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Land Use Planning and Technical Assistance Program

Program Guidelines



Commonwealth of Pennsylvania
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www.state.pa.us

Department of Community and Economic Development
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Section I – General

A. Introduction

Pennsylvania’s local government officials have the continuous responsibility to evaluate and address the needs of their communities through sound planning activities. For rapidly growing communities, this frequently means trying to accommodate new commercial, industrial or residential development while avoiding growth-related problems such as traffic congestion, excessive storm water runoff, land use conflicts and adverse impacts on the environment. For older, built-up communities, it may involve trying to breathe new life into declining commercial centers and industrial sites while preventing the deterioration of housing stocks and public facilities. Nearly all communities feel the need to provide public services and facilities more efficiently and to promote energy conservation, affordable housing and the protection of recreational, cultural and historic resources.

Addressing these difficult and interrelated problems requires a coordinated effort by all segments of the community. It may involve preparation of a comprehensive plan, an environmental or physical development strategy, a specialized study, a municipal ordinance regulating land use, land development or environmental protection. The purpose of the Land Use Planning and Technical Assistance Program is to assist local governments in preparing these plans, strategies and ordinances.

Executive Order 1999-1 established the following land use objectives for the Commonwealth:

1. Soundly planned growth is in the best long-term interest of the Commonwealth and should be encouraged at all levels of government.
2. Farmland and open space/greenways are valued Commonwealth natural resources and reasonable measures for their preservation should be promoted.
3. Development should be encouraged and supported in areas that have been previously developed or in locally designated growth areas.
4. Because land use decisions made at the local level have an impact that expands beyond municipal boundaries, regional cooperation among local governments should be encouraged.
5. The constitutional private property rights of Pennsylvanians must be preserved and respected.
6. The Commonwealth shall work to improve the understanding of the impact of land use decisions on the environmental, economic and social health of communities.
7. Sustaining the economic and social vitality of Pennsylvania’s communities must be a priority of state government.
8. Infrastructure maintenance and improvement plans should be consistent with sound land use practices.

B. Program Objectives

The Land Use Planning and Technical Assistance Program will provide financial assistance to municipalities of the Commonwealth for the purpose of developing and strengthening community planning and management capabilities. The objectives of the program are to:

1. Strengthen the comprehensive planning process throughout the Commonwealth.
2. Encourage intergovernmental cooperation in planning, including cooperation with contiguous municipalities, counties and school districts.

3. Support the development and maintenance of up-to-date comprehensive community plans.
4. Further the integration of a sound comprehensive planning process in the conduct of municipal management and decision-making.
5. Encourage effective citizen participation in developing municipal growth plans that address both intra-and inter-municipal land use issues.
6. Support comprehensive community development planning activities that are consistent with state and federal objectives, including the conservation, revitalization and economic development of existing communities.
7. Encourage general consistency among all levels of government and the cross-acceptance of both comprehensive and functional plans, land use practices and all other municipal ordinances.
8. Promote education and the awareness of both elected and appointed officials, as well as the public and private sectors, to enhance their understanding of the local governmental operating procedures and decision-making processes.

C. Eligible Applicants

Eligible applicants under this program may be one of the following: any city, borough, township, incorporated town, Home Rule municipality, county, two or more municipalities, joint municipal planning agency or council of governments, or any of these entities on behalf of those listed.

Funding consideration is given to single municipalities that can adequately demonstrate that the municipality is experiencing one of the following circumstances:

1. Single municipalities that are isolated by surrounding municipalities that have recently completed a comprehensive plan or planning process without including that municipality.
2. Single municipalities that want to do functional plans such as a water or sewer plan or a neighborhood revitalization strategy where a regional effort would not be appropriate.
3. Single municipalities that are requesting Phase II Land Use Planning and Technical Assistance Program monies to complete their comprehensive or strategic planning process begun with previously funded Department of Community and Economic Development (DCED) support.
4. Single municipalities facing special circumstances, such as a major plant closing/expansion or a new large development.

In conjunction with the four circumstances outlined above, the applicant municipality must provide evidence of working in coordination with adjoining municipalities in order to achieve general consistency in planning efforts.

