

1. An Inventory of Planning in Pennsylvania



College of Agricultural Sciences
Agricultural Research and Cooperative Extension



This Penn State Cooperative Extension publication is the first in a series of bulletins intended to help you better understand the current use of land use planning tools in Pennsylvania. The series uses information from a comprehensive study of Pennsylvania land use regulation and planning, which was made possible in part by a grant from the Center for Rural Pennsylvania, a legislative agency of the Pennsylvania General Assembly.

The comprehensive land use study involved three separate but related surveys that were conducted in late 1999. The first and largest survey was sent to all 2,511 boroughs and townships in Pennsylvania. Forty-two percent, or 1,057 of these surveys were returned. The second survey was sent to all 65 planning directors in Pennsylvania (with the exception of Philadelphia County). Fifty-four surveys were returned, for a response rate of 83 percent. The third survey was sent to all 395 members of the American Institute of Certified Planners who are listed in Pennsylvania. Of these, 181 were returned, for a response rate of 46 percent. The three surveys provide a composite overview of planning effectiveness from a variety of perspectives.

Most of the tables in this publication use data from the state or regional level. For county-level results, visit the Land Use Planning in Pennsylvania Web site at <http://cax.aers.psu.edu/planning/>

Introduction

Land use is becoming an increasingly important issue in Pennsylvania. There is renewed discussion about finding ways to slow sprawl or create alternatives to current land use patterns, and about using land use planning to help communities manage land use conflicts, farmland preservation, and residential development. Some of this discussion has focused on new or innovative land use planning techniques such as clustered developments, transfer of development rights, or regional zoning. What has not been clear in much of the discussion, however, is how well the land use planning tools currently available to Pennsylvania communities are being used. If the current tools are underutilized by communities, simply giving those communities new tools may not provide any real benefit unless the underlying barriers to land use planning also are addressed.

The four most prominent major land use planning tools available in Pennsylvania communities are the planning commission, the comprehensive plan, the subdivision and land development ordinance, and the zoning ordinance. These are authorized under the state's enabling statute, the Pennsylvania Municipalities Planning Code (MPC). Municipal governments are allowed by state law to pick and choose which of these tools they want to use, and are free to decide not to use any of them. Any of the tools can be used independently of the others.

Planning commission

Planning commissions are advisors to their elected governing body on matters concerning the physical development of the community. They provide policy advice on planning for land use regulations such as zoning

and subdivision controls and may have some jurisdiction over the administration of applications to subdivide and develop land in the community. Plans for recreation, open space, greenways, environmental protection, natural resources, agriculture, and forestry are prepared by planning commissions. Planning commissions have an immense impact on the protection, enhancement, and conversion of open spaces in Pennsylvania's cities, boroughs, and townships.

Comprehensive plan

The comprehensive plan is an official public document that serves as a policy guide to decision making about physical development in the community. It is an explicit statement of future goals for the community and serves as a formal vision for the planning commission, elected officials, and other public agencies, private organizations, and individuals. A community's comprehensive plan provides context and direction for a community's land use ordinances and regulations and should be updated and modified continuously in response to changes in the community.

Subdivision and land development ordinance

Subdivision and land development regulations not only establish procedures for controlling the dividing of parcels of land, but also set standards for creating adequate building sites. This ensures that sites are adequately served by permanent roads, a pure water supply, and proper means of waste disposal. These kinds of regulations are applied to specific development proposals, so the reviewers—usually local and county planners—have an opportunity to recommend improvements before the project is built.

Zoning

Zoning is used to control the location of different land uses in a community. It also may be used to restrict the types of uses to which the land may be put and the intensity of the development. By controlling location, use, and intensity (or density), zoning can have a significant impact on protecting critical features in a community such as farms, rural villages, and historic or fragile environmental areas.

Successful land use planning comes from employing a variety of behavior-changing strategies and appropriate tools. No one tool can do the entire job; land use issues often are too complicated for a single approach to succeed. The strategies and tools not only must be technically sound and administratively feasible, but they also must have strong public support.

How Widely are These Tools Used in Pennsylvania?

