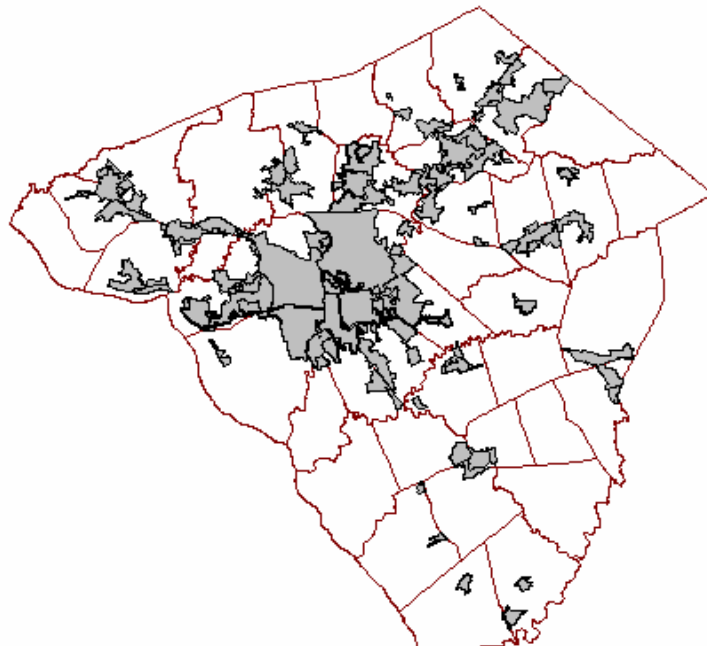


Lancaster County Permitting Initiative



Lancaster County Planning Commission
Economic Development Division

Summer 2003



Summer 2003

Dear Community Partner:

We are pleased to present the enclosed information regarding the Lancaster County Permitting Initiative. The County's permit streamlining model advocates a concurrent and coordinated permit review process for selected economic development projects in appropriate locations.

The end result of the process is the delivery of all permits and approvals (or denials) within a compressed time frame, acknowledging the private sector's need for predictability in the regulatory process.

The Permitting Initiative works to identify the risks inherent to both the private sector and the public sector in the existing system. However, it should be stressed that ordinance standards are never abandoned. Rather, all regulatory agencies, authorities, and units of government agree to concurrently review the project to the extent allowed under existing statutes.

The initial success of the program has shown that the Lancaster County Permitting Initiative can indeed make a difference in a firm's decision to expand and/or relocate within one of the county's adopted urban growth boundaries. Consequently, we continue to commit our resources toward expediting economic development projects in Lancaster's urban centers.

We welcome your comments and/or questions regarding our efforts to streamline the customary permitting process. Once you have reviewed this document, please feel free to call on you Community Planner at the Lancaster County Planning Commission, at 299-8333.

Sincerely,

Staff,
Lancaster County Planning Commission

THE LANCASTER COUNTY PERMITTING INITIATIVE

TABLE OF CONTENTS

Page	
i	Letter of Transmittal
ii	Table of Contents
1	Executive Summary
2	<i>Lancaster County Economy, Issues and Opportunities: Permits and Approvals. A Report Prepared for The Lancaster County Board of County Commissioners, April 1998.</i>
3	Foreword
4	Introduction Business Location Decisions Business Need for Predictability
5	Permitting Time Lines
6	Business Interest in “Streamlining” “Streamlining” As A Planning Process Tool
8	County Permitting Initiative Origin of Permitting Initiative Effort Case Study Authority and Establishment of Permitting Initiative Team
9	Mission Statement of the Permitting Initiative Intent and Purpose of the Permitting Initiative Foundation of the Permitting Initiative
11	Scope of the Initiative Proposed Planning Process Tool Process for Expedited Review
12	Eligibility Criteria Qualifying Thresholds
14	Recommendations
15	Conclusion
16	Sample Borough & Township Resolutions
20	Sample County Resolution
22	Municipal Partners
23	Sample Project List
24	Benchmarks for Success
25	Implementation Chart

THE LANCASTER COUNTY PERMITTING INITIATIVE

EXECUTIVE SUMMARY

The County of Lancaster has been working to assist municipal, County and Commonwealth jurisdictions confront the challenges which are inherent in the traditional, sequential plan approval process. To that end, the Commissioners have instructed the Lancaster County Planning Commission to pursue opportunities for concurrent reviews of selected economic development projects. This effort is identified as “The Lancaster County Permitting Initiative.”

The Lancaster County Permitting Initiative advocates a concurrent and coordinated review process with the end result of the issuance of all permits and approvals within a compressed time frame for selected economic development projects in appropriate locations. “Appropriate locations” include those sites that are within an adopted or draft Urban Growth Boundary, within the City of Lancaster, or within any borough.

The Lancaster County Permitting Initiative acknowledges the private sector’s need for predictability in the regulatory process. It also identifies the risks inherent to both the private sector and the public sector in the current system. Finally, it offers a pragmatic strategy to expedite qualified economic development projects in appropriate locations. However, it needs to be stressed that ordinance standards will never be abandoned. Rather, all regulatory agencies, authorities and units of government agree to concurrently review the project to the extent allowed under existing statutes.

In order for the process to be effective, the regulators must have a mutually adopted agreement in place prior to plan submission. To that end, the City of Lancaster and the Boroughs of Denver, Elizabethtown, Ephrata, Lititz, Manheim, and Mount Joy have already worked through the cross-acceptance process with the County of Lancaster. Townships that have completed the cross-acceptance process include Penn, Rapho, East Hempfield, and West Hempfield. Each municipality has adopted a formal resolution agreeing to participate in the Lancaster County Permitting Initiative. In turn, the County Commissioners have adopted their own resolutions, thus, formalizing and completing the County/municipal cross-acceptance process.

The Lancaster County Permitting Initiative and the County/municipal cross-acceptance process with which it is being implemented, reduces the risk to the private sector, supports a viable local economy, and offers a non-financial incentive for qualifying economic development projects. This approach also results in a collaborative partnership between the applicant and the regulators. Moreover, it simultaneously strengthens working relationships among the regulators.

