

Linking Redevelopment and Open Space Protection in Pennsylvania: A Land Use Roundtable

September 14, 2005

Attendance

1. Monica Brower, Greater Erie Industrial Development Corp.
2. Bruce Burdick, McKean County Planning Commission
3. David Carner, Fairview Township
4. Robert Davidson, Pennsylvania Department of Agriculture
5. Joanne Denworth, Governor's Policy Office
6. Chris DeSousa, University of Wisconsin
7. John Elliot, Redevelopment Authority of the City of Erie
8. Grant Ervin, 10,000 Friends of Pennsylvania
9. William R. Felege, Girard Township
10. Debra M. Frawley, Venango County Regional Planning Commission
11. Julia Gorniak, North East Township
12. Tom Graney, GCCA Planning Consultants
13. Rick Grossman, Olsen and Associates
14. Chuck Guise, Wesleyville Borough Planning Commission
15. James R. Hertner, Erie County Planning Commission
16. Ruby Jenkins-Husband, Erie City Council
17. Craig Kern, Erie Water Authority
18. Becky Lameka, Great Lakes Commission
19. Eric Legenzoff, Erie County Planning Commission
20. Deborah L. Lunden, McKean County Planning Commission
21. Tom Maggio, Erie-Western Pennsylvania Port Authority
22. Tom Mellott, Pennsylvania Department of Environment Protection
23. Brian McGrath, Millcreek Township
24. Beth Orth, Pennsylvania Department of Community and Economic Development
25. Victoria Pebbles, Great Lakes Commission
26. Denny Puko, Pennsylvania Department of Community and Economic Development
27. Beverly Reinhold, Pennsylvania Infrastructure Investment Authority
28. Eric Rekitt, Erie County Economic Development and Planning
29. Marianne Scott, 10,000 Friends of Pennsylvania
30. Phil Scrimenti, DCED, Governor's Center for Local Government Services
31. Will Selman, Lancaster County Planning Commission
32. Dave Skellie, Pennsylvania Sea Grant
33. Jim Smith, Lawrence Park Township
34. Dean Solomon, Michigan State University Extension
35. Matt Trepal, Erie County Economic Development and Planning
36. Angela Watson, Pennsylvania Department of Transportation
37. Jake Welsh, Erie County Department of Planning
38. Robert Wisener, Erie County Economic Development and Planning

Welcoming Remarks - John Elliot, City of Erie Redevelopment Authority

John Elliot welcomed participants to the roundtable and highlighted the importance of land use planning, inter-municipal cooperation and brownfields redevelopment to the city of Erie. Despite several planning initiatives and cooperative projects in the city of Erie and Erie County, he noted that the same officials and their municipality still do not embrace the significance of land use planning as evidenced by their relatively low attendance at this roundtable. Mr. Elliot illustrated that

many new developments are built with a 20 year horizon – a trend creating a landscape plagued with grayfields and emphasized the need for building our cities and communities with a long term vision.

Developing Your Vision I - Dean Solomon, Michigan State University

Dean Solomon led the electronic voting exercise with Optionfinder software. Attendees were presented with a series of 50 images depicting a variety of development forms and patterns. Using the electronic keypad, participants were asked to rate the images on a 7 point scale (1=very negative, 4=negative, 7=very positive).

Land Use Legacy in Pennsylvania - David Skellie, Penn State Sea Grant

David Skellie gave an overview of population, economic and land use trends and the relationship of land use to water quality in Erie County. The state of Pennsylvania was the third slowest growing state nationally in the 1900s. Erie has a density of 350 people per square mile in coastal areas. It also has the fifth largest out-migration in the nation. Between 1992 and 2002, Pennsylvania was the 47th in employment growth, 40th nationally for average household income, and the third largest number of general governments in the country.

In the state of Pennsylvania, land use planning and regulation are delegated to 2,565 local municipalities and 67 counties. County plans are advisory only; regulatory power is held at the local level. Municipalities are not required to coordinate with their neighbors or undertake comprehensive planning/land use ordinances. No state planning or state oversight of local regulations exists. Ordinances cannot be challenged on the grounds of inconsistency with comprehensive plans. Pennsylvania has the second highest ratio of land consumption to population growth among the 50 states. For every acre of greenfield preserved, five acres are developed. In brief, Pennsylvania has been sprawling for over the last two decades.

