

GENERAL CONSISTENCY ADVISORY GUIDELINES FOR PERRY COUNTY, PA.

INTRODUCTION

The Pennsylvania Municipalities Planning Code (MPC), Act 247 as reenacted and amended has experienced some significant modifications of late. This particularly involves the systematic compatibility of planning efforts between the local and county levels. The promotion and routine use of the term “general consistency”, effectively targets an omission in the document’s initial development.

The MPC, directs County Planning Commissions to “...publish advisory guidelines to promote *general consistency* with the adopted County Comprehensive Plan.” (Section 301.4(b))

The foremost purpose for this document is to effectively satisfy the preceding Commonwealth requirement. All things considered, this authority entrusted in counties will be specifically mentioned. Secondly, the document will proceed in identifying Perry County’s main focus for “general consistency.” The third area will establish a procedural approach for “general consistency” evaluations by the County. The fourth item will cover targets the applicability of “general consistency” analysis in the County. Last of all, a copy of the Perry County General Consistency Checklist is included to complete these review guidelines.

AUTHORITY

The MPC opens with its purpose of encouraging “...municipalities to adopt municipal or joint-municipal comprehensive plans *generally consistent* with the county comprehensive plan; to ensure that municipalities adopt zoning ordinances which are *generally consistent* with the municipality’s comprehensive plan”. (Section 105. Purpose of the Act.)

County authority is augmented even further when the MPC goes on to state, “Municipal comprehensive plans which are adopted shall be *generally consistent* with the adopted county comprehensive plan.”(Section 301.4. Compliance by Counties.)

PURPOSE

The purpose of the Perry County Planning Commission establishing these Guidelines is to comply with Section 301.4(b) of the MPC where it directs County Planning Commissions to “...publish advisory guidelines to promote *general consistency* with the adopted County Comprehensive Plan.” The General Consistency Checklist is intended to satisfy any requests for an official County response on “General Consistency” with respect to the Perry County Comprehensive Plan.

AREAS OF FOCUS

For determining general consistency the 2007, Perry County Comprehensive Plan was reviewed and the goals of the Plan were placed into the Perry County General Consistency Checklist. The Plan components include the following:

1. Future Land Use
2. Transportation
3. Community Facilities, and Utilities
4. Housing
5. Historic and Cultural Resources
6. Natural Resources

With Future Land Use, four separate goals are identified. They are:

- Improve upon existing land use planning efforts.
- Preserve and protects the agricultural and forested character.
- Integrate land use and transportation.
- Direct development away from environmentally-constrained areas.

For the Future Land Use Plan the following four considerations are found on the Perry County Comprehensive Plan – General Consistency Evaluation Checklist. On the Checklist they appear as follows:

1. Improves upon existing land use planning efforts
2. Preserves and protects the agricultural and forested character
3. Integrates land use and transportation
4. Directs development away from environmentally-constrained areas

With Transportation, five goals are listed. They include:

- Provide for a safe and efficient highway system.
- Provides for a safe and efficient rail freight system.
- Provide for a safe and efficient bicycle/pedestrian system.
- Provide for a safe and efficient public transportation system.
- Provide for a safe and efficient public aviation system.

For the Transportation Plan the following five considerations are found on the Perry County Comprehensive Plan – General Consistency Evaluation Checklist. They appear as follows on the Checklist:

1. Provides for a safe and efficient highway system
2. Provides for a safe and efficient rail freight system
3. Provides for a safe and efficient bicycle/ pedestrian system
4. Provides for a safe and efficient public transportation system
5. Provides for a safe and efficient public aviation system

With Community Facilities, and Utilities there is one primary goal. It is as follows:

- Provide for a complete and adequate system of community facilities and/or utilities.

For the Community Facilities and Utilities Plan the following consideration is found on the Perry County Comprehensive Plan – General Consistency Evaluation Checklist. It appears as follows on the Checklist:

1. Provides for a complete and adequate system of community facilities and/or utilities

The Housing goal is as follows:

- Make preparations for increased housing demands as anticipated by population projections.

