

Philadelphia City Planning Commission Meeting

September 7, 2010

Philadelphia Zoning Code Reform Project



www.zoningmatters.org

- ❑ The Zoning Code Commission formed in 2007 through a Charter change to analyze and recommend improvements to the Philadelphia Zoning Code
- ❑ 31 member Zoning Code Commission includes community, business, and professional representatives
- ❑ Team of local and national consultants provide a variety of resources

Three phases

- ❑ Phase 1 – **Recommend**: develop a roadmap for the new code (completed)
- ❑ Phase 2 – **Rewrite**: write a proposed new code and a plan for zoning remapping (near completion)
- ❑ Phase 3 – **Remap**: zoning remapping, to be carried out by the Philadelphia City Planning Commission

- ❑ Conducted two public hearings and **34** meetings.
- ❑ Sponsored **26** community-based meetings with over **1,000** community representatives.
- ❑ Supported **3** workshops with **199** participants *focused on project review*.
- ❑ Interviewed **125** professional code users.
- ❑ Surveyed **1,900** citizens.

Accomplishments

1. Provide **consistency and understandability** of the zoning code
2. Make future construction and development **more predictable**
3. Encourage high quality, positive **development**
4. **Protect** the character of existing neighborhoods
5. **Involve** the public in development decisions

Simplify the Structure of the Code

- **Chapters reduced from 21 to 10**


- **Base districts reduced from 55 to 35**

- 16 Residential
- 7 Commercial/Mixed Use
- 7 Industrial
- 5 Special Purpose

- **Overlay districts reduced from 36 to 9**

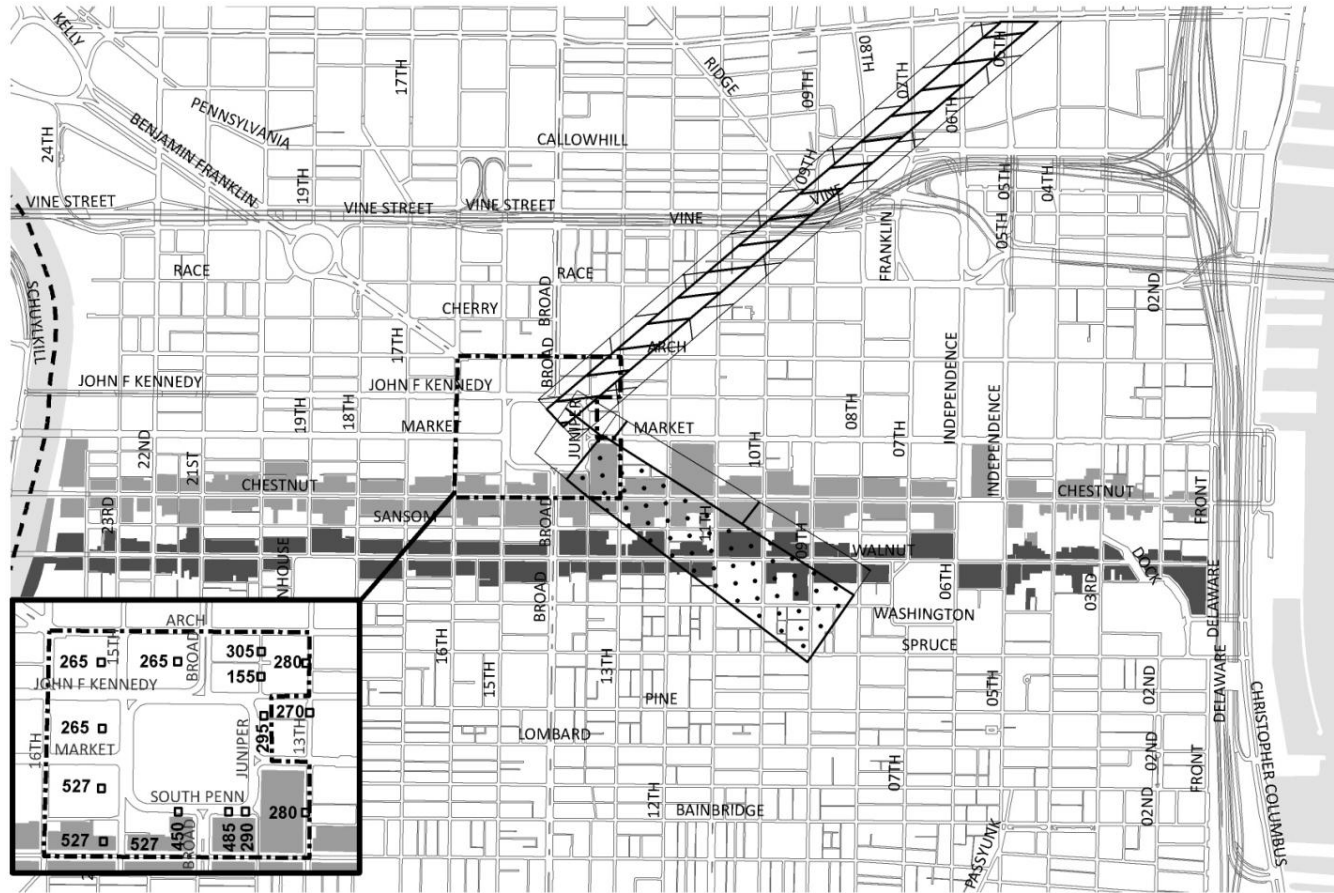
- 14 Center City “special” districts consolidated into 1
- 16 Neighborhood commercial corridor districts transformed into a new base district
- 9 “special” districts carried over