D. Eligible Activities

State financial assistance under this program may include, but not be limited to, the following activities:

1. Developing new or updating existing comprehensive community development plans and policies or individual plan components such as economic revitalization, housing, land use studies and others.
2. Preparing environmental protection or physical development strategies or special studies that will support the comprehensive planning process.

3. The application of advanced technology such as GIS is eligible as a component of projects funded under D.1 and D.2. for implementation of comprehensive community development plans and policies; or environmental protection or physical development strategies.
4. Training and education, when proposed as a participatory planning component of a planning program.
5. The Center reserves the option to consider other worthwhile planning activities that address and further the Commonwealth's Land Use Objectives and which do not have a negative impact on land use.

State financial assistance under this program may not be used for the following activities:

1. General government operating and maintenance expenses, including administrative costs and legal fees.
2. Engineering design proposals, site specifications, design proposals and ordinance codification.
3. Preparation of promotional campaigns, other than the required participatory planning component necessary to the project.
4. Applications determined to be inconsistent with the Commonwealth's Land Use Objectives.
5. Computer equipment and hardware and GIS flyovers.

E. Funding

The Department of Community and Economic Development (DCED) generally funds 50 percent of the total cost of an approved application. The grantee is required to provide the remaining 50 percent, normally as a cash match. Proposals to substitute some or all of the required local cash match with the professional services of a grantee's staff should be discussed with the Governor's Center for Local Government Services prior to submission of the application. Any grant award will be limited to a maximum of \$100,000 per fiscal year pending Center review.

DCED may reduce the grantee's required match in the following cases:

1. Where applicants are experiencing extreme levels of fiscal and economic distress as measured by financial, tax burden and socio-economic variables.
2. Municipalities in the process of consolidation or merger or those communities that are recently formed as a result of one of the two processes.
3. Municipalities that do not have comprehensive plans and land use controls.
4. Other applications as the Center may deem appropriate depending upon the unique circumstances as presented by the applicant.

F. Program Requirements

Proposed planning programs normally shall be a minimum of 12 months. When it is projected that more than 12 months are needed, the project may be phased into two 12-month periods. Separate and integrated work program narratives and budgets must be submitted concurrently. Funding of the second phase is conditioned upon subsequent legislative appropriation; therefore, each phase should produce viable end products.

The Project Narrative (see part VIII of the Single Application) is a vital element of the community's request for funds, because approval is based upon the merit of each application. A complete and thorough narrative, addressing the items specified in part VIII, as well as the following criteria, will ensure that the application is competitive with others submitted for Land Use Planning and Technical Assistance Program funding.

All applications are required to provide information addressing the following program requirements:

1. **Participatory Planning** – The municipality shall provide satisfactory evidence that it will establish, or has established, an element of citizen participation. Communities are expected to take the necessary actions to encourage a broad range of public and private participation in the comprehensive planning process.
2. **Educational Component** – All applicants are encouraged to have an educational component written into the proposed scope of work. This component is to assure that local officials have the basic understanding of the planning concept addressed within the project proposal. The Center and the applicant will mutually determine and agree upon the extent to which this element is to be employed. A major factor as to the extent of the educational element is the level of municipal experience and/or knowledge of local government issues. The educational element will be tailored to each community's need and shall not exceed \$1,000 during the contract period.
3. **Consistency** – The applicant must provide verification that the proposed work program is consistent with other municipal plans and ordinances and Commonwealth laws and acts impacting land use. For example, Act 166, the Pennsylvania Flood Plain Management Act, and Act 537, the Pennsylvania Sewage Facilities Act.
4. **Work Element Cost Summary** – Because the project budget contained in the Single Application is designed to accommodate all of the financing programs offered with DCED, it is necessary for the applicant to provide a detailed work program narrative (Contract Appendix A) broken down by the line item accompanied with a Work Element Cost Summary (Contract Appendix B) keyed to the work program. The information contained in each of the items is important because together they provide the support for the contractual agreement if the proposal is approved for funding. A sample of the Work Element Cost Summary is included in Attachment A. A blank copy of the form, which is to be submitted with the Single Application Narrative, also is included as part of Attachment A.
5. **Municipal Consent** – Resolutions of all participating municipalities authorizing the filing of the application, or, in the case of a joint or multi-municipal agency, a letter certifying municipal membership in the agency and a resolution from the agency authorizing the filing of the application. See Attachments B and C for a sample letter and municipal resolution.

