



**Report to Zoning Code Commission
May 4, 2011**

Introduction:

This document contains a short description of all recommended changes to the *Draft Preliminary Report* approved unanimously by the ZCC on March 2nd. The *Preliminary Report*, posted on May 4th, and to be voted on by the ZCC on May 11, 2011, reflects these recommendations (with one exception, as noted below). A number of the recommended changes were already presented at the April 13th ZCC meeting.

This document should be read in concert with: 1) May 4th *Preliminary Report* posted on zoningmatters.org. (Clean and tracked changes); and 2) the *Zoning Map Revision Plan*. Some of the code section numbers have changed as a result of the reorganization of several sections. The references throughout this document refer to the code section numbers found in the May 4th *Preliminary Report*.

Please advise me by close of business on Friday, May 6th if you would like to identify any of the recommended changes for discussion at the May 11th meeting, prior to a vote on the *Preliminary Report*.

The Work Plan Committee is making two types of recommendations, as reflected in this document:

- 1) Items on which the ZCC is seeking further direction through additional input after submission of the *Preliminary Report* to City Council; and
- 2) Changes to the *Draft Preliminary Report*. Please note that one of the recommendations in this second category (Section 14-400, Two-Family District) is a response to very recent input, and thus it does not appear in the *Preliminary Report* posted on May 4th. The resolution on which the ZCC will vote on May 11th will reflect that a Two-Family District will be included in the Final Report.

Background:

The Zoning Code Commission voted on March 2nd to approve the *Draft Preliminary Report* and to spend approximately two and a half months expanding its already significant outreach to continue to inform and receive feedback from members of the public about the contents of the *Draft Preliminary Report*.

Since that date, ZCC staff reached out individually to all the members of City Council to offer the opportunity for a meeting to review how the new zoning code would work in their particular district. ZCC members and staff met in person with seven Council members and reviewed individualized packets showing changes in uses that would come about with adoption of the new zoning code. Two other district Council members requested copies of their packets, but did not meet in person with the ZCC. A comprehensive review of changes in treatment of uses was posted on the zoningmatters website in March.

ZCC staff and Commissioners conducted seven ZCC Stakeholder X-Changes as shown below. The X-Changes were very well received. Participation ranged from 15 to 40 persons at each X-Change, with the majority being representatives of civic associations from diverse neighborhoods.

Wednesday	3/16/2011	5:00 PM	Public Notice, Neighborhood Meetings, Civic Design Review
Tuesday	3/22/2011	5:00 PM	ZBA Hearings, Appeals, Variances and Special Exceptions
Wednesday	3/30/2011	5:00 PM	Districts and Overlays
Tuesday	4/5/2011	8:00 AM	Uses
Tuesday	4/19/2011	8:00 AM	Dimensional Standards
Wednesday	4/27/2011	5:00 PM	Other Development Standards
Tuesday	5/3/2011	8:00 AM	Parking and Signs

ZCC staff has presented information on the new zoning code, including the treatment of uses, to a number of neighborhood organizations including: the Wister Neighborhood Action Committee in Germantown; the 7th District Police Advisory Committee, the East Torresdale Civic Association, the Somerton Civic Association, the Millbrook Civic Association, the Greater Bustleton Civic League, and leadership from the Rhawnhurst community. Six additional meetings are scheduled with civic associations in the lower and upper Northeast, and in Chinatown. ZCC staff and Commissioners have also met with issue-oriented groups including the Building Industry Association, the Next Great City Coalition, the Committee of Seventy, the Real Estate Network of the Union League, the City's Sustainability Working Group, and representatives of the Bar Association (on April 4th and April 28th). A Working Group on the Center City Overlay, including representatives of development organizations and civic associations, met on March 17th.

The Work Plan Committee has met four times (March 25th, April 8th, April 25th, and April 29th) and is meeting again on May 4th to consider comments from the public, the Stakeholder X-Changes and from the Internal Review Group. The Internal Review Group consists of representatives of the Planning Commission, Department of Licenses and Inspections, and Law Department, who have been meeting over the last year to review the text of the code to ensure that the code can be administered efficiently. Minutes of the Work Plan Committee beginning January 2010 are posted on the website.

