

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2265 Session of 2018

INTRODUCED BY MALONEY, PICKETT, ROTHMAN, WHEELAND, RADER, JAMES AND GILLEN, APRIL 18, 2018

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 18, 2018

AN ACT

1 Amending the act of July 31, 1968 (P.L.805, No.247), entitled
 2 "An act to empower cities of the second class A, and third
 3 class, boroughs, incorporated towns, townships of the first
 4 and second classes including those within a county of the
 5 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," in subdivision and land development,
 21 providing for nonbuilding lots.

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

24 Section 1. The act of July 31, 1968 (P.L.805, No.247), known
 25 as the Pennsylvania Municipalities Planning Code, is amended by
 26 adding a section to read:

27 Section 503.2. Nonbuilding Lots.--(a) The creation of a

1 nonbuilding lot shall be exempt from regulation under a
2 subdivision and land development plan except as provided under
3 subsection (b).

4 (b) The subdivision and land development ordinance shall
5 include all of the following:

6 (1) Provisions allowing for the creation of a
7 nonbuilding lot when presented with a nonbuilding waiver from
8 the Department of Environmental Protection.

9 (2) Provisions requiring appropriate testing prior to
10 approval of a building permit for a lot designated as a
11 nonbuilding lot.

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