From 1980 to 2004, Erie County has experienced a 1% growth rate in population and 47% growth rate in development. Since 1994, Erie County has preserved 1% of its land (4,400 acres) through the Farmland Preservation Program. Additionally, the county has been involved with other open space preservation initiatives including Erie Bluffs State Park (540 acres), Millcreek Township Park (22 acres), Fairview Township Park (3.5 acres) and conservation easements on properties in North East and possibly Girard and Springfield Townships (150 acres). Pictures of various conservation/preservation projects in Erie County were displayed.

Mr. Skellie described the Nonpoint Education to Municipal Officials (NEMO) program which is available for local planning officials. This program aims to educate officials on the effects of urbanization on water quality.

Developing Your Vision II - Dean Solomon

Mr. Solomon and attendees reviewed the ratings of each image in order of the most negative to most positive. Group discussion accompanied this review. The report of these results is available on the Great Lakes Commission's web site at www.glc.org/landuse/paroundtable.

Some of the key discussion points included:

- Comparing attendees' votes and those of the general public could result in large discrepancies. A similar exercise was conducted with the general public, and images with Walmart box stores received high ratings.
- Reactions to images may be different if the associated costs to land use types depicted in these images were conveyed.
- In a township, there is diversity in opinion among the residences in how to develop.
- There is a disconnect in public opinion in what is good development and what is not.
- This disconnect is changing because retirees are changing their preferences from single family homes to multi-family dwellings such as condos.
- The American dream is moving into a grand country house. Very few people move in urban areas to build a trophy home.
- Very few people in Erie will go for brownstones and more compact homes.
- It is difficult for developers to provide choices in residential developments.
- The public is not educated in land use impacts to the environment.
- A market analysis was conducted in Philadelphia of different neighborhoods for various development types. A similar study for Erie could be a beginning to help get reinvestment in cities.
- It would be valuable for developers to be exposed to the information conveyed through this roundtable. An educational handout for developers could be a possible product from this roundtable.

Making Your Vision Happen I - Presentations

Denny Puko, Governor's Center for Local Government Services, Pennsylvania Department of Community and Economic Development

Without plans, governing bodies are frozen in making decisions. Denny Puko explained the importance of planning, and the definition and purpose of multi-municipal planning, planning tools, and financial and technical resources. Multi-municipal planning can aide local officials in making decisions on issues that span various jurisdictions such as economic and social activities, infrastructure networks (e.g., water and sewer systems, roads, etc.) and commercial markets. Multi-municipal planning can be used as a tool for: designation of growth targets in rural areas, accommodation of zoning uses across the multi-municipal area, priority consideration for state funding and permits, tax revenue sharing, Transfer of Development Rights (TDR) between municipalities and specific plans. Other planning tools include "official maps", historic preservation, and zoning for economic and agricultural development. Funding for multi-municipal planning is available from the Land Use Planning and Technical Assistance Program (LUPTAP) within the Pennsylvania Department of Community and Economic Development. Technical resources can be found at the Governor's Center for Local Governmental Services (www.landusinpa.com).

Rob Davidson, Bureau of Farmland Presentation, Pennsylvania Department of Agriculture

Rob Davidson noted that he was pleased to see the traditional farm image rated the highest. He also noted the challenge of farmland preservation for the Pennsylvania farmer in the face of growing land development. To help overcome this challenge, the Commonwealth preserves farms through the programs of the Bureau of Farmland Preservation: farmland conservation easement purchase program, agriculture security areas, and provisions of Right to Farm law. Its farmland easement purchase program has a backlog of 2000 farms for purchased. Financial support from the Growing Greener initiative will help in this endeavor. Erie County has an easement purchase program. Eligibility is determined through an objective scoring method, based on the land capabilities. Agriculture Security Areas is a voluntary program. A property within a designated Agriculture Security Area benefits for development purchase rights, protection from nuisance suits and protection from takings. Right to Farm law provides similar protections from nuisance suits. The major difference is that under the Right to Farm Law, such suits may be brought within the first year that the offensive action occurs. Once the activity has taken place for greater than one year, nuisance suits are barred. The sewer and water line exemption, Act 71, provides relief to farmers from assessment for sewer and water line road frontage. In addition to the programs mentioned, the Bureau of Farmland Preservation participates with Penn DOT in meetings and has representation on the state planning board.