Recommendations:

Items on which the ZCC is seeking further direction through input after submission of Preliminary Report to City Council:

- *Treatment of certain uses, including community homes, bed and breakfasts, and home occupations in lower-density residential districts*
- *Whether the proposed residential height limit of 38 feet should be adjusted to promote infill and redevelopment projects in areas characterized by significant vacancy and blight.*

Changes to *Draft Preliminary Report*:

- **General:**
 - Added information on applicability (e.g., CMX-5 parcels or commercially-zoned parcels) to all map legends
 - Clarified definitions of building types and stories in §14-203
 - Re-organized §14-303 and 14-304 for greater clarity
 - Added Notice to RCOs and Neighborhood Meetings to Civic Design Review, Variance, and Special Exception flow charts in §14-300
 - Removed all references to the Zoning Administrative Manual
- *§14-106 Relationship to Plan Documents*
 - **Item:** The Bar Association commented on the inappropriate reference to the Comprehensive Plan as a basic policy guide for the administration of the zoning code.
 - **Recommendation:** Delete "The comprehensive plan shall serve as the basic policy guide for the administration of this Zoning Code..."
- *§14-202 Rules of Measurement*
 - **Item:** The Internal Review Group noted that the first sentence in "Rules of Measurement" created ambiguity.
 - **Recommendation:** Delete "except when the context clearly indicates otherwise" phrase from the sentence.
- *§14-301: Reviewers and Decision Makers*

- **Item:** The ZCC has received comments from the Bar Association that summarizing the duties of City agencies for which the Zoning Code is not the source of authority could empower the agencies to enter non-zoning considerations into the zoning process.
 - **Recommendation:** Reorganize the section and split it into two: one (similar to the current code) that includes agencies (L&I and ZBA) that derive power from the Zoning Code (§14-103, Authority) and a second including agencies that do not derive their power from the Zoning Code with references to the source of their authority (§14-301).
- §14-301(6): *Board of Licenses and Inspections Review (BLIR)*
 - **Item:** The Internal Review Committee identified the reference to the BLIR as the appeal body for Art Commission as an issue, as the Art Commission’s authority is much broader than that included in the zoning code.
 - **Recommendation:** Remove the language from the zoning code that details the process for an appeal of the Art Commission.
- §14-302-1: *Procedures Summary Table*
 - **Item:** The Internal Review Committee expressed a concern that the “Procedures Summary Table” is characterized as a summary of requirements, but it contains information that is not stated elsewhere in the Philadelphia Code or Charter.
 - **Recommendation:** Insert code text of all notice requirements that are summarized in §14-303(13) (Notice) of the zoning code.
- §14-303(9) *Hearings*
 - **Item:** The Bar Association pointed out that the language re: ZBA quorum was not consistent with current law.
 - **Recommendation:** Correct language to make consistent with current law (three votes needed).
- §14-303(9) *Hearings*
 - **Item:** The Bar Association recommended deletion of the sentence, “For good and proper cause, the right of an attorney to practice before the Zoning Board may be suspended by the Zoning Board.”
 - **Recommendation:** Accept; this is a right of the Supreme Court of PA, not the ZBA.
- §14-303(9) *Hearings*
 - **Item:** The Bar Association recommended edits to the statement of the ZBA’s power to issue subpoenas to require the production of documents.
 - **Recommendation:** Add the ability of the ZBA to compel the production of documents and the attendance of witnesses and issue subpoenas for those purposes.
- §14-303(12)(a): *Registered Community Organizations*
 - **Item:** The Planning Commission noted that there was an inconsistency in the location of information regarding the size of the geographical area of concern and other characteristics of the Registered Community Organizations.
 - **Recommendation:** Move relevant provisions regarding the size of RCO geographical areas to the regulations of PCPC, which will be promulgated for public consumption.
- §14-303(12)(c) *Notice to Registered Community Organizations*
 - **Item:** The Crosstown Coalition requested that the notice to RCOs include the contact information of any other RCO whose registered geographical boundaries include the applicant’s property.
 - **Recommendation:** Accept
- §14-303(12)(d): *Meetings with Registered Community Organizations*
 - **Item:** The Internal Review Committee identified that this section, as stated, would require a full 45-day period before a ZBA hearing or Civic Design Review Committee could take place, even if the Neighborhood Meeting had taken place and been documented in a shorter period of time.