G. Application Evaluation Criteria

Applications are evaluated on the basis of community characteristics and the quality of the proposed planning program, including the extent to which it reflects the requirement of the Pennsylvania Municipalities Planning Code (Act 247) and the Commonwealth's Land Use Objectives (see page 1).

1. **Community Characteristics** – Communities experiencing the following impacts will be given special consideration for assistance:
 - a. Communities that are experiencing significant declines in population and economic activity resulting in loss of municipal revenues, fiscal and economic distress, out-migration and aging populations, deterioration of public services and facilities, deterioration of housing stock and similar problems.
 - b. Communities that are experiencing rapid rates of growth that are likely to result in inadequate public services and facilities, such as water and sewer systems, schools, roads, and parks as well as problems such as excess storm water runoff, land use conflicts, damage to natural resources and the loss of prime agricultural land.

- c. Communities that are being strongly impacted by large scale developments such as new highway interchanges, airports, factories, terminals, warehouses, waste disposal facilities, etc.
 - d. Rural communities that lack the administrative, technical, or financial resources necessary to address planning and related issues.
2. **Planning Program Considerations** – The following factors are considered when evaluating the proposed work program:
- a. The extent to which the municipality’s proposed work program addresses one or more of the Commonwealth’s Land Use Objectives and the requirements of the Pennsylvania Municipalities Planning Code and the initiatives promoted in the Growing Greener and Growing Smarter Programs.
 - b. The extent to which the proposed work program addresses significant community needs and proposes practical short- and long-range strategies for meeting them. These may include the preparation of capital improvement programs and budgets, the preparation of development regulations and identification of public and private funding mechanisms.
 - c. The extent to which current plans or ordinances are inadequate, due to age, missing elements, undesirable development trends, legal challenges, recent physical, social or economic changes, etc.
 - d. The extent to which the proposed work program reflects coordination with other municipal programs; builds upon up-to-date existing municipal plans, policies and strategies; and addresses intermunicipal coordination, cooperation and actions.
 - e. The extent to which the proposed program addresses critical joint municipal/areawide issues, assets and liabilities, while employing the concept of cross-acceptance to achieve consistency.
 - f. Whether the proposed work program can be completed realistically within the proposed time frame and whether the proposed work program costs are realistic.
 - g. The extent to which the proposed work program incorporates innovative approaches to planning and development that provide equitable land use measures that protect the environment. This includes those resources identified in the statewide Greenways Plan and personal property rights.
 - h. The extent to which intergovernmental cooperation is employed to address community development issues that extend across municipal and state boundaries. Applicants are encouraged to undertake joint or multi-municipal planning programs with their neighbors.
 - i. Coordination with other Commonwealth Financial Assistance Programs and other alternative funding sources.
 - j. Pre-application meeting.

H. Application Review Procedure

All planning grant applications are evaluated by the Governor’s Center for Local Government Services to:

- 1. Determine applicant eligibility (section C).
- 2. Determine eligibility of proposed activities (section D).
- 3. Ensure program requirements are satisfied (section F).

During the review process, the Governor’s Center for Local Government Services may contact individual applicants and other state agencies to obtain clarification, verify consistency and request additional information regarding the application. Any previous problems that the applicant had in managing previous state and federal programs are also considered.

The applicant is notified of the final decision following the review of each project proposal.

I. Program Administration

Grantees of the Land Use Planning and Technical Assistance Program funds must comply with the requirements, guidelines, and applicable laws and regulations pertaining to DCED grant administration.

1. **Payment for Services** – The grantee shall submit invoices to the Governor’s Center for Local Government Services for payment. At the discretion of the Center, disbursements will be made in not more than two equal payments in the following manner:
 - a. Lump sum drawn-down at the beginning of the project period.
 - b. Two equal payments, one disbursement occurring at the beginning of the project and the second during the midway point of the project. This method provides the Center with the opportunity to monitor the progress of the grant contract. If the Center determines that unsatisfactory or insufficient progress is being achieved, the Center has the right to terminate the contract and request the return of LUPTAP monies.
2. **Completion Agreement** – Projects are closed out in accordance with DCED administrative policies. At the inception of the contract agreement, the applicant must agree and fully understand that the contracted scope of work must be completed. If the municipality does not achieve this goal, and unless the Center agrees to an extension, the Commonwealth, through the Center, may request that the recipient community return the Commonwealth’s monetary contribution.
3. **Documentation** – One copy of all documents prepared with Land Use Planning and Technical Assistance Program funding must be forwarded to the Governor’s Center for Local Government Services in Harrisburg. Grantee must provide an electronic copy in MS Word format to the Governor’s Center for Local Government Services in Harrisburg and the County.