Revised Code Structure

- 14-100 General Provisions**
- 14-200 Administration and Procedures**
- 14-300 Base Zoning Districts**
- 14-400 Overlay Zoning Districts**
- 14-500 Use Regulations**
- 14-600 Development Standards** 
- 14-700 Parking and Loading**
- 14-800 Signs**
- 14-900 Historic Preservation**
- 14-1000 Definitions**

- 14-601: Dimensional Standards
- 14-602: Floor Area Bonuses
- 14-603: Form and Design
- 14-604: Connectivity/Circulation
- 14-605: Transit-Oriented
Development
- 14-606: Open Space and
Natural Resources
- 14-607: Landscaping and Trees
- 14-608: Fencing and Walls
- 14-609: Outdoor Lighting
- 14-610: Subdivision

/CTR Center City Overlay



Legend

-  City Hall
-  City Hall View Corridor-Zone 1
-  City Hall View Corridor-Zone 2
-  City Hall View Corridor, NE-Zone 3a
-  City Hall View Corridor, NE-Zone 3b
-  Chestnut Street Minimum Height Area
-  Walnut Street Minimum Height Area
-  Center City Overlay

1. Understandability

/NCA Neighborhood Commercial Area Overlay

- ❑ 16 area specific neighborhood commercial areas outside of Center City simplified
- ❑ New CMX-2.5 district created as a base district to reflect the use differences from current C-2 and C-3
- ❑ Specific non-use controls for specific areas carried over in /NCA overlay district



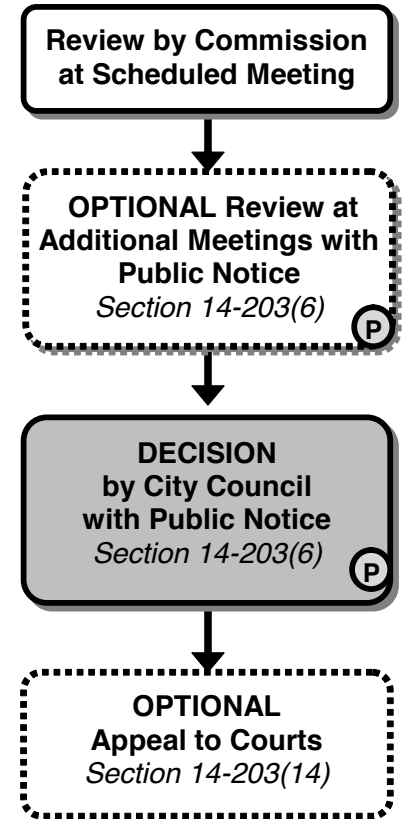
1. Understandability

Use Tables and Flowcharts

14-200 Administration

Legend	Code Section	Notice Required 14-203(6)	Neighborhood Meeting Required? 14-203(1)	Review, Decision, and Appeal Authority						
				L&I	Zoning Board of Adjustment	Civic Design Review Committee	Planning Commission	City Council	Courts	
R = Recommendation										
D = Decision										
A = Appeal										
N = Newspaper										
S = Sign										
W = Web										
Type of Application										
Plan Adoption or Amendment	14-204(1)	N, W	—				D			
Zoning Amendment	14-204(2)									
Map Amendment		N, W,					R	D	A	
Text Amendment		N, W					R	D	A	
Plan of Development Amendments	14-204(3)									
Minor Amendments		W					D		A	
Major Amendments		N, W					R	D	A	
Special Exception Approval	14-204(4)	S	✓		D		R		A	
Regulated Use Approval	14-204(5)	S	✓		D		R		A	
Civic Design Review	14-204(6)	W	✓			R				
Subdivision Plat	14-204(7)						D		A	
Zoning Variance	14-204(8)	S	✓		D		R		A	
Zoning Permits	14-204(9)			D	A					

Zoning Map or Text Amendment



P Indicates Public Meeting or Hearing Required

1. Understandability

Use Tables and Flowcharts

14-500 Use Regulations

<i>Temporary table row</i>								
	C-1	C-2/RC-2	(NCC)	C-3/RC-3	C-4	C-5	C-7/NSC/ASC	
Use Category	CMX-1	CMX-2	CMX-2.5	CMX-3	CMX-4	CMX-5	CA-1	Standards
Subcategory								
Specific Use Type								
Y = Yes, use is permitted as of right S = Special exception approval required N = Not allowed (use expressly prohibited) Uses not listed are also prohibited Bracketed numbers refer to notes immediately following the table								
Residential								
Group Living (except as noted below)	N	S	Y[3]	Y	Y	Y	N	
Assisted Living	N	Y	Y[3]	Y	Y	Y	N	14-503(1)
Community Home, Group	N	Y	Y[3]	Y	Y	Y	N	
Community Home, Family	Y	Y	Y[3]	Y	Y	Y	N	
Single-room Residence	N	S	S[3]	Y	Y	Y	N	

