Pennsylvania mandates zoning in municipalities along Appalachian Trail

By RICHARD FELLINGER Public Opinion Harrisburg Bureau

Municipalities along the Appalachian Trail will be required to have zoning rules to protect the trail from adjacent development under a bill signed into law by Gov. Ed Rendell.

Rep. Bob Freeman, D-Northampton, chairman of the House Local Government Committee, sponsored the bill that strengthens a 1978 law intended to preserve the renowned hiking trail.

Courts have ruled that the original law fell short of mandating the zoning, and Freeman authored his bill after a proposal surfaced for a private auto-racing club near the trail in Monroe County.

Freeman said the racing club will mar the setting around the trail, but will apparently go forward because the original state law was not strong enough and the township did not have zoning.

"I am a big believer in protecting the trail. It is one of Pennsylvania's greatest natural assets," Freeman said.

Pennsylvania has 229 miles of the 2,175-mile trail that stretches from Maine to Georgia.

In central Pennsylvania, the trail weaves through Franklin, Cumberland, Perry, Dauphin and Lebanon counties.

To help with the cost of any new zoning, the law requires the Department of Community and Economic Development to give priority to any affected municipality for planning grants.

Still, critics of the bill called it an unfunded mandate.

Rep. Scott Perry, R-York, whose district reaches into Cumberland County, voted against the bill in the House and said he fears municipalities will be hit with added costs.

"We keep hearing that unfunded mandates are what's driving up costs for local governments and taxpayers," Perry said.

All Franklin County lawmakers voted for the bill in both chambers.

Rep. Rob Kauffman, R-Chambersburg, said he was confident no local townships would be negatively affected because they have zoning.

The House ratified the bill June 3 by a vote of 190-12, sending it to Rendell. He signed it Wednesday.

The Senate approved the final version of the bill in May by a vote of 48-2. Sens. Mike Folmer and John Eichelberger, R-Blair, voted against it.

The bill takes effect in 60 days, and affected municipalities will have one year from then to
implement the needed ordinances.

DCED is required to notify affected municipalities within 30 days of when the law takes effect.

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