

8th Inning: Intergovernmental Coordination & Cooperation

A Spirit of Cooperation

The State of Pennsylvania encourages a spirit of cooperation among neighboring municipalities throughout the State, both legislatively and financially. Legislatively, in 2000, the State enacted major changes to the Municipalities Planning Code encouraging municipalities to cooperate in the development and implementation of comprehensive plans. Article IX of the MPC provides specific planning tools and benefits to municipalities that plan cooperatively that are not available to those planning alone.

While the State promotes the benefits of cooperative planning, especially with regard to economic development and infrastructure because they typically extend across multiple municipal boundaries, it is quick to point out that **multi-municipal planning is NOT promoting consolidation in disguise**. Instead, the State points out that multi-municipal planning is first and foremost a voluntary opportunity to cooperate on mutual problems and goals. Municipalities that plan together remain separate political units with separate, but consistent, ordinances, including zoning.

Why Coordinate and Cooperate?

Some of the tools and benefits that are legislatively provided to those municipalities that plan cooperatively are:

- Priority consideration in State funding and permit decisions.
- Legal protection from exclusionary challenges where zoned uses are reasonably accommodated in the multi-municipal area, without each municipality having to zone for all uses.
- Legal strength in designating areas for growth and areas to remain rural.
- Authorization for tax revenue sharing.
- Authorization to transfer development rights from one municipality to another.
- Authorization to create specific plans which prescribe more detailed design for non-residential development areas.
- Shared review of “developments of regional impact.”

Intergovernmental Cooperative Agreement (ICA)

However, in order for the plan participants to be able to take advantage of most of the special tools and benefits available to them, they must enter into an Intergovernmental Cooperative Agreement to implement the plan. These cooperative agreements are to be crafted primarily to:

- Outline implementation responsibilities,
- Provide a review process to ensure that implementing actions are consistent with the plan, and
- Provide a process for shared review of developments of regional impact (DRIs) to ensure that they are also consistent with the plan.

Accordingly, members of the Intergovernmental Coordination Working Group and members of the Steering Committee, with assistance and guidance from the PA Department of Economic and Community Development (DCED), worked to draft a possible Butler Area Multi-Municipal Intergovernmental Cooperative Agreement. A proposed BMM ICA draft is provided in **Appendix 8-1**. This draft provided the basis for further discussions and adoption by each municipality.

As stated above, ICA's provides for review of developments of regional impact that are occurring in one of the participating municipalities. Included in **Appendix 8-2** is a summary of thresholds for DRIs from various States' legislation for use in defining how a DRI should be defined for the BAMM Plan area.

Financially, the Butler Area Multi-Municipal Plan received grant funding through the DCED's Land Use Planning and Technical Assistance Program (LUPTAP), the PA Department of Conservation and Natural Resources (DCNR), and the Pittsburgh-based Local Government Academy (LGA). Combined, these grants enabled the BAMM Plan municipalities the opportunity to jointly develop this strategic plan at a relatively small cost to each.

As discussed in **Chapter 2**, the Intergovernmental Coordination and Cooperation Working Group met four times between October 2008 and September 2009, to identify and prioritize realistic opportunities for coordination and cooperation among the five BAMM Plan municipalities. The majority of the group's discussions were based on the issues that had been identified in the Key Person interviews, the Resident Survey, and the public meetings in each municipality, but also included consideration of additional opportunities identified by the Steering Committee.

Opportunities for utilizing an ICA in the BAMM Plan Area

The following prioritized recommendations, as developed by the Intergovernmental WG, were presented to the Steering Committee on September 30, 2009. These recommendations identify those areas that are believed to be the best opportunities for cooperation among the BAMM Plan communities and residents, and also address the concerns of a large majority of the residents and elected officials.

(In Sidebar: A Priority – accomplish in 1-2 years; B Priority – 3-5 years; C Priority – 6+ years.)

(A++) The first and most important recommendation is that as soon as possible after the five BAMM Plan municipalities formally adopt the Plan, they should also formally adopt an **Intergovernmental Cooperative Agreement (ICA)**. The ICA language should include as many of the prioritized opportunities for cooperation as possible, as well as provide for the creation and operation of an **Oversight Committee**, with three representatives from each of the five BAMM Plan participants. **The primary focus of the Oversight Committee, however, will be to encourage and monitor the implementation of the entire BAMM Plan**, not just those aspects that may involve intergovernmental cooperation.

