



## Proposed Legislation in Pennsylvania

By *David H. Comer*

Senate Bill No. 285 proposes to amend the Pennsylvania Municipalities Planning Code (MPC) by making several revisions, including the following:

- Adding Section 507.1 to the MPC, which states the following: Interpretation of Ordinance Provisions: “In interpreting the language of subdivision and land development ordinances, the language shall be interpreted, where doubt exists as to the intended meaning of the language written and adopted by the governing body, in favor of the property owner and against any implied extension of application of the provisions of the ordinance.” A similar provision regarding interpretation of zoning ordinance provisions currently exists at Section 603.1 of the MPC.
- Adding language to Section 909.1(b)(3) of the MPC, which would expand the jurisdiction of governing bodies to not only hear applications for conditional uses but also allow governing bodies in those circumstances “the power to consider requested relief in the nature of a variance, related and subordinate to the use for which conditional use approval is sought.”
- Adding language to Section 916.2 of the MPC that would expand the nature of preliminary opinions by allowing a landowner to request a preliminary opinion that a proposed use is permitted under the zoning ordinance and requiring that the zoning officer issue a written preliminary opinion no later than 45 days after receipt of a written request for preliminary opinion.

For more information about this topic, contact David Comer at 610.397.7963 or [dcomer@foxrothschild.com](mailto:dcomer@foxrothschild.com).



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