One-Year Zoning Code Review

A Report to City Council

Submitted on August 22, 2013 by:

Alan Greenberger, Deputy Mayor for Economic Development and Director of Commerce
Julia Chapman, Chair of the Zoning Board of Adjustment
Gary J. Jastrzab, Executive Director of the Philadelphia City Planning Commission
Carlton Williams, Sr., Commissioner of the Department of Licenses and Inspections

ZONING Matters

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Introduction

In 2007, a voter referendum created a 31-member Zoning Code Commission (ZCC) and tasked the commission to reform Philadelphia's zoning code. The ZCC retained a team of nationally-renowned consultants and conducted a rigorous civic engagement process to write a new zoning code that:

- Is consistent and easy to understand,
- Makes future construction and development more predictable,
- Encourages high quality, positive development,
- Preserves the character of Philadelphia's neighborhoods, and
- Involves the public in development decisions.

After four years of dedicated work by the ZCC, City Council, stakeholders, and citizens, a new zoning code was signed into law by Mayor Michael A. Nutter on December 22, 2011 and became effective on August 22, 2012.

In the enacting legislation for the new zoning code, City Council directed the Commissioner of Licenses and Inspections (L&I), the Executive Director of the Philadelphia City Planning Commission (PCPC), the Commerce Director, and the Chair of the Zoning Board of Adjustment (ZBA) to submit a "One-Year Review" assessing the code's achievement of the goals outlined above. The report is due to City Council on August 22, 2013, the one year anniversary of the code's effective date.

This document serves as the One-Year Review and sets forth the joint analysis by L&I, PCPC, Commerce, and ZBA of the City's experience with the new zoning code and recommendations to further amend the zoning code. In the past year, City Council has amended certain aspects of the new zoning code. This One-Year Review evaluates the new zoning code in its amended form.

It is important to note that, the zoning reform, including this one year review and ongoing revisions to the city's zoning map, is part of a larger integrated planning and zoning process facilitated by the Philadelpha City Planning Commission. The integrated planning and zoning process includes zoning reform, *Philadelphia2035* (the city's comprehensive plan), and the Citizens Planning Institute - to implement a shared vision for our city's future physical development.

REPORT HIGHLIGHTS

- Code users agree that the new code is **easier to use, navigate and understand**.

- There is an 11 percent **increase in zoning permits approved by-right**; clear rules have taken the guess work out of common zoning activities.

- Revamped use and dimensional standards have **reduced the number of variances as intended** in certain districts, notably one of the most widely-mapped zoning districts - RM-1 (Residential Multi-

Family-1).

- Code users feel that in principle, notifying and meeting with Registered Community Organizations is worthwhile, but the code (as amended on January 4, 2013) has made the process unpredictable and difficult to manage.

- Zoning remapping is integral to the overall zoning reform effort and is necessary to better reflect on-the-ground land use patterns and promote development as planned for in *Philadelphia2035*.

See the Summary of Findings and Major Recommendations for more highlights.

Overview of the New Zoning Code

The goal of the ZCC was to create new rule book for construction and development in Philadelphia that was simple, consistent, and predictable. Each section of the code was renewed and reformed, and while it is a challenge to describe every difference between the new and former zoning codes, this section highlights the top ten major changes.

1. Easier to Use: The code is reorganized and easier to navigate. The chapters are clearly structured by definitions, procedures, districts, overlays, uses, development standards, parking, signage and historic preservation. Code users know exactly where to look. The code also makes extensive use of tables, illustrations, and maps to communicate the code's legal text in a visual way.

2. Organized Community Involvement: The code establishes a citywide system for recognizing community organizations, providing notice of significant projects, and convening a neighborhood forum with developers and property owners when projects appear before the ZBA. Also, the community has a chance to provide input on certain by-right projects that are expected to have a significant impact on a community through a new public Civic Design Review process.

3. Fewer Variances: Philadelphia's zoning code process has stood apart from those of other cities because of the city's extraordinarily high number and variety of ZBA cases resulting from the code's confusing and outdated rules, including those concerning the criteria for approving variances and special exceptions. The new code clarifies these criteria for applicants and communities and creates clear and distinct rules for use variances and dimensional variances, leading to more predictable development outcomes.

4. Consolidated Base Zoning Districts: The former zoning code had an overwhelming number of base zoning districts. Some districts had little variation between one another. Some districts were not applied at all. The new zoning code eliminated unutilized districts and consolidated redundant districts to reduce the total number of base zoning districts from 58 to 36. The new code also created two new base zoning districts to better respond to Philadelphia's existing conditions. The CMX-2.5 district supports neighborhood commercial corridors and the IRMX district is an industrial, residential, and commercial mixed-use classification that helps neighborhoods that were once manufacturing hubs to transition to mixed-use neighborhoods.

5. Reorganized Overlay Districts: The new code consolidated, streamlined, and reorganized the complex and dense matrix of zoning rules for specific areas, also known as "overlays." The number of overlays has been reduced from 48 to 17.

6. Modernized Uses: The new code organizes uses by categories and sub-categories, not by each individual use. The code modernizes uses in preparation for the future and now addresses urban agriculture, solar panels, and adult day care.

7. Flexible Dimensional Standards: Most of the dimensional standards (lot area, setbacks, height)

remain the same; however the height limit in residential and low-density commercial districts has been increased from 35 ft. to 38 ft. Furthermore, many dimensional standards in rowhome neighborhoods now vary according to the surrounding context.

8. Modern Development Standards: The code includes form and design standards for multi-family, institutional, and commercial properties; enhanced landscaping and tree requirements, and better protection for natural resources.

9. Transit-Oriented Development: The code reduces automobile parking requirements. It encourages development near transit nodes and promotes walking and cycling.

10. Sustainability as Priority: Health and sustainability incentives are integrated in the Code. The code promotes mixed-used and transit-oriented development and provides incentives for fresh food markets and a density bonus for green building and mixed-income housing.

The One-Year Review Process

The one-year review process consisted of three major components:

1. Review of Zoning Permit Data

Five years of zoning permit and ZBA data were gathered from L&I's database for the purpose of analyzing trends in the amount of zoning permits requiring ZBA action, the number of special exceptions, the number of variances, and ZBA decisions.

2. Zoning Technical Committee

An inter-agency "Zoning Technical Committee" is conducting a technical review of zoning permit applications under the new zoning code. The Committee consists of representatives from L&I, PCPC, Commerce, ZBA administration staff, and the Law Department. The Committee meets regularly to identify potential issues concerning the interpretation and administration of the zoning code and to develop recommended amendments to address these issues. The Committee also vetted issues and recommendations made by the public through the civic engagement process described below.

3. Civic Engagement

Public input was a vital aspect of the zoning code reform and continues to be central to this one-year review. PCPC, through the Citizens Planning Institute (CPI), hosted six public feedback sessions in the month of June 2013, attended one feedback session hosted by the Philadelphia Association of Community Development Corporations, and conducted an online survey to gather input from users of the new zoning code. In addition, a few stakeholder organizations have submitted individual letter comments to PCPC.

Results

> REVIEW OF ZONING PERMIT DATA

This section presents statistical information on zoning permits and ZBA appeals using data provided by L&I for the time period August 22, 2008 to August 1, 2013.

Table 1 indicates the annual number and percentage of zoning permits approved by-right, refused for non-conformance with the code, or referred to the ZBA for special exception approval; special exceptions granted by the ZBA; and variances granted by the ZBA. The time period 8/12 to 8/13 represents zoning permits reviewed under the new zoning code. All preceding years represent zoning permits reviewed under the former zoning code.

Table 1: Zoning Permit and ZBA Statistics, 8/2008 to 8/2013[1]

TIME PERIOD:	8/08-8/09		8/09-8/10		8/10-8/11		8/11-8/12		8/12-8/13	
Completed Zoning Applications:	4,840		5,640		5,139		6,179		5,569	
Approved By-Right	3218	66%	3723	66%	3264	64%	3955	64%	3947	71%
Referred or Refused	1622	34%	1917	34%	1875	36%	2224	36%	1622	29%
Appeals by Applicants:	1,233		1,540		1,545		2,054		1,390	
Special Exceptions	133	11%	151	10%	167	11%	187	9%	122	9%
Variances	1098	89%	1381	90%	1373	89%	1845	90%	1249	90%
Against L&I decision	2	0.2%	8	1%	5	0.3%	22	1%	19	1%
Decisions on Special Exceptions (excluding cases dismissed, withdrawn, continued):	111		127		136		155		81	
Denied	18	16%	19	15%	20	15%	14	9%	30	37%
Granted	93	84%	108	85%	116	85%	141	91%	51	63%
Decisions on Variances (excluding cases dismissed, withdrawn, continued):	967		1,242		1,229		1,652		878	
Denied	90	9%	114	9%	102	8%	99	6%	76	9%
Granted	877	91%	1128	91%	1127	92%	1553	94%	802	91%

1 The elevated counts of zoning applications and appeals in 2011-2012 are a result of a spike in zoning activity in anticipation of the new zoning code.
Data for 2012-2013 only reported through August 1, 2013.