Section II – The Application Process

A. General Information

1. Applicants must utilize the DCED Single Application when they apply for Land Use Planning and Technical Assistance Program funding. Copies of the Single Application kit may be obtained by contacting the DCED Customer Service Center at 1-800-379-7448 or 717-787-3405 or e-mailing: ra-dcedcs@state.pa.us. The Single Application can be printed and/or completed online by accessing www.inventpa.com. Type “Single Application” into the search mechanism. **Applications may be submitted any time.**
2. While not a requirement, the potential applicant is **strongly encouraged** to schedule and attend a pre-application meeting with the Governor’s Center for Local Government Services about a proposed project prior to submitting an application. This can be accomplished by sending a letter or concept paper that provides basic information about the proposed project to the Governor’s Center for Local

Government Services, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225, Phone: 1-888-223-6837 or 717-787-6837. This preliminary step permits the Governor's Center for Local Government Services staff to offer technical assistance and alerts staff to pending Single Application submissions.

3. Applicants should carefully review the instructions outlined in the Single Application kit and submit documentation that addresses the objectives identified in these guidelines. The narrative section in the Single Application should be detailed and should describe the project to the extent that DCED can understand and evaluate it.
4. The Single Application kit is designed for all DCED programs; therefore, some information on the form may not be applicable to your specific program and should not be answered. The DCED staff in your appropriate regional office is available to provide you assistance, if needed.
5. Please designate the Land Use Planning and Technical Assistance Program as the program you have chosen for initial consideration. Designating the Land Use Planning and Technical Assistance Program ensures that the application is referred to the Governor's Center for Local Government Services for initial consideration.
6. Completed Single Applications with original signatures should be mailed to:

Commonwealth of Pennsylvania
Department of Community and Economic Development
Customer Service Center
400 North Street, 4th Floor
Commonwealth Keystone Building
Harrisburg, PA 17120-0225
7. The application guidelines can be accessed on-line at www.inventpa.com. Select "Community Resource Directory" from the "Find Specific Programs" quick find. Then select "Municipal Services."

B. Application Window/Application Review

1. **Application Window** – DCED's Single Application process permits applications to be submitted at any time.
2. **Application Review** – After the Single Applications have been reviewed, and subject to availability of funds, DCED will determine the proposals that will be given further consideration. These applicants may be requested to submit additional documentation pertaining to the Department's review of the proposal. DCED will make every effort to "package" creative financing proposals, accessing all funding resources in the Department, as well as other potential local/state/federal sources of funds. Funding decisions will be made subject to the availability of funds. Applications not considered for funding will receive rejection letters.

ATTACHMENT B

LETTER OF CERTIFICATION

I hereby certify that the _____ *(Name of Municipality)* _____ is actively operating and meeting on a regular basis at the present time. The following municipalities are active members of the _____ *(Name of Municipality)* _____.

(List all participating municipalities)

(Signed)
(Title)

(Signed)
(Attest)

(Date)

ATTACHMENT C

**NAME OF MUNICIPALITY
RESOLUTION NUMBER _____**

WHEREAS THE (List of Participating Municipalities Or COG Name) will be operating an intermunicipal, cooperative project to (Nature of Project) , AND WHEREAS THE (Municipality) wishes to participate in said intermunicipal, cooperative project.

AND WHEREAS THE Pennsylvania Department of Community and Economic Development makes available grants-in-aid to such projects through the Land Use Planning and Technical Assistance Program,

NOW THEREFORE, BE IT RESOLVED that the (Governing Body) of the (Municipality) hereby authorizes the (Name of Lead Municipality or COG) to make application for such a grant on our behalf.

AND BE IT FURTHER RESOLVED that the (Governing Body) of the (Municipality Or Cog) hereby allocates municipal resources in the amount of (Amount of Local Share) to said project.