To find out how your municipality can participate in this voluntary and innovative partnership, or to determine if your project qualifies for expedited permitting, contact your Community Planner at The Lancaster County Planning Commission, 299-8333.

**LANCASTER COUNTY ECONOMY ISSUES AND OPPORTUNITIES:
PERMITS AND APPROVALS**

A Report Prepared for

The Lancaster County Board of County Commissioners

Terry L. Kauffman, Chairman

Paul Thibault, Vice-Chairman

Ronald Ford

and

Timothea Kirchner, County Administrator

Prepared by

The Lancaster County Planning Commission

James M. Martin, Chairman

Allan Granger, Vice-Chairman

Jeff T. Stauffer

Gary A. Nace

Carlton P. Groff

Daniel Zimmerman

R. Michael Wagner

John Blowers

and

C. Michael Johnson, Former Commission Vice-Chairman

Ronald Bailey, Planning Director

Phyllis Stellfox, Principal Planner

David Trevisani, Director, National Development Council

Prepared on

17 April 1998

FOREWORD

This report is intended to assist municipal, county, and state jurisdictions confront the challenges which exist in the current, sequential plan approval process and to pursue the opportunities for concurrent reviews of selected economic development projects. This report acknowledges the private sector's need for predictability in the permitting process, identifies the risks inherent to both the private sector and the public sector in the current process, and identifies a pragmatic strategy to expedite qualified economic development projects in appropriate locations. This strategy is put forth in an effort to promote sustainable economic growth, to insure the continuation of the county's base industry - agriculture, to preserve and protect sensitive lands, and to realize secondary benefits from the application of new procedural planning techniques.

This report advocates a concurrent and coordinated review process with the end result of issuance of all permits and approvals within a compressed time frame for selected industrial projects in appropriate areas. Such an approach reduces the risk to the private sector, thereby, supporting the local economy. This approach also results in a collaborative partnership between the applicant and the regulators and among the regulators themselves. The collaborative partnership offers the possibility of the best possible development in optimal locations and brings the regulators into the picture early in the project planning stage.

The subject of this report is timely and of interest to both the public and private sectors. This is evidenced by similar efforts underway at the state level, by units of local government, and by business support groups.

INTRODUCTION

Business Location Decisions

Based on a 1996 study for the Commonwealth of Pennsylvania prepared by PHH Fantus Consulting, corporate location or expansion decisions are directly linked to cost control opportunities, product quality improvement, time to market(s), and value added opportunities. Lancaster County must, therefore, provide a strategic advantage over competitor locations in the following attribute areas: image, economic base, business climate, infrastructure, labor market, economic development effort, location, and quality of life. The following report focuses on one aspect of the business climate attribute - the regulatory environment.

Research conducted by PHH Fantus Consulting indicates that firms relocate to Pennsylvania from New York and New Jersey, while overseas firms seeking a central position on the eastern seaboard also locate to the Commonwealth. On the other hand, the Commonwealth loses existing businesses to southeastern states and mid-western locations. One identified advantage that makes the southeastern states competitive is a business friendly regulatory environment.

Business Need for Predictability

It is important to emphasize that it is not the specific regulations, but rather it is the predictability of the regulatory process, which is the important factor in corporate location decisions (particularly at the county and municipal levels). Increasing competitive pressure necessitates a rapid implementation of corporate geographic strategies. Consequently, companies must know up-front how long the permitting process will take and how secure it is from disruption.

In part due to the structure of government in the Commonwealth and to the requirements of the Pennsylvania Municipalities Planning Code, permitting processes are complex, individualized, and variable. This naturally makes it hard to estimate the true processing time. Each project faces unique circumstances and is often involved with state, county, and municipal agencies, as well as other entities such as sewer and water authorities. Each regulator/reviewer has their own processes, and reviews are usually sequential rather than concurrent.

On a state-wide basis, the time to obtain a permit for a sewer line is “at least six months,” according to the Commonwealth commissioned study undertaken by PHH Fantus Consulting. This is longer than it takes to obtain the same permit in any neighboring or competitive state. Again, according to the PHH Fantus consulting study, on a statewide basis, the amount of time required to obtain a permit for a water line exceeds all the benchmark states by a minimum of four months. The situation in Pennsylvania is in marked contrast to that in other states.

Permitting Time Lines

While it is difficult to generalize, the following time lines give the reader an understanding of the permitting complexities in the state. A business start-up, location, or expansion in Lancaster County may entail approval from the various agencies, authorities, entities, and/or units of government which follow.

- Municipal Zoning Officer
- Municipal Zoning Hearing Board
- Municipal Planning Commission
- Municipal Governing Body
- County Planning Commission
- County Soil Conservation District
- Water Authority
- Sewer Authority
- Sewage Enforcement Officer
- PA Department of Environmental Protections
- PA Natural Diversity Inventory (PNDI)
- PA Historic and Museum Commission
- PA Department of Transportation
- US Army Corps of Engineers
- Utility companies

The permits for business locations or expansions, as identified above, may be granted within the following legally mandated time frames:

Rezoning	45 days minimum
Special Exception	60 days maximum to schedule hearing/30 days maximum after hearing concludes to render a decision
Variance	60 days maximum to schedule hearing/30 days maximum after hearing concludes to render a decision
Plan Approval (Governing Body)	90 days maximum
Plan Approval Compliance (Applicant)	90 days minimum
DEP Sewage Module	6 months
Conservation District	60 days minimum
Sewer and Water Hook Ups	No stipulated time frame
PA Dot Highway Occupancy Permit	Following plan approval, no stipulated time frame

Anecdotal evidence indicates that regulators often hear complaints about the approval process from the private sector. Applicants state that there are duplications, inconsistencies, and conflicts within the overall permitting time line and among the standards of the various regulating bodies. These conditions increase the uncertainty of obtaining approvals within the project's necessary time line. As the above list of routine regulators and the time lines for issuing approvals indicates, review times are indeed uncertain and most likely consecutive. Consecutive reviews result in a re-examination of issues rather than a resolution of issues. The county's competitive position could be enhanced if reviews would resolve and narrow concerns, if reviews would be conducted concurrently, and if conflicts among the various regulatory requirements would be eradicated.

