

FILE OF THE CITY CLERK

ADMINISTRATIVE ORDINANCE NO. 07 - 2024

ADMINISTRATION BILL NO. 07 - 2024

INTRODUCED – JUNE 11, 2024

ADOPTED BY COUNCIL – JUNE 25, 2024

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF LANCASTER APPROVING AN INTERMUNICIPAL AGREEMENT BY AND BETWEEN MANHEIM TOWNSHIP (“TOWNSHIP”) AND THE CITY OF LANCASTER (“CITY”) TO ADOPT AND APPROVE THE LANCASTER TRAIN STATION SMALL AREA PLAN AS THE OFFICIAL PLAN TO BE USED TO GUIDE DEVELOPMENT AROUND THE LANCASTER AMTRAK STATION, INCLUDING BUT NOT LIMITED TO, CONSIDERING NECESSARY AMENDMENTS TO THEIR RESPECTIVE ZONING ORDINANCES TO BE CONSISTENT WITH THE PLAN; ENCOURAGING PLANNING STAFF OF THE TOWNSHIP AND THE CITY TO COLLABORATE AND COORDINATE ON DEVELOPMENT PROJECTS IN THE AREA AROUND THE LANCASTER AMTRAK STATION; AND TO PROMOTE AND SUPPORT THE DEVELOPMENT OF THIS AREA IN A MANNER THAT IS CONSISTENT WITH THE PLAN, AND AUTHORIZING THE APPROPRIATE OFFICIALS OF THE CITY TO ENTER INTO AND PERFORM TASKS ASSOCIATED WITH THE INTERMUNICIPAL AGREEMENT

WHEREAS, the Township and the City share a common municipal line located near the Lancaster Amtrak station, which is located at 53 McGovern Avenue, just north of downtown Lancaster; and

WHEREAS, the Lancaster Amtrak station is the second busiest Amtrak station in Pennsylvania and the 21st busiest station in the United States; and

WHEREAS, the area around the Lancaster Amtrak station previously was developed in a disjointed manner resulting in large vacant lots, parking lots, former industrial properties and car dealerships that is unfriendly to pedestrians, not conducive to residential uses and is characterized by large signs and high traffic volumes with limited sidewalks and trees; and

WHEREAS, development of the area around the Lancaster Amtrak station can be confusing and challenging because this area straddles the Township and the City resulting in the application of two different zoning ordinances that are not necessarily consistent; and

WHEREAS, the Township and the City recognize the importance of the area around the Lancaster Amtrak station to both municipalities and to Lancaster County because it offers a unique opportunity for coordinated and planned development just north of downtown Lancaster and along the municipal boundary between the City and the Township, all of which is in close proximity to the Lancaster Amtrak station and to large areas of developable land; and

WHEREAS, the Lancaster County Planning Department has worked closely with the Township and the City to develop a small area multi-municipal plan entitled the “Lancaster Train Station Small Area Plan” to coordinate and foster development and growth in the area around the Lancaster Amtrak station in a cohesive and well-designed manner that can lead to a gateway neighborhood with a multi-modal transportation network, which will attract a diverse mix of residents, housing and businesses compatible with and supportive of increased transit ridership. A copy of the completed Lancaster Train Station Small Area Plan is attached hereto as Exhibit “B”; and

WHEREAS, the parties desire to enter into an intermunicipal agreement to officially adopt the Lancaster Train Station Small Area Plan as a planning tool that will be used by the Township and the City to revise the parties' respective zoning ordinances, to guide development around the Lancaster Amtrak station and to work cooperatively together to encourage development consistent with the goals, objectives and recommendations outlined in the Plan; and

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the City Council of the City of Lancaster, Lancaster County, Pennsylvania, as follows:

SECTION 1. The provisions of the background clauses set forth above be and hereby are incorporated herein.

SECTION 2. In accordance with the Intergovernmental Cooperation Act of the Commonwealth of Pennsylvania codified at 53 Pa. C.S. §§2301-2317, the Intermunicipal Agreement Approving the Lancaster Train Station Small Area Plan by and between the City of Lancaster and Manheim Township in substantially the form attached hereto and incorporated herein as Exhibit "A" be and hereby is approved and the proper officers of the City be and hereby are authorized to take any and all necessary actions to implement the terms of such intermunicipal agreement once executed and delivered by both parties.

SECTION 3. In accordance with Section 2307 of the Intergovernmental Cooperation Act of the Commonwealth of Pennsylvania, the following information regarding the enforcement of the intergovernmental cooperation agreement is provided in this section:

- A. The City and Township are executing the agreement to officially adopt the Lancaster Train Station Small Area Plan as a planning tool that is to be used by the Township and the City to guide the revisions to the parties respective zoning ordinances, to guide development around the Lancaster Train Station, and to work cooperatively together to encourage development consistent with the goals, objectives and recommendations as outlined in such Small Area Plan.
- B. The purpose of the agreement is for the Township and the City to adopt and approve the Lancaster Train Station Small Area Plan as the official plan to be used to guide development around the Lancaster Amtrak station.
- C. The purpose and objectives of the agreement are as set forth in the background section of this ordinance and are more particularly detailed in the agreement.
- D. Pursuant to the agreement, the City and the Township are each responsible for their own costs.
- E. No separate or unique organizational structure is necessary to implement the agreement and none is set forth therein.
- F. Except as otherwise set forth in the agreement regarding utilizing the Lancaster Train Station Small Area Plan to guide development around the Lancaster Amtrak station and to guide development of ordinances for the same, the agreement does not provide for the acquisition, management, licensing or disposal of real property.
- G. No separate entity is created under this section which has power to enter into contracts for policies for group insurance or employee benefits.

