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Measuring the Effectiveness of Municipal Planning and Land Use Regulations in Pennsylvania

Measuring the Effectiveness of Comprehensive Planning and Land Use Regulations in Pennsylvania

A report by

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Introduction

Project Purpose and Scope

William Penn's 1683 plan for Philadelphia is the earliest and most significant city plan in the New World. It is recognizable, even today, as it continues to serve as the basic structure of this modern American city. While Penn's plan is a milestone in planning history, the city planning movement in the United States can be traced to the later years of the 19th century, receiving its inspiration from the Chicago World's Fair of 1892. Invigorated by the Fair, American cities began to create civic plans. The leaders of these civic improvement efforts were the forerunners of the modern planning commission. Community planning as currently practiced finds its genesis in the Housing Act of 1954, which created a grant program to help communities pay for comprehensive plans and land use regulations. Pennsylvania was among the leaders in states participating in the "Section 701" program, and many communities got their start in planning using 701 funds. When federal funding ended in the 1970s, the Commonwealth substituted its own State Planning Assistance Grant Fund. Today, almost two-thirds of all Pennsylvania municipalities and counties engage in community planning to some degree.

In the period from the beginning of the Section 701 planning grants – some 47 years ago – to the present, there has never been an examination of the accomplishments of community planning by Pennsylvania municipalities. The basic questions, "is planning effective, and is it useful?," have not been asked. The purpose of this project of the Center for Rural Pennsylvania is to try to answer these important questions.

Of special interest to the Center from this research is the use of planning in the rural communities and counties of Pennsylvania. To what extent do rural communities engage in planning and land use regulations, and how do they compare with other communities in the Commonwealth? Are comprehensive plans and land use regulations more, or less, effective in rural communities than in other communities? (*NOTE: The survey and initial analysis phases of this project were completed prior to the Act 67 and Act 68 amendments to the Municipalities Planning Code enacted in June 2000. Therefore, survey questions did not reflect the current MPC provisions or emphases. However, this report does include observations about responses and actions as they might be affected by the new MPC provisions.*)

Measuring Planning Effectiveness

Measuring planning effectiveness in Pennsylvania is not an easy task. It is impossible to measure effectiveness on the basis of the *quality* of a community plan or land use ordinance. First, to evaluate individual plans and ordinances would be an overwhelming task, severely limiting the scope of this research, which attempts to provide the Center with a statewide view. Second, judging quality is subjective; establishing normative criteria for plan quality must compromise competing views of what constitutes a "good" plan. Finally, community comprehensive plans and ordinances are not "pure," but are the product of a rational process of discussion and negotiation intended to reflect generally accepted interests and goals among residents of a community. Rather than imposing normative planning criteria on community adopted plans and ordinances, this research focuses on the *use* of the tools of planning, rather than the process by which the plans are produced. Most significantly, the ultimate test of "effectiveness" is whether planning and regulations are meeting their intended community goals.

In measuring planning effectiveness, four criteria are considered:

1. To what extent are the four basic planning tools used in Pennsylvania municipalities? (The four are: planning commission, comprehensive plan, subdivision and land development ordinance [SALDO], and zoning ordinance.)

2. Which specific planning and regulatory tools are being used by municipalities, and which are unused (or underused)?
3. Are community plans and regulations achieving the goals set by the community?
4. Where comprehensive plans have been developed, are they being used to inform community decision-making, e.g., the governing body, the planning commission?

A collateral fifth issue related to effectiveness was also examined:

5. If there are barriers to effective planning, a) what are they, and b) what actions should be taken to overcome them.

Project Methodology

The data for this investigation was obtained from three, separate, interrelated surveys. The first and largest survey was sent to every borough and township. Cities were excluded for a variety of reasons, foremost among them is that cities do not fall within the primary mission of the Center for Rural Pennsylvania. Pennsylvania cities are substantially different from other municipal jurisdictions in the way planning and land use regulation is conducted so that results from them would not be comparable with most boroughs and townships. In order to survey cities, a separate survey would have had to be constructed.

The second survey was sent to county planning directors, with the exception of Philadelphia County. All counties in Pennsylvania have a county planning agency in some form and degree. Two counties have a joint county planning agency. Thus, surveys were sent to 65 county planning directors.

The third survey was sent to every member of the American Institute of Certified Planners who is listed in Pennsylvania, even if not a resident of Pennsylvania. (AICP certification is achieved through a combination of education, experience and passage of a comprehensive written examination. The AICP designation is a nationally recognized professional standard.) The three surveys provide a composite overview of planning effectiveness from a variety of perspectives.

Procedures were identical for the three surveys. An initial mailing was made to all intended respondents. Several weeks later, a reminder post card with an offer to send a duplicate in the event the original mailing was misplaced or undelivered was sent to all recipients from whom a completed survey had not been returned. Finally, several weeks after the post card reminder was sent, all non-responding individuals were sent a second and final survey instrument. All surveys were accompanied by an addressed, postage-paid return envelope.

A 30-member Project Advisory Team with members from across the Commonwealth was formed to assist the investigators with various aspects of the project. The members included planning practitioners in both the public and private sectors, and several from academic institutions. The Team was initially involved in the development of the three survey instruments and the basic approach to be taken to measure effectiveness. When responses came in, the Team was asked to review preliminary survey results to gain insights from their experience into the significance of the findings. Finally, the Project Advisory Team reviewed findings and commented on the analyses and conclusions prepared by the Investigators. The investigators met three times with each regional group of team members.

Survey Size and Representativeness

The municipality survey was sent to the chief elected official in municipalities (borough president, chairman of the board of township commissioners or board of township supervisors). It was not the project’s expectation that the addressed individual would actually complete the questionnaire. The research design was not dependent upon any single individual filling out the survey. Thus, we did not ask for the name or position of the person submitting the completed questionnaire.

Likewise, we do not know who filled out the county planning director questionnaire, but it is highly likely that in most instances it was the county planning director personally. The AICP member questionnaire was undoubtedly completed by the individual to whom it was sent.

The following table shows the survey size and responses.

<i>Survey</i>	<i>Total Surveys Sent</i>	<i>Total Usable Returned</i>	<i>Percent Returned</i>
<i>Municipal Officials</i>	2,511	1,054	42.0
<i>County Plan Directors</i>	65*	54	83.0
<i>AICP members</i>	395**	179	45.3

* While there are 67 Pennsylvania counties, one survey was sent to the two-county Lehigh Valley Planning Commission, and Philadelphia County was omitted. Thus, the total number of counties for this project is 65.

** Two of the investigators (Fasic and Lembeck) are AICP members but were not included in the sample.

The urban-rural breakdown for the returned municipal officials and county planning directors surveys is:

<i>Survey</i>	<i>Urban</i>		<i>Rural</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
<i>Municipal Officials</i>	482	51.9	447	48.1
<i>County Planning Directors</i>	18	33.3	36	66.7

For purposes of this study the Center for Rural Pennsylvania definition of “urban” and “rural” is used. Using the 1990 Census, a county is considered to be predominantly rural if at least 50% of the population is defined as rural. Thus, 42 of the state’s 67 counties are “rural,” and 25 are “urban.” Seven counties were totally rural: Forest, Fulton, Juniata, Pike, Sullivan, Susquehanna and Wyoming.

It is not possible to determine the “urban-rural” status of AICP respondents. AICP members were asked in which region of the state they resided, but their place of residence and where they work are not necessarily coterminous. Furthermore, we did not ask them to evaluate planning activities in a particular governmental jurisdiction, but about planning in general.

Responses were also analyzed to see how closely they mirrored the number of municipalities within the six CRP regions of the state. For three regions (south central, central and northwest), responses were higher than the percentage of municipalities found in the region, in one (southeast) it was essentially equivalent, and in two others (northeast and southwest) the percentages were slightly lower than the percentage of municipalities within the region, but by less than two percent in both instances. It is a reasonable conclusion that the responses to the survey of municipalities very closely matches the regions and can be concluded to be representative.

A similar analysis was done to determine if the responses from boroughs and townships of the first and second classes accurately reflects these types of municipal jurisdictions by size of municipality. Survey response rates by size of municipality very closely reflected the distribution of population groupings for municipalities.

For the smallest population group, municipalities with a population under 500, the rate of responses from boroughs and townships of the second class was higher than the percentage of municipalities of that size. (There are no townships of the first class in this size category.) The next smallest population group, 500 to 999 people, also has a higher percentage of responses than the municipalities found in that size group. So, the survey fairly represents the smallest municipalities in the state. They were not left out, which might have biased the results toward larger communities.

At the upper end of the population scale, municipalities in the 15,000-19,999, and over 20,000 population categories, responses from all three municipal types are greater than the percentage in those size groupings. The largest municipalities are fairly represented, too.

From the analysis of responses, the conclusion is that the survey of municipalities reflects very closely the statewide distribution by type of municipality, by size, and by region of the state, and thus is representative of the Commonwealth's municipalities.

Review of the Literature

As part of the research a review of the literature was made to find if any studies of municipal planning and development regulations were reported and to learn which measures other researchers have employed in their evaluations. While many reports and articles were located, the literature review did not reveal information that was directly on point with the purposes of this project. Numerous studies were found that focused on a particular planning policy or action but not how planning, in general, is used in guiding municipal decisions.

The researchers assessment of the evaluation literature is that it is very limited in scope and does not deal with evaluating how planning informs local or county officials' decision making. Since we found no measurable qualitative standards that could be used in this research, we developed four distinct measures that we believe capture the essence of planning and regulatory activities. In this respect, our conclusion is that this Center for Rural Pennsylvania research project is groundbreaking and presents an important step toward evaluating planning performance. The criteria developed by the project investigators can be applied in other states, too.

Part 1: Measures of Planning Effectiveness in Pennsylvania

In Part 1, the results of the four principal measures of effectiveness of planning and land use regulations are summarized. The barriers to effective planning are also reported. The four measures are:

1. *To what extent are the four principal tools (planning commission, comprehensive plan, subdivision and land development ordinance, and zoning ordinance) used by Pennsylvania municipalities;*
2. *Which specific planning and regulatory tools are being used, which are unused (or underused);*
3. *Are community plans and regulations achieving the planning goals set by the community;*
4. *Where comprehensive plans have been developed, are they being used to inform community decision-making?*

A collateral fifth issue was also examined:

5. *If there are barriers to effective planning, 1) what are they, and b) what actions should be taken to overcome them?*

A Perspective on Planning in Pennsylvania

At the municipal level in Pennsylvania, none of the four principal land use planning tools (planning commission, comprehensive plan, subdivision and land development ordinance, and zoning ordinance) is mandated. Use of these tools is voluntary under the state enabling statute, the Pennsylvania Municipalities Planning Code. To undertake a planning effort is a matter of municipal or county choice, but when a local decision is made to undertake any of these activities, the municipality is required to follow the procedures prescribed by the Code.

