

LAND USE - TRANSPORTATION POLICY REVIEW

PREPARED BY THE
LEHIGH VALLEY PLANNING COMMISSION
FOR THE
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INTRODUCTION

Land use and transportation affect each other. Transportation influences the location and type of land use. By generating trips, land use in turn creates the need for transportation facilities. Smart growth recognizes this interrelationship and becomes the most recent approach that tries to coordinate the two.

This paper seeks to evaluate the coordination between land use and transportation in the Lehigh Valley Planning Commission's (LVPC) planning. The evaluation examines this coordination both from a policy perspective and from an implementation perspective.

POLICY

Comprehensive Plan

The LVPC has prepared the *Comprehensive Plan The Lehigh Valley...2030* (comprehensive plan). The comprehensive plan was adopted by Lehigh County, Northampton County and the LVPC in 2005. The Planning Commission has prepared comprehensive plans for the Lehigh Valley since 1964.

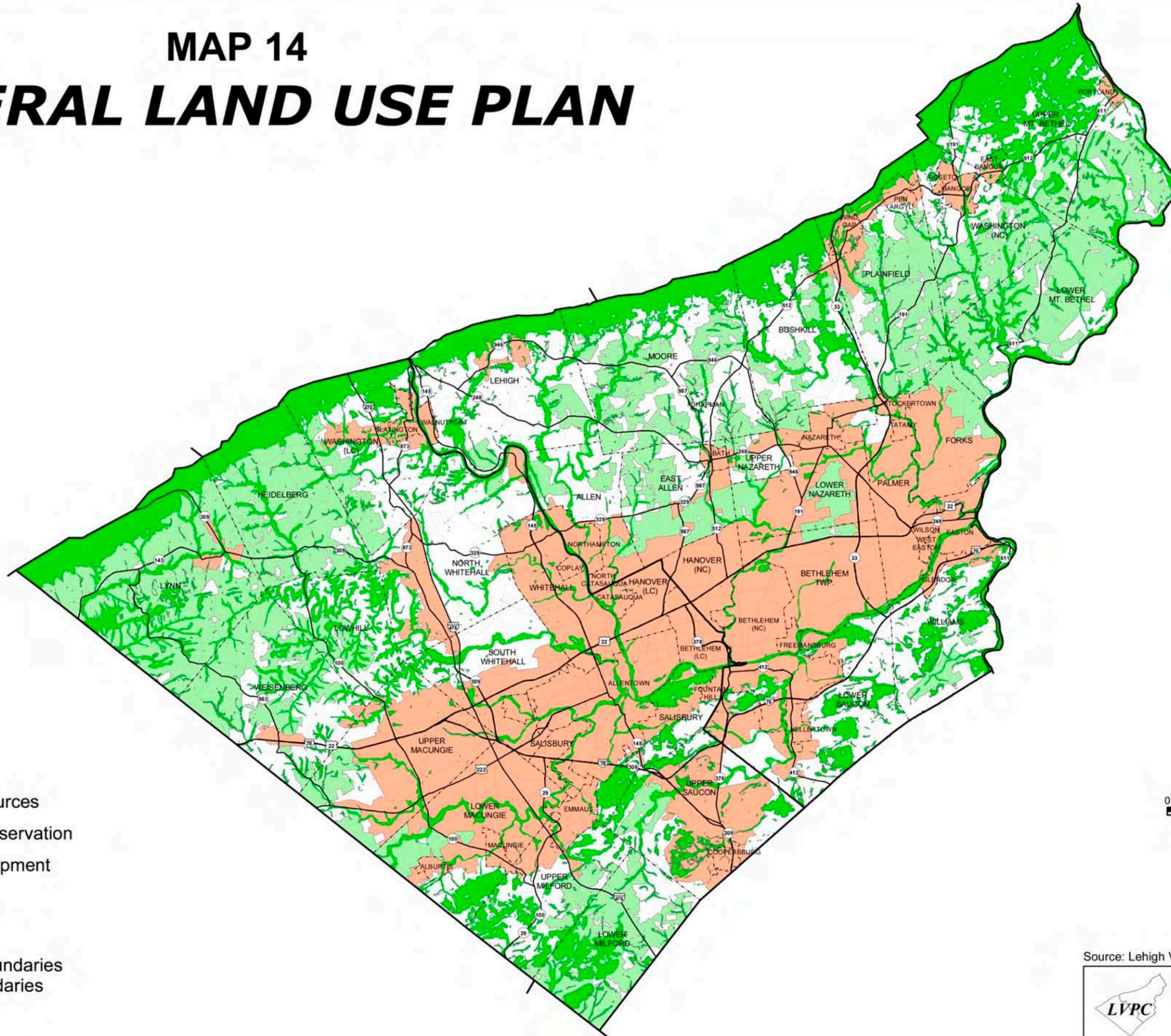
An examination of the comprehensive plan shows that the coordination of land use and transportation is fundamental to the plan. On page 38, the plan sets out the goal "to provide a regional framework for protecting natural and agricultural resources, guiding the location and intensity of development, and matching land development with appropriate infrastructure." Reinforcing policies state that "New growth should locate in areas designated for urban development on Map 14." A copy of Map 14 is attached. Secondly, "New growth should not go into areas recommended for natural resource protection or agricultural protection." Lastly, "Rural areas ... are planned for low density, low intensity rural uses."

