

Sound Land Use & Growth Management

LOCAL LAND USE DECISIONS AFFECT PEOPLE — people who deserve the right to have input at the local level.

By design, a township is a form of government that is close to the people. It makes sense that locally elected township officials make decisions about land use — decisions that will alter our local landscapes for generations.

As the fastest growing form of municipality in Pennsylvania, townships are concerned about urban sprawl. More than ever, townships need laws with teeth to make strides against gridlocked roads, strained sewage systems, and a lowered quality of life.

Voluntary cooperation among governments — local, county and state — is commendable. But recent initiatives to push all planning to regional and county levels are misguided. Regional, top-down, cookie-cutter approaches to land use and growth management are greater problems, not simpler solutions.

WITH THE RIGHT TOOLS TO MANAGE GROWTH, township officials can protect farmland, woodland, and open spaces for our future generations.

TOOL #1: THE ABILITY TO SAY "NO"

It's a common misconception that local officials encourage development even when there is insufficient infrastructure, such as roads and sewer systems, to support it.

The truth: Township officials can rarely say "no" to development.

Under the Pennsylvania Municipalities Planning Code, each municipality must provide every conceivable type of land use within its borders. Local officials are

often unable to reject development that may not be in the municipality's best interests.

Township officials simply must have the ability to deny development that does not meet their community's land use requirements. They also need protection from being sued by developers who won't take a justifiable "no" for an answer.

TOOL #2: CONCURRENCY

With all but a few exceptions, developers in Pennsylvania can build wherever they want.

As a result, new homes and new businesses are often constructed before proper roads are built and adequate sewer systems are in place. That's why the Pennsylvania State Association of Township Supervisors supports concurrency.

Concurrency requires development to occur only when and where infrastructure is in place to accommodate it. With concurrency, development could be channeled to areas where infrastructure is in place or where it is practical and desirable to build new infrastructure.

TOOL #3: IMPACT FEES

Townships need a means to finance the improvements that accommodate growth.

When development requires infrastructure improvements, a township must be allowed to negotiate in good faith with developers to pay for them.

Pennsylvania's existing impact fee law, established in 1990, does not work and must be revised. Very few municipalities successfully collect money from developers, and those that do are often sued by developers over the little money they do collect.

(continued on back)

Until developers are willing to partner with municipalities and pay impact fees to provide infrastructure, haphazard growth will continue in Pennsylvania.

TOOL #4: LOCAL DECISION MAKING

Local land use decisions must be made at the level closest to the people — the municipal level. The elected people who live in the municipality know what belongs in their own backyards and have the best interests of their neighbors at heart.

County, regional and comprehensive plans can provide a vision for the future, but even the best plans cannot take into account every community need for many years to come.

Municipalities do not need regional tiers of bureaucracy. Where warranted, voluntary cooperation among local governments is the workable solution to land use planning.

All townships need effective planning tools. Municipal planning tools deserve meaningful funding at the state level to help townships develop comprehensive zoning and subdivision ordinances and other land use procedures.

DECISIONS THAT FOREVER CHANGE THE LOCAL LANDSCAPE should be made at the local level by the people who care the most about the community and its future.

ABOUT PSATS

Since 1921, the Pennsylvania State Association of Township Supervisors (PSATS) has represented the interests of townships and has helped to shape laws that have laid the foundation for township and municipal government. Today, PSATS represents Pennsylvania's 1,457 townships of the second class and some 10,000 elected township officials. With more than 4.6 million residents, townships represent more people than any other type of political subdivision in the commonwealth, including cities.