Any of the authorizations in the Code can be used independently of the others. A municipality can create a planning commission but decide not to have a comprehensive plan or enact land use regulations, or a municipality can enact a zoning ordinance but not a subdivision and land development ordinance. As will be seen, municipalities who answered the survey may use none, some, or all of these four planning tools.

The voluntary nature of planning is also true for counties, but in Pennsylvania all counties have some form of county planning agency. The pattern of counties' use of the four basic planning tools is different from municipalities. At the municipal level the *commission* form of planning agency predominates, but counties use the *commission* form, the *department* form, or a *combination* of the two. Unlike municipalities for which a comprehensive plan is voluntary, counties are mandated by the Municipalities Planning Code to prepare and adopt a comprehensive plan.

The use of land use regulations by counties is also quite different from municipalities. County zoning and subdivision regulatory authority is limited to those municipalities within a county that do not have their own regulations. Whenever a municipality that comes under county regulatory jurisdiction adopts its own regulation, the county regulation is automatically repealed. Thus, the application of county land use regulations may not be county-wide simply because some municipalities have chosen to enact their own regulations. It is rather rare for counties to enact zoning; only twelve currently report they do, and they apply to only parts of their counties. County subdivision and land development ordinances (SALDO) are more widespread. Some counties that previously had these regulations no longer do because all of the municipal jurisdictions have adopted their own. A county's SALDO may be enacted by a municipality, and the county planning agency may administer the local regulation. At the present time, only about seven counties do not have subdivision and land development regulations.

1. Extent of Use of Planning Tools in Pennsylvania Municipalities

The first measure of planning effectiveness is: to what extent are the four principal planning tools being used? Statewide, 62% of municipalities have a planning commission, 52% have a comprehensive plan, 59% have a subdivision and land development ordinance, and 57% have a zoning ordinance. More than one third (37%) of Pennsylvania municipalities reported they have all four of these land-use planning tools. About 29% have none of the tools, and the remaining 34% have between one and three of them.

Regional Analysis

For purposes of this project, the six regions used by the Center for Rural Pennsylvania are the basis of regional analysis. There are major regional differences in how extensively the planning tools are being used.

Municipalities in the southeast were the most likely to have all four tools (87%), while municipalities in the northwest were least likely (15%). Almost half of the municipalities in the northwest use none of the four major tools, compared to only 1% in the southeast, and 8% in the south central region. Relatively few municipalities in the central part of the state used all four tools (only 19%). (See Figure 1.)

Figure 1 – Regional Use of Municipal Planning Tools

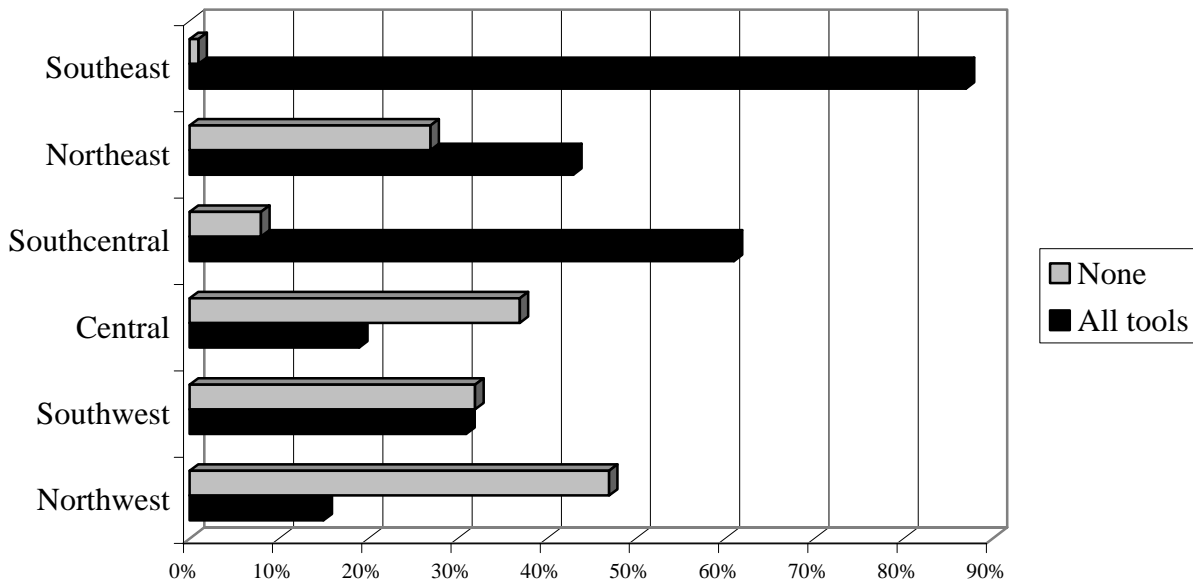
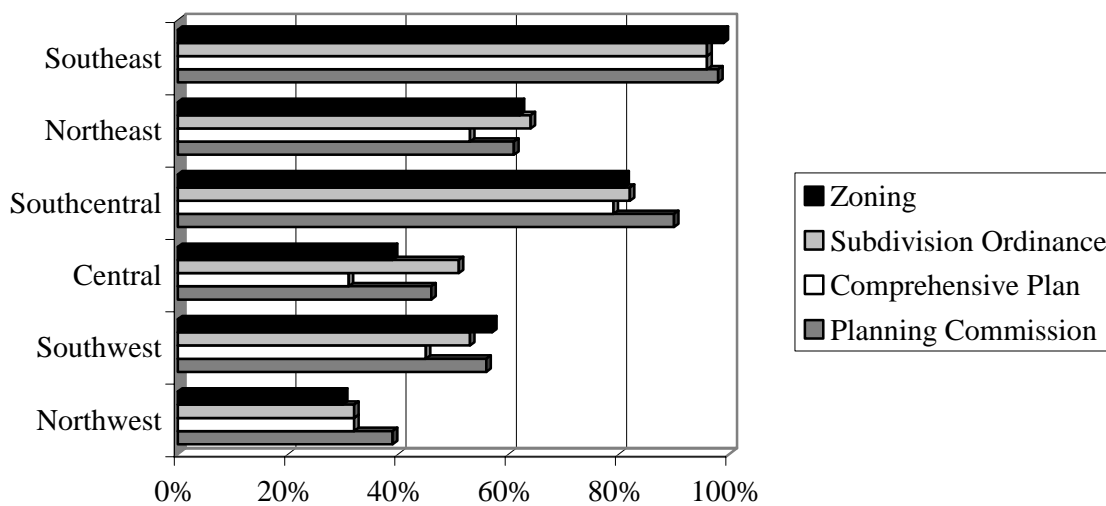


Figure 1 – Percent of municipalities in regions with all four main land use planning tools. Counties by region:
Northwest – Erie, Crawford, Warren, McKean, Potter, Cameron, Elk, Forrest, Venango, Mercer, Lawrence, Clarion, Jefferson, Clearfield; **Southwest** – Beaver, Butler, Armstrong, Indiana, Allegheny, Westmoreland, Washington, Fayette, Green; **Central** – Lycoming, Clinton, Columbia, Montour, Union, Centre, Snyder, Northumberland, Mifflin, Juniata, Huntingdon, Blair, Cambria, Somerset, Bedford, Fulton; **Southcentral** – Perry, Dauphin, Lebanon, Lancaster, Cumberland, York, Adams, Franklin; **Northeast** – Tioga, Bradford, Susquehanna, Wayne, Pike, Monroe, Lackawanna, Luzerne, Wyoming, Sullivan, Schuylkill, Berks, Lehigh, Northampton, Carbon; **Southeast** – Bucks, Montgomery, Chester, Delaware, Philadelphia.

It should be noted that because of the large geographic areas encompassed by these regions, the overall figures may mask sub-regional differences. For example, in the very large central region, the use of the planning tools is considerably greater in the north sub-region than in the south sub-region.

As seen in Figure 2, the use of particular tools similarly varied across the regions. About 98% of municipalities in the southeast have a planning commission, compared to 39% in the northwest. Planning commissions were the most commonly used major tool in the southeast, south central, northeast, and northwest. Subdivision ordinances were most commonly found in the central, southwest, and northeast regions.

Figure 2 – Use of Tools, by Region



Note: Regions in Figure 2 include the same counties as those noted in Figure 1.

By Population Size

Use of the tools also varied by the population size of the municipalities. Municipalities with a smaller population were less likely to be using all four tools than were municipalities with larger populations. Only 7% of municipalities with less than 500 residents use all four tools, compared to more than 86% of municipalities with 10,000 or more residents. Significantly, 58% of the smallest municipalities use *none* of these tools. This is a key finding.

While this is not totally unexpected, the importance of population size and planning activity must be acknowledged if there is an expectation that all municipalities should have accessibility to the planning tools. While all have the legal authority, small population size appears to prevent some from actually using the tools. The smaller the population size, the less likely a municipality is to use the basic planning tools. For population groups under 1,000 population, 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. The break between municipalities at the 2,500-population level is significant. Relatively

few municipalities below 2,500 have planning; the incidence of planning in municipalities over 2,500 is very common. “Rural” is often defined as communities below 2,500 population.

To some extent, the smallest sized 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 there are some counties without this regulation too.

Whether municipalities use the tools was also related to the pace of population change and building development they face. Not surprisingly, municipalities reporting fast growth were more likely to report using the different tools than were municipalities with no growth or who were losing population. About 76% of the fast growing municipalities used all four major tools, compared to only 16% of the municipalities who are losing population.

By Type of Municipality

Use of the tools also differed across municipality types. Townships of the first class were most likely to use all four major land use tools (90%), compared to only 34% of boroughs and 37% of townships of the second class. About 32% of boroughs and 28% of townships of the second class reported they use none of the tools. There is little variation between boroughs and townships of the second class with respect to the use of the four major planning tools. Boroughs are somewhat less likely to have a subdivision and land development ordinance, probably because they do not see much application of subdivision regulatory provisions in largely built-up areas (but overlooking the significance of the “land development” controls that would be available to them). Townships of the second class, on the other hand, apparently see the usefulness of these regulations to their development prospects.

Townships of the first class are significantly different from the other two types of municipality. They are generally larger, well-established suburbs of cities, more urban, and more likely to have the resources to support planning activities.

By Urban and Rural County

Whether a municipality uses the major planning tools appears related to whether it is located in an urban or rural county. About 58% of municipalities in urban counties reported using all four major tools, compared to only 18% of municipalities in rural counties. Only 13% of those located in urban counties use none of the tools, while 43% of the municipalities in rural counties have none.