1. Understandability

Categories

Subcategories

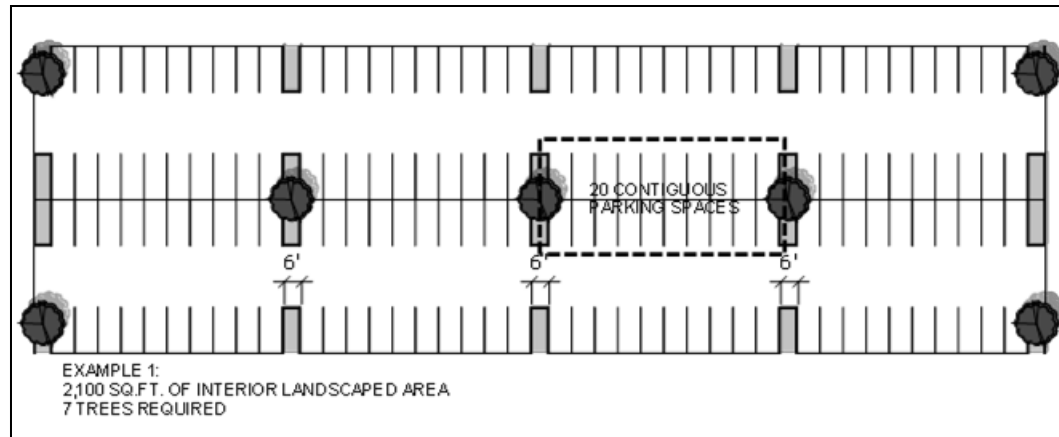
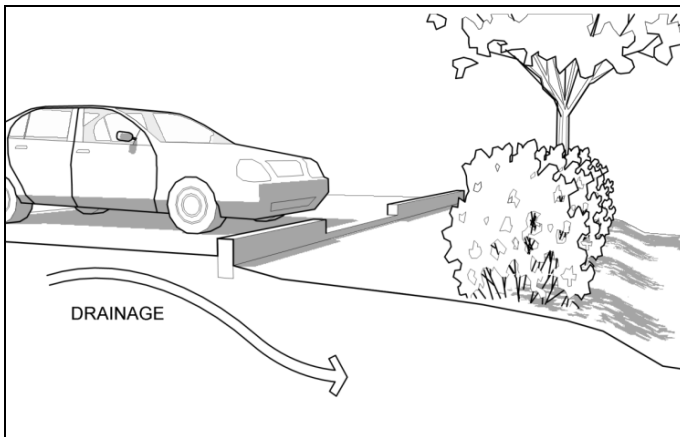
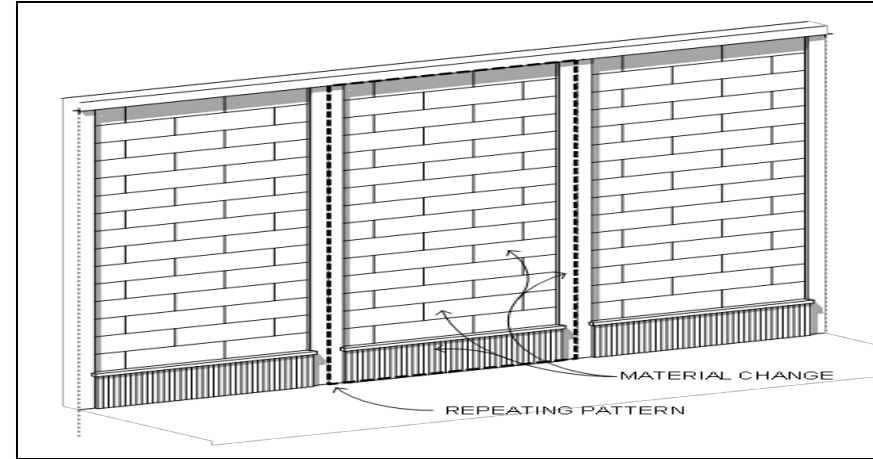
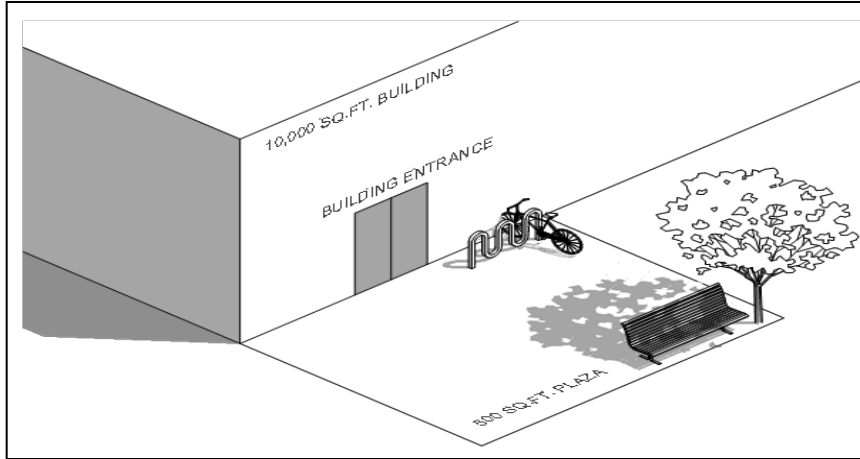
Specific Use Type

