

CONSERVATION OPPORTUNITIES for CORRIDOR PRESERVATION and COMMUNITY DEVELOPMENT

Build-out Analyses



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I. INTRODUCTION

Between Route 1 and Route 30, Route 41 passes through or near nine communities that contain extensive prime farmland (some of the most productive land east of the Mississippi River); headwaters to five significant stream systems; and/or active, vibrant downtowns and villages. These economically and ecologically productive lands are currently threatened by development, as Chester County is the fastest growing county in the Commonwealth (2000 U.S. Census data). The improvements to Route 41 as proposed by the Pennsylvania Department of Transportation (PennDOT), could exacerbate these threats since increased land accessibility and road capacity result in decreased travel times and increased land development pressures. Major factors in this phenomenon include Route 41's location as a principal connector to Routes 1, 926, 10, 30; the roadway's importance to transporting agricultural (in particular) and other types of goods; the relatively low cost of land; and, people's willingness to drive longer and longer distances for their jobs.

Accordingly, these build-out analyses were undertaken as part of the broader effort by the Brandywine Conservancy, ***Conservation Opportunities***. Specifically, this document assists municipalities who want to address these increased land development pressures by quantifying the amount of development that current zoning would allow for a 20 year period from 2003-2023. In turn, this information can be used to revise zoning and other land use planning tools as allowed by the Pennsylvania Municipalities Planning Code (MPC).

In particular, the MPC enables second class townships and boroughs to create and enact zoning ordinances to protect the public health, safety, and general welfare. These regulatory ordinances usually consist of text and a map, and divide residential, commercial, industrial, recreational, institutional, agricultural, and open space uses into zoning categories or districts. Each district includes a list of compatible uses and related development standards that can be used by municipal officials to control the use of land within that district. The zoning ordinance also designates where, within the municipal boundaries, these various land-uses can occur via the official zoning map. Once enacted, these zoning ordinances have the force of law.

Within the Route 41 corridor, as in other areas of Pennsylvania, each municipality must zone for all uses of land within its boundaries (i.e., it cannot use its zoning to exclude a particular land use, e.g., a mobile home park). And, with few exceptions, each of the corridor communities must provide for its "fair share" of regional growth and development. The extent to which a municipality provides

vacant land zoned for high-density residential uses (e.g., apartment buildings and mobile home parks) has been used as a measure of how well a community meets this judicial mandate. Because of these two requirements, as well as Constitutional rights afforded all landowners, municipalities cannot simply say “no” to new development. And in some cases rural communities lying within the path of growth have a difficult time remaining rural by relying on zoning.

All municipalities within the Route 41 corridor have implemented their own zoning provisions. As such, the extent to which vacant and underutilized lands within this area can be developed with new land uses can be reasonably estimated based on the zoning. While other factors, such as economic conditions, interest rates, environmental constraints, landowner preferences, and roadway access also influence land use, zoning can lead to very predictable results. And, while the zoning designation for a given parcel can change almost at any time subject to action by the municipal governing body, zoning has been fairly stable within these corridor communities, i.e., piecemeal changes to the zoning ordinance or map have rarely occurred.¹

By applying this zoning knowledge to an inventory of vacant or underutilized lands within a municipality, and allowing for land development constraints (environmental and physical), a reasonable build-out estimate can be made. These build-out analyses can be used to effectively demonstrate the extent of future residential and other development permitted by zoning. The results of the analysis often startle municipal officials and local residents because the extent of the predicted development is normally well beyond that envisioned for their future.

A build-out analysis based on zoning at the time of the project was performed for each of the six townships and three boroughs comprising the ***Conservation Opportunities*** project area, in order to document the amount of development that these current zoning provisions would allow. Improvements to Route 41 proposed by the Pennsylvania Department of Transportation could increase the pace of this development, since roadway access is a documented factor in expanded land development. Accordingly, this report briefly describes each of the nine municipalities’ zoning, and outlines the methodology and results of the nine build-out analyses. This document also offers several growth management and resource conservation strategies for consideration by Route 41 municipal officials and their residents that either reduce, or redirect, development within the corridor. Fulfilling these strategies involves innovative planning, adoption of incentive-based regulatory techniques, and other conservation options that help to achieve a community’s resource conservation objectives.