Table 1 shows a distinct increase in the percentage of zoning permits approved by-right from 64-66 percent under the former zoning code to 71 percent under the new zoning code. This trend suggests that the City has made positive strides towards its goal to make future construction and development more predictable. Another observable trend is the reduction in the percentage of special exceptions (formerly known as certificates or special permits) granted by the ZBA. Since August 22, 2012, 63 percent of special exceptions were granted

compared to 84-85 percent in previous years. The percentage of variances granted by the ZBA, 91-94 percent, has remained the same under the new zoning code as under the former zoning code.

The dataset used for this analysis does not contain detailed information about the type of variances or special exceptions (i.e. use vs. dimensional) or code sections generating the ZBA appeals.[1] However, interviews with PCPC staff, the Boards Administration Unit staff and ZBA members as well as feedback received from the public offer the following insights on the causes of the observed trends:

- Increase in by-right permits:
  - » Under the old code, there were numerous ZBA appeals for relatively minor variances for commonplace zoning activities such as decks and fences. The codification of simple rules for these structures has led to an increase in the number of by-right permits and created more predictability in the zoning process.
  - » For not-by-right permits, the number of variances and special exceptions per permit has decreased.
- Decline in special exceptions granted: A large proportion of special exception cases are for take-out restaurants and day cares. For group day cares in particular, the proposed day care is often in a single-family residential neighborhood and/or in the middle of the block and in such cases may be found to be in appropriate for the surrounding context.
- Stable trends in variances granted:
  - » Incorrect zoning, such as historic industrially-zoned land that has transitioned to residential/commercial neighborhoods, is generating ZBA appeals. Unnecessary hardship is demonstrable in such instances, and re-mappings will be necessary in the future to reduce the frequency of these types of cases.
  - » Applicant behavior is mixed. Some applicants are still designing to the old code and have to adjust to the new zoning rules. Others applications have transitioned to the new code and, in response to the clearer criteria for variances, are better prepared to prove hardship at ZBA hearings.

Table 2 breaks down appeals to the ZBA by zoning district for the time period August 22, 2008 to August 1, 2013. Unsurprisingly, the zoning districts generating the most ZBA activity are the most prevalent zoning districts in Philadelphia. These districts, shown in bold font, include the “rowhouse” residential districts RSA-5 and RM-1, the “corner store” and “neighborhood” commercial mixed-use districts CMX-1 and CMX-2, and the industrial districts ICMX and I-2.

1 This information is maintained in individual case files for each permit, but is not recorded in the database.

Table 2: Zoning Permit and ZBA Statistics, 8/2008 to 8/2013

ZONING DISTRICT	8/08-8/09 Appeals		8/09-8/10 Appeals		8/10-8/11 Appeals		8/11-8/12 Appeals		8/12-8/13* Appeals	
Residential / Residential Mixed-Use Districts										
RM-1	230	33.9%	316	36.9%	275	33.3%	401	38.5%	237	30.7%
RM-2	5	0.7%	10	1.2%	6	0.7%	12	1.2%	4	0.5%
RM-3	0	0.0%	1	0.1%	2	0.2%	18	1.7%	1	0.1%
RM-4	3	0.4%	9	1.1%	7	0.8%	9	0.9%	10	1.3%
RMX-1	0	0.0%	1	0.1%	0	0.0%	0	0.0%	2	0.3%
RMX-2	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	0.4%
RMX-3	2	0.3%	3	0.4%	4	0.5%	1	0.1%	0	0.0%
RSA-1	16	2.4%	7	0.8%	3	0.4%	10	1.0%	3	0.4%
RSA-2	12	1.8%	35	4.1%	21	2.5%	25	2.4%	22	2.9%
RSA-3	91	13.4%	96	11.2%	109	13.2%	113	10.9%	79	10.2%
RSA-4	3	0.4%	4	0.5%	10	1.2%	5	0.5%	5	0.6%
RSA-5	286	42.1%	339	39.6%	330	39.9%	405	38.9%	377	48.9%
RSD-1	4	0.6%	7	0.8%	7	0.8%	13	1.2%	11	1.4%
RSD-2	2	0.3%	1	0.1%	0	0.0%	0	0.0%	3	0.4%
RSD-3	18	2.7%	13	1.5%	35	4.2%	19	1.8%	10	1.3%
RTA-1	7	1.0%	14	1.6%	18	2.2%	10	1.0%	4	0.5%
Commercial / Commercial Mixed-Use Districts										
CA-1	42	9.8%	33	6.5%	37	7.0%	103	13.7%	8	1.8%
CA-2	12	2.8%	24	4.7%	30	5.7%	42	5.6%	19	4.3%
CMX-1	76	17.7%	73	14.4%	61	11.5%	75	9.9%	42	9.5%
CMX-2	214	49.9%	273	53.8%	292	55.1%	325	43.1%	229	52.0%
CMX-2.5	0	0.0%	0	0.0%	0	0.0%	0	0.0%	27	6.1%
CMX-3	27	6.3%	20	3.9%	26	4.9%	86	11.4%	56	12.7%
CMX-4	33	7.7%	27	5.3%	43	8.1%	32	4.2%	29	6.6%
CMX-5	25	5.8%	57	11.2%	41	7.7%	91	12.1%	30	6.8%
Industrial / Industrial Mixed-Use Districts										
I-1	8	7.0%	15	9.1%	10	5.8%	29	11.8%	3	1.9%
I-2	89	77.4%	131	79.4%	135	78.5%	158	64.2%	103	64.8%
I-3	0	0.0%	3	1.8%	2	1.2%	11	4.5%	0	0.0%
IRMX	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
ICMX	18	15.7%	16	9.7%	25	14.5%	48	19.5%	53	33.3%
Special Purpose Institutional District										
SP-INS	5	n/a	2	n/a	4	n/a	8	n/a	13	n/a
Special Purpose Parks and Open Space District										
SP-PO	7	n/a	7	n/a	3	n/a	2	n/a	0	n/a
Special Purpose Stadium District										
SP-STA	0	n/a	2	n/a	2	n/a	0	n/a	0	n/a

** Data reported through August 1, 2013.*

The new zoning code applies new contextual standards concerning setbacks, height, residential density and curb cuts to the RSA-5, RM-1, CMX-1 and CMX-2 districts. The new code also revamped the industrial district use and dimensional standards to accommodate "modern" industry while respecting abutting residential neighborhoods. These changes may account for the noticeable decrease in required ZBA action for the RM-1 district, as well as the observed increase in required ZBA action for RSA-5 districts and ICMX districts. Again, the dataset used for this analysis does not contain the detailed information required to determine which zoning code standards are driving these trends. Staff of PCPC, L&I and ZBA have observed the following potential causes:

- Decrease in RM-1 cases: Attached rowhomes (having no side yards) are the most common housing type in this multi-family residential district. Detached homes, although less common, are also permitted in this district as long as the home has a minimum 5 ft. side yard. Under the former zoning code, a rowhome constructed next to a vacant lot had to be considered as a detached home per the definitions and would therefore trigger a side yard variance. The new code amended the definitions of "attached" and "detached" buildings to address this issue. This change is one likely cause of the declining trend in appeals in this zoning district.

- Increase in RSA-5 cases: Variances for front-loaded garages, minimum required rear yard depth, and multi-family conversions accounted for most cases in RSA-5.

  - » In neighborhoods such as Manayunk and Roxborough, steep topography may pose a true hardship to the construction of rear-loaded garages. In other sections of the city such as South Philadelphia and Center City where topography is not a factor, developers feel front-loaded garages are necessary to market homes effectively, and thus are seeking a variance.

  - » The minimum required rear yard depth in RSA-5 is the greater of 9 ft. or 20 percent of the lot depth. Small lots, which are prevalent in South and North Philadelphia, are able to comply with a 9 ft. setback, but it is a challenge for most to comply with the 20 percent rule.

  - » RSA-5 is a single-family attached zoning classification that does not permit multi-family dwellings. Certain areas of the city have experienced a gradual, natural transition from single-family to multi-family residential and as a result, the RSA-5 zoning is inconsistent with the existing multi-family residential character of those areas. Re-mappings will be necessary in the future to reduce the frequency of these types of variances.

