

**IMPLEMENTATION**

The goals and policies for the future development of the Planning Area have previously been outlined. It is now imperative that methods of effectuating this program be considered. Examination of the community goals makes it apparent that the Planning Area municipalities should consider a program of effectuation from two viewpoints. The first should include a program of carrying out the local desires and goals at the municipal level, and should comprise those desirable elements which will not adversely affect neighboring communities.

The second approach involves effectuating elements of the plan from a broader regional viewpoint. Many long-range goals and policies involve not only the individual municipalities but adjacent and nearby municipalities as well. Each individual municipality can carry out those programs which affect the local community only, but they must participate with their neighbors and with larger government bodies in order to gain the necessary impetus required to carry out an overall program which would best suit the region as a whole.

**SHORT-RANGE AND LONG-RANGE PLAN IMPLEMENTATION STEPS**

One of the required elements of a municipal Comprehensive Plan is a discussion of short- and long-range plan implementation strategies, which may include "... (1) *implications for capital improvements programming*, (2) *new or updated development regulations*, and (3) *the identification of public funds potentially available*."

**Short-Range Implementation Techniques**

For the purposes of the Joint Comprehensive Plan, recommended implementation actions proposed in the five (5) years following plan adoption have been designated short-range implementation techniques. They include the following proposals:

- **Prepare and enact amendments to the individual municipalities' zoning ordinances and zoning maps to implement stated land use objectives.** As discussed in Chapter 4 and shown on the Future Land Use Map, the proposed changes to land use areas will require zoning ordinance/map amendments. Each municipality should also consider the development of cluster/open space zoning

provisions to protect natural resources, provide common open space, and enhance community cohesion in new developments. Zoning regulations should also be considered to discourage strip development along the Planning Area’s major thoroughfares.

Related Community Development Objectives include the following:

1. *Preserve the natural features of the planning area by discouraging development in the area’s more environmentally sensitive portions.*
2. *Preserve prime agricultural land by encouraging productive farming activities and farm-related businesses.*
3. *Encourage land use and development patterns which complement and accentuate the distinctive features of the planning area’s natural and cultural environment.*
6. *Identify areas for future growth in the planning area and direct growth to these areas.*
7. *Create an orderly pattern of growth by encouraging new development in areas which can be economically served by utilities and roadways, while discouraging new development in areas where construction and service costs would be excessive.*
8. *Update the individual municipalities’s existing zoning and subdivision/land development ordinances to guide future growth in a manner consistent with the Joint Comprehensive Plan.*
9. *Protect agricultural areas from encroachment by non-farm activities that interfere with or prevent normal farming activities.*
10. *Regulate intensive agricultural uses to minimize adverse impacts on adjacent residents and property owners.*
11. *Transform the scattered residential pattern which presently exists into more concentrated and identifiable residential developments within the proposed growth areas.*
12. *Limit the intrusion of incompatible nonresidential uses into residential areas.*
13. *Encourage economic diversity by reserving adequate land for commercial and industrial location in accordance with the Future Land Use Plan.*
14. *Limit the number of new commercial centers and concentrate on effectively using and developing existing commercial centers.*
15. *Discourage spot commercial and strip commercial development along highways and encourage instead planned clusters of commercial development.*
16. *Encourage a wide range of industry types in order to assure a more balanced future economic base.*
18. *Encourage the development of a full range of housing types in order to meet the varying needs of all families, including a wide range of choices in housing types, costs and location.*
20. *Encourage housing and development procedures (such as cluster and PRD) which in addition to protecting established values, permit experimentation in housing*

*types, construction methods, new materials and arrangement of units.*

- 25. *Provide adequate development controls to minimize any adverse impacts of future development proposals on the transportation system.*
- 26. *Eliminate "strip" development and on-street parking, and effectively control driveway entrances on major thoroughfares.*
- 27. *Provide for adequate off-street parking facilities and safe pedestrian access in those portions of the planning area where warranted by traffic and/or specific land uses.*

- **Review and amend, as necessary, the individual municipalities' subdivision and land development ordinances.** The existing Subdivision and Land Development Ordinances should be reviewed and amended, if necessary, to address the policies identified in Chapter 2.

