

CHAPTER 3: THE ROLES OF THE PLANNING COMMISSION

WHAT IS A PLANNING COMMISSION?

The Planning Commission's primary role, as its name implies, is to plan. A Planning Commission is a body of citizens that serve within local government, acting as an advisory group to the municipal governing body on issues and policies related to planning, land use regulation, and community development. Planning Commissioners act as citizen planners and work to develop plans and implementation policies that affect how their community manages changes in growth and development.

Each of the Centre Region municipalities have a seven member planning commission that work to advise their respective governing bodies on municipal planning matters. Municipal Planning Commission's may meet once, twice, or several times a month to discuss proposed development, planning initiatives, new ordinances, etc.

In addition to municipal planning commissions, the six Centre Region municipalities also participate in regional planning as members of the Centre Region Council of Governments. The Centre Regional Planning Commission (CRPC) was created in the early 1960s to plan for growth and development at the multi-municipal level. The CRPC consists of one representative from each municipality (typically a Planning Commission member) as well as a representative from the Pennsylvania State University.

WHO DO PLANNING COMMISSIONERS REPRESENT?

Planning Commissioners are appointed by the municipal governing body and represent the municipality at large. Planning Commissioners do not represent any particular person, business, or group within their municipality. Planning Commissioners should strive to provide input and guidance that will positively affect the entire municipality and excuse themselves from any actions where a conflict of interest could be perceived.



While planning commissioners are appointed by the governing body to act in an advisory role, commissioners represent the community at large. Planning commissioners should be unbiased in regards to requests and proposals and consider the overall impacts to the community as a whole.

PLANNING COMMISSION DUTIES

The Planning Commission plays a crucial role in shaping the future of the community. Considering the future of the community and developing plans to guide growth and development is both complex and time consuming. Municipal governing bodies are often saddled with addressing problems of the day, leaving little

time to study current development proposals or long-term impacts of growth and change. The Planning Commission plays a key role by taking the lead in reviewing and evaluating land use and development issues in both the short-term and the long-term.

The specific responsibilities of municipal planning commissions are outlined by the MPC as well as other planning legislation such as the Pennsylvania Sewage Facilities Act and the Pennsylvania Storm Water Management Act. While these legislative acts outline the key responsibilities of municipal planning commissions, fulfilling these responsibilities can take place through a variety of actions and processes. This handbook goes into greater detail regarding the specific responsibilities outlined in each of these acts later in this chapter.

Section 209.1 of the MPC states that the Planning Commission is required, at the request of the governing body, to prepare a comprehensive plan for long-term growth, development, and well-being of the municipality. The Centre Region Comprehensive Plan, which was recently updated in 2013, meets this requirement of the MPC for all of the Centre Region municipalities. Many Planning Commission activities will be directly or indirectly related to implementation of the plan. Section 209.1 of the MPC also empowers a planning commission to:

1. Make recommendations to the governing body concerning the adoption or amendment of an official map.
2. Prepare and present to the governing body a zoning ordinance and make recommendations to the governing body on proposed amendments to it.
3. Prepare, recommend, and administer subdivision and land development and planned residential development regulations.
4. Prepare and present to the governing body a building code and a housing code and make recommendations concerning proposed amendments thereto.
5. Do such other acts or make studies as may be necessary to fulfill the duties and obligations imposed by the MPC.
6. Prepare and present to the governing body an environmental study.
7. Submit to the governing body a recommended capital improvements program.
8. Prepare and present to the governing body a water survey, which shall be consistent with the State Water Plan and any applicable water resources plan adopted by a river basin commission. The water survey shall be conducted in consultation with any public water supplier in the area to be surveyed.
9. Promote public interest in, and understanding of, the comprehensive plan and planning.
10. Make recommendations to governmental, civic, and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.



It is common for planning commissions to regularly receive development plan proposals for review and recommendation. While the planning commission is tasked with administering subdivision and land development regulations, commissions should look beyond adopted requirements and make suggestions on other ways to improve what is being proposed.