1. Residential
2. Parks and Open Space
3. Public, Civic and Institutional
4. Office Use
5. Retail Sales
6. Commercial Services
7. Vehicle/Vehicular Equipment Sales and Services
8. Wholesale, Distribution, Storage
9. Industrial
10. Urban Agriculture

1. Understandability

Use Pictures

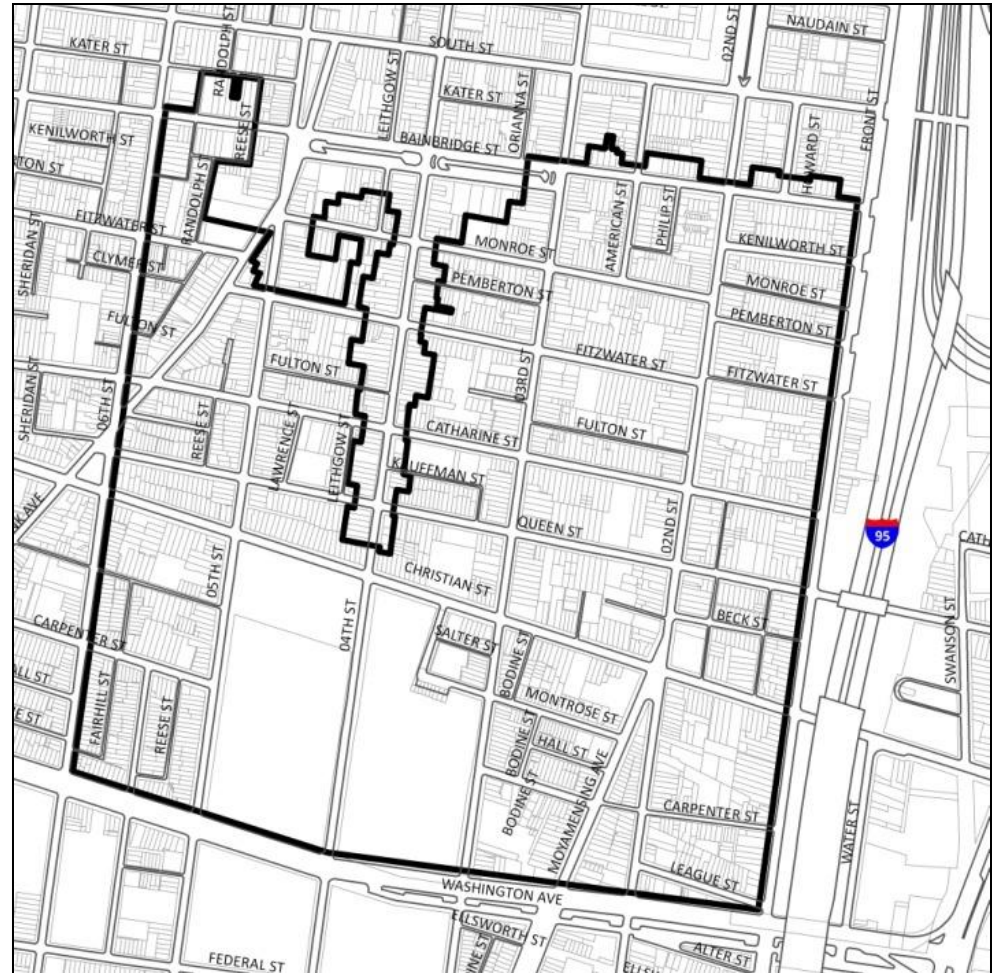
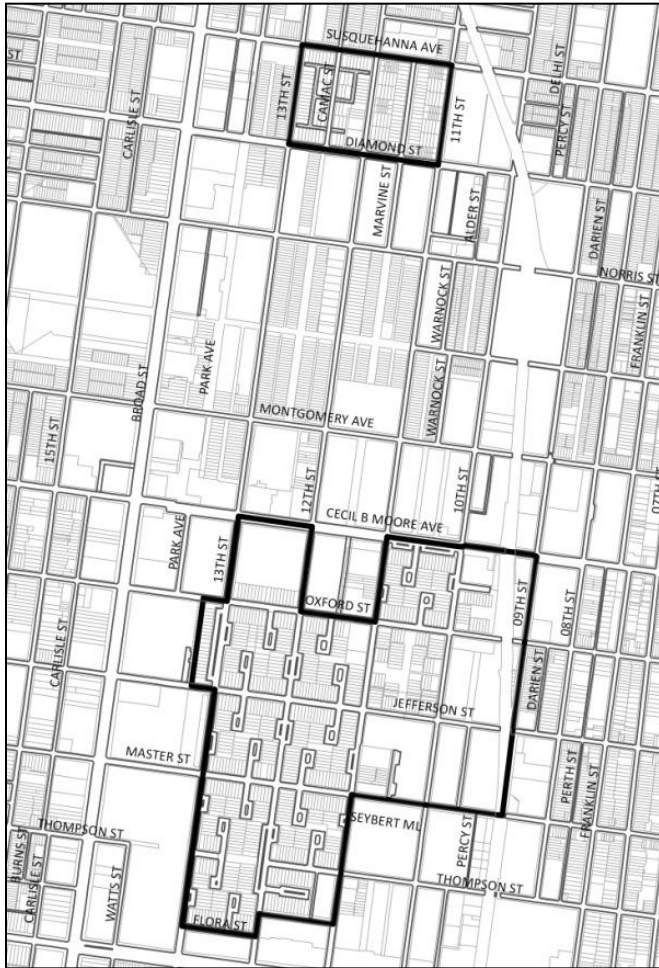
14-600 Development Standards



