

13 IMPLEMENTATION



MOVING IDEAS TO ACTION

Due to the broad range of community development issues raised through the planning process, the comprehensive plan emphasizes the need for a wide array of investments and activities. These include physical infrastructure projects but also local land use and resource planning, regulatory revisions, and educational and outreach initiatives on environmental and energy conservation topics, among others.

The responsibility for implementing the regional comprehensive plan lies with the governing bodies of the participating municipalities. Elected officials direct implementation of the comprehensive plan as they make daily decisions, approve plans, delegate tasks and initiatives to municipal staff and volunteers, and approve municipal budgets. Zoning updates are generally the first recommendations to be implemented, followed by other ordinance updates, capital improvement planning, and public education efforts.

“Time of action” periods are used to prioritize recommendations and program them sequentially, where needed. The four implementation periods – ongoing, 0-2 year, 0-5 year, and 0-10 year – are intended to distribute the demand for staff, funding and other resources over the planning horizon. These time periods allow for any recommendation to be acted upon where leadership, participation, and funding are available, or where there is an immediate need in the interest of public health, safety and welfare.

The Implementation Tables, Tables 13-1 through 13-4 (pages 146-151), which correspond to the four implementation time periods, should be used as a guide to the annual review of implementation activities and accomplishments and to the annual programming of implementation activities by the governing bodies, assisted by their municipal planning commissions, independently or in multi-municipal partnership. Using the status column, the tables can be marked to note status of each recommendation.

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IMPLEMENTATION TABLES

Table 13-1 Recommendations for Ongoing Implementation

Theme and Action	Recommendation	Status as of __/__/__
Land Use and Economic Policy	Support farmland and woodland conservation efforts and preservation efforts. (Rec 4, pg 45)	
	Encourage mine land reclamation and redevelopment consistent with the community and landscape context. (Rec 81, pg 135)	
Land Use and Infrastructure Policy	Limit water/sewer service to the Planned Development Area. (Rec 51, pg 104)	
Land Development and Transportation Policy	Enforce sidewalk and alternative pedestrian facility requirements; consider enacting bicycling facility standards. (Rec 14, pg 67)	
	Encourage expansion and interconnectivity of the road network, including connector roads between major roadways and parallel service roads to reduce demand on primary roadways. (Rec 28, pg 73)	
Transportation Planning	Review the list of regional transportation issues and concerns annually. (Rec 10, pg 65)	
Transportation Policy	Consider innovative alternatives in transportation problem-solving, including alternatives for travel mode (e.g. bicycling vs. automotive) and design solutions (e.g., roundabouts and other unconventional treatments, etc.) (Rec 29, pg 73)	
Economic Development Practice	Designate villages and major sites on the Lebanon County Heritage Trail; support designation with banners and walking trail guides. (Rec 41, pg 84)	
	Develop a heritage tourism strategy for the Region. (Rec 42, pg 85)	
Cost-Effective Government Services Practice	Continue to participate in the Lebanon County Clean Water Alliance. (Rec 61, pg 108)	
	Continue use of state contracts and COSTARS for vehicle, fuel, asphalt and other purchases. (Rec 68, pg 124)	

Table 13-2 Recommendations for Short-Term Implementation (0-2 years)