Business Interest in "Streamlining"

In an effort to reduce the risk associated with new project approvals, business often advocates that the regulatory process become more streamlined, flexible, and innovative. Given the statutory confines of the existing regulatory environment, it is difficult for the public sector to make sweeping changes. Moreover, affecting change becomes problematic given the contradictory nature of the private sector's requests. Design innovation inherently requires additional reviews by the regulators, and flexibility often requires the regulators to reconsider a previously rendered action. From the economic development perspective of enhancing the competitive position of the county in the business location decision matrix, the critical private sector request is "streamlining."

"Streamlining" as a Planning Process Technique

In common usage, "streamlining" implies an attempt to organize or arrange a system in order to achieve simplicity and efficiency and to minimize delay and/or obstruction. As a tool for economic development, "streamlining" offers a compressed government approval process for economic development projects. As a planning process technique, "streamlining" refers to an accelerated review process. This acceleration is achieved through efficient, collaborative reviews and through open communication between the applicant and the regulators and among the regulators.

To planners, streamlining never means ignoring the regulations, violating the public trust, or exploiting resources, which need to be conserved and protected. Streamlining is never a tool to eliminate public notice of a project, nor is it a means to short circuit the public hearing process. Rather, as a planning tool, streamlining means that projects which meet the qualifying criteria and which are located on land appropriately zoned for development may be processed at an accelerated schedule. If the proper decision is to disapprove the request for the permit, so be it. The advantage of an accelerated review to

business is that the time period in which a project is in limbo between application and approval/denial is shortened. Both investor risk and the cost of carrying the project's financing are minimized.

Moreover, the regulatory agencies realize a benefit from streamlining in the form of efficient and effective use of limited staff resources. Eliminating a lengthy, duplicative, and uncertain approval process for pre-qualified economic development projects in appropriate locations is an incentive for the private sector to choose to develop in areas consistent with county and municipal future land use plans. Finally, streamlining will result in secondary benefits to the public sector in the form of stronger working relationships among the regulatory jurisdictions and overall efficiency in permit processing.

Perhaps the greatest benefits from streamlining accrue to the residents. The county's labor force has grown by almost 40,000 workers during the 1985 to 1994 time period. The county's unemployment rate is routinely among the lowest in the state. This means that the county's economy has experienced a growth rate comparable to the increase in workers. Given the necessity for the county to compete nationally and globally while at the same time having to support economic expansion at a rate able to accommodate an exponentially growing labor force, economic opportunities cannot be lost because the county is not perceived to have a friendly business climate. Streamlining major industrial plans will insure that county residents continue to enjoy their current standard of living and will continue to have access to job opportunities. Moreover, an expanding economy reduces the need to rely solely on personal taxes and reduces the burden upon individual taxpayers.

In short, when administered with thought, prudence, and in accordance with adopted guidelines, streamlining produces benefits to the public sector, to the business community, and to residents.

COUNTY PERMITTING INITIATIVE

Origin of the Permitting Initiative Effort

On 1 May, 1997 the Lancaster County Planning Commission (LCPC) held a one-day retreat. A major focus of the retreat was an examination of the state's permitting process, a comparison of Pennsylvania's permitting system with our competitor states, and a first hand account by a member of the commission of his experience as a member of an industrial site selection team. At the end of the day, the planning commission agreed that the concept of enhancing the efficiency of the permitting process for selected economic development projects deserved further consideration. To that end, the commission requested that the LCPC Executive Committee and the Planning Director take the lead in studying the question and that a report be presented back to the commission.

Case Study

A catalyst in the commission's interest in enhancing permitting efficiency was a commission member telling of his experience as a participant on an industrial site selection team. As a member of a team given the responsibility of locating the optimal site for the new facility, the individual was able to share with the commission common attributes of the "short listed" communities. Of course all the communities had appropriately zoned land available. The communities also were represented by a "one point" contact person whose job it was to know the company's needs; to indicate that the community already met those needs or could do so within a specified time frame; to identify various incentives which might be available; to oversee the installation of all required services and infrastructure; and, to guarantee that all permits, approvals, and certifications could be obtained within the company's required time frame.

The Lancaster County Board of County Commissioners received the same information from local corporate officers as the commission received at its retreat. What was stressed to both the county commissioners and the planning commissioners by their respective contacts was the importance of permitting predictability to the corporate location process. To the county's premier corporations, the specifics of the regulations are not as important as the process for obtaining permits and approvals.

Authority and Establishment of the Permitting Initiative Team

The authority for the current permitting initiative stems from the 1 May 1997 commission retreat. In executing the directive of the entire commission, the director and the executive committee appointed a

study team comprised of Ronald Bailey, county planning director, Allan Granger, commission vice chairman, Michael Johnson, commission member, Phyllis Stellfox, county economic development

specialist, and David Trevisani, National Development Council (NDC) director. To complete its assignment from the commission, the team has had nine (9) work sessions over the past eight (8) months. During this time, the team has provided periodic updates to the planning commission and to the county commissioners.

Mission Statement for the Initiative

One of the first steps of the permitting initiative team was to formulate the following mission statement.

The Lancaster County Planning Commission's permitting initiative is an examination of potential improvements to the regulatory process to assist in the county's economic development effort.

The Lancaster County Planning Commission accepted this statement during the agenda briefing of its regularly scheduled meeting on 25 August, 1997.

Intent and Purpose of the Initiative

The permitting time lines identified in a preceding section of this report indicate a fragmented, unpredictable, and individualized permitting process. The team agreed that statutory changes and/or radical revision of the structure of government in Pennsylvania would enhance the efforts to streamline development projects. However, to enhance the county's competitive position an approach must be developed which can be implemented according to the existing statutes, within the current structure of government, and consistent with accompanying case law. Consequently, the team agreed that an immediate solution to the problem would be for all regulators to voluntarily conduct concurrent reviews to the extent existing laws allow.

