Urban Conservation Opportunities: Tools for Land Trusts
PALTA Conference, May 2015

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Westmoreland Land Trust as a Stakeholder
for Westmoreland County Land Bank

Betsy Aiken, Board member, Westmoreland Land Trust; baiken@infionline.net

Background

PA’s enactment of enabling legislation in October 2012 provided for the formation of Land Banks by a county, city, borough, incorporated town, township, or municipality with a population of more than 10,000, or by two or more municipalities with populations less than 10,000 via intergovernmental cooperation agreement.

Westmoreland County created the Westmoreland County Land Bank (WCLB) by ordinance in December 2013, and the WCLB’s Board of Directors adopted Administrative Policies and Procedures in January 2014. To date the WCLB has entered into agreements with twelve (12) participating municipalities and their school districts, that have – along with Westmoreland County - agreed to give up ½ of the their part of the tax bill for a WCLB property for 5 years, and waive back taxes and realty transfer taxes.

Land Banks have the potential to be useful to Land Trusts in many ways. If a Land Bank is contemplated or already formed within the area of a Land Trust, it is worthwhile for the Land Trust to take an active role in it. Recognizing this, representatives of the Westmoreland Land Trust (WLT) participated as stakeholders when the WCLB was formed and its policies and procedures were developed. Moving forward, the WLT continues to actively work to keep the lines of communication with the WCLB open.

Recommendations for Land Trusts

1) If formation of a Land Bank in your area is a possibility, offer support and “get to the table”.

 - Can offer to serve on advisory board or board of directors.

2) Incorporate provisions for green space or conservation areas in Land Bank ordinance.

3) When the Land Bank develops a pricing policy (as required by PA legislation), include nominal or reduced price disposition as an option. Westmoreland County’s Land Bank ordinance\* allows for this, taking into account “the benefit provided by the proposed use, and the amount of discount needed to make the project both initially feasible and continually sustainable.”

4) Work to include Land Trust priorities in the Land Bank’s operational plan. These might include:

 - Recreation

 - Conservation

 - Stormwater management

5) Keep lines of communication open:

 - The Land Trust should continue active involvement as a stakeholder.

 - The Land Trust can find out if there is synergy by sharing project ideas.

 - Keep the Land Bank updated if Land Trust’s goals and objectives change.

6) Be part of the Land Bank’s network of resources.

7) The Land Bank can share information and sources of information:

 - Tax data

 - Mapping, IT

8) The Land Bank can provide advice or technical assistance for:

 - IRS liens

 - municipal liens

 - back taxes

 - fines for code enforcement violations

 - sewage liens

 - foreclosures

 - mortgages

 - right of ways

 - legal description of property being incorrect

 - title searches

 - demolition of structures

9) If a Land Trust wants to acquire a vacant, abandoned, or tax delinquent property, a Land Bank may have resources and powers to support the acquisition. The Land Bank can also be a conduit for a Land Trust to purchase properties

10) Keep abreast of Land Bank projects. A Land Bank is required to maintain a public inventory of real property it holds. It may be worthwhile in some cases to encourage a Land Bank to impose conservation provisions (like maintenance of open space) agreed upon as a condition of sale.

Even if your Land Trust operates in a predominantly rural or suburban area, an area Land Bank can be a valuable partner and make many useful resources available.

\*From Westmoreland County Ordinance #ORD-10-2013, enacted 12/19/13.