

REPORT #4

THE OFFICIAL MAP

Introduction

In Pennsylvania, the Municipalities Planning Code (MPC) is the main authority for controlling land use and managing growth. Under Article IV of the MPC, municipalities and counties may prepare and adopt Official Maps as tools for implementing their comprehensive plans. At this time, no municipality in Delaware County has an Official Map. Therefore, one of the primary tools for implementing the comprehensive plan is not being used.

What is an Official Map?

The Official Map is a map and ordinance that identifies both existing and proposed public lands and facilities within the entire community or in a specific area or neighborhood. The map is a declaration by the municipality that it may eventually need the mapped areas for uses and facilities that will advance and safeguard the health, safety, and welfare of the residents. It identifies properties that the municipality reasonably expects for public purposes or improvements. Only those areas should be mapped which the municipality is able and willing to purchase outright or on which it can acquire easements. **Contrary to a common misconception, the Official Map is not a zoning map** that shows the districts related to ordinance text that regulates the uses of land in the community.

The following lands and facilities may be placed on the Official Map:

- ❖ streets, watercourses, and public grounds
- ❖ public parks, playgrounds, and open space reservations
- ❖ sidewalks, paths, and bicycle trails
- ❖ railroads, transit rights-of-way, and easements
- ❖ floodplains, stormwater management facilities, and drainage easements
- ❖ historically or archaeologically significant areas
- ❖ any other existing or proposed public way or facility identified in the comprehensive plan, including municipal buildings, police and fire stations, libraries, schools, community centers, and similar ways and facilities

Benefits of an Official Map

1. The Official Map provides a legal means for reserving sites for public use. Development of the designated land may be delayed for up to one year. Adoption of the map does not in itself establish a street or imply that the municipality has taken the land; that requires a municipal purchase, mutual agreement, or condemnation of the land through eminent domain.

2. An Official Map can indefinitely restrict development of land for streets and watercourses. But where a landowner applies to subdivide or develop a parcel of land designated for public grounds or facilities, the municipality has one year to acquire the area designated for public improvement. Otherwise, the reservation becomes void.
3. The map allows for public and private cooperation by informing developers up front of the municipality's long-range growth plans. Occasionally, developers opt to pay for the additional roadways and other improvements rather than wait a year for a decision by the municipality. This is a distinct savings to the taxpayers.
4. An Official Map provides leverage for outside funding. Including specific features on the map indicates a commitment by the municipality to purchase the land or make improvements. Grant agencies will be more willing to fund projects that are part of a strategy that has the support and commitment of the community.
5. The map outlines the direction toward which the municipality wants to grow or redevelop.
6. An Official Map serves as an important tool to implement the comprehensive plan. When used together with the zoning ordinance, the building code, the subdivision and land development ordinance, and the capital improvements program, the Official Map can help the municipality realize its vision for future growth and redevelopment.

Who Should Have an Official Map?

Although most municipalities could benefit from adopting an Official Map, certain municipalities would particularly benefit from doing so. Generally speaking, communities experiencing significant development pressures, major transportation needs or problems, and a loss of open space can benefit most from the adoption of an Official Map. It therefore follows that in Delaware County, the developing municipalities in the western and northern portions of the County would be likely to derive greater benefits than the more fully developed communities in the southern and eastern parts of the County.

How to Adopt an Official Map

1. **Determine whether the map will cover all or part of the municipality.**

Is the community trying to address multiple goals in all sections or limited goals at a specific location?

2. **Create the draft Official Map**

Features may be located using property records, aerial photography, and other sources and methods.

3. **Create the draft Official Map Ordinance**

Enlist the municipal Solicitor to prepare the Official Map Ordinance describing the map and its purpose.

4. **Review the draft map and ordinance**

Once the draft map and ordinance have been reviewed internally, they should be distributed to the local and County Planning Commissions for review and comment. In addition, should the map show any street or public lands leading into an adjacent municipality, the map should be forwarded to that municipality for review and comment.

5. **Hold a public hearing**

A public hearing held by the governing body shall be advertised and held following proper public notice.

6. **Adopt the ordinance**

If no changes result from the public hearing, the municipality may adopt the Official Map and Ordinance.

7. **Distribute the ordinance and map**

Within 30 days after the municipality adopts an Official Map, a copy of the map and ordinance must be sent to the County Planning Commission and, where such map shows streets or public lands intending to lead into adjacent municipalities, a copy of the map must be sent to such adjacent municipalities.

Recommendations

- * Carefully review this report.
- * Review Article IV of the MPC.
- * Determine how your particular community could benefit from an Official Map.
- * Regard the Official Map as another method for implementing your comprehensive plan, in addition to other implementing mechanisms such as the zoning ordinance, the subdivision and land development ordinance, the capital improvements program, and your code enforcement program, and use this tool available to you.

Questions? Call DCPD's Community Assistance section at (610) 891-5226.