Learning from the experiences of others is always helpful. There are several multi-municipal planning efforts that serve as good examples of cooperation. The reasons for their initial interest in planning in coordination with their neighbors are varied and their histories, sometimes smooth and other times rocky, help others anticipate what may be involved in such efforts.

In addition to the planning programs described below, there are strong efforts in cooperative planning underway throughout the Commonwealth. In Chester County, the Federation of Northern Chester County Communities has met to discuss areas of mutual interest for many years. In 1997, a regional land use plan was adopted. The Berks County Planning Commission has encouraged municipalities to cooperate in many activities. At the end of 2000, the county planning commission had successfully facilitated the adoption of ten multi-municipal comprehensive plans and five other such plans were under development. Four joint municipal zoning ordinances were in the process of preparation or were under consideration. In Montgomery County, cooperative planning efforts are underway in the Indian Valley, in the Central Perkiomen Valley Area, and between Collegeville and Trappe boroughs. In Bucks County, the seven municipalities in the Pennridge Area have undertaken cooperative planning projects. The school district, the chamber of commerce, and the Bucks County Community College also participate. These communities prepared a greenway plan that was recognized as an outstanding plan by the Pennsylvania Planning Association in 2000. This group, along with an adjoining borough, is undertaking a water resources study which may indicate the advantages of further cooperative planning.

Quakertown Area Planning Program, Bucks County

The Quakertown Area Planning Program was based on the adoption of a multi-municipal comprehensive plan. Model zoning and subdivision/land development ordinances were prepared and customized by the individual municipalities.
In 1971, the Upper Bucks Chamber of Commerce and the Quakertown Businessmen’s Association initiated discussions concerning growth and planning in the area with the elected officials of the boroughs of Quakertown, Richlandtown, and Trumbauersville and the townships of Haycock, Milford, and Richland. There were many failing on-lot septic systems and lines from Quakertown’s sewage system were to be extended into Richland Township. Milford Township and Trumbauersville Borough were ordered to solve these problems and the construction of a sewage treatment system was the only viable solution. Undeveloped areas zoned for nonresidential and higher density residential uses, which would require public sewage service, were not entirely the same areas with failing septic systems, the areas which needed sewage service. In order to make sense of the out-of-sync sewer and zoning patterns, the officials of these six municipalities decided to try to plan together. In addition, a major highway, I-78, was under construction not too far north in the Lehigh Valley, and many believed that this major highway project and the two sewer plant projects would foster rapid and significant growth in the Quakertown Area. Some were pleased; some were concerned.

In addition to the municipalities, the Quakertown Community School District played an active role in the planning program. The superintendent and the school board realized that the area potentially was on the verge of a building boom and the school system, the most expensive locally tax-supported public service, was directly affected by the type, timing, intensity, and location of new development. The school district joined as a dues paying, voting member of the regional planning organization.

Efforts to form a regional planning program were not without controversy. Those who wanted to limit and direct new, intensive forms of development conflicted with those who espoused fewer limitations and broader provisions for high density housing and intensive nonresidential development. Two boroughs dropped out of the program. A model zoning ordinance was prepared and individual ordinances were adopted by four municipalities in 1975.

Work on the zoning ordinance preceded work on a comprehensive plan. Pressure was great to get new zoning ordinances in place. However, all the data collection, study, and analysis that would go into the preparation of a comprehensive plan was completed as part of the zoning ordinance work. That formed the basis for the preparation of a joint municipal comprehensive plan, which began in 1977 and was enacted by the four municipalities in 1978. The plan and ordinances are based on a growth management concept which guides high density housing and most of the nonresidential development into areas that have water and sewer services and where the road capacities are greater. These areas get most of the commercial, office, and industrial use that produce the tax revenues to support the needed public ser-
vices and improvements. The communities with lower intensity uses do not compete for the tax dollars generated by nonresidential development.

These municipalities have found it beneficial to work together on other projects.

1979 A Quakertown Area model Subdivision and Land Development Ordinance was prepared and was adapted and adopted by four municipalities. Comprehensive amendments to the Quakertown Area Zoning Ordinance were prepared and adopted.

1981 A Quakertown Area Linked Open Space Plan was prepared with the assistance of landscape architecture students from Penn State.

1982 A Residential Development Areas Analysis was prepared to evaluate the need and capacity for attached forms of housing.

1983 The two boroughs that dropped out of the program have rejoined as part of the Quakertown Area Planning Committee (QAPC) program.

1985 Wastewater Facilities Component to the Quakertown Area Comprehensive Plan was prepared and adopted. Initial discussions were held on determining the need for an area wide traffic study.

1986 The Residential Development Areas Analysis was updated to evaluate the need and capacity for attached forms of housing.

1987 A Quakertown Area Traffic Analysis was prepared.

1991 A Quakertown Bypass Feasibility Study was prepared.

1992 The Quakertown Area Comprehensive Plan was updated.

1994 The model Quakertown Area Zoning Ordinance was updated.

1995 Commenced an update of the Quakertown Area Subdivision and Land Development Ordinance.

1998 Commenced an update of the Quakertown Area Zoning Ordinance and the Quakertown Area Subdivision and Land Development Ordinance based on Growing Greener principles.

