

The land use plan for the Southeastern Greene County Planning Area addresses two primary issues: the existing land use coverage, which is a survey of how the land is currently being used; and the future land use plan, which identifies likely land use patterns in the future based on land use trends and constraints and strategies that can direct growth in a patterns that best achieves the goals of the community as they are presented in this plan.

The purpose of a land use plan is not to limit growth, but to identify where it is expected to occur and what form and model it should follow. Land use planning must balance the rights of the landowners with public interest in order to make the best use of available resources and infrastructure.

Often, the most challenging aspect of land use planning is the defining of how development should take place. Only through crafting goals from the collective vision of residents and leaders, examining the past and current land use trends, and developing a commitment to implementation can land use planning truly be a productive endeavor.



Nemacolin, Cumberland Township (Mackin 2007)

The following principles have been crafted from public meetings, stakeholder interviews and multiple Steering Committee meetings to guide the Land Use Plan for the Southeastern Greene County Planning Area:

- ❖ Maintain the rural character and ensure the protection of agricultural land in order to preserve the unique character of Southeastern Greene County.
- ❖ Development should be directed so that it maximizes potential economic benefit for residents.
- ❖ Development should be directed to areas with adequate infrastructure to support the added demands it may require.
- ❖ New growth should be targeted to areas following the example development models included with the future land-use plan so that it takes place in an orderly manner that fits the character and context of its location.

EXISTING LAND USE

Existing land use data was gathered from both Greene County Tax Assessment data and the Southwestern Pennsylvania Commission as displayed on *Table 4-1 Land Use* and depicted on *Map 4-1 Existing Land Use*.

The following land use categories, and corresponding descriptions, were used in the existing land use inventory.

Agriculture:

The agriculture category contains land predominantly used for agricultural purposes, including cropland, pastures, and other uses that involve the production, harvesting and preparation of crops and livestock for market. Agriculture is the largest land use category comprising 40.5 percent of land in the Southeastern Greene County Planning Area. Combined with agricultural lands enrolled in the Clean and Green program, agriculture and open space accounts for over 76.9 percent of all land in the Planning Area.

Clean and Green

The Clean and Green classification is a federally designated association with land enrolled in a reduced tax assessment program. Land enrolled in the Clean and Green program is land utilized for agriculture, agricultural reserve or forests. The differentiation from other agriculture uses is that Clean and Green lands have a level of protection from development as long as they are enrolled in the program. According to information provided by the Greene County Tax Assessment Office, there were a total number of 42,944.68 acres enrolled in the Clean and Green program as of February 2006.

Residential

Residential properties are those where the primary use is dedicated to the housing of individual, households and families. These accommodations can vary in type from single family homes to duplexes and apartment buildings. Approximately 7.7 percent of land in the Planning Area is dedicated to residential uses, with single-family homes comprising 82 percent of total housing structure types.

Commercial

Commercial land use includes property used by private individuals and organizations for the purpose of capital gain. Commercial land use activities include retail shopping, restaurants, automotive sales and repair, professional and medical offices and other activities directly available to the public.

Commercial land use is the least abundant in the Planning Area. Most of the 1,253 acres of commercial land are concentrated in and around Carmichaels Borough and the Interstate 79 (I-79) interchange in Mt. Morris.

Public Use

Public use properties are those owned by a governmental agency or not-for-profit organization. Uses include municipal offices, fire halls, police departments, sewage and water treatment plants, ambulance providers, and churches. This category accounts for 76.6 percent of the land cover in the Planning Area. A vast majority is comprised of the State Game Lands located in Dunkard and Greene Townships.

Industrial

The industrial category includes resource extraction, warehouses, manufacturing, earth moving or excavation, power generation, and transportation. The most prevalent industrial uses in Southeastern Greene County are related to the extraction, transporting and burning of coal. A majority of these uses are located near the Monongahela River, but can also be found at scattered mining sites throughout the Planning Area, and comprise 5.3 percent of land in the Planning Area.

Utility

Parcels defined as utility are those with water and wastewater treatment facilities, gas wells and storage, telephone switching stations and/or any other public infrastructure as its primary use. Utility uses account for only 0.3 percent of land uses in the Planning Area. The Dominion Peoples property in southern Wayne Township constitutes the largest single utility use in the Planning Area.

