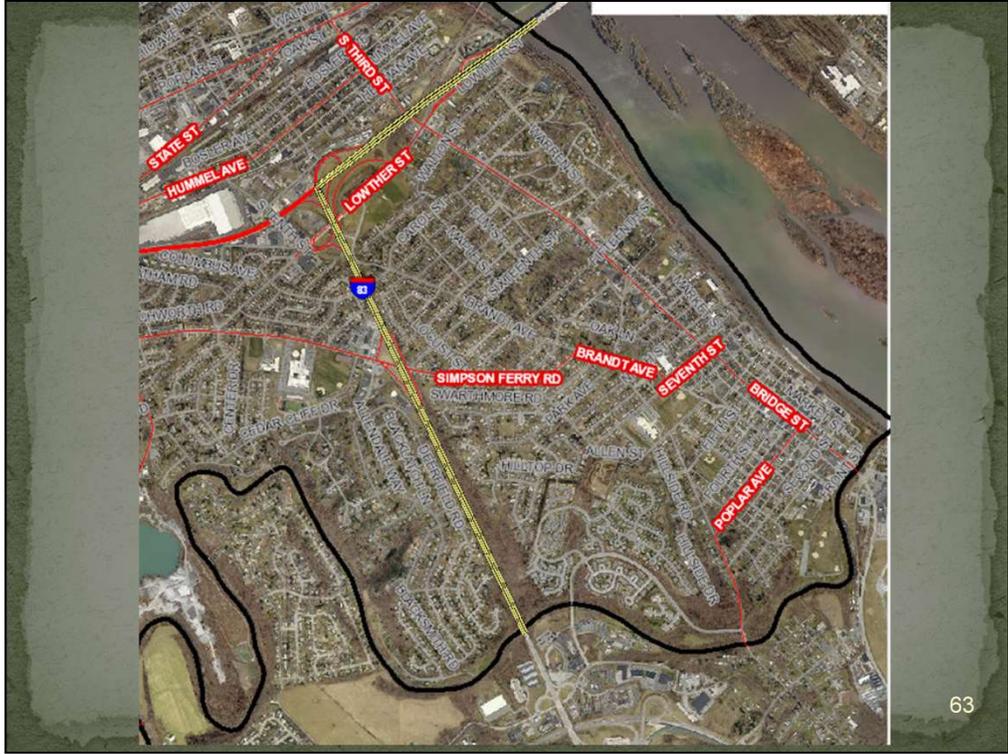
1. Generally refers to changes to zoning map.