¹ Whole-cloth zoning changes have, on the other hand, recently occurred in the Route 41 area. For example, Highland Township changed all of its zoning map designations in 2001; Londonderry Township changed its zoning map twice in the last five years affecting over 5,000 acres; and a regional comprehensive plan is underway that is expected to produce significant zoning changes for Londonderry, Highland, West Sadsbury and West Fallowfield Townships, and Atglen and Parkesburg Boroughs over the next decade.

II. MUNICIPAL ZONING

Build-out analyses were performed for the following townships: London Grove, Londonderry, West Fallowfield, Highland, West Marlborough, and West Sadsbury; and for the following boroughs: West Grove, Avondale, and Atglen. Current zoning was identified for each of these nine municipalities, and each of the zoning districts was studied in terms of the type and extent of development it permitted. A brief summary of these nine municipal zoning ordinances is provided for a clearer understanding of the build-out analyses. In addition, the Brandywine Conservancy produced a large-sized, GIS “Zoning Composite” map to graphically display the ***Conservation Opportunities*** study area, the nine municipalities, and their zoning district designations.

London Grove Township:

London Grove Township’s zoning ordinance, enacted in 1995 and amended thereafter, consists of nine different base zoning districts.² Table 1 lists these districts and the acreage for each district within the Township.

In general, London Grove Township officials have used Route 1 as a dividing line between their rural, agricultural zoning to the north, and more suburban residential, commercial, and industrial zoning to the south. Approximately 17 percent of all of London Grove’s land is permanently protected. Large-lot zoning (ten-acre minimum lot size) and a lack of public utilities north of Route 1 have helped to avoid significant residential development proposals in this agricultural area. The only exception is an industrially zoned tract that is home to the SECCRA Landfill. The area of the Township immediately south of Route 1 and east of West Grove Borough is zoned for industrial uses, and the land around the Route 1/Route 41 interchange is zoned for commercial uses. Land just east of the interchange is zoned for medium and high-density residential uses. Lands further south of Route 1, and east of Avondale Borough are zoned for relatively low-density residential uses (1-acre minimum lot size); this area is now served by both public water and public sewer. A large residential – golf course community is now under construction in this area and has spawned other suburban residential development proposals for nearly all of the remaining agricultural tracts. Residential zoning in this area supports clustering of new single-family residential lots to create a meaningful open space network woven through the southern half of the Township.

Londonderry Township:

Londonderry Township’s zoning ordinance, enacted in 1979, and amended in 2003, consists of nine different base zoning districts. Table 1 lists these districts and the acreage for each district within the Township.

² The base zoning district defines the available uses for the land so zoned. A special purpose zoning district which overlays a base zoning district may further modify or limit the use of land based on additional restrictions. For example, a flood-hazard overlay district may prevent the establishment of new residential uses within a floodplain, even though that floodplain has a residential base zoning district designation.

TABLE 1: Land Use/Zoning District Designations and Total Acreages, Townships

TOWNSHIP	Agricultural	Rural Res. (V. Low Densities)	R-1 Res. (Low Densities)	R-2 Res. (Moderate Densities)	R-3 Res. (High Densities)	Village	Mobile Home Park	Commercial	Industrial	Institutional
London Grove	A-P 4,757 ac.	-- ³	R-R 4,929 ac.	R-M 122 ac.	R-H 222 ac.	--	R-MH 112 ac.	I-C, 126 ac. C, 106 ac.	I, 463 ac. I-S, 205 ac.	--
West Marlborough	Ag./Cons. 10,021 ac.	--	R1 727 ac.	R2 117 ac.	--	--	--	B1 38 ac.	--	--
Londonderry	AP 4,579 ac.	RA-2 2,192 ac.	R-1 135 ac.	R-2 227 ac. ⁴	--	R-2/TND 227 ac. ²	MHP 18 ac.	C, 67 ac. AB, 20 ac. GC-I, 44 ac.	--	TD 13 ac.
West Fallowfield	AG 10,485 ac.	RR 219 ac.	--	--	--	RN, 416 ac. V, 76 ac.	--	C 205 ac.	I 271 ac.	--
Highland	A 9,355 ac.	RC 1,057 ac.	--	--	--	RV 545 ac.	--	--	IND 42 ac.	--
West Sadsbury	AG 2,381 ac.	RU 933 ac.	RLD 1,525 ac.	RMD 624 ac.	--	--	--	CS, 163 ac. GC, 61 ac. O-C, 363 ac.	I 766 ac.	--

³ Indicates that a separate zoning district has not been designated for the described land use.

