
Implementation Plan

DEVELOPMENT does not have to mean destruction of the things that people love.... Economic development and environmental protection can be compatible. In fact, maintaining the natural and historical integrity of Pennsylvania is fundamentally important to the state's economic well-being. High quality of life increases the state's ability to attract and keep a skilled work force. Attractive, livable communities have more choices. To sell short our natural and cultural assets will cost more in the long run—socially, economically, and environmentally. Increasingly, communities across the country are recognizing this link.

Better Models for Development in Pennsylvania

THE Regional Comprehensive Plan under way in Buffalo and Clinton Townships is evidence of the communities' realization that development in one municipality doesn't stop when it reaches the border.

The Buffalo and Clinton side-by-side existence means that many of the things that happen in one of them is likely to spill over into the other. And, officials of the two communities are right in wanting to put in place a plan as to how they prefer development and land use to process in years ahead.

Perhaps the cooperative effort will pay dividends in terms of future state or federal grants on projects that the two townships jointly envision. Even if it doesn't, the communities are likely to be better off by not relegating their future to happenstance. A municipality that doesn't engage in planning risks haphazard growth that works against the municipalities' overall well-being.

Fortunately for Buffalo and Clinton Township, they have chosen not to gamble in terms of what the future may have in store for them.

Butler Eagle Editorial Dec. 5, 2004

This nearly final chapter of the Buffalo Clinton Township Multi-Municipal Comprehensive Plan details all the actions and policies. It is essential in understanding what the functions and purposes of a Pennsylvania comprehensive plan are. The Plan essentially serves four purposes:

- I. It will be the official document the two Townships will rely upon to review the actions of another government entity (or itself) in determining the appropriateness of any action related to major infrastructure major construction or disposition of real property. For example, if a water or sewer authority were to make an extension, the Municipal Planning Commission would review the proposed action based upon whether that extension is generally consistent with this plan.
- II. The Clinton-Buffalo Township multi-municipal Comprehensive Plan Would be the document state agencies would rely upon in determining the consistency of future grant applications or permitting decisions.
- III. The Plan will be the evidence of the “planning philosophy behind an action” if a local land development or land use regulation is challenged. The Comprehensive Plan includes the factual basis that contributed to the development of the policy or regulation. Even controversial items can be more defensible if they are the product of a “well conceived plan.” Thus, the plan can ensure the success of the zoning and subdivision and land development ordinances.
- IV. If local officials pick priority projects from the plan and begin making them happen, the plan can really be a practical guide to future action.

The key Community Development Objective of both Clinton and Buffalo Township is to accommodate necessary development while still protecting rural uses and features within the community. The Townships will control the location, character and timing of future growth and development by utilization of local zoning ordinances, subdivision and land development regulations, and public policy. These public policies will include planning consistency reviews pursuant to Article III of the Pa. Municipalities Planning Code, and direction of water sewer, transportation and public investment policies.

According to Section 9, Community Development Goals and Objectives determine the preferred location, character, and timing of future growth and development. These objectives are implemented through the land use policy plan, which details the

official response of the Townships, and the action plan, which constitutes a list of potential activities.

Clinton Township Land Use Policy Plan

Clinton Township's Policies are based upon the Township's Community Development Goals and Objectives. The policy plan divides the Township into Eight categories that will determine township actions unique to each area. The Policy areas are

- Rural Development Areas
- Greenway Areas
- Farmland Preservation Core
- Limited Business Corridor
- Capacity Preservation Corridor
- Near Term Residential Development Area
- Regional Business Park/Development of Regional Impact and Significance
- Flexible Development Opportunity Areas

Buffalo Township Land Use Policy Plan

Buffalo Township's Policies are also based upon the Township's Community Development Goals and Objectives. These were developed within the initial zoning ordinance and a series of amendments to the zoning ordinance for a variety of public purposes. This policy plan divides Buffalo Township into Eight categories that will determine township actions unique to each area. Some of these policy areas are equivalent to Clinton Township Land Use Plan categories, but Buffalo Township policies are slightly different in some cases, due to different circumstances. The Policy areas for Buffalo Township are:

- Rural Development Areas
- Green space Area
- Greenway Areas
- Farmland Preservation Core
- Smart Growth Target Area

- Limited Business Corridor
- Near Term Residential Development Area
- Nonresidential Development Priorities

The following section describes each of these categories in detail as they apply to both, or one of the two Townships. In some cases these policies areas may be implemented through zoning. In other cases, two categories may fit into a single zoning classification. Some policies, such as the purchase or transfer of development rights, relate to zoning, but are not zoning designations.