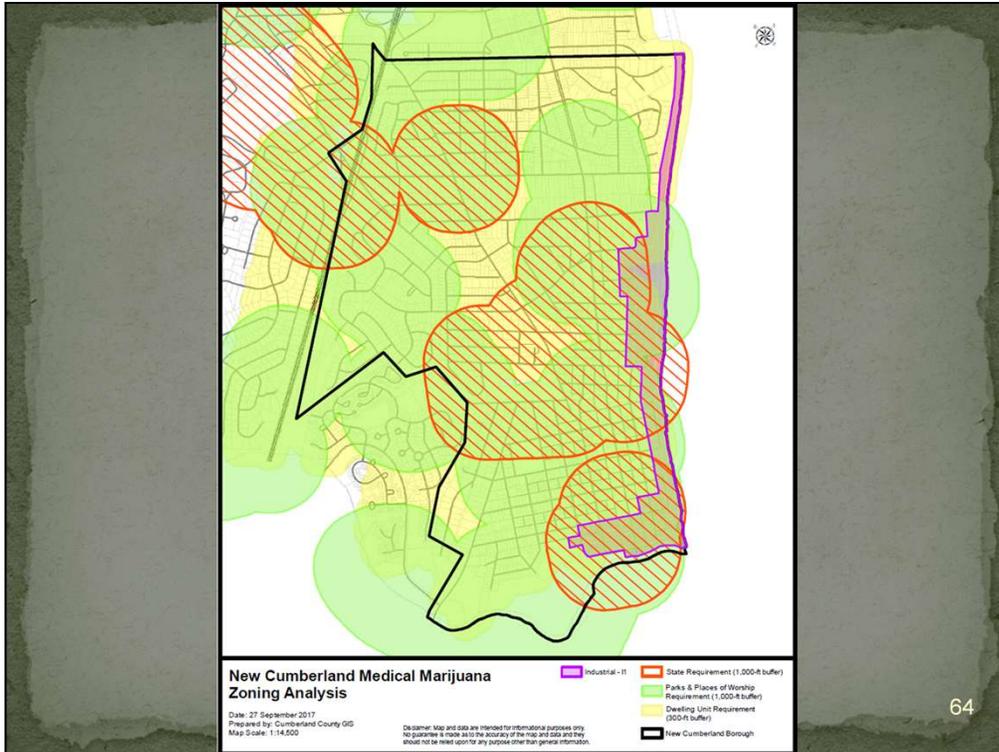
Curative

1. Generally submitted by a property owner who feels the ordinance prohibits a use or development of land in which they have an interest.
2. Can also be submitted if an ordinance does not address a certain use.
3. Applicant submits an amendment to “cure” the ordinance of its assumed deficiencies.

Real World Examples – Text Change

- New Cumberland Borough text change to allow medical marijuana dispensaries in the Industrial district
- Several locational requirements. Shall not be located within:
 - 600' from any other dispensary business
 - 1,000' of any public private, parochial school, or day care
 - 300' of any dwelling
 - 1,000' of a public park/playground, church, amusement park, camp, community center or museum





Real World Examples – Map Change

- 2016 zoning map change in West Pennsboro Township
- Rezone 133 acres from R2 to Commercial/Industrial
- Proposal to build 2 buildings with 720,000 square feet of warehousing/distribution space each
- Creates 430 new jobs
- \$690,000 in annual tax revenue for Big Spring School District, \$121,000 for county, and \$26,000 for the township

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1. The proposal was consistent with the Western COG Regional Comprehensive Plan that was adopted in 2007. It was inconsistent with the Cumberland County Comprehensive Plan.
2. The municipal PC voted to remain neutral. The County PC recommended approval of the application. The GB ultimately approved the application.
3. A residents group filed a substantive challenge to validity of the ordinance to the Zoning Hearing Board, asserting that it was spot zoning. The ZHB ruled in favor of the residents. The developer appealed the ZHB decision. The case is currently under appeal with the Court of Common Pleas.





Considerations for Review

Text Amendment

- Justification
- Consistent with Comp Plan
- Impacts: Adding/Removing Use ,
Design Standards
- Burden to municipality: Administrative, Enforcement

Map Amendment

- Justification
- Consistent with Comp Plan
- Impacts: Environmental, Economic, Community, Transportation
- Mitigation Measures
- Legal Considerations

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1. Justification – The burden is on the applicant to justify the need for the amendment. Has the applicant demonstrated a need for the change? Will it benefit just the landowner or the entire community?
2. Consistent with Comp Plan – Is the proposal consistent with the various comprehensive plan elements (future land use, housing, transportation, etc)?
3. Text Change Impacts – Are added uses similar to and compatible with current permitted uses in zone?; Are removed uses adequately addressed elsewhere in the ordinance?; Are design standards similar to other standards in the ordinance and consistent with standards found in other municipalities?
4. Map Change Impacts – The change should be assessed concerning its environmental, economic, community, and transportation impacts..
5. Burden – Is the text change an administrative burden for the municipality that may be difficult to enforce?
6. Mitigation – Does ordinance contain standards to mitigate negative impacts? (screening, buffering, floodproofing).
7. Legal – Could the map change be considered spot zoning?
8. Once the zoning map has been amended, anything allowed in that zone can be developed. Be wary of proposals that offer deed restrictions or other contract-type agreements where the applicant agrees only to develop a certain use. Often these agreements, if approved, cannot be enforced by the municipality and must be done so

through civil litigation.

Considerations for Review (cont'd)

- Do not vote based on a proposed project.
- Visit the site.
- Invite applicant to meeting.
- Get the information you need to make your decision.
- Develop / use checklist.