1. Understandability

Use Maps

14-400 Overlay Districts



1. Understandability

Key Changes

- ❑ **Clarify how plans will affect decisions**
 - ❑ “Accepted” may be considered
 - ❑ “Adopted” will be considered
- ❑ **Clarify who can testify at ZBA hearings**
 - ❑ Anyone -- not limited by who could appeal, and does not grant standing to appeal
 - ❑ Corporations that are applicants must be represented by an attorney per PA law
- ❑ **Objective standards for:**
 - ❑ Design and landscaping
 - ❑ FAR Bonuses
- ❑ **Objective decision making criteria**
 - ❑ Listed for each procedure



2. Predictability

Key Changes

- ❑ Civic Design Review
- ❑ Recession plane controls replaced
- ❑ New industrial mixed use district (PIDC)
- ❑ Form and design standards
- ❑ Stronger landscaping standards and tree planting requirements
- ❑ Simpler redevelopment of non-conforming properties
- ❑ Renewable energy facilities accommodated
- ❑ Smarter parking controls
- ❑ New menu of FAR bonuses



3. Encourage High Quality Development

Civic Design Review

- ❑ Advisory committee
- ❑ Assess impacts on the public realm based on design guidelines
- ❑ May incorporate recommendations from another review entity (e.g. Art Commission, Historical Commission)
- ❑ Membership (7 total)
 - ❑ 2 architects
 - ❑ 1 transportation/urban planner
 - ❑ 1 landscape architect
 - ❑ 1 developer/builder
 - ❑ 1 person with civic association review experience
 - ❑ 1 rotating seat from project area (to be selected by RCOs within 1 week of meeting, otherwise by District Councilperson)

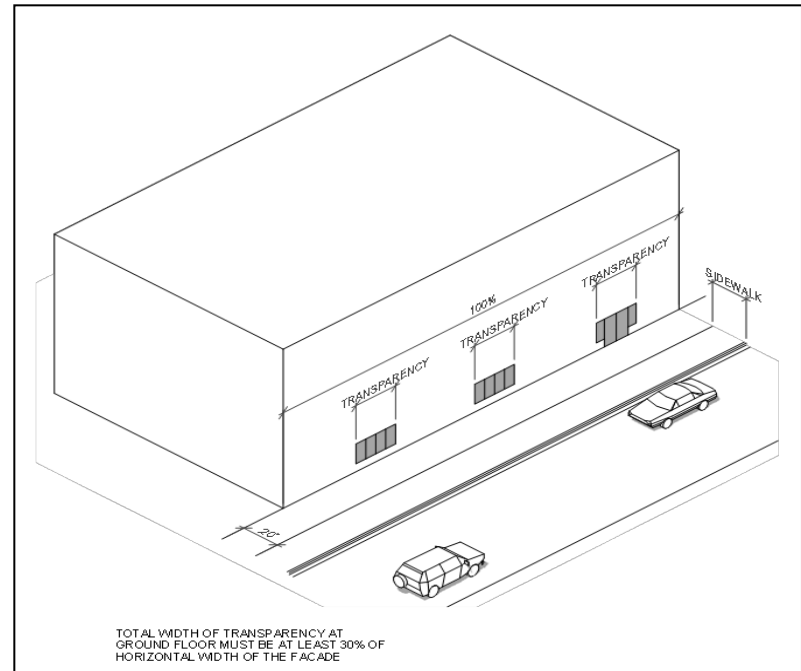
3. Encourage High Quality Development

IF the project parcel is located in this zoning district	AND abuts one or more of these zoning districts	AND meets any of the following thresholds
Any district [Exception— a solely industrial use building located within an industrial district]	Any district	1. More than 100,000 sq ft of new construction; OR 2. More than 100 new dwelling units
Any Commercial, Industrial, or Special Purpose district	Any Residential Multi-family district	1. More than 50,000 sq ft of new construction; OR 2. More than 50 new dwelling units; OR 3. Exceeds maximum height in an abutting R district by more than 20 ft
Any Commercial, Industrial, Special Purpose, or Residential Multi-family district	Any Residential Single Family Detached or Attached district	1. More than 25,000 sq ft of new construction; OR 2. More than 25 new dwelling units; OR 3. Exceeds maximum height in an abutting R district by more than 20 ft

3. Encourage High Quality Development

Form and Design Standards

- ❑ Apply when CDR does not apply
- ❑ Applied by L&I “over the counter” without a separate review process
- ❑ Separate standards for
 - ❑ Attached Residential
 - ❑ Commercial
 - ❑ Large Retail (Big Box)
 - ❑ Industrial
 - ❑ Parking Garages



