

SENATE BILL 862

Sec. 1103 – Definitions

“Associated Area” – All parcels of land and improvements, including a licensed racetracks and backside area, owned by the licensed gaming facility or its affiliates, intermediary, subsidiary or holding company that is contiguous or adjoining, including connection by a pedestrian walkway, bridge or easement, to the land based location of the license.

Sec. 1506 – Local Land Use Preemption

1.a. General Rule – regulation of the zoning, usage, layout construction and occupancy, including the location, size, bulk and use of buildings of a licensed facility and any accessory gaming use within a city of the first class is reserved exclusively to the Commonwealth.

1.b.2. – The following shall apply to area regulations:

(1) Structures located at a licensed facility and **associated areas**, including those which house accessory gaming uses may occupy up to 100% of the total lot areas.

(3) Each licensed facility, excluding parking areas and garages, shall be allowed a total gross floor area up to 12 times the total area of the licensed facility, measured in square feet. Total floor area shall include all land and water areas of the licensed facility up to the pierhead line, as well as any railroad right-of-way area within the confines of the licensed facility. Parking and garage area shall not be subject to any gross floor area limitations.

1.b.3 – The following shall apply to parking and loading:

(1)(a) One space for every two residential or hotel units

(1)(b) One space for every 1,000 square feet of building or for every 10 seats, whichever total number of spaces is greater.

1.b.4. – The following shall apply to signage:

1 – Each licensed facility shall be permitted a total sign area of five square feet for each lineal foot of street line of the licensed facility, **including associated area**, and each lineal foot of waterfront line along a navigable waterway of the licensed facility.

2 – Signs may be revolving, animated or illuminated and may contain flashing or intermittent illumination. Accessory and none accessory signs shall be permitted.

1.c.

Connections to public water, sewer and utilities all occupants at each licensed facility located within a city of the first class shall be allowed to connect to and use utilities with no connection or reservation charge, subject to nondiscriminatory charges for actual costs of extending service to the site and to actual usage charges imposed under nondiscriminatory tariffs.

2.d.

Construction and occupancy standards.--the department of labor and industry shall regulate and enforce the construction and occupancy of licensed facilities within a city of the first class. all licensed facilities shall be subject to the act of November 10, 1999 (p.l.491, no.45), known as the Pennsylvania Construction Code Act.

Sec.1506.2. Conveyances In Cities Of The First Class.

(a) Intention.--in order to maximize the policy mandates of this part and to optimize development opportunities within a city of the first class, it is the intention of the general assembly to facilitate the timely conveyance of riparian rights that the commonwealth may own to any person approved for a slot machine license by the board for a facility to be located on land contiguous to navigable waterways.

(b) Authorization and Direction.--the department of general services, with the approval of the governor, is hereby authorized and directed on behalf of the commonwealth of Pennsylvania to grant and convey by quitclaim deed for consideration under subsection (e) to each person approved for a slot machine license by the board for a licensed facility that is to be located within a city of the first class and is contiguous to navigable waters, the land further described in subsection (c).

(c) Description.--the land to be transferred under subsection (a) shall be all of the commonwealth's lands between the low-water line, or in cities of the first class, the bulkhead line, and the established pierhead line, in a city of the first class, consisting of all the muds and land currently or previously under the navigable waters and lying adjacent to the property owned by a licensee to the west of the bulkhead land, and all riparian rights appertaining thereto.

Sec. 1506.3. Riparian Rights.

Upon the issuance of a slot machine license under this part for a licensed facility that is to be located within a city of the first class contiguous to navigable waters of the Delaware River, it shall be deemed that the slot machine licensee has completely satisfied all state requirements set forth in the act of November 26, 1978 (p.l.1375, no.325), known as the Dam Safety and Encroachments Act, and all regulations applicable to encroachment of the navigable waters by any means in and along submerged lands of the commonwealth that have been granted for purposes of construction, demolition and erection of structures and foundations associated with a licensed facility. the slot machine licensee shall not be obligated to obtain or maintain a water obstruction and encroachment permit required by state law.

Sec.1506.4. Clean Indoor Air.

Licensed facilities shall only be subject to public smoking rules or regulations as may be imposed by the Commonwealth and applied in a comprehensive statewide manner.