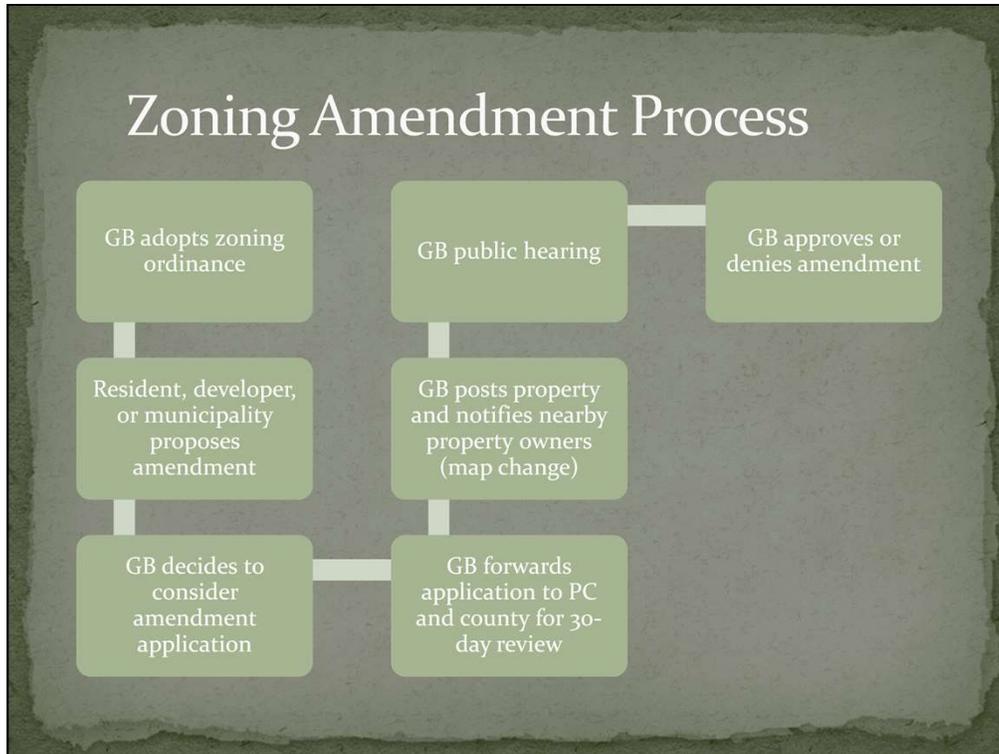
70

1. Some amendment applications are very project specific. The PC should ensure the amendment benefits the municipality and not just the project site.
2. Visit the site of any zoning map change. This is best way to see if a change fits the character of the area.
3. Ensure to include the applicant in the process. The applicant should provide a presentation at the PC meeting and be available to answer questions and agree to conditions that may be placed on his application.
4. Use of a checklist can ensure all issues are considered and all amendments are reviewed in a consistent manner. Checklists are especially useful when a group of people are reviewing the same amendment. The checklist ensures that everyone is looking at the same issues and is considering the amendment using the same criteria.
5. The applicant needs to provide the municipality with full detail on the proposed amendment. The applicant should clearly state the need for the amendment, project data (i.e. size, type of use), impact data (i.e. traffic, stormwater, noise, light, etc), economic benefits (i.e. tax revenues), and any other data that would be needed to evaluate the proposal. Putting these requirements in your zoning ordinance makes sure that the requisite data is submitted by the applicant.