Table 2. Main Land Use Planning Tools by Urban or Rural County (% of municipalities)

Municipality Location	ALL Four Tools	SOME of the Tools	NONE of the Tools	Planning Commission	Comprehensive Plan	SALDO	Zoning Ordinance
<i>Urban County</i>	58%	29%	13%	80%	72%	76%	82%
<i>Rural County</i>	18	39	43	44	33	43	34

The use of the principal planning tools is significantly underused in rural counties compared with urban counties. This disparity is not unexpected. From the data, the conclusion may be drawn that, solely on the basis of the incidence of planning tools, municipalities in urban counties are in a better position to manage change than are rural communities.

Even if municipalities report having the major land use tools, it is important that plans and regulatory tools be up-to-date so they reflect current conditions, needs, and preferences in their community and changes to the Municipalities Planning Code. So, another aspect of planning effectiveness is related to the recency of the planning tools being used.

The average date that plans or ordinances were reported first adopted was in the 1970s, although some municipalities adopted much earlier and others have done so only recently. Many municipalities reported they have made substantial updates since plans and ordinances were first adopted. More than half reported updating their subdivision ordinance, and 75% reported substantially updating their zoning ordinance. The vast majority of the municipalities making revisions have done so within the past 10 years, ranging from 85% of those who revised their subdivision ordinance to 88% who revised their comprehensive plan or zoning ordinance. The critical dates for revisions are 1989 and 2000. The MPC was reenacted and significantly amended by Act 170 of 1988, which went into effect the following February. To be current with respect to authority and procedure, municipalities should have updated their plans and ordinances to conform to Act 170, which would mean enacting changes since 1989, or in the past ten years. The data shows a considerable amount of updating within that period. (*Note: This research was undertaken prior to the MPC changes brought about by the enactment of Acts 67 and 68 in June 2000. A number of changes made by these enactments will require updating ordinances soon in order to comply with new requirements.*)

Since one of the most significant uses of regulations is to implement the policies in the comprehensive plan, it appears that, in too many places, the comprehensive plan is a lesser factor and the land use regulations dominate. It suggests a situation in which the “tail is wagging the dog.”

This 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. (The new 2000 MPC amendments call for comprehensive plans to be reviewed at least every 10 years.)

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 because it is at the core of planning effectiveness.

The new 2000 MPC amendments say that if a municipality amends its zoning ordinance but the amendment is not *generally consistent* with the comprehensive plan, the municipality should concurrently amend its comprehensive plan. However, since zoning ordinances are intended to implement comprehensive plans (“*The governing body of each municipality...may enact, amend and repeal zoning ordinances to implement comprehensive plans...*” MPC Section 601), the new enactment seems to reverse the logical sequence and relationship between plans and ordinances.

2. Specific Planning Tools Used by Municipalities

The first issue addressed in this overview of planning activities was a look at the four principal planning tools. The follow-up question is: in addition to those tools, which other specific tools are being used, and which are unused (or underused)? The basis of this question is the fact that the MPC provides for a variety of planning tools. Examples of these would be the authorization given to use cluster design to promote flexibility in land development, mandatory dedication of open space as a condition of subdivision and land development approval, transfer of development rights, and many others.

Very few of the respondent communities are using these optional tools, which suggests that local planners either do not know about them, or have no interest in using them in their municipal planning. Generally, we did not ask respondents to indicate why they do not have or use these specialized tools. Cost and political factors may be reasons for their underutilization. Respondents were asked specific questions about the use of municipal capital improvements (transportation impact fees) and “curative amendments,” which will be discussed later in this report.

The responses to the use of specific features included in municipal planning and land use regulations generally followed the same regional, population, growth, municipality type, and urban/rural patterns discussed earlier. It appears that Pennsylvania municipalities do not go much beyond the four basic planning tools. Overall, not even one in five municipalities use any of the specialized tools.

Special Provisions in Municipal Land Use Regulations

Looking at the provisions of zoning ordinances that go beyond the common applications and techniques of zoning, there is not great use of these zoning options. Less than one-third of municipalities with zoning ordinances have cluster zoning provisions, a technique that is quite old and tested. A technique permitted by Article VII of the MPC, Planned Residential Development, is found in 45% of the reported ordinances. This technique permits development to be planned on an area, rather than lot-by-lot basis. Transfer of development rights (TDR) was found in only 7% of local regulations

In general, however, the evidence shows that the tools available to Pennsylvania municipalities to help them manage change and development are currently being underused.

Special Provisions Used by County Planning Agencies

In addition to features that are available to municipalities, counties have some additional ones. County planning agencies often have more resources at their disposal to do planning. However, significant differences are seen between the regions. To a great extent, these reflect the staffing differences among agencies and regions, which were also found in the study. Urban counties are better staffed and equipped than rural counties.

County planning agencies are involved with comprehensive planning and subdivision and land development

regulations but, in addition, there are county level activities that are also being carried out. For example, counties are the solid waste management unit and often are called upon to be involved with emergency management and sewage facilities planning. Many counties are also heavily involved with Geographic Information System (GIS), which serves not only planning needs, but is often used by a variety of county agencies, such as county assessors. However, from a regional perspective, the southwest and northwest regions use GIS to a much lesser degree than the others. Those two regions are far behind. A metropolitan planning organization is involved in transportation planning for a major city or county area. Not all regions have the same need for such an organization, which accounts for the wide variation in its incidence.

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. However, with respect to planning for direct county activities like county services facilities planning, county planning agencies do not seem to be directly involved. And, while most counties have a comprehensive plan, they are not active in capital improvements programming. As was true of municipal planning, it appears that many planning opportunities are also underused by counties.

3. Are Plans and Regulations Achieving Community Goals?

The third measure of planning effectiveness gauges how well the planning goals of municipal officials and agencies are being met through the plans and land use regulations that have been adopted in the jurisdiction. Using locally determined goals avoids investigator bias for deciding which goals are important; planning goals will differ from municipality to municipality. And they should, because each municipality has somewhat different needs and should make policy choices to satisfy those needs as they are expressed through consultation and involvement of citizens.

The approach used in the survey instruments was first to determine what the municipality's goals are and, second, to assess if those goals are being met. In the questionnaires sent to municipal officials and county planning directors, respondents were asked two questions. First, from a set of possible community goals, respondents were asked if the goal was explicitly part of their planning process. Second, if it was an explicit goal, how well was the goal being met. (The AICP member group was not asked these questions because their survey was not place-specific, but dealt with planning in general.)

The five-point scale rankings were, from lowest to highest: 1=not at all; 2; 3=somewhat; 4; 5=Extremely Well. The rankings 2 and 4 were left without a designation so that respondents would not be limited by specific words to determine how they ranked goal achievement. The category, "don't know" was also provided as an option. Only municipalities and counties that had the goal as an explicit component of their planning program were asked to respond.

Municipal Officials' Responses

Table 3 shows the satisfaction with planning goal achievement by officials in the various types of municipal government jurisdictions. Goal performance satisfaction is in the mid-range, although occasionally goals are somewhat higher, in the "achieves goal well" range of 4. When it comes to planning goal achievement, townships of the first class tend to exceed the statewide average in most of the categories of goals. Townships of the first class rate three general goals over 4, but the highest ranking for these townships is for "guiding the location of development," so they obviously believe they are managing changes quite well.

Table 3. How Well Municipal Planning and Land Use Regulations are Achieving Goals, by Type of Municipality (average response of municipalities with this goal, on a scale of 1 “not at all” to 5 “extremely well”)

Goal	All Municipalities	Boroughs	Townships of the First Class	Townships of the Second Class
<i>a. guide location of development</i>	3.70	3.71	4.17	3.66
<i>b. guide type of development</i>	3.62	3.64	3.85	3.59
<i>c. protect private property values</i>	3.72	3.77	4.00	3.68
<i>d. maintain community lifestyle/ enhance quality of life</i>	3.72	3.79	4.04	3.65
<i>e. preserve agricultural land / farms</i>	3.63	3.82	3.55	3.61
<i>f. stimulate growth and development</i>	3.31	3.25	3.80	3.30
<i>g. discourage growth & development</i>	3.14	3.09	2.75	3.18
<i>h. preserve open space</i>	3.50	3.56	3.48	3.48
<i>i. protect natural resources</i>	3.62	3.70	3.56	3.59
<i>j. promote general welfare of residents</i>	3.79	3.83	4.16	3.75
<i>k. protect groundwater supply</i>	3.75	4.02	3.47	3.67
<i>l. enhance municipal tax base</i>	3.45	3.39	3.78	3.45
<i>m. keep down municipal costs</i>	3.76	3.68	3.86	3.80
<i>n. enhance downtown commercial area</i>	3.24	3.25	3.88	3.04
<i>o. create affordable housing</i>	3.21	3.31	3.29	3.11
<i>p. keep out unwanted land uses</i>	3.55	3.57	3.55	3.54
<i>q. preserve community beauty</i>	3.67	3.78	3.78	3.60

With the exception of the goal “protecting groundwater supply”, which the responding boroughs ranked high at 4.02, there is little distinction between boroughs and townships of the second class with respect to achievement of community goals. In general, their rankings range between 3 and 4 in the scale of achievement, suggesting considerable room for improvement.

County Planning Directors’ Responses

Many of the municipal and county goals are the same, but there are some county-specific goals that make them somewhat different. Two things stand out in Table 4. The first is that county planning directors do not see planning and land use regulations as achieving county goals to as high a degree as municipal officials did.

