

# PLANNING MAGAZINE

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## Keep It Plain and Simple

Planning with a twist in Lancaster County.

*By Brian William Gish, AICP*

On a chilly evening last December, members of the Lancaster County Planning Commission were arranging chairs at the Robert Fulton Fire Company, in the village of Peach Bottom, for a public meeting on a new comprehensive plan for the county's four southernmost townships. Meanwhile, members of the volunteer fire department's ladies auxiliary cubed Lebanon bologna and arranged plates of freshly baked cookies. The dew point had fallen rapidly around sunset and a thick fog enveloped the Lower Susquehanna Valley, prompting the meeting's organizers to wonder just how many residents would show up.

They didn't have to worry. More than 80 members of the small farming community arrived for two hours of discussion, brainstorming, and a bit of old-fashioned "neighboring."

This event was one of a series of meetings scheduled in rural townships in southern Lancaster County to talk about the new plan. What made this meeting different was the fact that nearly all the participants were members of the county's Amish community. Until recently, the "plain people" rarely took part in such government-sponsored activities.

Last spring, Lancaster County adopted three new amendments to its 1992 comprehensive plan, which included a new component: a rural strategy. The process leading up to approval involved an unusual amount of community input, with a particular emphasis on the opinions of the Amish and Old Order Mennonite farmers, who make up about 60 percent of the county's farm population and account for 11 percent of its total population of half a million.

Two-thirds of the 960-square-mile county is in agriculture, but development pressures are increasing, particularly for single-family houses on large lots. The new plan calls for 85 percent of all new development to take place in urban growth areas, at an average density of 7.5 units per acre.

At a public forum held last October, residents of south Lancaster County made it clear that they wanted to maintain the area's rural character. But the Amish and Old Order Mennonites who attended simply listened, as they generally do.

Changes in the past few years to Pennsylvania's planning enabling act, the Municipalities Planning Code, have encouraged communities to plan jointly with neighboring cities, towns, boroughs, and townships. In Lancaster County, that means special efforts to include the Amish and Mennonites.

The first of the planning efforts, under way since last July, is the Southern Lancaster County (Solanco) Regional Comprehensive Plan, which involves the four townships closest to the Maryland border, Lancaster County's most rural region. All four have a large Amish population. The second plan, also currently under way, is the Eastern Lancaster County (Elanco) Regional Comprehensive Plan. It involves several municipalities in the northeastern part of the county that also have large Amish communities.

The December meeting on the Solanco plan was intended to give these communities a chance to tell the plan's steering committee how they felt about the changes in the region and what a plan should contain to accommodate their specific needs. Similar meetings will take place next summer in the Elanco area. Both plans are required to be consistent with the county's comprehensive plan.

### **Distinctive customs**

For planners, such meetings provide an insight into a very different view of the world, a first step in developing a strategy that's both "plain" and "fancy."

Years ago, few planners would have been concerned with the customs of the plain sects — Amish, Old Order Mennonite, Old German Baptist Brethren, and Hutterites. But today, this population, once concentrated in Pennsylvania and Ohio, is spreading all over the country. The large agricultural land holdings of these communities give them an important role in plan implementation. It is essential that planners working with them understand their distinctive views on society and government regulations.

Even planners with no connection to the plain sects will find it helpful to learn how to work with them. They will come away from the process with insights into other religious, ethnic, or linguistic communities — Muslims, for instance, or Hispanics — and suggest ways that planners can involve members of these groups as stakeholders.

The history of the plain sects goes back to the 16th century, when the Anabaptists, the forbears of the present-day communities, were involved in a major theological controversy with the Roman Catholic Church, as well as the recently formed Evangelical (Lutheran) and Reformed (Calvinist) churches.

Persecution followed. Forced conversions, torture, and imprisonment led to a mass migration to North America in the 18th century. By the mid-19th century, the vast majority of Europe's Anabaptists were living in the U.S. and Canada. Life improved, but it was still far from the "New Jerusalem" many had hoped for.

Non-resistance was a major point of contention. The practice of offering the hand instead of the barrel of a musket to native populations led to a popular view of Anabaptists as cowards, and at times even traitors. Mennonite abolitionists who prevented Maryland authorities from apprehending fugitive slaves in Lancaster County were tried for treason, the largest group to be charged collectively with that crime in U.S. history.

Anabaptist doctrine requires that government always be obeyed, except when doing so would violate God's will. Believers pay their taxes, follow zoning ordinances, and comply with agricultural regulations. But they do not enter military service, run for office, condone the use of force, or accept any form of social assistance.