Annual reports provide detailed descriptions of the Quakertown Area Planning Program activities for the participating municipalities.
A primary responsibility of the QAPC, which is the regional planning body made up of representatives of each participating community, is to review certain development proposals. These include:

- Any amendment to the area subdivision and land development ordinance or the area zoning ordinance.
- All planned residential developments, performance standards subdivisions, and cluster developments.
- All requests for conditional uses or special exceptions involving developments of more than five acres.
- All sketch and preliminary subdivision and land development plans or nonresidential developments involving more than five acres or residential developments of twenty-five or more dwelling units.

All reviews and recommendations are advisory and are returned to the municipality within forty-five days of receipt. Over the five-year period from 1996 through 2000, the QAPC reviewed 138 such proposals for an average of 28 applications per year.

One of the strongest elements that have contributed to the success of this multi-municipal planning program is strong and long-term leadership from the municipal officials. Another important aspect is the administrative assistance provided by the Bucks County Planning Commission (BCPC) staff which, under contract, prepares the written reports to municipalities related to the QAPC’s development reviews, the meeting agendas and minutes, the annual reports, and other correspondence as well as ongoing professional planning services. The BCPC also serves as keeper of the official records.

It should be noted that in 1997, Richland Township enacted an individual comprehensive plan to replace the multi-municipal comprehensive plan of 1992. The basis for this divergence was that the Richland Township Board of Supervisors decided the multi-municipal comprehensive plan was too general and a more specific plan for the township was needed.

To date, the cooperative program continues. Representatives of the six municipalities, the school district, and the county planning commission staff meet on a monthly basis, including Richland Township representatives, to discuss mutual concerns and various community planning projects and to review major developments that would have more than local impacts.
These municipalities continue to work together for so many years because cooperation makes sense, not for protection from zoning challenges. They did not enter into a joint municipal zoning arrangement. The engineering firms that prepare development plans in the area benefit in that the terminology and standards in the separate ordinances are consistent and the ordinance format is the same.

**Newtown Area Planning Program, Bucks County**

The Newtown Area Planning Program is based on the enactment of a joint municipal comprehensive plan and a joint municipal zoning ordinance. The municipalities have enacted separate subdivision/land development ordinances.

Mobile home parks was the issue. Prior to 1975, one of the townships was looking for a place to zone for mobile home parks in order to comply with the mandates of the courts. The contemplated location was along a local road on the border with a neighboring township. From a practical standpoint, the potential residents of the possible mobile home park would travel into that neighboring township for schools, shopping, access to regional highways, and most other activities. The neighboring township did not readily embrace the proposal.

During heated discussions between the officials of these townships, someone made the observation that the area including Newtown Borough and the surrounding townships of Newtown, Upper Makefield, and Wrightstown functioned as a single community and that, after an initial review, the combined zoning ordinances appeared to provide for all reasonable land uses in reasonable quantities. Utilities and better roads existed or could be expanded in the right places to service areas zoned for higher density residential and more intensive uses. In 1975, the four communities resolved to explore cooperative planning and zoning.

With the help of the Bucks County Planning Commission staff, the communities undertook a feasibility study without any commitment to continue with the preparation of a comprehensive plan or zoning ordinance. Data was collected and maps were prepared to identify natural features, utilities, and zoning districts in place. It was determined that all reasonable land uses were provided for. Undeveloped land could accommodate more than sufficient numbers of new homes to satisfy a fair share requirement based on county housing projections. The experiment showed there was a basis for further cooperation. It did not make sense that each of the communities should provide zoning districts for industries, high density housing, shopping centers, office parks, and other intensive land uses. During the period of this feasibility study, the MPC was amended to authorize joint municipal zoning.
It took eight years for these communities to develop four key documents. These included a comprehensive plan, a joint municipal zoning ordinance, a residential development areas analysis that was a detailed study of housing growth and available land, and something they called their “marriage agreement.” This agreement addressed cost sharing matters, administrative procedures, established a joint municipal planning commission, provisions for legal counsel, and established a joint zoning council from among the elected officials to deal with the important decisions relating to the jointure.

This was not a marriage made in heaven. There were difficulties. It took a long time to get ideas through four elected bodies, four planning commissions, several solicitors, the joint planning commission and the joint zoning council. Many of the matters which dominated their attention focused on the growth pressures being experienced in the townships. In the 1980s, Newtown Township had the fastest rate of residential development than any other municipality in southeastern Pennsylvania. Borough issues were passed over. In 1992, Newtown Borough withdrew from the program.

To date, this program has been successful in defending the zoning ordinance against two challenges. In 1984, the American Society of Landscape Architects recognized the Newtown Area Planning Program in its annual awards for a merit award in planning and analysis. In 1998, Governor Tom Ridge gave the Newtown Area municipal officials a Governor’s Award for Environmental Excellence. This award recognized the substantial public savings for road and stormwater management construction and maintenance that is realized by inter-municipal cooperation and guiding into appropriate locations. The public costs would have been much greater if all three of the townships had comparable growth experiences.