- **Recommendation:** Revise this section to say that the CDR Committee or ZBA cannot commence hearings until the applicant and RCOs have convened and documented their CDR meeting, or until 45 days has passed, *whichever is less*.
- **Recommendation:** Re-instate the provision (mistakenly omitted in March 2nd green line draft) that says if an application requires both CDR and ZBA approval, only one neighborhood meeting is required.
- **§14-303(2): Application Materials and Complete Application Required**
 - **Item:** The Bar Association read this section to mean that L&I will keep application materials for all other City agencies.
 - **Recommendation:** Simplify section on Application Materials for clarity. L&I will still issue checklists to applicants that state which permits or approvals they need, but will not tell applicants how to get them since many are outside of L&I's jurisdiction. Delete Section on Complete Application Required as it conflicts with provisions of the Administrative Code.
- **§14-303(14)(d): Notice**
 - **Item:** The Internal Review Committee identified an issue in that the Home Rule Charter contains the newspaper notice requirements for City Council actions.
 - **Recommendation:** Redraft subsection (d) (Newspaper Notice) to reference Home Rule Charter requirements.
- **§14-303(13)(c) Sign Notice – Posting for Continuances vs. Reposting**
 - **Item:** The Internal Review Committee noted that the term “repost” was being used in two different ways, as a “re”-post of a required sign notice that the application failed to post in the first place, and to post for a continued hearing.
 - **Recommendation:** Redraft this section so that the term “reposting” is used when the application has failed to post correctly for either the first or a continued hearing, and create a new subsection with the posting requirements for continued hearings.
- **§14-303(5): Code Interpretations**
 - **Item:** The Bar Association has questioned whether it is appropriate for the Planning Commission to issue code interpretations. The Law Department has recommended that L&I, as L&I is responsible for administering the zoning code, pursuant to the Home Rule Charter, should be responsible for accepting and issuing code interpretations.
 - **Recommendation:** Revise this section such that L&I is responsible for accepting and issuing code interpretations.
- **§14-303(15)(a): Appeals to the ZBA**
 - **Item:** The Crosstown Coalition requested that the zoning code adopt a “reasonable time” standard for section (.3), which currently requires appeals to be filed within 30 days of L&I's decision. The rationale is that community groups may not know when a zoning permit is granted. L&I's permit includes instructions to post a true copy of the permit in a conspicuous location on the premises. Case law permits the courts to disregard the time limit if a party can show that it did not receive notice.
 - **Recommendation:** Retain the current 30 day time period.
- **§14-303(13)(a)(.5): Appeal to the ZBA**
 - **Item:** The Internal Review Committee reviewed this provision, which permits the ZBA to rule by only taking into consideration written testimony.
 - **Recommendation:** Remove this section due to a concern about how the ZBA would require notification of all potential protestants prior to the hearing.
- **§14-303(7)(e): Special Exception Criteria**
 - **Item:** The Bar Association has stated that the section is not consistent with case law, in that the criteria listed under ‘Initial Burden’ and ‘Subsequent Burden’ should be reversed and ‘Subsequent

Burden' should be renamed 'Shifting Burden.' The Law Department has discussed this issue multiple times with the Bar Association and has drafted new language.

- **Recommendation:** Revise this section as recommended by the Law Department, and as reviewed with the Bar Association.
- **Item:** The Internal Review Committee noted that the criteria for Special Exceptions requires consistency with the Comprehensive Plan, whereas other zoning code sections state that consistency with the Comprehensive Plan is a factor for consideration, not a requirement.
- **Recommendation:** Revise language to require consideration of consistency with the Comprehensive Plan.
- §14-303(8)(e): *Variances*
 - **Item:** The Bar Association has expressed concerns that the criteria for variances do not accurately reflect current case law.
 - **Recommendation:** Revise this section as recommended by the Law Department, and as reviewed with the Bar Association.
- §14-304(8)(f): *Modification of Uses Approved by Variance*
 - **Item:** The Law Department and the Bar Association raised a concern with the 25% limit on the expansion of a use that is approved through a use variance, because only the ZBA (i.e. not the zoning code) can place a limit on the extent of hardship.
 - **Recommendation:** Remove the 25% limit on the expansion of a use that is approved through a use variance. Rename this section, originally called "Expansion of Uses Approved by Variance" to "Modification of Uses Approved by Variance."
- §14-304(8)(e)(.3): *Variances to Dimensional Standards*
 - **Item:** The Work Plan Committee identified the provision that a dimensional variance cannot grant more than 25% expansion in gross floor area as an issue, as Committee members did not see the value in placing a limit, since this should be determined by the ZBA.
 - **Recommendation:** Remove the 25% limit and replace with the "least minimum" variance standard.
- §14-305(1) *Nonconformities, Purpose*
 - **Item:** The Bar Association suggested that it was inappropriate to accommodate nonconformities.
 - **Recommendation:** Change the purpose section to "regulate" nonconformities.
- §14-305(5)(a) *Expansion of Nonconforming Uses*
 - **Item:** The Bar Association and the Crosstown Coalition recommended that the permitted expansion of nonconforming uses be reduced from 25% to 10%.
 - **Recommendation:** Lower the permitted expansion of nonconforming uses to 15%.
- §14-305(5)(b)(.2) *Uses Discontinued for Three Years or Less*
 - **Item:** Commissioner Kelsen suggested that the replacement of a nonconforming use with another nonconforming use require a special exception.
 - **Recommendation:** Allow for the substitution of nonconforming uses within a subcategory without special exception approval and add language stating that one cannot replace a nonconforming regulated use with another regulated use.
- §14-305(5)(b)(.4): *Determination of a Nonconforming Use*
 - **Item:** A member of the Old City Civic Association suggested that this section reference lessees, not just property owners, and that L&I should record when it has found that a use has been discontinued to avoid confusion about whether and for how long a nonconforming use on a property has been considered discontinued by L&I.
 - **Recommendation:** Reference lessees and add a requirement that L&I record a discontinued use in the subject property file.