Nor, for the most part, do they apply for agricultural easements or take part in the community planning process. To the Amish, such activities suggest government control and the threat of force.

### **One man's view**

David Blank is a member of the Amish Church — and a member of the Sadsbury Township planning commission. (His home is within walking distance of the West Nickel Mines School, made notorious last fall by the tragic shooting of the Amish children.)

Amish participation in local boards and commissions is exceedingly rare in Lancaster County. Most bishops see such activities as flying close to a dangerous flame and forbid them in no uncertain terms. Upon considering the circumstances, however, Blank's bishop reached a different conclusion, allowing him to become a member of a township planning commission. Part of the reason was that in Pennsylvania, a commissioner does not have to run for election or take an oath.

As is common for Amish families, Blank wanted to construct an in-law cottage (called a dowdyhaus) adjacent to his home. When he submitted the plans and realized how much the new structure would increase his taxes and how many restrictions would be placed on its use, he became a regular at the monthly meetings and eventually accepted the seat on the planning commission. "The reason I'm here is I'm concerned," he says.

Until his appointment, the township had little understanding of issues of particular importance to the Amish. Some of their needs were obvious: limiting the impacts of new residential lots, widening road shoulders for safety, making allowances for lives lived without electricity. A case in point is the septic issue. The Pennsylvania Department of the Environment has enacted strict regulations for septic systems, prompting many county residents to install composting toilets. But without electricity and with large households, the Amish could not properly maintain the units.

The response was ingenious: a microflush system (one quart per flush) that deposits the waste into a large holding tank. Gray water is flushed into a traditional septic system, and all other waste is pumped on a schedule. "It's all working fine," Blank says.

Another issue is zoning. The same regulations that prevent large lot subdivisions also prevent the creation of small specialty farms that produce artisan cheeses or raise exotic game.

An even greater problem is the soaring real estate prices in Lancaster County, which have affected the Amish tradition of passing on farmland from generation to generation. Typically, one child would buy the farm from the parents, who would then move into a dowdyhaus. But with the increase in land values, the tax burden has increased substantially. Simply to cover the taxes, more and more Amish farmers must come out of retirement, doing woodwork or bookbinding, or working in a local factory. Women sell baked goods or take in sewing.

When the parents pass away, the additional income is lost. In addition, local restrictions may prevent the dowdyhaus from being used by other family members, although the taxes must still be paid.

For planners, the questions are: How does a community allow the Amish to build accessory structures on a lot, while preventing developers from dotting the countryside with apartment complexes? How can the township allow Amish families to operate side businesses without turning the entire agricultural zone into a low-density industrial district?

At the December meeting in southern Lancaster County, a proposed Wal-Mart Supercenter in the region was one of the first topics to come up. There were concerns that the Wal-Mart would lead to more traffic and more development. Others brought up the difficulties of starting businesses, particularly permitting; the problems connected with expanding home operations; and the definition of "farm-related."

During the meeting, planners took notes and talked about solutions from other parts of the county, as well as in other states. County planners Dean Severson, AICP, and Mark Stivers, AICP, described the home business performance zoning standards that had been adopted for the Leola area, northeast of Lancaster City.

Planning consultant Stephen Gabriel told the farmers about researchers at Penn State who found that strategic planting of pine trees could contain most farm odors. The planners noted that road safety problems are harder to solve, largely because of funding constraints. But the farmers at the meeting seemed to approve the idea of limiting development along farm lanes to lessen conflicts between motorized and nonmotorized vehicles.

The meeting was deemed a success. It met planners' primary goal of giving a voice to the concerns of the Amish community. And it allowed the participants — including the members of the steering committee — to connect names and faces to the issues.

## **Broader effort**

Since 1980, the Lancaster County Agricultural Preserve Board has gained national attention for its farmland preservation programs. The board has used state and county funding to buy conservation easements on several hundred farms throughout the county, with total land coverage of more than 50,000 acres.

Plain sect farmers rarely participate in these, or any, government programs. As a result, there have been noticeable gaps in the county's agricultural landscape. A private, nonprofit group, the Lancaster Farmland Trust, has addressed this situation in its own way. In 1988, the trust initiated a program to buy agricultural easements, three-fourths of them on Amish and Old Order Mennonite farms. The farmers' response has been encouraging, and the trust is well on its way to meeting its goal of owning easements on 20,000 acres by 2008. In addition, many townships offer tax incentives to landowners who chose not to develop farmland.

