

REAL AND PERSONAL PROPERTY CODE (68 PA.C.S) - PLANNED
COMMUNITIES, APPLICABILITY OF LOCAL ORDINANCES, REGULATIONS AND
BUILDING CODES

Act of Jul. 10, 2015, P.L. 167, No. 37
Session of 2015
No. 2015-37

Cl. 68

SB 687

AN ACT

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

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

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

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

* * *

(c) Status.--

(1) The creation of a planned community under section
5201 (relating to creation of planned community) out of an
entire lot, parcel or tract of real estate **which has
previously received approval for land development or
subdivision, as those terms are defined in section 107 of
the act of July 31, 1968 (P.L.805, No.247), known as the
Pennsylvania Municipalities Planning Code, or the conveyance
of units in the planned community,** shall not, in and of
itself, constitute a subdivision or land development for the
purpose of **subdivision, land development or other laws,**
ordinances and regulations.

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

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

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

* * *

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

APPROVED--The 10th day of July, A.D. 2015.

TOM WOLF