- Increase in ICMX cases: The phenomenon of residential conversions described for the I-2 district, above, is also occurring and is on the rise in this mixed industrial-commercial zoning classification, particularly in neighborhoods with historic industrial land such as Fishtown and Kensington. The degree of the increase in ICMX appeals under the new code suggests that an additional factor is contributing to the rising trend. Close monitoring of this district in the future is necessary to determine and appropriately address the causes.

> FINDINGS OF THE ZONING TECHNICAL COMMITTEE

The Zoning Technical Committee has made approximately 60 recommendations to further refine and improve the zoning code. The recommendations most frequently address zoning code chapters 14-600 (Uses), 14-200 (Definitions), and 14-700 (Development Standards).

The majority of the recommendations represent technical changes to address issues concerning unclear language, incorrect cross-references, or the need for defined terms. Examples include the need to define "front façade" or to correct a reference to the Building Code. These issues cause interpretational difficulties that may result in unnecessary variances.

Approximately one-third of the recommendations are more substantive in nature to address shifts in policy, rules that are barriers to positive development, or changing development patterns. These substantive changes require further discussion with City Council. They cover 20 topics:

- Civic Design Review (Triggers)
- Lot Adjustments (Nonconforming lots)
- Residential Districts (Creation of new base districts)
- CTR Center City Overlay (Use controls; parking controls)
- NCO East Falls Overlay (Parking controls)
- NCO North Delaware Avenue Overlay (District boundaries)
- WWO Wissahickon Watershed Overlay (Earth-moving plans)
- Use Categories (New subcategories and specific use types)
- Vehicle Paint Finishing Shops (Use-specific standards)
- Accessory Structures (Limits on size and number)
- Roof Deck Privacy Screens (Height limits)
- Aboveground Garages in RMX-3, CMX-4/5 (Design standards)
- Group Medical, Dental, Health Practitioners (Use controls in CMX-2/2.5)
- Urban Agriculture in SP-PO districts (Use controls)
- RM-1 Rear Yard (Minimum required depth)
- Street Tree Requirements (Numeric standards)
- Delaware River Waterfront Parking Overlay (Parking controls)
- Off-Site Parking (Permitted locations)
- Parking in Rowhouse Districts (Streets Dept approval)

The complete set of the Zoning Technical Committee's recommendations is provided in Appendix A. The Appendix presents the Substantive Recommendations first, followed by the Technical Recommendations.

> FINDINGS FROM CIVIC ENGAGEMENT

A total of 67 individuals attended the public feedback sessions and 57 individuals responded to the online survey. The majority of participants, 68 percent, regularly used the code on at least a monthly basis. Sixty-one percent of individuals had participated in the zoning process through a community organization, while the remaining individuals participated as a zoning applicant or as a professional working on behalf of a zoning applicant.

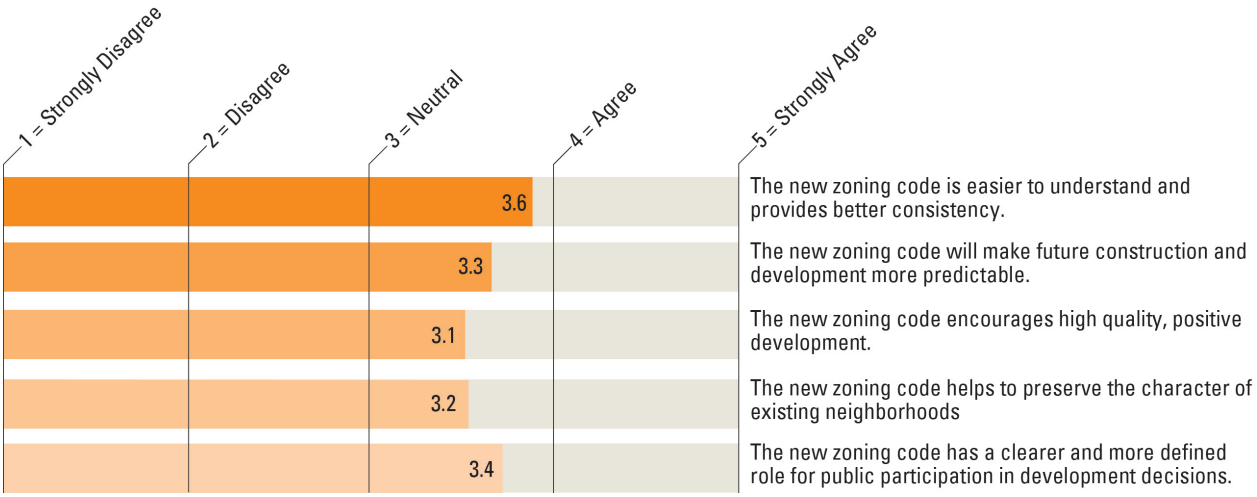
All participants were asked to rate on a scale of 1 (strongly disagree) to 5 (strongly agree) how well the new zoning code achieved the reform goals to make the code easier to understand and provide better consistency; make future construction and development more predictable; encourage high quality, positive development; preserve the character of existing neighborhoods; and involve the public in development decisions. As shown on the accompanying chart, the composite scores from all 113 respondents indicate the participants tend to agree rather than disagree that the new zoning code satisfies these goals.

The meeting and survey participants contributed 645 unique comments about the code. The two most frequently discussed topics were Registered Community Organizations (RCOs) (288 comments) and the ZBA/variances/special exceptions (71 comments). In aggregate, comments related to RCOs accounted for 45 percent of all the comments recorded.

Additional topics of discussion were General Impacts of the Code (9 percent of all comments), Enforcement (7 percent), Code Familiarity (6 percent), Parking (4 percent), Civic Design Review (3 percent), Signage (3 percent), CMX-2.5 Districts (2 percent), Development Standards (2 percent), Dimensional Standards (2 percent) and other miscellaneous comments (6 percent).

In brief, the significant findings of the civic engagement process were:

- RCOs:
  - » Bill No. 120889: City Council Bill No. 120889, enacted on January 4, 2013 and effective as of March 25, 2013, amended the new code's system of notifications to and meetings with RCOs. Most of the comments related to RCOs were in response to these amendments. While participants understood that the goal of the Bill was to improve communication between zoning permit applicants and community members, responses indicate that the Bill has not achieved that goal and instead has created a process that is unpredictable, uncertain, and difficult to manage.



» **Written Notice:** The code requires the zoning permit applicant and local RCOs to each provide written notice to property owners and building occupants located on the 9 block faces closest to the development parcel. Many participants describe this written notice requirements as cumbersome, burdensome, and expensive. Participants also expressed concern about the enforceability of this provision.

» **Multiple RCOs:** In the case of multiple local RCOs that have jurisdiction over a development parcel, the code requires the RCOs to coordinate and convene a single meeting with the developer; however, any single RCO may "opt out" of the single meeting requirement and request a separate meeting with the developer. Most participants preferred only one required meeting with all RCOs, finding this the least burdensome to all parties and providing the greatest level of transparency. Several participants in the live sessions cited cases of applicants pitting RCOs against each other, selectively using RCOs for support, and general confusion about how many meetings the applicant must attend.

» **RCO Qualifications:** To qualify as an RCO, an organization must submit a statement of an RCO's geographic boundaries, purpose, and schedule of meetings. Participants felt that these qualifications are too lenient and have resulted in RCOs who do not fairly represent the affected neighborhood. Participants perceive that the reduction in criteria has reduced transparency and resulted in "turf wars" with an unmanageable number of RCOs having overlapping boundaries. PCPC staff note that the loose qualification criteria has resulted in the registration of organizations that do not regularly engage in zoning matters, such as educational associations and pee wee football organizations. Some groups have indicated a desire to be removed from the RCO list.

» Compliance: Participants did not understand the roles and responsibilities of L&I, PCPC and the ZBA in monitoring zoning applicant and RCO compliance with the meeting and notice requirements. Interviews with ZBA members and PCPC staff indicate that while they monitor for compliance before proceeding with ZBA hearings and Civic Design Review public meetings, the process is confusing, chaotic and time-consuming. For the ZBA, the failure of applicants or RCOs to comply with their responsibilities often leads to continued hearings, causing delays for development projects and burdens for RCO members.

- ZBA and Variances:
  - » Overall, there is a perception that the ZBA is still familiarizing itself with the new code and as a result, too many variances are being granted.
  - » Respondents representing community organizations perceive that zoning permit applicants are abusing the use of variances to "get what they want."
  - » There is uncertainty about how much weight ZBA gives to citizen and RCO support or opposition to individual variance requests and a desire to understand the basis of ZBA decisions.
  - » There is a critical need for remapping in parts of the city with significant development pressure.

