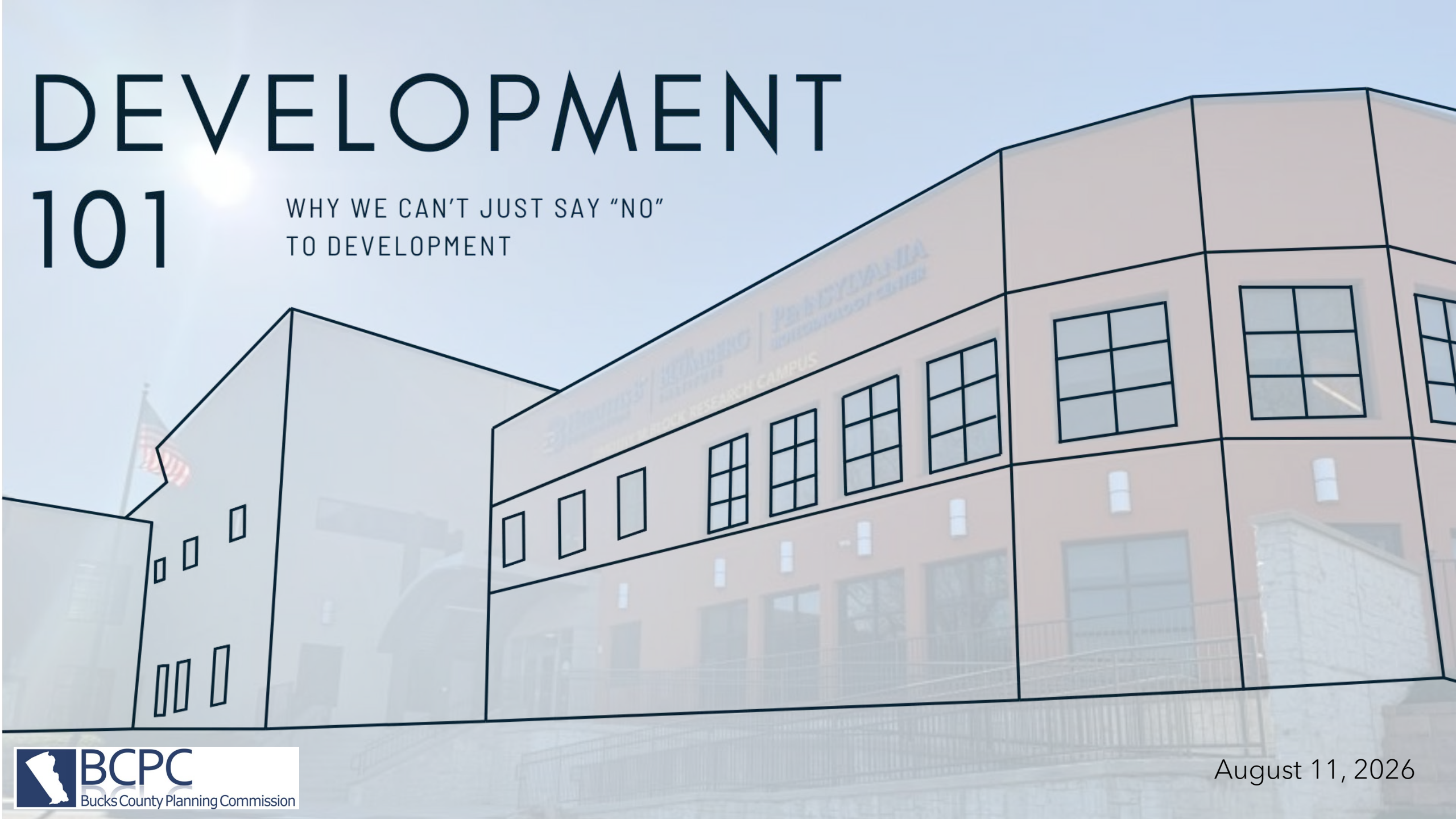
DEVELOPMENT 101

WHY WE CAN'T JUST SAY "NO" TO DEVELOPMENT



BCPC
Bucks County Planning Commission

August 11, 2026

If sprawl and development could change the character of the township,

why can't the Township just tell developers to go elsewhere?

And why would we allow higher density in some parts of the township?









1. Takings

When government regulation denies all economic use or value of a property without providing just compensation, this constitutes a "taking" under the Fifth Amendment of the Constitution.

Dolan v. City of Tigard, 512 U.S. 374 (1994)

exemplifies a "taking" where the conditions attached to a building permit produced a burden on the property owner that exceeded the public benefit and has been widely used as precedent in subsequent court cases.