Cumberland County Planning Department
Ordinance Amendment Review Guide
Map Changes

REVIEW CRITERIA	COMMENTS
Justification	
<ul style="list-style-type: none"> • Assess if the applicant has demonstrated a valid need for the change other than economic. • Will the change benefit just the landowner or the community as a whole? 	
Consistency with County and Municipal Plans	
Municipal <ul style="list-style-type: none"> • Consider consistency with various comp plan elements (FLU, Housing, Public Facilities, Transportation, etc). • Review the text of each land use category shown on the FLU map. • Consider consistency with the municipal Act 537 Plan. Is the proposal located in/out of an existing/proposed sewer service area? • Cite relevant pages in review memo 	
County <ul style="list-style-type: none"> • Consider consistency with various comprehensive plan elements (FLU, Housing, Public Facilities, Transportation, etc). • Review the text of respective Character Area in the comp plan • Cite relevant pages in review memo 	
Economic Impacts	
<ul style="list-style-type: none"> • What is the job creation potential of the proposal? • What are the tax revenue implications of the plan? 	
Community Impacts	

1. The Cumberland County Ordinance Amendment Review Guide is included with the online resources. The County Planning Commission uses this tool to ensure consistent consideration of ordinance amendments. Municipal PCs should consider using this tool as well, in doing so, the consistency between municipal and county reviews will be enhanced.



1. The amendment review process starts with an application to the GB.
2. The GB decides whether to consider it. The GB does not have to consider the application. It can:
 - Take no action, in which case the application is denied.
 - Consider the application, in which case it is sent to the municipal & county planning commissions for review and recommendation back to GB.
3. The review process for zoning amendments is prescribed in the MPC. Do not create a process that varies from the MPC.
4. The public hearing must be advertised in a newspaper of general circulation in the municipality.
5. If the municipal and county planning commissions do not provide comments within 30 days, the GB may take action.
6. For map amendments the property shall be “conspicuously posted” at points deemed sufficient to the municipality and a notice mailed to landowners at least 30 days before the public hearing.
7. If a municipality is proposing an entirely new ordinance, the county has 45 days before the public hearing to review the ordinance.

Public Hearing Results

- If amendment is “changed substantially”, hold another public hearing.
- If amendment is approved, submit copy to County Planning Commission.



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1. The term “substantially” is not defined by the MPC and must be interpreted by each municipality. If in doubt, consult your solicitor. In many cases holding another public hearing is a safe step to ensure that all issues have been adequately considered.
2. The MPC requires that a copy of approved amendments be sent to the County Planning Commission. This requirement ensures the county has the most up-to-date ordinance provisions when reviewing any future amendments. Further, such amendments provide examples that other municipalities who are facing similar circumstances may want to review before embarking on their own amendment process.

SALDO Review Procedure

- Set public hearing date
- Forward to municipal planning commission for 30-day review prior to public hearing
- Forward to county planning commission for 30-day review prior to public hearing
- Submit final, adopted ordinance to County PC within 30 days of approval.

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1. The SALDO amendment review process is similar to the zoning text amendment process. While often not as controversial as zoning amendments, SALDO amendments require due consideration and can have positive and negative impacts on your community.

Proactive Planning

Looking Forward for Value Added Planning



Proactive Planning

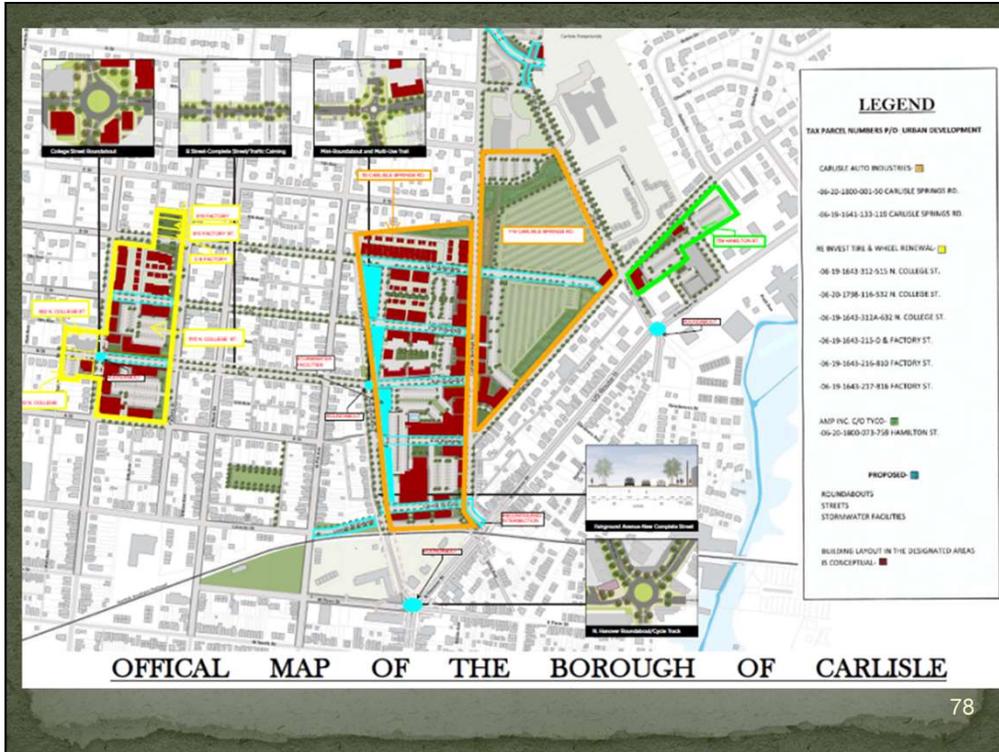
- MPC assigns minimum tasks for PC
- PC can assume any task delegated from GB
- Remember the PC's unique position in the community
- Partner with your GB to identify and pursue current issues and prepare for the future
- What activities have the most benefit to your community?