Table 4. How Well County Planning and Land Use Regulations are Achieving Goals, by region
(on a scale of 1 “not at all” to 5 “extremely well”)

County Goal	Statewide	NE	SE	SC	C	SW	NW
<i>a. guide location of development</i>	3.07	2.75	2.60	3.08	3.42	2.67	3.40
<i>b. guide type of development</i>	2.70	2.63	2.40	2.58	2.60	3.00	3.33
<i>c. protect private property values</i>	3.19	3.40	3.33	3.13	3.09	3.00	3.33
<i>d. maintain community lifestyle/ enhance quality of life</i>	3.10	3.25	2.60	2.83	3.17	3.25	3.57
<i>e. preserve agricultural land / farms</i>	2.95	3.75	2.80	2.75	2.60	3.00	3.00
<i>f. guide location of major shopping and employment centers of regional importance</i>	2.94	3.00	3.00	3.00	2.78	3.00	3.00
<i>g. guide location of county government facilities</i>	3.04	3.00	3.00	3.14	3.00	3.00	3.00
<i>h. preserve open space</i>	2.83	3.00	3.00	3.00	2.71	2.75	2.20
<i>i. protect natural resources</i>	3.09	3.38	3.00	3.08	3.25	3.00	2.67
<i>j. preserve places of historic significance</i>	2.74	3.17	2.60	2.67	2.90	3.00	1.67
<i>k. protect groundwater supply</i>	3.05	3.43	2.60	3.30	2.60	3.25	3.25
<i>l. enhance county tax base</i>	2.56	2.20	3.00	2.44	2.29	3.50	2.86
<i>m. keep down county costs</i>	2.67	2.25	na	2.33	3.17	3.50	2.50
<i>o. influence municipal plans to conform to county comprehensive plan</i>	2.82	3.00	2.60	2.82	2.63	3.50	2.80
<i>p. create affordable housing</i>	2.65	2.57	2.75	2.45	2.86	3.50	2.50
<i>q. keep out unwanted land uses</i>	2.77	2.33	na	2.50	3.11	3.50	2.25

County planning directors’ rankings are, in all instances, not as high as municipal officials’. In part, this may be due to the fact that professional planners evaluate these things more critically than do non-planners. For the most part, the scores range in the mid-to-high 2 range. Of the 16 goal items, only six scored in the 3 and over range. This is not indicative of satisfactory performance. Two goals, protect private property values and maintain community lifestyle, received the highest achievement scores, but they are fairly general goals.

A second significant finding is that county planning is not achieving well when it comes to specific county-related goals. In the survey, several items specifically associated with county government activities were included. The goal of guiding the location of county facilities is in the low-3 range, but keeping county costs down and enhancing the county tax base are both in the mid-2 range. This raises several questions. First, how do county planning agencies view themselves as part of county government and, second, are the tools of planning and land use regulations particularly relevant to the principal activities engaged in by county governments? Zoning, for example, which would be an important physical planning tool, is not used much by counties partly because it is superseded by municipal zoning.

Another interesting observation is the variation between regions of the state. The amount of planning resources available to county planning agencies does not necessarily translate into goal achievement. In fact, the

southeast region, which has the most planning resources, generally rates itself lower than most other regions for almost all goals. Once again, this may be the factor of highly critical observers evaluating planning performance.

The survey results may be pointing out the recognition that county planning in Pennsylvania is not well-defined with respect to its role. To a large degree, county planning is left without land use regulatory opportunities when municipalities decide to enact their own land use regulations. This leaves county planners with few implementation tools. This subordinate role of county planning is certainly a principal reason that county planning agencies are unable to achieve the planning goals that have been set out for them.

Changes to the Municipalities Planning Code by Acts 67 and 68 of 2000 have some important provisions for county planning in Pennsylvania. For one thing, county planning is distinguished as being different from municipal planning. There are now components of comprehensive plans, which are specifically indicated as part of county comprehensive plans. Several additional roles for county planning agencies *vis a vis* municipalities are also provided in the legislation. However, the basic relationship between county and municipal land use regulations is unaffected.

4. How Are Comprehensive Plans Being Used?

If plans are made, are they being used, and for what purpose? Many consider this the key measurement of planning effectiveness. The fourth measure of planning effectiveness asks: where comprehensive plans have been developed, are they being used to inform community decision-making? For example, are plans being used by elected officials and by the planning commission when they make decisions concerning the physical development of the municipality.

About half (52%) of all municipalities responding to the survey reported having a comprehensive plan. This included 48% of the boroughs, 94% of the townships of the first class, and 52% of the townships of the second class. Municipalities in urban counties were far more likely to have a comprehensive plan than those in rural counties, 72% to 33%. Population size and region of the state were also factors in whether there is a comprehensive plan.

At the same time, 96% of the counties in the survey have a comprehensive plan; it's 100% in the northeast, southeast, northcentral and northwest regions. Only in the south central and southwest regions did less than 100% have a comprehensive plan.

The principal issue is, however, if a municipality or county has a comprehensive plan, does the governing body or planning agency use the plan in its decision-making? Table 5 is a composite table that shows how three decision-making groups use the comprehensive plan that has been prepared for their jurisdiction.

Table 5. Frequency of Use of Comprehensive Plan in Decision Making
(% of municipalities/counties with plan)

Frequency of Use	Municipal Planning Agency*	Municipal Governing Body	County Commissioners
<i>Uses it often</i>	28%	24%	16%
<i>Use it once in a while</i>	25%	36%	33%
<i>Hardly ever uses it</i>	18%	23%	20%
<i>Never uses it</i>	13%	12%	24%
<i>Don't know</i>	15%	4%	8%

Overall, the use of comprehensive plans for decision-making is not overwhelming. One might expect municipal planning agencies to make frequent use of the comprehensive plan, but that is apparently not the case. It should be noted, however, that the response to this question came from a local official; not necessarily from the planning commission. Similarly, the information on the use of comprehensive plans by county commissioners came from the county planning directors. Nevertheless, perceptions are important. The most direct evidence of plan use is the results from municipal officials for how the municipal governing body uses the comprehensive plan.

Local officials say that they use the comprehensive plan for decision-making *often* about one-fourth of the time. Additionally, they may use it *once in a while* about one-third of the time. All together, frequent and occasional use amounts to 60% percent of the time. Looking at it from the other side, the plan is not used about 35% of the time.

It is important to recall that there is neither statutory obligation nor responsibility for municipal officials to use comprehensive plans when they are developed. The status of comprehensive plans is low, as evidenced by the provision in the MPC, section 303 (c), “*Notwithstanding any other provision of this act, no action by the governing body of a municipality shall be invalid nor shall the same be subject to challenge or appeal on the basis that such action is inconsistent with, or fails to comply with, the provision of the comprehensive plan.*” The statement almost guarantees the irrelevancy of comprehensive plans when it comes to local decision-making. The 2000 changes to the Municipalities Planning Code did not amend this provision.

Looking at the county commissioners’ performance, a greater percentage *never* uses the plan than uses it *often*. The frequency groupings can be arranged in a number of ways; is there much difference between *hardly ever* and *never* uses the plan? *Once-in-a-while* use could be combined with the *hardly ever* grouping. On the other hand, the major responsibilities of county commissioners are *not* focused on physical development activities, so their lack of use of plans is somewhat understandable. Nevertheless, there are important county facility location and service distribution issues for which comprehensive plans can provide useful insights.

It is obvious that comprehensive plans, regardless of their quality, cannot be said to be effective if they are not used. The evidence from the surveys indicates that non-use of comprehensive plans is the norm, not the exception.

5. Barriers to Effective Planning

The fifth issue related to effective planning is whether there are barriers that impede success. County planning directors and AICP members were asked to identify and score the barriers they saw to effective planning and land use regulations in the Commonwealth. (Municipal officials were not asked this question.) In addition, all three survey groups were asked to score the usefulness of a variety of actions that could be taken to overcome the barriers they saw. Their responses will be discussed later.

County Planning Directors

Directors were asked to respond to 18 potential barriers to effective planning. If, in their judgment, the item is a barrier, they were asked to rank the first, second, and third most significant barrier.

BARRIER	NUMBER		SIGNIFICANCE RANK		
	<i>Yes</i>	<i>Rank</i>	<i>#1</i>	<i>#2</i>	<i>#3</i>
<i>a. lack of professional staff</i>	27	8	6	3	5
<i>b. lack of other assistance to support planning</i>	24	10	2	5	1
<i>c. lack of leadership from elected officials</i>	33	4	8	3	4
<i>d. limited support/understanding/interest/ demand for planning by elected officials</i>	38	1	12	5	3
<i>e. limited support/understanding/interest/ demand for planning by general public</i>	37	2	1	3	5
<i>f. limited funds for planning</i>	38	1	8	6	6
<i>g. strong property rights attitudes</i>	26	9	3	4	4
<i>h. distrust between municipalities</i>	31	5	1	6	3
<i>i. distrust between municipalities and the county</i>	29	7	1	2	5
<i>j. lack of training in planning & land use regulations by planning commissioners</i>	29	7	-	1	1
<i>k. lack of training in planning & land use regulations by zoning hearing boards</i>	27	8	-	-	-
<i>l. lack of training in planning & land use regulations by zoning administrators</i>	26	9	1	-	1
<i>m. lack of training in planning & land use regulations by elected officials</i>	35	3	1	4	1
<i>n. poor administration of zoning ordinances</i>	21	11	-	-	2
<i>o. poor advice from solicitors, managers, professional planners, other advisors</i>	18	12	-	-	2
<i>p. failure to use the comp plan in making decision</i>	30	6	2	1	2
<i>q. lack of coordination with water & sewer authorities</i>	21	11	-	2	1
<i>r. inconsistencies between county & municipal comprehensive plans</i>	15	13	-	1	1

Not surprisingly, *limited funding for planning operations* was ranked first as a barrier to effective planning by the 54 planning directors. But tied for first was *limited support, understanding, and interest in planning by elected officials*. It appears these two considerations are intertwined: lack of interest breeds lack of funding. The second-ranked was related: it is the *general public's lack of support and demand for planning*.

Following in significance as barriers are the *lack of training in planning and land use regulations by elected officials*. Presumably, if they had training in these areas, officials would recognize the importance of planning and support it better. Trained officials would also help improve the level of planning accomplishment. The *lack of elected officials' leadership* ranked fourth, and *distrust between municipalities* was the fifth-ranked barrier.

What is important to keep in mind is that, from the county planning directors' perspective, the critical barriers to planning are *not a lack of statutory authority*. The most critical barriers are *human factors*. There is currently enough planning authority, but the human capacity to use it is insufficient for the task.

AICP Members

The Pennsylvania members of the American Institute of Certified Planners were asked somewhat different questions, but many were the same as for the county planning directors' survey. The responses are seen in Table 7. The results are shown for the state average ranking of the barriers and by region of the state.

Statewide, the AICP membership ranked the *lack of leadership by local officials* as the number 1 barrier to effective planning. Following that was *elected officials' lack of understanding of how to use planning and land use regulations*. Also highly ranked was the *inadequate training of local officials*. Basically, AICP members also identify human factors as the primary ones that prevent planning from being effective.

The AICP members also view out-of-date plans and ordinances, the fact that the planning process is not integrated with the decision making process, and also that it is not specifically tied to the budget process as barriers.

Looking at the regional breakdowns, it is interesting that lack of leadership by local officials is the most significant barrier across the board.