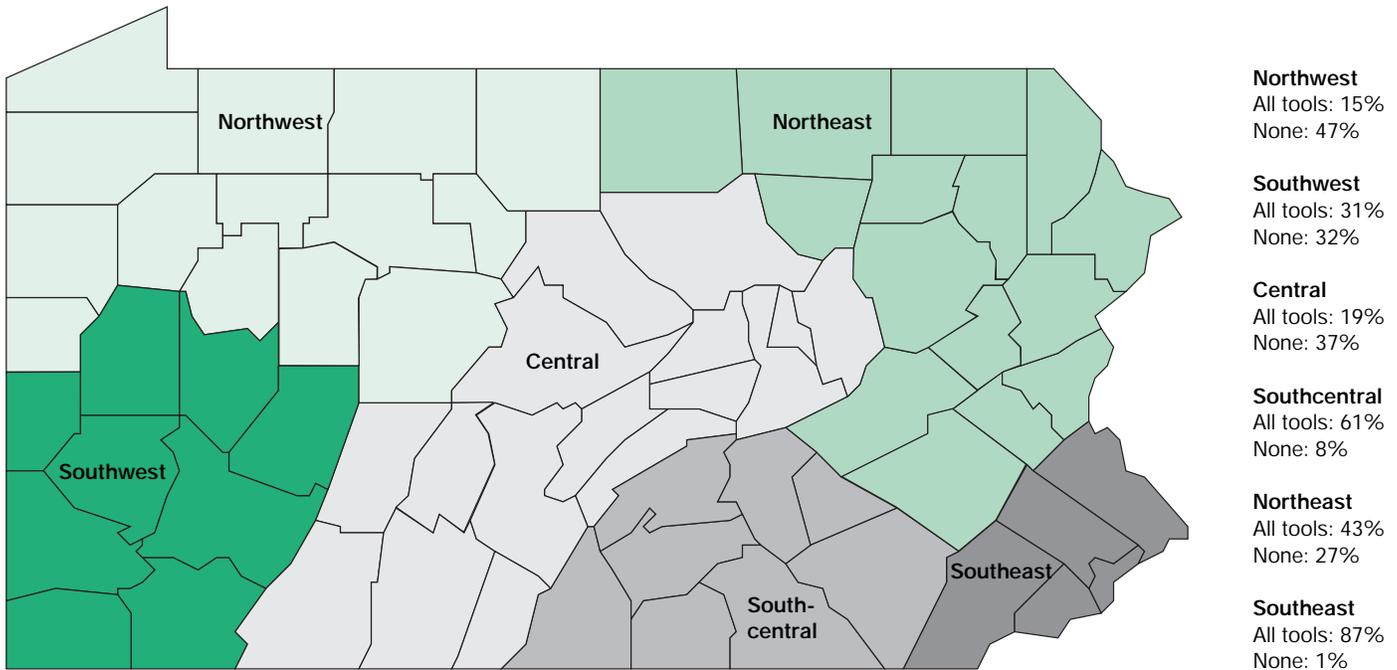
Statewide, 62 percent of municipalities have a planning commission, 52 percent have a comprehensive plan, 59 percent have a subdivision ordinance, and 57 percent have zoning. More than one third (37 percent) of Pennsylvania municipalities reportedly have all four of these land use planning tools. About 29 percent have none of these tools, and the remaining 34 percent have at least one of these four tools.

It is important to consider which municipalities are more likely to use these different land use planning tools. Use of the tools varies by region, population size, rate of population change, type of municipality, and urban/rural status. Each will be examined in turn.

By region

There are major regional differences in how widely the tools are used (see Figure 1). Municipalities in the southeast are the most likely to have all four tools (87 percent), whereas municipalities in the northwest are least likely (15 percent). Almost half of the municipalities in the northwest use none of these four major tools, as compared to only 1 percent in the southeast and 8 percent in the southcentral region. Relatively few municipalities in the central part of the state (only 19 percent) use all four tools.

Figure 1. Percent of municipalities with all four main land use planning tools, by region.