- §14-400: *Two-Family District [Not included in May 4th Preliminary Report]*
 - **Item:** Councilman O'Neill raised a concern that the new zoning code only has single-family and multi-family use districts, and does not have a one- family and two-family district, which could lead to much higher density, particularly on larger lots. The only duplex districts in the current code are R7 (which was consolidated into a single-family district, RSA-4) and R5A and R10B (which were consolidated into RM-1, a district which limits density based upon lot size).
 - **Recommendation:** Create a one- and two-family use district based upon the current R5A.
- §14-404: *SP-INS*
 - **Item:** The Crosstown Coalition asked that the ZCC require a contextual front setback along SP-INS district boundaries that are adjacent to residential uses and reduce the current 6 ft. fence height limit to the 4.5 ft. limit in all other districts.
 - **Recommendation:** Do not adopt a contextual setback along SP-INS district boundaries that are adjacent to residential uses; do not change the fence height standards.
- §14-502(4): *CTR Overlay, Bulk and Massing Regulations*
 - **Item:** The Center City Overlay Working Group recommended the removal of spacing requirements between towers on Market Street and JFK Boulevard, as the building width requirements have been removed and the building code does impose spacing requirements, depending on height and building type.
 - **Recommendation:** Remove the tower spacing requirements.
- §14-502(6) */CTR Overlay, Supplemental Use Controls*
 - **Item:** The Old City Civic Association and Northern Liberties Neighbors Association recommended that: 1) the use controls from Callowhill St. to Spring Garden St. be softened to permit Prepared Food Shops and Take Out Restaurants as a Special Exception; 2) the use controls South of Callowhill Street could be softened to make Prepared Foods a Special Exception if there was a prohibition on the consumption of alcoholic beverages on site; and 3) the geographic coverage of the overlay be expanded to the east.
 - **Recommendation:** Accept the first Recommendation; with respect to the second, the Law Department has advised us that the City is not able to regulate alcohol sales in The Philadelphia Code because such regulation is pre-empted by State alcohol control laws; with respect to the third, this is a substantive new request that would require additional consideration.
- §14-502(6): */CTR Overlay, Active Ground Floor Uses*
 - **Item:** Planning Commission staff asked that the Committee consider whether the existing active ground floor space requirements for RMX-3, CMX-4 and CMX-5 lots fronting on Chestnut, Walnut and Locust Streets should be maintained.
 - **Recommendation:** Do not include these provisions, as they are not appropriate for all Center City streets.
- §14-502(7)(d): */CTR Overlay, Parking & Loading Regulations*
 - **Item:** The Crosstown Coalition recommended, and a special working group focused on the Center City Overlay agreed that the area requiring wrapping of garages should be expanded to include the East-West streets between Arch and South Streets in order to create a more pedestrian-friendly environment.
 - **Recommendation:** Expand the area requiring wrapping of garages to include Arch Street, JFK Boulevard, Market, Chestnut, Sansom, Walnut, Locust, Spruce, Pine, Lombard, and South Streets, from river to river, as well as Broad Street between South Penn Square and Washington Avenue.
- §14-502(9)(b): */CTR Overlay, Art Commission Review Area*
 - **Item:** ZCC staff pointed out that the new code states that L&I shall not issue any zoning or building permits until the Art Commission has approved the application, but that this review is only done at the building permit stage.
 - **Recommendation:** Change the language to refer to building permits only.