Theme and Action	Recommendation	Status as of __/__/__
Land Use and Development Policy, Ordinance Revision	Revise zoning district designations within the Planned Development Area. (Rec 1, pg 43); Revise commercial and industrial zoning per Recommendation 1 (Rec 34, pg 81)	
	Enact Conservation by Design provisions in zoning and subdivision and land development ordinances to protect natural resources. (Rec 3, pg 44)	
	Review zoning ordinances and align permitted uses in commercial and industrial districts with state and federal investment and incentive programs. (Rec 35, pg 82)	
	Revise the permitted uses of the agricultural and rural conservation districts to allow agricultural and agri-business uses. (Rec 36, pg 82)	
	Compare regulations of non-agricultural home- and farm-based businesses; consider compiling the most effective regulations as model regulations across the region. (Rec 37, pg 83)	
	Encourage site design, building orientation, and building design that are energy efficient. (Rec 46, pg 96)	
	Ensure that on-site residential energy production is permitted and reasonably regulated. (Rec 47, pg 96)	
	Review and revise regulations to minimize site disturbance. (Rec 54, pg 105)	
	Incorporate and encourage the use of low impact development approaches. (Rec 55, pg 105)	
	Revise ordinances to require predevelopment hydro geological studies for lots to be served by septic systems and when required by federal or state law. (Rec 57, pg 106)	
	Incorporate stormwater filtration techniques into land development ordinances. (Rec 58, pg 107)	
	Adopt riparian buffer ordinances when and where required by state and federal law; consider adoption of the same for all waterways and waterbodies. (Rec 59, pg 107)	
	Revise zoning to protect floodplains, wetlands, groundwater recharge areas, and identified natural areas from intensive development. (Rec 77, pg 133)	
Transportation Maintenance & Improvement	Install municipal signing that meets the latest MUTCD requirements. (Rec 8, pg 64)	
	Improve sub-base and width of roadway shoulders. (Rec 9, pg 65)	
	Retime traffic signals on a 5-year cycle and upgrade, as needed. (Rec 21, pg 70)	
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Theme and Action	Recommendation	Status as of __/__/__
	Promote ridesharing services. (Rec 27, pg 72)	
Transportation Planning	Be responsive to the LEBCO MPO's efforts to develop a county-wide inventory of locally-owned transportation infrastructure. (Rec 11, pg 66)	
	Request a traffic safety analysis of the intersection of PA 72 and Tunnel Hill Road. (Rec 16, pg 68)	
	Request a corridor safety audit(s) from PennDOT for: Routes 343 and 419. (Rec 17, pg 68)	
	Conduct safety audits of pedestrian and bicycle routes to schools, parks and trails. (Rec 20, pg 69)	
Economic Development Practice	Establish a feedback mechanism for gathering information from business prospects declining to locate or expand in the Region. (Rec 40, pg 84)	
Infrastructure Planning	Identify and prioritize major maintenance and capital improvements to the water and sewer systems. (Rec 52, pg 104)	
Cost-Effective Government Services Practice	Regionalize public education efforts required by the MS4 Stormwater Management Program. (Rec 62, pg 108)	
	Regionalize service contracts for MS4 Stormwater Management Program compliance. (Rec 63, pg 109)	
	Develop and distribute annually a list of municipal equipment available for occasional shared use. (Rec 65, pg 123)	
	Consider joint purchase of equipment and coordination of bid lettings. (Rec 66, pg 123)	
	Consider joint support of specialized staff or contractors. (Rec 67, pg 124)	
	Expand the volunteer roadside maintenance program. (Rec 68, pg 124)	
	Expand the community alert system to other interested municipalities. (Rec 69, pg 124)	
Natural Resource Protection Policy	Restore floodplains to open space through acquisition and demolition of developed properties with willing property owners; mitigate repetitive damages through structural and utility elevation projects also with willing property owners. (Rec 74, pg 132)	
	Restore woodland connectivity, especially in riparian areas, and expand the urban forest through tree plantings. (Rec 78, pg 134)	

Table 13-3 Recommendations for Medium-Term Implementation (0-5 years)