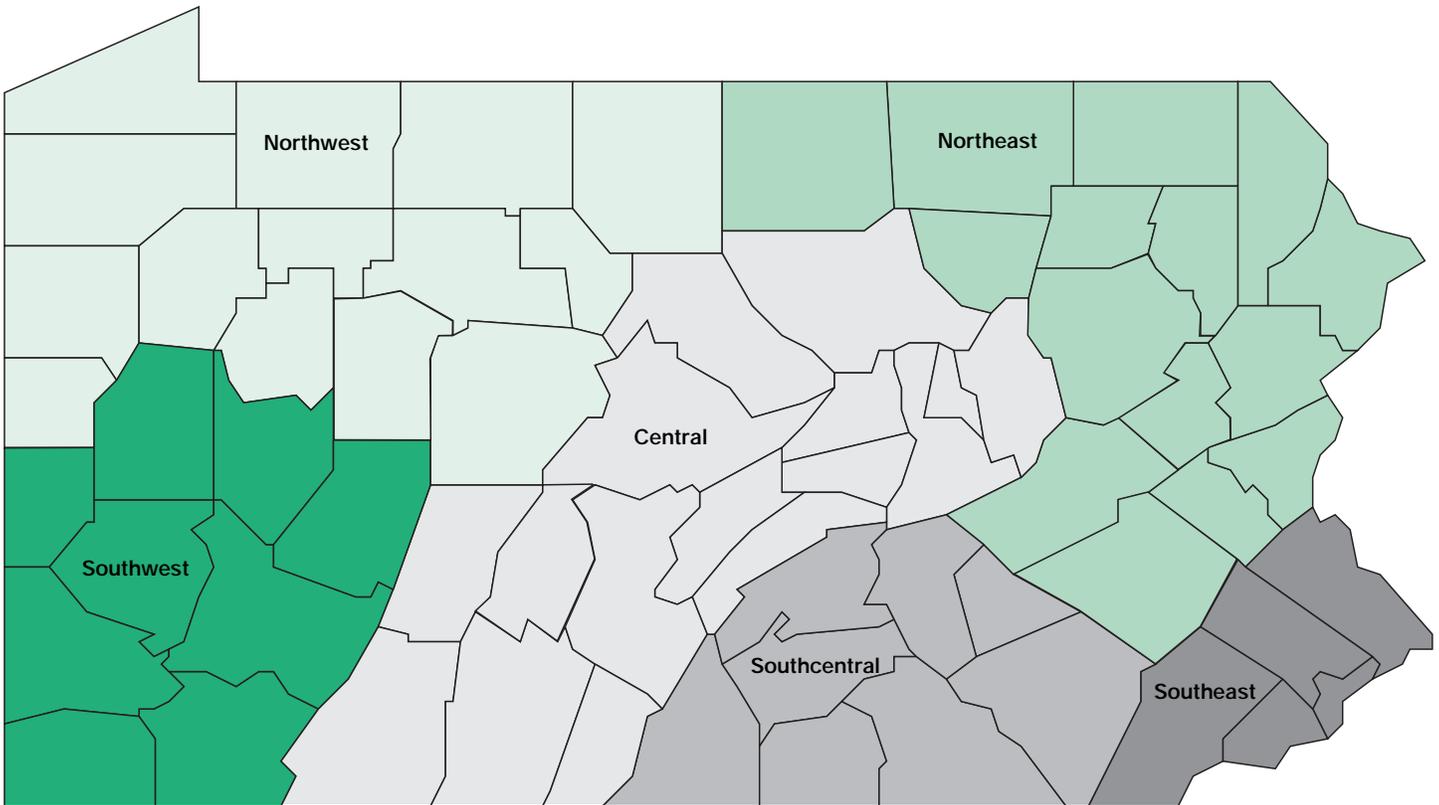
The use of particular tools similarly varies across the regions (see Figure 2). About 98 percent of municipalities in the southeast have a planning commission, compared to 39 percent in the northwest. Planning commissions are the most commonly used major tool in the southeast, southcentral, northeast, and northwest regions. Subdivision ordinances are the most common tools in the central, southwest, and northeast regions.

