Overhauling a 50-Year Zoning Code: Lessons Learned

PA Chapter of the American Planning Association
2012 Annual Conference
October 15, 2012
The Zoning Code Reform Project

• The Zoning Code Commission 2007 formed through a Charter change to analyze and recommend improvements to the Philadelphia Zoning Code

• The 31-member Zoning Code Commission includes community, business, and professional representatives

• Team of local and national consultants provide a variety of resources
Reasons to Update the Code

Last major code revision in 1962.

Common criticisms:

• “Too confusing”
• “A broken system”
• “Unpredictable results”
• “Outdated”
Charter Mandate

“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”.

ZCC Stakeholder Goals

• Provide **consistency and understandability** of the zoning code

• Make future construction and development **more predictable**

• Encourage high quality, positive **development**

• **Preserve** the character of existing neighborhoods

• **Involve the public** in development decisions
Role of Staff and Consultants

Clarion Associates
- Project Management
- Research & Drafting

Duncan Associates
- Research & Drafting

WRT Design
- Urban Sustainability & Mapping Strategy

Claflen Associates
- Urban Design/Form

CHPlanning
- Research & Drafting on Permitted Uses

Portfolio Associates
- Public Involvement
Three Phases

**Recommend** *(Completed Dec 2009)*

Develop a roadmap for the new code

**Rewrite** *(Completed Dec 2011)*

Write a proposed new code and a plan for zoning remapping

**Remap** *(4-5 year cycle, beginning 2011)*

Zoning remapping, to be carried out by the Philadelphia City Planning Commission
Three Phases

Rewrite (Completed Dec 2011)

Write a proposed new code and a plan for zoning remapping

• Modules
• Consolidated drafts
• Separate sign controls
Lessons Learned

Recognize what the zoning code CAN and CANNOT regulate

- Controlling “bad behavior”
- Lack of resources for enforcement
- Complaints about encroachments, blight in public right of way
Lessons Learned

Test new ideas on the ground

- Sky plane
- FAR bonuses
- Contextual standards
Lessons Learned

Any change, no matter how small, is difficult.

• Understanding how political processes and timelines will influence success of zoning code reform
• Building consensus takes time
Engage the public early and often … and it still won’t be enough

- 50 public meetings, aired on television
- 2 public hearings in City Council chambers
- 36 community-based meetings
- 7 Stakeholder X-Changes
- 2 public meetings to discuss why the Commission adopted, rejected, or modified a group’s proposal
- Dozens of presentations to community groups
- Interviewed 125 professional zoning code users
- Surveyed nearly 2,000 individuals on components of the proposed new zoning code
Lessons Learned

Engage the public early and often … and it still won’t be enough
Lessons Learned

Begin thinking about the transition to the new code early in the process. It will help define your products.

- Zoning Administrative Manual
- Quick Reference Guide
- Comprehensive Plan & Remapping Process
- Establishment of Citizens Planning Institute
CIVIC DESIGN REVIEW AND THE CONDITIONAL ZONING PERMIT PROCESS

The Zoning Code provides an option to apply for a zoning permit through a two-step process. Step one is called the conditional zoning permit, which includes the use, building dimensions, and parking. In the second step, the applicant submits a full zoning permit application including the building design, landscape details, lighting, and other design aspects of the project. Civic Design Review is required prior to the issuance of the final zoning permit. This provides two opportunities to complete Civic Design Review:

Opportunity #1
Complete Civic Design Review while obtaining the conditional zoning permit. The applicant does not have to repeat the Civic Design Review process when applying for the final zoning permit.

Opportunity #2
After the applicant receives his or her conditional zoning permit approval, complete Civic Design Review while obtaining approval of the final zoning permit.

Civic Design Review Submission Requirements

Rezoning of land into a master plan district

Submission requirements will vary according to the master plan district, but at a minimum will require the following. For more information, refer to the Planning Commission’s Master Plan District regulations:

- Statement of existing conditions
- Statement of impacts of proposed new conditions
- Site plan showing the street layout, buildings, uses, parking, and open space.

Buildings that exceed the Civic Design Review Thresholds

Applicants must submit a digital PDF file and 10 bound color copies of the following in 11” x 17” format. Plans must be drawn to a scale where the relationship of outside spaces to inside spaces can be understood.

