Chapter 5

Adoption of the Multi-Municipal Plan

5.1 Adopting the Multi-Municipal Plan

Adoption is the process by which the governing body of each municipality participating in the multi-municipal plan approves and adopts the final draft of the plan. New Article XI, Section 1103(c) requires that the multi-municipal plan (as well as any subsequent amendments to the plan) comply with the requirements of MPC Section 302. This is the same process by which a municipality adopts an individual municipal comprehensive plan or plan amendment.

Section 302 requires that the governing body of each municipality within the area of the plan—that is, the city council, township commissioners, or supervisors or borough councilmen—must formally adopt, by resolution, the multi-municipal plan. Approval of the plan by representatives of the participating municipalities serving on the planning committee to develop a multi-municipal plan under the terms of a planning agreement or other arrangement will be necessary to assure that the participants do agree on the terms of the completed plan. However, that approval is preliminary to formal adoption of the plan by each separate governing body.
The steps to be taken under Section 302 by each participating municipality to adopt the multi-municipal plan are:

1. At least one public meeting must be held by the municipality’s planning agency. A public meeting is defined as a “forum” and is less formal than a public hearing. (Public meeting and public hearing are defined terms in MPC Section 107. See sidebar.)

2. Following the public meeting, the plan, together with comments of the municipal planning agency, are forwarded to the governing body for their consideration.

3. The plan must be circulated for comments to the county (or counties), contiguous municipalities, and the local school district or districts within the area of the plan. These bodies have 45 days from receipt of the multi-municipal plan to comment on the plan to the governing body. Action on the plan by the governing body cannot take place until the comment period has elapsed.

4. The governing body must hold at least one public hearing pursuant to public notice on the multi-municipal plan. If after the public hearing, the plan is substantially revised, another public hearing pursuant to public notice must be held before the governing body proceeds to vote on the plan or amendments thereto.

5. Adoption must be by resolution approved by a majority of all the members of the governing body. The governing body may adopt and amend the plan in whole or in part.

6. The approving resolution must expressly refer to any maps, charts, textual matter, and other matters intended to form the whole or part of the plan.

7. Action by the governing body to adopt the plan must be recorded on the adopted plan itself.
5.2 Coordinating Adoption Among Participating Municipalities

A number of steps can be taken that will facilitate adoption of the plan by all the participants. As a part of the process of developing the multi-municipal plan, the participating municipalities should develop a schedule and public participation process with the goal of achieving adoption by each participating municipality.

A. Schedule

Careful timing of the adoption process should be coordinated among the participating municipalities, and fostered by the planning committee. Just as the planning committee should agree on a realistic schedule for developing the multi-municipal plan, they should propose a schedule for adopting the plan once the final draft is completed and agreed to by all participants’ representatives.

The issue of timing is especially important because under Section 1104(b)(1) each participant municipality must enact conforming ordinances to implement the multi-municipal plan within two years of the plan’s adoption. While the two year date may be determined by the date of plan adoption by the last participant, it is obviously desirable that all participating municipalities adopt implementing ordinances in as coordinated a time frame as possible in order to give the plan legal effectiveness. It will, therefore, be in the interest of the participating

NOTE: The MPC authorizes adoption of the plan in whole or in part, which is worded to apply to the individual plan of one municipality. In the case of a multi-municipal plan, the adoption by a participating municipality of only a part of the plan may impact the implementation of the plan by all the partners. The area planning committee or commission may need to consider the impacts of such action and whether any changes to the plan are needed to meet the needs of all participants. Such action would clearly be the subject of discussion and negotiation among the participants.

Public Participation

In 1998, the Upper Perkiomen Valley Regional Planning Commission (RPC), formed by East Greenville, Green Lane, Pennsburg and Red Hill Boroughs, and Marlborough and Upper Hanover Townships, began the preparation of a regional plan with a resident survey to generate community interest in the planning process.

The results of the survey identified what respondents like about the region and what issues should be a priority for the future. 33% of households responded to the survey and the results were reviewed and analyzed. The responses indicated what the goals and objectives of the regional plan should be.

The scope of the survey included questions that identified where a respondent lives, for how long, and for what reason. Lot size and dwelling type were determined. Residents were asked to rank which issues in the Upper Perkiomen Valley are most important to them. The respondents indicated where specific types of shopping and services are conducted—locally, in the region or in the county—and which, if any, shopping or service facilities need to be expanded or added. The survey addressed commuting, intersection improvements, and other traffic issues, as well as recreation needs and facilities. Space for additional comments was provided.