- §14-503(6): *Ridge Avenue Overlay*
 - **Item:** The Roxborough Community Development Corporation requested that the new code maintain the controls included in their recently-approved zoning overlay and that are not addressed by citywide standards in the new code.
 - **Recommendation:** Convert the C2 parcels covered by the current overlay to CMX-2.5; add commercial area floor limits, signs, and transparency sections of the new Ridge Avenue Overlay to /NCA.
- §14-504(2): *Design Guidelines for the Creation of a Neighborhood Conservation Overlay District*
 - **Item:** At a Stakeholder X-Change, several community groups expressed interest in forming NCOs to exercise control over the uses allowed in their areas. The purpose of an NCO is to control building and architectural elements, not uses.
 - **Recommendation:** Narrow criteria by which an NCO may be established to preclude the possibility of establishing one for use control.
- §14-508 /CAO
 - **Item:** The City Avenue District requested that the requirement to wrap above-ground parking garages with buildings be added to this overlay, and that a prohibition on beer distributors be included in this overlay.
 - **Recommendation:** Accept the first Recommendation; with respect to the second, the Law Department has advised us that the City is not able to regulate alcohol sales in The Philadelphia Code because such regulation is pre-empted by State alcohol control laws.
- §14-601: *Re-Entry Facilities*
 - **Item:** Council member Blackwell requested that the new code create a use type for Re-entry Facilities to differentiate them from Detention and Correctional Facilities.
 - **Recommendation:** Incorporate a new use type in the “Public, Civic, and Institutional Use Category” for “Re-entry Facility.”
- §14-601(6)(a) and 14-601(7): *Adult Merchandise, Adult Modeling or Photography Studio, Adult Spa or Health Club*
 - **Item:** The Crosstown Coalition has requested that the threshold for a store to be considered a retailer of Adult Merchandise, an Adult Modeling Studio or an Adult Spa be lowered to 10% of floor area or its business. In the current code, there are conflicting thresholds (either “33 percent of floor area or its business” or “substantial portion”). The Preliminary Draft uses the 33% standard because it is easier for L&I to administer.
 - **Recommendation:** Lower the threshold to lower to 20% to reflect residents concerns, without causing unintended consequences for non-regulated businesses.
- §14-601: *Use Categories, Day Care*
 - **Item:** The Southeast PA Child Care Coalition and Pennsylvania Citizens for Children & Youth suggested that “Day Care” belongs in the “Public, Civic and Institutional Use” use subcategory rather than the “Commercial Services” use subcategory, as this would better reflect the role of day care as a provider of early-childhood education and recreation. Zoning Codes in other cities tend to characterize day care uses as public, civic, and institutional uses.
 - **Recommendation:** Transfer the “Day Care” use to the “Public, Civic and Institutional Use” subcategory. Do not change where this use is permitted, a special exception, or not permitted.
- §14-601(9): *Wholesale, Distribution and Storage Category*
 - **Item:** ZCC staff reported that the subcategories within this use have confused many stakeholders.
 - **Recommendation:** Edit this definition to provide greater clarity.
- §14-601, 602: *Use Categories and Use Tables, Animal Services and Stables*