The three townships continue to plan and zone together. The joint planning commission addresses broad scale matters and the local planning commissions deal with development applications and initiate changes as the need becomes apparent. Each municipality has its own zoning hearing board. Unlike the Quakertown Area Planning Program, the Newtown Area Planning Program only deals with comprehensive planning and zoning rather than a variety of community planning studies and projects. The school district is not involved in the Newtown area program.
The Upper Perkiomen Valley Regional Comprehensive Plan complies with the provisions of Act 67 of 2000 which enables municipalities to develop a multi-municipal comprehensive plan and implement that plan through implementation agreements. Separate ordinances will implement the comprehensive plan.

Around 1991, the elected officials of the municipalities in the Upper Perkiomen Valley began discussions related to the possibility of cooperating in comprehensive planning and zoning. The communities included the boroughs of East Greenville, Pennsburg and Red Hill as well as the townships of Marlborough and Upper Hanover. These elected officials identified factors that would result in substantial development in their communities and were interested in methods to better control and guide the anticipated growth pressures. Surrounding areas, particularly in the Lehigh Valley south of Allentown and along Route 100, were experiencing increased development. The amount and rate of development had increased in adjoining Montgomery County municipalities and a curative amendment was filed in Marlborough Township. The officials discussed matters of cooperation and undertook preliminary studies that included a fair share analysis to evaluate the projected housing growth and the amount of undeveloped land that would be available to accommodate the anticipated development.

It was found that there was a substantial amount of undeveloped land in the boroughs zoned for higher density residential land uses. Among the municipalities, the amount of undeveloped land available for more intensive residential development would provide for more than the expected growth. Together, the communities were over-zoned for residential development, which would impact the infrastructure in the area. It was decided that it would be prudent for Upper Hanover and Marlborough to cut back on the areas zoned for higher density development. There was interest in ensuring the boroughs remained the retail centers for the region and much of the undeveloped commercial land in Marlborough Township was eliminated. The period for preliminary discussions and studies took about seven years. Preparation of the multi-municipal comprehensive plan took three years. Although it was initially expected that a joint municipal zoning ordinance would be prepared, individual zoning ordinances, as permitted under Act 67, will be used.

The regional group is made up of two representatives from each community. One representative must be an elected official and the other a planning commission member. Each municipality has one vote and votes must be unanimous for approval of any matter related to cooperation. An intergovernmental co-
operative implementation agreement related to procedures and cost sharing will be enacted. The indi-
vidual municipal ordinances are to be revised within two years to implement the plan and agreement.

This cooperative program is clearly a result of strong leadership on the part of the elected officials. The residents of the region have much in common including focus on area churches, service clubs, boy scouts, shopping areas, and other matters of daily life and this sense of community was helpful. The region is the same area of the school district although the district is not a participant in the planning program. The Montgomery County Planning Commission staff has provided professional assistance in this program from the beginning and has been an advocate for the advantages of cooperative planning. Trout Unlimited and the local watershed association have supported this effort among the municipalities.

The comprehensive plan will be followed by the preparation of a regional sewage facilities plan under Act 537. Water resource planning is also a matter of concern, particularly in relation to the limitations of a Diabase geologic formation in the area.
Appendix 1A-2: South Central Assembly Examples of Intergovernmental Cooperation

By: The South Central Assembly
Excerpted from the South Central Assembly Development Guidelines Report

In compiling information for a development guidelines report, the South Central Assembly became aware of the following projects/groups/ventures/proposals which are illustrative of some examples of intergovernmental cooperation across the South Central Region. This compilation is not intended to be an exhaustive or all-encompassing list; rather, the intent is to provide the reader with a sampling of the collaborative spirit in our region.

Lower Dauphin Area Regional Planning Group. The Lower Dauphin Area Regional Planning Group (LDARPG) has held several meetings. Its membership consists of five municipalities and the Lower Dauphin School District in the Lower Dauphin area (Conewago Township, East Hanover Township, Hummelstown Borough, Londonderry Township, and South Hanover Township). The LDARPG meets at regular intervals “to foster a cooperative effort to resolve regional issues related to land use and planning, and to recommend policies, concepts, and programs to meet such needs.”

The LDARPG seeks to embrace the following purposes:

a. Forum: To serve as a mutual forum to identify, discuss, study, and bring into focus regional issues and needs related to land use and planning;
b. Communication and Coordination: To provide the organizational structure necessary to ensure effective communication and coordination among the townships, the borough, and the school district; and
c. Policies and Priorities: To foster, develop, and review policies, plans, priorities, and recommendations surrounding the advancement of a joint comprehensive plan for the Lower Dauphin area.

