
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1508 Session of
2014

INTRODUCED BY BROWNE, SCHWANK AND BAKER, NOVEMBER 7, 2014

REFERRED TO URBAN AFFAIRS AND HOUSING, NOVEMBER 7, 2014

AN ACT

1 Amending Title 68 (Real and Personal Property) of the
2 Pennsylvania Consolidated Statutes, in general provisions,
3 further providing for applicability of local ordinances,
4 regulations and building codes.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 5106(c) of Title 68 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 5106. Applicability of local ordinances, regulations and
10 building codes.

11 * * *

12 (c) Status.--

13 (1) The creation of a planned community under section
14 5201 (relating to creation of planned community) out of an
15 entire lot, parcel or tract of real estate which has
16 previously received approval for land development or
17 subdivision, as those terms are defined in section 107 of the
18 act of July 31, 1968 (P.L.805, No.247), known as the
19 Pennsylvania Municipalities Planning Code, or the conveyance

1 of units in the planned community, shall not, in and of
2 itself, constitute a subdivision or land development for the
3 purpose of subdivision, land development or other laws,
4 ordinances and regulations.

5 (2) The use of the planned community shall comply with
6 zoning regulations applicable to the parcel of land or tract
7 of real estate on which the planned community is created.

8 (3) Any person creating a planned community out of a
9 vacant parcel or tract of real estate which has not been
10 subject to subdivision or land development approval shall
11 submit a copy of the planned community declaration and
12 planned community plan to all municipalities in which the
13 parcel or tract of real estate is located, unless the
14 creation of the planned community is for an estate planning
15 purpose of conveying units to family members or an entity
16 controlled by family members so that the conveyance would not
17 be subject to realty transfer taxes pursuant to Article XI-C
18 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax
19 Reform Code of 1971.

20 (4) Construction of any structure or building on any
21 unit or common facility shall be subject to the provisions of
22 any zoning, subdivision, land development, building code or
23 other real estate law, ordinance or regulation.

24 * * *

25 Section 2. This act shall take effect in 60 days.