Angela Watson, Statewide Planning, Transportation Planning, Pennsylvania Department of Transportation

Angela Watson discussed how the state Department of Transportation (PennDOT) ties land use and transportation together through various initiatives.

PennDOT has developed 10 "Smart Transportation" themes as part of the new philosophy such as choosing projects with a high value/price ratio, accommodate all transportation modes and foster land use partnerships with local governments.

PennDOT's Right-Sizing Initiative recognizes limited funds for maintenance and construction of roads. Over the next 6 years, a gap of over \$6.3 billion dollars between our highway and bridge maintenance and reconstruction needs and available highway funding exists. Big new and wide roads are not always the best, sustainable option for land uses. Faced with this budget crisis, PennDOT employs the smart approach of using the "best-fit" road for each transportation project.

Listed below are PennDOT tools within its Sound Land Use Program:

- Context Sensitive Solutions (Design) looks beyond esthetic design to consider other things such as road impact to vegetation and pedestrian access. An example is the Bayfront Parkway in Erie, Penn.
- Model Ordinances for Access Management provides for the efficient movement, reduces the need to widen and restricts commercial strips.
- Funding for linking land use and transportation. Priorities include reinvestment/revitalization studies, planning studies for programmed transportation projects, studies which support multi-municipal planning efforts or regional goals and studies that will receive partial funding from other state agencies.
- Transportation/land use studies
- Transportation Enhancements program make funds available for construction phases only.
- Home Town Streets use transportation enhancement monies for streetscape projects.
- Pennsylvania Infrastructure Bank is a bank for transportation projects to assist local governments with low interest loans...funding freight and transit.
- PA Mobility Plan is being updated with new goals. One of the goals is to better link transportation with land use.

Making Your Vision Happen I - Questions and Answers

Q [To Angela Watson]: What are reasonable ordinances for traffic and parking? Are there guidelines?

A: No, guidelines do not exist. The development of guidelines should be a future project for PennDOT to consider. Penn State University is researching new standards for streets in residential developments.

Q [To Denny Puko]: Can a local jurisdiction take private land for redevelopment?

A: The city can take blighted private land (or with a redevelopment plan take land) and turn it over to private use.

Q [To Rob Davidson]: Is there a website map for farmland protected areas?

A: Maps are available on eriecounty.org and are in the natural resources plan available to download. Maps of farmland protected areas are usually generated at the county-level. Farmland preservation programs are developed by each county needs with state guidelines. Farmland preservation is based on soils. The Bureau of Farmland Preservation will be working with DCED and PennDOT to develop such a map.

Q [To Rob Davidson]: Is risk to development pressures considered which farmlands to preserve?

A: yes

Q [To Angela Watson]: I still see a bias among the PennDOT staff for automobile transportation.

What is being done to change those views to incorporate other modes of transport (i.e., sideways and bike lanes)?

A: It is a slow process and a matter of the mindsets of engineering and other employees who work with the public. Right-sizing initiative concepts are being applied. These concepts are shifting how PennDOT work with the communities.

Making Your Vision Happen II - Presentations

Marianne Scott, 10,000 Friends of Pennsylvania

Marianne Scott described the purpose of 10,000 Friends of Pennsylvania. She noted an upcoming roundtable on multi-municipal planning hosted by 10,000 Friends; she encouraged people to attend. 10,000 Friends would like to learn about the status of multi-municipal planning in the region. She requested participants to email her any information on the status of multi-municipal planning in their area. Additionally, 10,000 Friends is following research conducted by Penn State University on sewage facilities, land use and associated water quality impacts.