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1. Many PCs assume that

HOT TOPICS LIGHTNING ROUND



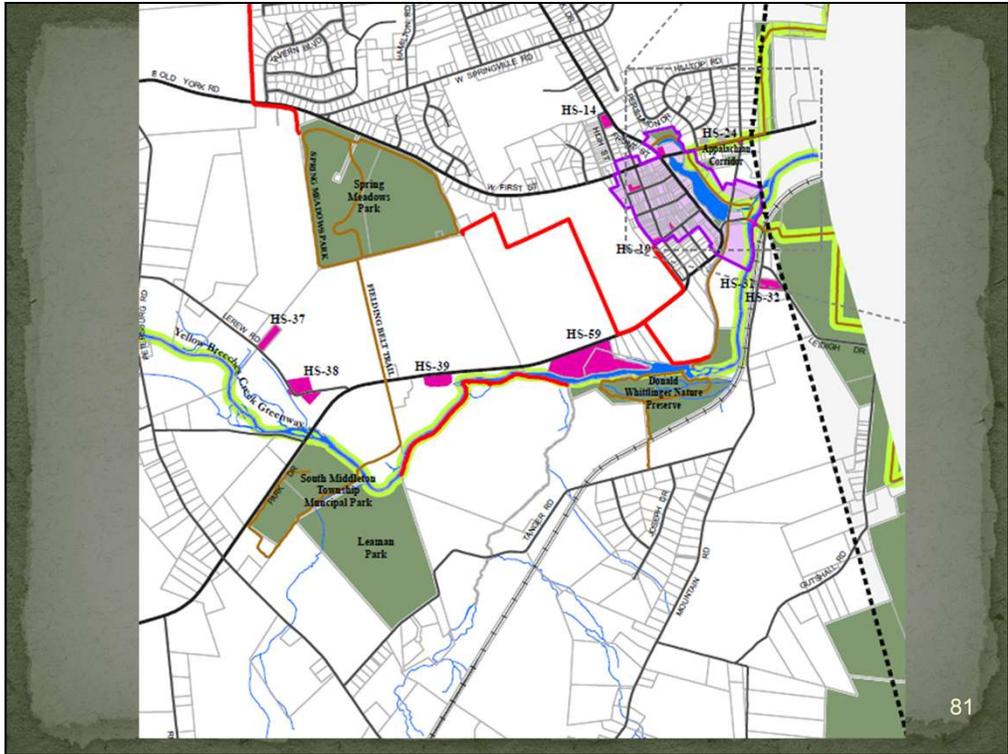


What is an Official Map?

