



## **POLICY STATEMENT COMPREHENSIVE LAND-USE PLANNING**

The Pennsylvania Association of REALTORS® (PAR) recognizes the need to sustain and enhance the quality of life enjoyed by Pennsylvania citizens. With a population of over 12 million, it is essential that Pennsylvania find common ground where developers, environmentalists, public officials, citizens, and others meet the challenge of accommodating growth. How these strategies are determined affects the livelihood of every REALTOR® and the interests of Pennsylvania's homeowners, property owners, and tenants.

PAR believes we can build better communities by supporting quality growth and seeking sustainable economies and housing opportunities that embrace the environmental qualities we cherish, while protecting property rights. In order to help our communities determine their comprehensive land use planning policies, PAR offers the five guiding principles:

### **Protect Private Property Rights**

Private property rights are fundamental to our free-market economic system and are protected by the 5<sup>th</sup> and 14<sup>th</sup> Amendments to the United States Constitution. The continued strength of our nation's economy depends on the preservation of the right to freely own, use and transfer real property. PAR believes that by advocating sound land use practices, the value of private property will not be unreasonably diminished or jeopardized by governmental action at any level.

### **Provide Housing Opportunity and Choice**

Availability of housing for all income levels is critical for balanced and healthy growth of the Commonwealth and its individual communities. Homeownership is the cornerstone of the American Dream and deserves a preferred place in our system of values as it contributes to community responsibility; civic, economic, business and employment stability; family security and well-being. These objectives can be met through market-driven housing approaches that foster a wide-range of urban, suburban and rural housing choices suitable for a diverse population.

### **Build Better Communities**

Real estate of all types flourishes best in livable communities that offer a high quality of life at a reasonable cost. Livable communities offer a variety of affordable housing choices, good schools, low crime, quality public services, efficient transportation systems, ample recreation and park areas, open space, a strong employment base and an economically viable commercial sector. To promote these essential livable community elements, growth policies should encourage market-driven and culturally diverse growth patterns that sustain and enhance a community's quality of life. PAR believes zoning regulations must allow for mixed-use development, high density and pedestrian friendly development to promote the integrity of all communities.

## **Protect the Environment**

PAR understands the importance of maintaining a region's quality of life, while preserving important environmental resources and open space. PAR believes this need is best met through incentive-based measures, public-private partnerships, and innovative preservation techniques. PAR supports policies that provide due process and balance the protection of our environment with the needs of communities. Environmental policies that impact the development of real property must have a sound scientific basis and should be reasonably applied to the property under consideration.

## **Implement Fair and Reasonable Public Sector Fiscal Measures**

To support adequately the infrastructure needs of the communities resulting from growth, governments at all levels should cooperate in the adoption of balanced, fair, equitable and incentive-based approaches to finance and pay for the development, expansion and maintenance of roads and public transportation systems, schools, water and sewer facilities. In order to maintain affordable housing choices, necessary infrastructure costs should be shared proportionally by those segments of the population served by the improvements.

In order to help implement the five guiding principles, PAR offers the following practical applications:

**Charrette:** PAR encourages the utilization of a charrette process in regional planning, comprehensive planning, new community development and affordable housing developments. A successful charrette process promotes joint ownership of solutions between residents and developers.

**Consistency:** PAR supports consistency between municipal comprehensive plans and municipal zoning ordinances and between municipal plans and county plans.

**Concurrency:** PAR supports the goal of having new development occur concurrently with transportation infrastructure, supply and treatment capacity for municipal sewer and water systems. However, PAR is concerned that concurrency requirements not become a means by which a municipality block or unfairly delay development.

**Density:** PAR believes that building at higher densities in the appropriate locations is vital to provide greater choice and affordability in housing. Municipalities that allow mixed-use, cluster, and small lot zoning will encourage diverse growth patterns to sustain and enhance a community's quality of life. PAR also supports the incorporation of density bonuses in municipal ordinances as incentives for development of affordable housing and open space preservation.

**Downzoning:** PAR is opposed to downzoning that is done solely for the purpose of reducing density, without regard for the market value of the property. Any downzoning must provide the affected property owner(s) with full compensation which can include density bonuses and/or Transferable Development Right (TDR) options in order to provide fair market return on their investment.

**Environmental Restrictions:** PAR supports the protection of environmentally sensitive areas, but is concerned that municipal and state government/agencies may impose overly restrictive environmental regulations that may unnecessarily hinder development. Environmental regulations that impact the development of real property must have a sound scientific basis and should be reasonably applied to the property under consideration.

**Growth Boundaries/Locally Designated Growth Areas/Public Infrastructure Areas:** PAR is opposed to the incorporation of these types of provisions which could decrease affordable housing opportunities and cause development to "leapfrog" such areas into more rural regions.

**Inclusionary Zoning:** PAR supports inclusionary zoning measures in which local ordinances require builders to include a certain amount of housing for low- and moderate-income households. Inclusionary zoning is becoming a common tool for local municipalities to help provide a wider range of housing options than the market can produce on its own.

**Joint Municipal Planning:** PAR supports the general goal of encouraging coordination among municipalities and counties in their land-use planning. PAR believes that incentives encouraging regional planning should be maintained through the currently established grant program.

**Open Space Preservation:** PAR supports open space preservation efforts so long as property owners are willing sellers and receive fair market compensation for the value of their property.

**Permitted Uses:** PAR believes that not every municipality that participates in a joint-municipal comprehensive plan must allow for every land use, provided that the participating municipalities zone consistently with that plan and so long as existing uses are permitted within a reasonable distance.

**Permitting Process:** PAR believes that improved coordination of the permitting process at the state and local levels could result in lower housing costs. Often the various levels of governmental authorities do not have effective communication and co-approval systems, which cause unnecessary delays, increases construction costs and ultimately hinder affordable housing. PAR encourages a more efficient and streamlined permitting process for new development projects.

**Traditional Neighborhood Developments:** PAR supports the incorporation of Traditional Neighborhood Developments into municipal land use and subdivision ordinances as an alternative housing option to accommodate growth patterns while allowing for open space preservation. In addition, developers should be encouraged to pursue innovative land use approaches and techniques which are consistent with the strategies as outlined in this policy.

**Transferable Development Rights:** PAR believes the use of Transferable Development Rights should be done on a voluntary basis, should be permitted across municipal boundaries, and that government should create incentives for property owners to preserve their land through this method.

**Transportation Infrastructure:** PAR believes some of the difficulties associated with suburban sprawl are a result of traffic congestion caused by an inadequate road infrastructure and lack of viable public transportation options. To alleviate problems associated with traffic, PAR supports the formation of joint-municipal Transportation Financing Authorities. Creation of such authorities, with the ability to develop capital improvement plans, will provide valuable assistance in improving Pennsylvania's road system. Such improvements typically lead to quicker traffic flow and shorter commute times, minimizing the environmental impact of automobiles and creating more livable communities.

**Urban Redevelopment:** Many urban centers do not have readily available land upon which to build new housing units. PAR believes that urban revitalization efforts can play a significant role in reducing the consumption of land for new development.

*Approved by the PAR Board of Directors  
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