Tom Graney, GCCA Planning Consultants

Tom Graney presented the “lessons learned” from the development process of four multi-municipal plans: Twin Rivers COG; Lawrence Park/Wesleyville, Erie County; Oil Creek Region, Crawford County; and Edinboro/Franklin/Washington, Erie County. He made a few observations based on his experience:

- The inclusion of more local jurisdictions does not necessarily make a strong multi-municipal plan.
- Having local jurisdiction “buy-in” into the plan with financial support is important for participation.
- It is important to have total participation from relevant planning commissions and governing bodies.
- Local leadership, instead of consultant leadership, is critical during the planning process.
- Complementary or common needs among local jurisdiction are a sound basis for a plan.
- It is necessary to have public involvement through the political process in developing a plan.
- There will always be issues. Stakeholders must agree to disagree.
- Communities in northwestern Pennsylvania need to be educated on the benefits of multi-municipal planning.

Rick Grossman, Olsen and Associates

Rick Grossman explained how land use plans translate into ordinances, using two examples from Adams and Buffalo townships in Butler County. Butler County has seen consistent and rapid growth in development over the last decade. It has also experienced housing growth exceeding its population growth. Local planning officials wanted to gain control over the land use process.

Adams Township developed six overlay districts that allow for one or more of seven development models. The seven development models specify design, minimum open space and mixed use components and buffers. The overlay districts function to broaden the choice of development; require higher aesthetic quality in exchange for the opportunity to gain greater use options; preserve road capacity and rural features along key roads; and implement site appropriate development models. One of the development models is the “Hamlet Model”. Characteristics of the hamlet model include a mix of two different lot types (at least) within one development; a preference for small lots; and small public or homeowner maintained green space.

Buffalo Township developed a sliding scale ordinance to provide options for agricultural preservation zoning. The sliding scale consists of three options. The first option allows farmers to sell a few small lots to capitalize their operations. The second option divides the entire tract into 12 to 15 acre farms. The third option is to rezone the tract to residential districts with a density of 4 dwelling units per acre.

From these two examples the following are lessons learned:

- Ordinances must broaden choice; not limit choices
- The marketplace is beginning to raise expectations for quality residential development
- A comprehensive plan with community involvement can be an important foundation for innovative models.

Will Selman, Association for New Urbanism in Pennsylvania

Will Selman discussed form-based codes, how these codes were developed, Traditional Neighborhood Development and smart growth.

New urbanism is a response to auto-dependant development. It is the site-specific design and development implementation of smart growth principles. Design elements of new urbanism include walkable size, mixed uses, connected streets, town center, reduced setbacks, outbuildings, porches and a variety of open space.

Form-based coding is an implementation process of Traditional Neighborhood Development and smart growth. Although, the term “form-based” has nothing to with the look or lay-out of the ordinance, or the inclusion of graphs or photos, form-based codes do have a strong visual and graphic approach. Their focus is on building form, the relationship between public and private development, functional relationship of building to frontage to street, and mixed uses that are flexible and predictable. The term “form” refers to the goal of shaping the public realm to create a more desirable place; because uses change over time, they are de-emphasized. Form fundamentals

include building height, setback/build-to-line, siting (parking and lot coverage), design elements (windows, entryways, balconies, etc.), uses, street types and architectural standards.

The advantages of a form-based code are numerous. The visual emphasis of form-based code reduces confusion regarding ordinance language. The format is easy to use. It is based on the best existing conditions and historic precedent; emphasizes mixing uses; makes the approval process easier; and makes “by-right” development both more predictable and flexible.

Making Your Vision Happen II - Question and Answers

Q [To Mr. Grossman]: Was “inclusionary” zoning, i.e., affordable house, considered in Adams and Buffalo?

A: Not in Adams; In Buffalo, the affordable units of \$200,000 are being developed.

Q [To Mr. Grossman and Mr. Selman]: Is TND really smart growth (are we still sprawling)?

A: Yes, it is a good tool for urban infill. Nationwide, 50 percent of new urbanism development is infill.

