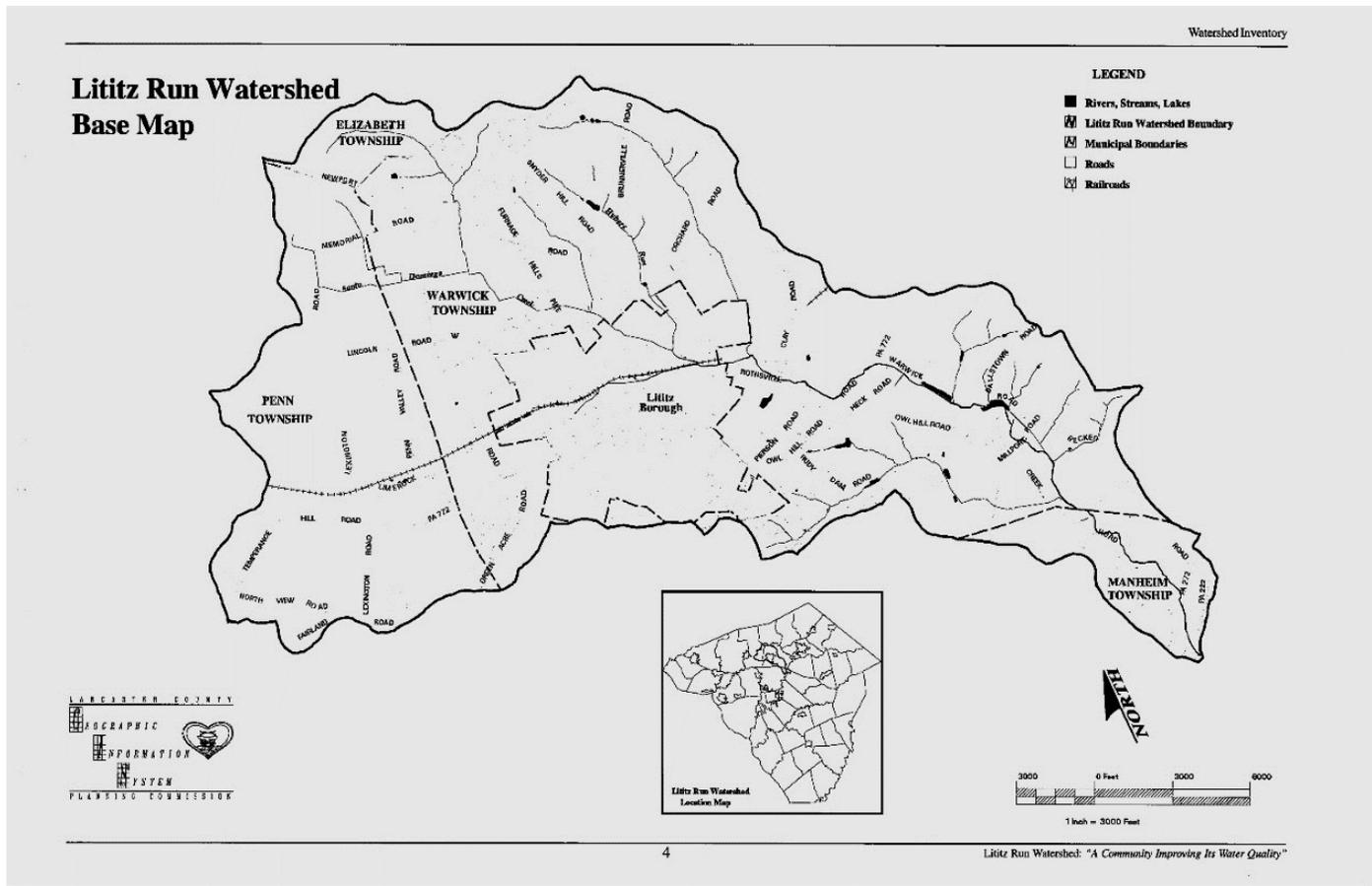


Multi-municipal planning and land-use decision making to conserve significant features of the natural and built environment of the Lititz Run Watershed: a concept to guide sustainable agriculture, economic development, education and training opportunities, heritage and eco-tourism.



This initiative would:

- I. Identify and evaluate all environmental resources in the Lititz Run Watershed, with a goal of protecting and conserving those resources through outreach and educational programs, and administrative processes based on comprehensive plans and zoning ordinances. The proposed administrative processes would be individualized to the municipalities in the watershed, and would permit some projects – those of wider impact – to be planned, reviewed and approved jointly under an inter-municipal agreement authorized by the PA Municipalities Planning Code;
- II. Establish a multi-municipal Environmental Advisory Council to inform project planning, to advise local governments on these matters and to engage public involvement;
- III. Create a multi-municipal program of Transferable Development Rights to help support the various land and building preservation/conservation projects and programs within the Watershed that might otherwise not be possible with more traditional forms of public and private financing, grants and volunteer support.

