

Philadelphia's New Zoning Code

ZONING Changes to the *Draft Preliminary Report*
Matters May 11, 2011

* Note that this presentation refers to the section numbers of the May 4th *Preliminary Report*.





Significant Changes

14-300 Administration and Procedures

- ❖ **14-303(5) Code Interpretations**
 - Revised so that L&I is responsible for accepting and issuing code interpretations.

- ❖ **14-303(12) Neighborhood Notice & Meetings**
 - Move requirements for notice to RCOs from “Public Notice” to this section.
 - Notice to RCOs must include contact information of all RCOs whose registered geographical boundaries include the applicant’s property.



Significant Changes

14-300 Administration and Procedures

- ❖ **14-303(15) Appeals to the ZBA**
 - Removed provision that permitted the ZBA to make decisions based only on written testimony due to concerns regarding sufficient notification of all potential protestants prior to the hearing.
- ❖ **14-305(5)(b) Replacement of Discontinued Uses**
 - Prohibited replacement of a nonconforming regulated use with another regulated use.



Significant Changes

14-400 Base Districts

❖ 14-401 Residential Districts

- Convert existing R5A into a new one- and two-family zoning district called “RTA- I, Residential Two-Family Attached- I”.
- **This new district does not appear in the Preliminary Report posted on May 4th. The ZCC’s resolution reflects the creation of a RTA- I district to be completed no later than May 23, 2011.**



Significant Changes

14-500 Overlay Districts

- ❖ **14-502(6) /CTR Supplemental Use Controls**
 - Amended the supplemental use table to permit Prepared Food Shops and Take-Out Restaurants by special exception in the portion of the Old City Residential Area between Callowhill and Spring Garden Streets.

- ❖ **14-502(7) /CTR Parking Garage Ground Floor Uses**
 - Expanded the requirement for the ground floors of parking garages to contain active uses. Requirement now applies to streets from Arch to South Streets (inclusive) from river to river, and Broad Street between South Penn Square and Washington Avenue.



Significant Changes

14-600 Use Regulations

❖ 14-601 Use Categories

- Refer the treatment of certain uses in lower-density residential districts to City Council for further discussion (including community homes, bed and breakfasts, and home occupations).
- Created a new use subcategory called “Re-entry Facility” in the Public, Civic, and Institutional Use Category to differentiate them from Detention and Correctional Facilities. Re-entry facilities permitted by special exception in ICMX, I-1, I-2 and I-P and by right in I-3.



Significant Changes

14-600 Use Regulations

❖ **14-601(4)(c) Day Care**

- Transferred the day care use subcategory to the Public, Civic, and Institutional use category. Maintained the use regulations for day cares as proposed in the *Draft Preliminary Report*.

❖ **14-601(6)(a) and (7) Certain Adult Uses**

- Lowered the threshold for an establishment to be considered an adult merchandise store, adult modeling or photography studio, or adult spa or health club from 33% to 20%.



Significant Changes

14-600 Use Regulations

❖ 14-604(6) Solar Collectors

- Deleted the standards for roof-mounted solar collectors to be consistent with current L&I regulations that exempt roof-mounted solar collectors from obtaining zoning permits.
- Maintained the standards for ground-mounted and freestanding solar collectors.



Significant Changes

14-600 Use Regulations

❖ 14-604(8) Home Occupations

- Reorganized (and expanded) the list of uses prohibited as home occupations to reference subcategories, not individual uses.
- Restricted each home occupation to no more than one off-street parking space.

Prohibited Home Occupations:

- › Regulated uses
- › Retail sales
- › Vehicle & Vehicular Equipment Sales and Rental
- › Industrial uses (except artist studios and artisan industrial)
- › Urban agriculture
- › Maintenance and repair
- › Building services
- › Eating or drinking establishments
- › Assembly and entertainment
- › Funeral and mortuary services
- › Body art services
- › Fortune telling services
- › Animal services



Significant Changes

14-700 *Development Standards*

❖ 14-701 Building Heights

- Continue to discuss whether the proposed residential building height limit of 38 feet should be adjusted to promote infill and redevelopment projects in areas characterized by significant vacancy and blight.

Questions