⁴ 227 acres includes both R-2 and R-2/TND (overlay).

Londonderry Township officials have used their zoning to maintain the Township's rural, agricultural character, while allowing a limited amount of new housing starts within rural areas. However, two recent residential development proposals will create 400 new dwelling units and the extension of public water to serve them. These applications prompted Township officials to reconsider their zoning strategy, resulting in a series of zoning text and map amendments that: (a) reduced the amount of land zoned to accommodate medium to high-density residential development; and, (b) changed the agricultural zoning to discourage all but minor residential subdivision applications. Most of the newly designated agricultural zoning lies east of Route 41, although some agricultural lands south and west of Route 41 are similarly zoned. Some commercial zoning currently exists along Route 41 near its intersection with State Route 926 (Street Road). Approximately 41 percent of Londonderry Township's lands are permanently protected.

West Fallowfield Township:

West Fallowfield Township's zoning ordinance, enacted in 1997, consists of six different base zoning districts. Table 1 lists these districts and the acreage for each district within the Township.

West Fallowfield Township officials have employed an agricultural zoning district that significantly limits non-farm development in their prime farmlands. In addition, 14 percent of West Fallowfield's land is permanently protected. As a result, most of the Township has seen little new residential development, except for that occurring as in-fill within the village of Cochranville. Even new development in Cochranville has been limited, not by zoning, but by a Commonwealth-imposed moratorium due to extensive groundwater contamination and the lack of an alternative public water supply. This situation may soon be remedied by the further extension of a public water line from the newly proposed developments to the south in Londonderry Township.

Perhaps more noteworthy is the Township's decision some time ago to establish a significant amount of commercially and industrially zoned land fronting on the east side of Route 41 and extending to the eastern Township boundary.

Highland Township:

Highland Township's zoning ordinance, enacted in 1979, and most recently amended in 2002, consists of four different base zoning districts. Table 1 lists these districts and the acreage for each district within the Township.

Even though Highland Township officials had not yet experienced significant development proposals within their municipal boundaries, Township officials adopted a new comprehensive plan in late 2001 that prescribed a growth management strategy which preserved farmland and other natural resources and promoted village development. Fearing that their subsequent efforts to update their zoning consistent with this strategy would be thwarted by "rushed" land development applications, the Board quickly voted in an interim zoning ordinance. The newly enacted agricultural zoning district significantly limits non-farm residential development in prime farmlands similar to those agricultural zoning limitations of West Fallowfield and Londonderry Townships. Rural residential development is limited to non-prime agricultural lands near Parkesburg Borough,

and can also be located along with medium and high-density residential development, and non-residential development, in the existing village of Gum Tree, or a new rural village location bordering Cochranville. Further, 39 percent of Highland Township's land is permanently protected.

West Marlborough Township:

West Marlborough Township's zoning ordinance, most recently updated in 2002, consists of four different base zoning districts. Table 1 lists these districts and the acreage for each district within the Township.

West Marlborough Township officials, similar to those of West Fallowfield, realized many years ago the benefits of true agricultural zoning and enacted an agricultural/conservation district to preserve the local agricultural industry and to discourage non-farm residential and non-residential development within the prime farmlands. In addition, well over half of the Township - 68 percent - is permanently protected. As a result, the Township has experience little or no development. Nonetheless, Township officials have designated the village of London Grove as the most appropriate growth area subject to the future availability of public utilities, and have zoned the village lands accordingly. The Township is currently pursuing a major update to their comprehensive plan.

West Sadsbury Township:

West Sadsbury Township's zoning ordinance, enacted in 1996, consists of eight base zoning districts. Table 1 lists these districts and the acreage for each district within the Township.

West Sadsbury Township officials have until recently enjoyed a relatively quiet existence, being located some distance from the leading edge of suburban sprawl now marching westward across central Chester County. However, less than one percent of West Sadsbury's land is permanently protected. The Township officials had created a fairly restrictive agricultural zoning district that limits new housing based on the extent of prime agricultural soils on the tract to be subdivided, and limits the division of land to one-, two-, or three-year intervals depending on its acreage. Township officials have also established a fairly significant amount of medium and high-density residential zoning around the Borough of Atglen and near the crossroads of Route 10 and Route 30. Route 372 crosses the southern half of the Township between Parkesburg and Atglen Boroughs, and is bordered by industrial zoning. Given the existence of transportation options, public water, and public sewer, this corridor is developing industrially. A regional shopping center has also been recently developed along the Township's eastern border, at the intersection of Routes 10 and 30. This significant commercial development caused the Township officials to rethink its commercial zoning along Route 30, a minor east-west arterial leading through central Chester County, and resulted in a zoning change that permitted office and institutional uses only along the corridor.