Q [To Mr. Grossman and Mr. Selman]: How do villages develop a village center?

A: A recent innovation (dispersed sewage systems) - that creates an entire sewage facility for as small 1-2 lots and that is expandable – may contribute to the development of village centers. The real problem for creating a small village hamlet is sustaining the small shop keeper. 10,000 Friends conducted a study on these small sewage facilities and found that they caused sprawl if a strong regional plan was not in place. It may encourage leap-frog development.

Dave Skellie, Pennsylvania Sea Grant, wanted to highlight the utility of conservation design in community development. Examples of conservation design can be found in Erie County and Washington Township.

Comment [To Mr. Selman]: Form based-codes may address issues in multi-municipal planning.

Response: Everything finds its proper place. It may allow each city to retain its character.

Brownfields Busters - Inventories, Financing and Assistance

Beverly Reinhold, Pennsylvania Infrastructure Investment Authority (PENNVEST)

PENNVEST provides many services to expedite brownfield redevelopment projects including low interest loans, supplemental grants for needy communities, coordination with regulatory agencies, and coordination with available funding at the local, state and federal levels. It invests in projects to construct facilities for clean water, drinking water, storm water and remediation of non-point source pollution from acid mine and brownfields. It provides low-interest loans to municipal and county level governments for site remediation, site acquisition, remediation, and wastewater collection and treatment facilities. Loans for brownfields must be compliant with Pennsylvania's Land Recycling Program, improve ground and/or surface water quality (or prevent potential impact) and demonstrate capability to repay a loan and provide collateral. More information on funding programs is available on the PENNVEST web site at www.pennvest.state.pa.us.

Sandy Orth, Pennsylvania Department of Community and Economic Development

Sandy Orth presented three different financial assistance programs available through Pennsylvania Department of Community and Economic Development: Industrial Sites Reuse Program (ISRP), Infrastructure Development Program (IDP), and Business in Our Sites Program. Detailed information on all three programs is available at www.newpa.com

Monica Brower, Greater Erie Industrial Development Corp.

The Greater Erie Industrial Development Corp through its Erie County Brownfields Initiative, partners with financially viable owners of properties for assessment and remediation, applies for state and federal grant funds for redevelopment of abandoned properties, and keeps details and acquisitions confidential with private nonprofits acquiring amicably.

Monica Brower discussed four case studies of brownfield projects that were redeveloped through the Erie County Brownfields Initiative:

- City auto parts salvage yard
- Zurn Energy Complex
- West 11th and 12th Street Industrial Corridor
- Savacchio Business Park

Conclusions drawn from these brownfield redevelopment case studies are:

- Public/private partnerships are critical
- Brownfields can be redeveloped
- Elimination of blight and job creation brings public support
- Input from local municipalities to identify sites and areas for potential development is needed

Making Cents - Benefits of Brownfield Reuse and Redevelopment

Chris Desousa, University of Wisconsin

Why bother with brownfields redevelopment? Brownfield redevelopment will help achieve the objectives of sustainable development and smart growth with economic, environmental and community benefits.

Economic Benefits

The 2003 U.S. Conference of Mayors' study found that 74 U.S. cities have already created over 83,000 new jobs, and 45 of those cities have added \$90 million to local tax revenues. A study that Chris Desousa recently carried out for Milwaukee County found that the 127 projects undertaken from 1995 to 2000 averaged about \$5.6 million in redevelopment per project and created an average of 80 jobs each. In addition, recent research has provided more evidence on the implications of brownfield redevelopment to economic conditions in the surrounding community. A study by Hara Associates revealed that the value of commercial property surrounding a brownfield redevelopment typically increases by 10% and the value of residential property by 30%.

Another public benefit is that infrastructure is often already in place and the infill projects only need to be "plugged in." Indeed, 113 cities responding to the US conference of Mayors study could support over 4 million additional people without placing a burden on existing infrastructure.