- **Item:** ZCC staff recognized that the zoning code includes stables as a use within the “Animal Services” use subcategory, but stables will have additional impacts. A specific use-type for non-accessory stables should be created.
- **Recommendation:** Create a specific-use type and use-specific standards for commercial stables and permit this use as a Special Exception in I1, I2, and in SP – PO. Permit other Animal Services in all commercial districts, as they are a desirable use and other standards limit the gross floor area.
- §14-602, Table [1]: Recommended Changes to the Uses from Crosstown Coalition
 - The Committee considered the following proposed changes to the RM-1 use tables, as recommended by the Crosstown Coalition:
 - Change multi-family from Y to S.
 - **Recommendation:** Reject, multi-family uses should be allowed in multi-family districts.
 - Add a condition that a SRO may be allowed only if part of a higher education institution.
 - **Recommendation:** Reject, this limitation is illegal.
 - Change active recreation from Y to S.
 - **Recommendation:** Reject, will promote opportunities for healthy activities.
 - Change Religious Assembly, Safety Services, and Transit Station from Y to S.
 - **Recommendation:** Reject, these uses need to be sites near residents that they serve, and are consistent with the character of the district.
 - Change Day Care (Family, Group, and Center) from Y to S.
 - **Recommendation:** Reject, footnote 8 already limits the instances in which these uses are permitted.
 - Change Bed and Breakfast from Y to S, and revise definition to state that a Bed and Breakfast is a use in which “rents are charged by the day or by week or some portion thereof.”
 - **Recommendation:** Accept
 - In the Commercial Districts: CMX-2.5:
 - In CMX-2.5: Change Community Home, Group, from Y to S.
 - **Recommendation:** Accept
 - In CMX-2.5: Change Community Home, Family, by deleting footnote 5 and add an S.
 - **Recommendation:** Reject, footnote 5 requires establishments with more than 3 persons to gain special exceptional approval.
 - In CMX-2.5: Change SRO from S to N, and in CMX-3 change SRO from Y to N.
 - **Recommendation:** Reject
 - For Nightclubs and Private Club, in CMX-2 and CMX-3, change from S and Y, respectively, to N, and in CMX-4 and CMX-5, change from Y to S.
 - **Recommendation:** Reject
 - For Prepared Food Shops in CMX-2, CMX-2.5, CMX-3, CMX-4 and CMX-5, change from Y to S.
 - **Recommendation:** Reject, these uses should be allowed without obtaining approval from the ZBA.
 - For On-premise Dry Cleaning in CMX-1, CMX-2, CMX-3, CMX-4 and CMX-5, change from Y to N, and in CMX-2.5, change from S to N.
 - **Recommendation:** Permit On-Premise Dry Cleaning in all C districts, except for CMX-2.5, where it should be a Special Exception. Note that area floor limits will regulate the size, and the Health Department has issued new regulations limiting the harmful substances that these operations may use.
 - For Vehicle Equipment and Supplies Sales and Rental in CMX-2, CMX-3, CMX-4 and CMX-5, change from Y to S.
 - **Recommendation:** Reject
 - For Personal Vehicle Sales and Rental in CMX-2, CMX-3, CMX-4 and CMX-5, change from Y to S
 - **Recommendation:** Reject
 - For Personal Vehicle Repair and Maintenance in CMX-2, CMX-3, CMX-4 and CMX-5, change from Y to S

- §14-701(3): *Commercial Districts Dimensional Table*
 - **Item:** The Logan Square Neighborhood Association requested that the boundary of the Center City/University City Floor Area Ratio Map be revised to exclude C4 lots between 24th St, the Schuylkill River, Ludlow and Walnut Street. The Center City Overlay Working Group supported this Recommendation.
 - **Recommendation:** Remove these lots from the named map.
- §14-703(5): *Form and Design Standards for Multi-Family Residential, Commercial, and Institutional Buildings*
 - **Item:** Tim Kerner of the Center City Residents Association and Commissioner Emmanuel Kelly recommended that only three dimensional features should qualify as façade articulation, and that the amount of required articulation be measures by percentage of wall area instead of linear measurement. .
 - **Recommendation:** Refine these controls to include only three-dimensional articulation features and measure by percentage of wall area.
- §14-705(5): *Stream Buffers vs. buffer provisions in an overlay district*
 - **Item:** The Philadelphia Water Department requested clarification, as Section 14-705(5) states that if there is a conflict with an overlay, the larger stream buffer shall apply. However, Section 14-108(2) states the overlay always governs.
 - **Recommendation:** Amend Section 14-705(5) to be consistent with the rule that the overlay should govern, since overlays are designed to reflect what is desired in a given area.
- §14-802(3), (4): *Parking for Vehicle Repair & Maintenance*
 - **Item:** A member of the East Falls Civic Association recommended that since Vehicle Repair Facilities often need to house cars overnight, a parking maximum could cause vehicles to park on public streets.
 - **Recommendation:** Eliminate the parking ratio cap for Vehicle Repair and Maintenance Facilities in Commercial and Industrial Districts.
- §14-803(5)(b) *Parking Design Standards for Garages*
 - **Item:** The Center City Overlay Working Group recommended that “openings” be removed from the list of permissible elements in the required façade enhancements.
 - **Recommendation:** Accept