The Boroughs of Avondale, West Grove, and Atglen:

The three boroughs located within the ***Conservation Opportunities*** focus area are grouped here due to the similarities in their overall makeup, and especially in their zoning ordinances. In general, the three municipalities have moderate to small areas of land left to be developed within their borders that are fairly limited in size. For example, the three boroughs range in approximate size from 300 to 500 acres, while the smallest of the six townships in the study area (West Sadsbury) is almost 7,000 acres. Within their borders, the boroughs' zoning districts accommodate moderately dense to very dense residential development, and also allow for a range of commercial, business, and even industrial uses. For the most part, these allowed land uses reflect the historic development patterns of Pennsylvania's boroughs – compact, walkable neighborhoods with a central business district and employment opportunities such as light manufacturing.

From an infrastructure perspective, and in all three boroughs, Route 41 is an integral component (sometimes positive, sometimes not) of the existing and future land uses as established in each zoning ordinance. All three boroughs are also served by public water and sewer, necessary components of more dense land uses that consume less land; however, Avondale Borough is currently subject to a sewer moratorium due to capacity issues. Finally, it should be noted that Atglen Borough is served by an Amtrak station, providing the Borough with a link to employment centers and the opportunity to provide housing and services to commuters who might want to reduce their reliance on automobiles. Continued and expanded development that is compact, walkable, and transit-oriented can reduce the effect of what would otherwise be automobile dependent development on Route 41.

Table 2 lists the zoning districts, and the acreages, found in each of the boroughs.

TABLE 2: Land Use/Zoning District Designations and Total Acreages, Boroughs

BOROUGH	Recreation	Rural Res. (V. Low Densities)	R-1 Res. (Low Densities)	R-2 Res. (Moderate Densities)	R-3 Res. (High Densities)	Village	Commercial	Industrial
Avondale	-- ⁵	--	R-1 89 ac.	R-2 120 ac.	FD 34 ac.	TC 20 ac.	C 19 ac.	I 35 ac.
West Grove	R-5 13 ac.	R-3D, 32 ac. R-4, 159 ac.	--	R-3, 69 ac. R-3A, 48 ac. R-3B, 17 ac.	R-3C 39 ac.	C-1, 16 ac. OR, 3 ac.	C-2, 1 ac. C-3, 4 ac.	I-1, 16 ac.
Atglen	--	CR 150 ac.	R-1 216 ac.	R-2 62 ac.	R-3 76 ac.	R-4, 18 ac. TNC, 12 ac. CC, 2 ac.	B 29 ac.	--

⁵ Indicates that a separate zoning district has not been designated for the described land use.

III. METHODOLOGY AND RESULTS

The specific goal of this build-out analysis is to quantify the residential and commercial (including industrial and retail as allowed) development that could occur within the nine Route 41 communities over an approximately 20-year period between 2003 and 2023.⁶ Accordingly, each analysis is based on parameters such as:

- ◆ the use of readily available geographic data;
- ◆ the current zoning ordinance and map for each of the nine municipalities; and,
- ◆ a number of assumptions regarding how this development might occur due to factors such as typical parcel layout, land used for infrastructure, etc., all utilizing the Brandywine Conservancy's experience with land development review, analysis, and design over the past 30 years.

The remainder of this section provides an overview of the build-out methodology, and concludes with the results of each analysis. The Appendix to this report provides a more detailed description of the methodology used for the build-out analyses.

For each of the nine communities, the following steps were followed to determine the amount of land available for development (after elimination of already developed, protected and constrained areas); the uses allowed by zoning; and, what the potential build-out could be based on knowledge and assumptions about the developability of remaining land:

Collection of Raw Data: such as aerial photos, township data (boundaries, streams/water bodies, roads, etc.) in electronic format; and, up-to-date zoning ordinances and zoning maps for each of the nine municipalities.

Geographic Information System (GIS) analysis. Using GIS, the following types of lands that would constrain development were identified and mapped for each of the nine municipalities: Constrained Lands: floodplain, wetlands, steep slopes; Protected Lands: agricultural and private easements, recreational lands, etc.; and, Development Restricted Lands: lands < 5 ac. (Townships only), and properties with approved development plans.