Foundation for the Initiative

The permitting initiative team then established the "ground rules" for all further study considerations. The team unanimously endorsed the following assumptions as the foundation upon which any permitting initiative effort must be built:

1. In no way is the permitting initiative to be considered or construed by any stake holder or

regulator as an abandonment or even relaxation of any standards of any applicable ordinance of any regulatory agency, authority, or unit of government.

2. Rather the effort is an acknowledgment that the common permitting time line of 1.5 years (or longer) is an impediment to economic competitiveness.
3. To that end, the permitting initiative team was charged by the planning commission with the mission of identifying any method(s) by which the time line can be shortened for appropriate economic development projects.
4. The team, in turn, wishes to emphasize that any compression the approval process depends upon the quality of the submission, the coordination of the effort, and the cooperation of all sides.
5. Under no circumstances will the time line be shortened by circumvention of the required approval criteria.
6. Given the staff and general resource constraints, under which the commission operates, it is imperative that the following occur

(A) acknowledgment by the Lancaster County Board of County Commissioners, developers, and the design community that “expediting” consumes vast quantities of staff time

(B) assurance that any implementation of an “expediting” process cannot be borne by the community planning section

(C) agreement that the logical assignment of “expediting” functions rests with the economic development planner and even his/her involvement and effectiveness depends on overall work demands

(D) establishment of thresholds for the expedited process must be agreed upon in order to keep expectations in line with staff and resource availability

(E) realization that achievement of an expedited process for selected projects will have a secondary benefit of increasing the effectiveness of the overall permitting process for all plans and projects.

Scope of the Initiative

Once the mission was formulated and the foundation was laid, the permitting initiative team went on to define the parameters of their effort. The team agreed that the effort would be comprised of three components.

1. Identification of criteria which would “trigger” a proposed project as being potentially eligible for the compressed review time frame or the expedited process.
2. Establishment of the thresholds, which must be exceeded in order for a project to actually receive the compressed review/expedited process, schedule benefit.
3. Formulation of the cross acceptance process which will result in the compression of the review time frame and the expediting of the project.

PROPOSED PLANNING PROCESS TOOL

Process for Expedited Review

The team recommends that a formal system be instituted for the expedited review process. To reduce the risk to the applicant, an agreed upon process must be in place prior to plan submission. To be truly effective, all regulatory agencies, authorities, and units of government must agree to participate in a concurrent review (to the extent that statutory requirements allow that participation). In the case where sequential reviews are the result of tradition or uncoordinated review systems, the opportunity exists for streamlining the approval process.

In order for the system to be agreed upon and instituted, several background steps need to be completed. First of all, it needs to be clear that what is being requested is not abandonment of the standards. Second, it needs to be stressed that a request for an expedited review will be an infrequent occurrence. The Board of County Commissioners will need to approach their counterparts within the regulatory community in order to gain consensus among other leaders that the idea of concurrent permitting reviews is worth considering. Community planners and the economic development planner will need to work with municipal officials and staff to increase their understanding of the importance of industry to their community and the need to provide industrial zoning for land which is appropriate for industry. Ongoing education efforts will be needed for municipal zoning officers, municipal engineers, and municipal planning commissioners.

If the regulatory community agrees to pursue the opportunity for expedited processing of eligible plans, then cross acceptance of the threshold criteria and qualifying standards needs to be reached. Concerning the municipalities in Lancaster County, the cross acceptance process would culminate in a mutually adopted resolution to work together cooperatively on qualifying projects. Concerning other regulatory agencies and authorities, a mutually executed partnership agreement may be more appropriate than dual resolutions.

Eligibility Criteria

The team recommends eligibility criteria, which must be attained before a project can even be considered for the expedited process. In order to receive consideration for the expedited process, the team proposes that a project must meet the following criteria.

1. The proposed use must be an industrial use.

2. The location of the proposed industry must be on a property within an adopted or draft Urban Growth Boundary (UGB).
3. The property must be within existing or planned public sewer and public water service areas.
4. The property must either be zoned for industrial uses or identified as appropriate for industrial uses on the municipal Future Land Use Map contained within an adopted comprehensive plan.
5. If the project is a redevelopment project (new construction on a vacant lot or a rehabilitated conversion of an existing industrial structure) in Lancaster City or a borough any of the above eligibility criteria which are not met, **may** be waived.
6. The identity of the end user must be disclosed.

Qualifying Thresholds

The team believes that the success of the permitting initiative rests on the infrequency of the occurrence of the compressed review schedule. The reasons why the expedited process should be a rare occurrence include staff and resource constraints within the regulatory departments, the additional demands placed upon all parties to the process, and the need to establish the expedited process as a bonus or incentive for “important” economic development projects.

Consequently, the team spent a great deal of time discussing the criteria by which a project is awarded the opportunity for an expedited review. Therefore, once a project has been identified as meeting the above eligibility criteria, the project’s impact upon the local and/or regional economy will have to be determined before it can be designated as a project worthy of an expedited review. In the past four years there have only been three projects, which were deemed to merit a coordinated permitting review. One of those projects (Philips) was withdrawn, the other (QVC) received all approvals within the agreed upon time frame, and the final project (Building 264) is pending action. The past efforts employed a combination of subjective or qualitative criteria coupled with fiscal impact statements.

The team wished to identify appropriate quantitative standards, which must be met to merit the expedited process. Quantitative factors that might be considered in the determination include, but may not be limited to the following: proposed transportation enhancements; number and type of jobs being created and/or retained; and, the projected capital investment. The team determined that applicable state financing programs use thresholds of one hundred (100) new jobs and a capital investment of \$10 million.

Given the acknowledgment from the state that the economy of Lancaster County helps to drive the state's economy, the team agreed that the state's figures would be appropriate thresholds for the county. Since revitalization of the county's urban areas is an important planning goal, the team also determined that the qualifying thresholds may be waived for redevelopment projects (new construction on a vacant lot or a rehabilitated conversion of an existing industrial structure) in Lancaster City or a borough.