Related Community Development Objectives include the following:

- 8. *Update the individual municipalities's existing zoning and subdivision/land development ordinances to guide future growth in a manner consistent with the Joint Comprehensive Plan.*
- 15. *Discourage spot commercial and strip commercial development along highways and encourage instead*

*planned clusters of commercial development.*

- 17. *Develop industry to modern standards with adequate sites which will allow for future expansion, adequate off-street parking and loading facilities, and adequate buffer areas where adjacent to other uses.*
- 20. *Encourage housing and development procedures (such as cluster and PRD) which in addition to protecting established values, permit experimentation in housing types, construction methods, new materials and arrangement of units.*
- 24. *Encourage the location of new roadway facilities in a manner which feasibly complements the Future Land Use Plan.*
- 25. *Provide adequate development controls to minimize any adverse impacts of future development proposals on the transportation system.*
- 31. *Wherever feasible, provide public water and public sewerage service to adequately serve all existing or potential growth areas within the planning area.*
- 33. *Provide all feasible areas with adequate storm sewer facilities.*

- **The individual municipalities should facilitate the extension of public water and sewer in a manner which is consistent with this Joint Comprehensive Plan and with the existing and future needs identified by their respective Sewage Facilities Plans.** Such services are critical to the health, safety,

and welfare of Planning Area residents, particularly in areas which have experienced malfunctioning on-lot disposal systems and groundwater pollution. The provision of public water and sewer services and the increased requirements related to development with on-lot water supply and sewage disposal will also serve to protect surface water and groundwater from further degradation.

Related Community Development Objectives include the following:

- 5. *Preclude the construction of public utilities or other public facilities in agricultural and other environmentally sensitive areas unless required to alleviate an existing problem.*
- 30. *Develop a maximum relationship between the development of land and the provision of adequate public facilities.*
- 31. *Wherever feasible, provide public water and public sewerage service to adequately serve all existing or potential growth areas within the planning area.*
- 32. *Preclude the extension of public sewerage and/or water service outside the designated growth areas except to alleviate an otherwise uncorrectable problem.*
- **The Planning Area municipalities should support regional highway and transit initiatives and should promote the road improvements and evaluations recommended in Chapter 4.**

Related Community Development Objectives include the following:

- 21. *Develop a area-wide circulation system which serves existing and anticipated future land uses, provides maximum convenience of movement to the population, and shapes the extent and direction of growth within the planning area.*
- 22. *Support and assist the Berks County Planning Commission and the Pennsylvania Department of Transportation in planning and designing major thoroughfares.*
- 23. *Improve existing road patterns in order to handle increased traffic.*
- 24. *Encourage the location of new roadway facilities in a manner which feasibly complements the Future Land Use Plan.*
- 28. *Concentrate local maintenance funds in areas of highest priority.*
- 29. *Support the increased coverage and frequency of public transportation service in the area.*

- **Implement the Open Space, Park and Recreation Plan recommendations for the Planning Area.** The Recreation, Parks and Open Space Planning Element provides detailed recommendations for consideration by local officials to meet the identified needs.

Related Community Development Objectives include the following:

- 38. *Support educational, recreational and cultural opportunities for all age groups.*
- 39. *Encourage cooperative planning and financing of recreational sites and facilities among the communities of the planning area and the region.*

- **Work with and support the School Districts and other area organizations to encourage adequate educational, and cultural opportunities for Planning Area residents.**

Related Community Development Objectives include the following:

- 37. *Encourage the development of adequate school facilities to serve the planning area's school age children.*
- 38. *Support educational, recreational and cultural opportunities for all age groups.*

The preceding actions should be considered short-range implementation measures since they represent planned solutions to problems identified in the context of the Plan. However, the successful completion of these

implementation measures does not suggest that the Planning Area municipalities are finished with their comprehensive planning process.