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A baseline inventory would include all environmental features that exist throughout the 7-mile long Lititz Run Watershed, from its source in the Borough of Lititz, surrounded to the west by portions of Penn and Elizabeth Township, to the east through Warwick Township, and finally at the Village of Oregon and into the mouth of the Run into the Conestoga River in Manheim Township. Such an inventory would undertake research and field work to create a comprehensive data base of farmland, historic buildings and sites, woodlands, animal and plant habitats and cultural resources (archaeological sites, local heritage traditions).

With much excellent work already done in these geographic (municipal/county) areas and on these thematic topics, the above field work and research can be accomplished in a relatively short time. This research and documentation should be included in a Pennsylvania Historic Resource Survey Form (PHSF) for the entire watershed, made up of vibrant communities, expansive and active agricultural areas and rich natural and historic resources across a landscape spanning the several municipal jurisdictions. This research and documentation likely to produce a recommendation from the Commonwealth that working landscape is eligible for listing in the National Register of Historic Places as a National Rural Historic District. (This is a Determination of Eligibility (DOE) under Section 106 of the National Historic Preservation Act). Other large rural areas now have this designation in Pennsylvania: Oley Valley, Berks County and Gardenville-North Branch Rural Historic District, Gardenville, Plumstead Township, Bucks County, among others.

While this existing survey form process focuses on historic buildings, it also can be used to assemble the overall environmental context under which various individual historic buildings, neighborhoods, villages and towns were established. This expected DOE will be of great assistance to help provide *a beachhead of protection* for the resources in the area, and will especially helpful in guiding more sustainable development within the Manheim Township portion of this heritage landscape. This survey form information would be recognized with the expected future reviews of storm water management and water quality permits that will be sought from the US Army Corps of Engineers and PA Department of Environmental Resources relative to a new or revised Oregon Dairy project that might be proposed.

But more importantly, this body of information could be used to great effect in the administration of local land use planning and decision making, if all of the local governments were to enact appropriate provisions in zoning to protect and preserve these resources. Local government is where the most effective conservation measures can and should be employed.

Background:

The Environmental Rights Amendment to the Pennsylvania Constitution – approved by a statewide referendum in 1971 by a 4-1 voter ratio and including a majority of voters in all but of Lancaster County's 60 individual municipalities -- recognizes the following regarding the laws of the Commonwealth and the rights of individual citizens regarding all physical features and characteristics that make the world around us

Article I, Section 27 of the Pennsylvania Constitution – the Environmental Rights Amendment (1972), states:

"The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people."

In addition, the Year 2000 Amendments to the MPC created a mandate for municipalities to move forward with proactive efforts in local land use laws to protect and preserve the environment in all forms: natural and built. There are many instances of these provisions in the MPC but none more direct and strong as **Article VI, Section 603(g)(2):**

"Zoning ordinances shall provide for protection of natural and historic features and resources."

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In addition, the MPC's Section 603(b)(5) gives the following authorization that would flow as a natural consequence from the basic protections that are inherent in compliance with the first Section here above:

“Zoning ordinances...may permit, prohibit, regulate, restrict and determine protection and preservation of natural and historic resources and prime agricultural land and activities.”

Further, from the following Section, one can determine that even the intangible aspects of community life -- the aesthetics found in the environment at large -- can and should be protected and preserved to the extent that the community decides:

Section 605(2)(vi) allows: “...regulation of uses and structures at, along, or near places having unique historical, architectural, or patriotic interest or value.”

The emphasis in this final Section relative to the aesthetics can be found in the words: **“...architectural, or patriotic interest or value.”**

But as we know, among the five municipalities within the proposed Lititz Run Watershed, only Lititz Borough's zoning ordinance contains provisions that have a grounding in these mandates and related options found in the MPC. Yet, even in this community that is so steeped in its heritage, physical resources that reflect that heritage are not monitored and protected as fully allowed by law.

In Manheim Township, the Oregon Dairy Project, as recently proposed, is a prime example of a large scale mixed use development that was reviewed by staff, Township Planners, County Planners and Township Commissioners. But based on a limited scope of environmental provision in the Township zoning ordinance, this project could have proceeded without the benefit of a comprehensive evaluation of all impacts on the built and natural environment.

Many citizens believe that sanction of that development package would have resulted in nothing less than a disastrous turn of events for the future of Lancaster County.

With a portion of the plan to build intensely on working farmland and impacting the adjacent small rural crossroads Village of Oregon, and adversely affecting the functioning of nearby farms with greater volumes of auto traffic, that project clearly ran counter to well-documented public opinion that supports wholeheartedly the preservation of the County's magnificent and unsurpassed agricultural heritage.

The Oregon Village project, in the beliefs of many citizens, represented a significant distortion of the basic principles of smart growth, in that it grossly abuses the concept of Village Growth Areas, as found in the Lancaster County Comprehensive Plan.