11. Hold public hearings and meetings.
12. Present testimony before any board.
13. Require from other departments and agencies of the municipality such available information as it relates to the work of the planning agency.
14. In the performance of its functions, enter upon any land to make examination and land surveys
Prepare and present to the governing body a study regarding the feasibility and practicability of using renewable energy sources in specific areas within the municipality.
15. Review the zoning ordinance, subdivision and land development ordinance, official map, provisions for planned residential development, and such other ordinances and regulations governing the development of land no less frequently than it reviews the comprehensive plan.

While municipal planning commissions are empowered to do any of the above listed activities, commissions will typically work with the governing body of the municipality to establish annual work programs that will identify specific work tasks for the coming year. Due to high level of intergovernmental cooperation in the Centre Region, several of the items listed above are addressed by other agencies and authorities. This booklet provides background on the most common duties of the municipal planning commission.

In addition to the items listed in the MPC, a governing body may also delegate by ordinance, approval authority to a planning commission for subdivision and land development applications. The only municipality to have delegated its approval authority on subdivision and land development proposals is the Borough of State College.

STAFF AND ELECTED OFFICIALS

It is important that the Planning Commission develop positive relationships with professional staff and elected officials. This section outlines the common relationship between the Planning Commission, elected officials, and professional staff.

Relationship with Elected Officials

The Planning Commission's primary role within its municipality is to serve as advisors to the governing body. The Planning Commission provides recommendations on a wide variety of planning and land development related proposals, including but not limited to rezonings, ordinance amendments, plans and studies, and land development. It is important for Planning Commissioners to recognize this advisory role has limitations and that ultimately, final decisions on any proposal are made by the governing body. Regardless of what the Planning Commission may recommend, the governing body has the authority to make changes to proposals or to act contrary to the recommendation provided. In some cases, the governing body may not be satisfied with the recommendation provided by the Planning Commission or may indicate that more information is required prior to final action.



Planning commissions should strive to have a positive relationship with the governing body they are advisory to. Developing and maintaining a high degree of trust with the governing body can help improve the effectiveness of the planning commission and provide increased opportunities for collaborative initiatives.

Planning Commissions should strive to maintain a good working relationship with their governing body by keeping them informed and educated about planning issues both at the local and regional level. Planning Commissions can also maintain a good relationship by providing solid reasoning for its recommendations, improving the odds that the recommendation provided will be accepted.

Relationship with Professional Staff

Each of the six Centre Region municipalities have professional planning staff that provide assistance to their Planning Commissions. State College Borough and Ferguson Township both employ professional planning staff and College, Halfmoon, Harris, and Patton Townships participate in the Centre Regional Planning Agency's local planning program which provides local professional planning services.

Planning staff provide professional analysis and recommendations to the Planning Commission on issues or proposals that they are presented with. While planning staff serve as staff to the Planning Commission, they are typically accountable to the municipal or borough manager. The Planning Commission should feel comfortable seeking information or professional recommendations from planning staff and should rely upon their ability to provide technical assistance and expert knowledge.

SPECIFIC RESPONSIBILITIES OF PLANNING COMMISSIONS

Planning Commissions in Pennsylvania are tasked with specific responsibilities outlined in the MPC as well as supportive responsibilities related to other Pennsylvania planning legislation. This section outlines some specific responsibilities for municipal planning commissions. Additional information related to these responsibilities are described in greater detail in later chapters.

Subdivision and Land Development Review

Planning Commissions are responsible for reviewing applications for new land developments in respect to their compliance with the municipal Subdivision and Land Development Ordinance. Depending upon the level of development activity with a municipality, this process can consume much of the Planning Commission's time. Each Centre Region municipality employs or contracts for local planning services. Local planners often review subdivision and land development plans for consistency with the municipality's ordinances and will provide a list of inconsistencies when plans are being reviewed by the Planning Commission. Planning Commissioners should also feel free to look beyond the requirements of their municipal ordinances where possible to help bring about implementation of goals and policies from the Comprehensive Plan.

