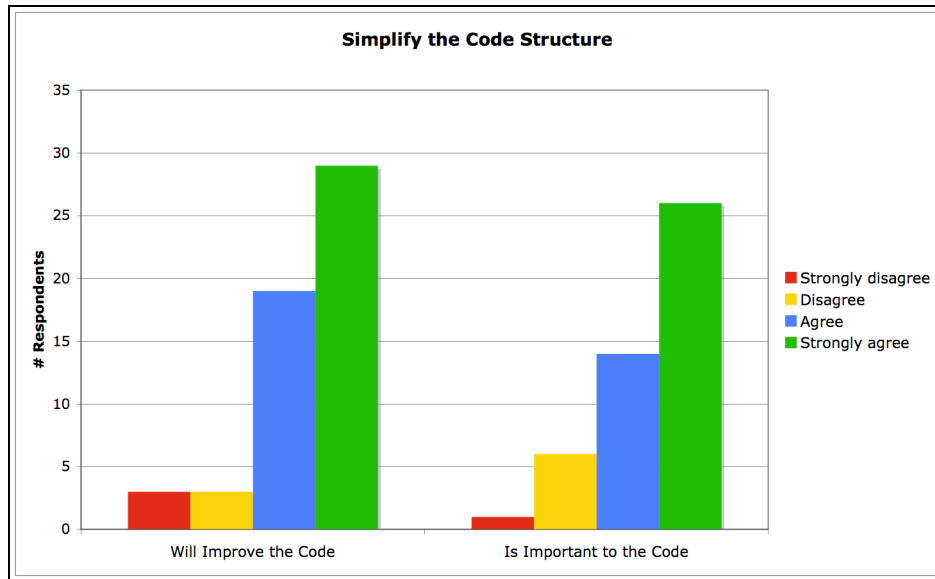


Key Change: Improve Readability and Organization

Recommendation: Simplify the Code Structure

Explanation Provided: The re-written code would consolidate the current 21 chapters into the following six chapters: General Provisions, Administration and Procedures, Zone Districts, Use Regulations, Development Standards, and Definitions.



Verbatim Comments:

We must be sure modernized enough to encourage TOD, green building (home owner green roofs) & work in electronic format

This is a cosmetic change. The number of chapters has little or nothing to do with the complexity of the Code.

The Zoning Code should be accessible.

Simplify! This makes it much easier to understand.

Please simplify.

Please include a well-designed "search" function for the online access to the code. It would keep the frustration level for everyone at a minimum and would be well worth the money as a result. Poll the public for the most common searches and make sure they work.

Of course, we would like it to be more concise and clear; the area of concern would be what are we losing as we do this?

Most of the City is already developed using the existing zoning Classifications - This seems like an unnecessary "make-work" project. Concentrate on new zoning districts for former industrial land and changes that will help create jobs and grow the City I(residents and new tax ratables).

Make sections that are user friendly for the public -- how to determine your taxes, etc.

Also -- what good are zoning codes if Harrisburg can decide to put things where we don't want them -- like the Casinos?

If the Chapters are minimally confusing, fine. Otherwise, trying to condense more information under fewer headings may be a mistake.

If possible more logical Code Designations (such as R1 or C3) would be helpful as well.

I would want to be sure there's a lot of cross-referencing. For example, if you are in a section about residential codes, you should see links to other relevant sections so that on your own you need to know to look for them for proper compliance.

I believe the code should first identify the type of building in question, its location, its present use and proposed use, then allow the software to seek the potential development available without a zoning variance. This software will be developed by a programmer who will include all the criteria's that apply, (may be established) and compute the viability or a development. This will be similar to the Program developed by the Energy Control in Washington DC to which all architects must refer. We enter data and it gives us a read out of whether we are above or below the potential of approval. This approach will simplify reading all sections of the code. In other words, don't publish just the book (the code), sell the computations to responsible professionals, such a Lawyers, Planners, Architects etc. who can use the disc to give the client a quick read out. Allowing the code to be simplify so that beer belly joe and Fishtown beer Fred can interpret and rear it...is to tread dangerous grounds and creating a pool of million interpretations. While the code can be simplified, the ultimate interpretation should be guarded from local abuse.

As changes are made to the code in the future, they should still be IN THOSE SIX CHAPTERS - not in other documents that have to be viewed also. It should always be only six chapters, updated when needed.

6 feels like a good number, but the specific sections could still have names that better clarify what each one covers. For example don't the Zones themselves determine use in many cases? Will "Zone Districts" define the zones? If so the "definitions" section should be renamed to make it clear that it only contains other definitions or "Zone Districts" should be renamed and the Zone definitions should go under "Definitions" etc

Key Change: Improve Readability and Organization

Recommendation: Organize Information in Tables

Explanation Provided: The following three tables are examples of how important processes and information can be made easier to understand by code users:

Procedures Summary Table:

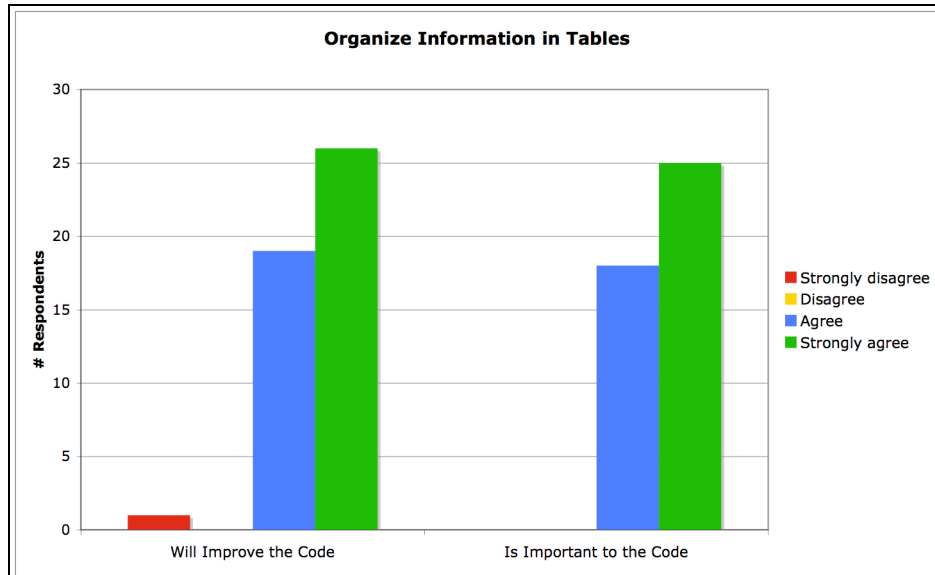
This table will list each type of development application, which body reviews the application, who makes the decision, and who hears the appeal (if any).

Parking Table:

This table will organize all off-street parking requirements.

Dimensional Tables:

These tables will organize such information as required lot size, setbacks and build-tos, maximum building height and open space requirements.



Verbatim Comments:

Way to improve - Contact phone numbers, hours of accessibility, and meeting calendar if possible, for the review and decision making bodies for scheduling purposes. Or an online scheduling and communication link.

Very clear graphics. This will help.

Use of charts is a more practical approach to simplifying the code

This looks like a good method of organizing information; need more information for our City's specific needs.

This exists in the R districts (and maybe others) and is very helpful and easy to understand.

These tables may be an improvement but I still find them confusing. The descriptions of each table did not match the actual table.

Tables are great improvement, but let's hope we have forgotten illustrations of key elements

It would seem to clarify and provide an easy opportunity make comparisons and view tradeoffs.

It still seems confusing to me

Include column for civic association notifications

Images are not matched to the proper cautions here (but the tables are great). If these could eventually be searchable, sort able & filterable dynamic html tables on line that would make use of the code exponentially easier.

If all the reform does is put the same information in different boxes it is a waste of time.

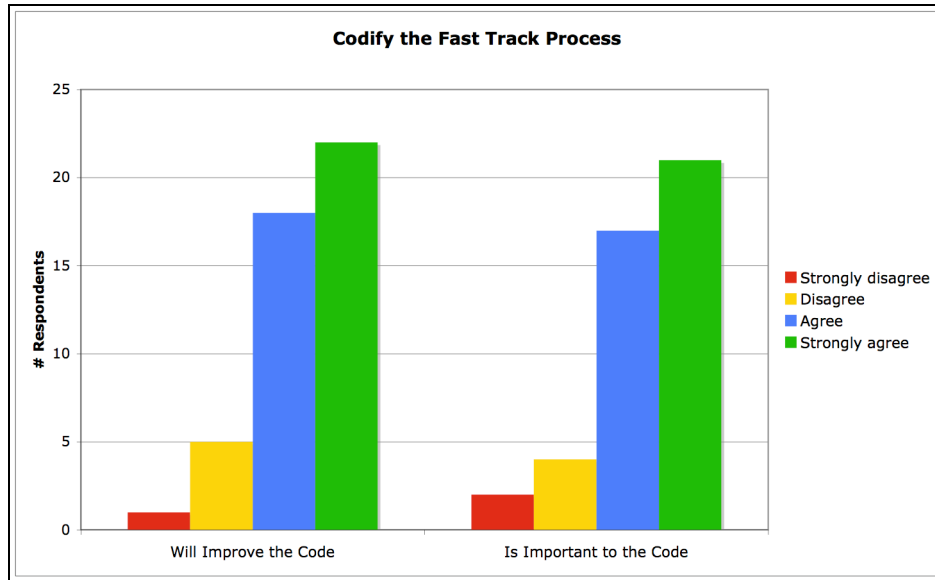
Easy to read

Be sure to include code section references for specifics.

Key Change: Simplify Approvals

Recommendation: Codify the “Fast Track” Process

Explanation Provided: Under Mayor Nutter’s administration, the Zoning Board of Adjustment has been testing a "fast track" process for minor variances and approvals. At each ZBA meeting, all fast track cases are addressed first and the Board typically approves them without a hearing as long as there are no objections from the public, the Philadelphia City Planning Commission or the District Councilperson. The consultant recommends reviewing and including the fast track process in the new zoning code.



Verbatim Comments:

Without widespread public knowledge this is VERY bad. Posting on the permit for 30 days would be minimally acceptable, since our news is hard to find at best

We need to make it easier for people to build things and make improvements in this City

Unless there is a formal review process by ZHB or PCPC, this is just another way to subvert the new code. ALL applications for variances should be reviewed and recommended for approval by someone familiar with the code; then the ZBA can 'fast-track' based on the recommended actions.

This recommendation would improve the process as long as it is followed. If any part is missing than that variance needs to be removed from Fast Track.

This policy must however remain free of political influence from persons in power whom the general public is not aware of.

This is an issue of process and has nothing to do with the complexity of the Zoning Code.

Is it a good idea - yes, but it is not a change to the Code. It is a change to the process.

There should be a list of "troublesome" business types that can't be fast tracked. All others should have this option.

The way you are summarizing it confuses me. If someone applies for a variance using "fast track" and no one shows up to object, the city approves it? Then, why have a code at all, if it's going to be this easy to override it? There are areas of the city where there may not be neighbors knowledgeable & capable of objecting, but that doesn't mean that an applicant should be able to do whatever s/he wants in that area.

The fast track approval should be linked to the applicant to provide sustainable features such as planting new trees, water conservation strategies, etc.

Streamlining is fine as long as there are very good systems for communication to individuals and communities, to ensure that everyone who wishes to can voice an opinion.

Only concern is that councilperson prerogatives will abuse the process
Make these "fast-track" cases purely administrative; don't even bring them up at ZBA meetings

It's crucial to eliminate favoritism and corruption in the system. This leads to perceptions that the system is flawed.

It would be helpful to have better public notification of these fast track issues since there is no hearing.

I think it is bad policy to include the district council members in the review process. This is an executive function, not legislative.

I approve the fast track process but also feel civic associations should be informed.

I am unable to agree with the recommendations above because of the coupling of "fast track" approvals, with "fast track" variances. I feel you will have many Philadelphians, who understand the process, hesitant to accept "fast tracking" of variances.

I agree that this is a good idea as long as the fast-track option still makes it to the hearing level, so that the public can voice opposition when appropriate.

Fast track process should be addressed only if the individual requiring zoning changes is a owner and resident of the property

Careful - who defines what's 'minor'. How is the public informed of these 'minor' variances to be able to object if needed?

Any fast-track plan should have its own legal theory supporting it, a legal theory that is different from the legal theories under girding the issuance of variances and certificates. The process for roof decks, for example, as currently used in the testing of fast-track, seems to be little more than a pre-defined de minimis variance. The legal principles regarding variances include the notion that the de minimis rational should be used only rarely. A better approach would be to create a separate category, that is different from variance or certificate, that has its own legal rationale, and its own burden of proof associated with it. By flagging something as requiring a variance, and then instituting a plan to automatically label the variance as inconsequential, you are undermining an essential element of the variance process. For the most part, the variance process exists to protect the integrity and viability of the zoning code itself. Specifically, the variance

"safety-valve" allows the zoning board to make exceptions in circumstances where a strict application of the code would result in an unconstitutional taking of property. That is why the burden of proof for a variance is very high: the property owner must demonstrate unnecessary hardship i.e., that without the variance, the code would not allow any reasonable use of the property. The variances that are now being fast-tracked do not seem to be candidates for treatment as Certificate cases either. The concept of a Certificate is that the use is allowed, but an additional level of review is required, to ensure that a particular allowed use will not be causing public health, safety and welfare issues because of the particular site at which the use would be implemented. The burden of proof for a Certificate lies initially with the applicant -- to demonstrate that the use itself is appropriate for Certificate treatment, and that its implementation in this particular instance is not contrary to the public interest. The burden of proof then shifts to anyone who objects, and the objectors must demonstrate how this particular instance is contrary to the public interest. Please move cautiously with the fast-track option, and develop an appropriate legal theory to support it.