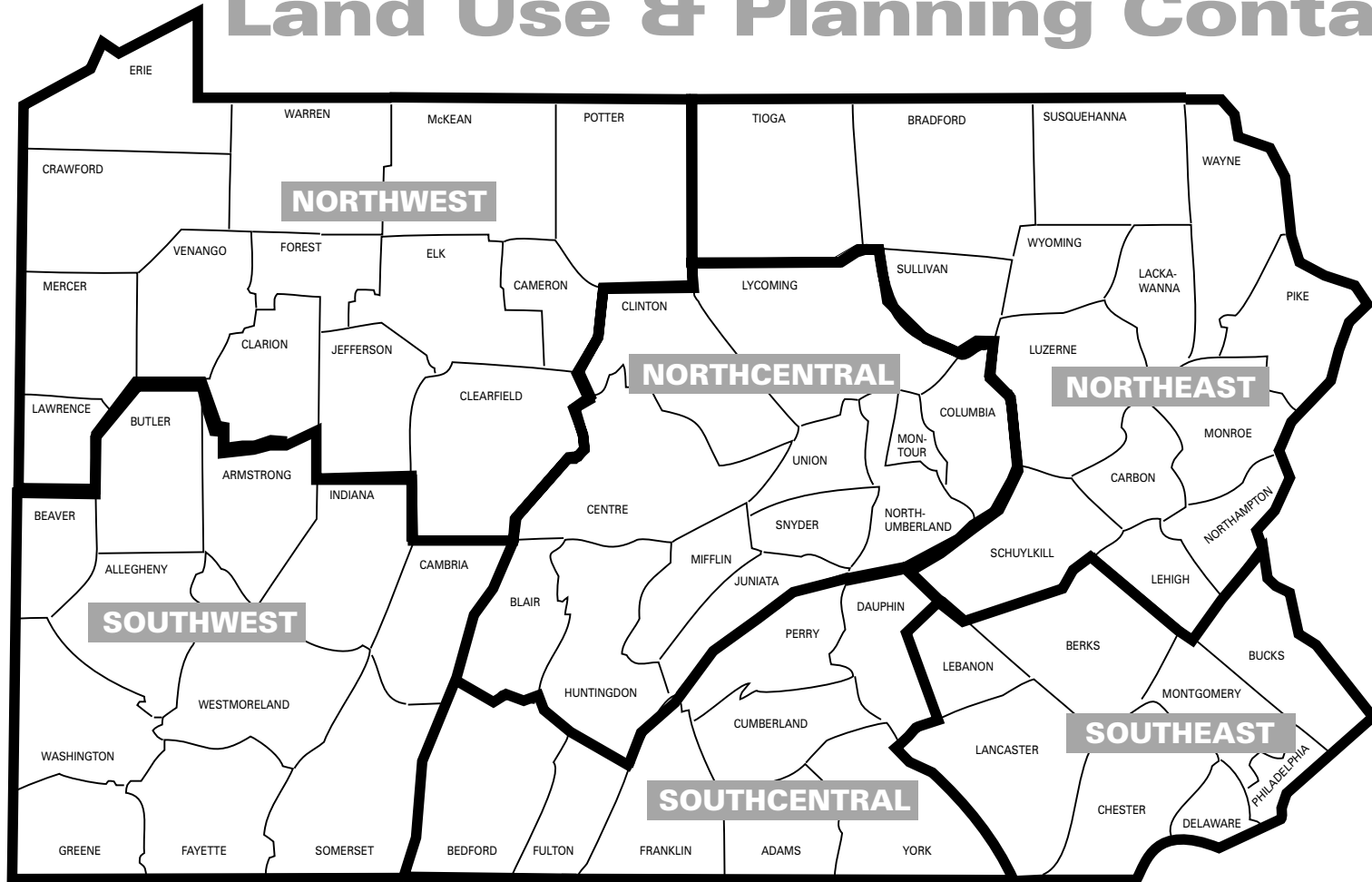
Adopted this (Date) (Governing Body)

Attest (Signed) (Municipality)

(Signed)
(President/Chairman)

Governor's Center for Local Government Services

Land Use & Planning Contacts



Governor's Center for Local Government Services
 400 North Street, 4th Floor
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