Some explanation of development rights should be made before their purchase and transfer can be understood. Purchase of development rights (PDR) is described by the American Farmland Trust as follows: "PDR programs pay willing landowners to restrict development of their land. After selling the development rights, the landowner retains all other rights of ownership, including water rights, the right to use the land for agriculture or to conserve it, prevent trespass, sell or transfer the land to others. Typically, landowners sell their development rights to a private conservation organization or government entity. These organizations do not acquire the right to build anything on the land, but only the right and responsibility to limit development of the property as described in provisions of the agreement. Public access is not permitted without landowner consent". Pennsylvania funds PDR through a portion of the cigarette tax. Butler County has an active PDR program which has purchased farmland in both Clinton and Buffalo Townships. The main problem with the program is funding. Countywide, only a few farms have been subject of PDR, mostly limited to the very best agricultural soils. Local communities could establish their own PDR that creates their own priorities. For example, a township funded PDR would not need to restrict soil class and could even buy the development rights of private forest lands, or other conservation priorities.

An interesting aspect of PDR is that some recent studies have shown that the tax base implications of certain forms of development are such that municipal PDR may be more fiscally prudent than allowing development. Growing number of municipalities

in eastern Pennsylvania are undertaking bond issues to purchase land or development rights for undeveloped open space.

Another way to fund PDR is the Transfer of Development Rights or TDR. The following description is from the Brandywine Conservancy. "Transfer of Development Rights, or TDR, is a creative zoning tool that an increasing number of Pennsylvania's municipalities are successfully using in partnership with landowners, developers, conservationists, and others. TDR is being used to:

- permanently protect prime farmlands, watersheds and other resources,
- create public open space at little public cost, and
- better manage growth.

Seven municipalities in southeastern Pennsylvania have protected thousands acres using TDR. In the process, they have spent less money than for purchasing of development rights, and, in some cases, avoided controversial rezoning actions".

TDR is based upon a free market, willing buyer-willing seller approach to land conservation. Using the base densities of a zoning ordinance, a developer pays private farm and forest owners an agreed price to sell their development rights, which the developer can then use elsewhere. For example, a developer who owns 100 acres in a residential zoned area might have a lot yield of 80 lots in an R-1 area. If he could pay a farmer for his rights to develop 15 homes on agriculturally zoned land, he could build 95 homes on his R-1 land. The farmland would have deed restrictions to prevent future development of the 15 homes in the future. The price would be whatever the developer and farmer could agree to. The municipal function is limited to enabling TDR through zoning and ensuring the development restrictions are emplaced. The area identified for the actual purchase of development rights is referred to as the sending area. The area where "bonus" houses can be built is commonly referred to as the receiving area.

LAND USE CATEGORIES

Rural Development Areas represent the largest Geographic area of the Townships. Historically, these areas contain residential development at densities lower than 1 dwelling unit to 2 acres (or even fewer units per acre, based upon environmental conditions), limited businesses uses, agriculture, mineral extraction and forestry. These uses require very little in the way of public infrastructure, and can continue to co-exist as long as base densities remain low.