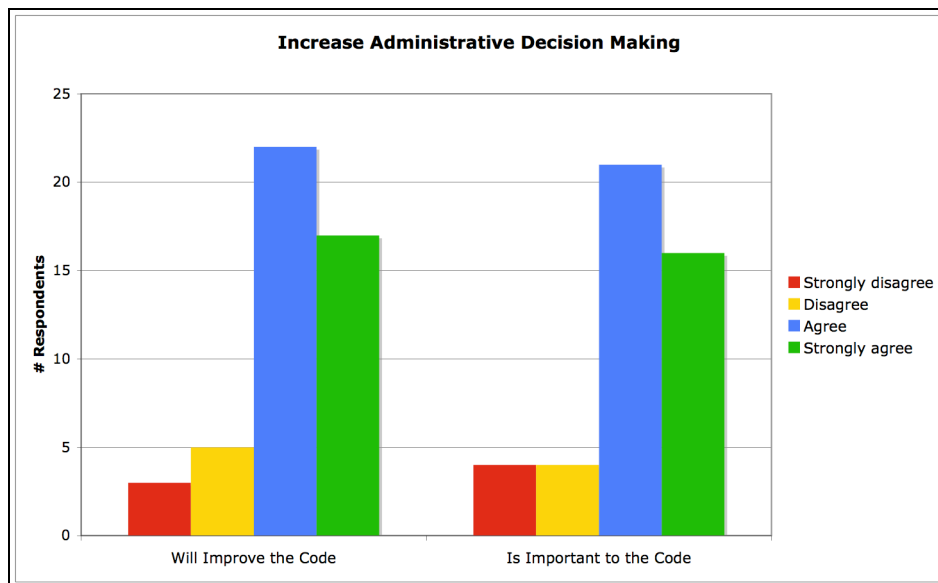
Key Change: Simplify Approvals

Recommendation: Increase Administrative Decision-Making

Explanation Provided: The Zoning Board of Adjustment can focus on the most substantial decisions if cases that involve minor and straightforward issues are decided by the staff of the Department of Licenses and Inspections based on well-defined criteria that lead to consistent decisions. The types of approvals that staff could address include:

- 1) Minor deviations from development standards on some types of development
- 2) Approval of some currently certified uses whose impacts can be addressed through objective development standards
- 3) Review and approval of minor additions and alterations to non-conforming properties

Some of these cases will be more complicated or controversial than others, and they may at times require judgment from the Zoning Board of Adjustment. Staff would be able to "bump up" cases to the Zoning Board of Adjustment that they believe to be especially complex or controversial. Citizens would be able to influence this process by pointing out to staff the impacts of proposed decisions. Alternatively, the Zoning Board of Adjustment would be able to "Call Up" cases from staff when it believes its review is necessary.



Verbatim Comments:

Unless the criteria for administrative approval are very clearly defined, this option may be shifting the decision-making discretion that would normally rest with the zoning board, and place it with administrative staff that may be more vulnerable to influence buying. Here is an example of how administrative approval is already working against the orderly development of the City: The zoning code allows automatic approval of bay windows that do not extend more than 2 feet beyond the building envelope. The definition of a bay window in the zoning code includes a specification that the window must be at least 24 inches above the floor. In the popular understanding, and in the understanding of L&I and Streets Dept personnel, this principle – that

a "bay" may extend outward as much as two feet without special approval -- has been expanded to include building extensions that extend over the street, and Streets Dept administrative staff has no problem signing off on these extensions -- in spite of the fact that the Streets Dept section of the code has a more restrictive definition of the allowable dimension of a "bay" extending over the street. In addition, the Streets Dept section of the code does not include any indication of administrative discretion to exceed the defined, allowable extensions. In fact, the Streets Dept seems to have no problem signing off on "bays" that extend more than two feet over the street, apparently without any regard for the well-defined, allowable geometry specified in the Streets Dept code. (And protrusions over the street, sometimes called "bays", are not bay windows as defined in the Zoning Code, because they typically extend floor space over the street. I think this example demonstrates how tricky it will be to come up with well-defined criteria that will be consistently applied.

This would take away all citizen right to expect a fair and simplified zoning process and trample property rights.

This recommendation would only further politicize an already too political process. There should be little or no discretion as to what applications are considered by the ZBA. This could be the worst recommendation of the report. Granting staff more discretion in the consideration or minor variance applications, however, is not a bad idea.

There will be an inevitable divergence of standards and criteria if cases are handled by distinct departments. Better to adjust staffing &/or departmental roles to deal with the workload under one roof. Minor cases could be dealt with by a subcommittee rather than by a plenary session.

The zoning laws should just be applied. Why do we have to go to every local zoning meeting just to be sure owners don't go beyond the height restriction. The restriction is there for a reason. Citizens could be doing something more constructive with their time if there weren't constant applications to circumvent the zoning laws.

The staff should only decide these issues after the substantial decision has been made. A number of 'minor' approvals could add up to unstoppable momentum.

Same concern as above.... councilperson abuse

PUBLIC has to live with consequences, not sure increasing admin decisions good for public

Policy and process must be fair.

Only residents

My concern is that this new process would encourage "pay to play" practices and favoritism.

It sounds great in theory, but I do wonder if this is a future loophole...?

In the past different staffers have greatly varying interpretations of the code. Critical to simplify the code to avoid this confusion, then "lower level" staffers can make quality decisions.

I think the staff should be empowered to approve certain minor deviations / alterations, BUT only within specific confines. If there's a list of what specific alterations can be approved without a hearing, OK. Otherwise, I'm convinced that this would become to tempting for corruption & kickbacks to "smooth the way" for proposed changes.

I think everyone -- constituents, community associations -- should have the ability to look up any property and see whether it has a permit, hearing, etc., and see the permit drawings in order to decide whether or not to get involved.

Given the intractable corruption problems in this city's government, this strikes me as ripe for abuse.

Given that above you qualify the latitude of staff's decision making power as subject to Public input by - "Citizens would be able to influence this process by pointing out to staff the impacts of proposed decisions." - I can agree with this recommendation. Otherwise, I would have to object. Again, on this question, you combine approvals relative to non-conforming properties, minor deviations from building standards, and the far more critical certified use issue. As long as you continue to combine certified or restricted uses, with the less critical non-conforming property and minor deviations from building standards issues, you will have trouble getting a consensus on this topic. Separate out the use issues.

Clearer guidelines on when to "bump up" would also lead to fairer decisions. Now neighborhood boards may be too "cozy" with local developers and lack impartiality. As long as the Community would be allowed to be heard on complicated or controversial cases this would improve the process.

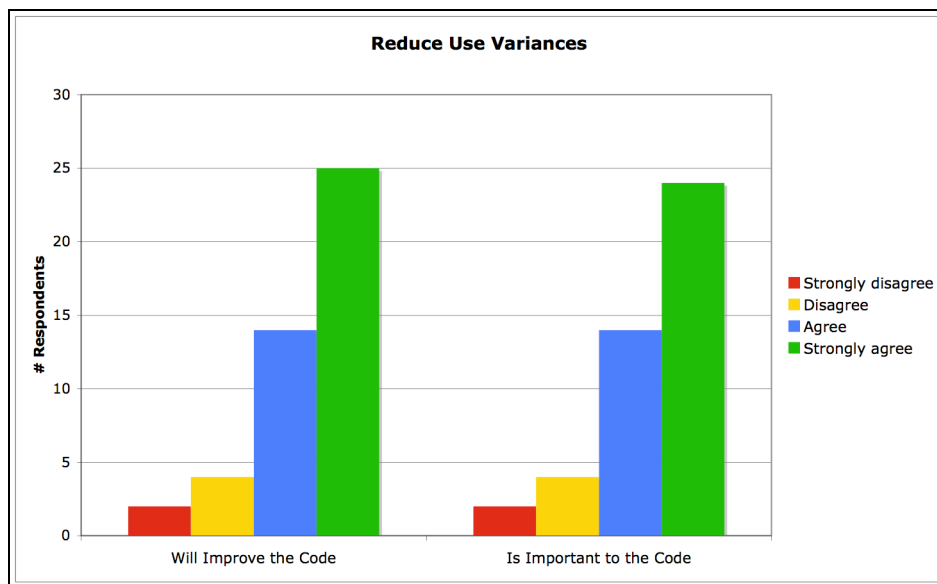
Again, the review process is important. There can be multiple recommendation levels, from "Approve without concern" to "Consider for Approval" to "Consider for Rejection". Simple rejections may be handled by staff; the appeals must then be handled by the Board.

Key Change: Simplify Approvals

Recommendation: Reduce Use Variances

Explanation Provided: Philadelphia currently issues many “use variances”, which allow applicants to use their properties in ways that would not otherwise be allowed by code.

The consultant has recommended significantly reducing the need for the type and number of use variances granted. The New Zoning Code would include a use table that identifies what uses are available by right in each district, which require review by the Zoning Board of Adjustment, and which are prohibited. Use variances would not be available for any use that is not listed in the table, unless the applicant can show that denial of that specific use would leave them with no reasonable economic use of the property.



Verbatim Comments:

Zoning codes can't keep up with changing business models, and are often archaic. If you cast these in stone, you'll keep Philly from changing dynamically.

Why have zoning laws if "use variances" - or spot zoning, in reality - is practiced? This practice should absolutely be forbidden.

We need a code that specifies what we want and then we need to stick to it

This is exactly what we need. A variance is not a right and should not be expected. The zoning laws are laws and should be followed and enforced.

There seems to be a lack of understanding of the Philadelphia Zoning Code here. Many things like failure to provide adequate off-street parking, putting a deck on the front of your house, too big a storage shed are all Use variances” What should be limited are change of Land Use by variance (Industrial to Commercial or Residential, Residential to Commercial, etc.)

There appears to be a lack of appreciation as to why there are so many use variance applications. A significant contributing factor is that there is thousands of properties that have, over the years, been purposely designated a zoning classification that reflects neither the current nor the historic use of the property. They have intentionally been designated with an improper zoning classification.

The value of this recommendation depends entirely on successful remapping of the zoning districts.

The report indicated that the Code regarding variances did not need consolidation, it needed reform. In my opinion, the needed reform has more to do with the administration of the code, than with the code itself. Recommendations 1, 2 and 4 are simply a call to observe the criteria for granting variances that are well established across the Commonwealth, including in Philadelphia. These recommendations are a critique of the extra-legal culture that has become well-established in Philadelphia, and that has skewed the expectations and behavior of virtually everyone involved: the ZBA, the property owners, neighborhood groups, City Council members, etc. Philadelphia's extra-legal culture regarding zoning matters also shows up in the first level of appeal to the courts, namely, CCP. It has been my observation that it is extremely rare for a Philadelphia Common Pleas judge to reverse a ZBA decision, even if there is no information in the record to support the ZBA's decision. At oral argument for one Philadelphia zoning appeal, the CCP judge stated directly that CCP's function was to discourage appeals to the courts. I heard an unspoken, but unmistakable assertion that the CCP's function was as gatekeeper, and that there was a greater interest in reducing the court's workload, and less of an interest in addressing the substance of the case.

The public must have access and ability to have a hand in crafting this or it makes zoning reform UNACCEPTABLE

The problem is that variances like roof decks are important but don't destroy economic use if not granted. Perhaps certain uses may require certificates rather than variances as some require today.

The issue here is that the Philadelphia development community and the Philadelphia legal community have made a consistent practice of requesting variances just to add value to the land. That practice is now the norm within the development community. Please do not make it easier for that practice to continue. Make reasonable standards, and stick to them.

Once again, the community needs to have a voice in this recommendation. As long as the community can be heard this would improve the process.

Need more information about what kinds of uses would be available by right. This kind of thing could work if the right balance were struck.

It would be better to list what is not allowed and allow everything else.

In 1991 when I was trying to open a Bed & Breakfast, I noted that the current code allowed for bonnet making, but not bed & breakfast. As the world and popular uses change, how can Philadelphia stay current? "No reasonable economic use" might be too strong a test - it might just be that a use the code hadn't considered is currently more popular & better for the neighborhood.