Table 4.1: Existing Land Use identifies the percentage of each land use classification in terms of acres for the Planning Area. These classifications are reflective of those displayed on *Map 4-1: Existing Land Use*.

Table 4.1: Existing Land Use

	Acreage	Percent of Total Land Area
Agricultural	47,774.69	40.5%
Clean and Green	42,944.68	36.4%
Commercial	1,253.39	1.1%
Public/Tax Exempt	7,790.64	6.6%
Industrial	6,256.04	5.3%
Residential	9,194.64	7.7%
Utility	332.91	0.3%
Unknown	2,513.65	2.1%
Total	118,110.64	100%

ANALYSIS

The population of the Southeastern Greene Planning Area is concentrated in several locations within the member municipalities. The Carmichaels Area, of which Carmichaels Borough forms the commercial core, and surrounding Cumberland Township, which constitutes the residential base, is by far the largest of these centers. Others include the Borough of Greensboro and surrounding Monongahela Township, and multiple villages that have population concentrations and public utility services similar to that of boroughs. These include Mt. Morris, Crucible, Nemaocolin and Bobtown.

The predominant land uses are open space and farmland, as shown in *Table 4.1: Existing Land Use* as Agriculture and Clean and Green land classifications. Together, these land uses account for over 76.9 percent; a majority of this is privately held farms and forests. The abundance of this rural land is a defining character of much of the area.

Industrial uses are mostly found near the Monongahela River and are almost exclusively associated with coal mining and resource extraction. Some of these sites, such as the Alicia harbor site in Monongahela Township, are still active and vital to the health of the local coal mining industry. Other sites have been abandoned and require extensive remediation before the land can be reused for new development.

Resource extraction is the primary economic activity in Southeastern Greene County, and the extent of impacts can be seen in the amount of land dedicated to mining and associated activities such as coal storage, transport, and burning for electrical power generation.

Carmichaels Borough

Carmichaels Borough is the most populated of the two boroughs in the planning area and is also at the core of the most populated settlement area. As such, the Borough is the only municipality with any significant amount of commercial land uses.

The Borough is characterized by traditional downtown development patterns of streets laid-out in a grid fashion radiating outward from a town square that operates as a small traffic circle. Commercial activity within the Borough boundaries centers on the square and then extends southwest along George Street and southeast on Market and Vine Streets.

Institutional and public uses in Carmichaels consist of churches, a cemetery, social clubs, three municipal owned properties, and the public library.

Carmichaels is classified as built-out as there is development on nearly every lot in the Borough.

Cumberland Township

As the most populous municipality in Southeastern Greene County, Cumberland Township is the most developed. Cumberland is also the township with the greatest percentage of its land dedicated to uses other than agricultural.

Commercial uses in Cumberland are concentrated along major roadways such as State Route 21 and State Route 88. The densest concentration can be found immediately outside of Carmichaels Borough along George Street, Ceylon Street, and State Route 88.

Dunkard Township

Dunkard Township consists of agricultural uses with industrial sites concentrated at mining sites along Dunkard Creek near Bobtown and the Monongahela River at the West Virginia state line. There is a cluster of Pennsylvania Clean and Green properties in the south of the township and a majority of properties included in the State Game Lands are within the boundaries of Dunkard Township. These properties constitute the most prevalent reduced tax and tax-exempt land use in the Township.

Greene Township

Land use in Greene Township is dominated almost exclusively by Clean and Green, large acre agricultural uses and tax exempt properties that are part of

the State Game Lands. Scatterings of industrial uses can be found, most of which are on smaller lots and concentrated in the southeastern quarter of the Township along Whitely Creek.

Stakeholders have identified the preponderance of tax exempt properties and large acre Clean and Green properties as a hindrance to growth and development. The Game Lands generate no taxes for the townships and Clean and Green properties offer tax breaks that may act as a disincentive for subdivision into developable tracts.

Greensboro Borough

Greensboro's small municipal boundaries and compact development patterns translate into residential use on a vast majority of land in the Borough. A small amount of commercial uses can be found concentrated near to and along Front Street.

Tax exempt properties constitute the second most prevalent land use in the Borough. These uses include the Volunteer Fire Department, the Borough building, the Monon Center, and a collection of churches.

