

No. 2015-37

AN ACT

SB 687

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