Initial Calculations: This step resulted in the determination of initial acreages for Developable Residential Lands and Developable Commercial (including industrial and retail where allowed) Lands in each zoning district in each of the nine municipalities. These calculations were based on the results of the afore-mentioned GIS analysis.

Modification of Build-out Parameters: Several changes and assumptions were applied in this step, resulting in final acreages for Developable Residential Lands and Developable Commercial Lands as well in final density or coverage multipliers.

⁶ Chester County's *Linking Landscapes* Policy Plan Element indicates that, within virtually the same 20-year time period, all remaining land in the County will be either developed or permanently preserved.

First, and except for areas with large-lot zoning, (e.g., 1 dwelling unit (du) per 20 or 25 acres), a small area (i.e., 15 percent) was subtracted to account for the utilization of land for infrastructure such as roads, stormwater basins, etc.

Second, if a zoning ordinance does not require the removal of constrained lands (e.g., wetlands, floodplains, steep slopes) from the area available for development (i.e., net-out), the Developable Residential Lands or Commercial Lands figures were modified accordingly. The initial GIS analysis accounted for 100 percent of these constraints.

Third, the development densities established by each Zoning Ordinance for each zoning district were decreased to reflect “configuration constraints” – i.e., that typically less-than-uniform property boundaries decrease maximum development potential, especially on more densely zoned land.

Calculation of Actual Build-out Numbers (Potential Residential Dwelling Units (du’s) or Potential Commercial Development (square feet):

To obtain the number of potential residential dwelling units that could be built in a given zoning district in a given municipality, the modified Developable Residential Lands in each zoning district was multiplied by the adjusted development density allowance for that district. Finally, and for each residential zoning district, all acreages of Developable Residential Lands and the du’s that could be developed were totaled for each municipality.

To obtain the potential square footage of commercial (including industrial) development that could occur, the maximum number of lots in a given commercial district was calculated. The resulting area was multiplied by the lot or building coverage allowed by the zoning ordinance, with the assumption of only single-story uses. If a lot coverage figure applied, this number was further modified to reflect that some of lot coverage is occupied by parking. Finally, and for each commercial zoning district, all acreages of Developable Commercial Lands and the building square footages that could be supported were totaled for each municipality.

The following page summarizes the results of this analysis in tabular form, displaying, for each of the nine municipalities:

- ◆ Total municipal land area;
- ◆ Total Developable Residential Land Area;
- ◆ Projected Residential Dwelling Units;
- ◆ Total Developable Commercial Land Area; and,
- ◆ Projected Commercial Development.

TABLE 3: Residential and Commercial Build-out

MUNICIPALITY	TOTAL MUNICIPAL LAND AREA (ac.)	DEVELOPABLE RESIDENTIAL LANDS (ac.)	PROJECTED RESIDENTIAL DWELLING UNITS (du's)	DEVELOPABLE COMMERCIAL LANDS (ac.)	PROJECTED COMMERCIAL DEVELOPMENT (sq.ft.)
London Grove Township	11,042	3,249	2,318	155	1,535,055
West Marlborough Township	10,903	2,472	344	11	47,916
Londonderry Township	7,295	2,350	615	55	723,900
West Fallowfield Township	11,672	6,629	820	320	2,976,019
Highland Township	10,999	4,790	751	35	261,360
West Sadsbury Township	6,816	3,735	3,922	761	7,924,435
Avondale Borough	317	49	355	6	116,200
West Grove Borough	417	55	109	3	25,950
Atglen Borough	565	199	406	4	56,628
TOTAL	60,026 ac.	23,528 ac.	9,640 du's	1,350 ac.	13,667,463 s.f.

IV. SUMMARY and CONCLUSIONS

These build-out analyses resulted in the calculation of the number of residential dwelling units (approximately 9,600), and well over 13 million square feet of commercial buildings, that could be developed in the nine Route 41 communities between approximately 2003 and 2023. Also of note is the amount of land available that would support this development: 23,500 residentially zoned acres and almost 11,000 acres zoned for commercial and industrial uses. These outcomes are very clear in their implication – that current zoning could significantly expand these municipalities’ population and traffic, with corresponding impacts to schools, public safety, the environment, and municipal services. The effect of these results could be exacerbated with improvements to Route 41 that expand the roadway, reduce congestion, and increase accessibility to developable lands.

