



## **Multi-Municipal Implementation Agreement and Zoning Update Fact Sheet**

### **Updating Municipal Zoning is a State Requirement.**

The Pennsylvania Municipalities Planning Code specifies that zoning ordinances shall be generally consistent with the municipal or multi-municipal comprehensive plan (Section 603.(j)).

Following the adoption of Municipal or Multi-Municipal Comprehensive Plans, municipalities must conform their ordinances with the vision and goals established in the Plan within two years (Section 1104.(b)(1)).

### **When Updating Zoning Ordinances...**

- Achieve General Consistency with the Comprehensive Plan
  - ❖ Verify that zoning ordinances implement the land use policies of the comprehensive plan (Section 603(j)).
  - ❖ Ensure zoning maps align with the future land use map from the comprehensive plan and community development objectives (Section 603(j)).
- Coordinate the Sharing of Land Uses Between Municipalities
  - ❖ Distribute land uses across the region (Section 1104) and establish a system for sharing uses among municipalities (Section 1105).
  - ❖ Ensure that all uses are accommodated somewhere within the multi-municipal area (Section 1104(b)).

### **Intergovernmental Cooperation Planning and Implementation Agreements**

Municipalities have authority to enter into intergovernmental cooperative agreements in order to implement multi-municipal comprehensive plans (Section 1104.(a)).

- Each participating municipality in a multi-municipal plan retains the right to:
  - ❖ Maintain its own planning commission.
  - ❖ Maintain its own zoning hearing board.
  - ❖ Adopt and administer its own individual zoning ordinance and zoning map.
- Where municipalities have adopted multi-municipal plans, conformed ordinances to the plan and have implemented cooperative agreements:
  - ❖ State agencies shall consider and may rely upon comprehensive plans and zoning ordinances when reviewing applications for the funding or permitting of infrastructure or facilities (Section 1105.(a)(2)).
  - ❖ State agencies shall consider and may give priority consideration to applications for financial or technical assistance for projects consistent with the multi-municipal plan (Section 1105.(a)(3)).



## Questions and Answers

### **Q: What is a Multi-Municipal Comprehensive Plan**

A: A multi-municipal plan addresses the judicial mandates of the Pennsylvania Municipalities Planning Code (MPC) to provide for all reasonable land uses on a regional basis. These plans cooperatively provide and extend services and facilities in an efficient manner and allow communities to better protect natural resources, prime farmland, scenic areas and community character. The communities of Plan Slate Belt are committed to preserving the defining natural resources of the region while adapting to the inevitable future growth and development that the greater Lehigh Valley is experiencing. This commitment is rooted in realizing the full potential of the region's natural and agricultural assets. Yet, while the MPC does not mandate municipalities to follow this Plan's recommended implementation ideas, it does require each municipality to shepherd the Plan's shared mission of the future and enact thoughtful legislation that stewards the Plan's vision on behalf of the residents it serves.

### **Q: What is the authority of the Steering Committee?**

A: The Plan Slate Belt Steering Committee meets the first Thursday of most months to discuss and advise the Plan Slate Belt municipalities in the forming and implementation of the adopted comprehensive plan. The Committee is advisory and does not hold legal authority to make determinations on behalf of the individual municipalities or the Slate Belt region.

### **Q: Is the Steering Committee legal?**

A: The Steering Committee is an advisory entity to each municipality's legislative body and is a legal and common practice. The Committee is a public body, and as such, is subject to Pennsylvania's Sunshine Act (Open Meeting Law). This means that the meetings are available for members of the public to attend, and that public notice is given.

### **Q: Do municipalities maintain control of their zoning?**

A: The MPC allows communities to keep autonomy in a multi-municipal plan by allowing communities to individually enact zoning ordinances while remaining generally consistent with the overall regional plan. As an advisory body, the Steering Committee does not make legal determinations regarding a municipality's zoning ordinance. That authority remains with the individual municipality to govern, and no municipality is able to 'force' another municipality to take the lion's share of a specific land use. Municipalities have the option to coordinate their zoning ordinances and share uses with their neighbors in the Comprehensive Plan. A community retains every right it had before the adoption of a multi-municipal comprehensive plan.

### **Q: Are municipalities forced to share resources and services now that they've adopted the Plan?**

A: Goal 3 of the *Plan Slate Belt Multi-Municipal Comprehensive Plan* advocates for efficient and cost-effective governance. Regional collaboration may be a strategy for some municipalities to leverage their existing services and improve efficiency while reducing costs. These partnerships are easier due to the comprehensive plan, but there is no requirement that any community share its services with another. Research into the cost-effectiveness of shared resources is encouraged in Policy 3.1 and 3.2, but there is no mandate. A multi-municipal plan outlines a shared vision for a region but does not infringe on the autonomy of any single municipality.



**Q: What is the process if a municipality disagrees with another Plan Slate Belt community?**

A: That will be outlined in the Intermunicipal Cooperation Agreement, which is currently being deliberated among the eight municipalities. That process can be entirely customized by the participating municipalities and a municipality can choose not to sign the implementation agreement.

**Q: Who can join the Plan Slate Belt Steering Committee?**

A: The Steering Committee's function, post adoption, is primarily to advise as the municipalities update their zoning ordinances and maps. Residents act as representatives to advocate for the health, safety, general welfare and well-being of their communities. Prior to official adoption by all eight communities, the Steering Committee member selection was outlined in a Planning Partners Agreement with the LVPC and each participating municipality. The agreement, which was passed by the respective legislative bodies, outlined that prospective members of the Committee would be recommended by their municipality and subsequently added to the list of Steering Committee members. These commonly were filled by the municipality's legislative body, planning commission and administration. Moving forward, that process can be determined by each of the participating municipalities among themselves.

**Q: What are the costs going forward?**

A: The MPC requires that a municipality update their zoning ordinance to align with the goals and policies of their recently adopted comprehensive plan. The Lehigh Valley Planning Commission (LVPC) applied on behalf of the Plan Slate Belt communities and secured \$75,000 for the communities to collaborate and coordinate their zoning updates. Any costs associated with the zoning updates will be solely determined by the municipality. Since public dollars are being used, a Request For Proposal (RFP) is recommended.

**Q: What happens if a municipality does not update its zoning ordinance within the two-year period?**

A: While the MPC requires municipalities to update their zoning ordinances to be generally consistent with their adopted comprehensive plan, there are no specific penalties for missing the deadline. However, failing to update zoning ordinances could create legal vulnerabilities, especially if zoning decisions are challenged in court. Additionally, it may affect eligibility for certain state funding and technical assistance opportunities.

**Q: Can municipalities choose not to participate in zoning coordination efforts? What's the benefit of participating?**

A: Yes, municipalities retain full autonomy over their zoning ordinances and maps. Participation in zoning coordination is optional, though working together can enhance consistency and reduce redundancy in land use planning. Coordinating zoning ordinances allows municipalities to distribute land uses more efficiently, reduce land use conflicts, and strengthen their legal standing when zoning decisions are challenged. It also improves opportunities for securing funding and technical assistance from state agencies.