Table 7. AICP Members: Barriers to Effective Planning, by Region (1 is “not important” to 5 is “very important”)

BARRIER	Statewide	NE	SE	SC	C	SW	NW
<i>a. lack of leadership by elected officials</i>	4.61	4.63	4.54	4.53	5.00	4.77	4.50
<i>b. lack of funds/grants for planning</i>	3.57	3.44	3.34	4.02	4.00	3.48	3.75
<i>c. inadequate instructions to planning agencies from elected officials</i>	3.30	3.00	3.15	3.48	3.20	3.55	3.25
<i>d. lack of statutory authority</i>	3.85	3.38	4.03	3.88	3.75	3.74	2.25
<i>e. lack of professional planning staff</i>	3.89	3.94	3.76	4.21	3.80	3.81	3.75
<i>f. land use ordinances out-of-date</i>	4.01	3.86	4.04	4.24	3.50	3.89	na
<i>g. comprehensive plans out-of-date</i>	4.03	3.43	4.19	4.22	3.50	3.89	na
<i>h. Municipalities Planning Code is inadequate</i>	3.82	3.57	3.68	4.26	2.00	3.78	na
<i>i. overemphasis on land use regulations relative to planning</i>	3.08	2.86	2.92	3.29	3.00	3.11	na
<i>j. failure to involve the private sector</i>	3.44	3.71	3.24	3.58	3.00	3.39	na
<i>k. elected officials lack of understanding of how to use planning & regulations</i>	4.31	4.00	4.42	4.56	3.00	4.16	na
<i>l. planning commissioners don't understand planning & regulations</i>	3.92	3.71	3.92	4.06	3.50	3.84	na
<i>m. strong property rights attitudes</i>	3.68	3.29	3.69	3.68	3.00	3.79	na
<i>n. lack of inter-municipal cooperation</i>	3.96	4.29	3.88	4.06	3.00	3.95	na
<i>o. limited understanding by the public</i>	3.88	4.00	3.69	4.21	3.00	3.84	na
<i>p. lack of coordination of planning with water & sewer authorities</i>	3.72	3.43	3.83	3.83	4.00	3.50	na
<i>q. difficult dealing with state agencies</i>	3.19	3.29	3.08	3.28	2.50	3.25	na

Summary of Part 1 Findings

- The four principal planning tools are 1) planning commission, 2) comprehensive community or county plan, 3) subdivision and land development ordinance, and 4) zoning ordinance. While there is a great deal of planning activity in the Commonwealth, the survey found considerable variation in the use of the four planning tools.
- Planning is unevenly distributed. While planning authority is available to all municipalities, the basic planning tools are not being universally used but differ by region, size of population, urban and rural location, and development pressures. How to deal with the imbalances in planning activities by place size and region is a particularly important issue to address.
- There is great variability in the use of tools by region of the Commonwealth. In the southeast, the

planning tools are used by almost every municipality; in the northwest region fewer than two of five municipalities use any of the tools.

- Municipalities undergoing relatively severe growth pressures are more likely to use the basic tools.
- Size is an extremely important determinant of whether or not municipalities participate in planning. Limited human and financial resources are undoubtedly major factors. The relative low participation by boroughs may also be related to population size since many boroughs have small numbers of residents.
- Most of the comprehensive plans, zoning, and subdivision ordinances were first enacted in the 1970s. There has been considerable updating of them, particularly zoning ordinances. However, only about one in five comprehensive plans has been updated, and the average year of initial preparation of these plans is 1979. With that age and no updating, the plans probably are not useful in guiding municipal development. (The Acts 67 and 68 changes to the MPC should create interest in updating comprehensive plans and land use regulations.)
- Few municipalities go beyond the four principal planning tools and use other tools that help round out a complete planning program. Lack of information about these tools may be an important reason for their underuse.
- Current planning efforts are not bringing about the desired planning results. Municipal officials rate the achievement of their municipalities' planning goals at the mid-3 level on a scale of 1(low) to 5 (high). County planning directors rate county planning goal achievement lower, in the 2 to 3 range (on a scale of 1 to 5). County planning lacks some of the implementation tools available to municipalities.
- The use of comprehensive plans by both municipal and county government officials is low. This brings into question the purpose of comprehensive plans since they are being used by officials *often* less than 25% of the time. It is also troubling that planning commissions use their comprehensive plan only 28% of the time when they are making decisions.
- Some of the answer to why there is a lack of use of comprehensive plans probably stems from the provision in MPC Section 303 (c) which says, in effect, that elected officials may make development decisions even if they are in conflict with the comprehensive plan. This provision removes any incentive for following the comprehensive plan. It may also be part of the reason why the public does not understand or support local planning programs.
- County planning directors and AICP members believe the principal barriers to effective planning are related to leadership and training. There is sufficient planning authority, but the capacity to use this authority is lacking. The funding of planning and support for planning by officials and the public are other barriers. Human factors seem to be the most significant barrier to effective planning.
- How to break the cycle of ineffective planning is a critical policy issue. Failure to achieve planning goals, inability to use the tools available, statutory barriers that trivialize comprehensive planning, and the lack of leadership and training combine to work against public and local officials' support for planning.

Part 2. Summary of Special Planning Topics

In addition to the primary objective of discovering how effective planning and land use regulations are to Pennsylvania municipalities and counties, survey questions also obtained information about the operations of municipal and county planning agencies, comprehensive plans, the specifics of zoning and subdivision and land development regulations, zoning, training local planning officials, the use of transportation impact fees, and the views of AICP members regarding planning practices. The summary of key findings about these special planning topics is included in Part 2.

Municipal Planning Commissions

- Urban pressures generate or increase awareness of the benefits of or need for having a planning commission: 80% of urban county municipalities have a planning commission; 98% percent in the highly urbanized southeast PA region.
- Smaller municipalities tend not to have a planning commission, even though commissions have little cost attached to them and are staffed by volunteers. A commission supplements the municipal governing officials who, if they must also do planning, reduce the time they have for the day-to-day operations of the municipality and for consideration of long range physical development issues that extend beyond the immediate political horizon.
- Limited direct contact between the planning commission and the governing body means diminished levels of coordination. Close working contact is important for plan accomplishment. Only 26% of the commissions provide the required Annual Report.
- Planning commissions need supporting services, such as a paid secretary. Using a member of the commission to take minutes reduces that member's capacity to participate in the work of the group. (On a five person planning commission, one member taking notes reduces the group's manpower by 20%.)
- Most citizen planning commissions do not have professional planning staff or consultants (76-80%). Expecting lay planners to do technical tasks is unrealistic; it costs the municipality in terms of time spent on the task, and the quality of the product produced may not bring about the desired planning result.
- Support to planning commissions is provided by the municipal engineer and solicitor. However, they are used to perform tasks better done by professional planners and often at much higher cost.
- Only 28% of the planning commissions use the comprehensive plan regularly; 33% *hardly or never* use the document and plans for decision-making. Failure to use the comprehensive plan suggests land use decisions and recommendations are not being made in a coherent, cohesive, or coordinated way.
- Planning commission contacts across municipal lines are extremely limited. A narrow, municipality-by-municipality approach to planning is usually found to be the situation.
- Planning commissions and water or sewer authorities have little contact with one another. Not much integrative planning goes on between the two types of agencies. Failure to coordinate land use

planning and infrastructure planning increases inconsistencies and inefficiencies. Infrastructure systems are valuable growth management tools, but lack of contact results in missed opportunities and inefficient planning.

County Planning Agencies

- County planning directors in all the regions had considerable planning experience, on average from 16 to 28 years. More than one-third of them are members of the American Institute of Certified Planners (AICP).
- Organizationally, the vast majority (nearly 70%) of the counties have a combination planning commission and planning department. A quarter of them have a planning commission only, and one has a planning department only.
- Two-thirds of the directors believe their agency is understaffed. *One in five counties had no professional staff other than the director.* County planning agencies in the southeast region average a much higher number of professional planners than do counties in the other regions.
- Almost every county has a comprehensive plan (96%). Two-thirds of them were prepared or updated in the 1990s. The age of the prior plan was the most common reason for its updating.
- Providing technical assistance and providing data and information were activities supplied by almost every county planning agency.
- The use of the comprehensive plan by the county commissioners was low: slightly less than half were reported to use it *often* or *once in a while*.
- The comprehensive plan is extensively used when the county planning agency reviews SALDO amendments and subdivision and land development applications, which it receives from municipalities. It is also heavily used (70%) when the county planning agency carries out its MPC Section 301 mandated reviews of proposed local actions, a useful requirement that promotes coordination and consistency.
- Eight counties reported on their zoning ordinance. Of these, four covered the entire county and four only part of the county.

Comprehensive Plans

- Since only 1,057 boroughs and townships (out of 2,511) responded to the statewide survey and, of that number, only 52% have a comprehensive plan, it suggests that comprehensive land use planning is not being addressed adequately in Pennsylvania.
- The results show that comprehensive plans are invested in where there are population and development increases.
- In the urban counties and the southeast region of Pennsylvania, over 90% of municipalities engage in comprehensive planning.

- Smaller municipalities, and more rural regions report a lower frequency of comprehensive plans. Only 18% of municipalities of fewer than 500 persons have a comprehensive plan. Municipalities with limited resources are not participating in planning, even though each land use change or decision often has a greater impact on property values, real estate tax base, and municipal revenues and expenditures than it would in a larger municipality.
- A larger percentage of municipalities have land use ordinances than have a comprehensive plan. In other words, they lack the basis for land use regulations. To some degree, this makes their land use regulations more vulnerable to challenge. It is harder to justify restrictions on private property without having a purpose that is provided by a tangible plan.
- Comprehensive planning with an adjoining municipality is quite rare, only 14% report joint planning activity with a neighbor. *Of concern is that only one-in-five municipalities who developed a joint plan still continue to work together.* Cooperation in plan preparation has not carried over into long-term planning relationships. Regional planning is not a common practice in Pennsylvania.
- Failure to update comprehensive plans – many of them are quite old – results in less effective plans. However, this may be mitigated somewhat in municipalities whose planning commission provides the required Annual Report to inform the governing body of the impacts development is having on the municipality. Unfortunately, too few planning commissions, only 26%, present an annual report to the governing body. Old comprehensive plans that are not updated are useless as guidance tools.
- Even municipalities with a prepared and adopted comprehensive plan are not using plans effectively. One-third report they *hardly* ever or *never* use the plan. Furthermore, they are more likely to use it for short-term purposes such as amending land use ordinances than they are for long-term purposes, such as capital budgeting and infrastructure planning.
- There does not appear to be a good understanding of how comprehensive planning is related to the governance of municipalities.
- The disparity between rural and urban communities and communities of varying size suggest a severe imbalance in comprehensive municipal planning in the Commonwealth.

