

**RESOLUTION OF THE ZONING CODE COMMISSION  
NOVEMBER 9, 2011**

**BACKGROUND**

**A.** In May 2007, Philadelphia voters overwhelmingly approved an amendment to the City of Philadelphia Home Rule Charter to create a Zoning Code Commission (“Commission”) to reform and modernize Philadelphia’s outdated and complex zoning code.

**B.** Under Home Rule Charter Section 4-1300(a)(1), the Commission is charged with the following duties:

*[To] conduct a comprehensive analysis of and make recommendations regarding reforms to the Philadelphia Zoning Code ...analyze the Zoning Code to determine each section’s intent, its impact on residential, commercial and industrial development, the costs associated with the Zoning Board of Adjustment including its current caseload and whether the Code may be consolidated or simplified to make it more consistent and easy to understand and to reduce the number of appeals to the Zoning Board of Adjustment while still maintaining community input and neighborhood controls... [and] ...compare the Zoning Code to the zoning code in jurisdictions that have experienced growth in residents and businesses....*

**C.** The Commission has been guided by the goals set forth in Home Rule Charter Section 4-1300(a)(1):

*Philadelphia’s Zoning Code should be consistent and easy to understand, should help shape future construction and development, and should enhance and improve Philadelphia’s development approval process while encouraging positive development and protecting the character of Philadelphia’s neighborhoods.*

**D.** In the course of its work, the Commission held 50 public meetings, two public hearings in City Council chambers, 36 community-based meetings; seven Stakeholder X-Changes, two public meetings to discuss why the Commission adopted, rejected, or modified a group’s proposal, attended dozens of community meetings where it explained the Commission’s work and possible changes to Philadelphia Zoning Code, and received comments from members of the public about proposed changes to the Zoning Code.

**E.** The Commission interviewed 125 professional zoning code users and surveyed nearly 2,000 individuals on components of the proposed new zoning code.

**F.** Over the past 30 months the Commission released for public review several documents about the old zoning code and the proposed new zoning code, and drafts of the proposed new zoning code, including:

Analysis of the Current Zoning Code

Best Practices Report  
Recommendations for the New Zoning Code  
Module 1 – Administration and Procedures  
Module 2 – Districts and Uses  
Module 3 – Development Standards  
Consolidated Draft  
Referral Draft  
Referral Draft version 2  
Draft Preliminary Report  
Preliminary Report

The Commission received public comments on each of those publications.

**G.** On March 2, 2011, the Commission voted to approve a “Draft Preliminary Report” and to seek further public comment about the proposed new zoning code.

**H.** After March 2, 2011, the Commission further revised the draft new zoning code based on the Commission’s meetings with interested groups and additional comments it received about the proposed new zoning code.

**I.** Under Home Rule Charter Section 4-1300(b) and City Council resolution 100322, the Commission voted on May 11, 2011, to adopt a Preliminary Report which contained specific recommendations solely related to proposed changes to the Philadelphia Zoning Code and recommendations, including a timetable and specific milestones, on how to proceed with a comprehensive revision of the City’s zoning maps.

**J.** City Council held public hearings about the Preliminary Report on June 15, September 14 and 27, 2011.

**K.** On October 20, 2011, City Council passed Resolution 110741 making 40 recommendations for changes to the Commission’s Preliminary Report.

**L.** Since October 20, 2011, representatives of the Commission have met with members of City Council to discuss Council’s recommendations, and have met with many stakeholders regarding Council’s recommendations and the stakeholders’ further suggestions about the proposed new zoning code.

**M.** Home Rule Charter Section 4-1300(d) provides that, after City Council transmits its recommendations to the Commission regarding the Commission’s Zoning Code Proposals,

The Commission shall review and may incorporate such recommendations into a final report. The Commission shall issue its final report within thirty (30) days of receiving Council’s recommendations.....

**N.** The Commission has approved numerous changes to the Preliminary Report in response to City Council's recommendations and the comments the Commission has received from various stakeholders.

**O.** The Commission believes it is important that City Council approve a new zoning code for the City of Philadelphia this calendar year.

**P.** If City Council adopts the Commission's final report as the new zoning code for the City of Philadelphia, the effective date of the code will be some months after its adoption.

**Q.** The Commissioner of Licenses and Inspections, the Executive Director of the Philadelphia City Planning Commission, the Commerce Director, and the Chair of the Zoning Board of Adjustment plan to submit to Council a report, one year after the effective date of the code, setting forth their analysis of the City's experience with the requirements of the Zoning Code during the previous year, and their recommendations, if any, to further amend the Zoning Code.

**THEREFORE**, the Zoning Code Commission now resolves:

**1.** Pursuant to Section 4-1300(d) of the Home Rule Charter, the Commission adopts as its proposed new zoning code for the City of Philadelphia the written Final Report set forth in **Exhibit A** to this resolution.

**2.** The Executive Director of the Commission, in consultation with the Law Department, is authorized to make corrections, clarifications, and edits to the Final Report, before November 17, 2011, consistent with the Final Report set forth in Exhibit A.

**3.** The Executive Director of the Commission is authorized and directed to deliver the Final Report, as edited under Section 2 above, to City Council on or before November 17, 2011.

**4.** The Zoning Code Commission calls upon the City Planning Commission to develop further recommendations to submit to City Council prior to the effective date of the new zoning code regarding the provisions of the new code, including but not limited to the Sign Controls under Chapter 900.