Monongahela Township

In terms of both total acreage and number of properties Monongahela Township has the largest collection of industrial land uses in the Southeastern Greene County Planning Area. These sites are generally dedicated to coal extraction and are mostly concentrated at two locations. One concentration of industrial properties is the mines in the Alicia community. Another is in the Poland Mines community on Dunkard Creek and the Shannonpin Mines site on the Monongahela River.

Agricultural uses and Clean and Green properties make up the majority of land uses in Monongahela Township. A majority of Clean and Green designated land can be found surrounding Greensboro Borough and the Glassworks Community. The preservation of large tracts of land around these settlements gives a clear demarcation between developable areas and countryside, creating greater opportunity for denser, more pedestrian friendly mixed-use areas.

Perry Township

Land use in Perry Township can be characterized as primarily larger lot agriculture and agricultural land enrolled in the Clean and Green program.

Residential uses are concentrated in the traditional rural village of Mt. Morris. Most of the homes are on smaller lots and within walking distance to most of the commercial uses in the village. The areas around Mt. Morris are the flattest in the Township and are most likely to see further residential growth.

All commercial land uses are found in Mt. Morris or adjacent to I-79. The commercial establishments currently along I-79 are transportation related, such as a truck stop, gas stations, and automobile dealerships.

Wayne Township

As one of the most geographically varied municipalities in the Planning Area, Wayne Township is also one of the most rural with the second largest percentage of land in the Planning Area enrolled in the Clean and Green program.

Larger acre residential properties are scattered throughout the Township while dense residential development is centered in the villages of Blacksville and Brave, along the West Virginia state line

Coal extraction is still in operation in Wayne Township. As such, there are several industrial land uses. The largest concentration of properties classified as industrial use can be found in the Southeastern corner of the Township between Rudolph Run and the village of Blacksville.

LAND USE CONTROLS

A comprehensive plan provides a logical basis for zoning and other land use ordinances. However, plans are dependent upon local laws, ordinances and private actions to implement the concepts and recommendations set forth in them. The Pennsylvania Municipalities Code (MPC) defines “land use ordinance” as “any ordinance or map adopted pursuant to the authority granted in Article IV, V, VI, and VII.” Land use ordinances are legislative actions exercised by the governing body of a municipality. As such, there are four types of land use ordinances:

- ❖ Official Map
- ❖ Subdivision and Land Development
- ❖ Zoning
- ❖ Planned Residential Development Provisions (PRD) as part of the zoning ordinance

The most common methods of land use control used by municipalities are zoning ordinances and subdivision and land development ordinances (SALDO).

Subdivision and Land Development Ordinances (SALDO)

As the second most commonly used land use ordinance in Pennsylvania, the subdivision and land development ordinance contains regulations for the creation of new lots, or changes in property lines. It also regulates the construction of public or private improvements to land. A SALDO offers municipalities a degree of protection against unwise, poorly planned growth. Subdivision regulations are designed to:

- ❖ Ensure a well-designed subdivision or land development
- ❖ Set minimum standards for the layout or design of developments
- ❖ Promote coordinated development
- ❖ Insure the installation of necessary improvements
- ❖ Minimize existing or foreseen problems
- ❖ Manage storm water runoff and erosion.

Greene County enacted a Subdivision and Land Development Ordinance in 1995 and amended in 1998. The SALDO provides the legal measures to ensure that future subdivision and land development plans conform to the development goals of the community. The Greene County SALDO applies to all municipalities that have not enacted their own SALDO, which include all but Franklin Township, Rices Landing Borough and Washington Township. The Planning Area municipalities fall under jurisdiction of the Greene County's Subdivision and Land Development Ordinance.

The Greene County Planning Commission was formed nearly 50 years ago to oversee the subdivision of land and the land development activity in Greene County. The planning commission consists of a nine-member board, including a County Commissioner, the Director of the Department of Economic Development, and the County solicitor. The planning commission meets monthly at 7:00 PM in the second floor meeting room of the Greene County Office Building.

Greene County SALDO

The SALDO has requirements for development on steep slopes. The SALDO defines any slope, 25 percent or greater, as a "steep slope" and certain requirements have to be met for development of this land. The SALDO also states that anything over 40 percent can not be developed.

