

# The Planning Process

## Why Plan?

*"Our goals can only be reached through a vehicle of a plan, in which we must fervently believe, and upon which we must vigorously act. There is no other route to success."*  
*Pablo Picasso*

Municipal governance is becoming increasingly more complex due to budget constraints, limited resources, changes in the community's socio-economic foundation, and balancing the interests of growing the local economy with those of preserving environmentally sensitive lands and open spaces. Additionally, emerging issues such as climate change, providing adequate broadband internet service, an aging population, a tax structure that needs to be revised, and substance abuse are making it difficult for local elected and appointed officials to allocate adequate resources to all of the issues and needs affecting their municipality. Therefore, it is important to be proactive and facilitate a planning process that will enable community leaders to make informed and logical decisions.

Community leaders have realized the importance of planning in a comprehensive and effective manner since the early 1800's. Whether it was creating central parks and open spaces for residents to enjoy; providing public water and sewer systems that led to more sanitary conditions; or creating a transportation network that enabled people to access goods and services in an efficient manner, the development of a master plan (comprehensive plan) was an important process to address changes that were occurring in the cities and towns across our nation.

Planning is not mandatory in Pennsylvania; it is an option provided through the adoption of plans and policies and the enactment of ordinances designed to help communities control future growth and development in an effective and orderly manner.

Today, local elected and appointed officials have a responsibility to plan rather than react to situations as they arise or do nothing at all. A rational and well thought out planning process will provide the justification for future land use decisions, capital improvement expenditures, and a framework for change. Without a framework or plan,

*"Planning Provides a Vision for the Community Today — and in the Future." "The goal of planning is to maximize the health, safety, and economic well-being of all people living in our communities. This involves thinking about how we can move around our community, how we can attract and retain thriving businesses, where we want to live, and opportunities for recreation. Planning helps create communities of lasting value." (American Planning Association Website)*

local officials will rely on a reactive process that results in piecemeal and uncoordinated development.

Properly done, comprehensive planning:

- helps the community identify its most pressing issues – needs, problems, opportunities – and puts in motion the actions and strategies to deal with them
- identifies and protects important environmental, ecological, cultural, and natural lands and features
- addresses the potential impacts on the infrastructure network – roadways, water, sewer, other utilities, internet / broadband – due to anticipated growth and development
- provides the best options for providing cost effective and efficient public services / facilities
- minimizes sprawl and unmanaged growth
- avoids the costly generation of information / data that is not relevant to the success of the plan and instead focuses on findings and implementation

Many changes that have taken place since the current Franklin Township Comprehensive Plan was adopted in 1989. The Township has experienced growth in its housing, commercial and industrial sectors; saw the development of the Evergreene Technology Park; and the emergence of the Natural Gas Industry, to name a few. These positives have helped to alleviate the decline of the once dominant coal industry. Understanding the need to be proactive, Franklin Township's leaders have undertaken a planning process that will help them identify a unified vision for the municipality and establish the priority goals and strategies needed to move the Township forward.

*Community planning, according to the American Planning Association, is "a process that seeks to engage all members of the community to create a more prosperous, convenient, equitable, healthy, and attractive place for present and future generations." One of the fundamental responsibilities of local government is to plan for future growth and development of the community. The guidance document that results from this planning process is the comprehensive plan.*

## The Comprehensive Plan

The municipal comprehensive plan – which has been called a general plan, master plan, and long-range plan – is not defined in the Pennsylvania Municipalities Planning Code (MPC). But, the Comprehensive (Land Use) Plan is one of the most important tools municipalities and counties can use for land use planning and local governance; sound land use planning is an investment. The plan is not only a document, but it is a process that provides the guidance for public and private decisions regarding future development in the municipality, region, or county.

Specific to Franklin Township, it will provide the policies that will be used to make informed decisions about growth, development, and preservation in the municipality. The document, which will be officially adopted by the Township Supervisors will focus on the relevant issues affecting the municipality and identify realistic and achievable goals and strategies to address these issues.

The Franklin Township Comprehensive Plan update has been developed with the flexibility to allow it to be updated and revised as socioeconomic trends and community / economic conditions change over time. This approach gives Township officials the opportunity to re-visit the plan periodically to ensure that it addresses the current and relevant issues that the municipality is experiencing.

Although the comprehensive plan is guidance document – providing recommendations, goals and strategies – it provides the organizational framework for the regulations included in land use ordinances (such as zoning and subdivision and land development) enacted by the municipality to guide future growth and development in a coordinated, well thought out, and cost-effective manner. Also, it establishes the priorities for future public investments through

*A comprehensive plan is a blueprint for a municipality, region, or county that contains the goals and strategies for how, and at what pace, it desires to develop physically, economically, and socially. In short, a comprehensive plan is:*

- *An educational tool that allows those who use it to easily understand current conditions, issues and opportunities*
- *An assessment and prioritization of the needs and desires of the community*
- *A statement of the community's vision that reflects its values and the path to achieving sustainability in the future*
- *A public policy guide to community decision making adopted by the governing body*

the capital improvements element of the plan and serves as a measuring tool for evaluating specific development proposals and their impact on the general public welfare.