By population size

Use of the tools also varies by the population size of the municipalities (see Table 1). Municipalities with a smaller population are less likely to use all four tools than are municipalities with larger populations. Only 7 percent of municipalities with less than 500 residents use all four tools, compared to more than 86 percent of municipalities with 10,000 or more residents. Significantly, 58 percent of the smallest municipalities use none of these tools.

The smaller the population size, the less likely a municipality is to use the basic planning tools. For population groups with less than 1,000 members, more than half do not have any of the basic tools. At the upper end of the population size scale, the vast majority of municipalities use all four planning tools, and none fail to use at least one of the tools.

Figure 2. Use of tools, by region.



Northwest
 39% Planning commission
 32% Comprehensive plan
 32% Subdivision ordinance
 30% Zoning

Central
 46% Planning commission
 34% Comprehensive plan
 51% Subdivision ordinance
 39% Zoning

Northeast
 64% Planning commission
 53% Comprehensive plan
 64% Subdivision ordinance
 62% Zoning

Southwest
 56% Planning commission
 45% Comprehensive plan
 53% Subdivision ordinance
 57% Zoning

Southcentral
 90% Planning commission
 79% Comprehensive plan
 82% Subdivision ordinance
 81% Zoning

Southeast
 98% Planning commission
 96% Comprehensive plan
 96% Subdivision ordinance
 99% Zoning

To some extent, the smallest municipalities receive some planning coverage from a county planning agency. This is most likely to occur with a county subdivision and land development ordinance (SALDO), but some counties do not have even this regulation. County zoning is rare, with only 11 counties having some form of county zoning. The smallest communities are least likely to have a planning commission or comprehensive plan.

By population change and building development

Whether municipalities use the tools also is related to their pace of population change and building development (see Table 2). Not surprisingly, municipalities reporting fast growth are more likely to use the different tools than are municipalities with no growth or that are losing population. About 76 percent of the fast-growing municipalities use all four major tools, compared to only 16 percent of the municipalities that are losing population.

By type of municipality

Use of the tools also differs across municipality types (see Table 3). Townships of the first class are the most likely to use all four major land use tools (90 percent), compared to only 34 percent of boroughs and 37 percent of townships of the second class. About 32 percent of boroughs and 28 percent of townships of the second class reportedly use none of the tools.

Table 1. Land Use Planning Tool Usage, by Population Size

Population Size	Have All Four Tools	Have Some of the Tools	Have None of the Tools	Have Planning Commission	Have Comprehensive Plan	Have Sub-division Ordinance	Have Zoning Ordinance
Less than 500 residents	7%	35%	58%	25%	18%	24%	24%
500 to 999 residents	15	34	51	35	26	37	31
1,000 to 2,499 residents	30	41	29	58	47	56	50
2,500 to 4,999 residents	57	38	5	86	78	82	82
5,000 to 9,999 residents	71	26	3	95	83	93	92
10,000 to 14,999 residents	88	13	0	97	97	94	100
15,000 to 19,999 residents	95	5	0	100	95	100	100
20,000 or more residents	86	14	0	95	95	95	100

Table 2. Land Use Planning Tool Usage, by Population and Building Development

Population Size	Have All Four Tools	Have Some of the Tools	Have None of the Tools	Have Planning Commission	Have Comprehensive Plan	Have Sub-division Ordinance	Have Zoning Ordinance
Fast growing	76%	18%	6%	93%	84%	92%	87%
Moderate growth	57	34	9	85	75	84	77
Slow growing	30	37	32	55	46	56	49
No change	25	31	44	42	35	38	45
Declining	16	43	40	48	37	37	48
Don't know	0	50	50	0	50	0	0

Table 3. Land Use Planning Tool Usage, by Municipality Type

Population Size	Have All Four Tools	Have Some of the Tools	Have None of the Tools	Have Planning Commission	Have Comprehensive Plan	Have Subdivision Ordinance	Have Zoning Ordinance
Boroughs	34%	34%	32%	56%	48%	50%	60%
Townships of the first class	90	10	0	97	94	97	100
Townships of the second class	37	35	28	62	52	62	53

Table 4. Land Use Tool Revision Statistics (percent of municipalities with plan/ordinance)

Statistic	Comprehensive Plan	Subdivision Ordinance	Zoning Ordinance
Average year first adopted	1979	1976	1972
Percent that have updated/revised plan/ordinance	39%	57%	75%
Percent of those updating that did so within last 10 years	88	85	88

How Current are the Tools?

