

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 818 Session of
2003

INTRODUCED BY GRUCELA, BELARDI, CAPPELLI, CAWLEY, COSTA, COY,
CRAHALLA, DALEY, D. EVANS, FRANKEL, FREEMAN, GEORGE, HARHAI,
HERSHEY, HORSEY, JAMES, KIRKLAND, KOTIK, LaGROTTA, LAUGHLIN,
LEACH, LEWIS, MACKERETH, MANN, McGEEHAN, MELIO, R. MILLER,
MUNDY, PRESTON, ROONEY, RUBLEY, SATHER, SCHRODER, STABACK,
THOMAS, WALKO, WANSACZ, WHEATLEY, WOJNAROSKI AND YOUNGBLOOD,
MARCH 11, 2003

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 11, 2003

AN ACT

1 Amending the act of July 31, 1968 (P.L.805, No.247), entitled,
2 as amended, "An act to empower cities of the second class A,
3 and third class, boroughs, incorporated towns, townships of
4 the first and second classes including those within a county
5 of the second class and counties of the second through eighth
6 classes, individually or jointly, to plan their development
7 and to govern the same by zoning, subdivision and land
8 development ordinances, planned residential development and
9 other ordinances, by official maps, by the reservation of
10 certain land for future public purpose and by the acquisition
11 of such land; to promote the conservation of energy through
12 the use of planning practices and to promote the effective
13 utilization of renewable energy sources; providing for the
14 establishment of planning commissions, planning departments,
15 planning committees and zoning hearing boards, authorizing
16 them to charge fees, make inspections and hold public
17 hearings; providing for mediation; providing for transferable
18 development rights; providing for appropriations, appeals to
19 courts and penalties for violations; and repealing acts and
20 parts of acts," providing for impact of plat; and further
21 providing for application for tentative approval of planned
22 residential development.

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

25 Section 1. The act of July 31, 1968 (P.L.805, No.247), known

as the Pennsylvania Municipalities Planning Code, reenacted and amended December 21, 1988 (P.L.1329, No.170), is amended by adding a section to read:

Section 508.1. Impact of Plat.--(a) The applicant shall file a copy of the application for approval of a plat with the school district wherein the residential development plan is proposed. No application for approval of a plat shall be considered by the governing body or the planning agency until the applicant has filed a copy of the application with the school district. The school district shall immediately notify the governing body, in writing, when the copy of the application has been received. The school district shall provide a copy of the written notification to the applicant. Failure of the school district to notify the governing body within the prescribed time frame shall not cause any undue delay in the consideration of the application. The time limitations of section 508 shall not apply until the application has been filed with the school district.

(b) The school district, within 30 days after receipt of the copy of the application, may submit the estimated impact of the completed development plan on the school district to the governing body or planning agency that is considering the residential development plan. If the governing body or planning agency does not receive the impact statement from the school district within the time prescribed, the governing body or planning agency shall proceed with consideration of the application. Nothing in this section shall authorize the school district to deny or approve any application for approval of a plat.

Section 2. Section 707 of the act is amended by adding

1 clauses to read:

2 Section 707. Application for Tentative Approval of Planned
3 Residential Development.--In order to provide an expeditious
4 method for processing a development plan for a planned
5 residential development under the provisions adopted pursuant to
6 the powers granted herein, and to avoid the delay and
7 uncertainty which would arise if it were necessary to secure
8 approval, by a multiplicity of local procedures, of a plat of
9 subdivision as well as approval of a change in the zoning
10 regulations otherwise applicable to the property, it is hereby
11 declared to be in the public interest that all procedures with
12 respect to the approval or disapproval of a development plan for
13 a planned residential development and the continuing
14 administration thereof shall be consistent with the following
15 provisions:

16 * * *

17 (7) The application for tentative approval of a planned
18 residential development shall be submitted by the applicant
19 to the school district wherein the planned residential
20 development is proposed. No application for approval of a
21 planned residential development shall be considered by the
22 governing body or the planning agency until the applicant has
23 filed a copy of the application with the school district. The
24 school district shall immediately notify the governing body
25 of its receipt of the copy of the application. The school
26 district shall provide a copy of the written notification to
27 the applicant. Nothing in this subsection shall authorize the
28 school district to deny or approve any application for
29 tentative approval of a planned residential development.

30 (8) The school district, within 30 days after receipt of

1 the application, may submit the estimated impact of the
2 completed development plan on the school district, to the
3 governing body or planning agency that is considering the
4 residential development plan. If the governing body or
5 planning agency does not receive the impact statement from
6 the school district within the time prescribed, the governing
7 body or planning agency shall proceed with consideration of
8 the application. Nothing in this section shall authorize the
9 school district to deny or approve any application for
10 approval of a plat.

11 Section 3. This act shall take effect in 60 days.