- Combined map and ordinance designed to implement the comprehensive plan
- Shows the locations of planned future public lands and facilities
- Expresses a municipality's interest in acquiring these lands for public purposes sometime in the future.
- NOT a zoning map or general map of the municipality

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1. Official Maps are authorized by Article IV of the MPC.
2. An Official Map includes a map of the lands for potential public use and an accompanying ordinance describing the location and purpose of the lands. An Official Map can cover all or a portion of a municipality.
3. The Official Map provides the municipality with the "right of first refusal" to secure properties that are needed for a future public purpose. If said properties are proposed for development, the municipality has 1-year to secure the property through amicable sale, easement, or through condemnation. Condemnation is rarely used to implement an Official Map.
4. Official Maps can be prepared in-house by municipal staff or outsourced to private contractors. The cost to prepare an Official Map generally runs under \$10K depending upon the mapping sophistication of the municipality.







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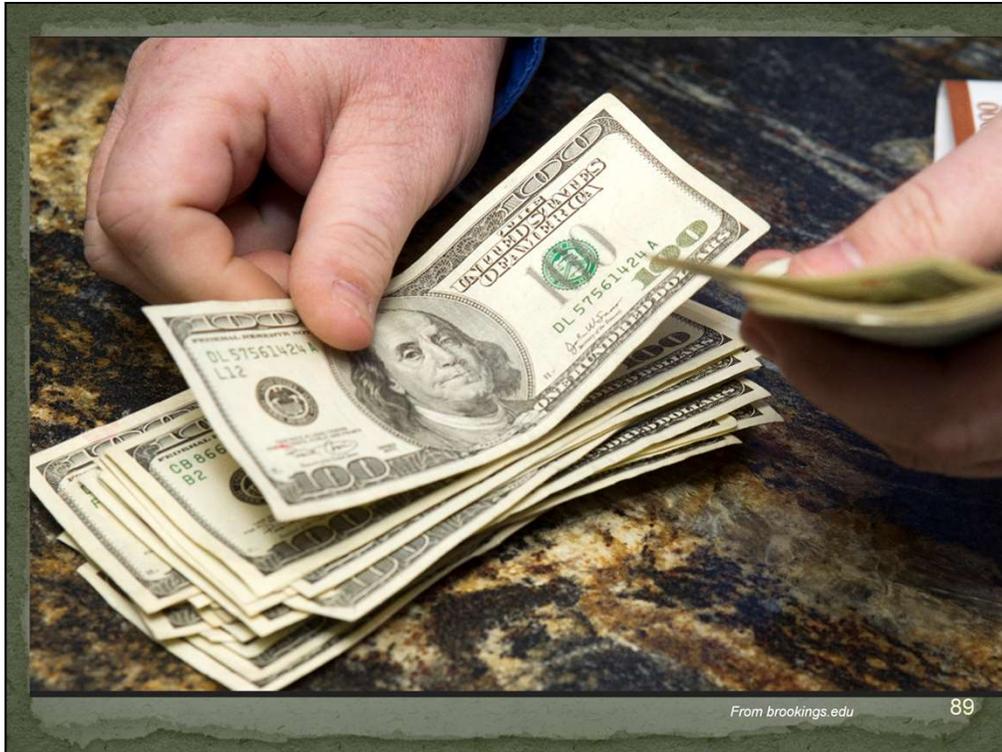
From Pennlive.com











From brookings.edu

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Planning Commission Administration

Before, During and After the Meeting



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What is wrong with your PC?

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Typical PC Problems

1. Wrong members appointed to PC
2. PC members not prepared
3. Meetings are poorly run
4. Meeting agendas are not focused
5. PC members not sure of their role
6. Public not involved / over involved
7. Poor relationships with municipal partners, residents and development community



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1. Every PC is different and has its respective strengths and weaknesses. The problems listed on this slide are the most commonly observed in the county. If you see one of these problems at your meetings, acknowledge it and take steps to fix it.
2. Many of the problems on this list may have existing for some time and are simply the result of past practice. If something is not working, feel free to break the mold and suggest a different way to do things.