In addition to these short-range implementation measures, the following is presented to address the status of the remaining Community Development Objectives:

- **4. Encourage the preservation and protection of the planning area's cultural, historic, architectural and archaeological resources.**

The Planning Area's pattern of historic growth has not substantially impacted areas of historic significance or areas of high probability for archaeological resources. However, if in the future it is determined that significant historic and/or archaeological resources remain unprotected from development, additional requirements could be established within the individual municipalities' zoning ordinances or through the adoption of special ordinances.

- **34. Provide for adequate police protection to assure the welfare and safety of the residents in all parts of the planning area.**

- **35. Support adequate fire protection and medical and emergency service to all planning area residents.**
- **36. Continually review police, fire and emergency service needs and coordinate the provision of these services with adjoining municipalities.**

The Maidencreek/Ontelaunee Police Department, the Leesport Police Department and the Pennsylvania State Police (serving Perry Township) are considered to be providing an adequate level of service to Planning Area residents and businesses. However, based on the anticipated growth identified in this Plan, it is likely that there will soon be a greater demand for municipal and regional police services. The volunteer fire and rescue companies and ambulance services serving the Planning Area are an invaluable asset and should be assisted in every way possible as the need for their services increases with the Planning Area's growth.

- **40. Provide mechanisms for discussion and choice among the citizenry concerning the**

**development of the planning area and for citizen participation in public affairs.**

In order to meet the needs and expectations of their constituents, the Planning Area's municipal leaders need to know what those needs and expectations are. They should endeavor to regularly disseminate information to their residents - through newsletters, periodic mass mailings, etc. Efforts should also be made to solicit citizen input (through surveys, etc.) as well as citizen participation on advisory boards and committees.

**Long-Range Implementation Techniques**

For the purposes of the Joint Comprehensive Plan, the following recommended implementation actions proposed beyond five (5) years following plan adoption have been designated long-range implementation techniques. This designation, however, does not preclude them from being instituted prior to that timeframe.

- **Evaluate the adoption/amendment of building/housing codes to regulate new construction and ensure the maintenance/upkeep of existing structures.** This action would help to accomplish the

following stated objectives in Chapter 2:

19. *Encourage the rehabilitation, replacement or elimination of physically unsound or poorly located structures and facilities.*

- **Prepare a Capital Improvements Program** to finance public improvements such as road construction, recreational facilities, municipal buildings, etc. This action would help to accomplish the following stated objectives in Chapter 2:

21. *Develop a area-wide circulation system which serves existing and anticipated future land uses, provides maximum convenience of movement to the population, and shapes the extent and direction of growth within the planning area.*

28. *Concentrate local maintenance funds in areas of highest priority.*

31. *Wherever feasible, provide public water and public sewerage service to adequately serve all existing or potential growth areas within the planning area.*

33. *Provide all feasible areas with adequate storm sewer facilities.*

39. *Encourage cooperative planning and financing of recreational sites and facilities among the communities of the planning area and the region.*

## PARTICIPANTS

Putting the proposals of a comprehensive plan into effect requires the active participation of many agencies at different governmental levels. Aside from the purely local controls which are available, many departmental actions at county or state levels already are, or can be, interrelated with municipal action to implement local planning. Among others, the School Districts can become effective planning allies, particularly in the provision of recreation facilities, since these are normally provided as part of any school plant and can readily be put to wider use outside of school hours. State health inspections and requirements can supplement municipal efforts, as can highway planning at both county and state levels. Highway planning and development is the one activity at higher governmental levels which ordinarily has the greatest impact on municipal development. Alterations in the regional and road network can vastly change the situation in the community. Equally important, some of the circulation problems which are already apparent in the Planning Area can best be resolved in conjunction with the state and the county.

State and county programs for planning and development are becoming daily more important in Pennsylvania. The

various components of the Pennsylvania Department of Commerce, the Department of Transportation, the Department of Environmental Protection, the Department of Conservation and Natural Resources, the Soil Conservation Service and the Berks County Planning Commission are effective planning allies for any municipality.