Subdivision and Land Development Regulations

- Subdivision and land development regulations are widely used by both municipalities and counties.
- Fifty percent of the boroughs, 62% of townships of the second class, and 97% of townships of the first class have a SALDO.
- There is a significant difference in participation between rural and urban communities. Municipalities in urban counties were far more likely to have a SALDO than those in rural counties (76% to 43%).
- Size is an important indicator of SALDO use. In municipalities with more than 5,000 population, over 90% had SALDO, but in municipalities under 500 population, only 24% had a SALDO. This must be balanced by the fact that many small communities are covered by a county SALDO.

- Regionally, the southeast has almost complete coverage (96%), while at the opposite extreme, only 32% in the northwest region had SALDOs.
- The opportunity to relate new developments in a community with its neighbors is not being used to a great degree. In only 11% of the reporting municipalities were development plans sent to adjacent municipalities for comment. This is a missed opportunity to do more effective planning.
- More than half of the municipalities (57%) reported their SALDO had been substantially updated, and most of those actions were in the past 10 years. An out-of-date SALDO was the most important reason for the update.
- There is no standard understanding of what a county planning agency review should provide the municipalities that send them plans to review, as the MPC requires.
- Mandatory open space dedication is not extensively used. Broader use of this authorization could increase the amount of usable open space in communities.

Municipal Zoning

- About 57% of the responding municipalities reported having a zoning ordinance. All of the townships of the first class have zoning as do 60% of the boroughs and 53% of the townships of the second class.
- Almost every municipality in the southeast region has zoning (99%), and 81% in the south central region have it. Zoning is found least in the northwest region.
- Municipalities with smaller populations were less likely to have zoning. Municipalities in urban counties were more likely to have zoning (82%) than those in rural counties (34%).
- Since originally adopting the zoning ordinance, three-quarters of them have been updated with almost 90% of the updates being done in the 1990s. The age of the ordinance and rapid development in municipalities were the most important factors for updating.
- Zoning Officers are very active in representing the municipality at zoning hearing board hearings, advising the governing body on zoning ordinance changes, and attending meetings of the governing body.
- About half of the zoning hearing boards have six or fewer hearings per year.
- Only 40% of the municipalities have had a curative amendment request in the past five years. About a third of the curative amendment challenges were granted as requested, and a quarter of them were granted with modifications.
- Of the special features in zoning ordinances, the most common are planned residential development provisions, followed by cluster zoning and lot averaging.

- In municipalities with strict agricultural zoning, the most common specialized provisions were those for farm stands, farm-related business, bed and breakfasts, guidelines for siting residential lots, and setting a *maximum* lot size (cap) for residential building lots.

Transportation Impact Fees (Article V-A: Municipal Capital Improvement)

- Transportation impact fee authority is largely unused. Only in the southeast region is the procedure used to any significant degree.
- Small municipalities cannot generate sufficient development to justify the planning and engineering investment required.
- Cost and complexity of the transportation impact fee (Municipal Capital Improvement) process are the most compelling reasons why municipalities decided not to adopt the procedure.

Training of Local Officials, Planners and Zoning Officers

- The number of responding municipalities that require training in planning duties is small, only 9% for planning commissioners and 10% for zoning hearing board members.
- The majority of municipal respondents believe it would “useful” to “very useful” to require training.
- Mandated training for planning commissioners is also supported by county planning directors (90%) and the AICP members (95%). Mandated training for zoning hearing board members is likewise supported, 92% and 94%, respectively.
- All three responding groups indicated strong support for the training of elected officials as a way to improve the effectiveness of planning. Sixty-four percent of municipal officials themselves said training for elected officials on planning and land use regulations would be “useful” to “very useful.” Only 11% said such training would *not* be “useful.”
- Difficulty with recruiting and keeping volunteers on planning commissions and zoning hearing boards is a result of size, *not* of required training. Smaller population municipalities have increased difficulty in recruitment because of a smaller pool of individuals to fill these positions.
- There are various options for smaller communities to deal with this problem. For example, they can reduce the number of members on these boards to the absolute minimum, which is three persons for both planning commissions and zoning hearing boards; or they could form joint operations with other municipalities.

AICP Planners

- Seventy percent of the 395 AICP members with a Pennsylvania address are in the southeast and south central regions. Only 2% and 3% are in the northwest and northeast regions, respectively. The availability of the most qualified and experienced planners is very limited in several regions of the Commonwealth.
- AICP members have an average of 22 years’ experience and about 19 years of experience in Pennsylvania.
- The three top ranked barriers to effective planning noted by this group are (1) the lack of leadership by

municipal officials, (2) officials' lack of understanding of planning, and (3) lack of training by local officials and staff. These barriers are related to the "human infrastructure" of planning.

- Out-of-date comprehensive plans and land use ordinances were the next two most significant barriers.
- Nine items were ranked as "highly useful" to "very useful" in overcoming barriers. The top rated action was to require consistency between plans and land use regulations..
- Of the other eight highest rated actions, four deal with training, three are related to updating plans and ordinances, including providing special funds for updates, and one is for "concurrency," that is, requiring infrastructure and municipal services to be in place before or at the same time development occurs.

Part 3. Conclusions, Actions and Recommendations

Conclusions from the Study

The authority for planning and land use regulations is available to all municipalities in Pennsylvania, but the use of these tools for municipal management are unevenly distributed. It is clear from the research that smaller municipalities, rural communities, and several regions of the Commonwealth take advantage of planning to a much lesser degree. Lack of interest, lack of perceived need, lack of support, and lack of resources are reasons that account for the disparity. An important issue raised by this basic finding is, should actions be taken to alter this situation and, if so, what corrective actions can be taken?

The use of the four basic planning tools is almost total in the southeast region and very high in the south central area. After that, use falls off dramatically. In the northeast region, only two of five municipalities have a planning commission and one in three have any of the other tools. Forty seven percent of the municipalities in the northwest have none of the planning tools.

Size of municipality is an extremely important determinant of whether or not municipalities engage in planning. Limited human and financial resources are undoubtedly principal factors in the decision not to do planning. The relatively low participation by boroughs may be indicative of the fact that many boroughs have quite small populations.

Growth pressures are an important gauge of participation. Municipalities with relatively severe growth pressures are more likely to use the four basic planning tools.

Most of the comprehensive plans, zoning, and subdivision ordinances were first enacted in the 1970s. There has been considerable updating of them, particularly zoning ordinances. However, only about one in five comprehensive plans has been updated although the average initial year of preparation of these plans is 1979. With that age and no updating, these comprehensive plans cannot be considered as useful in guiding municipalities and development occurring in the 2000s. The new amendments to the MPC from the enactment of Acts 67 and 68 should encourage plan and regulation updates, since they call for reviewing comprehensive plans at least every ten years. However, updating plans is not mandated.

Failure to update comprehensive plans is indicative of the relatively low status of comprehensive plans relative to land use ordinances. Survey results show that the comprehensive plan tool generally lags behind the other three in terms of municipalities that have it. Without the legislated necessity to have a comprehensive plan as the prerequisite to land use regulations, this central element of effective planning is being overlooked.

Few municipalities go beyond the four basic planning tools and use the other tools available through the MPC that help round out a complete and effective planning program. Lack of knowledge about these tools may be a reason for their underutilization. Only a small part of the MPC is being used currently by Pennsylvania municipalities.

Lack of training in planning and land use regulations by elected officials, planning commissioners, zoning hearing board members, and zoning administrators is often mentioned as a problem. It may account, in part, for the underutilization of planning tools. Planning implementation and ordinance enforcement are also impacted by limited knowledge of practices and procedures.

Community planning goals are being met to only a moderate degree in municipalities, as measured by the responses from municipal officials. The range of planning achievement of goals is reported by municipal officials at between 3 and 4 on a five-point scale. The achievement of goals ranges statewide from 3.14 to 3.79. County planning directors do not assess planning goal achievement as highly as do municipal officials. (They are undoubtedly applying more critical professional expectations of achievement.) To the county planning directors, achievement of goals range between 2 and 3 on a five-point scale. Scores range from a low of 2.56 to 3.19. The results indicate there is much room for improvement.

Comprehensive plans, the keystone of planning programs, which set goals, policies, and actions to guide municipalities and counties, are not being used effectively. They are not heavily relied upon by municipal officials and are used to an even lesser degree by county commissioners.

Many barriers to effective planning were identified by county planning directors and AICP members. The most important barriers were seen to be in the category of the “human infrastructure of planning,” that is, the people who are involved in planning work. Training, as well as better and stronger leadership by officials, are frequently mentioned as basic needs. Lack of resources to support planning is also an oft-mentioned barrier. Better use of existing tools, not the addition of new tools, is needed for more effective planning. How to improve the “human infrastructure of planning” to use planning more effectively is a major issue that has to be addressed.

It should be noted that the research project found a clear and distinct pattern of planning practices in rural Pennsylvania. This is most evident in the analysis of data for size of municipality and region of the state. On this basis alone, it may be said that there are considerable and profound differences in rural and non-rural communities. The use of the principal planning tools is relatively low for the smallest-sized jurisdictions compared to larger municipalities. There is an obvious distinction between municipalities under 2,500 population and those over 2,500, which seems to be a sharp demarcation in planning use. This is true of all the planning tools. The smaller the population, the less likely is the use of planning.

The same pattern of differential usage is true of the municipalities in the rural and urban counties. Data on planning participation by region of the state also confirms rural/urban differences. There is a much lower rate of participation in the more rural central and northwest regions as compared to the more urban southeast and

south central regions. (The northeast and southwest regions are quite similar in their use of the tools, which is in the mid-range, so the distinction between rural and urban is not so clear.)

It was also found that the planning goals of rural and urban areas are slightly different in interesting ways. Rural municipalities appear to be more oriented to such goals as: stimulate growth and economic development; preserve farmland; protect the general welfare of residents, and protect ground water. These may be interpreted as an emphasis on lifestyle and natural resource goals, contrasted with urban communities, which tend to focus on guiding growth and preserving open space.

The inescapable conclusion is that there is much less use of the planning tools in the MPC by rural municipalities. Further detailed analysis of the data merely confirms this. It is fair to say that planning is not a strong and secure feature of rural municipalities. To some degree their planning needs are being met through the planning done by county planning agencies. However, this again points out the weakness since these municipalities are in the position of being planned for, rather than planning for themselves. With respect to rural county planning, the data shows that compared to urban counties they are less well-staffed and equipped. So, every indicator points to the need to make planning more useful and more accessible to the Commonwealth's rural communities.

Actions to Overcome Barriers

All three groups surveyed were asked to rank a series of actions that could be taken to improve the effectiveness of planning and land use regulations. There is a fair degree of consistency among the three; some actions were not seen to be particularly important, or the problem they would address was not particularly significant for the respondents.