Environmental Benefits

Re-using urban land contributes to the preservation farmland and open space in the periphery. A recent study in the U.S. by Deason et al. found that 4.5 acres of greenfield land are required to accommodate the same development as 1 acre of brownfield. In the case of brownfield and greenfield projects in the Greater Toronto Area, many of which were built by the same developers, Mr. DeSousa found that 1.75 acres of greenfield land were required to support the same population living on 1 acre of urban brownfield, and that 1.25 acres of greenfield land were required to support the same number of industrial workers on 1 acre of urban brownfield.

An indirect benefit of redeveloping urban brownfields versus greenfields is the simple fact that it minimizes the transportation-related externalities (e.g., parking, accidents, pollution, and health costs) imposed by those living on greenfields.

Washington's landing located in Pittsburgh Pennsylvania is an example of a multiple- use green space constructed on a once highly-contaminated parcel. Indeed the park itself was envisioned as a way of dealing with the contamination problem.

Community Benefits

Mr. DeSousa surveyed over 400 people at the 3 brownfield to park sites in Minneapolis and Chicago on the community benefits of "greened" brownfields. The obvious benefit of these projects was that they attracted people back to places many considered voids in the community. In fact, over 70% of those surveyed visited the greened brownfield at least once per week, with 25% visiting every day. People traveled there from home and from work. The 2 waterfront projects were particularly effective at attracting people from a vast area, with Ping Tom park on the Chicago river attracting users from 23 postal code districts and Mill Ruins park in Minneapolis on the Mississippi from 56 postal code districts.

Brownfields redevelopment also helps spark neighborhood revitalization and improve a community's quality of life, which was the second most important benefit to brownfields redevelopment according to the study carried out by the U.S. Conference of Mayors.

By placing a monetary value on many of those environmental, social, and economic benefits, Mr. DeSousa calculated the public benefits of brownfields versus greenfield development in Toronto and found that keeping workers off greenfields and on brownfields is worth over \$40,000 per acre per year, and keeping residents on brownfields and off greenfields is worth \$30,000 per acre per year.

Mr. DeSousa concluded his presentation with some closing advice; Government agencies want to know outcomes and outputs. It is advantageous to show that previous brownfield redevelopment projects have had benefits when you are applying for financial support of future projects.

Pennsylvania's Role in Great Lakes Sustainable Land Use **Victoria Pebbles, Great Lakes Commission**

Victoria Pebbles gave a basic overview of the Great Lakes Commission and its State Land Use Policy Roundtable Series. The Pennsylvania Land Use Roundtable was an outcome of an earlier project that produced *Linking Brownfields Redevelopment and Greenfields Protection for Sustainable Development* (2001). That publication identifies and promotes ways to link brownfields redevelopment and greenfields protection in the Great Lakes region in the interest of sustainable development. It presents 32 recommended strategies; a few have been implemented in Pennsylvania as discussed through this roundtable.

Ms. Pebbles discussed how Pennsylvania land use, brownfields and greenfields in particular, affect the Great Lakes, and why northwest Pennsylvania should care. Pennsylvania has only 63 miles of coast on the Great Lakes. The state has 500 sq. mi.; 1400 sq. km. that drain into the Great Lakes basin, including portions of Erie, Crawford and Potter Counties.

Cleaning up Pennsylvania brownfields has many benefits. It protects surface and groundwater from pollution that drains or leaches from brownfield sites. It allows people and businesses to safely invest in areas where public infrastructure and services already exists. Additionally, it reduces pressure on open space and agricultural land conversion. Ms. Pebbles also discussed how greenfields preservation protects the ecological services and goods that they provide.

Pennsylvania has many tools and resources available to local governments to implement watershed protective land use policy. Improving watershed health has environmental and socio-economic benefits. Additional tools and information are available on Commission's sustainable land use web site (<http://www.glc.org/bridges/>)

Workshop Evaluation

At the conclusion of the program, the 20 remaining participants rated the day's activities and the use of the Option Finder voting system. The majority of participants agreed that:

- They were more aware of land use resources and tools than before the roundtable.

- They will use the resources and tools presented in roundtable for community planning activities.
- Option Finder was a useful tool for spurring thought about how to develop communities.
- The format (plenary sessions, individual presentations, etc.) worked well for the roundtable.