

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **ZONING - PENNSYLVANIA**

### **Newtown Square East, L.P. v. Township of Newtown**

**Supreme Court of Pennsylvania - September 24, 2014 - A.3d - 2014 WL 4745695**

Adjoining landowner challenged the validity of a planned residential development (PRD) ordinance. Township zoning hearing board upheld the validity of the ordinance, and landowner appealed. Landowner also appealed an approval of developer's tentative PRD plan by township board of supervisors. The Court of Common Pleas affirmed. Landowner appealed. The Commonwealth Court upheld the validity of the PRD ordinance and the approval of the PRD plan. Landowner filed petitions for allowance of appeal, which the Supreme Court granted as to three issues.

The Supreme Court of Pennsylvania held that:

- PRD ordinance was consistent with Municipalities Planning Code (MPC) provisions on approval of and potential public hearings on applications for final plan approval;
- PRD ordinance provisions allowing certain changes between approval of a tentative plan and submission or approval of the final plan was consistent with the MPC; and
- Landowner's procedural due process rights were not implicated by developer's designation of several possible categories of uses for buildings.