If the remapping is correct, there should be little need for use variances; therefore, a more stringent process would be best

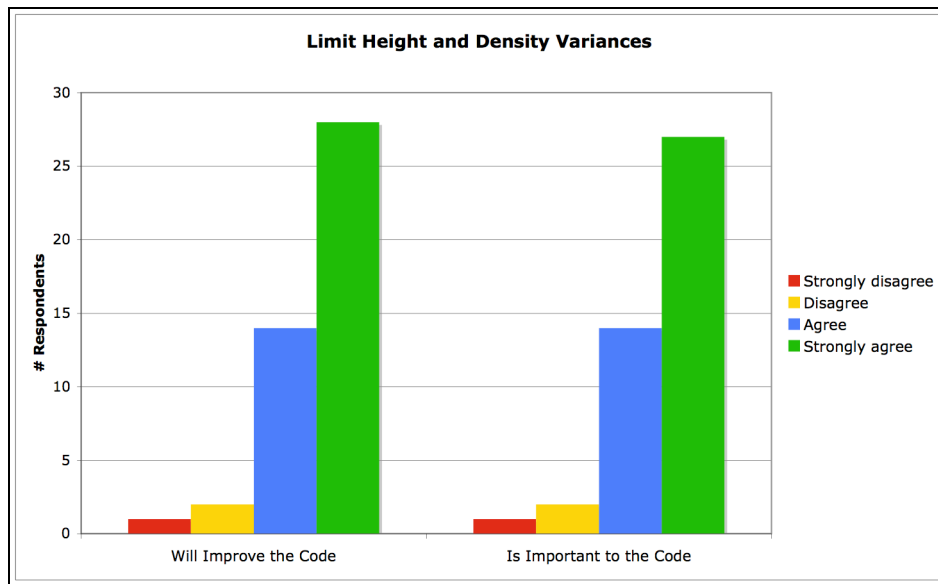
Current use variances provide protection with input from the community if it is a noncompliant use. However, if ZBA limits the number of uses, it may not benefit all neighborhoods. In fact, it may limit expansion by some neighborhoods that would maybe welcome some newer uses.

Key Change: Simplify Approvals

Recommendation: Limit Height and Density Variances

Explanation Provided: The current code allows applicants to obtain greater height and density levels if they provide for certain public amenities. This process of awarding "bonuses" is ineffective in the current code because applicants can simply apply for a height or density variance without having to provide any additional amenities.

The ability of the Zoning Board of Adjustment to grant height and density variances should be limited (perhaps to no more than 10% or 20% above the zone district standards) in order to reinforce the need to provide public benefits or obtain a rezoning if a proposed building is significantly larger than the zoning district allows.



Verbatim Comments:

This is a question that should be answered by the City Solicitor. City Solicitor opinions from several years ago indicated that the provisions of the Zoning Code could not limit the authority of the Board.

The city is losing population. Density increase may in fact contribute to the public good more than an amenity.

Public amenities haven't been very good. Let them build what makes economic sense with or without public amenities.

No changes to zoning requirements should be allowed. When someone buys a property they buy into the zoning for that area.

I like height and density. But the point is we need to decide where to put it and then stick to the plan

I believe no variances should be granted without mandating public benefits, unless a hearing allows for an exception.

I also feel that, as is the rule for the Center City District, the ZBA should not be permitted to grant a variance for both height and FAR on the same project. I fully agree with a prescribed limit, and would prefer the 10% limit and one variance per proposal limit.

However, the concept of "rezoning" is counterproductive and illegal under the spot-zoning laws for PA. Otherwise, I agree 100% with allowing a certain height or density increase in exchange for public improvements.

Each such request should stand or fall on its own merits. No need to "stack the deck"

Density is necessary but certain areas where a view or history is at stake height should be publicly reviewed

Again, as long as the community can be heard on these issues this recommendation would improve the process.

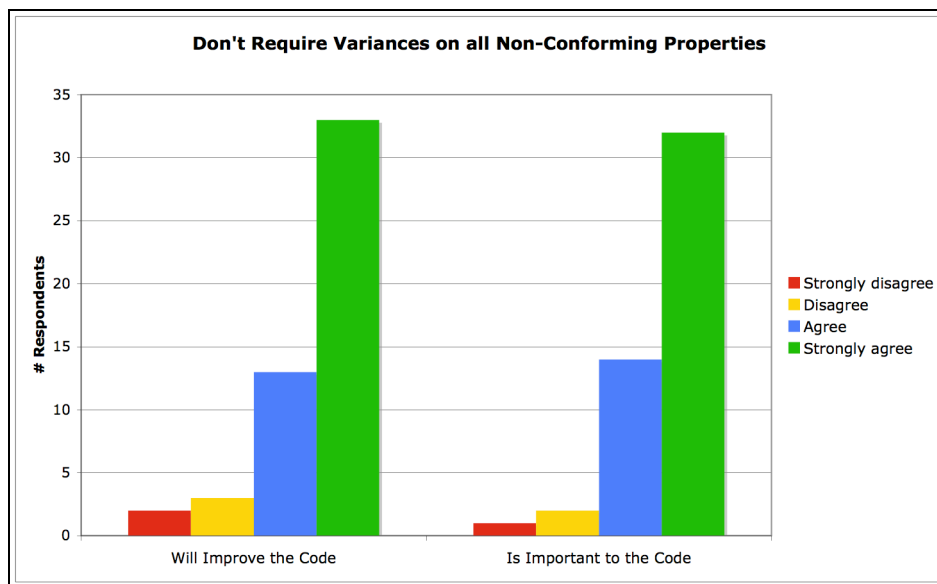
"Public benefit" in this context should be specifically and somewhat narrowly defined.

Key Change: Simplify Approvals

Recommendation: Don't Require Variances for All Non-Conforming Properties

Explanation Provided: Many older lots and structures in Philadelphia do not conform to the zoning regulations for the districts where they are located. Under the current ordinance, every modification to a "non-conforming" property is also treated as a "non-conforming" change that requires a variance. For example, a house that is non-conforming because its front setback is too small might require a variance hearing to extend the rear side of the house, even if this extension would not violate any regulations.

The consultant recommends that the non-conforming status of a property should not trigger a hearing where the proposed change does not violate a development standard.



Verbatim Comments:

What may seem like an innocent change can sometimes create terrible situations for persons directly affected by them. A hearing would allow scrutiny.

This step alone will greatly reduce the number of cases that go before the ZBA.

This is necessary because the basic structure of much of Philadelphia expressed in the distance between streets in older neighborhoods of west, north and south Philadelphia do not support the 1,440 minimum lot size that the code requires for the "Philadelphia row-house"

The current law pushes construction under the table. I'm concerned that this will encourage developers to do things without approval and then say it was a preexisting condition.

The code protects the public and should remain. The process can be evaluated to see if matters could be less time consuming.

Nonconforming uses should trigger hearing however if the change would render a currently unused property or portion of the property usable or would increase the occupancy of the

property. This would prevent the maintenance of non conforming structures as nonconforming in cases where the structure is underutilized, encouraging the phase out of grandfathered uses, without requiring hearings for minor maintenance and changes to active uses.

It will need to be very clearly stated what constitutes a 'change' to a non-conforming structure. If a mere siding replacement triggers non-conformance, the code is too restrictive. If complete redevelopment of the property interior does not figure to be 'change', the code is too lax.

I'm concerned what "non-confirming" would be deemed. We hear so many cases in which dimensional variances are requested, and I'd be concerned that these variances would be permitted as of right. That would not take into consideration the need for adequate open space, light, etc. This is important to maintain as more people live in the city and more people wish to grow their own food and light their homes with natural daylight.

I went through this last year, and it took forever. The building I had just bought had had an addition pre-1950 which covered too much of the lot, and before we could work on our current application for a re-use for an old garage, we had to apply to "legalize the pre-1950 addition." I wasn't even born pre-1950! It was almost humorous - except that it was time-consuming and left us paying the mortgage for many, many months before we could begin to update the building & collect rent.

I think this is critical to reusing our e

I strongly agree, but this seems to be a restatement, albeit from a different perspective, of the principle in Phila Code 14-104(11), regarding non-conforming lot sizes. Where a lot size became non-conforming at the time of the enactment of the Code, 14-104(11) indicates that lot size alone would not prohibit the erection of structures that OTHERWISE comply with the requirement of the code. Your proposal seems to extend this principle to non-conforming uses, as well as to non-conforming lot sizes.

For Residences, I strongly support this change.

Current code seems to defeat the real purpose of a variance hearing.

Bonuses should be given if pervious surfaces increase as a result of new construction (i.e. green roof or pervious pavement, etc)

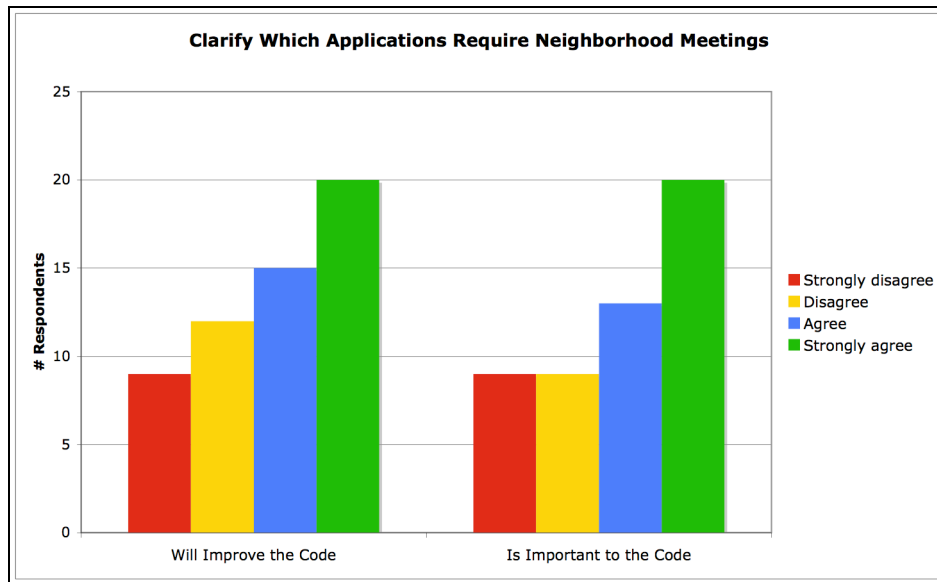
Approve with no hearing but inform Civic Association of variance.

Almost every single family home in S. Phila does not conform to the 1440 lot size. This recommendation would go far in alleviating useless paperwork.

Key Change: Facilitate Public Involvement

Recommendation: Clarify Which Applications Require Neighborhood Meetings

Explanation Provided: A section of the new code would clarify what types of applications require a neighborhood meeting prior to filing an application or holding a hearing. In those cases where neighborhood meetings are required, the applicant would be generally responsible for convening, publicizing, conducting, recording attendance, and documenting the results of the meeting. The applicant would be required to file an affidavit documenting the meeting as part of the application process.



Verbatim Comments:

Why is it necessary for the Code to include this as a requirement, when the practice is that it already takes place in most instances? This promotes the practice of introducing Zoning Code amendments to stall or stop a development at the request of a community or elected official.

This would be one more barrier to investing in the city. Neighborhood groups would misuse this power to squeeze concessions out of developers making it more difficult to build in the city.

This is too nebulous to be effective. How many people have to agree/disagree for the project to go forward, etc. Parameters must be set and followed. I think there should be a regularly scheduled zoning meeting in each area so people will know in my zone; all zoning is presented the 4th Thursday of the month in a consistent location. Agendas should be publicized a week before and then people could make arrangements to be there.

This gives the city options to declare "low" priority enforcement at whim and endanger the lives of people. Are they going to consider environmental crime that put people in the hospital and displaces them from their home for years low priority because it is only one person. They have. I had to go pick up a breathing machine tonight because of the Environmental Justice Crimes committed at the failed project at Sydney and Devon. My entire life has been destroyed because of "low" priority of follow even the most basic federal environmental laws and common sense. All over the country Environmental crime is prosecuted by the DA but here the DA and the builders

and community groups who created the project are all friends and they don't care about human life at all.

There should be a lesser category of application that requires a public neighbor notification (via mail²), but not the whole round of community meetings. Ah, as I see the next part B addresses.

The review process in my neighborhood of Northern Liberties has done an excellent and fair job of mitigating potential zoning disasters while maintaining the character of the neighborhood and allowing for development in a way that some zoning body less familiar with the neighborhood could never do. Some allowance for this localized assessment must be maintained. While I feel like our neighborhood has held to a high standard of transparency and fairness, I recognize that other circumstances may allow for abuse, so the process should also allow for an appeal if someone feels they have been dealt with unfairly.

The question suggests that the issues associated with (large) projects can be covered and resolved in a single community meeting. This just is not so. Also, every active community will not permit control of the necessary meetings to be turned over to the applicant. The framing of this question suggests a deep misunderstanding of the local communities' role in the developments process.

The code must force Neighborhood community associations to use the same forms as those used with the City. Avoid duplication of paper. Use same forms in the entire process. Local neighborhoods must publish what they feel is acceptable and what is not acceptable in that community. But it must be limited to residential units only. The commercial strips should be the domain of the City, and the Planning Commission. Commercial development shall be submitted directly to the City for review, then the City shall hold hearing at the community level, where the City planners shall represent the Applicant and the community shall approve or disapprove or modify the proposal, making it a proviso similar to a zoning variance proviso, and moving the case along to the satisfaction of all. This will avoid the prejudice and hatred between commercial and residential owners, while giving the City a chance to consider the benefits of having the development. This includes negative impacts on the City who will bear the costs of more parking, more police and more services...a cost that must be included in each development review. Each review challenges the City budget for taxpayer's services, and to control this cost, it must become part of all proposals. The City can also argue against the development, set a preliminary tax cost to service the development and match that against the income to be generated and the detriment to be abated, and decide to support or not support the proposed development.