3. Encourage High Quality Development

Transit-Oriented Development

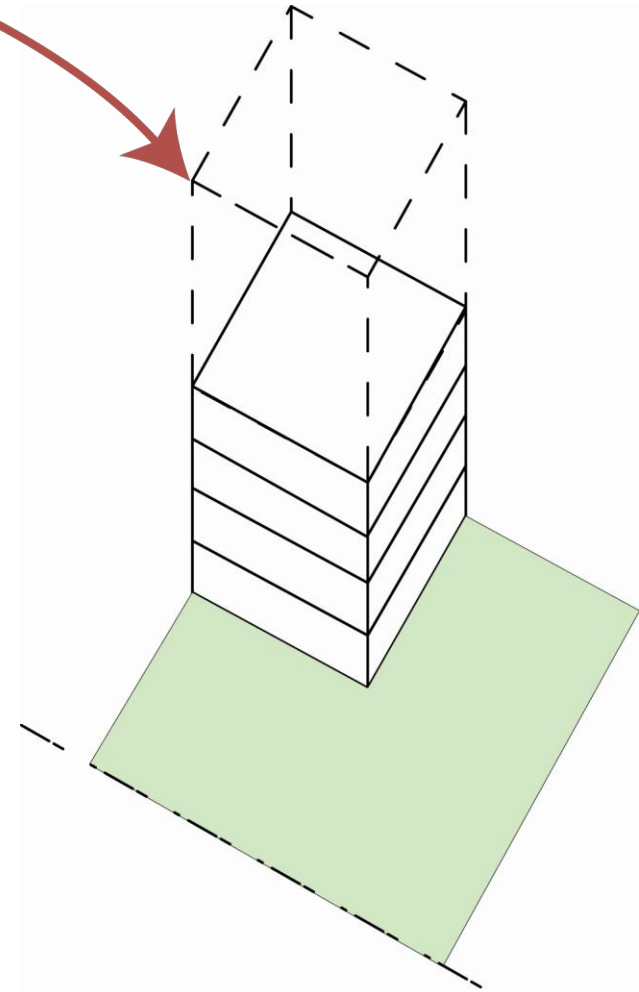
- ❑ Center City treated as all TOD
- ❑ Four types of TOD nodes defined and mapped outside Center City
 - ❑ Destination
 - ❑ Neighborhood Center
 - ❑ Infill
 - ❑ Park & Ride
- ❑ Commercial Properties within designated node boundaries:
 - ❑ Gain additional density (first two types only)
 - ❑ Must comply with TOD development standards for that type of node



3. Encourage High Quality Development

FAR bonuses

- Current 2-tiered system deleted
- New a la carte menu of public amenities to earn bonuses – calibrated to allow smaller properties to participate
 - Public Art
 - Public Open Space
 - Mixed Income Housing
 - Through-Block Pedestrian Walkways
 - Transit Improvements
 - Underground Accessory Parking
 - Green Building (LEED)



Smarter Parking Controls

- ❑ Minimum parking requirements lowered in Center City
 - ❑ From 0.5/du to 0.3/du for multi-dwellings
 - ❑ Office, Retail, and Commercial Services uses now exempt from parking
- ❑ Maximum parking limits established – generally at 125% of minimum
- ❑ Commercial and institutional with 30+ spaces must dedicate at least 5% of their parking spaces to carpool and hybrid/alternative vehicles.



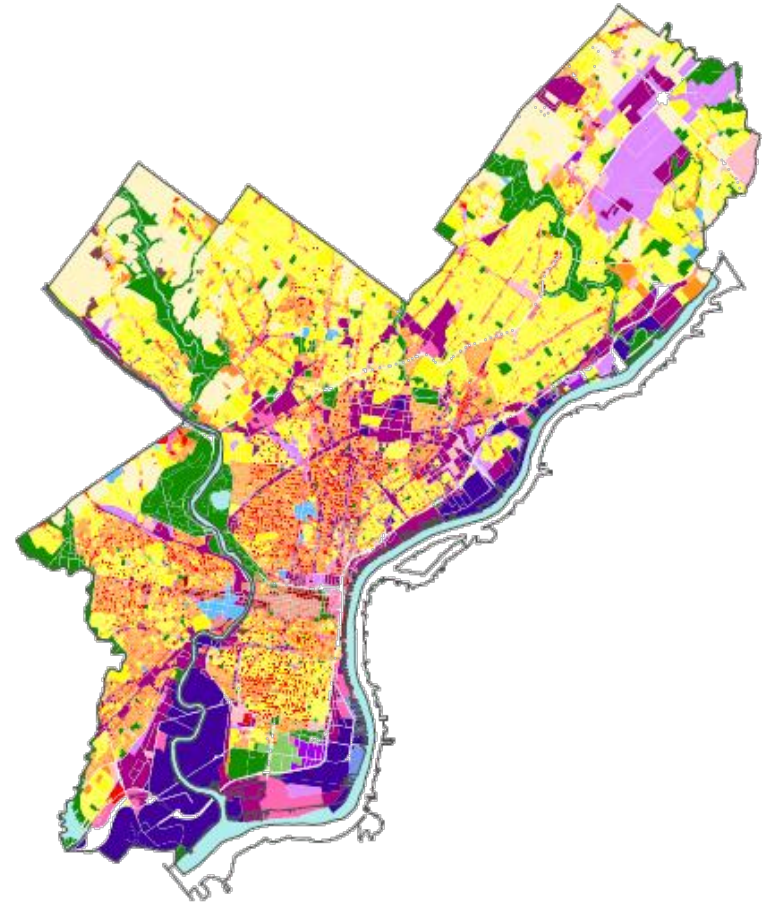
3. Encourage High Quality Development

Key Changes

- ❑ Use variances limited
- ❑ Dimensional variances restricted
- ❑ Stronger landscaping and tree planting requirements
- ❑ Urban agriculture encouraged