Greene County has plans to update the SALDO to meet the community development objectives identified in the County Comprehensive Plan. Following a review of the SALDO and discussions with the Greene County Planning Commission the following deficiencies were identified:

- ❖ Procedures for Approval of Lot Splits, Minor and Major Subdivisions, and Land Development vary and could be simplified.
- ❖ There is no requirement for traffic impact studies for a subdivision or land development. This is recommended to be a requirement for development which will generate 100 or more peak hour trips when fully developed.
- ❖ The Landscaping and Buffer Section is inadequate. Landscaping and Buffers requirements should be very specific in that so many trees and shrubs of a specific height and caliber should be required depending on the type of development and a list should be provided of street tree species that can be chosen from.

- ❖ There are no provisions which take into account phased land development not intended for the immediate erection of buildings where streets, curbs, gutters, street lights, fire hydrants, water and sewage facilities and other improvements may not be possible to install as a condition precedent to final approval of plats, but will be a condition precedent to the erection of buildings on lands included in the approved plat.
- ❖ General goals should be included in the beginning of Required Improvements and Design Standards. There are no standards for the protection of significant natural resource, preservation of historic, architectural, archeological resources, and the protection of trees and woodlands. These goals should be in accordance with the Greene County Comprehensive Plan and the Greene County Comprehensive Recreation, Parks, Trails/Greenway Plan.
- ❖ There is no provision for public dedication of land for recreation purposes.
- ❖ The mobile home park regulations need to be updated to include improved design guidelines, utility and fire regulations, and plan requirements. Also responsibilities of mobile home park management and violations and penalties sections need to be added.
- ❖ There is no Conservation Subdivision component.
- ❖ There is a checklist that can accompany the application through the review process, but this should be included as an addendum of the ordinance.

Zoning

Zoning is a land use tool that allows a community to regulate the use of land and the location and intensity of development. A zoning ordinance is used to protect the public health, safety and welfare as well as guide growth. It also is designed to regulate and promote the following:

- ❖ Uses of land, water courses and other bodies of water;
- ❖ Size, height, bulk and location of structures;
- ❖ Areas and dimensions of land to be occupied or to be unoccupied by uses and structures;
- ❖ Density of population and intensity of use;
- ❖ A variety of residential dwelling types;
- ❖ All basic forms of housing;
- ❖ Protection of natural resources and agricultural land; and
- ❖ Reasonable overall community growth

Cumberland Township and Greensboro Borough are the only municipalities in the Planning Area that currently regulate land use through zoning ordinances.

Cumberland Township Zoning Ordinance

Originally adopted in 1983 and amended in 1993, Cumberland Township has over a twenty year history with zoning codes and enforcement. Cumberland Township employs a part-time Zoning Enforcement Officer to administer the requirements of the zoning ordinance, administer permits, and refer applicants to the Zoning Hearing Board.

The Cumberland Zoning Code designates seven districts to cover the different development patterns of the Township.

A-1 Agricultural: is designed to accommodate agriculture and agricultural related uses. This district covers the most area of the township.

R-1 Residential: delineates land for low density residential developments. The only permitted principal use being single family

homes. R-1 districts can be found in newer developments near Carmichaels and Crucible.

R-2 Residential: allows for denser residential developments such as apartments and duplexes, and can be found adjacent to the population centers of Carmichaels and Crucible.

R-3 Residential: allows for all the uses in R-1 and R-2 but at greater densities.