Be Prepared

- Every PC member should have most recent copies of local planning documents and the MPC
- Develop a schedule for distribution of meeting packets to allow for timely review
- Perform your own reviews of plans/amendments prior to the meeting
 - Compare with county/staff comments
 - Prepare list of questions/required changes
- Conduct a site visit
 - Use GIS / Google Earth tools for “big picture” view

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1. If you don't have copies of your municipalities planning documents, you cannot do your job.
2. The PC Chairman and staff should work in concert with one another to establish the agenda. Be cautious of putting too much material on one agenda, especially lengthy items that will take multiple meetings to complete. If you will need concentrated focus on a certain issue, consider scheduling a special session or workshop dedicated to just that issue.
3. Advanced review is the single best way for a PC member to be prepared for a meeting. Materials should be provided at least a week in advance of the PC meeting. Contact the municipal staff if you are getting your materials too late for a thorough review.
4. County comments should also come to you in advance of the meeting. If you are not getting county reviews in time for your PC meeting, contact the county Planning Department and ask that reviews be prepared to coincide with your meeting date.

Get Organized

- Select a competent Chairman
 - Experienced and knowledgeable
 - Good communicator
- Clearly establish expectations for each agenda item
 - Action vs info
 - Review process and timing
- Establish public input guidelines
 - Not a debate
 - Keep focused, avoid repetition
 - Consult solicitor on time limits for individual comments

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1. The Chairman needs to **run the meeting** by:
 - Facilitating discussion, including public comment
 - Keeping discussion focused and on time
 - Suggesting courses of action
2. Public input is often repetitive and may not be focused. The Chairman needs to keep public input focused and avoid repetition, but also must recognize the public's right to comment.
3. Time limits for public comment are often debated and can in some cases be considered an infringement upon free speech. Consult your municipal solicitor on what time limits, if any, he or she would be comfortable imposing on public comment.

Get Focused

- Require use of visual aids by applicants to facilitate discussion and participation
 - LCD projector with computer
 - Handouts
- Technical or time consuming activities should be covered under special meetings
 - Workshops
 - Subcommittees



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1. Visual aids greatly enhance understanding and participation during PC meetings. If your municipality has access to an LCD projector, request that applicants provide documents electronically so they can be viewed by everyone in attendance. If such technology is not available, try to make copies of handouts as accessible as possible.
2. New comprehensive plans or zoning ordinances cannot be written, developed, or reviewed as part of the standing agenda for a PC meeting. Such time consuming activities should be completed by a subcommittee, special session, or a workshop where the topic can be given the focused attention it requires.

Document

- Prepare accurate, timely minutes of meeting that include:
 - Attendance
 - Summary of discussion
 - Actions and justification
 - Timeframe
- Distribute minutes to members and staff for review
- Distribute minutes through a variety of media
 - Online
 - Hardcopy

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1. Minutes should be completed quickly and circulated for review after a meeting to make sure that detail is not forgotten or ignored.
2. A sample meeting minutes format from the Cumberland County Planning Commission is included with the online resources.
3. Minutes should be easily accessible. Municipalities with websites should be posting minutes as soon as they are complete. Some municipalities post draft minutes while others wait until the minutes have been approved by the GB.

Evaluate

- Keep a running list of issues needing attention
 - Variances
 - Waivers
 - Loopholes / interpretation issues with ordinances
- Conduct regular meetings with other municipal stakeholders
 - GB
 - Zoning Hearing Board
 - Environmental Advisory Committee

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1. Identify a municipal staff member or PC member that is responsible for keeping the running list of items requiring future attention.
2. Many inefficiencies continue simply because “that is the way it has always been done”. Feel free to suggest permanent solutions to problems rather than just discussing the piecemeal fixes to the same problems.
3. Other municipal stakeholders may experience problems or issues that could be fixed by the PC. Regular meetings with these organizations make sure that the entire team is on the same page and is striving to improve operations.

Wrap Up

The Crash Course for Municipal Planning Commission
Members in Cumberland County



Wrap Up

- Answer any final questions
- Provide any immediate feedback
- Complete survey

THANK YOU FOR ATTENDING AND
GOOD LUCK WITH YOUR PC!!

Cumberland County Planning Department
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