The success of such programs suggests that change is possible, even in such a conservative religious community. As planners, our job is to provide guidance so that the new policies will result in positive solutions and a better future. Meanwhile, the plain sects must grapple with change in their own way, striking a balance with the simplicity of their lives. In doing so, they offer all of us a host of valuable lessons.

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Images: Top — Soaring real estate prices have affected the Amish tradition of passing on farmland from generation to generation. Bottom — Since 1980, the county has gained national attention for its farmland preservation programs, including the purchase of development rights program initiated by the Lancaster Farmland Trust. Photos by Brian Gish.

## Points to Remember

[Click here](#) to view a map of agricultural land ownership. **NOTE:** legend was reversed in the February 2007 *Planning* magazine.

**Technology.** None of the Anabaptist communities regards technology as sinful on its face. It is forbidden only when it is seen as pulling the community away from God and introducing things that will disturb the simplicity that is necessary for an unassuming life.

**Cultural differences.** Members of conservative Anabaptist groups may not take oaths, are forbidden from holding public office, and have strict gender-defined roles. But within the groups, local congregations often have considerable autonomy.

**Isolation.** Contrary to popular opinion, Old German Baptist Brethren, Old Order Amish, and Old Order Mennonites are dispersed throughout the community and regularly interact with their "fancy" neighbors. Members of some of the more assimilated groups may even drive automobiles and attend public schools. In contrast, the Hutterites live in colonies, with all land and nearly all other property held in common ownership.

**Transportation.** Amish and Old Order Mennonite groups pose particular difficulties for transportation planners. The prevalence of horse-drawn buggies on busy roads is an obvious safety concern. Planners must also be aware of the differences among the groups. Old German Baptist Brethren drive automobiles, and Hutterites use community vehicles for rare trips outside the colony. Some groups use farm vehicles for transportation. Others depend on public buses.

**Communication.** Mailings and personal contact are the best ways for planners to distribute information to plain sect communities. The key is to develop a relationship with community leaders or their designated representatives; their ability to encourage involvement is invaluable.

#### TDR to the Rescue

The greater Philadelphia region has a notable distinction: the highest concentration of transfer-of-development-rights programs in the U.S. More than 100 communities in Pennsylvania, New Jersey, Maryland, New York, and Delaware use TDRs to save farmland and open space. And many of these programs are in smaller communities like the townships of Lancaster County, Pennsylvania.

Lancaster County, just 50 miles west of Philadelphia, has long been recognized for preserving farmland using purchase of development rights. The Lancaster County Agricultural Preservation Board has protected over 50,000 acres with a PDR program funded by the county and the state.

Typically, PDR funding is used to buy an easement that permanently retires a parcel's development rights. Adding a TDR program allows a community to buy transferable development rights, which it can then sell to developers. The proceeds of the sale can be used to buy more TDRs, thereby creating a perpetual funding source for preservation.

That's what happens when Warwick Township partners with the Lancaster County Agricultural Preservation Board to buy easements in Warwick. The board allows the township to bank and sell all the TDRs, even though the county puts up most of the money. The only stipulation is that the proceeds of the TDR sales must be used to preserve farmland within the township. The nonprofit Lancaster Farmland Trust also sells its share of the TDRs created when it helps to preserve a farm in Warwick, essentially enjoying a new funding source when it operates in the township.

So far, Warwick has saved 898 acres through TDR. Now Lancaster County and 12 municipalities have teamed up to develop model TDR ordinances that can be used to replicate the Warwick approach in other townships.

Adjacent Manheim Township adopted a TDR program in 1991 and began buying and banking TDRs using general fund money. The Lancaster County Farmland Trust and the township have cooperated in the preservation of four farms through the purchase of TDRs. As in Warwick, when Manheim sells its TDRs, it uses the proceeds as a revolving fund to make additional purchases.

In neighboring Chester County, Amish and Mennonite farmers own 70 percent of the agricultural land in Honey Brook Township. While these farmers are reluctant to participate in the state and county agricultural easement program, perceiving it as a form of government subsidy, they are willing to sell TDRs. In the last four years, 282 TDRs have been certified.

Also in Chester County, West Sadsbury Township is considering a TDR ordinance that would give developers a chance to achieve bonus density through an in-lieu-fee option.

*Rick Pruetz, FAICP*

*Pruetz is a Hermosa Beach, California, planning consultant who specializes in TDR. Dan Zimmerman, town manager of Warwick Township, along with John Theilacker, AICP, and John Snook of the Brandywine Conservancy Environmental Management Center, helped with this article. They will present these and other case studies at the Philadelphia APA conference.*

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