Cumberland/Perry Counties Joint Task Force on Transportation and Planning. This volunteer task force encompasses 17 municipalities, 13 in Perry County (Bloomfield Borough, Duncannon Borough, Marysville Borough, Newport Borough, Carroll Township, Centre Township, Howe Township, Miller Township, Oliver Township, Penn Township, Rye Township, Watts Township, and Wheatfield Township) and 4 in Cumberland County (East Pennsboro Township, Hampden Township, Middlesex Township, and Silver Spring Township), and Cumberland, Dauphin and Perry Counties as associate members. Its mission is “to quantify, prioritize, and recommend implementation of improvements for roadway safety/congestion problems and land use planning with respect to commuting and through traffic between
Perry and Cumberland/Dauphin Counties. The task force, through a consultant process, intends to examine the linkages between land use and transportation, and to establish sound land use and growth management patterns for the benefit of the entire subject area.

**Octoraro Region Comprehensive Plan.** Through a grant provided by the Lancaster County Board of Commissioners, the Lancaster County Planning Commission is in the process of preparing a multi-municipal comprehensive plan for the Octoraro Region. The local municipalities involved in this plan are Bart Township, Christiana Borough, Colerain Township, and Sadsbury Township. The region comprises part of the Octoraro School District and part of the Solanco School District.

The preparation of this multi-municipal comprehensive plan is based on the mutual decision made by the governing bodies of the 4 municipalities and the county to work cooperatively in establishing a strategic, practical, and relevant approach to dealing with issues including, but not limited to, land use, rural development and preservation, economic development, conservation, transportation, housing, public infrastructure and services, recreation, and quality of life through intergovernmental cooperation.

**York County Intergovernmental Cooperation Policy.** In 1998, the York County Board of Commissioners adopted a formal Intergovernmental Cooperation Policy.

**Northern York Region Comprehensive Plan.** Five municipalities in northern York County (Dillsburg, Monaghan, Carroll, Franklin, and Franklintown Townships) are currently cooperating on the development of a joint comprehensive plan.

**Southern York Region Comprehensive Plan.** In the fall of 2000, five municipalities in southern York County adopted a regional comprehensive plan. The municipalities of Shrewsbury Township and Glen Rock, New Freedom, Railroad, and Shrewsbury Boroughs, as well as the Southern York County School District, came together to prepare a sound plan for the future growth and development of the Southern York County Region. The regional cooperation was enhanced by the involvement of the Southern York Regional Planning Commission in that process.

**Central Cumberland County Task Force (Exit 12, I-81).** The Central Cumberland Task Force on Regional Development (CCTF) was formed in 1998 to recommend improvements to the quality of life in Central Cumberland County through responsible development and cooperation. The CCTF initiated a study of I-81 Exit 12 due to the increasing development pressures and transportation problems experienced in this 2,700-acre area. PENNDOT/FHWA provided funding for the study through special planning, and
DCED provided State Planning Assistance Grant and Shared Municipal Services funds. Five municipalities (North Middleton, West Pennsboro, Carlisle, Dickinson, and South Middleton) directly affected by Exit 12 participated in the study.

The objective of the study was to find a reasonable balance between land use and transportation improvements—to promote growth and mitigate development related impacts. The study examined three different land use/transportation system scenarios:

1. Full build-out of the area as permitted by existing regulations—generated over $80 million in transportation improvements, and was not considered feasible.
2. Alternative build-out using the public’s preferred land use types—from survey of public’s preferences, this alternative increased office zones and decreased light industrial uses, and resulted in land use patterns and transportation impacts still considered unacceptable.
3. Recommended scenario—combined concepts from the previous alternatives, and managed land use and transportation as a unit.

The CCTF recommended zoning changes for each municipality necessary to implement the recommendations of the study and each municipality has considered the zoning changes; recently formed a subcommittee to address issues associated with revenue sharing; and recommended transportation improvements for Exit 12 that are currently on the HATS' T.I.P. for preliminary engineering in FFY 2003. The CCTF attributes its success to continued municipal cooperation, land use coordinated with transportation, consistent planning tools, unified regional planning, and public-private partnerships.

York County Local Government Advisory Commission. In York County, the county planning commission serves as staff for the Local Government Advisory Commission of York County. This organization meets monthly and provides insight to the county planning commission monthly agenda. In York County, there is an Assembly of Governments sponsored by the York County Chamber of Commerce. It holds an annual meeting for municipal officials which focuses on an issue of common interest.

New Baldwin Corridor Coalition. The New Baldwin Corridor Enterprise Zone is a state-designated enterprise zone in which financing and tax incentives are directed primarily to promote industrial development. The zone includes Cameron Street/PA Route 230 industrial corridor in the City of Harrisburg and portions of six additional neighboring communities to the south along the Susquehanna River, within the inner urbanized Harrisburg metropolitan area. These communities include the boroughs of Steelton, Highspire, Middletown and Royalton as well as Swatara and Lower Swatara Townships. Capitol City Airport, just across the River in northern York County, is also included in the zone.
Appendix 1A-3: Lancaster County Summary of Multi-Municipal Initiatives

By: Ronald T. Bailey, AICP
Lancaster County Planning Commission

Lititz Borough/Warwick Township Joint Strategic Comprehensive Plan. These two municipalities decided that their futures are linked together, since Lititz Borough is bounded by Warwick Township on all sides. Since they share several challenges, they decided that strategic actions were needed to work together. The issues addressed in the plan include enhancing a mutually beneficial local economy, dealing with increased pressure for residential development in the township, traffic congestion on borough streets due to through traffic, and historic, cultural, and agricultural preservation. There was an unprecedented amount of citizen participation in the planning process. The plan was adopted in December of 1999.

