

**C.3 Reduction of Regulatory Barriers to Affordable Housing:**

To turn around the County's inherent problems with affordable housing, accessible to all, it is necessary to ensure a steady supply of sound, affordable units. This can be accomplished by examining how local land use policies increase builder's costs. Because the County is in need of land use regulations, specific policies should be developed and included in a subdivision and land development ordinance to allow for development of true affordable housing.

The inclusion of Flexible Residential Districts (R-F) may be encouraged where there are large tracts of land currently served by public sewer and water or near such infrastructure were applicable. Developers would have flexibility to develop those type of housing units they believe would sell best. R-F tracts may be developed as single family units, multiple-family units, mobile home parks, or mixed density.

**C.4 Housing Plan**

The housing plan is based on the County's primary housing goal, which is to promote communities with a diversification of housing types to enable citizens of Elk County, of a wide range of economic levels and age groups, to live within those communities.

As such, this plan encourages:

1. R-F flexible residential or mixed districts.
2. Downtown housing/mixed use zoning.
3. Use of manufactured housing for infill lots.
4. The control of infrastructure costs by the establishment of growth boundaries.
5. Encourage municipalities to examine building codes and local subdivision and zoning ordinances.

The County plans to endorse housing plans that are consistent with this plans' goals and objectives outlined in Section IIA, beginning on page IIA-5.

## D. ECONOMIC PLAN

### D.1 Introduction

Elk County has identified the City of St. Marys as a major growth center with some inherent problems such as transportation and housing for LMI persons, the elderly, or handicapped persons. The remaining municipalities have distinctly varied economic bases and culture. Although each municipality may have a sense of maintaining or expanding their present economic base, impact on neighboring municipalities and overall County wide success must be envisioned by local governments.

The County's economic strategy should adhere to goals and objectives outlined in Section A of this plan.

As a result of the background analysis in Part I of this document, it is determined that existing local policies and lack of existing policies favor sprawl, automobile dependant access, single use development, and development on the fringe of existing communities within Elk County. It is felt that this divestment in already existing communities results in the inability to control unnecessary escalating costs. Costs associated with infrastructure, for example, escalate in areas of less dense development. A sewerline, for example, can be an economic sink for a municipality as opposed to a generator of revenue.

This plan endorses development that delivers preservation of open spaces, sense of community, minimized infrastructure costs associated with development, multi-use development, increased density, and performance development.

This plan also endorses a balance of tourism and final product forest industries with existing manufacturing industries in Elk County.

It is recognized that determining how and where growth occurs will involve communication and consistency between local policy makers, developers, transportation planners, architects, the housing authority, and community groups to name a few. For example, incentives to developers who use development models for profitable "and" environmentally sound developments influence consistency positively.

It has been demonstrated by the historic spiraling economic decline of many communities that the impact of "sprawl" encourages:

- aesthetically unattractive, non profitable development;
- destruction of economically healthy climates and environmental land values;
- inefficient land-use patterns which are very expensive to serve;
- competition and conflict between local governments, residents, and business/industry owners;
- curtailing the quality of life, lessening a community's ability to attract residents and tourists (destroyed intrinsic visual character).

- economic viability threatened by the diffusing of public infrastructure investments;
- abandonment of established urban areas where substantial past public/private investments have been made;
- diminishment of the County citizens' sense of community.

Elk County has an interest in protecting the local economy, quality of life, and sense of community. Communities do have the ability to shape the community in which they live and do not have to succumb to allowing their community to be shaped by chance. Elk County plans to consider the development of land use policies and to encourage zoning which provides for downtown housing and mixed development to promote wise growth.

Efforts of community leaders in Elk County are becoming visible in the re-establishing of downtowns as multiple use centers. The revitalization of downtown areas is imperative to the fragile economic environment of some of Elk County's municipalities. Downtown business districts are important centers of employment opportunity growth, social services, and community life (art/library) to name a few. In other words, the County recognizes the potential gains to be realized by working on the "strengths" Elk County already has (quaint downtowns) rather than building all new duplicates.