Appendix B provides a synthesis of all the comments from the live session and online participants, followed by the verbatim comments, and letters received from stakeholders.

Summary of Findings

The One-Year Review of the new zoning code reveals six major findings:

1. The zoning code reform successfully created a code that is easier to use, navigate and understand. Clear rules have taken the guess work out of common zoning activities, such as the construction of decks and fences, and have reduced the volume of minor variances as a direct result. As zoning code users continue to gain familiarity with the new code, this reduction in minor variances it is expected to continue in the near term.

2. For other zoning activities that still require ZBA action, the findings are mixed. In some districts like RM-1, the new code has effectively reduced the number of variances while having the opposite effect in districts like RSA-5 and ICMX. Although anecdotal evidence suggests certain causes for these trends, improved data tracking systems are necessary to pinpoint and subsequently develop solutions to the underlying issues.

3. The Zoning Technical Committee identified definitional and language problems that may cause interpretation issues resulting in variances. Correcting these problems to relieve the ZBA of inconsequential variances is necessary and easily accomplished.

4. The overall rate of approval of variances under the new code is higher than expected, hovering at approximately the same level as previous years. The new code clarifies these criteria for applicants and communities and creates clear and distinct rules for use variances and dimensional variances, leading to more predictable development outcomes. The ZBA's transition to the new criteria was a challenging task since the docket contained cases under the former and new code for several months, forcing the ZBA to be fluent and fluid in the application of two different sets of variance criteria. As the ZBA completes its transition to the new code, the variance approval rate will continue to be monitored. Furthermore, a reduction in variances, particularly use variances, is anticipated as zoning remapping is completed.

5. Code users feel that in principle, notifying and meeting with Registered Community Organizations is a worthwhile process. However, the amendments made by City Council Bill No. 120889 have made that process unpredictable, uncertain, and difficult to manage. The provisions dealing with RCO qualifications, notice, and meetings between zoning applicants and RCOs need to be revised.

6. Zoning officials and the public often cited the need for zoning remapping. Correcting instances where the existing zoning classification is inappropriate for the existing land use and neighborhood context should reduce the need for variances. Zoning remapping is integral to the overall zoning reform effort and can move forward in collaboration with City Council and key stakeholders as *Philadelphia2035* District Plans are adopted.

Major Recommendations

This section recommends future amendments to the zoning code and improvements to the City's administration and monitoring systems to continue the improvement of Philadelphia's zoning and development process. There are four major recommendations. PCPC will be responsible for coordinating and facilitating the implementation of these recommendations, except as otherwise noted.

1. Amendments Recommended by the Zoning Technical Committee: Review the Committee's recommendations for technical and substantive changes to the zoning code (see Appendix A) with City Council and prepare amendments for adoption in Fall 2013. Prioritize adoption of the technical amendments addressing definitional issues, unclear language, and incorrect cross-references that cause unnecessary and inconsequential variances.

2. Amendments to Registered Community Organizations: Engage City Council to evaluate and implement recommended changes to the RCO system, including:

   » Augment the minimum qualifications for local RCOs. The qualifications should ensure that RCOs have the capacity to carry out the responsibilities established by the Zoning Code.

   » Increase the frequency for re-registration from every three years to annually. Incorporate a mechanism into this annual review to de-certify RCOs for inactivity or consistent failure to comply with Zoning Code neighborhood notice and meeting procedures.

   » Require the RCOs to coordinate and convene a single meeting with the developer and remove the "opt out" provision enabling each RCO to request a separate meeting with the developer.

   » Incorporate a "good faith standard" to provide zoning applicants and RCOs confidence that they have satisfied their responsibilities under the zoning code as long as they have acted reasonably and in good faith.

   » Revise the notification requirements to simplify the system and reduce the burden on applicants and local RCOs. For example, consider:

      » Reducing the area of notification to a 200 ft. radius. Create an application for use by the public and code administrators that identifies all property addresses within this radius.

      » Eliminating the requirement for local RCOs to provide written notice to the community and instead place the burden of community notice solely on zoning applicants.

      » Clarifying that the applicant must provide this community notice to property owners by certified

mail or affidavit of hand delivery.

» Requiring the community notice to include basic details about the project and the location, date and time of the scheduled ZBA or CDR meeting, and contact information for the applicable local RCOs.

3. Administration and Monitoring:

» Coordinate with L&I to create an enhanced data tracking system for variances and special exceptions. The system should, at a minimum, provide the ability to track the number of variances and special exceptions requested by each appeal to the ZBA and the zoning code provision causing each variance or special exception.

» The Office of the Deputy Mayor for Economic Development will explore how to secure resources to create an additional staff position within the Boards Administration Unit who is fully dedicated to ZBA administration. The staff member will assist the ZBA and the Boards Administration Unit in the coordination and organization of hearings, the maintenance of ZBA records, and the provision of technical assistance to ZBA members. The staff position will also be responsible for confirming and maintaining records of zoning applicant and local RCO compliance with the code's neighborhood notice and meeting requirements.

» Conduct biennial updates of this Zoning Code Review to ensure consistency with other City codes and to reflect the changing needs of the city.

4. Zoning Remapping: Work with City Council to implement the zoning map revisions recommended by adopted *Philadelphia2035* District Plans. Zoning remapping is the second phase of the zoning reform and the *Philadelphia2035* district planning process provides a mechanism for completing a comprehensive revision of the city's zoning maps. To date, PCPC has adopted District Plans for five of 18 districts: West Park, Lower South, Lower Northeast, University Southwest, and Central. An additional two are now in progress: Lower North and Central Northeast. PCPC expects to complete all districts by mid-2017.

A primary goal of each District Plan is to identify, through extensive public input, preferred land uses and recommendations for corresponding zoning map changes. Each District Plan proposes a future land use map and zoning remappings. To implement the remappings, City Council action is required to make official changes the city's zoning map. The District Plan recommendations serve as a useful starting point for drafting the Council remapping ordinances. Although the District Plan remapping recommendations are guided by citizen input, additional community outreach may be necessary to ensure the remapping ordinances are consistent with goals of the District Plan.

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CARLTON WILLIAMS, SR., *Commissioner of the Department of Licenses and Inspections*

Office of the Deputy Mayor for Economic Development
Luke Butler, *Chief of Staff*
*Natalie Shieh, *Deputy Chief of Staff*

Department of Licenses and Inspections
Michael Fink, *Deputy Commissioner for Development*
Maura Kennedy, *Executive Director Development Services*
Thomas McDade, *Former Executive Director, Development Services*
Mary Jane McKinney, *Boards Administration*
Elizabeth Baldwin
Jeanne Klinger
Brad Krause
Michelle Rand
Kevin Walsh

Philadelphia City Planning Commission
Alan Urek, *Interim Deputy Executive Director*
Eleanor Sharpe, *Director of Legislative & Intergovernmental Affairs*
Donna Carney, *Director of the Citizens Planning Institute*
Bill Kramer, *Development Planning Division Director*
Richard Redding, *Planning Division Director*
David Schaaf, *Urban Design Division Director*
Darshna Patel, *GIS Division Director*
Beige Berryman
Paula Brumbelow
Sarah Chiu
Martine Decamp
David Fecteau
John Haak
Octavia Howell
Martin Gregorski
Larissa Klevan
Andrew Meloney
Clint Randall
Laura Spina
Mark Wheeler

Zoning Board of Adjustment
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Andrew Ross, Law Department
Rick Sauer, Philadelphia Assoc. of Community Development Corporations
Stella Tsai, Former Zoning Code Commissioner

** Project Manager of the One-Year Zoning Code Review*

APPENDIX A:
Recommendations of the Zoning Technical Committee

This appendix contains the recommendations of the Zoning Technical Committee, an inter-agency Committee comprised of representatives from L&I, PCPC, Commerce, ZBA, and the Law Department and formed to conduct a technical review of the new zoning code.

The recommendations are presented in two sections: Substantive Recommendations and Technical Recommendations. The first summarizes the recommendations that are substantive in nature. The second section addresses technical changes that are necessary to address unclear language, incorrect cross-references, or the need for defined terms.