Sewage Facilities Planning

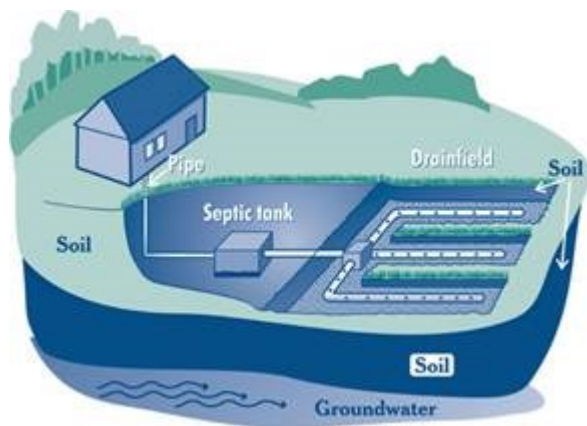
The Pennsylvania Sewage Facilities Act, more commonly referred to as Act 537, requires that all municipalities plan for sewage treatment facilities. The six Centre Region municipalities cooperatively share one Act 537 plan that defines where public sewer is available or will be provided, identifies current and planned treatment facilities and infrastructure, and identifies acceptable methods of wastewater treatment for properties not within the Sewer Service Area. Since this document is shared regionally, modifications to the plan must be approved by all six of the Centre Region's municipal governing bodies.

Planning Commissions have several responsibilities related to Act 537, including the review of official sewage

facilities plans to ensure that they are consistent with comprehensive plans, land use planning, and zoning. In addition to reviewing the Act 537, municipal planning commissions may also be asked to review Planning Modules, which qualify as amendments to the official Act 537 plan. Planning Modules are often required for larger developments or for projects where on-lot septic treatment is proposed.

Storm Water Management Planning

Pennsylvania's Stormwater Management Act, also known as Act 167, requires all counties to adopt watershed-based stormwater management plans. Act 167 requires that municipalities within the area covered by the County's Act 167 Plan adopt ordinances that when implemented, will regulate stormwater run-off in a manner that is consistent with the plan. Municipal regulations are typically adopted as part of the Municipal Subdivision and Land Development ordinance or as a special ordinance. Once municipal regulations are adopted, the stormwater management plan for individual development proposals are typically reviewed in conjunction with the Planning Commission's review as required to implement the Subdivision and Land Development ordinance.



Managing storm water runoff is essential to protecting surface and groundwater resources from pollution. Pollution is not limited to manmade materials but can also include sediment and other materials collected and deposited into waterways during weather events.

Floodplain Management

In order for property owners to be able to purchase flood insurance, the local municipality must adopt and enforce a floodplain management ordinance that is consistent with the Federal Emergency Management Agency's National Flood Insurance Program. Floodplain management is typically addressed in the comprehensive plan, subdivision and land development ordinance, and zoning ordinance. Floodplain management can also be addressed through a municipality's official map. Planning Commissions will typically develop and ensure implementation of these plans and ordinances.

Multi-Municipal Relationships

The six Centre Region municipalities have planned cooperatively at the multi-municipal level for more than 50 years. This approach to planning has allowed for better allocation of resources, distribution of land uses, and orderly development that transcends municipal boundaries. When looking at an aerial photograph of the Centre Region, one would find it difficult to illustrate municipal boundaries based upon development patterns. However, one might easily be able to illustrate the outline of the Regional Growth Boundary, which is a long-standing multi-municipal planning policy that has directed the majority of growth to an area where public services are planned for and provided.

Planning Commissions play an important role in maintaining this multi-municipal cooperation that improves quality of life and reduces municipal costs related to unplanned growth. One member from each municipal planning commission typically serves as a representative on the Centre Region Planning Commission (CRPC).

In addition to providing representation on the CRPC, municipal planning commissions are regularly involved in the implementation of regional planning initiatives. A good example is when modifying a zoning ordinance or changing the zoning designation of a property, the Planning Commission should ensure that their recommendations are consistent with and implement the goals and policies of the Centre Region Comprehensive Plan.