The Oregon Dairy project, as originally proposed, should not have been considered compatible with the concept of Urban Growth Areas since it is not adjacent to the urban, built-up areas of Lancaster City and southern Manheim Township, as might be called for by a legitimate urban growth area. Rather, it jumps over several miles of open space and agricultural land to create what might be called spot zoning of an urban growth area in the midst of one of the most historic and attractive rural landscapes within the County.

The community must also weigh the effects of such a project on the water quality and surrounding cultural landscape of the Lititz Run Valley. Here, along its several miles is a rich collection of irreplaceable resources:

- Lititz Run, emanating from the community park in the heart of the Borough of Lititz, one of the most widely recognized and well-preserved small towns in America;

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- Farmland punctuated by classic Lancaster County farmsteads;
- Fully-functioning commercial, industrial and institutional buildings;
- A variety of historically significant dwellings and early commercial properties, including an unparalleled grouping of five water-powered mills – some repurposed and in productive use, some with uncertain futures and some in ruins.

All told, the watershed of Lititz Run is a significant heritage area that exemplifies the most cherished aspects of Lancaster County's world renowned landscape.

A possible way forward

Because of the foregoing, this concept plan should be considered as a call to community groups, businesses, municipal representatives, other government agencies and citizens of the Watershed and beyond, to join in an effort to further examine this physical area and support the formation of an ad hoc organization to launch the first stage of this initiative: field surveys, research, writing and documentation and the submission of a PA Historic Resources Survey Form to the Commonwealth.

To achieve its goals, concept plan proponents recommend the following actions:

1. Establish the Watershed as a Rural Historic District, seeking initially to secure a determination that the area is eligible for listing in the National Register of Historic Places, and that this body of research and documentation be used as the basis to establish appropriate local municipal land use conservation measures within each of the constituent municipalities.

A resource to better understand these programs and initiatives: National Register Bulletin #30 "Guidelines for Evaluating and Documenting Rural Historic Landscapes" available at www.cr.nps.gov/nr/publications/bulletins/nrb30 and National Register Bulletin "Guidelines for Evaluating and Documenting Traditional Cultural Properties."

2. As an inherent part of establishing the Rural Historic District, complete a professional inventory of all the historic and related environmental resources that are within the boundaries of the proposed district.
3. Establish a multi-municipal Environmental Advisory Council (EAC), authorized per the MPC. This could set a statewide precedent by incorporating a mission statement and scope of program and project reviews that take in all environmental values that citizens have the right to enjoy that are referenced in the Environmental Rights Amendment to the PA Constitution. The same Amendment addresses the Commonwealth's role and responsibility of protecting the state's public natural resources, which state they:

"... are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people."

Such a multi-municipal EAC would advise the respective planning commissions, the Borough Council, Commissioners and Supervisors on applications that would affect a range of environmental resources.

4. Attempt to secure conservation easements on the remaining farms within the Watershed that are not protected by conservation measures through efforts of the Lancaster Agricultural Preserve Board, the Lancaster Farmland Trust, and any other responsible conservation organization that may wish to become involved.

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5. Assist owners/developers of Oregon Dairy as they consider the future land developments and attempt to find consensus on a plan for short and long term projects that will be compatible with the long-term conservation of Lititz Run Heritage Watershed.
6. As a key element of the above, engage professional services to design and implement a special program of Transfer of Development Rights to assist and support the many and varied conservation project that will emerge from this concept plan and program implementation.

Consider these existing resources, community attributes and potential partners that can be engaged in this effort:

- 1) Lititz Borough – already established National Historic District and one of the earliest communities to enact historic resource protections in local zoning, circa 1950. This is the very foundation for its national “cool” reputation;
- 2) Rock Lititz and their growing workforce, clients and visitors, most of whom are/will be people with “fresh eyes” that this planning concept will bring to the wider community; people who can bring new enthusiasm and concern over the environment and what is being done to protect it;
- 3) Warwick Township and the Lititz Run Watershed Association. The most progressive municipality regarding use of TDRs and building partnerships beyond basic local government norms;
- 4) The owners of the six historic grist mills along Lititz Run, with Oregon Mill being an outstanding example of adaptive use and employing historic preservation and related financing to accomplish it...right at the Oregon Village crossroads;
- 5) The Wohlsen Family and its partnership with Franklin & Marshall College on the stewardship of the Millport Conservancy;
- 6) County Planning Commission and its Comp. Plan-based support for many of the goals and strategies in this concept plan that could create a viable prototype:
 - A. Promotion of multi-municipal planning and inter-municipal cooperation.
 - B. Support for EACs at the local govt. level as one of the prime recommendation of the Green Infrastructure Element of the Comp. Plan.
 - C. Embrace of historic preservation and heritage areawide planning;
 - D. Establishment of village and urban growth areas in their true form.
 - E. Other?
- 7) Area historical Societies: Lititz, Manheim, other?
- 8) Recreational sports organizations: hunting and fishing, hiking, bicycling, etc.
- 9) Other?