Manheim Central Region Comprehensive Plan Strategic Update 2000. Manheim Borough, Rapho Township, and Penn Township continued the regional efforts begun in 1993 with the adoption of the Manheim Central Region Comprehensive Plan. These three municipalities comprise the Manheim Central School District (which was a partner in the update). Issues in the update include a review of the urban growth boundary, commercial development along existing corridors, infrastructure provision within the urban growth boundary, and how to deal with proposed large rezonings of agriculturally zoned lands. Citizen participation was an important part of the plan update process. The update was adopted in the summer of 2000.
Conestoga Valley Joint Comprehensive Plan. East Lampeter Township, Upper Leacock Township, and West Earl Township have joined together to work on common issues. These municipalities make up the Conestoga Valley School District. The integration of land use planning and transportation planning is an important component of this plan. Other issues of importance are maintenance of the community character of the region, enhancing a diversified local economy, farmland preservation, and preservation of the region’s cultural heritage. Citizen participation and a combination of strategic and comprehensive processes are important components of this planning process. The plan will be completed in December 2001.

Cocalico region Comprehensive Plan. East Cocalico Township, West Cocalico Township, Brecknock Township, Adamstown Borough, and Denver Borough have joined together to produce a comprehensive plan. The plan is in the late stage of issues identification. Water supply, transportation, and the business climate have been identified as issues of concern.

Elanco Region Comprehensive Plan. Earl Township, East Earl Township, New Holland Borough, and Terre Hill Borough joined together to prepare a regional comprehensive plan. The plan focused on limiting urban sprawl and protecting the agricultural base, while providing for growth in and adjacent to the boroughs. As part of the plan, urban growth boundaries were adopted and a large area of land north of New Holland was rezoned to agricultural. The plan provided for the development of a new sewer plant for Earl Township and well-head protection for the region’s water supplies.

Donegal Region Plan. The Boroughs of Marietta and Mount Joy participated with East Donegal Township to create a regional plan. This area has the largest concentration of preserved farms in Lancaster County and significant industrial growth along the Susquehanna River. The boroughs are historic communities with a need for economic revitalization and development of new tax base. The plan resulted in initiatives to protect the agricultural industry, create a greenway along the river, protect water supplies, encourage new investment in the boroughs, and direct new development to designated growth areas.
Appendix 1A-4: Monroe County Summary of Multi-Municipal Initiatives

By: Meredith Miller
   Senior Planner
   Monroe County Planning Commission

Below is a summary of regional comprehensive planning initiatives in Monroe County, Pennsylvania. Eight municipalities formed two separate regions in 2001 for the development of regional comprehensive plans. It is anticipated that more municipalities in the County will develop this type of plan in the near future. Each of the planning initiatives listed below are being developed through an extensive public participation process that includes surveys, key person interviews, and monthly study committee meetings.

Coolbaugh/Tobyhanna/Tunkhannock Townships & Mount Pocono Borough Regional Comprehensive Plan.
These four municipalities joined together through an Intergovernmental Cooperation Agreement to prepare a regional comprehensive plan. The region’s peaceful rural atmosphere has survived two decades of significant population growth and these four municipalities recognize that they must effectively deal with population increases in order to manage their municipalities more efficiently and harmoniously. Issues of importance that will be addressed in the plan include balancing the goals of accommodating growth and fostering fiscal and economic health while preserving the natural beauty and rural quality of the region. The region received financial assistance from DCNR and DCED to retain a consulting firm for the development of this plan.

HSPS Regional Comprehensive Plan. Hamilton, Stroud and Pocono Townships and Stroudsburg Borough began their regional efforts through an Intergovernmental Cooperation Agreement. This regional effort
will further promote protection of rural and natural areas by protecting larger areas of lands from intense development by designating growth areas in or around existing developed places and rural resource areas for more limited development. Coordination of transportation and land use planning and how they relate to other elements of the plan (i.e., housing, community facilities, economic development) will be an important component of the plan. The development of this plan will allow the region to enhance their shared goals for protection of natural resources, sustainable economic development, and sound land use planning.

Appendix 1A-5: Berks County Intergovernmental Planning Program

Berks County operates three programs to assist and encourage its 75 local governments in their efforts to plan more regionally. The Joint Comprehensive Plan Program was established in 1992, the Joint Zoning Program in 1995, and the Agricultural Zoning Incentive Program (AZIP) in 1997. The Intergovernmental Cooperation Policy adopted in 1997 further emphasized the county’s commitment to promote regional planning and facilitate cooperation.