Variations Limited

- Use variations limited
 - To “no reasonable economic use” standard – except as required by PA law
 - Uses not listed as permitted by right or as special exceptions for ZBA approval require rezoning
- Dimensional variations restricted to 25% -- except as required by PA law



Stronger Landscaping and Tree Standards

- ❑ Landscaping/tree planting requirement extended to all residential developments
 - > 5 lots and non-residential on lots > 5,000 sf
- ❑ Edge buffer landscaping required for:
 - ❑ Multi-family to Single-family edges
 - ❑ Commercial/Institutional to Residential edges
 - ❑ Industrial to Residential edges
- ❑ Trees > 2.5 inches diameter removed during development must be replaced
- ❑ Trees > 24 inches cannot be removed without a variance, and must be replaced with smaller trees of equal diameter



4. Protect Neighborhoods

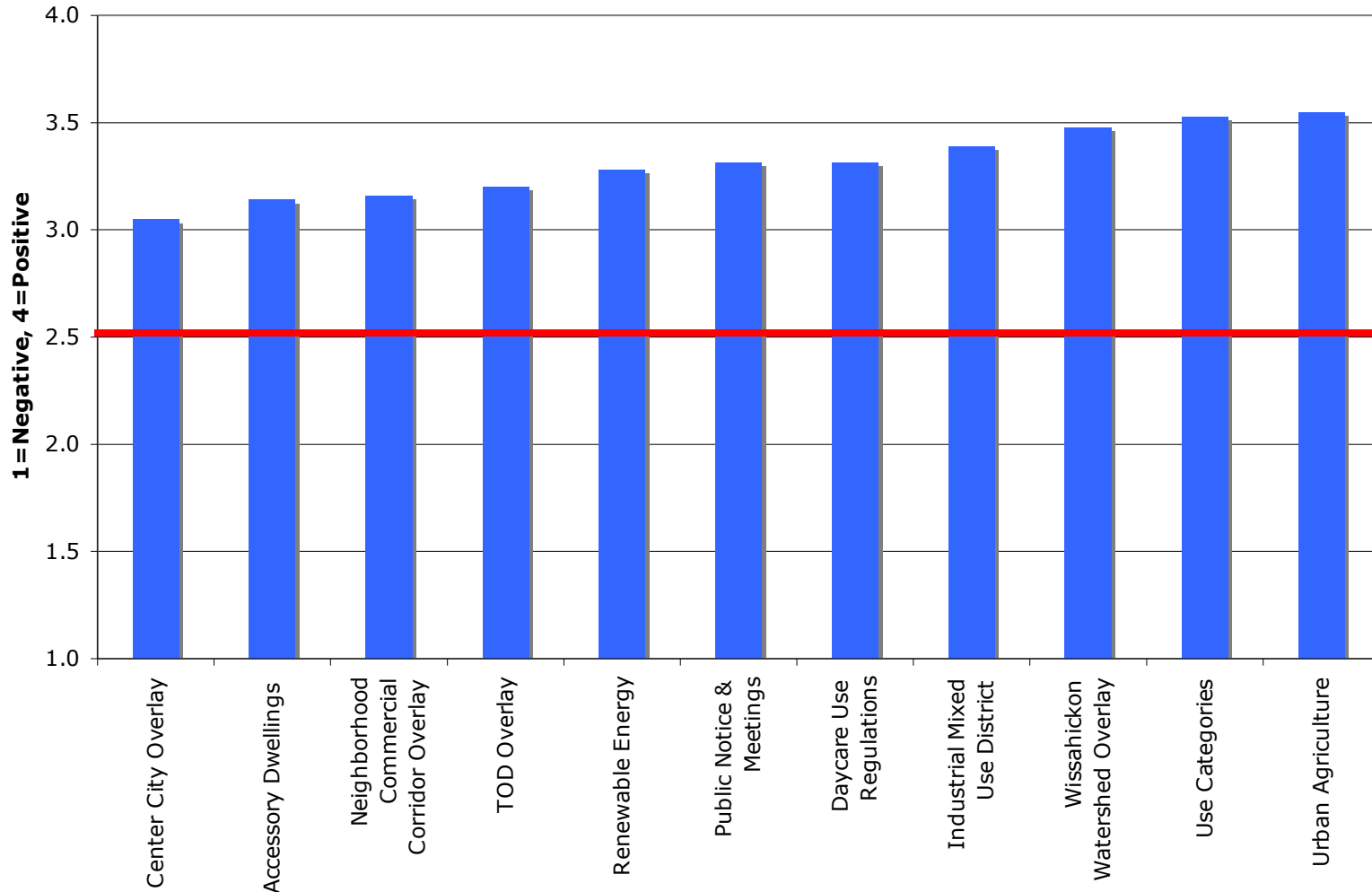
Urban Agriculture

Types of permitted urban agriculture expanded

- ❑ Community Garden
- ❑ Market Farm
- ❑ Animal Husbandry
- ❑ Horticulture Nurseries and Greenhouses