Even if municipalities report using the major land use tools, it is important that their plans and tools be up-to-date so they reflect current conditions, needs, and preferences in their community (see Table 4). The average date of first adoption for the plans or ordinances was in the 1970s, though some municipalities adopted these tools much earlier (and others have done so just recently). Many of the municipalities using the plans or ordinances report that they have made substantial updates since they were first adopted. More than half report updating their subdivision ordinance, and 75 percent report substantially updating their zoning ordinance. The vast majority of the municipalities that have made revisions have done so within the past 10 years, ranging from 85 percent that revised their subdivision ordinance to 88 percent that revised their comprehensive plan or zoning ordinance.

Of particular concern should be the percentage of municipalities that have updated or revised their land use regulations (57 percent) compared to the much smaller percentage that have updated or revised their comprehensive plans (39 percent). One of the most significant purposes of land use regulations should be to implement the policies in the comprehensive plan; thus, the comprehensive plan should drive and direct land use regulations. The survey responses instead suggest that in too many places, the comprehensive plan is viewed by officials as less important, and therefore has become the proverbial “tail wagging the dog.”

This discrepancy raises the question of “internal consistency” between comprehensive plans and land use regulations. The Planning Code, in Section 209.1 (b)(14), says that one of the responsibilities given to planning commissions is to “review the zoning ordinance, subdivision and land development ordinance, official map, provisions for planned residential

development, and such other ordinances and regulations governing development of land no less frequently than it reviews the comprehensive plan.” At the time of the survey, there was no companion requirement to update the comprehensive plan when land use ordinances are changed.

Updating comprehensive plans is a lengthy and costly procedure, so it is not surprising that such an undertaking is avoided. Nevertheless, the issue of consistency between comprehensive plans and land use regulations should not be dismissed. Since 60% of comprehensive plans have not been updated or revised since they were originally prepared, and the majority of plans date to the 1970s and 1980s, greater attention should be given to this issue, since it is at the core of planning effectiveness.

Other Special Planning Features Used by Municipalities

The Pennsylvania Municipalities Planning Code offers many other planning tools for municipalities to use in their planning programs. As Table 5 illustrates, very few of the respondent communities are using these optional tools. This suggests that local planners either do not know about them or have no interest in applying these tools in their municipal planning. The responses to these specific features, included in municipal planning and land use regulations, generally follow the same regional, population, growth, municipality type, and urban/rural patterns discussed earlier.

An official map is a type of land use regulation permitted in Article IV of the MPC. When adopted, it protects publicly owned lands and facilities from being encroached upon by others; it also provides a reservation option for lands that may be needed in the future for municipal purposes. Capital improvement programming and budgets are very useful planning tools for coordinating and sequencing the public expenditures identified in comprehensive plans. Transportation impact fees, authorized by Article V-A and officially termed “municipal capital improvement,” also are infrequently used.

Almost one third of municipalities with zoning report they have cluster development provisions in the ordinance in addition to the basic regulations, and 45 percent have planned residential development provisions. Provisions for transfer of development rights are included in only 7 percent of all ordinances.

Little use is being made of the provisions of zoning ordinances that go beyond the common applications and techniques of zoning (see Table 6). It appears that townships of the first class are more innovative in their use of tools such as planned residential development, cluster zoning, overlay zoning, and lot averaging. Not surprisingly, townships of the second class are using strict agricultural zoning provisions to a greater extent than either of the other two more urban municipality types.