The applicant should not be convening public comment-- this is conflict of interest. The public should control the public hearings.

The affidavit mechanism strikes me as odd, and able to be manipulated. (What's to stop a developer from packing the house with his own people and then reporting that the community overwhelmingly supports him?)

Rather than requiring neighborhood meetings before applications are approved (or in addition), I think there should be neighborhood meetings to determine whether the neighborhood wants more form-based controls (overlay) up front. That would reduce the NIMBY meetings later on.

Process may be too complicated for applicant

Meeting should come only after permits are obtained and "perfected". They should be for community input and discussions with the property owner, not for a new level of "public hearing". With the elimination of "land use change variances one should assume the use is permitted by the

new zoning code either by right or a rezoning ordinance which would have had public meetings and hearings.

It would save a lot of time if variances were not allowed unless there is a genuine hardship that cannot be overcome without a variance. It is just too easy to get a variance and everyone wants to skirt the zoning.

It should NOT be up to the developer to convene, publicize, conduct, and document the meeting! How biased is that? It should be up to a public/community entity to do so in order to be fair. Also, there should be more than just "a" (meaning "one") neighborhood meeting - some projects may require more than one meeting.

It should not be the applicant who conducts the meeting; it should be conducted by the applicant and the Chair of the community's zoning committee; the attendance record and documentation should be written by the Secretary of the community's zoning committee, and the results should be agreed upon by both the applicant and the zoning committee. I would recommend that the meeting be mechanically recorded as well. I agree with the rest of your recommendation, as stated.

It should be the civic associations with neighborhood approval that are responsible for the application process and presenting the results to the zoning board.

It is insane to think that the applicant needs to perform these functions. A meeting that is required should be held by the city and follows a standard protocol. The expense of the meeting should be included in whatever fees are associated with the application itself.

Important issue but it is unclear what types of applications you are talking about.

I'm not sure to what degree neighborhood approval is needed. On the one hand, neighbors stopped horrible proposals like the South Street Expressway. On the other hand, most neighborhood meetings I've been to give a forum for ignorance, selfishness, and bluster. We need to find the right level of involvement for neighbors.

I'm all for clarifying, but I'm concerned that unscrupulous developers could manipulate an applicant-driven & -documented process without actually involving the public. For example, if they poorly advertise the meeting but stuff it with their own people to make it seem like no one opposes the plan, what process would help catch that?

I think it's important that there is a public advocate for the community and that the community be given the opportunity to address changes with anyone requesting or responsible for any proposed changes in the neighborhood should be

I strongly agree with this recommendation as long as the community agrees with the affidavit that is going to be filled. Maybe a signoff for the community leader would be a way to accomplish this and protect the community.

I am a member of a neighborhood organization's zoning committee. While it's a lot of work for us to do the things identified above ourselves as volunteers, I can't see how they could be handed over to the applicant to do. We never allow an applicant to publicize a meeting, for example. If no one or only a few people show up, how would we know that s/he had done so? We do the leafletting ourselves. We find a date & venue for the meeting. The Councilwoman's rep or we

conduct the meeting & record attendance. We document the results. We would love to turn this over to someone else - but not to the applicant! It needs to be an independent party!

Having the applicant, rather than the community organization or local City Councilperson, responsible for documenting the meeting leaves this open to fraud and abuse.

Council office should notify civic associations with enough time to act on any zoning in their area

As a highly interested party, every step of the process is subject to manipulation if the applicant is responsible for/controlling the convening, publicizing, conducting, recording attendance, and documenting the results of the meeting.

Applications **MUST** include immediate notice to SBA's, CDC's and Citizens groups, etc in area or be invalid

An applicant could do a poor job of holding inclusive meetings and still meet the requirement if all that is demanded is an affidavit. Need a stronger system with clearer guidelines about how to go about publicizing and soliciting comments.

"Public input" needs to be carefully defined and managed. Often, "public input" is just a small group of neighborhood activities ready, willing and able to find every and any project that comes along

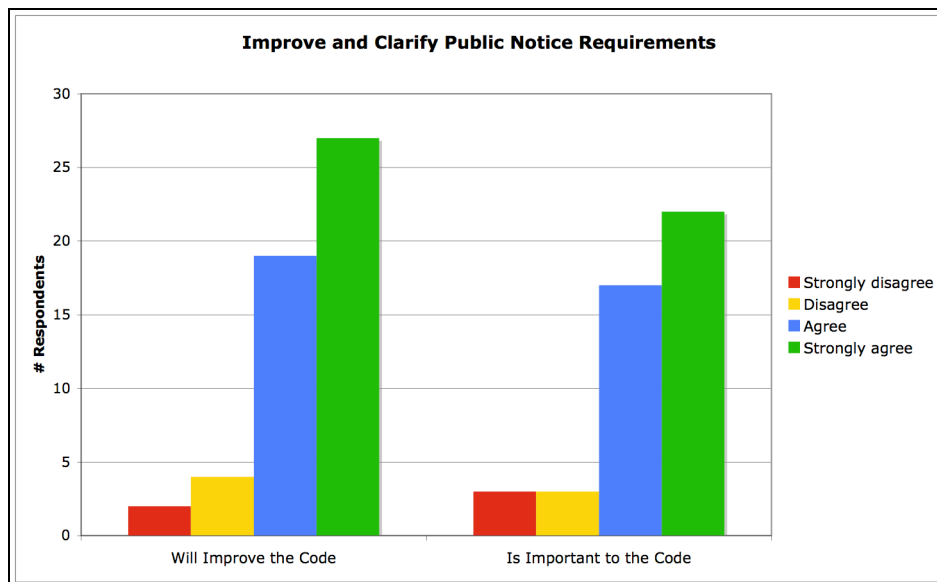
Key Change: Facilitate Public Involvement

Recommendation: Improve and Clarify Public Notice Requirements

Explanation Provided: A section of the new code would consolidate and update existing public notice provisions to provide more effective and efficient notice when notice is required. This section will include:

- 1) What types of applications and actions require public notice
- 2) What type of notice is required (published, posted, mailed, emailed)
- 3) What information notices must contain
- 4) How far in advance notice must be provided
- 5) How long notices must remain in place
- 6) Whose responsibility it is to give notice and ensure they remain in place

While this section will define a more effective notice process for larger and more significant applications, it may move towards mainstream zoning practice by removing some minor approvals from the notice requirements.



Verbatim Comments:

Zoning should have to provide Civic Associations with notice for all applications for review before approval is given. Again civic associations need to approve applications based on neighborhood needs.

Zoning notices that are posted can be easily removed & there needs to be more effective way of alerting the community

What do you mean by "minor approvals"? Sounds like a step backward. I'm already ticked off that curb cuts come under the jurisdiction of the Streets Department and are easily available without notice to neighbors with small children on the block.

This program must be established and published and included in all settlement documents. Owners should not be ignorant of these requirements. The pamphlet describing the above must be part of a high school and community college and all freshmen class's curriculums. All homeowners must be cognizant of these requirements. The City public TV station should also hold monthly classes on TV and Internet, explain in these requirements. It can also be installed on pay per view for those that need to review these regulations at any time. The Zoning requirement should be general knowledge and should be attached to a valuation process that shows all neighbors the impact of the development on their properties.

This is just an outline to be filled-in. There is no real information to agree or disagree with. I am glad that you will be examining this area of the code, though, as it does need attention.

This is a step in the right direction but I question whether this is an improvement to the Zoning Code. It's certainly an improvement to the process.

This doesn't say how the dialogue would proceed and it doesn't tell the IMPACT on the neighbors. The neighbors should know if there are chemicals and dust that will destroy their health for the rest of their life and be exposed to cancer causing agents and not be able to live in their home in a normal manner.

The survey isn't quite fair if you already tell us it's going to be "more effective." ;) Making more decisions administrative is a good step.

The red stickers that go up in windows include almost no information about what effects the applied-for zoning variance may include. So more information on those stickers would be useful. Also, if a neighbor is applying for approval to build a deck that will ultimately provide a 10-foot away view into your bedroom, I would think the neighbors should get some kind of notice prior to approval. Currently, this has been one of the advantages of a local review. Please allow for a 3-month prior notification, and notices should remain in place until the approval date. Please also specify the range of the notification area. Some larger projects have a much greater impact than just the surrounding area. The larger the project, the more extensive the notification.

The public deserves notification of all exceptions to the Code that makes impact their quality of life. Making the exception and failing to notify the public, is just wrong. Make sure there is a provision - currently missing from the Code - that requires updating of all notices, in the event that a hearing or other step in the process is postponed or continued. Today, this is a very weak step in the process.

The applicant should have to email the community effected by the applicant. Most communities have web sites now and the applicant and the zoning administration should send an automatic email to the community web site once an applicant applies for changes in the code.

NO construction should take place without notice; this should be automatic and NEVER avoided for any reason

It depends on what the changes are! Things could be improved or worsened.

If this can be accomplished without removing important review process periods, so be it!

I don't think there is any uniformity now about notices. The city doesn't give the community groups' zoning committees any guidance.

I believe all zoning changes ("major or minor" needs a value adds process associated with it to ensure all stakeholder involvement and final decisions that are prudent.

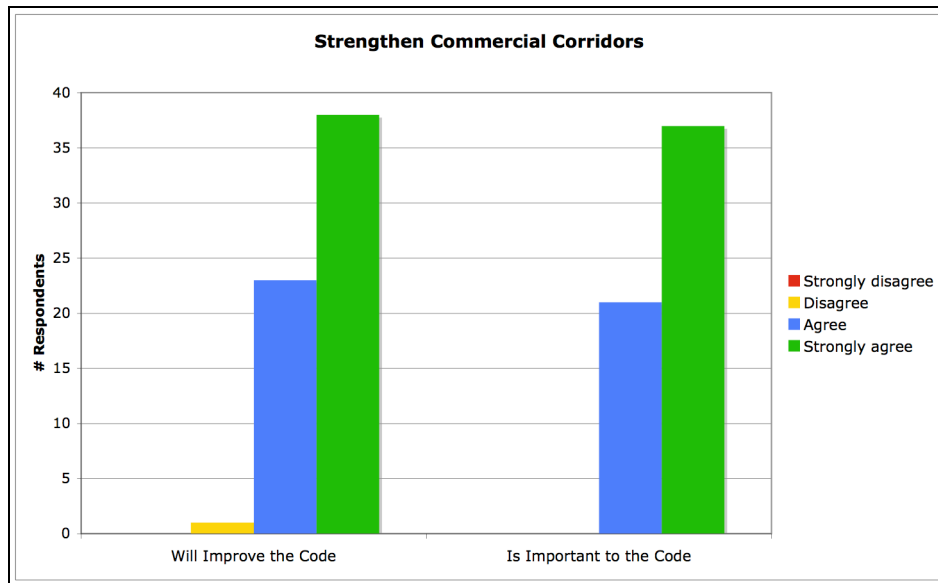
Define minor. It would be nice if residents within a 3-4-block radius of a proposed project could be mailed a notification or given a robocall, as is done when street or utility work is about to happen.

Again, I think this needs to be organized and overseen by a public institution like L&I or the Zoning Board in a consistent manner.

Key Change: Promote Quality and Design

Recommendation: Strengthen Commercial Corridors

Explanation Provided: The new code would help strengthen commercial corridors by such tactics as addressing the location of buildings and parking areas relative to the street, consolidating the entry and exit points for vehicles, enhancing pedestrian access, and minimizing conflicts between vehicles, bicycles, and pedestrians.



Verbatim Comments:

Very important.

This is important to maintain sense of place. Pedestrian access should be maximized. Zoning code should set required setbacks.

There should be NO curb cuts along commercial corridors, but rather side streets
There is no mention of incorporating and encouraging residential development within commercial spaces; segregating the two is a major error.

The recommendation refers to strengthening commercial corridors, but does not seem to address quality and design at all.

The problem is not the code. It's the array of variances and overlooks development. Eventually the developers get to do whatever they want to do, by simply appealing decisions. Most developers impact the local streets with driveways that cut sidewalks and introduce traffic into a moving lane. Cars enter these lanes from everywhere. It would be easier to establish one parking area for the entire commercial strip and control the flow with lights or driveways that limit the flow, This issue requires a serious study, and I don't mean another civil engineering exercise that leaves the need for cars untouched. What about motorbikes, regular walking, seating areas, protected areas, bus stops, overhead protections. Etc. You cannot force any development to "fit"

with surrounding junk. Diversity is the future, the old sameness is dead since neighborhoods do not last more than 20 years, as opposed to 100 years neighborhoods of lode.

The free-for-all site planning that has characterized commercial development in Phila. Is the root of some large number of problems? In the end (after the usual growing pains) commercial areas will realize that proper planning will benefit them.

Suggest getting away from single-use mindset by calling these "mixed-use corridors." Apartments should be permitted above all shop fronts.

No resident wants to live next to a warehouse or a casino, with its parking and traffic problems, but that's the way things are structured now, with people with children moving from the city in droves.

Need safe public access to the rivers

I would wish to see enforcement of ground-floor use so that we don't end up with blank windows/walls like Thomas Jefferson University. (What a disaster.)