Substantive Recommendations

Code Section	Issues and Recommendations
Civic Design Review 14-304(5)	**Issue #1:** There are three triggers for Civic Design Review (CDR) depending on the base zoning district of the development project: 25,000 sq ft / 25 units; 50,000 sq ft / 50 units; and 100,000 sq ft and 100 units. The lowest trigger for CDR review is too low. Small-scale projects have fewer design considerations, leaving little room for CDR committee comment. **Recommendation #1:** Amend the section so there are only two sets of triggers: 50,000 sq ft / 50 units and 100,000 sq ft and 100 units. **Issue #2:** CDR review is required for a re-zoning of land into a Master Plan district. The CDR review is in addition to a review of the Master Plan that is conducted by the Planning Commission, therefore the CDR review is redundant. Furthermore, the nature of a Master Plan review is inherently different that the nature of CDR, as the former considers the site while the latter considers buildings. **Recommendation #2:** Eliminate CDR for Master Plan Districts. **Issue #3:** The triggers for CDR refer to "new dwelling units." The intent of this section is to only consider buildings or portions of buildings that are new construction. However, the language may be unintentionally interpreted to apply to the creation of new residences within an existing building. **Recommendation #3:** Amend the language to clarify that CDR applies to buildings / portions of buildings that are new construction and excludes conversions of existing structures. **Issue #4:** CDR applies to new buildings and major additions in Master Plan districts. Some Master Plan districts are very large (such as university campuses) and have interior buildings that do not interact with the public realm. CDR should not apply to these buildings. **Recommendation #4:** Amend the triggers to exclude buildings in Master Plan districts that do not face a public a street.

Code Section	Issues and Recommendations
Lot Adjustments 14-305(7)(b) and 14-304(6)	**Issue:** The lot adjustment criteria require all lots to satisfy the lot dimension and street frontage requirements of the base zoning district, but does not take into account non-conformities. For example, in an RSA-5 district where the minimum lot size is 1,440 sq. ft., the consolidation of two 600 sq. ft. lots into a 1,200 sq. ft. lot would require a variance even though the consolidation is bringing the lots closer to conformance with the code. **Recommendation:** Amend these code sections to enable by right lot adjustments of nonconforming lots as long as the adjustment does not increase the degree of the nonconformity.
Residential Districts 14-401	**Issue:** Historic four-story townhouses are prevalent in neighborhoods such as Rittenhouse Square, South Broad Street, Society Hill, Queen Village and Old City. Infill construction designed to fit this historic context tend to exceed the 38 ft. height limit established by the code for these residential districts. **Recommendation:** Consider the creation of a new single-family and multi-family residential district that incorporates the standard lot and building dimensions for historic townhouses. The new Residential districts would need to be mapped before taking effect.
Center City Overlay, Use Controls 14-502(5)	**Issue:** The supplemental use controls of the Center City Overlay restrict Eating & Drinking uses in several areas: - S. Broad St and Chestnut / Walnut St, West of 7th Street – Take-out prohibited; Prepared Food Shop and Sit-Down Restaurants require a special exception - Chestnut/Walnut St, East of 7th St – Take-out prohibited; Prepared Food Shop and Sit-Down Restaurants permitted by right However, these uses are desired in these areas and support the commercial vitality of Center City. **Recommendation:** Amend the use controls to permit sit-down restaurants and prepared food shops by right and take-outs by special exception.
Center City Overlay, Parking Controls 14-502(6)	**Issue:** The *Philadelphia2035* Central District Plan (adopted June 2013) included a parking study that demonstrated excess parking capacity in several areas that are growing or ripe for new development, including Callowhill/Chinatown North and the Delaware River Waterfront. The typical zoning classifications in these areas are CMX-3, CMX-4 and CMX-5. The Central District Plan recommends instituting vehicular parking maximums for these zoning classifications (see recommendation no. CTR 42). **Recommendation:** Consider a new parking control that applies parking maximums to surface lots in CMX-3, CMX-4 and CMX-5 districts in the Center City Overlay.
East Falls Overlay 14-503(2)	**Issue:** This overlay applies special controls to commercially-zoned lots along the Ridge Avenue and Midvale Avenue corridors in East Falls. One of these controls is an increased parking requirement for buildings larger than 3,000 square feet. The purpose of the parking requirement is to ensure commercial uses have enough parking to serve their customers, however, the parking requirement applies to residential uses as well. Furthermore, the parking controls limit curb cuts to a maximum width of 20 ft., which conflicts with city-wide standards for parking aisle widths of 24 ft. **Recommendation:** Amend the parking requirement section to apply to commercial uses only. Amend the curb cub maximum width to 24 ft.

Code Section	Issues and Recommendations
North Delaware Avenue Overlay 14-503(9)	**Issue:** This overlay places restrictions on Eating & Drinking and Assembly & Entertainment uses for a large geographic area covering portions of Northern Liberties, Fishtown, Olde Richmond, East Kensington, and the Central Delaware Waterfront. These uses are desired and support the commercial corridors in certain sections of the overlay, particularly along the Girard Avenue and Frankford Avenue corridors in Fishtown. **Recommendation:** Adjust the boundaries overlay to exclude Fishtown and portions of the Central Delaware Waterfront.
Wissahickon Watershed Overlay 14-510(7)(a)(.2)	**Issue:** This section exempts sites less than ½ acre from providing an earth moving plan, however, such sites may contain sensitive lands with steep slopes or that are adjacent to a stream or swale. **Recommendation:** Remove this exemption.
Use Categories 14-601	**Issue:** Certain uses do not easily fall into one the use categories. **Recommendations:** • **Commissaries / Catering Uses** – Create a subcategory under Commercial Services to distinguish commercial food preparation enterprises from eating and drinking establishments. • **Distributor of Malt or Brewed Beverages.** – This use is categorized under Wholesale Sales and Distribution, however these operations tend to be predominantly retail with accessory wholesale operations. This use should be moved to the Retail Sales category. • **General Industrial** – Amend the definition to include services that recycle and reclaim non-hazardous waste to distinguish these businesses from the Junk and Salvage Yard use subcategory. • **Medical, Dental, and Health Practitioner** – Amend subcategory definition to "Office uses related to diagnosis and treatment of human patients' illnesses, injuries, and physical malfunctions <u>by a State-licensed medical practitioner</u> that can be performed in an office setting with no overnight care. …" • **Retail Sale of Consumer Goods** – Amend the definition of Consumer Goods to permit the sale of tobacco products, but not drug paraphernalia. • **Personal Services** – Amend the definition to clarify that instruction / tutoring of individuals and groups are included in this subcategory: "Uses that provide a variety of services associated with ~~personal~~ grooming, ~~personal~~ instruction, and the maintenance of fitness, health, and well-being …" • **Wearing Apparel and Accessories** – Amend the definition to clarify that jewelry stores are included in this use subcategory and may melt precious metals so long as that activity is incidental to the retail activity.
Group Medical, Dental, Health Practitioners Table 14-602-2	**Issue:** Group Medical, Dental, Health Practitioner Office is a special exception use in CMX-2 and CMX-2.5 commercial corridor districts, however group medical practices tend to locate on commercial corridors to better serve nearby residents. **Recommendation:** Permit Group Medical, Dental, Health Practitioner Offices by right in CMX-2 and CMX-2.5 districts.
Urban Agriculture in SP-PO Districts 14-602(6)	**Issue:** Urban agriculture uses are prohibited in SP-PO districts, however the Department of Parks and Recreation actively manages urban agriculture programs at a number of its facilities. **Recommendation:** Permit community gardens by right and market farms by special exception.