Theme and Action	Recommendation	Status as of __/__/__
Land Development Policy, Ordinance Revision	Conduct a study to define localized urban and rural community characters. (Rec 5, pg 51)	
	Enact provisions to encourage protection of desired localized characters. (Rec 6, pg 51)	
	Enact airport hazard zoning provisions (South Lebanon) to protect the approaches to Keller Brothers Airfield. (Rec 18, pg 68)	
	Enact access management provisions for all major roadways. (Rec 19, pg 69)	
	Establish incentives for developers to provide a variety of housing types and price levels and/or to make a percentage of units available at prices affordable for low to middle income households. (Rec 44, pg 95)	
	Establish incentives for developers to incorporate universal design features in new homes. Review online resources and guide developers to such sources. (Rec 46, pg 95)	
	Review existing steep slope protection provisions and strengthen them to address the ten aspects of model steep slope regulation. (Rec 77, pg 133)	
Transportation Planning	Develop a plan for a regional trail network. (Rec 13, pg 66)	
	Rec 22. Expand the congested corridor study of US 422 eastward through central Lebanon County and conduct a congested corridor study of PA 72. (Rec 22, pg 70)	
	Evaluate the need for park and ride lots throughout the region. (Rec 25, pg 72)	
Transportation Improvement	Construct, and where necessary reconstruct, sidewalks in existing neighborhoods through public projects or property owner incentives. (Rec 15, pg 67)	
Economic Development Practices	Work with the Chamber of Commerce in marketing commercially zoned lands and properties. (Rec 38, pg 83)	
	Identify prime volunteer organizations to supplement the Lebanon area community profile. (Rec 39, pg 84)	
Infrastructure Planning and Natural Resource Protection	Update municipal Act 537 Sewage Facilities Plans. (Rec 48, pg 103)	
	Adopt on-lot management districts in Cornwall and South Lebanon. (Rec 51, pg 104)	
	Adopt well construction standards. (Rec 52, pg 104)	
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Theme and Action	Recommendation	Status as of __/__/__
Cost-Effective Government Services	Explore and evaluate the use of the official map as a means to identify potential lands for future public facilities and infrastructure. (Rec 2, pg 44)	
	Study the feasibility of regional police service among interested municipalities. (Rec 70, pg 124)	
	Determine the feasibility of a regional recycling and composting program. (Rec 71, pg 125)	
Natural Resource Protection Policy	Request a county-led groundwater study to define significant aquifer recharge areas. (Rec 56, pg 106)	
	Designate greenways for ecological connectivity. Determine which greenways are suitable for low impact recreational trails. (Rec 75, pg 133)	
Historic Resource Protection Policy	Update the historic resources inventory in key locations, such as the Lebanon Heritage Trail corridor and areas experiencing or expected to experience development pressure. (Rec 82, pg 135)	
	Rec 87. Initiate a certification program for historic structures related to agricultural communities. (Rec 87, pg 137)	

Table 13-3 Recommendations for Long-Term Implementation (0-10 years)

Theme and Action	Recommendation	Status as of __/__/__
Land Use and Development Policy, Ordinance Revision	Enact transit-friendly land development standards into the county/municipal subdivision and land development ordinances. (Rec 26, pg 72)	
	Seek acquisitions, easements and stewardship plans from willing land owners to protect designated greenway corridors. (Rec 76, pg 133)	
	Consider adopting performance criteria to limit environmental impacts, e.g. ..., from industrial production. (Rec 80, pg 134)	
Transportation Improvement	Install streetscape improvements in villages and neighborhoods. (Rec 7, pg 52)	
	Complete the Lebanon Valley Rail Trail through the Region. (Rec 12, pg 66)	
	Revitalize business districts with streetscape improvements. (Rec 30, pg 74)	
Transportation Planning	Observe travel demand through the 25th Street underpass to establish baseline data and determine operational trends. (Rec 23, pg 71)	
	Address the Route 72/Zinns Mill Road intersection and the missing link of Zinns Mill bridge as traffic conditions warrant. (Rec 24, pg 71)	
Economic Development Practice	Consider re-evaluating the visitor center location study. (Rec 43, pg 86)	
Cost-Effective Government Services	Explore public interest in recreation programs. (Rec 72, pg 125)	
Natural Resource Protection Policy	Design and install stormwater management improvements on public lands as demonstration projects, where reasonable water quality improvement can be achieved. (Rec 60, pg 108)	
	As needed, advocate monitoring and regulatory enforcement of mineral extraction and quarry operations by state and federal agencies to protect water resources. (Rec 79, pg 134)	
Historic Resource Protection Policy	Develop and implement a historic preservation plan for the same key locations. (Rec 83, pg 136)	
	Establish incentives for developers to apply vernacular building styles, patterns and materials. (Rec 86, 137) (See also Rec 6, pg 51)	
Historic Resource Protection Policy, Ordinance Revision	Establish incentives for developers to identify and, where feasible, preserve and re-use historic features on proposed development sites. (Rec 84, pg 136)	
Planning/Funding Tool	Develop and maintain a multi-municipal, 5-year Capital Improvement Program. (Rec 31, pg 75)	
	Consider pooling a portion of Liquid Fuels allocations to address locations of regional concern. (Rec 32, pg 75)	