Overall Opinion of Key Changes



5. Involve the Public

Registered Community Organizations (RCOs)

Annual Registration

- ❑ Name a contact person
- ❑ Identify your boundaries (can overlap)

When projects require ZBA approval or Civic Design Review, RCOs:

- ❑ Receive pre-application notice
- ❑ Applicant must hold one public meeting with RCOs

RCO responsibilities

- ❑ Agree to meet with applicants within 21 days
- ❑ Document the meeting

Administrative Decision-Making

In some situations, L&I can approve permits with:

- ❑ 1 ft. variation from setback
- ❑ 2 ft. variation from maximum heights
- ❑ 1 space variation from a requirement for 3 or more parking spaces



Minor Amendments in Planned Development Districts

- ❑ Can be approved by PCPC if consistent with adopted plan and no new/unlisted uses proposed
- ❑ Except in SP-STA and SP-ENT districts

Other Key Changes

Replacement of Non-Conforming Uses

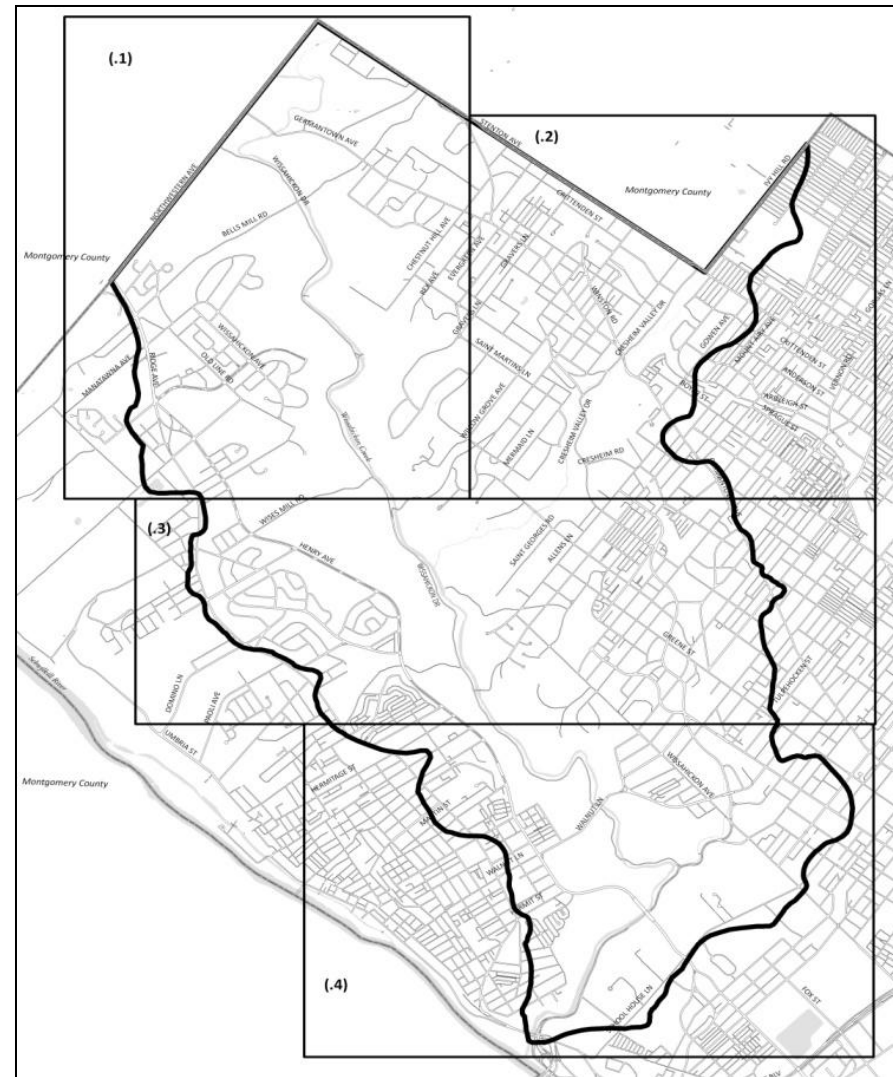
A non-conforming use that has been discontinued for less than 3 years can be replaced by a non-conforming use in the same use category (not just “the same use”), as determined by ZBA



Other Key Changes

Wissahickon Sensitive Land Controls

- ❑ Stream setbacks and prohibition on new development on steep slopes have been expanded to apply citywide
- ❑ Impervious surface controls have not been extended citywide, but Water Department controls are similar



Other Key Changes

Accessory Dwelling Units

Accessory dwelling units are allowed:

- ❑ On lots containing detached dwelling units and twin houses (not attached houses or multi-family dwellings)
- ❑ In the primary structure or a legal detached building
- ❑ No larger than 800 sf.
- ❑ No off-street parking required
- ❑ Only one front door can face the street
- ❑ Owner must live in the primary or accessory unit



Other Key Changes

Questions

