

## ***Monroe 2020 Land Use Reform Recommendations***

As the Monroe 2020 planning process has evolved, the Task Forces have become acutely aware of the need for new land use tools at both the municipal and state levels. In this report to the Governor's 21st Century Environment Commission, the two are linked. Under the current Municipalities Planning Code (MPC), Monroe County jurisdictions can individually, jointly or with county assistance, undertake certain legislative measures or administrative actions that will support the long-term Goals of Monroe 2020. At the same time, however, broadened enabling legislation at the state level is essential if this county and others in Pennsylvania are to establish effective growth management strategies for the new century. Practically all of Monroe 2020's recommendations for amendments to the MPC are identical to those presented on pages 22 and 23 of the Environment Commission's final report. Practically all have been addressed in one or more of the draft bills under review by the Legislature. To that list, however, the task forces are adding recommendations on three matters (see item B) of particular relevance to Monroe County, which may have further applicability within the Commonwealth.

Propose that Monroe County municipalities:

- Develop joint planning and zoning agreements between municipalities.
- Develop consistent zoning regulations among communities, especially those that border on each other (i.e. R-1 should be the same).
- Adopt workable cluster and Planned Residential Development (PRD) ordinances.
- Adopt land use control ordinances in municipalities that do not have such ordinances (this does not have to be zoning per se).
- Adopt Transferable Development Rights (TDR) ordinances ordinances, at least within municipalities, until state enabling legislation is broadened to permit multi-jurisdictional arrangements.
- Develop ordinances that require developers to dedicate open space, parks, and recreation areas or pay fees in lieu of that.
- Develop signage ordinances that control billboards and serve to preserve community character.
- Develop ordinances or procedures that encourage re-subdivision of very low-density, undeveloped subdivisions.
- Revise zoning and subdivision ordinances to achieve higher design quality, i.e. encourage pre-submission conferences or sketch plan reviews.
- Consider potential requirements that developers of major residential or commercial projects submit environmental impact assessments of their projects (including traffic and tax base) and mitigation programs.
- Provide historic district or special district legislation in municipalities that have such assets to protect.

## Part III . . . The Policies

- Develop ordinances that provide standards for landscaping parking lots and for landscape buffers for non-residential uses.
- Develop intermunicipal ordinances for the protection of greenways.
- Work with PennDOT to establish more restrictive access control standards for major roadways.

### *Proposed Initiatives for State Legislation*

A. Endorse in principle matters currently or recently in the Senate or House land use bills or both that:

- Encourage municipalities with common growth to undertake cooperative planning and to achieve consistency in their zoning, subdivision, and other land use ordinances.
- Enable municipalities with common growth pressures to undertake areawide or regional zoning so that each jurisdiction will not be required to plan for all uses. Such agreements must be legally defensible.
- Encourage counties to work with municipalities in preparing multi-municipal or county-wide plans and in mediating land use disputes among municipalities.
- Award state financial incentives (grant and loan programs) on a priority basis to communities that execute cooperative planning and joint ordinances. These programs cover the full range of state assistance from economic development to infrastructure and park acquisition. Some grants should come first to aid with the planning.
- Enable municipalities experiencing growth pressures to adopt “concurrency requirements” that allow them to defer private development approvals until/unless necessary supporting infrastructure, such as a sewage treatment system, is in place or scheduled.
- Give official state support for concurrency requirements sanctioning municipal negotiations with the private sector for contributions to road, water, sewer, and other infrastructure necessitated by new development.
- Enable municipalities with area or regionwide zoning to establish revenue sharing agreements with each other. Portions of the tax revenues accruing to communities that receive economic development can thus be shared by those that remain residential or rural.
- Apply Transferable Development Rights (TDR) programs among cooperating municipalities rather than only within a single municipality as permitted under current law.
- Enable municipalities experiencing growth pressures to establish urban growth boundaries within which public utilities and services will be provided and outside of which public services will be limited.

### B. Recommendations on items for state legislative enactment not in the current land use bills.

Create enabling legislation that:

- Broadens and clarifies a municipality's power to establish impact fees for a range of public facilities and services generated by new development.
- Enables counties to enact countywide sign ordinances.
- Provides a broadened basis for municipal, county, and school funding, reducing reliance on the property tax (this would be a follow-up to the Homestead Exclusion, Act 50).



# Notes