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INTERGOVERNMENTAL IMPLEMENTATION

The regional comprehensive plan enables intergovernmental implementation, specifically a joint or multi-municipal zoning ordinance, but does not require it. The plan recommends investments and activities that would benefit the Region whether undertaken by each municipality independently or in a multi-municipal arrangement. Thus, the plan outlines opportunities for intergovernmental cooperation under the umbrella of comprehensive planning.

SUPPLEMENTAL IMPLEMENTATION TOOLS EMPOWERED BY AN ADOPTED JOINT OR MULTI-MUNICIPAL COMPREHENSIVE PLAN

Once adopted, the Regional Comprehensive Plan will legally enable the municipalities to implement additional planning tools, if desired, as provided by Article VIII-A and Article XI of the MPC. These additional tools include:

- Joint Zoning, whereby two or more municipalities adopt one joint zoning ordinance and zoning map that is consistent with a joint comprehensive plan. They may have a joint zoning officer or individual zoning officers. They may have a joint zoning hearing board or individual zoning hearing boards.
- Multi-municipal zoning, whereby two or more municipalities with a cooperative (plan) implementation agreement in place adopt individual zoning ordinances and zoning maps that are consistent with a joint comprehensive plan. They may have a joint zoning officer or individual zoning officers. They may have a joint zoning hearing board or individual zoning hearing boards.
- Tax revenue and fee sharing, whereby two or more municipalities with a cooperative (plan) implementation agreement in place
- Transfer of Development Rights Program by adoption of an ordinance, whereby development rights may be transferred from rural resource areas in any municipality within the plan to designated growth areas in any municipality within the plan.
- Specific Plans for any nonresidential part of the area covered by the plan, which shall include a text and a diagram or diagrams and implementing ordinances which specify all of the following in detail:
 - (1) The distribution, location, extent of area and standards for land uses and facilities, including design of sewage, water, drainage and other essential facilities needed to support the land uses.
 - (2) The location, classification and design of all transportation facilities, including, but not limited to, streets and roads needed to serve the land uses described in the specific plan.
 - (3) Standards for population density, land coverage, building intensity and supporting services, including utilities.
 - (4) Standards for the preservation, conservation, development and use of natural resources, including the protection of significant open spaces, resource lands and agricultural lands within or adjacent to the area covered by the specific plan.
 - (5) A program of implementation including regulations, financing of the capital improvements and provisions for repealing or amending the specific plan.

SPECTRUM OF COOPERATIVE ARRANGEMENT OPTIONS

- Barter system – handshake agreement for the exchange of services of equivalent value
- Paid Service – handshake agreement to pay for services performed

- Memorandum of Understanding – written agreement to a barter or paid service arrangement
- Intergovernmental Agreement – written agreement approved by governing body to either barter a paid service arrangement
- Council of Government – separate organization to administer and manage services

INTERGOVERNMENTAL COOPERATION AGREEMENTS

Most comprehensive recommendations can be implemented through informal coordination by township officials, staff and appointed volunteers. However, if two or more municipalities want to implement a multi-municipal or joint zoning ordinance, a formal intergovernmental agreement will be needed. It states the responsibilities of the municipalities to the planning partnership, namely what activities should be collaborative in nature, and which activities should be conducted in an independent but coordinated fashion. Municipalities may also want to specify activities they prefer to implement independently. The intergovernmental agreement also states the limits to authority and liability of the partnership.

