

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1386 Session of
2023

INTRODUCED BY KUTZ, SIEGEL, CEPEDA-FREYTIZ, CIRESI, CONKLIN,
FLEMING, HEFFLEY, IRVIN, KHAN, MADDEN AND SANCHEZ,
JUNE 13, 2023

REFERRED TO COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT,
JUNE 13, 2023

AN ACT

1 Amending Title 68 (Real and Personal Property) of the
2 Pennsylvania Consolidated Statutes, in real property,
3 providing for Pennsylvania attainable housing community
4 designation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 68 of the Pennsylvania Consolidated
8 Statutes is amended by adding a chapter to read:

9 CHAPTER 62

10 PENNSYLVANIA ATTAINABLE HOUSING COMMUNITY DESIGNATION

11 Sec.

12 6201. Scope of chapter.

13 6202. Definitions.

14 6203. Qualifications.

15 6204. Application.

16 6205. Department duties.

17 § 6201. Scope of chapter.

18 This chapter relates to the Pennsylvania attainable housing

1 community designation.

2 § 6202. Definitions.

3 The following words and phrases when used in this chapter
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 "Accessory dwelling unit." An ancillary or secondary living
7 unit that has a separate kitchen, bathroom and sleeping area,
8 existing either within the same structure or on the same lot, as
9 the primary dwelling unit.

10 "Attainable housing community." A designation applied to
11 municipalities that meet the criteria established under this
12 chapter.

13 "Department." The Department of Community and Economic
14 Development of the Commonwealth.

15 "Middle income." Housing that is affordable to households
16 earning between 60% and 120% of Area Median Income (AMI).

17 "Missing middle." Forms of housing options that include
18 side-by-side duplexes, stacked duplexes, townhouses or other
19 housing alternatives to single-family or traditional multifamily
20 housing.

21 "Mixed-use development." An urban, suburban, village
22 development or single building that combines residential,
23 commercial, cultural, institutional or industrial uses to
24 provide more efficiency for the community in terms of space,
25 transportation and economic development.

26 "Workforce housing." Housing that is in near proximity to an
27 employee's worksite and affordable to households earning between
28 60% and 120% of Area Median Income (AMI).

29 § 6203. Qualifications.

30 The department shall award the designation of an attainable

1 housing community to a municipality if the municipality submits
2 an application to the department and demonstrates that the
3 municipality:

4 (1) Allows for accessory dwelling units in some of the
5 municipality's municipal zoning ordinances.

6 (2) Provides solutions for missing middle, middle income
7 and workforce housing needs.

8 (3) Allows for mixed-use development, where appropriate.

9 § 6204. Application.

10 A municipality that chooses to adopt a municipal zoning
11 ordinance that meets the qualifications under section 6203
12 (relating to qualifications) and receive the designation
13 established under this chapter, must submit an ordinance to the
14 department for review.

15 § 6205. Department duties.

16 The department shall:

17 (1) Process and review an ordinance submitted by a
18 municipality under section 6204 (relating to application).

19 (2) Review the application to determine whether the
20 municipal zoning ordinance provides for housing solutions
21 that meet the qualifications for missing middle, middle
22 income and workforce housing needs.

23 (3) Create an online registry where municipalities that
24 are designated as an attainable housing community under this
25 chapter shall be listed.

26 (4) Notify the municipality whether the application has
27 been approved, and if the municipality has been approved as
28 an attainable housing community.

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