These recommendations were based on a computer search of the commission's database conducted by staff. Staff identified all industrial plans submitted since the middle of 1993 through to the present time. It was learned that over 400 industrial plans were submitted to the county during this period. Given the number of industrial submissions, coupled with the restrictions imposed by staff time and resource availability, the team believed that high quantitative thresholds were necessary to prevent an overload on the regulators' staff resources and to preclude the expedited process from becoming a commonplace occurrence. This supports the team's intent to offer the expedited process as an inducement or reward for appropriate projects.

The team further recommends that projects also be evaluated on a case by case basis to insure the greatest degree of control to the public sector. In addition to the number of jobs and the amount of capital investment, the case by case evaluation would include quantifiable information such as the starting and average pay rates for each job category; the anticipated tax revenues generated by the user; and, the fiscal impact to the municipality for services provided to the user. Furthermore, the case by case evaluation would supplement the fiscal impact data with qualitative or non-quantifiable information. The team recommends that the evaluation for the expedited process take into consideration the broad context of industry expansion/retention needs and activities, including the importance of business competitiveness (ability to enter new markets or to strengthen existing market positions) and the nature of the existing partnership (if any) between the industry and the regulatory community. The proposed process is designed to vest control over the process with the regulators. Any flexibility or latitude within the process is to further reinforce the controlling position of the regulators.

This control factor is important because the team believes it is the cornerstone of a proactive expedited process. Basing the expedited review solely on quantified eligibility thresholds would put the public sector in the position of reacting, and the team recommends that the process be proactive. The team acknowledges the wide variation in municipal capacities to undertake an expedited process. Additionally, due to differences in size, traditional development patterns, and other such factors, the same project may have vastly different impacts upon different municipalities. Basing the expedited review only partially on quantitative factors, allows the county the greatest latitude in matching expedited projects to municipal administrative capacities and projected municipal impacts. Another factor in the team's recommendation concerns the desire to distance the expedited process from pressures, which could be brought to bear upon the regulators by special interest groups. The final reason for not basing the expedited review solely on quantifiable targets is the fact that some projects are so large and so complex that it would be difficult to

conduct a thorough review in a compressed time period. Ironically, these would be the very projects, which would exceed any quantifiable thresholds for eligibility.

The Lancaster County Planning Commission is the logical initiator and facilitator for the evaluation process. The county already functions as a liaison between municipalities and developers and between municipalities and higher levels of government. Assigning the county economic development specialist the responsibility for oversight of the qualifying evaluation and (possible) subsequent expedited process would be an extension of a function already performed by the commission in other areas of planning. Moreover, county oversight would insure consistency, continuity, and the observance of precedence in the evaluation process.

Recommendations

The permitting initiative team makes the following recommendations to the Lancaster County Planning Commission.

1. That the commission endorses the concept of an expedited review process.
2. That the commission emphasizes that the expedited review process is not a relaxation of the requirements.
3. That the commission accepts the eligibility criteria and qualifying thresholds proposed in this report.
4. That the commission takes the lead in a cross acceptance process between other regulators and levels of government which results in adopted agreements and/or resolutions for accomplishing an expedited review.
5. That the commission share the team's report and recommendations with the Lancaster County Board of County Commissioners.
6. That the commission authorizes the team to move into a fact-finding mode and prepare follow up reports which include:
 - A. A workbook for regulators containing some hypothetical projects which would and would not qualify for the expedited process.
 - B. A step by step cross acceptance workbook with model resolutions and agreements.

C. A municipal zoning officer/public officials workbook on the importance of this initiative and its relationship to planning and land use management.

- D. A series of briefing papers written for the commission dealing with
- (1) obstacles to the process
 - (2) potential abuses/problems of the process
 - (3) strategies for overcoming existing obstacles and potential abuses.

Conclusion

The Lancaster County Planning Commission's Permitting Initiative Team took its responsibility seriously. Every effort was made to arrive at a strategy which could be implemented given the structure of government in Pennsylvania and which was not dependent on statutory changes from the state legislature. Moreover, the team tried to fairly balance staff and resource constraints within the public sector against the needs of the business community. The team thanks the planning commission for its willingness to consider the recommendations made in this report and looks forward to future discussions with the commission.

The team presented this report to the Lancaster County Planning Commission. The report was discussed by the entire commission during December 1997 and January 1998. At its regularly scheduled meeting on 9 February 1998, the Lancaster County Planning Commission unanimously endorsed the team's effort and report. The Lancaster County Planning Commission requests that the Lancaster County Board of County Commissioners consider the report and allow the commission to proceed with the actions steps identified above

RESOLUTION NO. OF 2003

DRAFT

On motion of Council _____, seconded by Council _____;

BOROUGH OF _____, PENNSYLVANIA

A RESOLUTION OF THE BOROUGH OF _____, LANCASTER COUNTY, PENNSYLVANIA ACTING THROUGH AND BY ITS DULY ELECTED BOROUGH COUNCIL IN REGULAR SESSION AT A DULY AUTHORIZED AND ADVERTISED PUBLIC MEETING, AGREEING TO COOPERATE WITH THE COUNTY OF LANCASTER, PENNSYLVANIA TO STREAMLINE THE PERMITTING PROCESS FOR PROPOSED INDUSTRIAL/COMMERCIAL DEVELOPMENT WITHIN THE BOROUGH OF _____.