Anticipating that future economic growth will come largely in the form of tourism and service industries, provisions should be made to facilitate the use of older structures in town centers for homes, offices, heritage based and out of doors tourist businesses, and service businesses.

Industrial development should be encouraged in low environmental impact areas which are most interstate accessible or confined to existing developed industrial parks. Varied industrial sites are available to industrial development including the Stackpole Industrial Incubator sites in St. Marys and the facilities of the North Central Pennsylvania Regional Planning and Development Commission (NCPRPDC).

Housing and health care facilities should be planned carefully to contribute to local economy and reduce adverse economic impacts related to sprawl.

## **D.2 County and Regional Economic Development**

It is common for individual communities to still believe that if they invest heavily in soliciting new industry that they solve their economic needs. For most small communities, the desire to market for environmentally friendly industries is not practical given limited community resources. It becomes more gainful for small municipalities to pursue economic development as part of a larger regional approach, knowing that economic benefits are not limited by municipal boundaries. For example, the City of St. Marys has an industrial center which supports industrial growth regionally. Jones Township may wish to encourage individual growth in the City area as opposed to within the Township, and maintain the Township pristine rural bedroom community nature, outside of the present Keystone Opportunity Zone (KOZ) which once was the location of a tannery. (The KOZ designation gives citizens and employees an incentive to bolster economic stimulation in needed geographical areas and offers relief from taxation for a specified period of time.)

The North Central Pennsylvania Regional Planning and Development Commission has a comprehensive package of economic development programs and services. Local municipalities are encouraged to support the efforts of this agency to promote county and regional economic growth and to increase awareness of places in select municipalities which have, or are appropriate for, industrial and community resources and amenities.

It is appropriate for some municipalities to seek out industrial development and for others to implement downtown community improvements to make the County, overall, more marketable. Other municipalities may want to work to prepare to capitalize on their potential in the tourism industry around the lumber region heritage theme. Others may want to focus on "retention" of existing enterprises as the best source of business expansion and local job growth.

The impact that contemporary transportation and communication networks have on the nature of small communities is evident. Communities in the County which can be considered as small, independent, self-contained entities are lessening. Economic and social needs of many of the county's municipality residents are met outside of "small village life". Small communities are becoming rural service communities providing cultural, residential, and commercial bases focused around industrial and institutional centers of larger employment centers.

Downtown retail and service areas usually provide the strongest image which identifies a community to resident and tourists. Community improvements on a downtown scale are as important to the local economy in Elk County as industrial driven areas. Care should be taken to assure that light industrial operations in downtown retail and service communities are thoroughly planned to be compatible with the comprehensive plan and the particular municipalities' downtown theme.

The County may wish to consider the promotion of industrial zoning based on an inventory of pre-existing appropriately zoned industrial areas in the County. Industrial development and downtown development should complement each other for the overall enhancement of the County. The County will recommend that new industries are guided into areas recommended by the Comprehensive Plan by appropriate zoning.

The County plans to promote the attitude of mutual respect between industry developers and more conservative community uses by encouraging conscious responsible land development.

The first step will be for the County to consider a County wide subdivision and land development ordinance.

A subdivision and land use plan is envisioned which will look at and consider the following:

- encouragement of industrial site surveys, industrial site improvements, and the possibility of zoning for prospective industries;
- limitation of the use of prime agricultural lands to low density uses such as green spaces and natural preserves;

- encouragement of mixed use development and performance development standards;
- limitation of retail space so super stores do not shift retail business from existing downtown areas;
- encouragement of preservation and/or consolidation of local communities whose viability, both economically and socially, is being threatened;
- increase activities County wide, in community development, land use and zoning;
- encouragement of developing scattered housing projects for the elderly, the handicapped, and the medium-to-low income residents of the County;
- focus on increasing the downtown economic base and market potential;
- encouragement of development in pre-sewered areas to defray costs associated with high infrastructure costs.