The objective of the Joint Comprehensive Planning Program is to improve the overall quality of comprehensive plans and to ensure that they are consistent with the Berks County Comprehensive Plan. The program was designed to foster communication between the county and its municipalities, so that opportunities for regional planning and cooperation may be recognized and encouraged. The joint comprehensive plan will be entirely funded by the County Community Development Office and will have the full support of the county planning commission staff when two or more municipalities commit to develop and complete a joint comprehensive plan. Over a third of the county’s municipalities are involved in the program, which has been honored by the Pennsylvania Planning Association.

In order to participate in the Joint Zoning Program, the municipalities must have a county-sponsored joint comprehensive plan in place. Again, preparation costs will be completely funded by the county and assistance will be provided by the county planning commission for development of the joint zoning ordinance for two or more municipalities. The joint zoning ordinance must be consistent with the county comprehensive plan and the requirements of the Pennsylvania Municipalities Planning Code.
Berks County initiated the AZIP in order to advance the objective of the county comprehensive plan to preserve the viability of agriculture in the region. To be eligible, a municipality must demonstrate that agriculture is an integral part of the local economy and that amended zoning is required to maintain it. A comprehensive plan must be in place that promotes agriculture through effective zoning. The county will reimburse any municipality up to $6,000 for the cost of developing the zoning and amending the ordinance. The proposed ordinance revisions must be consistent with the county comprehensive plan and must be officially adopted by the municipality.

In addition to these programs, Berks County promotes intergovernmental cooperation by encouraging municipal consolidation, expanding incentive programs that use Community Development Block Grants (CDBG) for inter-municipal projects, promoting cooperation on watershed plans, and through public-private partnerships, such as the Pro-Berks Alliance and the Center for Community Leadership.

Appendix 1A-6: Adopted Policies by State Agencies

1. Department of Environmental Protection
   
   Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in DEP Review of Permits for Facilities and Infrastructure

In January 2001, the Department of Environmental Protection (DEP) issued a new land use review policy to address the new legal obligations created by Act 247 (the MPC) as amended by Acts 67, 68, and 127 of 2000. The policy is designed to identify and minimize conflicts between local land use planning and zoning and certain DEP proposed permit decisions. As part of the DEP permitting application process, the new policy requires permit applicants to answer specific land use questions including whether a proposed project is consistent with local zoning ordinances and comprehensive plans. Under the new law and as outlined by the policy, DEP has the authority to base a permit decision on local land-use information where:

- “Under Section 619.2 (a) of the MPC:
  
  A) The local municipality is located in a county where there is a county comprehensive plan; and

  B) The local municipality has adopted a comprehensive plan or is part of a multi-municipal comprehensive plan; and

  C) The county or local municipality has enacted zoning ordinances; and
D) The local municipal zoning ordinances, local municipal comprehensive plan and county comprehensive plan are generally consistent as defined by Section 107 of the MPC.

- Under Section 619.2 (c) of the MPC:
  The local municipality has adopted a joint zoning ordinance.
- Under Section 1105 of the MPC:
  The local municipality has entered into an implementing cooperative agreement and adopted ordinances as described in Sections 1104 and 1105 of the MPC.

County and local governments will play an important role in the permit review process. They will review the land-use information submitted by applicants and identify potential conflicts with their comprehensive plans and zoning ordinances. If local officials do not notify DEP of any problems, DEP will assume none exist. However, DEP cannot make permit decisions based on information about local comprehensive plans and ordinances where a county or municipality has not met the requirements above. In this case, DEP will notify the Governor’s Center for Local Government Services (GCLGS) that a local government identified a potential conflict, but the comprehensive plans and ordinances do not meet the requirements of Acts 67 and 68.

For more information about DEP’s land-use policy, including a complete copy of the policy, the General Information Form for permit applicants, the list of affected permits involving facilities and infrastructure, visit www.dep.state.pa.us (direct LINK “Land Use Reviews”). General questions about the policy should be directed to growingsmarter@dep.state.pa.us or the DEP Policy Office at 717-783-8727.

2. Pennsylvania Department of Transportation
   Sound Land Use Implementation Plan

The E.O. required state agencies to promote Pennsylvania’s land use objectives. The GCLGS report made the following four recommendations to state agencies for incorporating sound land use principles into their own programs and policies, and required the agencies to develop an implementation plan to achieve this purpose:

- “Agencies should continue to support and promote land use planning.
- Agencies should consider local land use plans and ordinances in implementation of programs, approvals, permitting and funding.
- Agencies’ programs and decisions should support and promote the preservation of Pennsylvania’s agricultural areas and farmland, its open space and greenways, its natural areas and resources, and its historic areas.
- Agency programs related to the acquisition, disposition and management of property should be reviewed to identify existing opportunities or create new opportunities to incorporate the land use policy contained in the E.O.”

The required implementation plan, which is updated annually, must contain three components: education of agency staff, incorporation of local land use planning into agency decisions, and the identification of actions likely to have significant impact on land use.