Buffalo Township has outlined a concept of rural development in its RA zoning designation. It is meant to provide for a compromise between the very limited development scenario of the farmland preservation areas and dwellings at the suburban densities of an R-1 or R-2 area. The RA zoning district may only be a start. The purpose of this land use planning designation is to create areas for rural rather than urban or suburban land uses. Rural land uses can be categorized by:

1. There is a Greater need for self sufficiency with regards to community facilities and public services. Self maintained wells and septic tanks should remain the norm in these areas. Keeping land use intensity low enables development to maintain natural stormwater management, rather than expensive engineered systems.
2. Because of this greater self-sufficiency, development must fit natural landscapes and limitations to a greater extent. If swales, streams, and forests can replace pavement and storm sewers, they must be a part of site planning.
3. The benefit of lower intensity of land use can be greater freedom for rural uses. Suburban single family dwellings are incredibly sensitive to land use conflicts. A mine, farm, repair business, logging operation or sawmill next to a housing development is normally the cause of conflict. Keeping density and intensity low, maximizes the distance between homes and these rural uses. Ideally. It also makes rural land valuable for rural, rather than suburban uses.

Clinton Township could accomplish this by several policies. The first is to consider the enabling of the Transfer of Development Rights (TDR). This would increase the purchase of development rights by creating private sector incentives for development elsewhere. Another policy will be to protect farms from land use conflict through

buffering and distance. Another will be to expand use rights to encourage small scale non-residential opportunities in areas where it would not conflict with pre-existing residences.

Greenway Areas: are environmentally sensitive areas that may be preserved in the context of development or in some circumstances, purchased or maintained as conservation areas. The Greenway does not affect existing uses and features in any way. The intent of the greenway is that if land containing them develops in the future, site development be steered away from the greenway area. For example, if a property contained a partial greenway, a housing development could be required to preserve that particular area as their required open space. The greenway concept is discussed in detail under Section 8.

Green Space Area is a geographically more expansive version of the greenway concept. It represents a conservation priority for reasons of slope, high water quality and biodiversity. Some land is already under the ownership of the non-profit Audubon Society of Western Pennsylvania. The Township strongly supports the utilization of all land conservation tools in this area, including PDR, TDR, fee simple purchase and regulations to limit development.

The Farmland Preservation Core includes the area of the Townships with the highest percentage of agricultural security areas, prime agricultural soils, and active farming. The policies for this area are to continue the Rural Development policies, but to a greater extent, and with a few key policy differences.

This area is the highest identified priority for a Transfer of Development Rights sending Area. It is also a priority for County or local purchase of development rights, and the sale or donation of conservation easements. The Townships request that the County of Butler Target the Purchase of Development Rights as a priority in these areas.

Surface mineral extraction is not encouraged in these areas due to its effect on high production agricultural soils. Development should be limited through some form of effective agricultural zoning.

Limited Business Corridor This area includes portions of both Clinton and Buffalo Township where good access created business opportunities, but mixed residential and other uses necessitates careful planning. Policies will be developed to foster and incubate small businesses in these areas. Buffalo Township has partially accomplished this through its Access management Overlay Zone. Clinton Township may utilize or modify these concepts. Since Buffalo Township adopted its overlay, PennDot has also prepared and issued models for municipal access management.

Capacity Preservation Corridor This area includes the majority of the Route 228 Corridor within Clinton Township. This area has not been intensely developed. It is essential to prevent excessive frontage development to preserve and protect free flow of traffic and existing land uses

Smart Growth Target Areas are places very likely to see development but which still retain rural character. This is the best opportunity to create new models that represent compromises between development and preservation. Every new development in these areas should include some form of permanent open space preservation. Higher density development should include higher levels of design standards to prevent “cookie cutter plans”. These areas should be developed only with respect for both natural and local historic architectural traditions.

Near Term Residential Development Area represents areas intended for residential development at suburban densities. The problem with the term “Suburban densities” is many in the public believe large lots alone will preserve rural atmosphere. This is simply not true, as anyone who has observed a large lot development of over 100 single family dwellings can attest. Privacy and isolation must be a part of design, more than the crude measurement of lot size, especially when public infrastructure is available. Open space and vegetative buffers should remain a part of each new development, and density bonuses could be part of approaches. This will require

some education of the development community, especially designers. It may also require public education in order that citizens understand that high density does not mean low quality.