Prioritized opportunities for possible intergovernmental cooperation, organized by specific issue areas include:

Communications

- (A) Local governments should improve their communications with the public--one of the top concerns in the Resident Survey within all Municipalities. To do so, municipalities should:
 - Work to get PEG-TV, or something similar, for all five municipalities.
 - Explore/recommend financing options, including franchise fees.
 - Assure that there are web sites for all five municipalities, and that they are linked to each other. At this time, neither Summit Township nor East Butler has a web site.
 - There should also be links to:
 - Butler County, the Chamber, Butler Downtown, School Districts, BC3, etc.
 - Major area employers.
 - Local businesses.
 - The Butler County Tourism & Convention Bureau.
 - Recreation providers.
 - All parks and recreation facilities.

- Develop a common calendar of events – on web sites and printed.
- Develop a five-municipality map for residents and visitors – printed and on-line.

Economic Development

- (A) The ICA’s Oversight Committee should work with the municipalities to:
 - Work with the Butler Downtown Economic Restructuring Committee to review and improve taxes and incentives in the downtown, as well as throughout the balance of the BAMB Plan area.
 - Develop a Retention & Expansion (R&E) team at the Community Development Corporation of Butler County (CDC), the Chamber and/or Butler County Planning.
 - Support the continued development of Pullman Center Business Park/West End, including the West End Connector and alternative uses for the former Pullman Headquarters Building.
 - Support the CDC, Chamber of Commerce and BC3 on workforce development initiatives.
 - Create a “One-Stop Shop” for all new business inquiries at the CDC, Butler County Planning, or a separate agency.
 - Designate an ED team within each municipality to be trained by the CDC, and to work with the CDC on prospects and other ED-related issues.
 - Assist in financing the CDC.
 - Prepare and maintain a data base of properties within each of the BAMB municipalities, using as a base www.PittsburghProspector.com . (The CDC verifies this data on a regular basis.)
 - Work with the CDC to become a “launching spot” for companies interested in locating in Butler County.
 - Work among all five municipalities to improve/enhance industrial space.
- BAMB Plan participants should also:
 - (B) Identify, pursue funding for, plan, and help develop, new mixed-use developments as identified in the Plan.
 - (B) Create a “Commercial Welcome Wagon.”
 - (B) Develop an incubator in Downtown Butler (with BC3) with possible LERTA and/or Enterprise Zone incentives.
 - (B) Develop a detailed inventory of sites with infrastructure capacities, especially the electrical grid in the existing industrial buildings in East Butler, to be in the position to promote these locations to data storage and retention companies, and others requiring large electrical capacity.
 - (C) Develop the area in Penn Township near the Succop Conservancy, The Mansion, and the Airport to include an incubator, hotel, exhibit spaces, meeting rooms, etc. Water is needed to this area in order for it to develop.

Infrastructure

- (A) The Oversight Committee should work with the municipalities to:
 - Work to get representation on the BASA Board for all municipalities served by BASA.
 - (A) Support efforts to bring water to the area along SR 8 and east of SR 8, especially to the Butler County Airport area in Penn Township.
 - (B) Support multi-use trails in new developments, in existing parks, and along existing roadways where appropriate.

Planning and Zoning

- (A) There is a lot that the five municipalities could do to make administration of planning and zoning codes easier on themselves, as well as the individuals and developers who need to follow their codes and regulations. The Oversight Committee should help the municipalities:

- Identify and agree to select land uses that may only be available in one municipality, but would serve the needs of the BAMM Plan area. (e.g. parks/recreation facilities, heavy industry, high electric user industries, mixed-use developments)
- Work toward acquiring more centralized planning and zoning, possibly through the County Planning Department, provided adequate control can be maintained by the participating municipalities. It is imperative that whatever mechanism is agreed upon for joint planning and zoning can maintain the best interests of the BAMM Plan area at all times. Possibly a special BAMM Plan committee (or the Oversight Committee) should be directly involved in any new mechanism.
- Work with the Blue Ribbon Task Force on the “Plan to Plan”, making sure that the BAMM Plan is adequately addressed and represented.
- Preserve open space areas that contain features of natural and/or cultural significance.
- Correlate zoning codes.
 - At a minimum, standardize zoning district definitions.
 - Be consistent among adjoining zoning districts, especially at municipal borders.
 - Work with municipalities to update zoning codes.
 - Add Mixed-Use, Traditional Neighborhood Design (TND), Conservation Subdivisions, and other innovative districts to codes.
 - Add provisions for drilling to address Marcellus Shale projects that are projected to occur in the area. (Monitor current court cases in PA.)
 - Adopt standard language for “Access Management Areas” for the five municipalities to use to meet their specific needs.
 - Require sidewalks and/or multi-use trails in all new developments.
 - Consider Transfer of Development Rights (TDR) within the BAMM Plan area as a means to encourage development and conservation in appropriate areas. This could be especially useful for preservation of agricultural lands.
 - Implement ordinances requiring mandatory dedication of park land, or a fee in lieu of dedicated land, to address parks and recreational facilities in new developments.