Substantive Recommendations

Code Section	Issues and Recommendations
Use-Specific Standards for Vehicle Paint Finishing Shops 14-603	**Issue:** Currently, there are no use-specific standards for vehicle paint finishing shops to address common neighborhood concerns about noise, fumes, odor, and vehicle storage. **Recommendation:** Consider the creation of use-specific standards.
Accessory Structures 14-604(1)	**Issue:** This section does not limit the size or number of accessory structures. In residential areas, large accessory structures may have a negative impact on light and air for near neighbors. **Recommendation:** In Residential Districts, limit accessory structures to the greater of 200 ft. or 25% of the gross floor area of the principal structure, apply a 15 ft. height limit, and require a minimum of 3 ft. between the structure and property line.
Roof Deck Privacy Screens 14-604(5)	**Issue:** There are no height limits for privacy screens and guardrails on roof decks (although there are limits for screens and guardrails on other types of decks). **Recommendation:** Apply to roof decks the same height limits for privacy screens and guardrails that are applicable to other types of decks (see 14-604(4)(a)).
Aboveground Parking Structures in RMX-3, CMX-4 and CMX-5 districts 14-602(4) and 14-803(1)(d)	**Issue:** Aboveground parking structures in RMX-3, CMX-4 and CMX-5 districts require special exception approval even when provided to satisfy the code's minimum parking requirements. Furthermore, special review of aboveground parking is necessary to ensure the layout and design minimizes impacts on the public realm, however the ZBA review criteria for special exceptions do not include design factors. **Recommendation:** Require pre-requisite Planning Commission approval for the design of all above-ground garages in these districts. Consider permitting aboveground parking structures by right for up to 125% of the minimum required parking spaces. For spaces provided in excess of 125% of the minimum required spaces, require a traffic study and approval via variance.
RSA-5, RM-1 Rear Yard Depth Tables 14-701-1 and 14-701-2	**Issue:** The minimum required rear yard depth for RSA-5 and RM-1 properties is the greater of 9 ft. or 20% of the lot depth. Small lots are able to comply with a 9 ft. setback, but it is a challenge for most to comply with the 20% rule. **Recommendation:** Amend Tables 14-701-1 and 14-701-2 to eliminate the 20% rule, or to limit applicability of the 20% rule to lots deeper than 70 ft.
Street Tree Requirements 14-705(2)(c)	**Issue:** This section incorporates numeric standards of one street tree per 35 ft. of linear frontage with a minimum 15 ft. spacing between trees. These standards conflict with the regulations and guidelines of the Streets Department and Department of Parks and Recreation. **Recommendation:** Eliminate the numeric standards. Instead refer to the Streets Department and Department of Parks and Recreation regulations.
Delaware River Waterfront Parking Overlay 14-802(7)(c)	**Issue:** This section increases the minimum parking requirement for sit-down restaurants and nightclubs and private clubs in the central portion of the Delaware River Waterfront. This encourages the proliferation of surface parking lots, which is in direct conflict with the adopted *Master Plan for the Central Delaware* (2011). **Recommendation:** Eliminate or reduce the minimum parking requirement for sit-down restaurants and nightclubs and private clubs in the Delaware River Waterfront parking overlay.

Substantive Recommendations

Code Section	Issues and Recommendations
Off-Site Parking 14-802(9)	**Issue:** This section allows accessory parking in CMX-3, -4, and -5 districts to be provided off-site within 1,000 ft. of the main building entrance, provided the off-site location is located in a district where non-accessory parking is a permitted use. However, most CMX-4 and-5 properties are in Center City and are closest to other CMX-4 and -5 districts aboveground non-accessory parking is restricted. The restriction prevents projects from taking advantage of existing aboveground parking facilities with surplus spaces. **Recommendation:** Amend to permit off-site parking at a location that is either in a district where non-accessory parking is a permitted use or has valid zoning approval (either over-the-counter or by ZBA approval) for aboveground structured parking.
Parking in Rowhouse Districts 14-803(1)(c)	**Issue:** This section prohibits a private residence garage or carport that is accessed by a street, alley, or shared driveway less than 36 ft. wide without Streets Department approval. This rule creates conflict with other parking regulations in rowhouse districts that require parking access from rear alleys, many of which are less than 36 ft. wide. **Recommendation:** Remove this subsection.

Technical Recommendations

Topic	Issues and Recommendations
Ground Floor Frontage 14-202	**Issue:** Some sections of the code require certain uses along the "ground floor frontage." However, it is unclear whether building entrances that serve one or more uses is included as part of ground floor frontage. **Recommendation:** Create a rule of measurement for ground floor frontage and exclude building entrances from that measurement.
Build-To Requirement 14-202	**Issue:** The CMX-2.5 district requires the front wall of a building to meet the street line. The code does not provide guidance on how to judge a wall with articulation that causes portions of the wall to recede slightly from the street line. **Recommendation:** Create a rule of measurement that exempts certain articulation and architectural embellishments from the calculation of the front setback.
Gross Floor Area 14-202(4)(a)(.1)	**Issue:** This subsection states that porches "whether enclosed or unenclosed" shall be included in the measurement of gross floor area. By definition (see 14-202(242)), porches are unenclosed. **Recommendation:** Delete "whether enclosed or unenclosed" from this subsection.
Easements 14-202(13)	**Issue:** This section excludes alleys, easements and shared driveways from the calculation of open area even though these features do contribute to open area. **Recommendation:** Amend this section to count alleys, easements and shared driveways towards open area.
Building Frontage 14-202(2)	**Issue:** The term "building frontage" is used throughout the zoning code to reference any building line facing a lot line contiguous to a street. However, the rule of measurement for the width of a building frontage implies that "building frontage" is limited to the front lot line. **Recommendation:** Amend the rule of measurement for building frontage width to "the measurement of any wall of a building facing a confirmed street on a lot contiguous to that street."
Lot Frontage in Calculating Sign Size 14-202(9.1)	**Issue:** This section states that if a lot fronts on two streets, the sign area for each lot frontage shall be computed separately and shall not be combined and placed on a single lot frontage. There are no comparable rules of measurement for cases with multiple building frontages or store frontages. **Recommendation:** Amend the rule of measurement to apply to cases with multiple lot, building, or store frontages.
Street Frontage 14-202(20) and Tables 14-701-2 and 14-701-3	**Issue:** The term "street frontage" is used throughout the zoning code to reference any lot line contiguous to a street; the only exceptions are in Tables 14-701-2 and 14-701-3 where "minimum street frontage" refers to the front lot line. Although street frontage generally refers to any lot line, the rule of measurement for the width of a street frontage implies that "street frontage" is limited to the front lot line. **Recommendation:** Amend the rule of measurement for street frontage width to refer to any lot line contiguous to a street. Amend Tables 14-701-2 and 14-701-3 to state "minimum street frontage as taken from the front lot line."

Topic	Issues and Recommendations
Bay Window 14-203	**Issue:** There is no definition of "bay window." **Recommendation:** Carry over the bay window definition from the former code: A window structure that projects from the wall of a building and is at least 24-in. above the finished floor surface
Front Façade 14-203	**Issue:** There is no definition of "front façade." **Recommendation:** Define "front façade" as the front wall of the main building, excluding bay windows (but not bays), porches, decks, patios, cellars and basements.
Store Frontage 14-203	**Issue:** There is no definition of "store frontage," which is used in the signs control chapter, Chapter 14-900. **Recommendation:** Define "store frontage" as "any exterior wall of a single tenant space."
Multiple Structures 14-203	**Issue:** Certain base zoning districts allow multiple structures on a lot. There are no definitions that distinguish a single structure from multiple separated structures. **Recommendation:** Define "separate buildings" as buildings on a single lot with a physical space between them.
Parking Lot 14-203(219) 14-203(220) 14-203(221)	**Issue:** These sections define "Parking Lot," as well as "Parking Lot, Private" and "Parking Lot, Public" as specific types of parking lots. The "Private" and "Public" definitions specify that the lots store more than three motor vehicles, whereas that specification is missing from the general "Parking Lot" definition. **Recommendation:** Amend the "Parking Lot" definition to include "more than three motor vehicles" for consistency with the other definitions.
Marquee Sign 14-203(284)	**Issue:** The current definition does not specify that a sign on the projecting side of a marquee should be considered a marquee sign, rather than a projecting side, as intended. **Recommendation:** Amend the definition to state "The sign may be located on ~~the~~ <u>any</u> face, top, or underside of the marquee."
Visitable Dwelling Units 14-203(359) and 14-708(3)(b)	**Issue:** These sections refer to an ANSI standard rather than the correct Building Code standard. **Recommendation:** Amend sections to refer to the correct Building Code standard.
Code Interpretations 14-301(3)(a)	**Issue:** This section summarizes the Planning Commission's general authority. It references issuances of code interpretations by the Planning Commission; however code interpretation procedures (previously in Section 14-303(5)) were deleted from the Zoning Code by Bill No. 120774-A approved on January 14, 2013. **Recommendation:** Delete the reference to code interpretations.
Issuance of Zoning Permits for Lots Currently Subject to a Variance/Special Exception/Proviso 14-303(6)(a)(.2)	**Issue:** This section addresses zoning permit reviews for properties that are currently subject to a variance, special exception, or proviso. The intent of this subsection was to allow L&I to grant a zoning permit if the particular proposal in the application is compliant with the zoning code. For example, if a property is currently subject to an approved height variance but the zoning application is for a permitted use within an existing building, then the use should be granted by right. As written, this intent is not immediately apparent. **Recommendation:** Clarify the intent.