Semi-official bodies, such as the Industrial Development Authorities, Private Industry Councils, Transportation Authorities and Chambers of Commerce have specialized knowledge which they will willingly place at the disposal of the municipalities. Altogether, effective long-range planning depends not on purely regulatory measures and fiscal effort alone but on ingenuity applied to the solution of particular problems, especially on the merging of activities which form part of the planning concern of several municipal bodies.

In view of the suburbanization which has taken place in the Planning Area and in Central Pennsylvania in general, and of the future transportation movements foreseeable in the area, it would be fitting that local planning commissions meet together at intervals in an effort to resolve common problems, particularly highway and circulation problems, which are basically regional in nature. In Pennsylvania, as

almost everywhere else, intermunicipal cooperation represents an underutilized area of problem solving. This lack of cooperation is unfortunate.

### **PRIORITIES**

Some of the planning proposals presented assume a priority of implementation over the other proposals. This is the case for the following reasons:

- the severity of need (as it relates to community health and safety)
- the number of Planning Area residents affected
- funding availability
- the degree to which a given proposal is interrelated to other proposals.
- the relative ease of implementation - both from a legislative and timing standpoint

**ORDINANCES AND REGULATIONS**

In itself, a comprehensive plan has little direct power over what will come to pass in the future. The plan represents the results of surveys and studies of present conditions and prospects for future growth of the municipality.

The concepts and purposes of the comprehensive plan are embodied in ordinances specifically enacted to implement it. Three basic ordinances - zoning, subdivision and land development, and official map - are necessary to achieve safe, stable land development, according to the objectives established by the plan and by the planning enabling statutes.

In addition to these basic ordinances, building and housing standards in code form are desirable to assure quality of construction in new buildings or, alternatively, to establish standards for occupancy and maintenance of existing buildings. Building standards and codes ensure structural soundness, proper plumbing and electrical installations, and reasonable safety from fire.

**Zoning**

Zoning is one means by which the uses of land are regulated. Underlying the concept of zoning is the idea that the health, safety and general welfare of property owners. The legal basis for zoning ordinances is found in the police power which permits governmental units to enact laws to provide and protect the health, safety and general welfare of the community. However, this power can never be used to restrict the use of private property in such a way that the restrictions amount to an unconstitutional deprivation of property without due process of law.

The existing municipal zoning ordinances and zoning maps reflect the majority of the land use policies established in the municipalities' outdated Comprehensive Plans. As a result, many of the current day development problems encountered at the local level are not adequately addressed in the existing ordinances. Revisions to the individual zoning ordinances subsequent to adoption of the Joint Comprehensive Plan will include adjustments to the respective zoning maps and possibly addition and/or alteration of provisions based on the Joint Comprehensive Plan proposals.

With respect to sewage facilities planning, it is important to examine zoning provisions relating to wastewater facilities. Minimum lot size requirements and the location of planned growth areas are of particular importance. Minimum lot sizes must accurately reflect the area which is needed to ensure long range suitability for on-lot sewage disposal. The proposed Future Land Use Plan and resultant revisions to the individual municipal zoning ordinances and zoning maps should direct growth to areas which can be served by public wastewater facilities.

### **Subdivision and Land Development**

Subdivision and land development regulations are concerned with establishing locational controls which ensure sound community growth while at the same time safeguard the interest of all property owners. Such regulations can assure that the subdivision and development of land will create permanent assets for the municipality. Since the subdivision and/or development of land is both a technical and a business venture, affecting not only the return to investors in land but also municipal finances, consideration of subdivision and development proposals should be very thorough.

Each Planning Area municipality has adopted a Subdivision and Land Development Ordinance, which governs subdivision and land development activity. The provisions of these ordinances are administered by the municipal governing bodies with advisory input from the local Planning Commission and the Municipal Engineer. These ordinances should also be updated after adoption of the Joint Comprehensive Plan to reflect the current situation.

