Appendix 4A-1: *Section 1101*

Section 1101. Section 1101 provides a list of twelve purposes for intergovernmental cooperation and, as such, identifies the legislature's objectives that municipalities and counties should accomplish. These purposes are:

“Section 1101. Purposes.

It is the purpose of this article:

(1) To provide for development that is compatible with surrounding land uses and that will complement existing land development with a balance of commercial, industrial and residential uses.

(2) To protect and maintain the separate identity of Pennsylvania’s communities and to prevent the unnecessary conversion of valuable and limited agricultural land.

(3) To encourage cooperation and coordinated planning among adjoining municipalities so that each municipality accommodates its share of the multi-municipal growth burden and does not induce unnecessary or premature development of rural lands.

(4) To minimize disruption of the economy and environment of existing communities.

(5) To complement the economic and transportation needs of the region and this Commonwealth.

(6) To provide for the continuation of historic community patterns.

(7) To provide for coordinated highways, public services and development.

(8) To ensure that new public water and wastewater treatment systems are constructed in areas that will result in efficient utilization of existing systems, prior to the development and construction of new systems.

(9) To ensure that new or major extension of existing public water and wastewater treatment systems are constructed only in those areas within which anticipated growth and development can adequately be sustained within the financial and environmental resources of the area.
(10) To identify those areas where growth and development will occur so that a full range of public infrastructure services including sewer, water, highways, police and fire protection, public schools, parks, open space and other services can be adequately planned and provided as needed to accommodate the growth that occurs.

(11) To encourage innovations in residential, commercial and industrial development to meet growing population demands by an increased variety in type, design and layout of structures and by the conservation and more efficient use of open space ancillary to such structures.

(12) To facilitate the development of affordable and other types of housing in numbers consistent with the need for such housing as shown by existing and projected population and employment data for the region.”
Appendix 4A-2: APA Recommended List of Threshold Considerations—DRI’s


“5-303 Statewide Standards, Criteria, and Thresholds

(1) The [state planning agency] shall promulgate by rule thresholds that shall be used to determine which land uses (and at what size, scale, nature, characteristics, etc.) shall be designated a development of regional impact (DRI) and undergo DRI review. Such rules shall be based on goals, policies, and guidelines established in the state land development plan [and state biodiversity conservation plan].

(2) In adopting thresholds under this Act, the [state planning agency] shall include in its consideration:

(a) the impact of a proposed development on the environment and natural resources of the state or region, including, but not limited to, air, ground, surface water supply and quality, coastal areas, air quality, endangered or threatened species habitats, open space, scenic resources, agriculture, and aquaculture;

(b) the impact of a proposed development on the built environment of the state or region, including but not limited to, historical, cultural, architectural, archaeological, and recreational resources;

(c) the impact of a proposed development on the existing capital facilities of affected local governments and special districts and the extent to which new capital facilities will be required to serve the proposed development;

(d) the amount of vehicular and pedestrian traffic likely to be generated;

(e) the number of persons likely to be residents, employees, or otherwise present on site;

(f) the size of a proposed development site;

(g) the size of structure(s) to be constructed on site;

(h) the likelihood that a proposed development will stimulate additional development in the surrounding area;

(i) the unique qualities of a site;

(j) the likelihood that a proposed development will be affected by or will affect natural hazards;
(k) the extent to which a proposed development would create an additional demand for energy; and/or

(l) other factors of state, regional, and/or local concern.

♦ Using the thresholds, a state planning agency may wish to develop a list of development activities that will be presumed to be DRIs, and a second list of development activities that will be presumed not to be DRIs. For example, the Cape Cod Commission’s enabling regulations for DRIs state that repairs and alterations of single-family dwellings or accessory structures do not have significant impacts outside the municipality in which they are located and, therefore, are presumptively not DRIs. A project that is presumed not to be a DRI (according to the list) may nonetheless be subject to DRI approval if the host local government, in its analysis of the proposed development, determines that the proposed development will have regional impacts. For those projects that are not included on either list, the host local government will have to make an independent determination of DRI status.

5-304 Variations in Thresholds

(1) In its rule making, the [state planning agency] may vary the threshold by locality, taking into account factors that include population and development characteristics (e.g., urban, suburban, or rural).

(2) A [regional planning agency or local government] may petition the [state planning agency] to increase or decrease a numerical threshold as applied to a given locality.

5-305 Determination of DRI Status

Using the thresholds established by the [state planning agency] pursuant to Sections [5-303 and 5-304] above, the host local government shall determine whether a proposed development is a development of regional impact (DRI) and will be subject to DRI review.

♦ Some jurisdictions may prefer that the [state planning agency] make the determination of DRI status rather than the host local government. This may impart a greater perception of impartiality.”