Topic	Issues and Recommendations
Repair / Replace Nonconforming Structures 14-305(6)(g)	**Issue:** This section addresses the repair and reconstruction of nonconforming structures. The terms "repair" and "reconstruction" are not defined; therefore, it is unclear whether portions of a nonconforming structure may be reconstructed within its original footprint and height. Nor is it clear to what extent repair becomes reconstruction. **Recommendation:** A "repair" should be defined as any of the following: (a) interior work which does not result in increased gross floor area; (b) the replacement of up to two-thirds of the structural framing members when work also involves the replacement of any portion of the exterior wall; or (c) the replacement of portions of nonconforming structures (such as porches, shed kitchens) in their original footprint and height. A building may be "repaired" to the original or lesser height and area. A "reconstruction" should be defined as any structural work that does not meet the definition of "repair."
Center City Overlay, Parking Controls 14-502(6)(a)	**Issue:** This section limits vehicular ingress and egress for parking and loading in the Market Street Area, Chestnut and Walnut Street Area, Locust Street Area, Spruce Street Area, Benjamin Franklin Parkway Area, South Street/Head House Square Area, and Broad Street Area. This section was intended to carry over similar restrictions that were in the old zoning code, however unintentionally expanded the controls to more street frontages than were covered by the old code. **Recommendation:** Amend the controls to limit the applicability to the same frontages that were covered under the old code.
Center City Overlay, Parking Controls 14-502(6)(d)	**Issue:** This section states "that the ground floor of any parking garage in the Parking Garage Ground Floor Use Control Area must be occupied by an office, retail sales, commercial services, or public, civic and institutional use." This section was not intended to apply to parking garages for single- or two-family dwellings. **Recommendation:** Reevaluate the applicability and exclude small residential uses.
Ground Floor Commercial Uses in CMX-1 14-602(4)(a)[5]	**Issue:** The table note requires an office, retail, or commercial service use on the ground floor of a building in a CMX-1 district, but limits the use to the ground floor. Some of these uses require access to cellar or basement space for storage or other operations. **Recommendation:** Amend the note to state "Office, retail, and commercial service uses ~~must be located only on~~ may not be located above the ground floor and may not occupy more than 2,000 sq. ft. of gross floor area."
Use-Specific Standards for Take-Out Restaurants 14-603(6)	**Issue:** This section applies use-specific standards only for take-out restaurants that require special exception approval. However, the intent of this section was to apply special standards to take-out restaurants that require Zoning Board approval (special exception or variance). **Recommendation:** Amend this section to apply the use-specific standard to any take-out restaurant that requires Zoning Board approval.

Topic	Issues and Recommendations
Use-Specific Standards for Junk and Salvage Yards 14-603(9)	**Issue:** This section applies use-specific standards to junk and salvage yards to minimize impacts to surrounding neighborhoods. For I-3 "heavy" industrial districts, which are not typically next to residential areas, these standards may be too stringent. For I-1 and I-2 "light" and "medium" industrial districts, which are closer to residential areas, these standards may be too lax. **Recommendation:** Amend this section to create separate use-specific standards for I-1/I-2 districts and I-3 districts. The standards for I-1/I-2 districts should be designed to encourage more modern and cleaner junk and salvage operations.
Roof Decks in CMX-3/4/5 Districts 14-604(5)	**Issue:** It is unclear whether roof decks are permitted in CMX-3, CMX-4, and CMX-5 districts. **Recommendation:** Amend this section to permit roof decks in CMX-3, CMX-4 and CMX-5 districts.
Roof Decks On Garages 14-604(5)	**Issue:** Roof decks on detached garages are not explicitly regulated in the zoning code. **Recommendation:** Amend this section to prohibit roof decks on detached garages.
Rear Yard Area in RM-1 Table 14-701-2	**Issue:** For RM-1 districts, Table 14-701-2 exempts the ground floor of buildings on lots less than 45 ft deep from the open area as long as the ground floor provides a 5 ft. rear yard setback. Table 14-701-2 should also exempt the ground floor from the rear yard minimum area requirement for consistency. **Recommendation:** Add a table note to exempt the ground floor from the minimum rear yard area requirement.
Exceptions to Dimensional Standards 14-701(6)	**Issue:** The contextual front setback standards in the RSA-5 and RM-1 rowhouse districts require the front building wall of infill development to meet the front setback line established by abutting properties. Some rowhouse districts contain buildings with porches in the front yard, however the Code does not explicitly permit infill development to place porches in the front yard. **Recommendation:** Amend Table 14-701-6 to permit porches to encroach in the front yard of RSA-5 and RM-1 districts.
Underground Parking Bonus 14-702(9)	**Issue:** The heading of this section states "Underground Accessory Parking <u>and Loading</u>," even though the bonus is earned by providing underground accessory parking only. **Recommendation:** Remove "and loading" throughout this section.
Flood Plain Protections 14-704(4)(c)(.1)(.a)	**Issue:** This section specifically permits public utilities, trails, roadways, and bridges in the floodway as long as it does not increase the Base Flood Elevation. Any other structures, such as a dock, are not allowed even if they do not increase Base Flood Elevation. **Recommendation:** Clarify that any structures that do not increase the Base Flood Elevation are allowed in the floodway.
Landscape and Tree Requirements 14-705	**Issue:** The current structure of this section is confusing. **Recommendation:** Restructure this section to distinguish submission requirements for landscape plans from requirements for landscape and trees.

Topic	Issues and Recommendations
Fence Heights on Corner Lots in Commercial Districts 14-706(4)(b)	**Issue:** This section is missing necessary cross-references. **Recommendation:** Amend to state, "Fences on any side of a corner lot building facing a street shall comply with the front setback set forth by §14-706(4)(a)(.1), above, for an intermediate lot in that zoning district. Fences on any side of a corner lot building not facing a street shall comply with the side and rear setbacks set forth by §14-706(4)(a)(.2), above, of a non-corner lot in that zoning district."
Private Residence Garages and Carports 14-803(1)(b)	**Issue:** This section applies various setback rules for garages and carports that are accessory to buildings in Residential and Commercial districts. It is unclear which rules apply to carports, even though the intent of this section was to apply the same rules for carports as garages. **Recommendation:** Clarify the applicability to carports as follows: In (.1)(.a)(.i) – "Garages and carports which are attached to the principal building shall be governed by the same setback and yard provisions as the building itself." In (.1)(.b)(.ii)(.bb) – "Any private residence garage or carport erected after June 23, 1998 shall maintain a minimum setback of three ft. between the garage or carport and any property line;"
Private Residence Garages and Carports in Rowhouse Districts 14-803(1)(a)(.3)(.c)	**Issue:** This section restricts front-loaded parking in RSA-5, RM-1, CMX-2, and CMX-2.5 districts depending on the use and adjacent properties. The language is confusing and difficult to interpret. **Recommendation:** Either amend to improve the clarity; or remove the standards and replace them with a special exception approval process.
Parking Space and Drive Aisle Dimensions 14-803(2)(b)	**Issue:** This section establishes minimum parking stall widths, stall depths and aisle widths for all accessory and non-accessory parking areas, however the minimum aisle widths were not intended for spaces serving single-family and two-family residences. **Recommendation:** Exclude single- and two-family residences from the minimum aisle width requirements.
Landscape for Parking Garages 14-803(5)	**Issue:** This section requires approval of the Planning Commission of a landscape plan for all parking garages even though the landscape standards only apply to surface parking areas associated with a parking garage. **Recommendation:** Amend the applicability to clarify that Planning Commission approval is only required for parking garages that have associated surface parking elements.
Temporary Signs 14-903(2)(d)	**Issue:** This section allows the placement of temporary signs without a permit as long as each sign does not exceed 6 sq ft per face in Residential districts or 12 sq ft per face in Commercial, Industrial or Special Purpose districts. There are no limits on the number of temporary signs, which enables an applicant to place multiple small temporary signs side-by-side without obtaining permits. **Recommendation:** Limit the number of small temporary signs allowed without a permit to one sign per frontage.
Directional Signage 14-904(1)(c)	**Issue:** This section was intended to apply only to directional signs with advertising copy, but in its current form, applies to all directional signs. **Recommendation:** Amend this section to state, "Directional signs containing advertising copy, including directional signs required by state or federal law, must comply with the following standards: …"

APPENDIX B:
Civic Engagement Summary

One Year Zoning Code Review

Civic Engagement Summary

July 5, 2013

This appendix is a synthesis of all public feedback comment collected through six public feedback sessions held at the Planning Commission's public meeting room, an online survey, a goals achievement questionnaire distributed to all "live" and online survey participants, and letters received from individuals and stakeholder organizations:

- **The public feedback sessions** were open in structure. Small tables of four or five people provided comments captured by staff facilitators on flip charts, which were then transcribed. The verbatim comments from each session are included in ***Exhibit B.1: Public Feedback Session Commentary***. Sixty-seven (67) people attended the public feedback sessions, which were held on:

  Wednesday, **June 5th** 5:30-6:30pm
  Friday, **June 7th** 8:00-9:00am
  Monday, **June 10th** 5:30-6:30pm
  Thursday, **June 13th** 5:30-6:30pm
  Wednesday, **June 19th** 12:00-1:00pm
  Friday, **June 21st** 8:00-9:00am