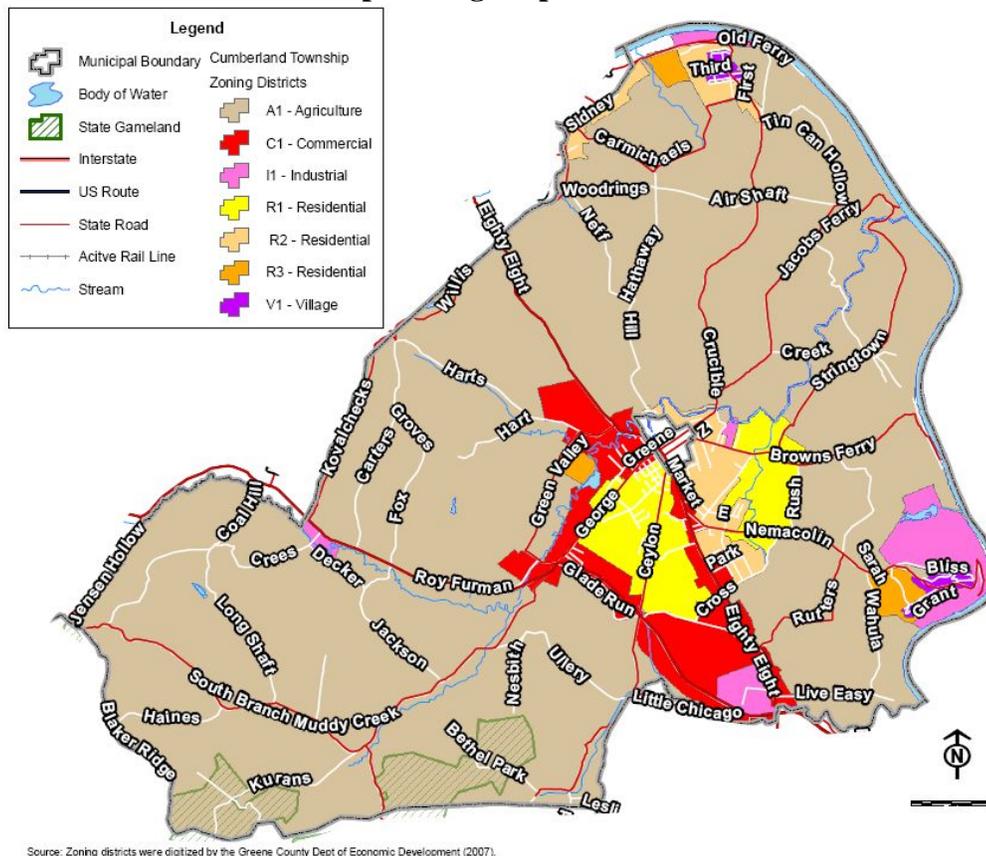
C-1 Commercial: delineates areas primarily for commercial activities. The corridors surrounding State Routes 21 and 88 form the areas for this district.

I-1 Industrial: sets aside land best suited for industrial uses. This zone can be found near Nemaocolin and the Paisley Industrial Park.

V-1 Village: sets aside land for future medium density residential uses.

Figure 4.1 displays the existing zoning map for Cumberland Township

Figure 4.1: Cumberland Township Zoning Map



Most of the township is zoned agriculture, except for the land closest to Carmichaels Borough, the village of Crucible, and the village of Nemacolin. Commercial zones extend out from Carmichaels along SR 88, SR 21, and Glade Run Road. Higher density residential can be found east of Carmichaels and along Nemacolin Road. Low density residential is found along George Street, Ceylon Road, and Browns Ferry Road. Crucible is zoned for village and higher density residential while Nemacolin is zoned for a mixture of village and higher density residential and surrounded by industrial.

Concerns for zoning in Cumberland Township are that, at over 20 years since its adoption, the current code may not necessarily meet the needs of today's development. Furthermore, as Cumberland Township surrounds Carmichaels Borough, which lacks any zoning regulation, it would be advantageous for both municipalities to adopt and enforce the same zoning regulations.

An analysis of the zoning ordinance revealed the following issues:

- ❖ Most of township is zoned agriculture in the current zoning ordinance, which is not a current reflection of existing land use.
- ❖ The Village district should be extended to include areas that border the Borough of Carmichaels.
- ❖ Permitted uses in the agriculture district are too commercial and industrial in nature. Permitted uses should only include those that are directly related to farming, single-family residential dwellings, and small commercial uses that are rural in nature.
- ❖ A rural residential district should be included to promote the rural areas of the township, characterized by farming, a mixture of sparsely-developed residential uses, and other small-scale nonresidential uses.
- ❖ The single family residential district should be expanded along border of Rices Landing Borough.
- ❖ An industrial district that promotes the rural character of the area but provides for commercial and industrial uses should be located along State Route 21 in western portion of the township.
- ❖ The lot size in the agricultural district should be greater than one acre. Requirements should allow an agricultural use with a minimum lot size of ten acres and a non-agricultural use permitted in a minimum lot size of two acres.
- ❖ The commercial, industrial, and village districts do not have a minimum lot dimension.
- ❖ There are no landscaping and buffering requirements.

Greensboro Borough Zoning Ordinance

The Greensboro Borough Zoning Ordinance was adopted in 1998 under the objective of “promote the safety, health, convenience and general welfare; to encourage the most appropriate land use and reuse of land throughout the Municipality...” The code establishes five (5) zoning districts for the Borough, each designed to fit Greensborough’s current development patterns.

