
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2265 Session of
1995

INTRODUCED BY READSHAW, DECEMBER 12, 1995

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, DECEMBER 12, 1995

AN ACT

1 Designating certain property as multijurisdictional development
2 sites; and establishing a county zoning board.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the
7 Multijurisdictional Development Act.

8 Section 2. Legislative findings and intent.

9 (a) Findings.--The General Assembly finds that there is a
10 need to achieve successful and meaningful development in
11 contiguous property located in multiple local government
12 jurisdictions.

13 (b) Intent.--It is the intent of the General Assembly that:

14 (1) A single county government entity review sites
15 designated under this act.

16 (2) The entity be either the county zoning board or the
17 governing body.

18 (3) This act shall supersede any inconsistent provisions

1 in the act of July 31, 1968 (P.L.805, No.247), known as the
2 Pennsylvania Municipalities Planning Code.

3 Section 3. Definitions.

4 The following words and phrases when used in this act shall
5 have the meanings given to them in this section unless the
6 context clearly indicates otherwise:

7 "Board." The county zoning board.

8 "Code." The act of July 31, 1968 (P.L.805, No.247), known as
9 the Pennsylvania Municipalities Planning Code.

10 "Site." A multijurisdictional development site.

11 Section 4. Designation of multijurisdictional development
12 sites.

13 (a) Designation.--The board of county commissioners shall
14 have the power to designate certain areas in the county as
15 multijurisdictional development sites.

16 (b) Location.--To be designated a site, a proposed site
17 shall consist of at least five contiguous acres and shall be
18 located in two or more of the county's municipalities.

19 (c) Resolution.--The board of county commissioners is hereby
20 empowered to make such designations by resolution, which
21 resolution shall be transmitted to the secretary of each of the
22 municipalities in which a portion of the designated site is
23 located.

24 Section 5. Preparation of zoning ordinance for
25 multijurisdictional development sites.

26 (a) Joint zoning plan.--If the board of county commissioners
27 designates an area as a site, the municipalities in which the
28 site is located may, within 180 days of the designation, agree
29 to a joint zoning plan for the site, provided that the joint
30 zoning plan may involve only the designated site area.

1 (b) Disagreement.--If the municipalities in which the site
2 is located do not agree to a joint zoning plan within 180 days
3 of the designation of the site, the board of county
4 commissioners may adopt a zoning plan for the site.

5 (c) Adoption.--Whether the zoning plan is adopted by the
6 municipalities in which a designated site is located or by the
7 board of county commissioners, the plan shall be adopted in
8 accordance with Article VI of the code.

9 (d) Appropriate body.--To the extent the zoning plan is
10 adopted by the board of county commissioners, the board of
11 county commissioners shall be considered the appropriate
12 governing body under Article VI of the code.

13 Section 6. Inclusion of zoning plan for site in zoning
14 ordinances of municipalities in which site is
15 located.

16 (a) Incorporation of plan.--Whether the zoning plan for the
17 site is implemented by the municipalities in which the site is
18 located or by the board of county commissioners, the entire
19 zoning plan for the particular site shall be incorporated into
20 and considered a part of the zoning ordinance of each
21 municipality in which the site is located. A municipality shall
22 not be deemed to have excluded a particular use if that use is
23 permitted anywhere in the site.

24 (b) Superseding provisions.--The zoning plan for the site
25 shall supersede any provisions of a local zoning ordinance which
26 apply to the designated site and which conflict with the zoning
27 plan for the site.

28 Section 7. County zoning board.

29 (a) Establishment.--There is hereby established a county
30 zoning board in each county.

1 (b) Appointment.--The board of county commissioners shall
2 appoint three or five members to the board.

3 (c) Residency.--Each member of the board shall be a resident
4 of the county.

5 (d) Terms.--Members shall serve terms as provided under
6 Article IX of the code.

7 (e) Operation.--The board shall operate in accordance with
8 the provisions of Article IX of the code.

9 Section 8. Powers of board.

10 The board shall have all of the powers and responsibilities
11 of a zoning hearing board established under the code and shall
12 be governed by those provisions.

13 Section 9. Board of county commissioners as governing body.

14 The board of county commissioners shall act as the governing
15 body under the code in respect to the application of the code to
16 the sites.

17 Section 10. Real estate assessment.

18 Where property has been designated a site, the board of
19 county commissioners shall have the authority to assess the
20 entire parcel for real estate taxation purposes as one parcel.
21 The board of county commissioners shall thereafter determine the
22 assessed value attributable to each municipality or school
23 district in which the site is located. The assessed value shall
24 be determined on a proportional basis reflecting the acreage of
25 the site located in each of the municipalities or school
26 districts in which the site is located. This allocation of
27 assessed value reflects the potential interrelated components of
28 a site development and is intended to encourage shared
29 contribution in the development of the site by the
30 municipalities in which the site is located.

1 Section 11. Preemptions.

2 Any ordinance enacted under the act of July 28, 1953
3 (P.L.723, No.230), known as the Second Class County Code,
4 relating to a site shall preempt any local zoning ordinance
5 which conflicts with a zoning plan for a particular site.

6 Section 12. Repeals.

7 (a) Inconsistent.--The act of July 31, 1968 (P.L.805,
8 No.247), known as the Pennsylvania Municipalities Planning Code,
9 is repealed insofar as it is inconsistent with this act.

10 (b) General.--All other acts and parts of acts are repealed
11 insofar as they are inconsistent with this act.

12 Section 13. Effective date.

13 This act shall take effect in 60 days.