Nonresidential Development Priorities are identified in Buffalo Township as areas where forms of growth and development should be targeted to maximize tax base and public service ratios; especially as they relate to the Freeport Area School District. Proposals for development of these tracts should be measured for their cost of service to public revenue.

Regional Business Park/Development of Regional Impact and Significance is the part of Clinton Township with a major economic development project of importance far beyond the Township's boundaries. This area could accommodate high traffic uses or high impact uses such as heavy industry that could be disastrous elsewhere. IT can also help create and continue regional prosperity.

Flexible Development Opportunities These are areas near the Regional business park that offer a number of interesting development opportunities. More intense development could be considered here within other limitations, such as greenways and road capacity preservation. However, large scale retail development should be avoided for intergovernmental and traffic capacity reasons.

LAND USE ACTION PLAN

Each Township should look at how to specifically revise their land Use and Land Development Regulations to conform to land use policy plans. In many respects, this will be an exercise in best practices and learning from each other. The second phase will then be utilizing approaches and tools that have been used by neither community yet.

Clinton Township should develop some form of effective agricultural zoning. Buffalo Township's ordinance is a very good starting point.

Clinton Township can utilize the Access management overlay zones as a starting point to develop their own limited business overlay on Saxonburg Boulevard.

Buffalo Township should use Clinton Township ordinances to look at a structural update of their own. Greater uniformity will also achieve a higher level of County Comprehensive Plan consistency.

Once there has been some agreement on basics, new approach based upon best practices from elsewhere can be sought. The land use plan which would form a basis for this should include:

- Further exploration of shared use zoning between the Townships.
- Improving design standards within designated growth areas.
- Improving conservation development standards so that preserved open space has linkages to watershed systems, public open space or is part of a greenway system.
- Creating a uniform ordinance format and development models or districts common to both Townships.

PLAN FOR THE CONSERVATION OF NATURAL AND HISTORIC RESOURCES

Both Clinton and Buffalo Townships intend to develop means to integrate the protection of natural resources and systems into the land development process.

The Minimum size of new lots should be increased in areas of steep slope, wetlands, or flood hazard. Clinton Township has already accomplished this in general, and Buffalo Township has accomplished this partially. The two townships should create a combined standard that includes Clinton Townships' limit on the density of

development based upon existing slope with the limits on grading in the Buffalo Township ordinance.

Watercourses should be identified in preliminary plans, and buffered from development.

The Plan should encourage the creation or extension of Agricultural Security Areas

There is no doubt that the best way to preserve land for conservation purposes are to buy it. Both Townships should initiate a public referendum during a general election to enable bond issues to acquire open space for permanent conservation or farm and forest reserves.

Detailed Greenway Planning should be undertaken on a sub-municipal level to fulfill the vision of linking the Todd Sanctuary area, the Butler- Freeport Trail and the Spring Valley Park in an extensive system or natural lands. Buffers could be established to protect resources such as the trail from development, in a similar manner as setbacks form roads.

HOUSING PLAN

Demographics indicate that a growing proportion of the population in both Townships will begin to increasingly look for forms of housing other than single family detached dwellings on large lots.

Encourage higher density housing in those areas where public water and sewer is available.

Buffalo Township should actively encourage new multiple family housing specifically for elderly or retired persons within growth areas.

TRANSPORTATION PLAN

Transportation Issues were a driving factor in the need for planning updates within the two townships. During the Land Use and Transportation initiative, Citizens of Buffalo Township strongly expressed the need to see a long term system to move through traffic through the community. This related to the fact that 356, while technically identified as an arterial, serves as the sole collector to Pa. Route 28 in the entire southeastern portion of the County. In examining a road map of this portion of Butler County, the 356/28 interchange is "The Bottom of the Funnel." A portion of this traffic is being funneled from Clinton Township. Thus, the transportation plan is very interrelated, with Pa. Route 228 being a key route connecting both communities. However, the Butler County Comprehensive Plan identified Pa Route 228 (And Pa. Route 356) as two of the three most stressed linkages in Butler County. Because these are State roads and they are responsible for regional through traffic, this is a regional problem.