WHEREAS, Economic development is important to the long-term fiscal health of both the County and the Borough and is essential to the implementation of the relevant comprehensive plans; and

WHEREAS, Industrial/Commercial development creates jobs that are essential to the prosperity of residents of this County; and

WHEREAS, Some industrial/commercial development by virtue of its location within distressed areas of communities or by virtue of the value of jobs created or the value of investment is of critical importance to the future of this County; and,

WHEREAS, The time required to review permits by various regulatory agencies sometimes placed Pennsylvania and this County in an uncompetitive position to secure economic investment compared to other states.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF _____, LANCASTER COUNTY, PENNSYLVANIA, THAT THE BOARD AGREES TO PARTICIPATE WITH THE COUNTY OF LANCASTER AS FOLLOWS:

1. The County and the Borough agree to expedite review of applications including zoning approvals, subdivision and land development plans, and building permits when:
 - a. The proposed project will generate new jobs in the Borough and involve capital investment; and
 - b. The project is an industrial/commercial use or is an expansion of an existing industrial/commercial use; and
 - c. The project will be located on property within an adopted urban growth boundary; and
 - d. The site for the projects is located within an existing or planned public sewer and public water service area, and there is sufficient capacity to handle the demand from the proposed use; and
 - e. The site for the project is presently zoned for industrial/commercial use or planned for industrial/commercial use as part of an adopted Borough comprehensive plan.
 - f. The identity of the end user is disclosed.

2. The County agrees, along with the Borough, to designate one person as the single point of contact for coordinating all permit review, regardless of jurisdiction. The contact person shall be the _____.
3. The County agrees, along with the Borough, that whenever a project meeting the above criteria is proposed, the contact person shall call a meeting of the affected agencies of the County and Borough and other permitting agencies and utilities, and shall develop an expedited schedule for permit application review. The County and the Borough shall bind themselves to cooperating and meeting this schedule.
4. The County shall review immediately upon receipt in the offices of the Lancaster County Planning Commission any plans and application for such a project. The County shall, upon completion of technical review of such applications by staff, which shall be done with the full participation of staff or officials of the Borough, immediately schedule the application to be heard and acted upon at the next meeting of the Planning Commission or, pending special legal notice as required by law, a special meeting of the Executive Committee of the Planning Commission shall be held to provide oversight and to act on the application.
5. The Borough agrees that any such application shall be reviewed immediately upon receipt in the Borough offices, and that action shall be scheduled at the next meeting(s) of the approval authority, or subject to the publication, mailing, or posting of legal or personal notice as required by law, a special meeting shall be held to act on the application.
6. The County agrees to work with the Borough, the Pennsylvania Department of Transportation, the Department of Environmental Protection, the Department of Community and Economic Development, and the Governor's Action Team, other state agencies, special authorities and utilities to, as much as possible, expedite the review of the project concurrently with County and Borough review.

DULY ADOPTED this _____ day of _____, 2003, by the Borough Council of the Borough of _____, Lancaster County, Pennsylvania, in lawful session duly assembled.

Motion passed unanimously.

BOROUGH OF _____
Lancaster County, Pennsylvania

President, Borough Council

ATTEST: _____
Secretary

By: _____
Mayor

(SEAL)

RESOLUTION NO. OF 2003

DRAFT

On motion of Supervisor _____, seconded by Supervisor _____;

TOWNSHIP OF _____, PENNSYLVANIA

A RESOLUTION OF THE TOWNSHIP OF _____, LANCASTER COUNTY, PENNSYLVANIA ACTING THROUGH AND BY ITS DULY ELECTED BOARD OF SUPERVISORS IN REGULAR SESSION AT A DULY AUTHORIZED AND ADVERTISED PUBLIC MEETING, AGREEING TO COOPERATE WITH THE COUNTY OF LANCASTER, PENNSYLVANIA TO STREAMLINE THE PERMITTING PROCESS FOR PROPOSED INDUSTRIAL DEVELOPMENT WITHIN THE TOWNSHIP OF _____.

WHEREAS, Economic development is important to the long-term fiscal health of both the County and the Township and is essential to the implementation of the relevant comprehensive plans; and

WHEREAS, Industrial development creates jobs that are essential to the prosperity of residents of this County; and

WHEREAS, Some industrial development by virtue of its location within distressed areas of communities or by virtue of the value of jobs created or the value of investment is of critical importance to the future of this County; and,

WHEREAS, The time required to review permits by various regulatory agencies sometimes placed Pennsylvania and this County in an uncompetitive position to secure economic investment compared to other states.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF _____, LANCASTER COUNTY, PENNSYLVANIA, THAT THE BOARD AGREES TO PARTICIPATE WITH THE COUNTY OF LANCASTER AS FOLLOWS:

1. The County and the Township agree to expedite review of applications including zoning approvals, subdivision and land development plans, and building permits when:
 - a. The proposed project will generate new jobs in the Township and involve capital investment; and
 - b. The project is an industrial use or is an expansion of an existing industrial use; and
 - c. The project will be located on property within an adopted urban growth boundary; and
 - d. The site for the projects is located within an existing or planned public sewer and public water service area, and there is sufficient capacity to handle the demand from the proposed use; and
 - e. The site for the project is presently zoned for industrial use or planned for industrial use as part of an adopted Township comprehensive plan.
 - f. The identity of the end user is disclosed.

2. The County agrees, along with the Township, to designate one person as the single point of contact for coordinating all permit review, regardless of jurisdiction. The contact person shall be the _____.

3. The County agrees, along with the Township, that whenever a project meeting the above criteria is proposed, the contact person shall call a meeting of the affected agencies of the County and Township and other permitting agencies and utilities, and shall develop an expedited schedule for permit application review. The County and the Township shall bind themselves to cooperating and meeting this schedule.

4. The County shall review immediately upon receipt in the offices of the Lancaster County Planning Commission any plans and application for such a project. The County shall, upon completion of technical review of such applications by staff, which shall be done with the full participation of staff or officials of the Township, immediately schedule the application to be heard and acted upon at the next meeting of the Planning Commission or, pending special legal notice as required by law, a special meeting of the Executive Committee of the Planning Commission shall be held to provide oversight and to act on the application.

5. The Township agrees that any such application shall be reviewed immediately upon receipt in the Township offices, and that action shall be scheduled at the next meeting(s) of the approval authority, or subject to the publication, mailing, or posting of legal or personal notice as required by law, a special meeting shall be held to act on the application.

6. The County agrees to work with the Township, the Pennsylvania Department of Transportation, the Department of Environmental Protection, the Department of Community and Economic Development, and the Governor's Action Team, other state agencies, special authorities and utilities to, as much as possible, expedite the review of the project concurrently with County and Township review.