I think the worst crime that happens to Philadelphia architecture is when beautiful old row homes are destroyed because "new and improved" housing units that look like cookie cutter homes from the suburbs are in place. This has happened in the project where blocks and blocks of row homes are destroyed to but these ugly suburban houses. By doing this, this only promotes isolation, brings the price of homes around it down, makes crime go up and just makes the city look ugly. It is so sad to see. Row homes that are here now should stay and architects that actually have a design sense that fits the style of Philadelphia should be hired. Also by building ugly home depot special houses that look tacky and cheap also make the city look ugly. These are buildings that are being built in commercial areas that have wonderful little small business that sell unique items and then these ugly brick cubes go up next to them that only big business companies buy to put in a pizza hut or subway. It takes away the charm of the neighborhood. It makes me sad!

I hope it would also help existing small commercial buildings deal with trash - there is not space for dumpsters on commercial corridors unless they are going to be featured out front - very unsightly.

I can't tell from this description whether the code would discourage street-front parking lots like at newer Rite-Aids and CVS stores; I would strongly endorse code changes that prevent this type of car-dependent development in urban corridors.

Good to enhance pedestrian and bicycle access. Only positives in terms of marketing the city.

Design standards in commercial corridors should absolutely encourage life and activities on the street. This should equal minimizing/eliminating driveways and garages on the sidewalk, screening dumpsters or requiring them to be in the rear of the building, having sufficient street furniture (including well-designed and well-placed bike racks!), and having stricter sign standards (prohibiting ugly rear-illuminated signs).

By not putting Casinos on Delaware Ave.

Bicyclists need to get off the sideway and obey traffic regulations for their own safety. The police should lead by example. (Alas, now they do not!)

Any support for both bicycles AND SCOOTER parking, in addition to pedestrian access, should be support as much as possible. I'm a daily bicycle commuter and I know of many others who would do the same if it weren't so dangerous or there were more places available to park safely without fear of someone vandalizing your ride while you're working. In fact, vandalization of the bike or scooter is as much as a problem as safety on the roads.

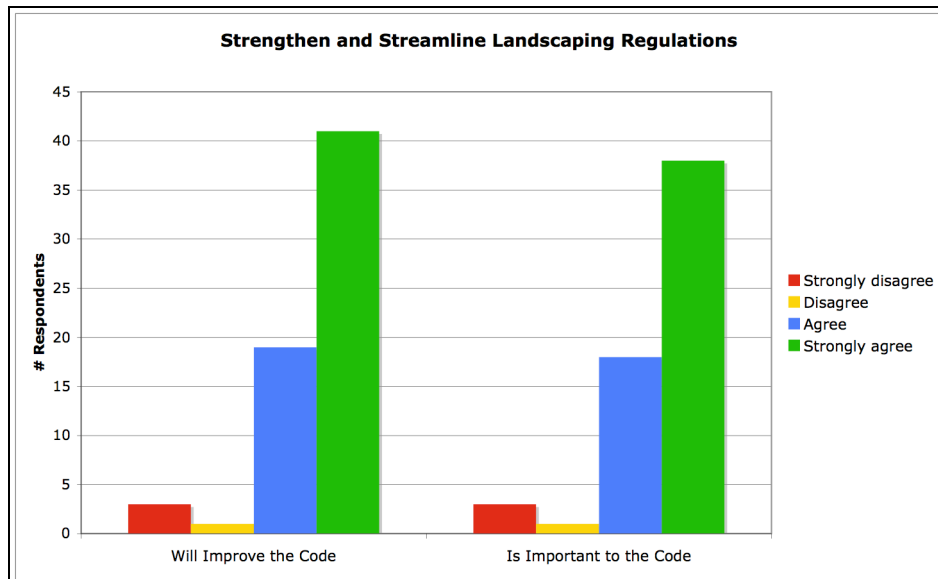
Key Change: Promote Quality and Design

Recommendation: Strengthen and Streamline Landscaping Regulations

Explanation Provided: Philadelphia has relatively few regulations requiring landscaping or tree protection. The new code would include a single chapter that consolidates existing landscaping regulations and additional provisions to improve the appearance of new development and increase the city's tree cover. This section would draw on information contained in "Greenworks Philadelphia."

The new section would contain:

- 1) Minimum landscaping provisions for new developments, including parking lots
- 2) Regulations for buffering between significantly different land uses or structure types
- 3) A "sliding scale" of requirements based on location of the site in the city so that small urban lots do not have the same requirements as larger, suburban style lots.
- 4) Requirements for landscaping maintenance



Verbatim Comments:

We're known as a green town, this would help make that more true.

Umm, which chapter was this back under the 'simplified 6-sections' question???

Trees should NEVER be removed without a permit, nor should practices, which have intent to kill, go without fine equivalent to the appraisal of such an asset

This is great.

This creates an enforcement issue, which would require resource. The cost of this needs to be considered

The city doesn't need more requirements that discourage development

Points 3 & 4 are critical. Without them 1 & 2 could easily have a negative impact

Please follow all Philadelphia Water Department Watershed Division recommendations.

Our city needs more trees.

More trees and better architectural design.

Maintenance requirements are especially important

Love the idea of landscaping for parking lots. Also a way to catch rain runoff from asphalt to soil.

Landscaping should absolutely be required, and it should be required to serve storm water management functions as well. Landscaping should be required when parking lots need repaving or a renewal of their license.

It is hard to tell about this one because merely requiring landscaping doesn't do much. It is the form of the landscaping, and its location, that is important. The "sliding scale" or transect-based method is excellent. Avoid too many buffers that will create gaps in the urban fabric, eroding the very walkability that makes a whole neighborhood sustainable.

In keeping with William Penn's plan for the City, walking should be encouraged and vehicular traffic discouraged as much as practical. Is there a way to make Trader Joe's have a street entrance as it is safer to keep pedestrians away from cars, rather than forcing them to enter from a parking lot?

I'd like to see some kind of ongoing tree inventory to check for trees which are cut down without permission.

I think the zoning code should increase the minimum landscape requirements. This will improve the overall sustainability and quality of the city.

I know that the Zoning Code would not include enforcement; but enforcement would be a big issue here. (The landscaping gets done, but there's no follow-through on maintenance.) Is there any possibility of creating an enforcement team through civic groups so that they could have some real clout? Maybe if the maintenance doesn't get done, the property owner gets fined. Then the community could hire landscapers to repair the landscaping.

I hope that by "significantly different land uses" this provision would not detract from mixed use neighborhoods. In other words, we don't need a green buffer between residential and commercial uses

Ben Franklin loved the trees, they burned and propagated fires, and his fire company did well. The City later cut off all trees to prevent fire, then the City became bare, and full of horse shit. NO longer did the leaves mix with the horse shit to make up a more recoverable lump to cart away. Now trees are back because they cool the City, its aesthetically pleasing, and no one cares. But the problem today is that we have underground sewers that get clogged up from the fall leaves, neighbors who become saddled wit picking up the leaves for an entire neighborhood (whirlpools) and the cars slide on the braking, slip in the snow and houses overflow when gutters get clog...who pays for this? If I must spend an extra \$500 a year to clean up so that others can enjoy the trees, I wouldn't plant one. In a recent application the Fairmount park commission charge my

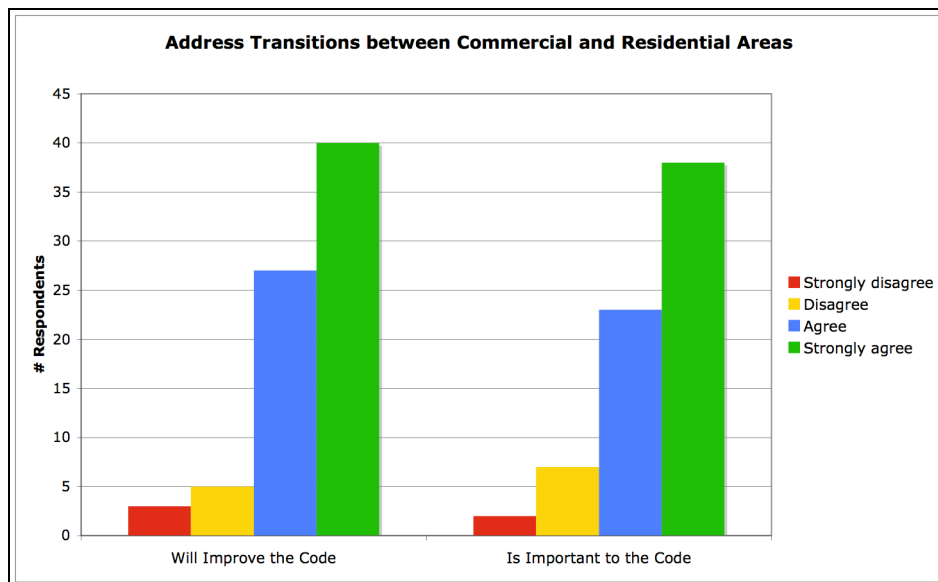
client 1200 for 4 trees. within a month they were damaged and cut down, I never saw the Fairmount park people again. The drawing were stamped, &I issued a permit and everyone went away. This proposal will require another regulatory group of landscapers and more government intrusion on the homeowners. Let the code encourage planting, but not require it, however, bare solid washing into a sidewalk should be ticketed.

As to item 3), I don't agree that there be a sliding scale which seems to favor the development of suburban style lots. Yes, larger lots should have more green space but the small city lots are in desperate need of green. There should be the same percentage of green, whether large or small lot; by definition, the larger lot will have more green by sheer size, but both size lots should be proportionally the same.

Key Change: Protect Neighborhoods

Recommendation: Address Transitions between Commercial and Residential Areas

Explanation Provided: The New Zoning Code will include regulations that automatically apply when “edge conditions” exist, such as in a place where a residential neighborhood abuts a commercial corridor. Using this example, a requirement might be that all commercial buildings within 100 or 200 feet of a residential zone include lower building heights, limiting residential fears about what may happen as the commercial area redevelops. Additional requirements could mandate that parking lots and vehicle access points be located to minimize traffic impacts on surrounding neighborhoods, and that pedestrian walkways be provided to connect residential areas to commercial corridors.



Verbatim Comments:

Your examples seem okay, but they don't give me enough confidence to say that A would improve the code, because they are only examples.

You must expand the requirements. You can not be limited to design, cars, heights and uses. We must consider how to physically separate commercial from residential uses, we must consider the vector of pedestrian travel to access the commercial strips, the vehicular vectors, and parking. There must be a municipal parking structure at each 100,000 sw feet of commercial use. The sidewalks must be either colored, or changed with material or design to recall that you are in a residential or commercial area. Lighting should be improved to differentiate the use rather than general street lighting. Regulations must address that each property must provide safety lighting to eliminate dark streets. Jetney should be considered at all commercial area. Provide a child care center at all commercial areas. Provide public bathrooms at all commercial areas. Establish set backs. Eliminate the parking authority meter maids by providing a different system of charging (punishing) for parking and establishing a reward program for those that patronize the establishments in this commercial strip and purchase goods.

Traffic will increase in Pennsport with Foxwoods Casino on Delaware Ave. People are afraid of losing homes.

This would improve quality of life.

This is a particular concern in my neighborhood at the corner of 38th and Lancaster Ave where pedestrians cannot cross Lancaster Avenue on a green light to shop on this developing commercial corridor.

Sustaining the character and accessibility of residential neighborhoods in Philadelphia is in fact the very fabric of Philadelphia. We are a city of neighborhoods. Development of the unique identity of each neighborhood will continue to attract residents to the city and boost tourism.

Please address the impact of parking and associated impacts (sound! which is often seen as "merely a nuisance" and therefore nearly impossible to get city agencies to attend to) for restaurants and bars in residential neighborhoods that often occur in these boundary areas. Please specifically provide for mandatory sound barriers for restaurant kitchen blowers - including a mandatory requirement for L & I to require sound barriers prior to approval of the installation of such items - in residential settings. When the change in zoning occurs, please also consider not "grandfathering" existing establishments for the same problem. To do so perpetuates the problems indefinitely, and eliminates any possibility of correction by any local or city agency review.

Often, commercial districts initially develop in response to an established residential district's needs, and then that commercial district naturally expands to draw from a broader area. That broader draw brings with it new traffic issues that impact directly on the bordering residential area. The new Code needs to anticipate and better management of those traffic issues as well as inclination of commercial districts to over build, ultimately.

new zoning suggestions would be very helpful with regards to current and future residential situations

Major pedestrian corridors should NOT be subjected to curb cuts. Parking should be totally hidden from view

Is there a reason why this can't simply be a different zoning type? "Transitional/Commercial" or "Mixed-Use"? the concept is good, but I don't know if the language will make enforcement easier or harder.

In traditionally car-oriented uses, break through the stereotypes and push for more transit-oriented development so there don't need to be so many garages, which create barriers in/between neighborhoods.

I'm eager to hear/read the details of this.

I worry some about automatic regulations that don't take into account the individual conditions of a proposal. However, if this would streamline development of contentious parcels and get more development done I'm in favor of it

I need more input on what is exactly meant by commercial corridor. How many stores = a corridor?