On page 49, the plan reinforces the coordination between land use and transportation stating, "Public infrastructure improvement should be made concurrently with all new development."

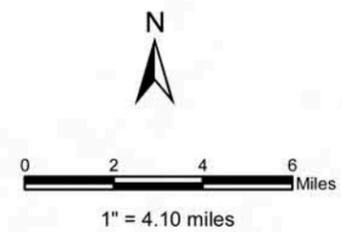
The plan recognizes the strong relationship between retail development and transportation demand. On page 51, it states "Retail uses are of particular importance because of their wide regional impact and the frequency of retail development." Relevant policies found on page 52 state "The off-site traffic impact of developments of regional significance should be minimized. The developer should pay for the portion of the needed improvements attributable to the development. Municipalities should enact an appropriate impact fee ordinance to assure this happens." Further, the plan states "Sub-regional, regional and super-regional shopping centers should be sited in areas near interchanges with expressways or along major arterials." On page 53, the plan states that commercial development should be sited in areas designated for urban development where, among other factors, "the affected nearby roads should have adequate capacity to handle the traffic" and "safe access should be available." Lastly, the plan continues on page 53 stating "Private developers should pay for infrastructure needs generated by their development."

The transportation element of the comprehensive plan similarly emphasizes the land use and transportation connection. The goal on page 71 states "To alleviate and mitigate traffic congestion and

MAP 14 GENERAL LAND USE PLAN



- Natural Resources
- Farmland Preservation
- Urban Development
- Rural
- Major Roads
- Other Roads
- Municipal Boundaries
- County Boundaries



Source: Lehigh Valley Planning Commission

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to provide access to major traffic generators that are consistent with this plan and the transportation plans and programs adopted by the Lehigh Valley Transportation Study (LVTS).” Supporting policies state “Plan, program and build highway capacity improvements in areas recommended for urban development in this comprehensive plan.” and “In planning access projects give highest priority to those that improve access to Allentown, Bethlehem and Easton and support urban revitalization in these cities.”

On pages 71 and 72, the comprehensive plan addresses relevant implementation measures. It states “The LVPC will promote land use planning and land use ordinances that coordinate development with the availability of road capacity and public transit service. Municipalities should assure that the land use and transportation elements of local plans are coordinated. The LVPC will recommend that development which causes or aggravates congestion not be built unless the impact can be mitigated by the developers or the local municipality.”

The comprehensive plan also delves into other means that support highway capacity maximization, traffic safety and smart growth. These means include but are not limited to access management, transit service, impact fees and pedestrian and bicycle travel.

Transportation Plan

Serving as the staff for the Lehigh Valley Transportation Study (LVTS), the LVPC prepared the *Lehigh Valley Surface Transportation Plan 2011-2030*. This plan has been adopted by LVTS as the blueprint for undertaking improvements to the region’s transportation system. The transportation plan complements and supports the comprehensive plan. Examples of supporting goals can be found on page 72 “Plan Consistency- Projects must comply with the transportation goals and policies of the LVTS and *Comprehensive Plan The Lehigh Valley...2030* adopted by Lehigh and Northampton Counties in June 2005.” On page 73, the transportation plan states “Support highway capacity improvements only in areas designated for urban development in the *Comprehensive Plan The Lehigh Valley... 2030*.”