The changes to the Pennsylvania Municipalities Planning Code (MPC) allow state agencies to consider local comprehensive plans and zoning ordinances when reviewing funding or permitting applications for infrastructure or facilities. As part of PENNDOT’s required implementation plan, and in direct response to the MPC changes, PENNDOT produced a land use questionnaire form (see pages 1A-19 and 1A-20) that takes local land use planning into consideration. The land use questionnaire is now included as part of low, medium, and high volume driveway Highway Occupancy Permit (HOP) applications.

If the answers to the questionnaire indicate that the proposed project does not meet local zoning use requirements, PENNDOT’s Engineering District sends notification to the municipality requesting a determination of general consistency of the comprehensive plans and zoning ordinances. The municipality has 30 days to respond with a determination. If the comprehensive plans and zoning ordinances are deemed to be generally consistent documents by the municipality (or by the Engineering District if a determination is not received from the municipality within 30 days) PENNDOT has the authority to approve or deny the application based upon land use. If the municipality deems the comprehensive
LAND USE QUESTIONNAIRE

(Must be completed for low, medium and high volume driveway applications only.)

The Pennsylvania Municipalities Planning Code (Act 247 of 1968 as amended by Acts 67 and 68 of 2000), 53 P.S. §10101 et seq., requires state agencies such as the Department of Transportation to amend their permit review process. The Department of Transportation shall consider, and under certain conditions may rely upon, comprehensive planning and zoning ordinances in their decision-making process on applications related to infrastructure or facilities. All low, medium, and high volume driveway Highway Occupancy Permit applicants are required to answer the following six questions. When completing the questionnaire, applicants are encouraged to obtain assistance from the municipality and/or county. This questionnaire does not apply to Highway Occupancy Permit applications for projects located in the City of Pittsburgh or the County of Philadelphia (these municipalities are not subject to these requirements).

1. Does the county where your project is located have a comprehensive plan?
   ____ YES      ____ NO

2. Does the municipality where your project is located have a comprehensive plan?
   ____ YES      ____ NO

3. Does the municipality or county where your project is located have a zoning ordinance?
   ____ YES      ____ NO

4. Has the municipality where your project is located adopted a joint municipal zoning ordinance?
   ____ YES      ____ NO

5. Has the municipality where your project is located entered into a cooperative implementation agreement?
   ____ YES      ____ NO

6. Is your project a permitted use by right, as specifically authorized in the applicable zoning ordinance, or have you obtained formal zoning approval?
   ____ YES   
   a. If the project is a permitted use by right, What is the zoning classification for this property? (Attach a copy of the applicable section(s) of the zoning ordinance and map.)

   OR

   b. If formal zoning approval(s) was required, what approval(s) did you obtain? (Check all that apply and attach copy of zoning approval.)
      ____ Variance     ____ Curative Amendment     ____ Rezoning
      ____ Special Exception     ____ Conditional Use

   ____ NO

Under and subject to all the conditions, restrictions and regulations prescribed by the Pennsylvania Department of Transportation (see in particular 67 Pa Code, Chapter 441), the applicant certifies that this questionnaire, information and documentation therein or required by the Department is accurate, pursuant to 18 Pa. C.S. § 4904 relating to false swearing to authorities.

The Applicant is (an individual) (a partnership) (a corporation incorporated under the laws of ________ A ________)
Signed on:    B                  C
(date)                  (name of applicant).

Witness or Attest:          D                      By:                      E
Title:                      Title:
**M-950MPC, LAND USE QUESTIONNAIRE FOR HIGHWAY OCCUPANCY PERMIT**

**INSTRUCTIONS**

**Engineering District** – PENNDOT District where the project is located.

**Questions (answers may be obtained by contacting the municipality and/or county planning offices as indicated.)**

1. Does the county have a comprehensive plan?
   Contact the county planning commission of the county where the project is located.

2. Does the municipality have a comprehensive plan?
   Contact the municipality where the project is located.

3. Does the municipality or county have a zoning ordinance?
   Contact the municipality or county planning commission where the project is located.

4. Has the municipality adopted a joint municipal zoning ordinance?
   Contact the municipality where the project is located.

5. Has the municipality entered into a cooperative implementation agreement?
   Counties and municipalities may enter into cooperative implementation agreements for the purpose of developing, adopting and implementing a joint comprehensive plan. Contact the municipality or county planning office where the project is located.

6. Is the project a **permitted use** by right, specifically authorized in the applicable zoning ordinance? 
   Does the **use** of the project meet all zoning requirements? If not, indicate the appropriate formal zoning approval that has been obtained for the proposed use of the property. A copy of the applicable section(s) of the zoning ordinance or a copy of proof of zoning approval must be obtained from the municipality and attached to this questionnaire.