R-1 Residential: allows for single family homes on large lots as permitted uses. Other uses such as community centers and public buildings are allowed as special exceptions.

R-2 Residential: permits various residential uses on smaller lots. Special exceptions include group residences and private clubs.

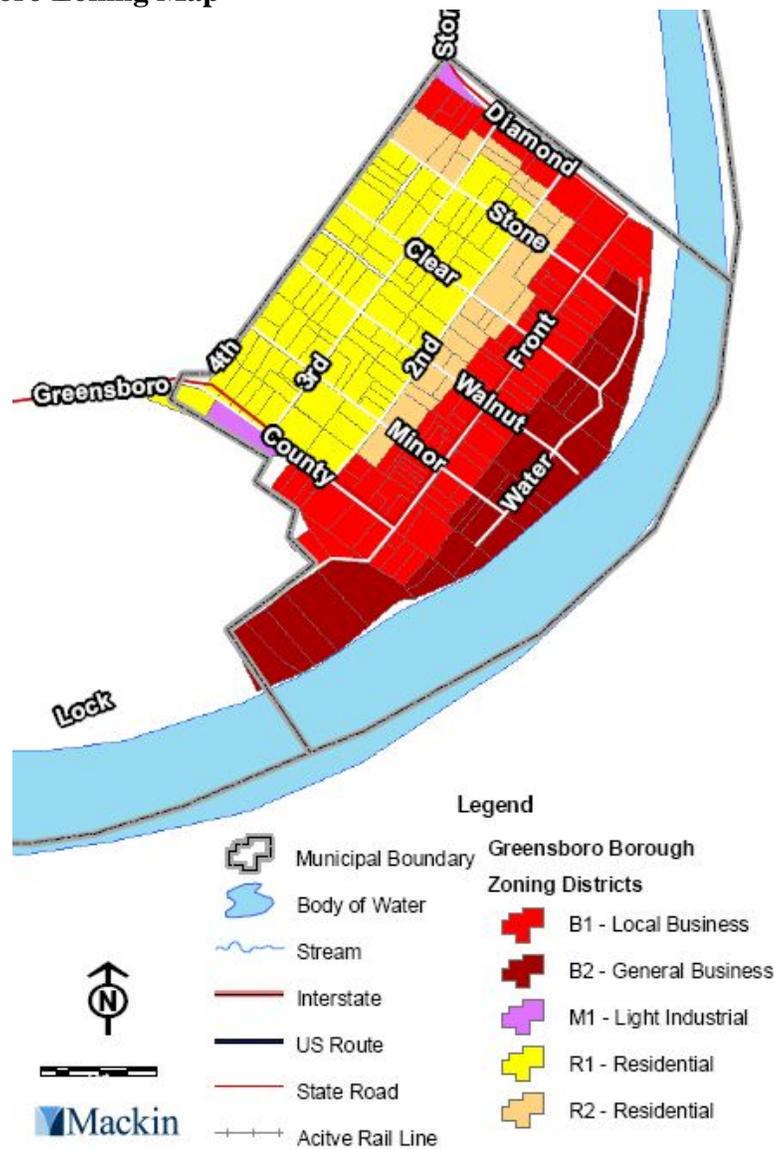
B-1 Local Business: is designed for traditional neighborhood serving retail that doesn’t require large amounts of on-site parking. This district was established with Front Street as the template.

B-2 General Business: sets aside land for automobile dependent commercial establishments. These include almost all retail establishments as permitted use, and service stations and hotels as special exceptions

M-1 Light Industrial: accommodates a variety of smaller scale industrial uses including vehicle repair garages and printing and publishing businesses.

Figure 4.2 displays the zoning map for Greensboro Borough.

Figure 4.2: Greensboro Zoning Map



Source: Zoning districts were digitized by the Greene County Dept of Economic Development in 2007.

Enforcement of Greensboro’s zoning code is tasked to an appointed Zoning Officer. The responsibilities of the Zoning Officer as established in Section 9-001 include: receiving applications for and issuance of all zoning certificates an occupancy certificates; Inspection of buildings to ensure compliance with code regulations; Maintain records; and other duties as detailed in the Zoning Ordinance.

The Greensboro Borough Council currently contracts the position of Zoning Officer to K2 Engineering Company.

