

DEC 20 2010

STATE SENATOR
JANE CLARE ORIE
40TH SENATORIAL DISTRICT

SENATE BOX 203040
ROOM 362, THE STATE CAPITOL
HARRISBURG, PA 17120-3040
717-787-6538 • FAX: 717-787-8625
E-MAIL: jorie@pasen.gov
WEBSITE: senatororie.com

LA CASA BLANCA BUILDING
9400 MCKNIGHT ROAD, SUITE 105
PITTSBURGH, PA 15237
412-630-9466 • FAX: 412-635-2199

2525 ROCHESTER ROAD, SUITE 207
CRANBERRY TOWNSHIP, PA 16066
724-776-3500 • FAX: 724-776-3582



Senate of Pennsylvania


COMMITTEES

RULES AND EXECUTIVE NOMINATIONS,
VICE CHAIR
COMMUNITY, ECONOMIC AND RECREATIONAL
DEVELOPMENT
AGING AND YOUTH
FINANCE
JUDICIARY

JOINT HOUSE AND SENATE AUTISM
COMMITTEE, CHAIR
LUPUS, CHAIR
AMERICAN-ITALIAN CAUCUS
ARTHRITIS AND OSTEOPOROSIS CAUCUS
FIREFIGHTER AND EMERGENCY SERVICES
CAUCUS
HUNGER CAUCUS
IRISH CAUCUS

COSPONSOR MEMO #12

TO: All Senators

FROM: Senator Jane C. Orie 

DATE: December 17, 2011

SUBJECT: Municipalities Planning Code Amendments

I will soon be reintroducing **SB 285**, which would amend the Municipalities Planning Code (MPC) by addressing some impediments to land development. The bill would:

1. Add a new Section 507.1 which implements a court decision providing that when there is doubt over the meaning of a land development ordinance, the "tie" goes to the landowner (similar language already exists for zoning ordinances).
2. Amend Section 508(4)(VI) by providing that the minimum percentage of lots in each phase of a residential subdivision (i.e. housing development) be reduced from 25% to 20% unless a lesser percentage is approved by the governing body.
3. Amend Section 909.1(B)(3) by allowing applicants who need both a conditional use approval and a variance to have both applications considered by the governing body rather than requiring a separate proceeding for a variance at the zoning hearing board.
4. Amend Section 914.1 by making editorial corrections and clarifying that appeals from a preliminary opinion of a zoning officer must be brought within 30 days after the time period presently required by Section 916.2.
5. Amend Section 916.2 by providing that preliminary opinions of a zoning officer must be issued within 45 days after receipt of a written request (currently no timetable).

SB 285 was cosponsored by Senators Alloway, Brubaker, Musto, Pileggi, Robbins, Waugh, D. White and Wonderling. The bill was unanimously reported by the Senate Local Government Committee last session. The PA Builders Association supports the bill and the PA State Association of Township Supervisors is neutral on it.

If you are interested in cosponsoring this legislation, please contact Kacie Morrell at 787-6538 or kmorrell@pasen.gov.

JCO/ns