

OFFICIAL MAP

Pennsylvania Municipalities Planning Code

Article IV of the Pennsylvania Municipalities Planning Code grants the authority to municipalities to adopt an *Official Map*. The *Official Map* shows the location of areas which the municipality has identified as necessary for future public streets, recreation areas, and other public grounds. By showing the area on the *Official Map*, the municipality puts the property owner on notice that the property has been reserved for future taking for a public facility or purpose. The municipality may refuse to issue a permit for any building or development on the designated parcel; however, the municipality has one year to purchase the property upon notice by the owner of intended development. This little used land use control tool can be invaluable for minimizing the cost of public improvements, and the two Milford Planning Area municipalities should carefully consider its use as public improvement projects are identified.

Milford Planning Area

Milford Borough recently considered the adoption of an *Official Map* to show existing public facilities and focuses on the potential location of public parking lots. The Borough should continue, and Milford Township should consider, the adoption of an *Official Map* to show existing public lands and facilities and anticipated needs. An example would be the area chosen for a joint Township/Borough park. Another example is open land preservation. Zoning has historically been the primary land use management tool used by Pennsylvania municipalities to regulate density and provide for open space. However, in addition to this land use management tool, an Official Map, can be used to identify open space for acquisition, in fee or by easement, by the municipality.

What Is an Official Map?¹

- A land use management tool adopted by municipal ordinance as provided by the Pennsylvania Municipalities Planning Code.
- Furthers the execution of the comprehensive plan, open space and recreation plan, road improvement

plan, and other identified planning goals.

- Identifies both private and public lands for which the public has a current or future need.
- Legally establishes the location of existing and proposed streets, open space, parks, other public lands and facilities, waterways and floodplain.
- Informs property owners and developers of planned public improvements and land and easement acquisitions.
- Identifies and protects future improvements and extensions of the municipal road network.
- Provides notification of the location of public improvements and acquisitions, thus preventing construction within future rights-of-way and other future public areas and conservation easements.
- Gives the municipality one year to purchase the property or obtain an easement when the owner proposes to develop or subdivide the designated land.

What Misconceptions Surround The Official Map?

- *The Official Map is not a zoning map* - The *Official Map* is often mistaken for the zoning map or the future land use map in the comprehensive plan. In fact, the official map is a separate, legal document adopted in accord with the requirements of the Pennsylvania Municipalities Planning Code.
- *The Official Map does not have to be surveyed* - Other methods can be used provided the location of the *Official Map* components are sufficiently described. The metes and bounds survey is not required until an actual purchase of land or easement is proposed.
- *The Official Map does not imply municipal responsibility for opening, maintaining or improving mapped roads* - The inclusion of proposed streets or land/easement acquisitions on the *Official Map* does not constitute the opening or establishment of the street, the taking or acceptance of land. Nor does it obligate the municipality to

¹Much of the following sections were adapted from information contained in *Planning Bulletin #48, Official Map*, Chester County Planning Commission, 1994.

improve or maintain such streets or land until the time of dedication or purchase.

- *The Official Map is not a taking of land* - Although a property owner cannot build within mapped areas, the owner is free to use any unmapped portions of the land in whatever way the municipality ordinances allow. If a property owner intends to subdivide or develop land reserved on the *Official Map*, he must submit written notice to the municipality of these intentions. Following notification, the municipality has one year to purchase the land or obtain an easement. If necessary, the municipality may use condemnation proceedings to acquire the land.

What Are the Benefits of the Official Map?

- *Provides for the coordination of public and private goals* - Property owners are informed, up front, of long range municipal goals for roads, parks, other public facilities and conservation easements. This allows development plans to be adjusted before detailed and costly plans are prepared.
- *Provides an effective method for implementing the Comprehensive Plan, the Open Space Plan and other planning goals* - Most municipalities rely primarily on their zoning and subdivision ordinances to advance their future land use goals. The *Official Map* provides an additional and highly effective tool to ensure that a municipality is developed in accord with its land use policies. It is particularly effective for achieving transportation and community facility goals. The implementation of an open space or park and recreation plan can benefit from the designation of existing and proposed parks, related facilities and conservation easements on the *Official Map*.
- *The municipality can plan ahead to provide community facilities, parks and open space important to the community* - By setting aside funds for the eventual purchase or easement of the identified areas the municipality can use limited resources to the best long term advantage. Priorities can be established instead of reacting to unanticipated needs undertaking uncoordinated acquisitions.
- *Provides support for grant applications* - When the municipality applies for grants or other funding, the *Official Map* can provide an advantage. Including specific features on the *Official Map* indicates a commitment to purchase the land or easement and/or make improvements. For example, mapping future parks or recreation facilities demonstrates that the municipality has planned ahead for these improvements, and could be considered when grant applications are reviewed.

What Can Be Included on the Official Map?

A wide variety of elements can be shown on the official map as long as they are consistent with the requirements of the Municipalities Planning Code. The following list includes both features specifically identified in the Planning Code and additional features that are often important to the quality of life in a community.

- Existing and proposed public streets, watercourses, and public grounds, including widenings, extensions, openings or closings.
- Bikeway routes (both separate trails and those proposed along existing roads).
- Existing and proposed public parks, playgrounds, and open space reservations.
- Pedestrian ways and easements.
- Railroad and transit rights-of-way and easements (including those that may be vacated or abandoned and have potential use as trails).
- Stream valley corridors and other environmentally critical areas such as unique and scenic areas, or habitats of endangered species.
- Flood control basins, floodways, and floodplain, stormwater management areas, and drainage easements.
- Potential public well sites or groundwater resources areas.
- Historical and archaeologically significant areas.
- Sites planned for public facilities such as municipal buildings, police and fire stations, libraries, community centers, and schools.