A committee is envisioned which will assure that a subdivision and land development ordinance adheres closely to the goals and objectives of this plan.

It is proven, by example, in many of Pennsylvania's communities, that well structured subdivision and land ordinances and zoning ordinances can direct development in such a manner to turn economic sink areas into economic growth areas. The following considerations are encouraged in the development of such ordinances in Elk County.

### **Ordinances and Land Development**

Streamlined ordinances and non-time consuming approval processes are especially important to encourage growth, particularly the growth of small business. Small business often represents a large share of employment growth.

For example, a developer may need to have building space available within a short period of time to retain a major tenant. Without streamlined ordinances and efficient approval processes, the tenant may be lost.

Planned land development is accomplished with the following tools (ordinances):

- a *Zoning Ordinance*, primarily controls the type of use of land and buildings, i.e. residential, commercial or industrial, also may control densities of housing units, heights of building, and structure setbacks from lot lines. It is the "where" of development.

- a *Subdivision and Land Development Ordinance* - requires approval by the Planning Commission and/or municipalities for new lots and new non-residential buildings, and for the construction of related improvements, i.e. streets and sidewalks. It is the "how" of development.

#### **Subdivision and Land Development Ordinances:**

**General** - Subdivision approval time can be minimized where sketch plans are accepted in place of formal preliminary plans for small routine development. The number of final plan copies should be minimized. Subdivision and Land Development Ordinances should be streamlined to assure conformity to the Comprehensive Plan while promoting flexibility, ingenuity, and economics in design and while encouraging environmental and energy conservation. See sample on following page.

#### **Zoning Ordinances**

**General** - Zoning ordinances need to be regularly updated to ensure that all types of development are permitted in appropriate locations, and that incompatible types of development are not permitted. Zoning ordinances should reflect the goals of the Comprehensive Plan i.e. housing, protecting natural resources, and other policy goals identified. Case law in Pennsylvania requires all municipalities to permit all "legitimate" land uses. Case law also requires that, where a zoning term is ambiguous, the widest use of land is the rule. Terminology in zoning is critical to effective zoning. For example, few ordinances recognize communication towers as a separate use allowing communication providers to locate in zoning districts allowing such uses as "public service", "essential service", or "public utilities" which opens up residential areas to providers. Municipalities continue to be faced with applications for new uses that they may not be prepared for i.e., drug and alcohol treatment centers, cellular communication towers, industries or businesses in undesirable locations. Zoning provides a mechanism for appropriate siting of particular land uses to avoid non-compatibility and sacrifice of quality of life.

SAMPLE  
SINGLE LOT SUBDIVISION APPLICATION  
ELK COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Elk County File Number \_\_\_\_\_

OWNER NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

PARCEL LOCATION: MUNICIPALITY: \_\_\_\_\_

TAX MAP NUMBER: \_\_\_\_\_

SURVEY HAND SKETCH: Show lot dimensions and indicate lot(s) being subdivided. Attach legal description of subdivision or copy of deed for lot(s) subdivided.

List number of lots subdivided since June 10, 1989 \_\_\_\_\_

MUNICIPAL WATER AVAILABLE Yes \_\_\_\_\_ No \_\_\_\_\_

IF YES: Attach copy of tap approval.