The range of potential partnership activities includes but is not limited to:

- Preparation of ordinance amendments, including research and preparation of joint or coordinated zoning, research and preparation of model subdivision and land development provisions
- Special Planning Initiatives, e.g. a regional trails plan, regional greenway plan, and heritage tourism plan, historic resource inventory and preservation planning, etc.
- Joint Service Contracts
- Shared or Circuit Rider staff
- Public Education

Examples of joint and multi-municipal zoning partnerships and councils of government in Pennsylvania are provided in Appendix A2 and A3.

Second, the partnership should engage a variety of public and private sectors partners in addressing community issues and services beyond the scope of local government services. These partners include the Cornwall-Lebanon School District, various Lebanon County departments, including the Planning Department, the Economic Development Corporation, and the EMA, City of Lebanon Authority, Lebanon Valley Conservancy, among others listed as partners per the recommendations. Discussions of priorities and potential technical assistance and funding programs with stage agency partners can lead to readiness for state investment in the Region. Lebanon County is an essential partner for implementing the comprehensive plan. The foundation laid by the county's funding and strong working relationship with these municipalities ~~enables~~ should continue and be expanded to include greater coordination and consistency in local planning, guidance on ordinance development, administration and enforcement, and grant application and administration.

Beyond the many public sector partners, the region should also engage local business and industry to provide private sector perspective on proposed ordinance amendments and support for other actions. This engagement can occur directly and through the Lebanon Valley Chamber of Commerce.

Finally, progress can be made through education and outreach to the general public, for these are the property owners, business entrepreneurs and managers, travelers, residents and visitors that make the region a living community. Providing them with information on how they can make personal and business decisions to support and sustain the economy and the environment appeal to the citizen's sense of community and civic pride. Empowering citizens to take action for themselves and their communities in coordination with local and regional leadership brings implementation back to the heart of the planning process – the public.

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AUTHORITY FOR INTERGOVERNMENTAL COOPERATION AGREEMENTS

The Pennsylvania legislature enacted the Intergovernmental Cooperation Act of July 12, 1972, P.L. 762, which is now codified as 53 Pa.C.S. §§ 2301 to 2315. The Act authorizes two or more “local governments” to “...jointly cooperate...in the exercise or in the performance of their respective governmental functions, powers or responsibilities.” 53 Pa.C.S. § 2303(a). In order to do so, the local governments are required to enter into “...any joint agreements as may be deemed appropriate for such purposes.” A local government may institute intergovernmental cooperation by an ordinance of its governing body, and it may be required to take such action if so directed by voter approved initiative or referendum. 53 Pa.C.S. § 2305.

Preparation of Intergovernmental Cooperation Agreements

Ordinances approving inter-municipal cooperation must specify the conditions of the agreement, the duration, the purposes, the manner and extent of any financing, the organizational structure necessary to implement the agreement and the manner in which any property, real or personal, shall be acquired, managed or disposed of. 53 Pa.C.S. § 2307. In addition to the basic provisions, municipalities should consider the following in preparing more formalized ICAs:

1. Draft the ordinance to allow modifications to the agreement after the ordinance is enacted. If the ordinance approves a specific draft of an agreement, there has to be a new ordinance enacted to approve any modification to the agreement.
2. Include general language authorizing municipal officials to take all actions such as “Borough Council is authorized to take such other action as may be necessary to carry out the purposes of this Ordinance in connection with the implementation of the Agreement.”
3. Ensure the ordinance for each local government has similar provisions concerning modification of the agreement and authorization to take all necessary action.
4. Consider a joint legal advertisement for the proposed ordinance for all municipalities to lessen advertising costs.
5. No municipality should enact the ordinance before the language of the Intergovernmental Cooperation Agreement is finalized.
6. Determine who will draft the agreement and how the five municipalities will allocate initial costs.
7. Make sure the agreement spells everything out. Accept no assumptions and force each governing body to consider all issues.
8. Address the procedure for making and communicating future decisions regarding the agreement.
9. Ensure that if any other statute (e.g. the PA Municipalities Planning Code) is involved, the terms of the agreement comply with that statute.
10. Clearly address how any costs are going to be allocated or shared.
11. Address whether other local governments can join into the agreement, withdrawal of a participating local government, complete termination of the agreement, and dispute resolution procedures, such as mediation.

Source: *The Pennsylvania Municipalities Planning Code, Planning Series No.1, Pennsylvania Department of Community and Economic Development, 20th Ed. July 2011*

USING THE PLAN AS GUIDANCE DURING IMPLEMENTATION

ADDRESSING REZONING REQUESTS WITH A COMPREHENSIVE PERSPECTIVE

Municipalities will likely be asked to consider rezoning requests before the plan's recommendations are fully implemented. These requests should prompt municipal officials, staff and planning commission members to ask the following questions, based on Article 6, Section 609 Enactment of Zoning Ordinance Amendments of the PA MPC, and specifically 609.1 Procedure for Landowner Curative Amendments:

- Does the scale and intensity of the proposed district (use) fit the site?
- How will the proposed district (use) impact roads, sewer facilities, water supplies, schools and other public service facilities?
- If the proposed district (use) is for a residential use, what is the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the ordinance or map?
- Are the site and its resources (soils, slopes, woodlands, wetlands, flood plains, aquifers, natural resources and other natural features) and available infrastructure suitable for the proposed district (use) and intensity?
- What impacts to natural resources are anticipated?
- How will the proposed district (use) impact the community or adjacent communities, specifically on agriculture and other land uses which are essential to public health and welfare?
- Is the proposed district (use) consistent with the goals of the comprehensive plan, and specifically with the future land use plan?
- How will the proposed district (use) impact adjacent sites?

Responses to these questions should provide the foundation for factual, informed decision-making on rezoning requests as municipal officials consider their approval/denial options, and any suggested alternatives:

1. Deny rezoning request based on compatibility and impacts.
2. Amend receiving zoning district to accommodate the proposed use by right, by conditional use, or by special exception, if compatible.
3. Subdivide property and rezone only the necessary portion (appropriate only where a relatively small footprint is to be developed on a large site and the action would not result in spot zoning).
4. Approve rezoning request, if the action would not result in spot zoning.

ANNUAL PLAN REVIEW AND PLAN UPDATES

Amendments to the MPC (Section 302(d)) require municipal comprehensive plans to be reviewed every 10 years [Section 301(c)]. In rapidly growing planning areas, more frequent updates may be needed to maintain timely policies and priorities. In slow growing areas, a 10-year update of population, demographic, and socio-economic information that shows little or no change could provide the basis for sustaining the current plan and policies with re-adoption of the existing plan.

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Indeed, the Cornwall-Lebanon Regional Comprehensive Plan will only be useful if its recommendations are implemented, evaluated and updated. For this to occur, it is recommended that the Borough and Township Planning Commissions jointly perform the following actions:

- Annually evaluate the Regional Comprehensive Plan and, if necessary, make modifications to the plan to ensure it remains useful regarding the future growth and preservation decisions in the region. Specifically, as recommendations are completed, remaining recommendations should be reviewed, refined, and reprioritized.
- Prepare an annual written report summarizing plan evaluation, the past year's implementation activities, upcoming implementation activities, and crucial issues that will, or may, impact the region.
- Submit the annual report to the governing bodies and shared with regional media for public awareness.