DULY ADOPTED this _____ day of _____, 2003, by the Board of Supervisors of the Township of _____, Lancaster County, Pennsylvania, in lawful session duly assembled.

Motion passed unanimously.

TOWNSHIP OF _____
Lancaster County, Pennsylvania

Chair, Board of Supervisors

ATTEST: _____
Secretary

(SEAL)

RESOLUTION NO. OF 2003

DRAFT

On motion of Commissioner _____, seconded by Commissioner _____;

COUNTY OF LANCASTER, PENNSYLVANIA

A RESOLUTION OF THE COUNTY OF LANCASTER, PENNSYLVANIA ACTING THROUGH AND BY ITS DULY ELECTED COUNTY COMMISSIONERS IN REGULAR SESSION AT A DULY AUTHORIZED AND ADVERTISED PUBLIC MEETING, AGREEING TO COOPERATE WITH THE BOROUGH OF _____, LANCASTER COUNTY, PENNSYLVANIA TO STREAMLINE THE PERMITTING PROCESS FOR PROPOSED INDUSTRIAL/COMMERCIAL DEVELOPMENT WITHIN THE BOROUGH OF _____.

WHEREAS, Economic development is important to the long-term fiscal health of both the County and the Borough and is essential to the implementation of the relevant comprehensive plans; and

WHEREAS, Industrial/Commercial development creates jobs that are essential to the prosperity of residents of this County; and

WHEREAS, Some industrial/commercial development by virtue of its location within distressed areas of communities or by virtue of the value of jobs created or the value of investment is of critical importance to the future of this County; and,

WHEREAS, The time required to review permits by various regulatory agencies sometimes placed Pennsylvania and this County in an uncompetitive position to secure economic investment compared to other states.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LANCASTER, PENNSYLVANIA, THAT THE BOARD AGREES TO PARTICIPATE WITH THE BOROUGH OF _____ AS FOLLOWS:

1. The County and the Borough agree to expedite review of applications including zoning approvals, subdivision and land development plans, and building permits when:
 - a. The proposed project will generate new jobs in the Borough and involve capital investment; and
 - b. The project is an industrial/commercial use or is an expansion of an existing industrial/commercial use; and
 - c. The project will be located on property within an adopted urban growth boundary; and
 - d. The site for the projects is located within an existing or planned public sewer and public water service area, and there is sufficient capacity to handle the demand from the proposed use; and
 - e. The site for the project is presently zoned for industrial/commercial use or planned for industrial/commercial use as part of an adopted Borough comprehensive plan.
 - f. The identity of the end user is disclosed.

2. The County agrees, along with the Borough, to designate one person as the single point of contact for coordinating all permit review, regardless of jurisdiction. The contact person shall be the Economic Development Specialist of the Lancaster County Planning Commission.
3. The County agrees, along with the Borough, that whenever a project meeting the above criteria is proposed, the contact person shall call a meeting of the affected agencies of the County and Borough and other permitting agencies and utilities, and shall develop an expedited schedule for permit application review. The County and the Borough shall bind themselves to cooperating and meeting this schedule.
4. The County shall review immediately upon receipt in the offices of the Lancaster County Planning Commission any plans and application for such a project. The County shall, upon completion of technical review of such applications by staff, which shall be done with the full participation of staff or officials of the Borough, immediately schedule the application to be heard and acted upon at the next meeting of the Planning Commission or, pending special legal notice as required by law, a special meeting of the Executive Committee of the Planning Commission shall be held to provide oversight and to act on the application.
5. The Borough agrees that any such application shall be reviewed immediately upon receipt in the Borough offices, and that action shall be scheduled at the next meeting(s) of the approval authority, or subject to the publication, mailing, or posting of legal or personal notice as required by law, a special meeting shall be held to act on the application.
6. The County agrees to work with the Borough, the Pennsylvania Department of Transportation, the Department of Environmental Protection, the Department of Community and Economic Development, and the Governor's Action Team, other state agencies, special authorities and utilities to, as much as possible, expedite the review of the project concurrently with County and Borough review.

DULY ADOPTED this ____ day of _____, 2003, by the Board of Commissioners of the County of Lancaster, Pennsylvania, in lawful session duly assembled.

Motion passed unanimously.

COUNTY OF LANCASTER

Paul Thibault, Chairman

Howard "Pete" Shaub, Vice Chairman

Ron Ford

BOARD OF COMMISSIONERS OF
LANCASTER COUNTY, PA

ATTEST: _____
Terry Styer, Chief Clerk

DATE: _____
(SEAL)

THE LANCASTER COUNTY PERMITTING INITIATIVE MUNICIPAL PARTNERS

In order for the Permitting Initiative process to be effective, the regulators must have a mutually adopted agreement in place prior to plan submission. To that end, the following Boroughs and Townships have already worked through the cross-acceptance process by adopting a formal resolution agreeing to participate in the Lancaster County Permitting Initiative. In turn, the Board of County Commissioners have adopted their own resolutions, thus, formalizing and completing the County / municipal cross-acceptance process.

- **Denver Borough** Mr. Michael Hession, Borough Manager
Phone: (717) 336-2831
- **East Hempfield Township** Mr. George Marcinko, Township Manager
Phone: (717) 898-3100
- **Elizabethtown Borough** Mr. Peter Whipple, Borough Manager
Phone: (717) 367-1700
- **Ephrata Borough** Mr. Gary Nace, Borough Manager
Phone: (717) 733-1277
- **Lititz Borough** Sue Ann Barry, Borough Manager
Phone: (717) 665-2461
- **Manheim Borough** Rob Stoner, Acting Borough Manager
Phone: (717) 665-2461
- **Mount Joy Borough** Mr. Terry Kauffman, Borough Manager
Phone: (717) 653-2300
- **Penn Township** Mr. Thomas Ernharth, Township Manager
Phone: (717) 665-4508
- **Rapho Township** Mrs. Nancy Halliwell, Township Manager
Phone: (717) 665-3827
- **Sadsbury Township** Eugene Lammey, Chairman, Board of Supervisors
Phone: (610) 593-6796
- **West Hempfield Township** Mr. Charles E. Douts, Jr., Township Manager
Phone: (717) 285-5554

The Lancaster County Permitting Initiative and the County/municipal cross-acceptance process with which it is being implemented, reduces the risk to the private sector, supports a viable local economy, and offers a non-financial incentive for qualifying economic development projects. To find out how your municipality can participate in this voluntary and innovative partnership, contact your Community Planner at the Lancaster County Planning Commission, 299-8333.