For the Housing Plan, the following consideration is found on the Perry County Comprehensive Plan – General Consistency Evaluation Checklist. It appears as follows on the Checklist:

1. Makes preparations for increased housing demands as anticipated by population projections

With Historic and Cultural Resources, the two goals are as follow:

- Sustain Perry County’s historic resources.
- Sustain Perry County’s cultural resources.

For the Historic and Cultural Resources Plan, the following two considerations are found on the Perry County Comprehensive Plan – General Consistency Evaluation Checklist. They appear as follows on the Checklist:*

1. Sustains historic resources
2. Sustains cultural resources

With Natural Resources the goal is as follows:

- Sustain Perry County’s natural resources.

For Natural Resources Plan, the following consideration is found on the Perry County Comprehensive Plan – General Consistency Evaluation Checklist. It appears as follows on the Checklist:*

1. Sustains natural resources

In addition to these four Future Land Use goals, the Future Land Use (FLU) Map from the Plan is also considered part of this evaluation of “general consistency”. Although there are no written goals or objectives spelled out, the map reflects Perry County’s future land use recommendations. Therefore, the FLU Map is the principal focus of review under this heading.

*NOTE: General consistency evaluations of HISTORIC AND CULTURAL RESOURCES and NATURAL RESOURCES are independently listed in the evaluation although they are combined as one Plan component within the Text of the 2007 Perry County Comprehensive Plan.

PROCEDURAL APPROACH

The General Consistency Checklist, placed at the end of this document, was created to facilitate staff reviews of all applicable items submitted for such consistency assessments. The checklist identifies each of the six (6) plan components previously listed. Under each title, the principal goals are subsequently listed. It is from these goals and objectives that general consistency evaluations will be based.

In the checklist, each Comprehensive Plan component has a heading called, “Consistency Considerations”. Under these titles are the Plan’s applicable goals and objectives. For the purposes of inclusion in the checklist, some of the goals and objectives may have been paraphrased so that consideration could be afforded to all items in the Plans Goals and Objectives.

To the immediate right of “Consistency Considerations” a second column exists with the heading “Applicability”. The individual performing an evaluation should determine whether there is/are any aspect(s) to the project that fall under the scope of the corresponding “Consistency Consideration” on each line. If the reviewer determines the “Plan Goal Consideration” applies to the project, then a checkmark or “X” should be placed in the “Applicability” column. If the reviewer determines the “Plan Goal Consideration” does not apply to the project, then the space can either be left blank or “N/A” for not applicable can be printed in.

The last heading is “Consistency Determination”. This title covers two individual columns. The reviewer will notice there is a “Yes” and a “No” listed in each row to cover each “Consistency Determination”. The reviewer’s responsibility for each column is to select either “Yes” or “No” for each item listed in the “Plan Goal Considerations” column deemed applicable. The reviewer should take the time to review each of the Plan’s

objectives and if need be each strategy to support his or her final consistency determination.

OVERALL CONSISTENCY DETERMINATION

“General Consistency” is intended to be evaluated by considering each of the County Comprehensive Plan Components. If the reviewer checks “No” to a majority of the objectives listed under a Plan component heading, the determination should be that, the project is not consistent with the specific Plan, whereby the accompanying cover letter should reflect this determination and spell out the reasons why.

If the reviewer checks “Yes” to a majority of the objectives listed under a Plan component heading, the determination should be that the project is “generally consistent” allowing for the return of a routine letter acknowledging that the project is generally consistent with the Perry County Comprehensive Plan.

APPLICABILITY

In Perry County, formal reviews for “general consistency” will apply to comprehensive plans, subdivision and land development ordinances, amendments and plans, and zoning ordinances and amendments.

The PA MPC highlights this requirement in section 619.2(a) mentions Commonwealth agencies may rely upon comprehensive plans and zoning ordinances when reviewing applications for the permitting of infrastructure or facilities. Although “general consistency” is not specifically mentioned in the section, the Commonwealth still values County response on such projects. Because of this, cursory reviews should be performed and a response offered on behalf of the applicant to respond to a Commonwealth agency if required.