Table 5. Features Included in Municipal Planning and Land Use Regulations (percent of municipalities with feature)

Feature	All Municipalities	Boroughs	Townships of First Class	Townships of Second Class
Mediation option to resolve land use disputes	5%	4%	13%	6%
Capital improvements program/budget	4	4	3	5
Official map ordinance for public property	11	12	23	10
Access permits for municipal roads	19	6	23	25
Transportation impact fees (article V-A of <i>Municipalities Planning Code</i>)	4	1	10	5
Mandatory open space dedication (or fee in lieu of dedication)	15	10	55	16
Agreement with PennDOT for access coordination	8	5	6	10

Table 7, from the county planning directors' survey, shows the variety of planning tools used by region. County planning agencies usually have more resources at their command for planning; however, significant differences exist between the regions. To a great extent, these reflect the staffing differences among agencies and

regions, which the study identifies. For example, zoning is a function most often carried out at the municipal, rather than county, level, so the relatively small amount of county zoning is not surprising. But county planning agencies do not even seem to be involved in planning for direct county activities such as county

services facilities planning. Also, although most counties have a comprehensive plan, they are not active in capital improvements programming. As is true of municipal planning, it appears that many planning opportunities also are underutilized by counties.

Table 6. Features Included in Municipal Zoning Ordinances (percent of municipalities with zoning)

Feature	All Municipalities	Boroughs	Townships of First Class	Townships of Second Class
Performance zoning	16%	13%	13%	19%
Cluster zoning	29	13	45	37
Overlay zoning	21	9	42	26
Lot averaging	22	16	23	26
Urban growth boundaries	10	8	6	12
Strict agricultural zoning	21	6	10	32
Density bonus for preferred development	10	4	16	13
Transfer of development rights	7	2	6	11
Planned residential development provisions in zoning ordinance	45	36	61	50

Table 7. Percent of Counties Using Different Land Use Planning Tools, by Region

Planning Tool	State-wide	North-east	South-east	Central	South-central	South-west	North-west
County comprehensive plan	96%	100%	100%	100%	93%	75%	100%
County subdivision and land development ordinance	79	63	67	86	71	100	100
County zoning ordinance	12	0	0	21	8	33	14
County official map	16	0	17	29	0	33	29
Geographic information system (GIS)	73	100	100	73	85	50	14
Metropolitan planning organization (MPO)	36	0	83	13	54	75	29
Storm water management plan	69	75	83	79	83	50	14
Sewage facilities plan	54	25	100	69	55	25	43
Solid waste management plan	100	100	100	100	100	100	100
Emergency management planning	87	88	80	100	86	100	100
County services facilities planning	13	13	0	30	0	33	14
Capital improvements program/budget	21	25	60	18	0	67	20

Conclusions

The four most prominent major land use planning tools available in Pennsylvania—planning commissions, comprehensive plans, subdivision and land development ordinances, and zoning—are underused in the Commonwealth. Rapidly growing areas and communities with larger populations are more likely to use the tools, but the majority of Pennsylvania communities do not have all four. Almost one-third of Pennsylvania municipalities use none of these four basic tools. In addition, most of the other available planning tools are not being used by the majority of local governments.

The survey responses further suggest that simply counting the number of communities with the major tools may overrepresent the state of land use planning in Pennsylvania, because many of the existing plans and ordinances have not been updated recently. Out-of-date plans are not useful. The MPC allows a variety of innovative planning techniques and zoning options, but few municipal and county governments in Pennsylvania are taking advantage of them.

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The Land Use Planning in Pennsylvania series will help you better understand the current state of planning and land use regulation in Pennsylvania. It is based on a comprehensive study of municipal and county planning and land use regulations, conducted by Penn State Cooperative Extension with the financial support of the Center for Rural Pennsylvania, a legislative agency of the Pennsylvania General Assembly. The study included surveys of municipal officials, county planning agencies, and members of the American Institute of Certified Planners who reside in Pennsylvania.

Through a series of 15 meetings, a project advisory committee of 29 professional planners from throughout Pennsylvania provided feedback during the survey development, assisted with reviewing the preliminary results, and reviewed the investigators' findings and commentary.

The publications in the series focus on state- and regional-level information. County-level information from the study that corresponds to the publication series is available at the Land Use Planning in Pennsylvania Web site at <http://cax.aers.psu.edu/planning/>

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