THE LANCASTER COUNTY PERMITTING INITIATIVE

SAMPLE PROJECTS

The following economic development projects received an expedited plan review:

- **Harrington Hoist:** Manheim Borough
36,000 sq. ft. expansion / 52 jobs
- **Bickel's Potato Chips:** Manheim Borough
7,580 sq. ft. expansion / 60 jobs
- **Denver & Electric:** Manheim Borough
10,235 sq. ft. expansion
- **Slip Industries:** Manheim Borough
7,800 sq. ft. new construction / 2 jobs
- **County Table Shoppes:** Mount Joy Borough
8,800 sq. ft. proposed expansion
- **U.S. Post Office Facility:** Denver Borough
11,200 sq. ft. new construction
- **Greentree Business Center:** Manheim Borough
66 acre redevelopment
- **Carel U.S.A.:** Manheim Borough
40,000 sq. ft. new construction / 32 jobs

The initial success of the program has shown that the Lancaster County Permitting Initiative can indeed make a difference in whether or not a firm chooses to expand and/or relocate in an identified urban growth area. Consequently, the Economic Development Division of the Lancaster County Planning Commission continues to meet with municipalities to negotiate mutually agreed upon, cross-adopted resolutions establishing a formal county/borough commitment to expedite economic development projects in Lancaster's urban centers.

To find out how your municipality can participate in this voluntary and innovative partnership, or to determine if your project qualifies for expedited permitting, contact your Community Planner at the Lancaster County Planning Commission, 299-8333.

THE LANCASTER COUNTY PERMITTING INITIATIVE BENCHMARKS FOR SUCCESS

While the Lancaster County Permitting Initiative is still a relatively new program, it is nevertheless important to begin to develop Benchmarks by which the county and its municipal partners can assess the success of the effort. Two critical considerations should always stay in the forefront of deliberations:

- The Lancaster County Permitting Initiative never short-circuits or ignores regulations, requirements, and standards. Rather, the permitting initiative offers a compressed review period by utilizing a concurrent instead of a sequential review process.

- The Lancaster County Permitting Initiative is a non-financial incentive for developing industrial facilities on properly zoned land within a township's adopted urban growth boundary, and for developing commercial and industrial facilities on properly zoned land within the county's boroughs. Consequently, relatively few projects will fall under the expedited process.

Upon implementation the Lancaster County Permitting Initiative is intended to achieve the following objectives: streamlined government; communication and cooperation; growth management; urban revitalization; and sustainable economic development. To that end, the following 2001 Benchmarks and Workflow Guidelines are put forth in an effort to direct the further enhancement and operation of the program.

2001 Benchmarks

Responsible Party

- | | |
|---|---|
| ■ Continue dialogue with Pennsylvania State Agencies to retain their ongoing support and active participation in the expedited permitting process. (Governor's Action Team, DEP, DCNR, DOT, PHMC, CLGS) | ■ County of Lancaster |
| ■ Achieve concurrent review cycle among various regulatory agencies, authorities, utilities, and units of government | ■ Regulators |
| ■ Initiate, negotiate, and complete the cross-acceptance process in every municipality that has an adopted urban growth boundary | ■ Lancaster County
Planning Commission |
| ■ Monitor adherence to the Implementation Chart to ensure appropriate flow of work and timely execution of responsibilities | ■ Lancaster County
Planning Commission |

THE LANCASTER COUNTY PERMITTING INITIATIVE IMPLEMENTATION CHART

As stated within the Benchmarks for Success, implementation of the Lancaster County Permitting Initiative is intended to achieve streamlined government, enhanced communication and cooperation, attention to growth management, urban revitalization, and sustainable economic development. To that end, the following Implementation Chart will be used to direct the successful operation of the expedited permitting process.

Activity / Action

Responsible Party

<ul style="list-style-type: none"> ■ Identify all players and establish a communication loop within one workday 	<ul style="list-style-type: none"> ■ One-point Contact Person
<ul style="list-style-type: none"> ■ Convene initial project eligibility meeting within five workdays 	<ul style="list-style-type: none"> ■ One-point Contact Person
<ul style="list-style-type: none"> ■ Identify project time line; Agree to regulatory schedule; Discuss issues and concerns; Identify information required for approval; and Accept assigned responsibilities and commitments. 	<ul style="list-style-type: none"> ■ Regulators, Government Units, Authorities, Utilities, Design / Engineer Consultants, Private Developers, Land Owners, Other Relevant Project Participants
<ul style="list-style-type: none"> ■ Attend all meetings and participate in all conference calls that the one-point contact persons deems necessary. 	<ul style="list-style-type: none"> ■ Regulators, Government Units, Authorities, Utilities, Design / Engineer Consultants, Private Developers, Land Owners, Other Relevant Project Participants
<ul style="list-style-type: none"> ■ Submit plans in conformance with local, county, and state regulations and requirements. 	<ul style="list-style-type: none"> ■ Design Team
<ul style="list-style-type: none"> ■ Provide oversight of design team if submission schedule is not met. 	<ul style="list-style-type: none"> ■ Developers / Owners
<ul style="list-style-type: none"> ■ Conduct reviews and issue approval or denials within agreed upon time frame. 	<ul style="list-style-type: none"> ■ Staff of Regulatory Agencies
<ul style="list-style-type: none"> ■ Provide oversight of regulatory staff if review schedule is not met. 	<ul style="list-style-type: none"> ■ Regulatory Directors / Managers