I don't agree with the height requirement example (this should be simply standard across the Zone), but I do agree with the vehicle access points example.

I live in a residential neighborhood with on-street parking. Residents guard their parking spots in front of their houses like grim death. There is talk of instituting a permit only rule for or neighborhood. If zoning were done correctly, this would not be necessary, especially if parking and vehicular transportation were approached sanely.

For communities to be more walkable, commercial areas need to have lots of residents around them, density being key. If buildings are not allowed to be very high for residential/mixed-use purposes, that could affect the viability of walkable neighborhoods with commercial areas in them.

Extremely limited in scope. New residential building also impacts pre-existing neighborhoods and this does not address any effects that the actual building process, fugitive stuff, environmental impact or demolition and excavation that affects older neighbors (often) in this city and destroys lives.

Do not require high fences/walls on frontages where commercial faces residential across a street. Keep all frontages friendly whether they are retail or residential.

Can't restrict commerce to too great a degree

Building up density in Philly is important, especially around El stops, and so perhaps building heights should not be so minimal as a whole. But, having a streetscape-appropriate height on the sidewalk, then a higher height at different step-backs is appropriate.

Besides pedestrian walkways there should be regulations for lighting and trash to keep the community safe and clean.

Also make sure the building design fits within the character of the area. Well thought out designs fronts that are not cheap looking or plastic. Trees and more trees. Make sure that some of the businesses offer services to the community like coffee houses or a small food market.

ALLOW A CODE for B AND Bs.

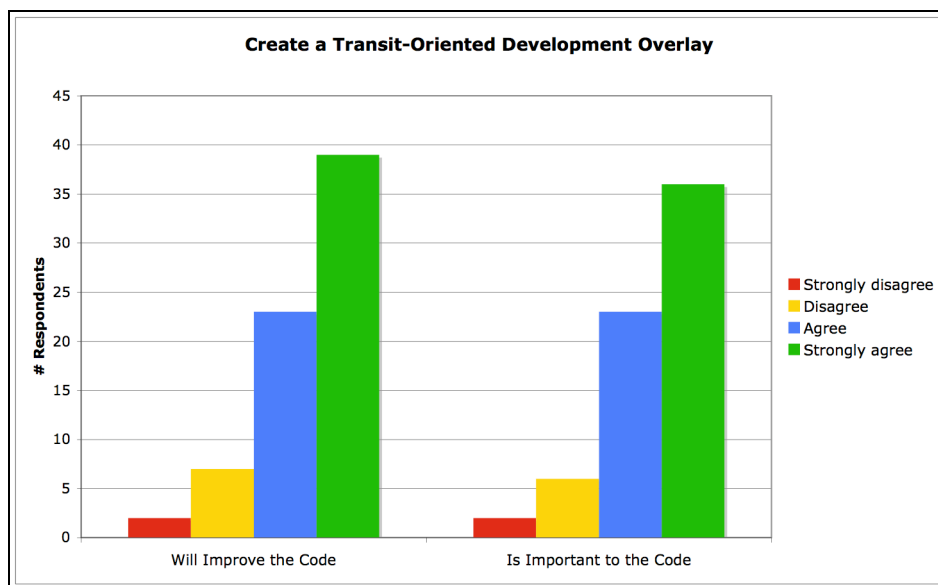
all communities should be involved in this they want to know what kind of commercial
Again, by having distinct areas -- one for residential, one for commercial -- is a segregation that is not unlike the horrors of suburbia. To provide easy access between the two is not the answer; having regulations permitting/encouraging the two to be blended is the way to go, although it should err on the residentializing of the commercial rather than the commercialization of the residential. But having two totally separate zones seems to be defeating the nature of the urban experience, or what it should be. And there should be some regulation concerning what type, size and hours of operation of business might be permitted near or within residential areas and, conversely, what types and size of residential areas might work within commercial districts.

Key Change: Protect Neighborhoods

Recommendation: Create a Transit-Oriented Development (TOD) Overlay

Explanation Provided: TOD is a set of zoning and investment tools designed to require densities that will promote transit ridership, designs that makes it easy to find and use transit, and tools to protect adjacent neighborhoods from the impacts of larger and more intense development at transit centers.

The new code would include a TOD overlay district that would regulate planning and layout in selected public transportation corridors and near selected transportation facilities. This overlay district would require that TOD design be tailored to respond to the scale of the surrounding neighborhoods – for example, by requiring lower scale buildings adjacent to residential neighborhoods.



Verbatim Comments:

Too bad we can't reform SEPTA too ... but we need to work with the tools we are given.

TOD should not be an overlay, but incorporated into the code perhaps through up zoning

TOD & mixed-use will revitalize our city. I visit cities in different parts of the world and this is the way to go

This is exclusionary. Development will be valued at less than market value depending on the TOD-

This does not address when densities harm nearby neighbors or make any provision to correct harm that happens when developments prove to harm neighborhoods. Gives no provision for stopping and correcting fatal mistakes.

There should be fewer parking requirements around transit stops as part of this.

The devil is in the details. Additional regulation makes things harder, slower and more expensive, so it is important to strike a balance between costs and benefits.

Require new commercial and residential establishments to provide on-street (and in-building) bicycle parking. Instead of permitted bollards to avoid sidewalk parking, require bicycle parking, which accomplishes the same thing -- and more.

Need to support the mass transit in place and increase ridership.

It seems like larger scale, taller buildings are very important for TOD. Not allowing taller buildings seem to be counter productive. There are many instances of tall buildings next to 2-3 store residential homes, and I do not think they are negatively effected that much.

If you want transit centers they must be in dense areas, otherwise you will fail to make transit more highly utilized

I support transit-oriented development, but I'm less convinced that such an overlay district include requirements that new development match the scale of the surrounding neighborhoods.

I don't own a car. I live in the city for that reason, and have never left the city for that same reason. I rely on convenient public transit. Having been to some of the larger European cities, I have found their public transit essential and wonderful.

I commend any and all inclusion of the support of bike transit in any overlay changes. Please also include consideration of and support for scooters in these changes. I don't have one, but everyone I know that does receives at least 2-3 tickets per month because not even the parking authorities know what the rules are with respect to where they are allowed to park.

I am not sure that I understand the role of a TOD overlay in controlling building scale. Why are transit planning and building scale being coupled?

B seems more specific than A, so it's easier to have an opinion on it.

Areas near transit facilities should be zoned to encourage development of appropriate size and density for the type of transit and for the location of the facility.

Anything that promotes public transportation and non-suburban densities is a good thing!
Anything built in and around residential neighborhoods should fit in.

Again, these areas should be well lit and clean.

again communities should have the right to say

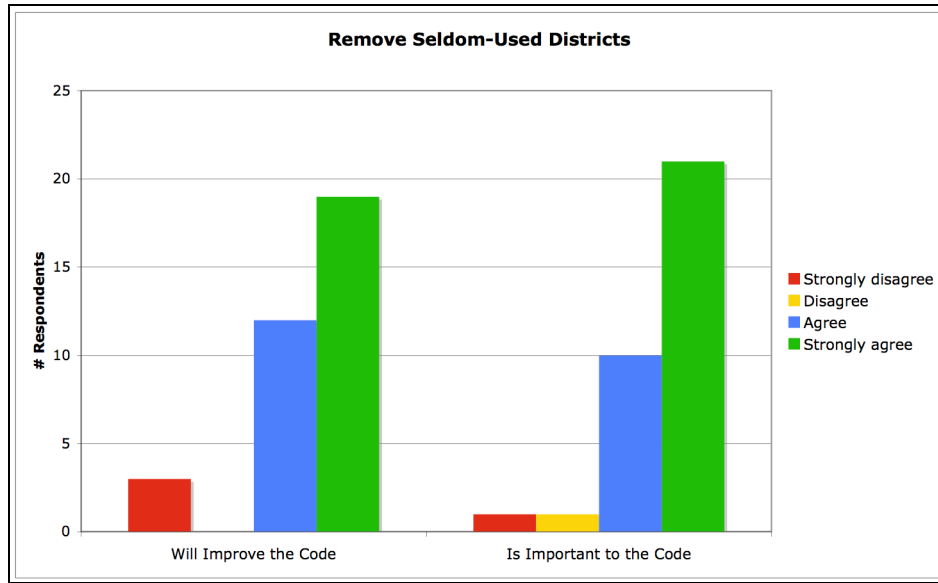
Accessibility of Transit is PARAMOUNT to the success of this city. SEPTA needs to figure out a way to be "mainstream" for everyone. The City needs to make it "normal" to use SEPTA, starting with the Mayor, his staff, and other influential people in town. The car friendly approach to the city needs, to end, people should pay to drive their car in Center City. Alright, I'll stop!

A walk shed for rail transit and BRT is typically a ten minute walk radius. These areas should be targeted for optimum walkability, including the placement of parking/garage doors in the rear of buildings, not on frontages.

Key Change: Simplify Base Districts

Recommendation: Remove Seldom-Used Districts

Explanation Provided: The new code would eliminate classifications that are rarely applied. For example, only .002 acres have been zoned R-18 and .01 acres have been zoned R-19. The new code would classify R-18 properties as R-19. Similarly, RC-1 is not currently used. The new code would eliminate this classification.



Verbatim Comments:

What is going to happen to all the corner stores now in R districts? Some urban zones should be defined to allow corner stores. This is similar to the T-4 zone in the SmartCode.

Much of Philadelphia has this existing condition.

We should have non-toxic, quieter manufacturing NEAR residences AND transport

Very important.

This is the major problem with the present code. But it requires a comprehensive mapping of each property.

this is a no brainer

The mini-zoning districts are just another example of the spot-zoning that has corrupted the system. Eliminate all of the silly things.

R 18 and R 19 should both be eliminated.

Living in a mixed-use neighborhood as I do (Old City), I see how dangerous some conclusions can be when turned to a general statement . There needs to be another way to approach this. I agree

with the reduction of the number of districts, but great care must be exercised in determining how to do this. You will need a LOT of information before moving forward with this.

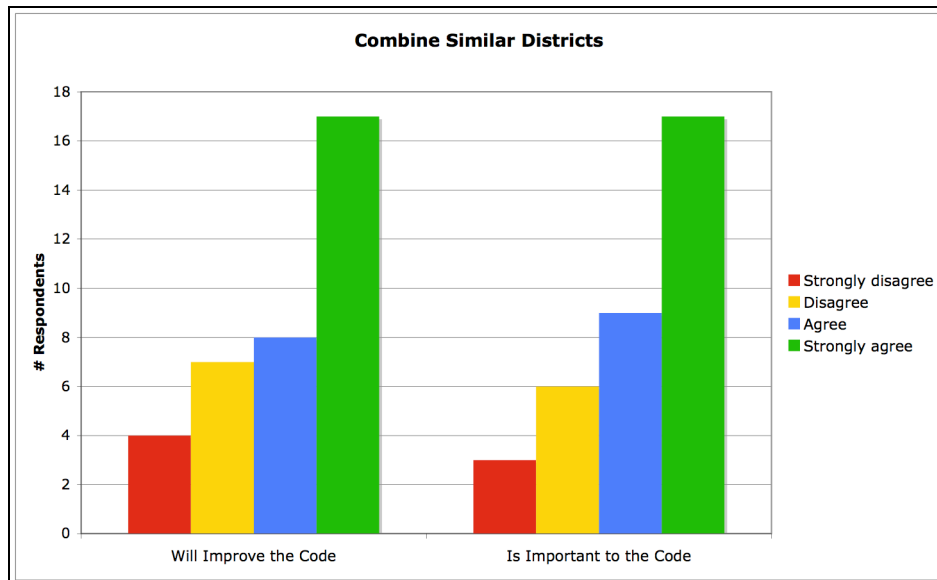
"RC-1" is a specialty district for use along rivers and streams that may not have street frontage but are bordered by trails and public recreation. It was newly created for areas like Manayunk, Roxborough, northeast Philadelphia.

Key Change: Simplify Base Districts

Recommendation: Combine Similar Districts

Explanation Provided: Some districts are difficult to distinguish from one another. For example, R2 and R3 have the same lot width, density, lot coverage, open space and yard requirements. The primary difference is that R3 allows "twin homes" and a handful of "residential-related uses" (e.g., places of worship, day cares, and home occupations) that are not allowed in R2.

These zones would be combined, but any application for a twin home would be required to receive approval through an administrative or Zoning Board of Adjustment process that would take into account whether the area already has twin homes in place.



Verbatim Comments:

Why the hell change anything if the ZBA will review it and grant a variance? Don't forget the ZBA is a political machine and a legal cesspool for payoff. You either allow a development or not allow it- don't merge the use, just consolidate it into one use and eliminate the others. What's the different if the row houses are separated by one lot to make it twins>?

This is an example of needing more information from the neighborhoods that you're considering combining. What do they have to say about this? What recommendations do they have?

This displays a lack of appreciation for the distinction of the differences of the 2 districts and how the home owners feel about the distinction of twin home neighborhoods versus single home neighborhoods.

The regulations should be combined and twin homes should be allowed in both as an example

The example in B doesn't seem any simpler than current. If combining 2 districts means that there has to be special consideration given to twin homes in one of the districts, then it's better to have both categories and no special consideration. Keep it simple with fewer hearings & approvals..