MUNICIPAL SEWAGE AVAILABLE Yes \_\_\_\_\_ No \_\_\_\_\_

IF YES: Attach copy of sewage tap approval. NOTE: Sewage taps on two or more lots of a subdivision will require a 537 (Component 3) Planning Module or a waiver from planning (postcard approval)

IF NO: Check appropriate space:

Existing on-lot system for existing structures \_\_\_\_\_

10 Acre Permit Exemption Confirmation  
(Approved copy must be attached) \_\_\_\_\_

Sewage Planning Module (Component 1)  
Signed by Sewage Enforcement Officer  
and Municipal Secretary must be attached  
Waiver from Planning (postcard approval) \_\_\_\_\_

WAIVER:

There is currently no existing community sewage system available for the subject property. Section 7 of the Pennsylvania Sewage Facilities Act of January 24, 1966 (P.L. 1535 Act 537) provides that no person shall install, construct, request bid proposals for construction, alter, or occupy any building or structure for which an individual sewage system is to be installed without first obtaining a permit. It will be necessary for the buyer to obtain a permit pursuant to the provisions of the Act, prior to the commencement of any construction on the subject property. Buyer acknowledges that he should contact the Municipal Secretary/Local Sewage Enforcement officer to determine the procedure and requirements for obtaining a permit for an individual sewage system. The Department of Environmental Protection may require all lots subdivided since 5/15/72 which have not been approved for on-lot sewage be tested and may require existing systems be checked for malfunctions if buyer applies for a sewage permit. At this time, this lot has not been approved for an individual sewage system.

WITNESS: \_\_\_\_\_ BUYER \_\_\_\_\_ (S)

WITNESS: \_\_\_\_\_ BUYER \_\_\_\_\_ (S)

NOTICE: A Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945. (P.L., No. 428), known as the "State Highway Law", before a driveway access to a State Highway is permitted.

Submitted By: \_\_\_\_\_ Date \_\_\_\_\_  
Return To: Name \_\_\_\_\_  
Address \_\_\_\_\_ Phone No \_\_\_\_\_

OFFICIAL USE ONLY

APPROVAL FOR ELK COUNTY \_\_\_\_\_  
PLANNING COMMISSION DATE \_\_\_\_\_

(FORM 1-99)

COMMENTS \_\_\_\_\_

Zoning for Legitimate Uses Using Commercial and Industrial Districts - Ordinances may be written to allow each and every business use unless there is a good reason not to permit it. For example, it is appropriate to allow a mix of both commercial and industrial uses in old existing industrial areas. Commercial uses of older multi story industrial buildings may offset the difficulty of marketing out of date structures for modern industrial uses.

Zoning for Multiple Uses Using Mixed Use Districts - It may be economical to permit multiple uses within older business buildings. Ordinances should not restrict a lot to a single use or one primary building. Such restrictions may create a barrier to incubator, flex-space, or mixed business-residential uses.

Zoning Variances - It is not uncommon that major development projects to be funneled through a Zoning Hearing Board for zoning variances. This can cause unnecessary delays and expenses for both the applicant and Zoning Hearing Board Members. This is often the result of "out of date" ordinances. Ordinances should be updated regularly.

Zoning for Business Building Setbacks - One primary County objective is to retain existing employers and to encourage business expansion on-site, as opposed to relocating. To encourage business expansion, it is important to make sure that setback requirements are not excessive. It makes good sense to require minimal setback between businesses. Providing greater setbacks between commercial and residential areas are more appropriate. Similarly building height should be less restricted towards the centers of commercial areas, and should be more carefully controlled near residential areas.

Zoning for Home Occupations - "Home Occupations" are limited-intensity businesses conducted by a person from their residence. Home occupations should not be totally restricted in any area.

Zoning for Historic Preservation - Zoning for historic preservation helps generate economic development through tourism and commercial ventures drawn to historic settings. It also can serve to encourage compatibility in structure design such that new building is compatible with historic resources. Various types of historic zoning tools are able to be incorporated into planning and zoning ordinances, i.e. historic overlay maps, barn ordinances, demolition ordinances. Zoning for historic preservation is a tool to preserve community character and to remain a focal point for residents, businesses, and tourists.