The adoption of this plan as a Butler County Comprehensive Plan amendment should help in accelerating necessary improvement to state roads. The following represent priority projects (In no particular order):

Buffalo Township

- Capacity upgrades to Ekastown Road
- Capacity upgrades to Route 228 and 356
- Widening of Route 356 from Monroe Road to the PA 28 interchange.
- Turn lanes, passing lanes and signalization on Route 356 north of Monroe Road
- Ramp improvements at PA 28 and 356

Clinton Township

- Turn radius improvements at 228 and Brewer Road
- Intersection of Coal Hollow Road and Route 228 site distance and geometry improvements
- Intersection of Saxonburg Boulevard north and PA 228 realignment

COMMUNITY FACILITIES AND PUBLIC UTILITIES PLAN

Clinton Township Community Facilities Plan

A limited future public water and sewer service area should be established in Clinton Township in the northern part of the township near the Borough of Saxonburg and the Victory Road Business Park. The Policy of the Township is not to provide water and sewer through direct municipal extension, but that it would cooperate with the Saxonburg Municipal Authority and private sector developers to accomplish the extension of public sewer in the service areas. This would potentially provide public water and sewer service

Public water and sewer will not be extended into identified rural development areas, greenways, or the farmland preservation core, unless on a limited basis to meet health and safety needs.

In order to retain control in a rapidly development region, Clinton should re-define their ordinances to differentiate “public” versus non-public “community” water and sewer. There should be a local standard for where and how a non-governmental water or sewage system will be permitted and what performance standards would ensure it does not become a public hazard. One viable option may be the management of community systems by the Saxonburg Regional Authority. Otherwise, intense development could be allowed anywhere within the community. One example of an action is to regulate through zoning the portions of the community where a community sewage treatment system is allowed (Or maximum number of EDU’s served).

Developed Recreation in Clinton Township should largely focus on the Spring Valley Park facility as a multi-use picnicking, and environmental education area with small play fields.

Buffalo Township Community Facilities Plan

The Community Facilities Plan is built around developing infrastructure capacity consistent with Township Needs.

The area of Buffalo Township south of Cole Road and East of Ekastown Road should be identified as a future public water and sewer service area.

The entire area of Buffalo Township to the south and east of Pa Route 28 should be identified as a future public water and sewer service area.

Due to the experience of other area in Southern Butler County with major developments impact the total supply of ground water, a water supply/safe yield study should be completed for major subdivisions that propose on-lot water.

The Plan should create clear definitions that differentiate “public” and “community” sewer and water systems. Development ordinances should not permit public or community systems in rural areas.

Within growth areas, set a standard to require connection of new developments to public water and sewer, based upon the proposed development’s size.

The Plan should identify the impact of local demographic projections on future school enrollment. Based upon enrollment trends, the Township should coordinate more closely with the school district on construction/expansion projects. In particular, Buffalo Township should work with the Freeport Area School District to convert population projections into an alternative projection to those prepared by the Pa. Department of Education. Plans for expansion of school facilities which rely on population or enrollment projections not consistent with local planning should receive a careful consistency review by the county and municipal planning commission pursuant to Section 305 of the Pa. Municipalities Planning Code. Ideally, the District

and Township can work together to both maximize enrollment based state assistance for the district and prevent unnecessary tax increases.

The establishment of a community park in Buffalo Township has been a goal for 37 years. With this plan, the township should make it a priority goal, which will be a reality in 5-8 years.

Buffalo Township should prepare and adopt an "Official Recreation Plan" as permitted by Article V of the Pa. Municipalities Planning Code. Then, The township should establish a level of service for recreation needs and assess a per-dwelling land donation or impact fee for new residential lots or units through the subdivision and land development ordinance. This will enable the township to ensure new residential growth pays for itself with regard to providing community recreation.

Intergovernmental Priorities are summarized in the final chapter of this Plan.