Mixed use is a BLESSING! (so long as not noisy or toxic near residences)

many differences could be accomplished through contextual design criteria

It's not important, but sure would be a nice touch. Consolidation of the two types can make broader zoning possible, but then your applications for residential-related uses and twin homes will be much greater.

Home occupations should be allowed everywhere. They just have to be carefully defined to limit impacts.

Hard to believe that there are developments that were built (between 1950's and today) to meet the requirements of these districts the several pages of text that would be dropped are not worth the requirement of ZBA involvement.

Also a no brainer

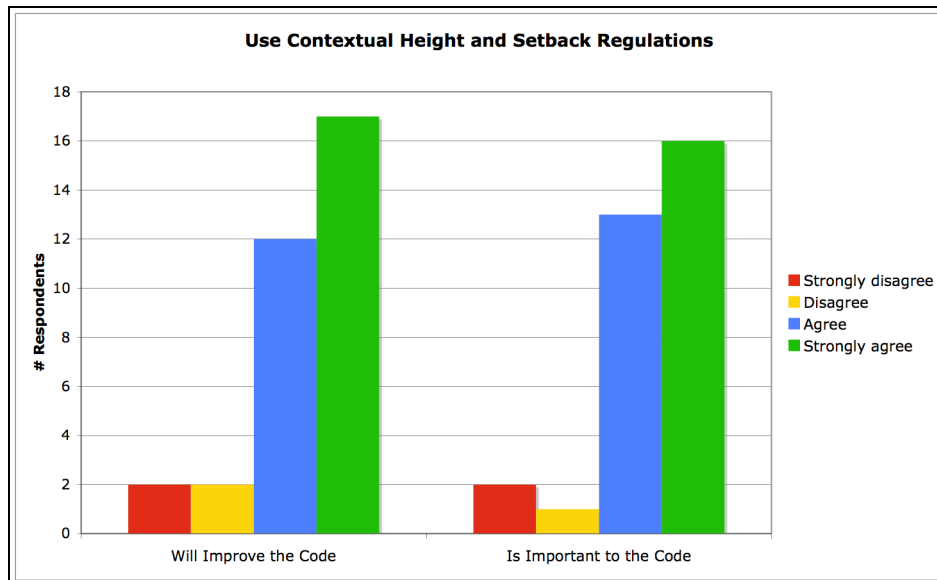
"Residential-related uses" should also be required to get approval from the Zoning Board.

Key Change: Simplify Base Districts

Recommendation: Use Contextual Height and Setback Regulations

Explanation Provided: The new code would combine districts that have minor differences which could be resolved through "contextual zoning." Contextual zoning requires new development to "fit in" to the surrounding structures by having similar heights or building setbacks.

For example, R9A and R10A both allow houses on small lots, with the only real difference being that R10A does not have a front yard requirement. These districts could be combined, and new developments in the combined district would require front yards that fall within 1 or 2 feet of the yards of adjacent properties.



Verbatim Comments:

While language requiring new or redevelopment to substantially conform to the surrounding design (especially residential) is important, the loophole in the example is that if an existing block has no front yards, the language presented would require new development to have the only yard on the street.

What do the people living in this district have to say about this? On the surface, this makes sense; but they may have legitimate concerns.

This kind of standard can be dangerous, because a block may already have erratic setbacks. Make it clear that only a certain range of setbacks (that range that defines the general character of the zone) should be included in the calculation.

This isn't contextual zoning it is another attempt to remove heavily used districts that reflect the "patterns" of existing neighborhoods in an attempt to eliminate a few pages of text.

The one problem is that the context may be buildings that already don't conform to the traditional zoning. Just because one owner didn't take a permit and built beyond the regulations doesn't mean the requirement will be allowed to slip from then on.

simplify, simplify, simplify

Proviso that new developments conform to existing front yards of adjacent property is crucial here.

NO!NO! NO!. you are missing the point. If a lot is too small or requires a front yard...it does not meet the zoning of the area...PERIOD. OTHERWISE YOU ARE PROSTITUTING THE VERY ZONING DESIGNATION THAT PROTECTS THE NEIGHBORHOOD. IF IT IS TOO SMALL THEN IT CAN ONLY BE USED FOR OTHER USE....DON'T OPEN THE DOOR TO MORE SLIVERS OF development. You defeat the whole reasoning for zoning, didn't you say you want to protect neighborhoods?

Makes sense.

I would hope that each community can participate in developing what "contextual" means. Precedent set by masses of poorly designed property could be problematic. Encroaching too much into rear yards is a problem -- decreasing the value of the property because of too little yard, harming the potential for natural light, and robbing the neighbors of an amenity they once had. But I look forward to the disallowance of three-story houses on two-story blocks.

Contextual zoning should be a part of all classifications in order to protect neighborhood character

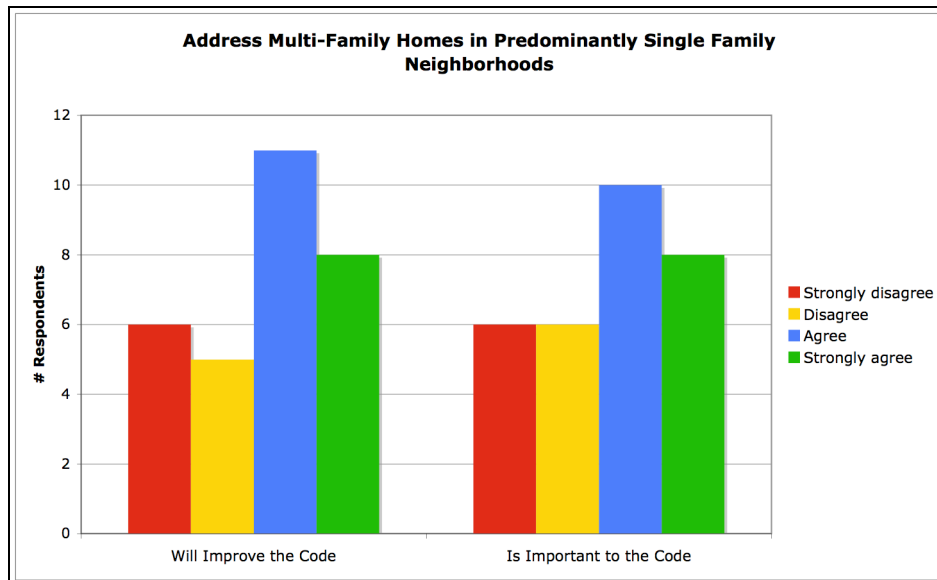
Approximate design should be similar and height of each story be the same or very close

Key Change: Simplify Base Districts

Recommendation: Address Multi-Family Homes in Predominantly Single Family Neighborhoods

Explanation Provided: The construction of duplex or multi-family homes has been a source of controversy in some neighborhoods and has led to many rezonings into single family districts.

The new code may combine some single family and multi-family districts. If this occurs, any new duplex or multi-family construction will require a special use approval process with Zoning Board of Adjustment approval. Duplexes and multi-family structures that already exist will be granted those permits on request.



Verbatim Comments:

This seems to create a more complicated process than the present code condition.

This recommendation fails to recognize the fact that single family neighborhoods in Philadelphia have fought for years to keep those neighborhoods single family neighborhoods.

This recommendation appears to discriminate against multifamily housing. The zones could be combined and the requirements for appropriate multifamily clarified without raising the administrative burden from multifamily or particularly twin development.

This decision should be left to the neighborhood associations. IN Queen Village and Society Hill, the developers know better than to propose an apartment house on Pine Street or Front Street. It will just not happen. Homeowners will protect their investment from uncontrollable transient traffic. IN today's drug ridden environment, residential neighborhoods are more apt to disapprove a multi family complex than to accept it. Certainly those already there will stay, but new ones should be up to the community to review. Look what happened in Germantown where those large English Tudors were ripped apart and made rooming houses, which encouraged more influx of low classes, unemployed bums, and ruined the neighborhood even for the willing developer. Remember multi units exist to accommodate newly arrived people both ethically and financially;

the way of life is much different. This use was allowed as a buffer between Commercial and Residential uses, but not in the mist of residential. What happened in the 70's and 80's will not happen again. There is a way to do this, and that is to require that each commercial rental unit, be valuated at not less than the surrounding homes, for example, my \$800,000.00 dollar home can be protected by allowing multi units to be build in an adjacent lot, where the units rent for \$2500 and up with similar square footage as my house. Clearly I wouldn't object. The windfall profits to me is the retention of my equity, and the acceptance of compatible neighbors. But a development of 800 sq ft efficiencies and 1200 sq ft apartments will yield a negative approval. Granting approval by the City is not sufficient if the trash will be allowed to be introduced.

The 8 surrounding properties should have a strong say in this, but if OK'd by them should not be significant barrier to permit

Same problem. If combining categories gives a new need for a "special use approval process," then nothing has been simplified.

Pay more attention to the form of the multifamily structure than to the use. Do not require markedly different setbacks or bulk standards for multifamily - that is one reason they stick out like a sore thumb.

Mixed density residential development is desirable on a number of levels; this would make it harder to create.

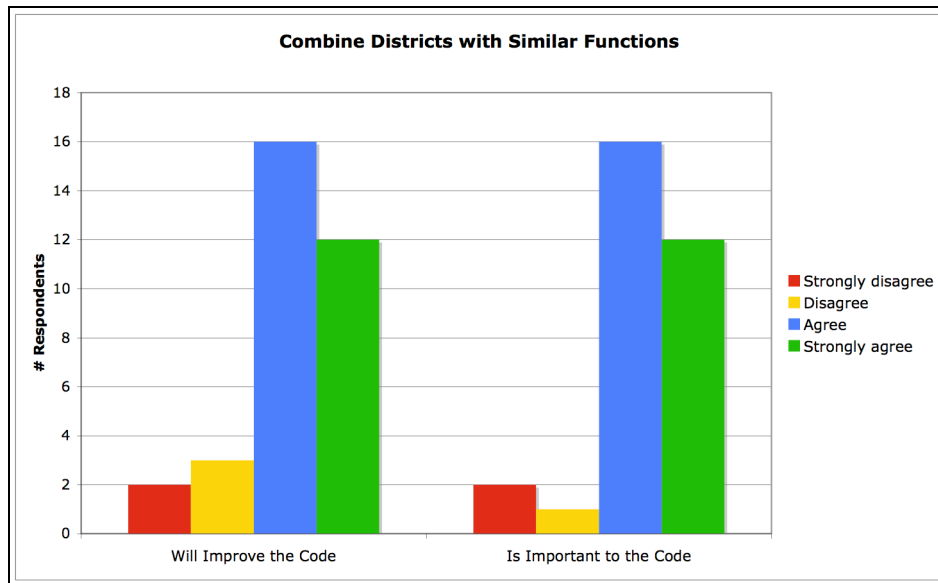
Many neighborhoods have houses that are far too large for single families (i.e. Germantown, Powelton Village) but neighborhoods are wary of renters - this helps provide a strong balance

Existing duplexes, etc. should be grandfathered + not have to apply for permits.

Key Change: Simplify Base Districts

Recommendation: Combine Districts with Similar Functions

Explanation Provided: Some districts provide for similar purposes and can be combined. For example, C7, NSC (Neighborhood Shopping Center) and ASC (Area Shopping Center) all provide for auto-oriented commercial areas. The new code would combine these districts and establish site development standards to allow for a range of size of retail centers.



Verbatim Comments:

These are distinct districts for distinct types and intensity of Commercial Development. Keep distinctions and use charts.

There should not be any single use auto-oriented centers. Zone these areas so that mixed use (adding residential) is enabled and buildings begin to come up to the street, transitioning to walkable main street corridors instead.

Not enough information.

Need more information

I believe that there should be a size distinction. Small Shopping Areas and Large Big Box Stores should not be under one code.

Go for it but extent the same consideration to corner stores. They are also stores. How little is little? I have witnessed developer lie to the community and do what they wantonness developer promised us a public way, when the condos were done the walkway was fenced off and became an "interior court yard", another told us he was spending 20 million dollars in a Progress Plaza development, He only spent 2 million, He promised Admore quality stores, we got a bagel shop and a deli and a garage. Other developers promised parking but no improvement to the curb cuts, still others, promise one story buildings, with 22ft ceiling, later to add a mid floor, later to convert the parking spaces to a Jazz Club, and The under ramp to I95 to a Wok store, and the parking

proposed became a rental from the state and the use of under I-95 for parking thus releasing more area to add more stores. In a sense the presentation that promised a small development acceptable under the zoning requirements, became a monster through political variances.

Combo OK, new auto centric development w/ curb cuts on traffic arteries NO, absolutely NOT (i.e. Richmond & Allegheny Wa-Wa and gas stations, next to trolley depot & I-95 ramp - YIKES!)