An analysis of the zoning ordinance revealed the following issues:

- ❖ There are a number of non-conforming uses which the zoning ordinance does not address.
- ❖ The current zoning ordinance does not accurately reflect the uses that are mapped for each district.
- ❖ The ordinance does not allow flexibility with mixed uses, or those that address arts-related uses, such as studios, galleries, workshops, and “live/work” spaces.
- ❖ The ordinance does not address “art studio” as an accessory use in either R-1 or R-2 residential districts.
- ❖ The ordinance does not protect the community’s historic resources. There are no overlays or historic guidelines in the current ordinance.

CODES

The adoption of various construction, property maintenance and fire prevention codes is recognized as a tool to promote public health, safety and welfare. Codes establish minimum standards for safety to life, health and property. To be effective, the administration of building construction or maintenance codes must be coordinated with zoning regulations or other municipally related programs (The Center, 2001). There are four basic types of codes:

The Uniform Construction Code (UCC), governs all building codes across the Commonwealth. Under the UCC, local municipalities can adopt the UCC and determine how it will be administered and enforced or they can relinquish oversight to a third party or the PA Department of Labor and Industry. The UCC now governs the Plumbing, Electrical, and Fire Protection Codes.

Plumbing and Electrical Codes—used to supplement building codes which control more detailed requirements related to plumbing and electrical systems.

Fire Protection Code—provides for the inspection of existing structures for the purpose of identifying hazardous conditions and provides for the issuance of permits for certain specific hazardous uses which are to be located in a building or structure.

Property Maintenance Code—sets responsibilities for cleanliness of structures, for the disposal of garbage and rubbish and for other activities needed to keep the structure and surrounding area in suitable, livable condition.

Each municipality in Southeastern Greene County is responsible for code enforcement. Code enforcement is described in greater detail in *Section 6: Community Facilities and Services*.

GOALS AND STRATEGIES

GOAL: Preserve the rural character while allowing for future growth and development

- ❖ Encourage interested farmers to enroll their land into the Agricultural Security (ASA) Program

GOAL: Accommodate expected new housing in identified growth areas.

Residential growth is expected to occur along major transportation corridors in Southeastern Greene County. This growth not only has the potential to bring new residents and expand the local tax base, but could strain the local infrastructure and change the rural character of the Planning Area. To accommodate this new housing while mitigating potential negatives the municipalities of Southeastern Greene are encouraged to:

- ❖ Direct new residential developments to designated growth areas identified in *Chapter 1: Summary and Implementation*.
- ❖ Extend public sewerage only to those areas adjacent to existing settlement areas and villages.
- ❖ Provide transportation linkages for vehicles and pedestrians between new housing developments and commercial centers.

GOAL: Support enhancement and infill development in villages throughout the Project Area

- ❖ The Southeastern Greene communities need to market their vacant properties to developers and have a “ready to go list” of sites.

GOAL: Provide land use controls to regulate development practices and protect open space and natural resources

- ❖ Cumberland Township should update their zoning ordinance. The ordinance should include the following:
 - Change the zoning map to reflect *Map 4.2: Future Land Use*
 - Remove the uses that are too commercial and industrial in nature from the agriculture district.
 - A rural residential district should be utilized to promote the rural areas of the township.
 - Extend the single family residential district along the border of Rices Landing Borough.

- Change the minimum lot size in the agricultural district to greater than one acre.
- Add a minimum lot dimension requirement in the commercial, industrial, and village districts.
- Add landscaping and buffering requirements.
- ❖ Greensboro Borough should update their zoning ordinance. The ordinance should include the following:
 - Address non-conforming uses.
 - Allow flexibility with mixed uses
 - Historic Overlay District
 - Address accessory uses
- ❖ Ensure that current and future zoning ordinances are consistent across municipal boundaries
- ❖ Develop and enact a Perry Township Zoning Ordinance
- ❖ Petition Greene County to include conservation subdivision design and cluster development requirements for new housing developments in the County Subdivision and Land Development Ordinance (SALDO). The SALDO should also require specific landscaping and buffer regulations and traffic impact studies for a subdivision or land development.

GOAL: Improve the appearance of the Project Area to welcome visitors and create a sense of place for residents.

- ❖ Improve the appearance of Carmichaels Borough, Bobtown, and Mt. Morris. Possible strategies include the development of a streetscape plan that would identify plantings, landscaping, and pedestrian improvements. Elected officials should conduct outreach activities to local developers to gauge interest in the possibility of volunteer activities and donations.