Like the comprehensive plan, the transportation plan also delves into other smart growth measures. The plan supports strategies for “transportation system management, intelligent transportation systems, access management practices, and context sensitive design in appropriate situations.”

The above examination has demonstrated that planning undertaken by the LVPC and the policies contained in comprehensive plan and the transportation plan fully integrate the connection between land use and transportation. No omissions or need for additional or modified policies have been identified.

IMPLEMENTATION

The LVPC work program is centered on implementing the comprehensive plan. The following text focuses on the implementation measures relevant to land use and transportation coordination.

Reviews

The PA Municipalities Planning Code (MPC) invests county planning commissions like the LVPC with the authority to provide advisory review comments to municipalities in connection with numerous matters including the following. The LVPC plan notes inconsistencies and makes recommendations to municipalities to take actions to increase the consistency of the proposal to the county comprehensive plan.

- Comprehensive plans. The review comments on the consistency of the municipal or multi-municipal comprehensive plan with the county comprehensive plan, including the land use and transportation elements. The review evaluates the consistency of the land use and transportation elements within the plan.
- Land use ordinances including zoning ordinances, subdivision and land development ordinances and official maps. The review comments on the consistency of the proposed ordinance with the county comprehensive plan, including the land use and transportation elements. Traffic impact studies, when submitted, are reviewed. Ordinances that will result in potential traffic safety or capacity problems draw comments.
- Subdivisions and land developments. The review comments on the consistency of the proposed ordinance with the county comprehensive plan, including the land use and transportation elements. Traffic impact studies are reviewed. Developments that will result in potential traffic safety or capacity problems draw comments.

Coordination

The LVPC has entered in a memorandum of understanding with the Lehigh and Northampton Transportation Authority (LANTA) assuring coordination between the two agencies. Among its features, the memorandum calls on the two agencies to jointly pursue technical studies and efforts that will achieve the types of development that will promote public transit operations. The two agencies will also develop a joint outreach program to promote transit friendly design. Also, the LVPC review process includes coordination with LANTA.

LVPC staff coordinates with the Permit Managers within PennDOT District 5-0's Traffic Unit relating to development proposals. LVPC and PennDOT staffs exchange information and perspectives on the proposals. This coordination has taken place at regularly scheduled meetings and on a project by project basis. LVPC staff has access to PennDOT's permit data base and receives copies of Penn DOT correspondence. PennDOT District 5-0 staff receives LVPC review letters which contain comments on transportation issues.

Model Ordinances.

The LVPC has prepared a series of model ordinances to educate the community and municipalities about ideas for improving coordination between land use and transportation and to provide model ordinances to incorporate the ideas into municipal land use ordinances.

- Zoning Guidelines. This report provides advisory guidelines to promote consistency with the county comprehensive plan. The guidelines include a discussion of transportation implications relative to specific land uses including a wide variety of commercial and business uses.
- Creating Better Traffic Circulation. This report shows how municipalities can use comprehensive plans, official maps, subdivision ordinances and transportation impact fees to improve their road networks.
- Access Management on Arterial Roads. This report advocates and explains access management.
- Community Planning and Transit. This report provides ideas about how land uses can be arranged to promote transit usage.
- Connectivity. This report discusses how subdivision layouts can be arranged to improve traffic circulation.
- Transit Oriented Development. This report explores the potential for Transit Oriented Development in the Lehigh Valley.
- Better Densities, Better Communities. This report provides examples of attractive communities consistent with the density recommendations of the comprehensive plan.

Technical assistance

- Comprehensive plans, zoning ordinances and subdivision and land development ordinances. LVPC staff has directly assisted municipalities and multi-municipal groups in creating plans and ordinances that both meet local needs and are consistent with the county comprehensive plan.
- Access management. LVPC staff has worked individually with ten communities to improve their access management regulations.

Education

VPC has sponsored classes for the community on topics such as smart transportation, traffic calming and access management.