Planning effectiveness obviously requires resources. Both the municipal officials and county planning directors saw grants to update plans as being very important. Municipal officials saw the need for dedicated grant funds to rural communities to aid in the preparation of plans.

Training programs were highly rated, particularly for zoning administrators, but also for elected officials and zoning board members. Surprisingly, training for planning commission members was not seen as important as training for the other officials.

Regular updating of plans and regulations was more important to AICP members than to the other groups. All three, however, rank the need for plans and land use regulations to be consistent very highly. For municipal officials and AICP members the concept of "concurrency," that is, making sure that infrastructure and services are in place and available before development occurs, was ranked very high.

From these responses, it appears that planning effectiveness depends more on the investment and development of human resources, in the form of training for example, and making sure that the planning components are current and consistent, than it does on new authority or planning tools.

Table 8. Usefulness of actions to improve planning and land use regulations, (on a scale of 1-to-5)

ACTION	OFFICIALS		DIRECTORS		AICP	
	Score	Rank	Score	Rank	Score	Rank
<i>Regular update of comprehensive plan</i>	3.36	14	3.63	11	4.30	4
<i>Update regulations to conform to plan</i>	3.49	11	4.02	8	4.46	2
<i>Grants to update plans</i>	4.15	3	4.33	4	4.08	8
<i>Special grants for rural planning</i>	4.23	1	4.42	2	3.49	13
<i>Require planning commissioner training</i>	3.83	8	4.00	9	4.01	9
<i>Require zoning board training</i>	3.90	6	4.30	5	4.15	7
<i>Require zoning administrator training</i>	4.13	4	4.55	1	4.39	3
<i>Require elected officials' training</i>	3.89	7	4.15	7	4.16	6
<i>Require adjacent municipality review</i>	3.01	16	3.15	16	3.48	15
<i>Reduce trans impact fee complexity</i>	3.68	9	3.64	10	3.73	12
<i>Impact fees for other services/facilities</i>	3.63	10	3.56	12	3.81	11
<i>Permit official sketch plans</i>	3.44	13	3.23	15	3.49	13
<i>Eliminate "curative amendments"</i>	3.07	15	3.32	14	3.19	16
<i>Require plan/regulations consistency</i>	4.07	5	4.38	3	4.49	1
<i>Require infrastructure before development</i>	4.20	2	4.26	6	4.18	5
<i>Mandate planning & land use regulations</i>	3.46	12	3.66	9	3.92	10

- Both municipal officials and county planning directors say that getting grants for rural planning is an extremely important action that should be taken. It was ranked 1 and 2 respectively.
- Grants to update plans was rated highly by all three groups.
- Requiring infrastructure and services to be in place before, or at the same time as, development was highly ranked by all three groups. (This is the concept of “concurrency.”)
- Internal consistency between comprehensive plans and land use regulations is highly ranked. AICP members ranked this the number 1 action.
- Training was generally highly rated as an important action. Of the training actions, training for zoning administrators was seen as the most important. There was also strong support from all three groups for training of elected officials in planning and land use regulations.
- Actions to overcome what seem to some observers to be serious problems are apparently not viewed in the same way by the survey respondents. They do not see, for example, a great need to act on eliminating “curative amendments,” which is apparently not a statewide concern. The transportation impact fee is seen by some as overly complex, but the respondents do not call for action on this either, possibly because it affects a limited area of the state. Allowing “sketch plans” as part of the subdivision and land development review process does not have much support.
- Very consistently at the bottom of rankings of actions to improve planning is requiring the review of plans by adjacent municipalities.

Recommendations

This section offers policy options and recommendations to improve the effectiveness of planning and land use

regulations in Pennsylvania based on the results and analysis of the three surveys and a thorough review of barriers to effective planning and the actions suggested by respondents to overcome barriers.

Up-to-Date Plans

A frequently noted barrier to effective planning was that comprehensive plans and land use ordinances are out-of-date. One of the actions to improve this situation is to call for the regular updating of comprehensive plans. Plan updating and funds to support this action should be linked.

AICP members ranked this as the number 4 action to improve planning while county planning directors ranked it number 11. Local officials only ranked it 14, possibly because of the financial impact of regular plan updates. However, they ranked grants to update plans as action number 3.

Recent changes to the MPC by Act 68 call for the comprehensive plan to be reviewed at least every 10 years (§301 [c]). It doesn't specifically call for updates at that frequency; apparently that may occur at any time. It is somewhat unclear what the specifics of such a review would include.

If more frequent review is desirable, and it probably is since ten years is a long time, a simple and effective way to accomplish this would be to mandate plan review as part of a planning commission's Annual Report requirement contained in §207 of the MPC. Issues of plan currency and consistency could be addressed by the planning agency in its report that goes to the governing body. This would bring the comprehensive plan to the attention of the decision-makers on a frequent and continuous basis and encourage them to use the comprehensive planning document in their decision-making. If an annual review concludes that an update of the plan is warranted, the governing body could take steps to upgrade the plan.

Updating plans is potentially far more extensive than mere plan review, however. Plan updates can be costly and require more resources, which may be one reason municipalities shy away from them. The availability of funding, then, would be necessary to assist municipalities who need a plan update. Grants to update plans was ranked 3rd by municipalities as a suggested action to overcome barriers, 4th by county planning directors, and 8th by AICP members. Dedicated funding for updating comprehensive plans would help insure that plans are kept current.

Land Use Ordinances in Conformance with Plans

Land use regulations in the Commonwealth are not, for the most part, required to be based on or directly tied to a comprehensive plan. Pennsylvania, unlike almost every other state, does not require a comprehensive plan as the basis of police power regulation of private property. This should be changed to *require* land use regulations, particularly zoning ordinances, to be *based on an adopted comprehensive plan*. This would strengthen comprehensive planning and land use regulations. It is a change that is long overdue, and it would bring Pennsylvania into line with other states.

Since comprehensive plans for municipalities are not mandated, it is difficult to achieve true consistency between plans and regulations. At best, ordinance provisions are supposed to be related to planning objectives or goals in some unspecified way.

An example of this deficiency is the following current wording in the MPC. In Article V, Subdivision and Land Development, the MPC says SALDOs may include provisions calling for plan layouts to conform to the comprehensive plan. Having such provisions is only an option, *not a requirement*. Article VI, Zoning, prior to

1988 required zoning ordinances to include a statement of community development objectives. That wording was weakened by Act 170 of 1988 to merely indicate that an ordinance “should reflect” the statement of community development objectives.

By contrast, in order to use the provisions of Article VIII-A, Joint Municipal Zoning, the joint municipal zoning ordinance must be based on an *adopted joint municipal comprehensive plan*. Similarly, to take advantage of the Municipal Capital Improvement option in Article V-A a municipality must have adopted either a municipal or county comprehensive plan, subdivision and land development ordinance, or zoning ordinances. Interestingly, the threshold for using the latter techniques is significantly higher—namely, the requirement of having an adopted comprehensive plan. Perhaps that is another reason why these techniques are not widely used. In fairness to property owners, police power regulations should have their basis in a publicly adopted comprehensive plan.

The relationship of comprehensive plans to zoning ordinances regarding consistency is briefly touched on in §603(2)(j). It says that if a zoning ordinance is amended in a way that it is not consistent with its comprehensive plan, then the comprehensive plan should be amended (to conform to the zoning change). This sends the wrong message since it suggests that the plan, which zoning is supposed to implement, is less important than the regulation.

It is recommended that the MPC be amended to mandate that land use regulations, particularly zoning, be based upon an adopted comprehensive plan.

Rural and Smaller Communities

In calling for adopted comprehensive plans and requiring certain components such as sewage facilities plans and capital improvement budgets to be included in plans, it is acknowledged that there are significant costs attached to these components. The new MPC amendments call for a plan for water supply as a required element of a comprehensive plan, which can be costly. How to make comprehensive plans a viable possibility for rural and small communities requires ingenuity and cooperative efforts. It will also require targeted efforts and dedicated funding.

In the belief that the benefits of planning should be available and accessible to all municipalities, the research found that municipal population size is a major impediment to achieving this goal. A significant and not unexpected finding was that communities in rural counties do not participate in planning to the extent that larger ones do. Obviously this is as much a “resources” question as it is an “interest in planning” one.

Knowing this, the question is: how can smaller communities get the planning they need? Among the possible ways to deal with this problem are:

- special grants based on small population size
- special grants for rural communities
- require nearby communities that are planning to include small municipalities
- have the county planning agency produce plans for them
- reduce complexity of planning requirements, e.g., elements of a comprehensive plan
- change the extent of the “resource base,” such as an expansive tax base-sharing area. For example, the entire area of a school district, in which the tax base is already “shared” to provide education services. This would provide a much larger resource pool to support the required planning

- fund a dedicated county planning agency staff person to only work on plans for small and rural municipalities
- provide funds in sufficient amount to an expanded statewide “circuit rider” planning assistance corps. This might be done through funded internships with state universities with planning programs.

Comprehensive Plan Adoption

It is strongly recommended that the act of comprehensive plan *adoption* should be made mandatory for all municipalities. At present, at the municipal level, the authority to “*prepare*” a comprehensive plan and “*adopt*” a comprehensive plan are separate. County comprehensive plans are mandated to be both *prepared* and *adopted*. All comprehensive plans should be required to be adopted.

A further recommendation is the repeal of §303 (c) of the MPC. This section reads: “(N)otwithstanding any other provision of this act, no action by the governing body of a municipality shall be invalid nor shall the same be subject to challenge or appeal on the basis that such action is inconsistent with, or fails to comply with, the provision of the comprehensive plan.”

The low status of comprehensive plans relative to land use regulations is well known, and §303 (c) confirms it. Comprehensive plans must be elevated so they can be taken seriously. Adopted comprehensive plans are required selectively in various parts of the MPC; it should be made a consistent requirement throughout the MPC. Land use regulations based on the general police power should not be allowed to be imposed to restrict the use of private property unless there is an adopted comprehensive plan. Municipal officials should be bound to the plans and regulations they adopt, just as citizens of a municipality are.

Section 303 (c) should also be repealed because it destroys the intent emphasized in the recent amendments to the MPC, namely those calling for consistency. Asking for consistency in one part of the MPC and then, in this section, saying that consistency is immaterial because the municipal body does not have to act consistently with its own plans and regulations, is a serious weakness and should be eliminated.

Decision Makers’ Use of Plans

The surveys show that both municipal and county decision makers do not make extensive use of comprehensive plans in their decision-making. But mandating comprehensive plans won’t necessarily make them use the plan more.

The following actions should be considered to increase the use of comprehensive plans by decision-makers.