- Photographs of proposed building site and immediate area.
- Site plan.
- Ground floor plan.
- Landscape plan.
- Conceptual elevations of all sides of the proposed building(s).
- Site sections (minimum of two) showing the relationships to adjacent buildings and spaces.
- Perspective renderings (minimum of two views, including at least one at street level perspective).
- Digital or physical 3D massing model that shows the proposed development within the context of surrounding buildings.
- A written summary of intended sustainable design elements, if applicable.
- A written description of the building materials and its texture, color, and general fenestration patterns and photographs of buildings of comparable design.
### Quick Reference Guide

**Lower Density Residential Districts**

<table>
<thead>
<tr>
<th>ZONING DISTRICT</th>
<th>TYPICAL PLAN/BUILDING FORM</th>
<th>TYPICAL BUILDING</th>
<th>DIMENSIONAL STANDARDS</th>
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<tbody>
<tr>
<td><strong>RSA-1</strong></td>
<td></td>
<td></td>
<td>Min. Lot Width 50 ft.</td>
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<tr>
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<td>Min. Lot Area 5,000 sq. ft.</td>
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<tr>
<td>Permitted Building Types: Detached; Semi-Detached</td>
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<tr>
<td>Uses permitted as of right: Single-Family; Passive Recreation; Family Day Care; Religious Assembly; Safety Services; Transit Station; Community Garden; Market or Community-Supported Farm</td>
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<tr>
<td>Uses requiring special exception approval Group Living (except Single-Room Residence); Personal Care Home; Active Recreation; Group Day Care; Educational Facilities; Fraternal Organization; Hospitals; Libraries and Culture Exhibits; Utilities and Services, basic; Wireless Service Facility</td>
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| RSA-2            |                             |                  | Min. Lot Width 35 ft.  |
|                 |                             |                  | Min. Lot Area 3,150 sq. ft. |
| Permitted Building Types: Detached; Semi-Detached |
| Uses permitted as of right: Single-Family; Passive Recreation; Family Day Care; Religious Assembly; Safety Services; Transit Station; Community Garden; Market or Community-Supported Farm |
| Uses requiring special exception approval Group Living; Personal Care Home; Active Recreation; Group Day Care; Educational Facilities; Fraternal Organization; Hospitals; Libraries and Culture Exhibits; Utilities and Services, basic; Wireless Service Facility |

| RSA-3            |                             |                  | Min. Lot Width 25 ft.  |
|                 |                             |                  | Min. Lot Area 2,250 sq. ft. |
| Permitted Building Types: Detached; Semi-Detached |
| Uses permitted as of right: Single-Family; Passive Recreation; Family Day Care; Religious Assembly; Safety Services; Transit Station; Community Garden; Market or Community-Supported Farm |
| Uses requiring special exception approval Group Living (except Single-Room Residence); Personal Care Home; Active Recreation; Group Day Care; Educational Facilities; Fraternal Organization; Hospitals; Libraries and Culture Exhibits; Utilities and Services, basic; Wireless Service Facility |
PHILADELPHIA2035 District Plans & Zoning Map Revisions

With the citywide plan complete, we are preparing plans for 18 districts covering the entire city.
The Citizens Planning Institute is pleased to announce a Spring-Summer 2012 Training Series on the New Philadelphia Zoning Code, co-sponsored by the Department of Licenses & Inspections, Philadelphia City Planning Commission, Mayor’s Office of Sustainability, and the Philadelphia Chapter of the American Institute of Architects. The training series provides an opportunity to learn the new zoning code side-by-side with City zoning administrators and with fellow real estate, zoning law, planning, design, and community development experts.

The Training Series consists of two core classes and three optional electives. Participants must complete the two-class core before taking any of the electives. Five sets of core sessions will run from April 24 to May 28. Three sets of electives will run from June 5 to June 26. Each class will run from 8:30am-Noon (breakfast will be included) and be held at one of two locations.

Space is limited, therefore registration is on a first come, first served basis. Reserve your spot today! Registration opens on March 16.

Go to www.zoningmatters.org and click on the link to “Zoning Code Training Sessions Registration” or go to philazoningtrainingpublic.eventbrite.com

The Citizens Planning Institute will offer one additional set of the zoning training series in Fall 2012.

Fees:
The 2 Core Classes are offered at one fee: $160
Each Elective Class: $45

Contact information: Zoning.commission@phila.gov

Continuing education credits will be available pending accreditation for the following professional associations: AIA, AICP, ASLA, PA Bar Association, and PA Professional Engineers.

### Core Curriculum

**Core Class 1:** Comprehensive Overview of the Zoning Code

**Core Class 2:** Administration & Procedure

**Choose one set:**

**Set A**
- Core Class 1: April 24
- Core Class 2: May 1

**Set B**
- Core Class 1: April 27
- Core Class 2: May 4

**Set C**
- Core Class 1: May 8
- Core Class 2: May 15

**Set D**
- Core Class 1: May 11
- Core Class 2: May 18

**Set E**
- Core Class 1: May 22
- Core Class 2: May 29

### Electives

**Base & Overlay Districts**

Choose one session date:
- May 31
- June 5
- June 15
- June 16

**Center for Architecture**
- 1218 Arch St.

**What Can You Build Where?**

Choose one session date:
- June 7
- June 12
- June 22

**Center for Architecture**
- 1218 Arch St.

**Development Standards & Parking**

Choose one session date:
- June 14
- June 19
- June 29

**Center for Architecture**
- 1218 Arch St.
Lessons Learned

It’s Never Truly Over

• Efforts to “un-do” and “re-do” post-code adoption

• Implementation requirements – several agencies needed to develop new regulations and processes
Contact Us

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