



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 103

PRINTERS NO. 1373

PRIME SPONSOR: Maloney

COST / (SAVINGS)

FUND	FY 2018/19	FY 2019/20
Municipal Funds	\$0	\$0

SUMMARY: Amends the Municipalities Planning Code to establish procedures and rules for nonbuilding lots as part of municipalities' Subdivision and Land Development Ordinances. This legislation would take effect in 60 days.

ANALYSIS: This legislation amends Article 5, Subdivision and Land Development Ordinances, of the Municipalities Planning Code (MPC) to add a new requirement for municipalities to incorporate provisions relating to nonbuilding lots into their existing ordinances. This legislation may be referred to as the "Family Heritage Open Space Protection Act"

The legislation would require municipalities to include in their ordinances, provisions to allow for a homeowner to create a nonbuilding lot which would be exempt from the normal provisions of a subdivision ordinance.

The legislation also:

- allows for the creation of two nonbuilding lots per presentation of an approved waiver from the Department of Environmental Protection (DEP), unless the waiver indicates that the lots are being divided among family members, in which case the waiver can create as many lots as needed.
- expands and clarifies the procedure that is to be followed when an owner wants to develop a lot that had previously been designated as a nonbuilding lot, by requiring an owner or applicant that wishes to develop a nonbuilding lot to comply with all applicable statutes, regulations and ordinances that are in effect at the time of the construction or development.
- adds the following definitions:
 - "Immediate family member" means spouse, parent, child, grandchild, brother or sister.
 - "Nonbuilding lot" is a lot that does not contain any structure that generates sewage.
 - "Sewage disposal facilities" - any system and its associated infrastructure allowed by DEP under the Sewage Facilities Act.

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth or municipal funds.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: April 12, 2019

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.