Each of Elk County's municipalities has a separate and special link to the past that provides residents with a sense of pride and tourists with a attractive sense of place. Zoning for Historic Preservation can conserve community characters and;



- stabilize or improve property value, near historic areas;
- generate economic development (commercial and tourism ventures drawn to historic areas);
- initiate rehabilitation/restoration with infusion of grant funds;
- stimulate community sense of place and quality of life;
- discourage incompatible building designs (new buildings are blended into historic landscapes).

Nonconforming Uses - "Nonconforming Uses" are uses, lots, or structures which existed prior to the ordinance adoption and would not be permitted under the current zoning regulations. It is important to write ordinances to permit routine changes to nonconforming situations without special approvals, as long as a structure does not become more nonconforming, i.e. an expansion can still meet setback requirements.

Streamlined zoning allows desirable development with only the very occasional need for variances.

#### Avoiding Blight Using Code Enforcement

Abandoned and blighted properties discourage investment, and can pose health and safety hazards. Code enforcement and property maintenance is a cost-effective strategy against blight. The costs associated with demolition often exceed the market value of the lot resulting after structure demolition. When a property severely deteriorates, rehabilitation often becomes uneconomical. As a result, rehabilitation becomes dependant upon large public subsidies. It is essential to ensure that properties are not permitted to deteriorate to the place where they cannot be cost-effectively rehabilitated.

The full benefits of property and construction codes are often not realized when municipalities adopt model codes, i.e. BOCA, not realizing that these models can be revised where necessary. For example, if a section is causing a deterrent for rehabilitation of older structures a revision might provide that improvements to older structures may be permitted without the requirement to bring an entire building up to code. This allows upgrade without penalization where rehabilitation efforts are being undertaken. On the other hand, other sections may be made to be more stringent to enhance public safety.

Johnsonburg in particular, is land locked with all developable property owned by Hartwood Forestland Fund II LP. Therefore, success will depend on the Borough's ability to create "infill" development opportunities and to modify building codes to allow older structures to be rehabilitated economically.

Construction and maintenance codes may encourage a process for a municipality, school district, and County to reduce tax liens on blighted properties to make it financially possible for a responsible new owner to rehabilitate a property.

Construction and maintenance codes may be developed to prohibit persons owning existing tax-delinquent properties in Elk County from buying additional tax-delinquent properties through Elk County.

### **Local and Regional Economic Focus**

Both local and regional economic development focus needs to be driven by an effort to reduce poverty. This means that jobs should be encouraged that match or improve the skill of existing residents, especially the low income. This also means addressing the needs of low-moderate income persons by assuring the availability of affordable housing, transportation, and child care.

As the County turns towards the development of tourism related industries, it is interesting to note that the tourism industry is the largest industry in the United States and the second largest industry in Pennsylvania. Some of the fastest growing counties are those attracting retirees and tourists and those which are home to federal lands, service industries and manufacturing. This rural growth trend has promise in Elk County. The County would hope to provide for growth in the tourism and service industries, while maintaining strong manufacturing opportunities. This will mean that the County will need to promote community development that reduces incompatible land uses and builds service and retirement amenities (adequate retirement housing) so that portions of the County will be appealing and marketable to both developers of the tourism and manufacturing industries.

Economic benefits of nature tourism, for instance, are gained by those in a community that provide goods and services to tourists. Well planned and managed nature tourism opportunities have minimal impacts on the environment and can enhance social and cultural values, while strengthening the economic well-being of residents. Proper planning is needed to develop a tourism industry that protects the natural resources upon which the livelihood of the industry depends. The term "Ecotourism" has been defined as travel and recreation opportunities in natural areas, designed "to contribute substantially to those areas' conservation and enhancement through education and the dedication of tourism dollars to protect natural resources". The Ecotourism facet of the nature tourism industry is growing rapidly. Tourism involving nonconsumptive activities i.e. bird watching, hiking, backpacking, boating, biking, and camping is reportedly growing 30% annually. The County has invaluable natural recreational possibilities for recreational and economic development.