IMPEDIMENTS

The Lehigh Valley Surface Transportation Plan 2011-2030 provides the following on the subject of land use planning issues.

“In Pennsylvania most major decisions concerning land use are made at the local municipal level. In the Lehigh Valley this means land use and development decisions are vested in each of the 62 local cities, borough and townships in the region. On the other hand most major transportation decisions are made by PennDOT in concert with regional MPOs such as the LVTS. This situation results in a lack of coordination that makes compatible land use and transportation planning difficult.

Development almost always out paces the capacity to deliver transportation infrastructure. In areas of rapid growth, major highway and transit construction projects developed in the 1970s are inadequate to handle current traffic. In moderate growth areas such as the Lehigh Valley, traffic and congestion

problems are at a lower level, but they exist. If transportation improvements do not keep up with new development, congestion will continue to grow.” And

“Most local municipal plans do not link land use and transportation. In fact many local plans don’t contain a transportation element. Municipal involvement in transportation deals primarily with the regulation of local streets through the subdivision review process. Very few municipalities have taken advantage of the transportation impact fee process in the current municipalities planning code. Fewer still undertake access management procedures or plan for new or expanded road infrastructure in capital improvement programs. The Pennsylvania Municipalities Planning Code (MPC) conveys authority on municipalities to do much, but they choose to do little. Without changes to the MPC, PennDOT and regional planning agencies are not likely to achieve their goals.”

PennDOT has embarked on a Smart Transportation effort which recommends a new approach to roadway planning and design where transportation investments are tailored to the unique specific needs of each project. “The different contexts of each project such as financial, community, land use, transportation, and environmental resources, determine the design solution. Context sensitive design, network connectivity, access management and corridor management are all considered workable elements of Smart Transportation.” Unfortunately at times, other State agencies pursuing other objectives such as economic development, end up working at cross-purposes to PennDOT’s Smart Transportation effort.

The comprehensive plan indicates that “The LVPC believes sprawl is a regional development issue requiring action beyond the boundary of each municipality.” However, the MPC gives limited regional agencies authority to tackle sprawl. This limited authority impedes the coordination of land use and transportation planning as set forth in the county comprehensive plan. The plan includes an implementation recommendation that “The Pennsylvania Municipalities Planning Code should be amended to convey greater authority to counties in protecting natural and agricultural resources, managing regional growth and assuring consistent planning policies.”

The MPC also limits the ability of municipalities to implement their comprehensive plans through the provisions of Section 303(c) which states, “Notwithstanding any other provision of this act, no action by the governing body of a municipality shall be invalid nor shall the same be subject to challenge or appeal on the basis that such action is inconsistent with, or fails to comply with, the provision of the comprehensive plan.”

Although the LVPC has an excellent working relationship with PennDOT District 5-0 Traffic Unit staff, the involvement is on an ad hoc basis. The LVPC lacks a formal entrée into the process.

The Highway Occupancy Permit (HOP) process involves the applicant offering a statement on the Land Use Questionnaire as to the consistency of the project with the county comprehensive plan. Our experience in reviewing these responses in connection with permit applications received by the PA Department of Environmental Protection indicates that incorrect responses are common. At present, the LVPC has no opportunity to evaluate the answer offered as part of the HOP process.

CONCLUSIONS AND RECOMMENDATIONS

Inadequacies in the coordination between land use and transportation planning in the Lehigh Valley are not caused by the lack of appropriate policies in the county comprehensive plan. The plan properly links the two elements. The difficulties arise due to the structure of decision making in Pennsylvania which is beyond the ability of the LVPC to control. The LVPC supports PennDOT's Smart Transportation effort and the Highway Occupancy Permit process. The following recommendations are provided.

1. Counties and regions should be given greater authority to manage regional growth by the MPC.
2. The MPC should be amended to eliminate Section 303(c) which emasculates comprehensive planning.
3. Compliance with PennDOT's Smart Transportation program should be required of other state agencies.
4. The LVPC should be provided a formal role in PennDOT's Highway Occupancy Permit program. And
5. The LVPC should be given the authority to review the question in the HOP Land Use Questionnaire regarding consistency with the comprehensive plan.