
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 728 Session of
1999

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YOUNGBLOOD AND ZUG, MARCH 8, 1999

REFERRED TO COMMITTEE ON URBAN AFFAIRS, MARCH 8, 1999

AN ACT

1 Encouraging State agencies to locate facilities in a downtown
2 area.

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 Downtown
7 Location Law.

8 Section 2. Legislative findings and declaration of purpose.

9 (a) Findings.--The General Assembly finds that:

10 (1) This Commonwealth has lost over 4,000,000 acres of
11 farmland to development in the last 40 years.

12 (2) The phenomenon of urban flight and sprawl has led to
13 a decline of traditional central and neighborhood business
14 districts throughout this Commonwealth.

15 (3) The decline of these districts has a clear linkage

1 to many problems facing our communities: crime, unemployment,
2 shrinking tax bases and decaying infrastructure.

3 (4) It is in the best interest of this Commonwealth to
4 facilitate the revitalization of traditional central and
5 neighborhood business districts within our communities.

6 (5) Federal agencies already have established a policy
7 to use downtown locations.

8 (b) Purpose.--The purpose of this act is to encourage
9 agencies of the Commonwealth to be leaders in the movement to
10 end urban flight and sprawl and serve as examples of the
11 feasibility of returning to downtowns areas.

12 Section 3. Definitions.

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

16 "Department." The Department of General Services of the
17 Commonwealth.

18 "Downtown area." The central business district of a city,
19 borough, incorporated town or township, or any commercial or
20 mixed use area, within a neighborhood of a city, borough,
21 incorporated town or township, in every case that has
22 traditionally served, since the founding of the community, as
23 the commercial center within that community of this
24 Commonwealth.

25 "Secretary." The Secretary of General Services of the
26 Commonwealth.

27 "State agency." Includes any of the departments, agencies,
28 boards, commissions and offices under the administrative control
29 of the executive branch of government of the Commonwealth.

30 Section 4. Powers and duties.

1 The department shall establish and promulgate regulations to
2 encourage State agencies to locate leased and State-owned
3 offices in a downtown area. The regulations shall:

4 (1) Focus on:

5 (i) The requirements of the agency.

6 (ii) Servicing clientele needs.

7 (iii) Local economic considerations.

8 (iv) The availability of suitable space.

9 (v) Competitiveness in the market place.

10 (2) Give primary consideration to the rehabilitation,
11 reuse, or both, of existing structures within the downtown
12 area. When using existing structures, reasonable efforts
13 shall be made to:

14 (i) Rehabilitate or rebuild the structure's facade
15 in a way which maintains the architectural integrity of
16 the building and streetscape according to the United
17 States Secretary of the Interior's Standards for
18 Rehabilitation (36 CFR 68).

19 (ii) Ensure that the structure meets the Americans
20 with Disabilities Act of 1990 (Public Law 101-336, 104
21 Stat. 327) requirements in a manner which respects the
22 architectural integrity of the building.

23 (3) Give secondary consideration to the use of new
24 construction on existing vacant land within the downtown area
25 if the rehabilitation or reuse of existing structures within
26 the downtown area is not determined to be a reasonable
27 alternative by the department. When using new construction,
28 reasonable efforts shall be made to:

29 (i) Have the scale and facade of the new structure
30 maintain the architectural integrity of the existing

1 streetscape.

2 (ii) Ensure that the structure meets the Americans
3 with Disabilities Act of 1990 requirements in a manner
4 which respects the architectural integrity of the
5 neighboring building.

6 (4) Include provisions to deny requests from State
7 agencies to locate or to relocate outside of a downtown area
8 unless it is documented that no reasonable alternative
9 exists. Lack of onsite parking shall not alone be sufficient
10 documentation when alternative parking is available within
11 the downtown.

12 Section 5. Effective date.

13 This act shall take effect in 60 days.