- First, as noted before, repeal §303 (c). This action will raise the status of comprehensive plans and allow residents to challenge inappropriate land use decisions by local officials.
- Mandate training of both local officials and planning commissioners and zoning officials. This action is highly recommended by all respondent groups.

Sewage Facilities and Comprehensive Plans

It is recommended that the Sewage Facilities Plans called for by Act 537 be *adopted as part of a municipal or county plan*.

At the present time there are two, usually unrelated, planning activities going on simultaneously in

municipalities and counties: sewage facilities planning and comprehensive planning. The importance of waste management infrastructure in community planning is obvious, but there is nothing in either law (Act 537 Sewage Facilities Act or the MPC) that calls for the true integration of sewage facilities planning and comprehensive planning.

Both Acts should be amended to make integrated planning a requirement. At a minimum, the Sewage Facilities Plan should be made a required element of a municipal or county comprehensive plan. Optimally, both the comprehensive plan and sewage facilities plan should be evaluated for consistency before either could be adopted.

Integrating Planning and Infrastructure Improvements

Inconsistency in planning leads to lack of achievement of community goals. Inconsistency is promoted by not requiring integrated planning of water and sewer infrastructure with municipal planning. New §608.1, added to Article VI, Zoning, makes reference to this relationship but is too weak to make it an effective planning tool. Notification by infrastructure providers of their intention to expand facilities to new, as yet unapproved developments, is good. However, the municipality is burdened to show if the expansion is consistent with its plans and regulations, rather than the other way around. Ultimately, as subpart (c) says, the notification procedure does not limit the right of the infrastructure provider from proceeding whether or not the expansion will have a negative impact on a municipality's land use planning.

This section of the MPC should be reviewed and revised so that real integration of infrastructure planning and municipal planning can be achieved. Also to be considered are required formal relationships established between planning commissions and municipal authorities and water companies.

Capital Improvements Plans and Budgets

Survey results show that capital improvements programming and budgeting is not widely used in either municipalities or counties. The MPC is generally silent regarding capital improvements planning and budgeting. The MPC makes brief and oblique reference to this important plan in MPC § 301 (4.2), "(A) discussion of short-and-long-range plan implementation strategies, which may include implications for capital improvements programming..."

If the true test of planning is accomplishment, then capital budgeting should be a requirement. By requiring it, the governing body and planning commission would be forced to work together since plan goals and the financial wherewithal to achieve them would have to be worked out together in order to have a useful plan.

- It is recommended that a capital improvements plan be made a required element of a comprehensive plan. The significance of the spending plan to implement comprehensive plans must be elevated if planning is to be effective.
- A capital improvements program should be made a requirement for municipalities and counties to obtain state funding for capital projects.
- Improved training of local officials and planning commissioners in capital budgeting would be needed in order to operationalize this recommendation.
- When receiving state funds and grants, municipalities should be required to show how the use of those moneys conforms to the adopted municipal comprehensive plan, including the current capital improvement program and budget.

The Number of Municipal Jurisdictions

The number of municipal jurisdictions is an important issue for planning in the Commonwealth. Related to this is the large number of small municipalities that, as this research has shown, do not participate in planning to the same degree as larger municipalities. Consolidation of municipalities is frequently mentioned as a way to reduce inconsistencies in land use decision-making, lack of coordination and cooperation among jurisdictions, and other problems. This issue was mentioned frequently by respondents to the surveys as one of the barriers to effective planning.

Voluntary consolidation of municipal jurisdictions does take place, but at a slow pace; the total number of municipalities is thus not significantly affected by these voluntary actions. Consolidation of municipalities by governmental fiat is not likely, and probably not desirable. Additionally, in newly amended Article XI, in the §1101 (2) purpose statement, it states that a goal of intergovernmental cooperative planning is to “protect and maintain the separate identity of Pennsylvania’s communities.” Mandated consolidation is not an option.

If the underlying issues related to the large number of municipalities and small population size have to do with limited municipal resources, and consolidation is not an option, other opportunities for expanding resources must be explored. Some possibilities are:

- Expand the municipal financial base to, perhaps, encompass the school district area.
- Make the school district area the “regional” planning unit.
- Make the county the “regional” planning unit.

Training of Officials

Training of municipal officials, planning commissioners, zoning board members and zoning administrators should be mandated. A minimum amount of instruction should be required so that these individuals can be effective in carrying out their planning and regulatory duties.

In all of the responses to the three surveys, training has been a significant issue. Support for training as one of the significant ways to improve planning and land use regulations comes from all quarters.

Training should be received early in an individual’s term of service, and it should be mandated. Individuals should be provisionally approved until training is received. If training is not undertaken within a prescribed time, service should be terminated. The municipal survey found that mandated training *did not* make it more difficult to recruit members nor was there greater turnover because of it.

It also is reasonable to require training of officials who use government grants and funds. The public trust is better served when the individuals entrusted with those responsibilities are trained and knowledgeable about their duties and authority.

County Planning

Until the June 2000 amendments to the MPC, the Code did not distinguish between county and municipal planning. Most of the components of comprehensive plans for both types of jurisdiction are the same, as are authorizations for zoning, subdivision and land development, official maps and other features in the Code. However, with the adoption of the new amendment, four additional plan elements that are specifically required

in county comprehensive plans were added. Nevertheless, county governments and municipal governments are quite distinct in their functions. Municipal governments typically provide basic services and infrastructure; county governments provide social services, judicial and institutional functions. This distinction and the corresponding different approach to planning each function requires need to be further delineated in the MPC. The role of county planning is still ill-defined.

County planning directors were less satisfied with the performance of counties in meeting county planning goals than were municipal officials in meeting municipal goals. Perhaps this is because many survey questions were oriented to physical development, which is not the main strength or province of county planning. On the other hand, county performance related to strictly county goals: guide location of county facilities, enhance county tax base, keep down county costs, also did not achieve high performance ratings.

The MPC should recognize that municipal planning and county planning are not the same thing. Some opportunities for improving the situation are:

- County planning should be related to the functions of counties
- County planning should have a defined role in: transportation planning, environmental planning, developments of regional significance
- County planning agencies should be the overseer of municipal and “regional” plans
- County planning agencies should be mandated to develop detailed plans for municipalities who do not carry on planning activities. These might include the smallest and rural communities

Plan Consistency

Plan *in*consistency is frequently mentioned as a barrier to effective planning. There are two separate aspects to consistency. The first is *internal* consistency, that is, consistency between comprehensive plans and regulations. The second is *external* consistency, that is, consistency between plans prepared at different governmental levels or municipal jurisdictions.

Internal plan/regulation consistency can be easily addressed if land use regulations are required to be based on adopted comprehensive plans. The primacy of the comprehensive plan must be established as the basis for determining consistency. The burden of proof on municipalities should be to demonstrate that their regulations are based upon, and are consistent with, an adopted plan.

External consistency is more complex. Municipal to municipal consistency may be improved by mandating reviews of plans, regulations and development proposals. County planning agencies should have a role in facilitating this inter-municipal review.

New amendments to the MPC call for “generally consistency” among plans at different levels and across municipal lines. This is a generally good idea, but “general consistency” is extremely difficult to operationalize. This is particularly true when consistency involves not only mapped elements, but also goals, policies, and implementation actions in plans. Reviews of general consistency may become pro forma exercises. Not being generally consistent has no significant “penalties” for municipalities.

To be useful in planning, consistency requirements must be turned into outcome-based performance standards. Work on developing performance consistency standards is recommended.

Concurrency

A principal issue in planning and municipal governance is the timing of development relative to the availability of municipal infrastructure. In rapidly developing communities with limited resources, this is a major concern because it places a great strain on current residents *vis a vis* existing-or nonexistent-infrastructure. Responses to survey questions on this issue were mixed, partly because the term is pseudo-technical and may not be well understood.

In part, concurrency raises questions of who should pay for new development. As a planning problem, it requires considerable sophistication with respect to the use of all planning tools, municipal finance and the concept of fairness. Improperly used, concurrency requirements can delay and add cost to legitimate development projects. There are equity and fairness issues involved. Nevertheless, respondents indicated that this is a procedure that will help to overcome a major barrier to effective planning.

Concurrency is also a major tool for dealing with sprawl. Without it, systematic well-organized growth probably can't be managed to serve the interests of current and future community residents. It is recommended that this technique be further reviewed from the perspective of how municipalities can carry out responsibilities for meeting service needs and managing the fiscal resources of the community.

Curative Amendments

The curative amendment procedure is often noted as being misused, harmful, and a burden on the zoning process. Anecdotal evidence points to the curative amendment as causing large outlays of municipal financial and other resources for curative amendment hearings and appeals. The survey data reveals that the curative amendment procedure is not widely used, nor is it seen as a problem in most regions of the state. It is a highly localized phenomenon. Nevertheless, it is a subject worthy of discussion.

The curative amendment is a form of validity challenge to a zoning ordinance. Validity challenges are also possible through the zoning hearing board, as outlined in §916.1. To some, the curative amendment procedure *politicizes* the validity issue and introduces the specter of intimidation, largely because of the possibility of large court costs. (In this way it has negative characteristics similar to “conditional use” applications.)

Since the curative amendment procedure is duplicative, is costly, and not widely used in the state, the recommended action is to repeal it.

Joint Planning

Joint planning among municipalities and counties is desirable. The new amendments to the MPC support this view, having significantly modified the previous Article XI, which is now called “Intergovernmental Cooperative Planning and Implementation Agreements.”

Evidence from the surveys indicates that joint planning is an activity that is not widely engaged in. Furthermore, we learned that even those municipalities who entered into joint planning activities with other municipalities have not maintained a planning relationship with the others over time. We also found that

relatively few municipalities are involved with others in sharing development proposals and receiving reviews from nearby communities.

Development proposal reviews by neighboring municipalities should be *mandated*. Municipalities that receive funds to undertake joint municipal planning should be required to develop agreements and bylaws that mandate a plan for continued joint planning efforts.

It is further recommended that the reasons why multi-municipal planning arrangements have not been sustained should be researched. Since initiating intergovernmental cooperative planning requires skill and patience, attention should be given to how municipalities can learn to cooperate and collaborate with others. This should be part of training programs for local officials.

This series of recommendations, if implemented, would produce benefits to Pennsylvania municipalities because they deal with the barriers to effective planning found in this project. The suggestions regarding actions that could be taken to overcome these barriers incorporate the views of local officials and professional planners, the people who are closest to the planning scene and are aware of the things that should be done. Each recommendation in itself is relatively small, but it contributes significantly to a total package of improvements that will have a profound effect on the quality and level of achievement of municipal and county planning in Pennsylvania.

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