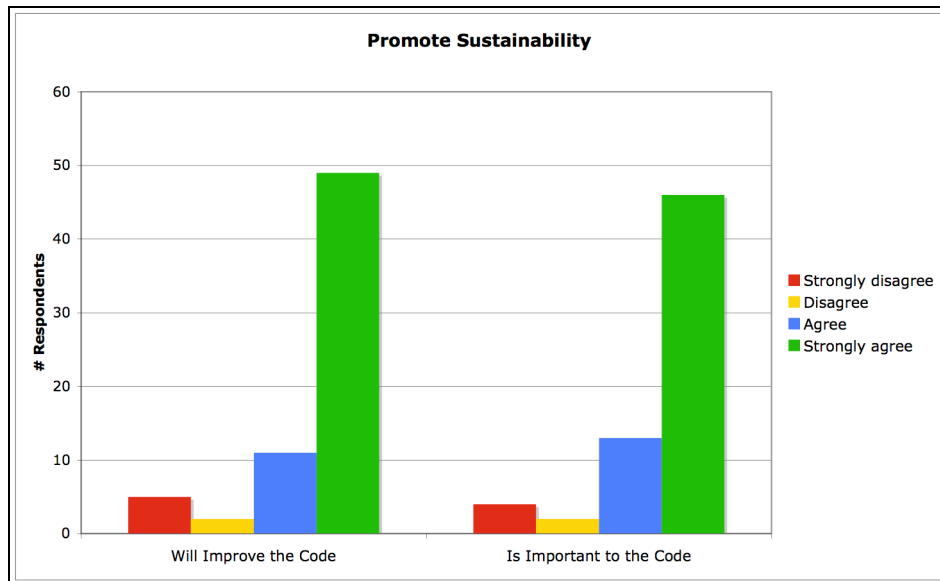
Again, contextual zoning regulations are required so that parking for these does not negatively impact the surrounding neighborhood

Key Change: Promote Sustainability

Recommendation: Promote Sustainability

Explanation Provided: Provide a Sustainability Chapter Addressing the Following Issues:

- 1) Reduce vehicle miles traveled through mixed use districts, connectivity and mobility requirements, and off-street parking standards.
- 2) Encourage renewable energy and energy conservation by allowing solar, wind, and geothermal energy devices as accessory uses to homes and office buildings, and as primary uses on vacant land, where applicable.
- 3) Encourage water conservation by allowing water conservation devices on rooftops and yards and by encouraging landscaping designs that limit stormwater runoff.
- 4) Encourage urban food production by allowing urban gardens and farmers markets in more zoning districts.
- 5) Promote walking and community health by requiring that new development and redevelopment provide connections to surrounding areas and by continuing to control curb cuts and driveways.



Verbatim Comments:

We need these changes! Important for our standing as a city of the times, not just of the past.

Very important.

This city MUST become less dependent on automobiles. The new bike lanes on Pine and Spruce are GREAT.

These requirements should be appropriate City Codes Building; electrical, plumbing they are generally not zoning issues.

These are NOT zoning issues. These are planning commission regulation that should be incorporated into the community review process as recommendations, in 10 years becoming regulations. You cannot promote force anyone to reduce mileage, for that, go to Cherry Hill and South Jersey. Not City of Philadelphia. NO. 2 was tried during the solar energy kick of the 70's and it died. It is too costly and not efficient. We must encourage research but not implementation. Yes encourage water consumption. This is done by Charging for Water, already at an all time high. Urban Food, are you kidding? This is a City not a farmland. Go to Jersey and purchase an Acre and grow food over there, but not in the City. Unless you smoke POT. Walking and personal health is not a Zoning issue. It's an Obama Issue.

There simply is not enough information to judge this recommendation.

The new Zoning Code should set minimum requirements regarding sustainability for new projects. This could be done with amount of pervious surfaces and green spaces. Encouraging storm water collection and re-use. Seattle is a good example of incorporating these requirements into the zoning code to encourage and promote sustainable development. These requirements will improve the city overall and might attract businesses trying to be more sustainable and/or show their sustainable practices. Zoning code could also encouragement adaptive reuse of existing buildings, which is a sustainable practice.

Should include the reinvestment/reuse of existing building stock as an incentive as well

Public mentioned it and Zoning wrote it into consideration - YEA!!!! BTW, make indoor access to green roof simple too...

PLEASE do away with the requirement that new residential construction must have garages - that only takes parking spaces off the street for everyone else, and the new buildings don't fit in and they look terrible.

Not sure what is meant by "continuing" to control curb cuts and driveways. They are not being controlled in my neighborhood. Please write walkable frontage standards for all neighborhoods, not just the current overlays.

Lumping these diverse topics together is problematic for the survey since one might agree with only some of the 5 points. Also, one may believe an area should be regulated in some way and still not agree with the nature of the regulation that is eventually promulgated.

I've read that increased foot traffic reduces crime - more eyes to monitor what is happening. Makes sense.

I wholeheartedly agree that the zoning code should encourage walkability and reduce vehicle miles traveled, encourage development near public transit and increase incentives for ditching the car inside the city.

I believe the goal is to make neighborhoods as people oriented as possible in a green environment.

I applaud the inclusion of these elements, but I don't understand why this has to be a separate chapter and not integrated into the entire report. Are the other chapters the unsustainable

chapters? Also, urban gardens and farmers markets should be more than "allowed," they should be encouraged, supported, and protected!

Good starting point, but additional processes need to be addressed.

Don't build homes with garages. Promotes car usage and makes the sidewalks look ugly.

Don't allow unions to override sustainability (like the plumbers with the Comcast urinals). Limit windowless big boxes along the river including gambling parlors.

Developments that accommodate car-sharing pods should be able to offset parking requirements

Code needs to allow for car-sharing vehicles to be located in residential neighborhoods. Car-sharing vehicles to non-shared vehicles has a higher ratio than stated in the recommendations; they should represent an approximately 1:20 replacement value.

Any and all of this would be fabulous and forward thinking improvements. An extra underscore for the control of curb cuts and driveways. This is often one of the biggest battles as developers and new development insist on car-centric choices that lessen eyes on the street, create slippery sloped surfaces for winter walking, and remove more versatile street parking. Please encourage and modify where streets are wide enough, angle parking rather than parallel parking. It provides for more car spaces.

A city is a city and not a suburb. Make the code reflect that.

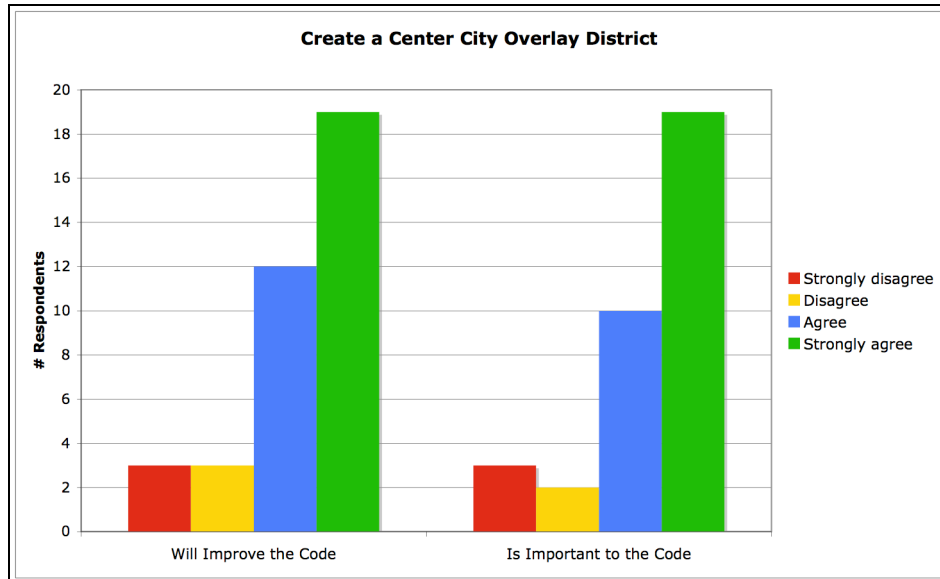
Key Change: Simplify Overlay Districts

Recommendation: Create a Center City Overlay District

Explanation Provided: More than 10 of the current overlay districts only address land in Center City. The New Zoning Code would combine these into a single Center City Overlay District that would consolidate existing controls on:

- 1) Height
- 2) Setbacks and build-to lines
- 3) Parking
- 4) Signage
- 5) Permitted uses

The code would include maps that show where in the Center City Overlay District each of these types of special controls apply. Explanatory text would list the specific controls that are applied to each identified area.



Verbatim Comments:

Yes this is a confusing issue.

The use of "overlay" districts is undesirable overall. Simply rezone as "Ultra Urban High-Density Mixed Use", with restrictions for various types (UU-1, UU2, and so forth).

The Community and business groups that are in Center City understand the Center City Overlay Districts. This would complicate and confuse the situation not simplify it. In Center City permits are more likely to be obtained through "professionals" (lawyers, architects, engineers, etc.) who have experience as doe neighbors with the present code.

Simply having the overlays put onto a single map doesn't necessarily simplify the regulations.

Part of Center City Includes historical Buildings - we MUST preserve them or we loose our soul - no more tear downs like we've been experiencing for convention center, etc

Need more information

It is interesting that the recommendation is to list "Permitted uses" instead of prohibited uses. There are only a handful of prohibited and restricted uses, but hundreds of permitted uses. This seems like an unnecessarily difficult angle of management.

Cannot answer without knowing what the controls actually will be. Not all controls produce more walkable outcomes. But this isn't my area of expertise, so I may be missing something.

At first glance it would appear that there are too many maps, far too many and varied Code provisions to be placed in one section. There needs to be more information provided about this recommendation.

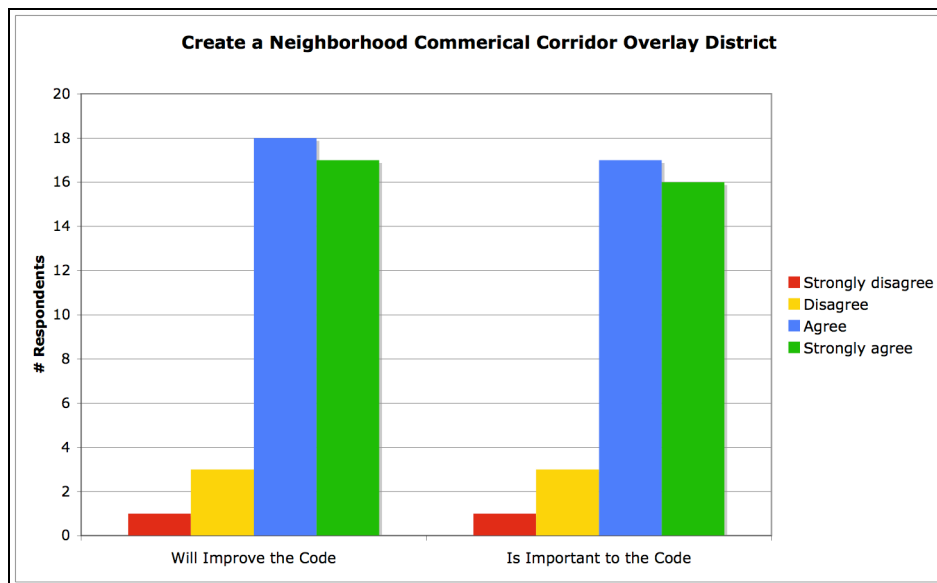
Anecdotal comment about signage: I made a 311 call about an illegal 'no parking' sign put up by some residents to discourage other neighbors from parking there when legally as a city street anyone can park there. The 311-call center employee who called had no idea which department was actually in charge of monitoring the status of signage. So even if you include controls on signage, what does it matter if no one knows who is in charge of monitoring and policing of same?? Please be specific in your language about the many types of signage, including who is responsible for policing which type.

Key Change: Simplify Overlay Districts

Recommendation: Create a Neighborhood Commercial Corridor Overlay District

Explanation Provided: Many of the special districts affecting land outside Center City were created to protect or rejuvenate an existing commercial corridor. The new code would consolidate 10 of these districts into a general Neighborhood Commercial Corridors Overlay District that maintains the same substantive controls, but avoids repetition of similar or identical language.

Since some of the existing districts have unique controls, the overlay may have a separate subsection identifying controls that apply to one or a few geographic areas.



Verbatim Comments:

Why do we need to muddle the Commercial Corridor controls which were created and are implemented by the existing BIDS who understand the requirements and who generally help building owners get through the permit process.

We shouldn't be afraid of height or density in neighborhood commercial corridors. We're in the city, not the country.

This sounds workable

The separate subsections for specific areas will be critical here, due to the complexity and difference of most of the commercial corridors.

Old City, for example, is a mixed-use neighborhood with no distinct delineation between the commercial and residential areas. In most cases, the buildings host commercial uses on the ground floor and residential uses on the upper floors. In this regard, Old City is not unique in Philadelphia. This concept of commercial corridors misses the mark in Old City.

OK

I would want to know how a neighborhood could create its own neighborhood plan in order to highlight anything the code needs to take into consideration -- like Queen Village has.

Consolidation is fine as long as the uniqueness of various neighborhoods is not lost.

CDC's, SBA's and Neighborhood assn's MUST be in on such consolidations and forge a united corridor BEFORE the legalize is put down into an immobile code

Again, if there is a commercial corridor, it should be zoned commercial. Any action beyond that can be undertaken by PIDC or others; it is not the place of the Zoning Code to create Special Development Areas.

Again, it depends on what the controls are. Please call these "mixed-use corridors," as they should not be all commercial - allow apartments over stores.