SECTION 4. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 5. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the City of Lancaster that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 6. This Ordinance shall take effect in accordance with Pennsylvania law and only after full and complete execution of the aforementioned intermunicipal agreement by both parties.

DULY ORDAINED AND ENACTED this 25th day of June, 2024, by the Council of the City of Lancaster, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST:

CITY OF LANCASTER


Bernard W. Harris, Jr. City Clerk

By: 
Danene Sorace, Mayor

EXHIBIT A

INTERMUNICIPAL AGREEMENT APPROVING THE LANCASTER TRAIN STATION SMALL AREA PLAN Between the Township of Manheim and the City of Lancaster

This Intermunicipal Agreement is made this ____ day of _____, 2024, by and between the TOWNSHIP OF MANHEIM, a Pennsylvania municipality with an address of 1840 Municipal Drive, Lancaster, Pennsylvania 17601 operating as a Township of the First Class under the laws of the Commonwealth of Pennsylvania ("Township") and the CITY OF LANCASTER, a Pennsylvania municipality with an address of 120 North Duke Street, Lancaster, Pennsylvania 17602 operating as a City of the Third Class under the laws of the Commonwealth of Pennsylvania ("City").

WITNESSETH:

WHEREAS, the Township and the City share a common municipal line located near the Lancaster Amtrak station, which is located at 53 McGovern Avenue, Lancaster, Pennsylvania 17602, just north of downtown Lancaster;

WHEREAS, the Lancaster Amtrak station is the second busiest Amtrak station in Pennsylvania and the 21st busiest station in the United States;

WHEREAS, the area around the Lancaster Amtrak station previously was developed in a disjointed manner resulting in large vacant lots, parking lots, former industrial properties and car dealerships that is unfriendly to pedestrians, not conducive to residential uses and is characterized by large signs and high traffic volumes with limited sidewalks and trees;

WHEREAS, development of the area around the Lancaster Amtrak station can be confusing and challenging because this area straddles the Township and the City resulting in the application of two different zoning ordinances that are not necessarily consistent;

WHEREAS, the Township and the City recognize the importance of the area around the Lancaster Amtrak to both municipalities and to Lancaster County because it offers a unique

opportunity for coordinated and planned development just north of downtown Lancaster and along the municipal boundary between the City and the Township, all of which is in close proximity to the Lancaster Amtrak station and to large areas of developable land;

WHEREAS, the Lancaster County Planning Department has worked closely with the Township and the City to develop a small area multi-municipal plan entitled the "Lancaster Train Station Small Area Plan" to coordinate and foster development and growth in the area around the Lancaster Amtrak station in a cohesive and well-designed manner that can lead to a gateway neighborhood with multi-modes of transportation and which will attract a diverse mix of residents, housing and businesses compatible with and supportive of increased transit ridership. A copy of the proposed Lancaster Train Station Small Area Plan is attached hereto as Exhibit "A".

WHEREAS, the parties desire to officially adopt the Lancaster Train Station Small Area Plan as a planning tool that will be used by the Township and the City to revise the parties' respective zoning ordinances, to guide development around the Lancaster Amtrak station and to work cooperatively together to encourage development consistent with the goals, objectives and recommendations outlined in the Plan; and

WHEREAS, the Act 80 of 2019, 53 Pa. C.S. §2301, *et seq.*, also known as the Intergovernmental Cooperation Act, permits Municipalities to enter into agreements to cooperate in the performance of their respective functions, powers or responsibilities;

NOW THEREFORE, for and in consideration of the mutual promises contained herein, and intending to be legally bound hereby the parties agree as follows:

1. **Background**. The foregoing background recitals are incorporated into and made a part of this Agreement.

2. **Purpose**. The purpose and intent of this Intermunicipal Agreement is for the Township and the City to adopt and approve the Lancaster Train Station Small Area Plan ("Plan") as the official plan to be used to guide development around the Lancaster Amtrak station.

3. **Agreement to Cooperate.** The Township and the City agree to work cooperatively in pursuing the goals and objectives of the Plan, including but not limited to considering necessary amendments to their respective zoning ordinances to be consistent with the Plan; encouraging planning staff of the Township and the City to collaborate and coordinate on development projects in the area around the Lancaster Amtrak station; and to promote and support the development of this area in a manner that is consistent with the Plan.

4. **Cost.** The parties agree to be responsible for their own costs.

5. **Good Faith.** The parties shall at all times deal in good faith with each other as to the subject matter of this Agreement and the transactions contemplated hereby.

6. **Governing Law.** This Agreement shall be governed by and interpreted in accordance with the law of the Commonwealth of Pennsylvania.

7. **Not Actionable.** The parties agree that the Plan has been prepared as a planning tool to provide a framework to guide future development in the area around the Lancaster Amtrak station and that it is not a legally enforceable document. Accordingly, neither party shall have any right to bring a legal action in any form against the other party arising out of the Plan or arising out of this Agreement.

8. **Termination of Agreement.** Either party at any time may terminate this Agreement and withdraw from the Plan by providing thirty (30) days written notice to the other Party.

9. **Intergovernmental Cooperation Act.** The parties have passed an ordinance or resolution pursuant to the Intergovernmental Cooperation Act to authorize the execution of this Agreement.

10. **Severability.** Should any of the provisions of this Agreement for any reason be held illegal or invalid, such illegality or invalidity shall not affect any other provisions of this

Agreement and this Agreement shall in such circumstances be construed and enforced as if such illegal or invalid provisions have not been contained herein.

11. Entire Agreement. This Agreement constitutes the entire Agreement between the parties and shall not be amended except in writing signed by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first written.

TOWNSHIP OF MANHEIM

BY: _____

ATTEST:

CITY OF LANCASTER:

BY: _____

ATTEST:

EXHIBIT "A"

DRAFT