<table>
<thead>
<tr>
<th>A. Applicant’s Status</th>
<th>Underline the correct status and add State if incorporated.</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. Signed On</td>
<td>Date application was signed.</td>
</tr>
<tr>
<td>C. Name of Applicant</td>
<td>List legal name of applicant (e.g., corporation name). The District Permit Office may require proof of ownership.</td>
</tr>
<tr>
<td>D. Witness or Attest</td>
<td>This signature is required. Any person other than the applicant may sign this section. Title of individual is to be printed below signature.</td>
</tr>
<tr>
<td>E. By</td>
<td>Signature of property owner or designated corporation representative authorized to bind the corporation. Title of individual is to be printed below signature.</td>
</tr>
</tbody>
</table>

**Useful Definitions:**

- **County Comprehensive Plan** – A land use and growth management plan prepared by the county planning commission and adopted by the county commissioners which establishes broad goals and criteria for municipalities to use in preparation of their comprehensive plan and land use regulation.

- **Municipal Comprehensive Plan** – A general policy guide for the physical development of a municipality.

- **Zoning Ordinance** – Ordinance that provides certain standards for development through both text and a map that divides all land within a municipality into districts, and creates regulations that apply generally to the municipality as a whole as well as specifically to individual districts.

- **Joint Municipal Zoning Ordinance** – A zoning ordinance shared between two or more municipalities based on an adopted joint municipal comprehensive plan.

- **Cooperative Implementation Agreement** – An agreement between the county and municipalities to implement multimunicipal comprehensive plans.

- **Use by Right** – Use of a property is specifically authorized by the zoning ordinance.

- **Variance** – Relief granted by the zoning hearing board from specific zoning regulations.

- **Special Exception** – Use is permitted within a zoning district through approval of the zoning hearing board.

- **Curative Amendment** – A challenge to the validity of a zoning ordinance or map in which the landowner proposes an amendment.

- **Rezoning** – The zoning classification for a tract of land is changed by the governing body.

**Applicable sections of the Pennsylvania Municipalities Code:** Sections 619.2 (a) (c) and 1105 (a).
plans and zoning ordinances to be inconsistent, the land use review is complete and PENNDOT continues with the normal HOP review process.

For more information on PENNDOT’s Sound Land Use Implementation Plan, including a complete copy of the plan and the HOP land use questionnaire, visit www.dot.state.pa.us (direct LINK “Sound Land Use”) or contact Transportation Planners Jim Smedley, smedley@dot.state.pa.us, or Angela Watson, awatson@dot.state.pa.us.

3. *Pennsylvania Infrastructure Investment Authority*  
   *Land Use Policy Initiatives*

In response to Governor Ridge’s Executive Order of January 1999 and the passage of Acts 67 and 68 last year, Pennsylvania Infrastructure Investment Authority (PENNVEST) initiated a series of policy initiatives to take land use into consideration when projects are reviewed for possible funding. Beginning with the March 2000 Board meeting, the PENNVEST staff submitted all new applications to review by local and county planning agencies in order to ensure that the proposed project did not conflict with comprehensive land use plans and zoning ordinances. County agricultural land preservation groups and conservation districts are also consulted to ensure that proposed projects do not threaten prime agricultural land.

Since last March, PENNVEST staff have been working closely with these same organizations to include them in the review of proposed projects at the planning stage. The intent is to work land use considerations into projects as they are being planned in order to have these issues resolved when funding applications are eventually submitted to PENNVEST.

The following is the actual wording of the action adopted by the PENNVEST Board at its November, 2000 meeting implementing these land use initiatives.
Steps that PENNVEST has already implemented to incorporate land use issues into its actions.

- Tying funding eligibility to land use plans
  We have established an eligibility requirement for PENNVEST funding that proposed projects be consistent with applicable municipal, multi-municipal, or county comprehensive land use plans and zoning ordinances. In the future, these comprehensive plans will have to meet the legislated requirements of Act 67 and (particularly) Act 68 as these requirements take effect.
  We have taken steps to ensure that a proposed project does not threaten prime agricultural land, as determined by county agricultural preservation boards.

- Ensure coordination with other agencies during project planning and development
  At the planning consultation stage, PENNVEST now coordinates not only with the Department of Environmental Protection but also with:
  1. county and municipal planning agencies regarding land use issues
  2. county agricultural land preservation agencies regarding farmland preservation issues

- PENNVEST has also initiated contact with Department of Community and Economic Development's (DCED's) Center for Local Government Services to direct municipalities to them when a need for financial or technical assistance with land use planning is identified. This effort will be more fully developed over the next few months.

- Coordinate PENNVEST funding with the DCED’s Keystone Opportunity Zone and Industrial Sites Reuse programs
  PENNVEST has initiated coordination with DCED’s Keystone Opportunity Zone staff to ensure that efforts to reclaim brownfields, in lieu of developing greenfields, are given every opportunity to be considered for funding.

Information excerpted from the PENNVEST web site: www.pennvest.state.pa.us. For more information on PENNVEST’s Land Use Policy Initiatives, please contact Paul K. Marchetti at 717-783-4496.

4. Pennsylvania Public Utility Commission

   Policy Statement Regarding Commission Consideration of Local Land-Use Plans and Ordinances
   In Issuing Certificates of Public Convenience