2. Fair Share of Uses

In a series of Pennsylvania Supreme Court cases, most notable of which was

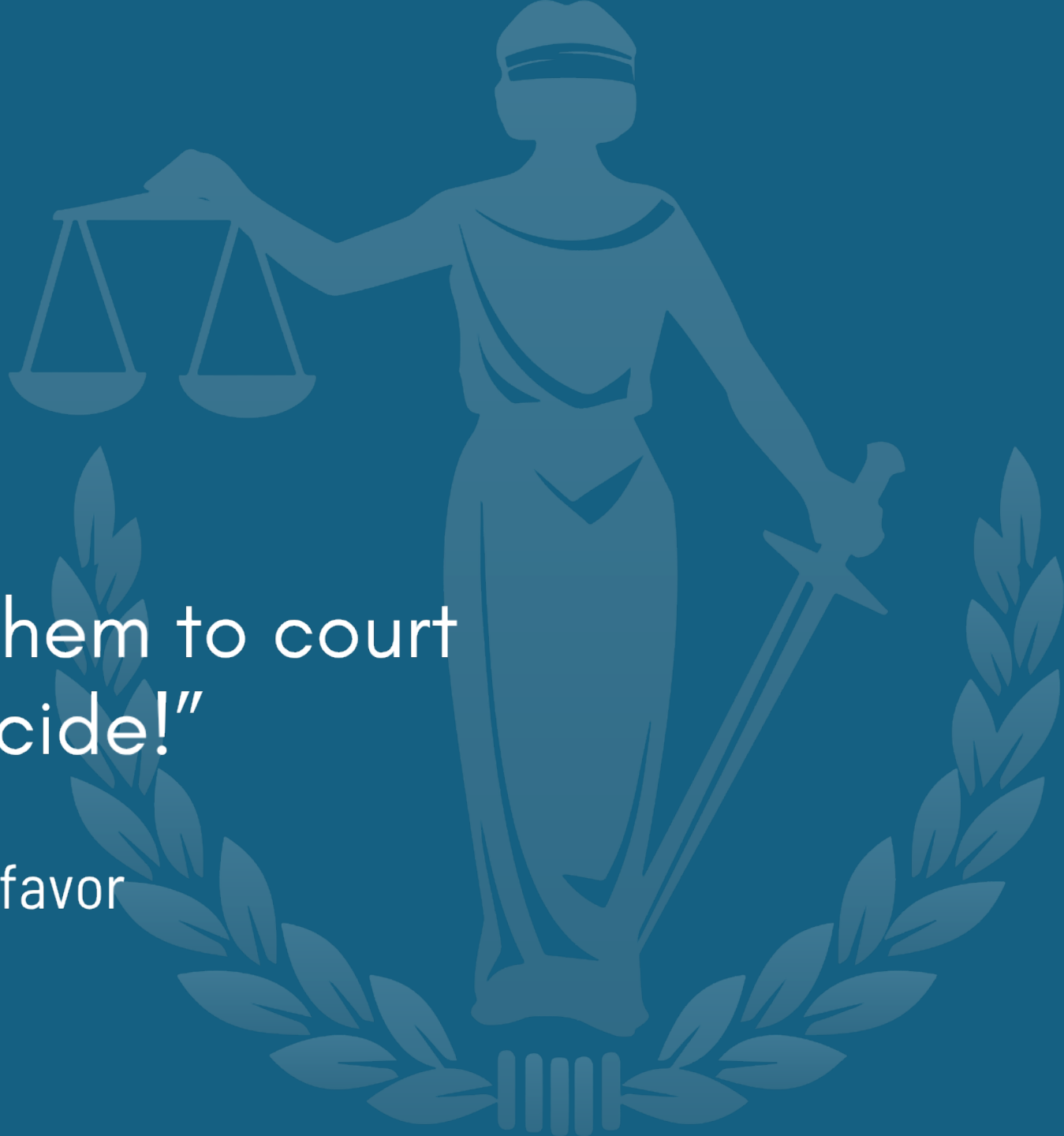
Surrick v. Zoning Hearing Board of Upper Providence Township, 382 A.2d 105 (Pa. 1977),

it was established that every community must provide for its "fair share" of *every* use and not just those that are considered desirable.

Why saying

“Then we’ll just take them to court and let the courts decide!”

will **not** work in the Township’s favor





Township refuses
“undesirable” development.



Developer takes Township
to court.



The court rules that the
ordinance is exclusionary.

Which means:

the developer will be granted relief that allows them to build *whatever* they want on the property **regardless** of how the parcel is zoned.

Why development

isn't scary



Well-planned development can:

create a sense of place and community

beautify underutilized areas

guide growth

stimulate the economy with new business

increase ratables that reduce the cost of services



Fluctuating birth rates

Economic shifts

Climate disasters

Other/unknown

Public health emergencies

By guiding development, the Township ensures that the ***inevitable change of life*** strengthens, rather than erodes, the community's character and quality of life. Buckingham Township can then easily exist as both authentically historic and dynamically livable.



Thank you



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Bucks County Planning Commission

All that you touch,
You Change.

All that you Change,
Changes you.

The only lasting truth
is Change.

-Octavia E. Butler