The individual subdivision and land development ordinances contain regulations pertaining to sewage disposal methods. These regulations set forth standards for the approval of public sewer designs for projects within proximity to existing sewer lines, approval and maintenance of private community systems, as well as standards relating to demonstration of compliance with the Pennsylvania Sewage Facilities Act for individual on-lot sewage disposal systems. The ordinances also contains requirements for stormwater management.

### **Official Map**

Two of the community development objectives relating to future transportation facilities in the Planning Area deal with

(1) developing an area-wide circulation system and (2) encouraging the location of new roadway facilities in a manner which feasibly supports the Future Land Use Plan. One method of achieving these objectives is through the adoption of an Official Map. The legal basis for adoption of an Official Map lies in Act 247, as amended, the Pennsylvania Municipalities Planning Code. An Official Map would show the exact location of the lines of existing and proposed streets (after detailed surveys are conducted) for the whole of the municipality. The Official Map could also identify the locations of existing and proposed public facilities (municipal buildings, schools, parks, and recreation areas). The purpose of an official map is to notify property owners in the municipality of the intention of the municipality to develop or expand the street network or locate public facilities at some time in the future. Under the provisions of an official map ordinance, when a parcel of land identified on the Official Map is proposed for development, the municipality would have the opportunity to acquire that portion of property needed for its future project, or to begin condemnation proceedings to acquire such property.

As mentioned, a detailed study and survey is required to identify the exact geographical limits of the proposed road network on an Official Map. This study/survey would require the expenditure of municipal funds for technical assistance in its preparation.

#### **Building Controls**

The Planning Area municipalities have available to them numerous other powers that they may employ to implement the proposals of the Joint Comprehensive Plan. Among these are building, housing and fire codes. A building code provides minimum requirements designed to protect life and health and yield a maximum of structural safety. Specific provisions apply to construction, alteration, equipment, use and occupancy, location, and maintenance of buildings and structures.

A housing code is concerned with individual structures and is one of only a few retroactive regulatory devices. It establishes minimum housing standards relating to health and safety. It does so by governing dwelling facilities (such as plumbing and heating systems), providing minimum standards relating to safe, sanitary maintenance of dwelling units, specifying the responsibilities of owners and

occupants, and indicating minimum space, use and location requirements. Since a housing code provides a legal basis for condemnation, it is particularly useful in arresting or removing conditions of spot blight.

There are a number of standard or model building codes available. The two most commonly used are those prepared by the Building Officials Conference of America (BOCA) and the National Board of Fire Underwriters. As in the case of building codes, there are a number of standard or model housing codes available. These can be obtained from such sources as the American Public Health Association.

The adoption of building and/or housing codes would, however, necessitate the hiring (or appointment) of a building/housing inspector for administration and enforcement of the codes. The inspector should be an individual with a technical background and familiarity with the building trades and one who could conceivably perform additional administrative functions for the municipality. In addition, it is not uncommon for two or more municipalities to jointly employ a building/code inspector(s).

**CAPITAL IMPROVEMENT PROGRAMMING**

Capital improvement programming is the scheduling of public improvements over a given period of time. Scheduling is based on a series of priorities which are established according to need, desire and/or importance of the improvements, and on the present and anticipated ability of the community to pay for those improvements.

Capital improvement programming is the vital bridge between the Comprehensive Plan and the actual accomplishment of public improvements. Because the provisions, nature and location of public facilities exert a great influence on the pattern of community growth, a well conceived capital program is probably the most important plan implementation tool available to the community. While ordinances concerning zoning and subdivision and land development are guides for private development, a capital improvement program gives direction to public development.

**CONTINUING PLANNING**

Continuing review of specific problems and proposals forms an essential part of the planning process. Implementation of the policies contained in the Joint Comprehensive Plan and related ordinances and regulations will demand subsequent and repeated re-evaluation, addition, and modification, as circumstances dictate. It is the responsibility of municipal officials to see that the municipal regulations continue to reflect established policy decisions. If particular problems cannot be solved in the light of such policies, changes or additions will be necessary in policy, and these will once again be subject to review by the public and adoption by the governing body.