The Commonwealth's approach to comprehensive planning is now focused on plans that solve problems, meet the needs of the community, and pursue opportunities that help to fulfill the municipality's vision. This culminates from a planning process that is open and inclusive, spurs new ideas, and includes an action plan that has wide ranging support. The five key goals to an implementable comprehensive plan include the following:

1. Focus on real, relevant issues
2. Organize the plan the way officials and citizens think
3. Devise practical and workable recommendations
4. Create a structure and capacity to implement the plan
5. Get community ownership and commitment

The Franklin Township Comprehensive Plan Update will focus on the issues identified during the planning process that are most important to the elected officials, business community and the residents. The priority issues will be addressed through strategies and actions that provide a successful path to implementation.

### **Enabling Legislation**

The Commonwealth's municipalities have been enabled to prepare comprehensive (land use) plans that guide future growth and development by the Pennsylvania Municipalities Planning Code (MPC), Act of 1968, P.L. 805, No. 247 as reenacted and amended. All comprehensive plans are subject to the following criteria:

1. Contain basic plan elements set forth in Section 301(a) of the MPC
2. Contain a plan for reliable supply of water, considering current and future water resources availability
3. A statement that the Plan shall be reviewed every ten (10) years
4. May identify those areas where growth and development will occur so that a full range of public infrastructure, including sewer, water, highways, police and fire protection, public schools, parks, open space, and other services can be adequately planned and provided as needed to accommodate growth

Article III, Section 301 (a) of the MPC identifies minimum requirements for what a municipal, multi-municipal, or county comprehensive plan shall include. These include, but are not limited to, the following basic elements:

- (1) A statement of objectives of the municipality concerning its future development, including but not limited to, the location, character, and timing of future development that may also serve as a statement of community development objectives as provided in Section 606.
- (2) A plan for land use, which may include provisions for the amount, intensity, character, and timing of land use proposed for residence, industry, business, agriculture, major traffic and transit facilities, utilities, community facilities, public grounds, parks and recreation, preservation of prime agricultural lands, flood plains, and other areas of special hazards and other similar uses.
  - (2.1) A plan to meet the housing needs of present residents and of those individuals and families anticipated to reside in the municipality, which may include conservation of presently sound housing, rehabilitation of housing in declining neighborhoods, and the accommodation of expected new housing in different dwelling types and at appropriate densities for households of all income levels.
- (3) A plan for movement of people and goods, which may include expressways, highways, local street systems, parking facilities, pedestrian and bikeway systems, public transit routes, terminals, airfields, port facilities, railroad facilities, and other similar facilities or uses.
- (4) A plan for community facilities and utilities, which may include public and private education, recreation, municipal buildings, fire and police stations, libraries, hospitals, water supply and distribution, sewage and waste treatment, solid waste management, storm drainage, flood plain management, utility corridors and associated facilities, and other similar facilities or uses.
  - (4.1) A statement of the interrelationships among the various plan components, which may include an estimate of the environmental, energy conservation, fiscal, economic development, and social consequences of the municipality.
  - (4.2) A discussion of short and long-range plan implementation strategies, which may include implications for capital improvements programming, new or updated development regulations, and identification of public funds potentially available.
- (5) A statement indicating that the existing and proposed development of the municipality is compatible with the existing and proposed development and plans in contiguous portions of neighboring municipalities, or a statement indicating measures which have been taken to provide buffers or other transitional devices between disparate uses, and a statement indicating that the existing and proposed development of the municipality is generally consistent with the objectives and plans of the county comprehensive plan.

- (6) A plan for the protection of natural and historic resources to the extent not preempted by federal or state law. This clause includes, but is not limited to, wetlands and aquifer recharge zones, woodlands, steep slopes, prime agricultural land, flood plains, unique natural areas, and historic sites. The plan shall be consistent with and may not exceed those requirements imposed under the following:
- i. Act of June 22, 1937 (P.L.1987, No.394), known as "The Clean Streams Law"
  - ii. Act of May 31, 1945 (P.L.1198, No.418), known as the "Surface Mining Conservation and Reclamation Act"
  - iii. Act of April 27, 1966 (1st SP.SESS., P.L.31, No.1), known as "The Bituminous Mine Subsidence and Land Conservation Act"
  - iv. Act of September 24, 1968 (P.L.1040, No.318), known as the "Coal Refuse Disposal Control Act"
  - v. Act of December 19, 1984 (P.L.1140, No.223), known as the "Oil and Gas Act"
  - vi. Act of December 19, 1984 (P.L.1093, No.219), known as the "Noncoal Surface Mining Conservation and Reclamation Act"
  - vii. Act of June 30, 1981 (P.L.128, No.43), known as the "Agricultural Area Security Law"
  - viii. Act of June 10, 1982 (P.L.454, No.133), entitled "An Act Protecting Agricultural Operations from Nuisance Suits and Ordinances Under Certain Circumstances"
  - ix. Act of May 20, 1993 (P.L.12, No.6), known as the "Nutrient Management Act," regardless of whether any agricultural operation within the area to be affected by the plan is a concentrated animal operation as defined under the act.
- (7) The comprehensive plan shall include a plan for a reliable supply of water, considering current and future water resources availability, uses and limitations, including provisions adequate to protect water supply sources. Any such plan shall be generally consistent with the State Water Plan and any applicable water resources plan adopted by a river basin commission. It shall also contain a statement recognizing that:
- i. Lawful activities such as extraction of minerals impact water supply sources and such activities are governed by statutes regulating mineral extraction that specify replacement and restoration of water supplies affected by such activities.
  - ii. Commercial agriculture production impact on water supply sources.

