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REALTORS Association of York & Adams Counties Inc Land Use Policy Statement

The REALTORS® Association of York & Adams Counties, Inc (RAYAC) recognizes the need to sustain and enhance the quality of life enjoyed by York and Adams Counties citizens. RAYAC believes we can build better communities by supporting quality growth and seeking sustainable economies and housing opportunities that embrace the environmental qualities we cherish, while protecting property rights.

RAYAC has five guiding principles in land use planning:

Principle One: Protect Private Property Rights

Private property rights are fundamental to our free-market economic system and are protected by the 5th and 14th Amendments to the United States Constitution. The continued strength of our nation's economy depends on the preservation of the right to freely own, use and transfer real property. RAYAC believes that property owners must receive just compensation for government actions that diminish the economic utility of their property. RAYAC believes protecting private property rights and responsible stewardship of our environment are reasonable and attainable goals.

Principle Two: Provide Housing Opportunity and Choice

Homeownership is the cornerstone of the American Dream and deserves a preferred place in our system of values as it contributes to community responsibility; civic, economic, business and employment stability; family security and well-being. These objectives can be met through market-driven housing approaches that foster a wide-range of urban, suburban and rural housing choices at all price levels to suit a diverse population.

Principle Three: Build Better Communities

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

Principle Four: Protect the Environment

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

Principle Five: Implement Fair and Reasonable Public Sector Fiscal Measures

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

Implementation Strategies:

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

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

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

Growth Boundaries/Locally Designated Growth Areas/Public Infrastructure Areas:

RAYAC is opposed to the incorporation of this type of provision into the Pennsylvania Municipalities Planning Code (MPC) which could decrease affordable housing opportunities and cause development to "leapfrog" such areas into more rural regions.

Permitted Uses: RAYAC agrees that not every land-use must be permitted by zoning in every municipality that participates in a joint-municipal comprehensive plan, provided that the participating municipalities zone consistently with that plan and so long as existing uses are permitted within a reasonable distance.

Traditional Neighborhood Developments: RAYAC supports the incorporation of Traditional Neighborhood Developments (TNDs) into municipal land use and subdivision ordinances as an alternative housing option to accommodate growth patterns while allowing for open space preservation. TNDs are a comprehensive planning system integrating a mixture of housing types, a walkable community, while preserving the natural features of the land and providing a communal open space. In addition, developers should be encouraged to pursue innovative land use approaches and techniques which are consistent with the goals outlined in RAYAC's Land Use Policy.

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

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

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

Downzoning: The practice of downzoning is used to restrict the amount of development of a property. This is usually accomplished by reducing the density of development of the property. RAYAC is opposed to downzoning that is done solely for the purpose of reducing density, without regard for the market value of the property. Any downzoning must provide the affected property owner(s) with full compensation which can include density bonuses and/or Transferable Development Right (TDR) options in order to provide fair market return on their investment.

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

Density Bonuses: RAYAC supports the incorporation of density bonuses in municipal ordinances as incentives for development of affordable housing and open space preservation. Density Bonuses would be given to a developer who agrees to put into place a certain amount of affordable housing or who agrees to preserve a certain amount of open space.

Governmental and Municipal Permitting Process: RAYAC encourages more efficient and streamlined permitting process for new development projects.

Urban Redevelopment: RAYAC believes that urban revitalization efforts can play a significant role in reducing the consumption of land for new development. RAYAC also recognizes that many issues have factored into the decline of urban areas, and that there are no quick fixes to the problems contributing to urban blight.

Adopted by RAYAC Board of Directors on August 9, 2007