Of particular note is the effect current zoning would have on the build-out of London Grove and West Sadsbury Townships. As shown on Table 3, approximately 9,600 residential dwelling units could be built within the nine Route 41 communities – 65 percent of those units, or about 6,200, would come from London Grove and West Sadsbury alone. Similar statistics hold true for the commercial build-out estimates: 69 percent of the projected building area would be constructed in these two Townships, or about 9,500,000 square feet of the total estimated 13,667,000 square feet.

Accordingly, this report concludes with brief descriptions of several broad strategies that could be utilized to manage this growth, and protect important natural and other resources along the Route 41 corridor (e.g., prime agricultural soils, historic farms, vibrant downtowns, critical headwater streams) – regardless of the final decisions regarding improvements to Route 41. As of the 2000 U.S. Census, Chester County was the fastest growing county in the Commonwealth. Clearly, growth pressures exist, and could only be exacerbated by improvements to Route 41 that increase the development potential of nearby vacant lands that are already zoned for development. The following strategies largely are summaries of those offered in the Brandywine Conservancy’s companion report, “Rural Transportation Corridors,” and as such, the reader is referred to that report for additional information regarding the following and other approaches, and the assistance and resources available to support their implementation.

- ◆ *Continued Consistency Efforts with Landscapes:* Chester County’s Landscapes Policy Element of its Comprehensive Plan generally promotes the preservation of existing agriculture and other natural and cultural resources within the Route 41 corridor while accommodating growth and development through limited rural residential opportunities and through continued support for this region’s boroughs, established villages and hamlets, and more recently established suburban areas. In municipalities such as West Sadsbury, for example, some of their zoning is inconsistent with the County’s Landscapes plan. West Sadsbury officials are working together with other municipal members of the Octorara Regional Planning Commission to develop a regional comprehensive plan. One of the objectives of that process is to bring all of these communities more inline with the Chester County Landscapes plan, and it is likely that West Sadsbury will ultimately pursue zoning that is more consistent with the regional comprehensive plan, once adopted.
- ◆ *Borough infill and redevelopment:* All three boroughs in the Route 41 study area have some vacant land left for development, and arguably, lands and buildings that could be

redeveloped. As to whether they have sufficient land and infrastructure to support much of the region's projected population and housing needs to successfully fulfill the County's vision as reflected in Landscapes remains to be seen. As the historic locations for development, commerce, and some forms of industry along Route 41, the build-out capacity of these municipalities should be further realized as part of the responsibility of all communities to accommodate development in accordance with the Pennsylvania Municipalities Planning Code. Infrastructure improvements (e.g., water and sewer) are essential to Avondale's successful ability to accommodate new housing and economic development. Atglen could take advantage of relatively large tracts of land lying along the Amtrak line, and its commuter station, and promote neotraditional development for this area.

- ◆ *Community-based organization, planning, and visioning; education and outreach.* These tools, while not necessarily tangible or specific, are often the first to be used by concerned public officials or citizens when land use planning is addressed. These efforts can build consensus or articulate a community's future character, especially outreach and education efforts involving citizens and other users of the lands in the municipality of concern. It is also important for communities to work together on these same efforts, as the land use concerns exemplified by these build-out analyses clearly cross municipal boundaries.
- ◆ *Zoning.* Given the significant effect zoning has on land use, the zoning ordinance can and should facilitate and encourage a community's desired land uses and development. These options can include, but are not limited to, zoning districts and ordinances that: allow transfer of development rights; stipulate land uses on a corridor or regional basis; result in effective agricultural land protection; or promote traditional neighborhood development. When adopted in accordance with a comprehensive plan, whether at a municipal or regional level, these tools can facilitate the protection of critical agricultural and other resources while allowing landowners to retain development values and/or while facilitating compact, pedestrian-oriented development where it is appropriate.
- ◆ *Land easement/acquisition.* As identified in the comprehensive plan, significant open spaces comprising critical natural and cultural resources, prime agricultural soils, or scenic vistas (especially those along roadway corridors) can be protected through at least two mechanisms: (1) an easement on the land that protects it from certain types of development and uses while allowing continued ownership by a private party; and, (2) outright acquisition by a municipality or other governmental agency, or a private organization. Land subject to either type of protection is not completely secure from condemnation due to roadway expansion.