## **Legal Status of the Comprehensive Plan**

Although a comprehensive plan in Pennsylvania is governed by the MPC, it is an advisory document – it is not an ordinance and it does not regulate the use of land. It contains policies and recommendations regarding the location and intensity of future growth and development, infrastructure improvements, the preservation of community assets, and enhancements to the quality of life elements.

Once adopted by the governing body of the municipality, the comprehensive plan does have legal standing regarding land use ordinances enacted that implement the plan and the relationship to an adopted County Comprehensive Plan. The MPC requires that "Counties shall consider amendments to their comprehensive plan proposed by municipalities which are considering adoption or revision of their municipal comprehensive plans so as to achieve general consistency between the respective plans". It further states that "when a municipality having a comprehensive plan is located in a county which has adopted a comprehensive plan, both the county and the municipality shall each give the plan of the other consideration in order that the objectives of each plan can be protected to the greatest extent possible".

The MPC does require general consistency between the comprehensive plan and municipal land use ordinances. Section 303 (d) states that "municipal zoning, subdivision and land development regulations, and capital improvement programs shall generally implement the municipal and multi-municipal comprehensive plan or, where none exists, the municipal statement of community development objectives." Section 603 (j) further states that "Zoning ordinances adopted by municipalities shall be generally consistent with the municipal or multi-municipal comprehensive plan or, where none exists, with the municipal statement of community development objectives and the county comprehensive plan. If a municipality amends its zoning ordinance in a manner not generally consistent with its comprehensive plan, it shall concurrently amend its comprehensive plan in accordance with Article III."

Municipal, multi-municipal, and county comprehensive plans also create legal requirements for state agencies as well as municipal departments and appointed authorities. State agencies are required to consider and rely upon comprehensive plans and zoning ordinances to ensure general consistency. This ensures that any decision-making process at the state level is consistent with the communities' desires for its future. Municipal governing bodies, departments, and authorities must also submit any future plans following the adoption of a comprehensive plan to the planning agency for recommendation if it involves:

1. the location, opening, vacation, extension, widening, narrowing, or enlargement of any street, public ground, pierhead, or watercourse;
2. the location, erection, demolition, removal, or sale of any public structure located within the municipality; adoption, amendment, or repeal of an official map, subdivision and land development ordinance, zoning ordinance or provisions for planned residential development, or capital improvements program; or
3. the adoption, amendment, or repeal of an official map, subdivision and land development ordinance, zoning ordinance or provisions for planned residential development, or capital improvements program; or

4. the construction, extension, or abandonment of any water line, sewer line, or sewage treatment facility.

## **Community Development Objectives**

In accordance with Section 301 (a) (1) of the MPC, comprehensive plans shall include a statement of objectives that include, but are not limited to, the location, character and timing of future development for Franklin Township. This statement of objectives can also be included, or referenced, as part of future amendments to the Franklin Township Zoning Ordinance as stated in Section 606 (Statement of Community Development Objectives) of the MPC. Zoning Ordinances should reflect the policy goals of the municipality with respect to land use; density of population; the need for housing, commerce and industry; the location and function of streets and other community facilities and utilities; the need for preserving agricultural land and protecting natural resources; and any other factors that the municipality believes relevant in describing the purposes and intent of the zoning ordinance.

The objectives identified for the update of the Franklin Township Comprehensive Plan include the following statements:

- Identify, conserve and enhance the environmental, cultural, natural, and historic resources that are important to promoting the Township's heritage
- Preserve prime agricultural soils and farmlands to help diversify the local and regional economy and provide fresh, healthy food alternatives
- Protect the scenic vistas that are part of the Township's rural character through the preservation of viewsheds and open spaces
- Work with developers to provide a variety of housing options (types, costs, etc.) for current and potential residents
- Direct future growth and development to the sites / corridors that have the infrastructure in place to support it
- Capitalize on the abundance of mineral resources (coal, natural gas, etc.) located within the Township and the region to help grow the local economy
- Create a sense of place that will attract new residents and visitors
- Update land use policies and ordinances to support new emerging business / industry and entrepreneurial opportunities
- Take advantage of recent public water and sewer expansions in the Township
- Work with broadband / internet providers to improve / provide service to all areas of the Township
- Enhance the overall Quality of Life for residents through the development of more recreation and entertainment opportunities