Results of the survey were presented at a town meeting, along with the resulting goals and objectives of the regional plan, and a general overview of the work completed to date. The regional

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municipalities to work together on the schedule of public meetings, public hearings, review of comments, and the timing of consideration and formal action by the various governing bodies to adopt the multi-municipal plan.

B. Public Participation

A public participation process is required under Section 1103(b), and will be important to developing support for adoption of the plan by all participants. As discussed in Chapter 3.2, it is advisable to involve the public in the planning effort from the very beginning of the process. One of the first tasks of the planning committee should be to outline a public participation process to be proposed to the participants for their approval. (See sample planning agreement in Appendix 2A-2 to Chapter 2.) As discussed in Chapter 3, this might include early public visioning sessions, newspaper or mail surveys of citizen preferences, and presentations of planning issues in public meetings in all the participating municipalities as the plan takes shape. (For examples of public participation in Montgomery County, see sidebars on pages 5-3 and 5-4, and Appendix 5A-1.)

The Section 302 requirements for a public meeting and public hearing in each municipality come after completion and before adoption of the multi-municipal plan. The participating municipalities may find it desirable to coordinate their meetings, including the required public meetings prior to adoption, throughout the planning process. Instead of holding separate, independent public meetings, the participants could structure a series of public meetings, with at least one to be held in each of the municipalities. The series structure may facilitate wider publicity for the meetings, foster a higher level of participation, and afford a greater opportunity for communication among the planning committee, agencies and staff, and the public. In addition, cooperation on public meetings can reduce costs of advertising, publicity, and meeting materials or handouts. Although it would be possible to hold one or more joint public hearings
before joint meetings of the governing bodies of participants, it is likely
that the governing body of each participating municipality will want to
hold its own, separate public hearing and be responsible for its own
public advertisement of that hearing.

Comments from the public participation process should be made
available to all the participants. Because each municipality has a stake in
the multi-municipal plan, each will be interested in the comments and
recommendations received from the public meetings, public hearings, and
from the distribution of the plan to the county, neighboring
municipalities, and local school districts as part of the adoption process.
Careful notes of all public meetings or hearings should be made and
these, along with all written comments and recommendations, circulated
to all participants and their governing bodies.

C. Revising the Multi-Municipal Plan (prior to adoption)

As noted above, Section 302 requires each governing body to consider the
recommendations of its planning agency and the comments received from
the county, neighboring municipalities, and the local school district or
districts prior to action on the plan. If public participation in the
development of the multi-municipal plan has been effective, the planning
process will have taken account of the views of residents and businesses,
and the committee will have met with and/or heard comments from
adjacent municipalities, municipal authorities, utilities, special districts,
school districts, and other public or private agencies in the course of
developing the plan. This process should go a long way toward assuring
that the plan can be adopted as proposed without revisions.

If it develops that revisions need to be made prior to adoption, the
planning committee and the governing bodies should be prepared to
move quickly to consider revisions proposed by any municipality and
either to negotiate satisfactory resolution of the issues raised and adjust
the plan accordingly, or to adopt the plan without the participation of a
municipality that cannot agree to the plan as proposed.
D. Amending the Multi-Municipal Plan

With the passage of time, changes in leadership, or developments and needs in the participating municipalities, recommendations and comments received by the governing bodies and/or the planning committee may indicate that revisions to the multi-municipal plan need to be made. Section 301(c) requires that the multi-municipal plan be reviewed at least every ten years. Section 1104 provides that where a plan and implementation agreements designate growth areas, future growth areas, and rural resource areas, the agreement shall provide a process for amending the multi-municipal plan and redefining these areas within the plan, if necessary.

The participating municipalities will need to develop a process for revisiting the plan on at least a 10-year basis and state in their implementation agreements that that process will occur. Once the multi-municipal plan is adopted, it can only be amended by going through all the steps set forth in the preceding chapters and Section 302 outlined above. Since the plan is a multi-municipal plan agreed to and adopted by all municipalities within the area of the plan, a single participant cannot amend it unilaterally. Withdrawal from the plan by a municipality may also trigger a need to amend the plan, depending on the effect of that withdrawal and the provisions of the implementation agreement. (See discussion in Chapter 6 and the Sample Implementation Agreement, Appendix 6A-1.)

Appendices to this Chapter:

- Montgomery County Planning Commission Public Participation Process, Appendix 5A-1