Transportation

- (A) With regard to **Transportation**, the Oversight Committee should help the BAMM Plan area:
 - Encourage the appropriate jurisdictions to support the SR 228 project (Regional Corridor Alliance, already on the books).
 - Pursue a SR 68 project.
 - Support enhancement of Transit and Park & Ride services.
 - Consider establishing a Transportation Impact Fee or Transportation Improvement District to raise local funds for needed transportation projects and/or to match other funds.
 - Aggressively push the West End connector project.
 - Pursue an SR 8 improvement project.
 - Identify improvements for Bonniebrook Road in Summit Township.
 - Support creation of Access Management Areas on key corridors.
 - Support increased utilization of the Butler County Airport.

Housing

- (A) The Oversight Committee should encourage each municipality to:
 - Promote cultural diversity to attract new residents from Pittsburgh and other larger metropolitan areas.
 - Jointly promote the fact that housing is relatively inexpensive in the BAMM Plan area.

Quality of life/Safety/Heritage Tourism

- (A) The Oversight Committee should encourage joint efforts to:

- Coordinate volunteer efforts to eliminate redundant efforts and better utilize human resources.
 - Create a “Youth Council” to involve younger generations in current and future planning and implementation.
 - Promote (County-wide, not just the BAMM area) the use of FireHouse software program sharing among fire departments. This contains County mapping of building footprints.
 - Support and help promote (newsletters, signage, web sites, calendar of events, etc.) activities and events in conjunction with the Butler County Tourism & Convention Bureau, especially those in the BAMM area such as:
 - Groups from France (2013?)
 - Pyrotechnics Guild International Event (2013?)
 - The first Jeep Heritage Festival (2011)
 - Disc Golf Convention (2012 at Moraine)
 - Can/Am Police/Fire Games (every two years – Moraine and BC3)
 - More National Club Baseball Series at Pullman Park
 - PSAC Baseball Championships at Pullman Park
 - Bowling Tournament & Convention (2011/2012)
 - Identify local tourist destinations.
 - Support local efforts to renovate the Penn Theater.
 - Promote the greater Butler area as a regional recreational destination.
- (B) Install a coordinated signage and wayfinding system. (Butler Downtown is already working on this for the downtown.) Expand the coordinated effort to all municipalities to help emphasize BAMM Plan area associations and cooperation, and to provide better wayfinding for those not familiar with the area. (PennDOT needs to participate in any wayfinding efforts, and Butler Downtown has been working with them.)
 - (B) Support the Butler County Tourism & Convention Bureau’s efforts to improve access to, and the promotion of, the BAMM area and the entire greater Butler area. Work cooperatively to help the area become a destination for tourists by providing and/or promoting activities for visitors, such as:
 - Coordination of bike trails and shuttle services.
 - Promoting the utilization of the Butler County Airport for visitors, golfers, etc.
 - Promoting golf packages featuring the area courses and hospitality facilities.
 - Promote the BAMM Plan area attractions to visitors of Moraine State Park, including shopping, restaurants, recreation, lodging, and cultural activities/programs.

Parks and Recreation

- (A) The Oversight Committee should help the BAMM Plan municipalities:
 - **Develop a comprehensive network of safe bicycle and pedestrian access routes** in the greater Butler area.
 - Develop a unified and cohesive method to **publicize existing** recreational facilities, recreation programs, and general recreational opportunities in the greater Butler area.
 - **Develop partnerships** among municipalities, local organizations, recreation providers, and schools to foster a culture of open communication and collaboration.
 - **Develop a plan to ensure the long-term financial sustainability** for the operation, maintenance, and development of parks, recreation facilities and programs.
 - **Support the hiring of a multi-municipal parks and recreation director** for the greater Butler area, to support the development and implementation of all recreation programs.

As stated above, it will be the primary focus of the Oversight Committee, as defined in the BAMM Intergovernmental Cooperative Agreement, to monitor, encourage and, where possible, enable the implementation steps necessary to achieve these and other BAMM Plan recommendations.