

# Keeping LANCASTER Current

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FYI

**IMPACT FEES AND AFFORDABLE HOUSING** – The increasing use of impact fees raises serious concerns about the effect impact fees will have on the affordability of housing. In this [report](#) from the [U.S. Department of Housing and Urban Development's \(HUD's\) Office of Policy Development and Research](#) it shows that approximately **60 percent of U.S. cities with more than 25,000 residents now impose impact fees to fund infrastructure needed to service new housing and other development**. In 89 jurisdictions selected for study in California, the state in which impact fees are most heavily used, the average amount of fees imposed on single family homes in new subdivisions in 1999 was \$19,552, with fees ranging from a low of \$6,783 to a high of \$47,742. The increasing use of impact fees and the costs that they may add to the development process raises serious concerns about the effect using impact fees to fund infrastructure will have.

**EMINENT DOMAIN LEGISLATION WOULD PROHIBIT USE OF FEDERAL FUNDING FOR BROWNFIELDS REDEVELOPMENT:** (8/1/05) LGEAN ([Local Government Environmental Assistance Network](#)) reports that in response to the Supreme Court's ruling in the Kelo, et al v. City of New London eminent domain case, the U.S. House of Representatives included an amendment to the appropriations bill that funds the Transportation, Treasury and Housing & Urban Development (HUD) Departments that would prohibit federal funding being used on economic development projects that involve eminent domain. A similar amendment may be offered in the U.S. Senate. **The House amendment** to the Transportation, Treasury and HUD appropriations bill, sponsored by Rep. Scott Garrett (R-NJ), would prevent local governments from using federal transportation and HUD funding for projects that use eminent domain to acquire private property for private development.

The [American Planning Association](#) filed an [amicus curiae brief](#) supporting the City of New London.

*"Integrating the decision to use eminent domain into a sound planning process has a number of desirable consequences. Such a process can help minimize the use of eminent domain, by identifying alternatives to proposed development projects, such as relocating or re-sizing projects, or perhaps forgoing them altogether. It can also reduce public concerns about the use of eminent domain, by providing a forum in which the reasons for opposition can be considered, offering explanations for the proposed course of action and possible alternatives, and perhaps instilling a greater degree of understanding on the part of both the proponents and opponents of the proposed project."*

If adopted and signed by the President, **local governments would be unable to use federal funding, including HUD's Community Development Block Grants (CDBG), for brownfields redevelopment projects involving eminent domain.** The Garrett amendment would be in effect just for the coming fiscal year, which starts October 1 and lasts to September 30, 2006. **Other proposed federal legislation would prevent states or political subdivisions from using federal funds in any way to exercise eminent domain for economic development purposes and would deny all federal funds to a state or city that violates these prohibitions.** To review the Supreme Court's decision, click [here](#). For a copy of the Transportation, Treasury and HUD appropriations bill, click [here](#).

## Upcoming Events

### FALL MASTER PLANNER PROGRAM BEGINS SEPT. 8

The Master Planner Program assists municipal officials, planning commissions, zoning hearing boards, business leaders and others enhance their knowledge of good planning principles, techniques and "best practices." The goal of the nine-week, evening program is to encourage students to **apply this knowledge to promote and sustain "smart growth" communities.** The Master Planner Course is a recipient of the Pennsylvania Planning Association's "Public Education Award." The program is open to nonresidents. [For more information](#) or call Liz Smith, Senior Planner, at (717) 299-8333.

## Interesting Articles/Websites

[Affordable Housing: Designing an American Asset](#)

[Incentive Zoning: Meeting Urban Design and Affordable Housing Objectives](#)

[Urban Redevelopment Case Studies](#)

[Projects That Changed Cities](#)

[The State of Youth Employment](#)

*Enabling informed growth management  
decision-making for Lancaster County*  
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