- **The online survey** was posted on the Philadelphia City Planning Commission's website from June 12-24. The survey asked twelve open-ended response questions regarding Registered Community Organizations, zoning code enforcement, variances and special exceptions, zoning code procedures, Civic Design Review, CMX-2.5 districts, dimensional standards, and development standards (bonuses, open space, landscaping and trees, form and design). Fifty-seven (57) people responded to the survey. The verbatim responses to the open-ended response questions are included in ***Exhibit B.2: Online Survey Responses.***

- **A Goals Achievement Questionnaire** was distributed at the live public feedback sessions and included in the online survey. All participants (124 total) were asked to rate on a scale of "strongly disagree" to "strongly agree" how well the new zoning code achieved the zoning code reform's goals to make the code easier to understand and provide better consistency; make future construction and development more predictable; encourage high quality, positive development; preserve the character of existing neighborhoods; and involve the public in development decisions. The Questionnaire, a compilation of the results, and the verbatim comments from participants are included in ***Exhibit B.3: Goals Achievement Questionnaire.***

- **Letters from Stakeholders** are included in ***Exhibit B.4: Letters***

All live and online participants provided basic profile information as summarized in the following tables:

	FREQUENCY OF CODE USAGE:				
	Daily	Weekly	Monthly	A Few Times	Never
June 5th	4	8	5	4	0
June 7th	0	3	3	1	0
June 10th	0	3	4	3	0
June 13th	0	0	1	0	1
June 19th	0	5	2	2	2
June 21st	2	1	3	2	0
Survey	8	14	11	17	4
SUM	14	34	29	29	7
PERCENTAGE	12%	30%	26%	26%	6%

	HOW HAVE YOU USED THE CODE?		
	I have applied for a zoning change or permit for my home, business, or investment property	I have worked in a professional capacity on behalf of a client	I have worked with a community organization to support or oppose a proposed development
June 5th	1	9	16
June 7th	3	2	2
June 10th	0	2	4
June 13th	0	1	2
June 19th	0	5	7
June 21st	1	4	6
Survey	2	13	30
SUM	7	36	67
PERCENTAGE	6%	33%	61%

	HOW WOULD YOU DESCRIBE YOURSELF?				
	I am an active member of a neighborhood association	I represent a private firm in the real estate development industry	I am a design professional (e.g. architect, engineer, landscape architect, planner)	I work within city government	I am a member of the public who fits none of the categories
June 5th	18	3	6	0	1
June 7th	4	2	0	0	2
June 10th	6	0	1	1	2
June 13th	2	0	0	0	0
June 19th	6	1	4	2	2
June 21st	5	1	3	0	2
Survey	26	3	12	6	9

SUM	67	10	26	9	18
PERCENTAGE	52%	8%	20%	6%	14%

This Appendix synthesizes and groups all comments into the 15 general topics below:

- RCO Notification
- RCO Meetings with Developer
- Qualifications of RCOs
- General: Bill #120889 on RCOs
- ZBA/Variances/ Special Exceptions
- Feedback on the General Impacts of the Code
- Enforcement
- Code Familiarity
- Parking
- CDR (Civic Design Review)
- Signage
- CMX-2.5 Neighborhood Commercial Mixed-Use
- Development Standards: bonuses, open space, landscaping
- Dimensional Standards
- Miscellaneous Code Issues/Questions

Each of the above general topics is organized as a table with similar recommendations or experiences listed together. The first column indicates the approximate number of times this general sentiment was repeated from all feedback.

COMMENTS BY GENERAL TOPIC

RCO Notification	
11	RCOs not getting proper notification from Applicant.
49	**Requirement to notify occupants (in 9-block area) is cumbersome, burdensome & expensive** (problem of no place to leave a flyer: high rises, can't leave on doorsteps, gated community, etc) Number of people needed to notify is excessive, particularly for small projects. Requires more human & financial resources form RCOs, without resources. Notification requirements should be tied to scale/impact of project (context-based) or cost of the improvement/project. Two notices (from different sources) are confusing. Supporting examples: • *(Center City example could require thousands of flyers)* • *(2 hours to flyer for a 1-sq ft project)* • *(notifying only residents in same block of project - 30-40 notifications per project and takes 3 hrs of time- 6-10 cases /month- will NOT do more)* • *(our group flyers all houses in a 2 block radius- no way we could do more)* • *(distributed 1,000 flyers for ONE project- applicant)* • *(1 idea that the "City" should offset the cost of flyering or do it)* • *(other cities- NY, Chicago, use 2 block radius)*
10	**Good faith language needed to prove RCO** has notified appropriately (due diligence- define?) Impossible to have 100% notification. Not possible to have standards for flyering (can be removed

	easily).
7	**Good faith language needed to prove Applicant** has notified appropriately- (not always in their interest to conduct thorough notification.)
3	**Amendment language for which block faces to notify is not clear** in areas where there are larger blocks or different kinds of block configurations.
1	Notifying tenants is not as important as property owners.
1	Orange poster is not visible sometimes.
7	Notification should be done by Applicant only and at their expense.
1	Content of notices should be agreed upon (by RCOs and applicant); distributed by RCO at expense of Applicant.
1	RCOs require more lead time to be notified prior to ZBA hearing.
6	**RCOs were using "Robo" calls to notify members** (in addition to flyering neighbors?); requirement for "written" notification means can't use this process which is very effective. Include option for telephone notification as well as written. Calls get tracked with date & time.
1	Should be notification in local papers in addition to flyers.
1	Notification when a case is continued (at ZBA)?
1	How to provide notification to vacant lots?
2	Notification by what means? (will be acceptable). Fliers okay. Letters too burdensome.
1	RCOs should get notice by certified mail- so can't say weren't notified.
1	RCOs should get notice via email of any permits or variances within their boundaries or zip code
1	What about occupants who have low literacy levels?
1	RCOs seem to be notifying residents in my area.
1	Notification of the surrounding area (of proposed development) is good, not just notifying the RCOs
3	While onerous on developers and civics, the notification requirement is good.
1	Written notice is good, some people don't use listserv
2	Environmentally unfriendly—often 50 leaflets being distributed by applicant and community group. Working through the community groups should be enough notice. Orange posters should be enough public notice.
2	Should be notice to property owners, not just occupants.

115 comments

Qualifications of RCOs

44 **Number of RCOs should be limited and have tighter criteria** (as it was prior to Amendment). Looser requirements are not fair to RCOs who met earlier qualifications (original code draft). RCO should be a verifiable operating org truly representing and providing services to community. Groups formed just to oppose a project. **The reduced requirements has made RCOs over-proliferate**- many overlapping ones resulting in repetition of work. Too many in a geographic area. Frustrating for developers to work with so many. Some treating process as having new-found power. By-laws important to keep consistency. Dilutes legitimacy. Standards have been compromised…to the point of meaninglessness. **Examples:**

- *(political organizations, such as ward committees now allowed to be an RCO- not democratic and is a conflict mixing political and civic agendas)*
- *(3 people elect themselves year after year- hold hostage the larger community)*
- *(resulted in a plethora of orgs with single issues, takes away from legitimate RCO input)*

	• *(in some areas, 10 or more who have an interest which is too many to coordinate meetings with)* • *(leads to "hollow" RCOs formed to deal with 1 issue)* • *(opens up the process to creation of numerous "shadow" RCOs' during contentious debates)* • *(some of the [newer] RCOs are nothing more than a bunch of neighbors trying to stop people from investing in their communities)*
10	**Overlapping boundaries of RCOs** create turf wars; some take part in process for development that doesn't impact them. Civic organizations used to reflect the voice of the community- now others have "popped up" and presume to speak for the community when they don't have knowledge. RCO with area most impacted should have greater voice than those indirectly impacted. Not clear who to contact for zoning meeting. *[change language to "impacted area" instead of "home" RCO]*
2	RCOs need to be more transparent. Reduced qualifications do not allow for transparency.
1	I hear more from RCOs who would like the City to designate a specific neighborhood association to cover a defined area, similar to NAC boundary, zip code or police district.
4	More RCOs is good because more people have a voice. Made it more inclusive
2	Clarity is needed about who can be an RCO and **how it should be structured**. Some were accepted who didn't meet criteria; some "political".
1	Should be re-evaluated more often than 3 years—some are "pop-up" NIMBY groups.
1	Many RCOs are not zoning oriented- resulting in lack of response. (ie: social service orgs)
1	RCO boundaries not equal to neighborhood boundaries.
2	RCOs have inhibited development, contrary to intended code's objectives.
1	RCOs can now be sued more easily than under the old code.
4	**Need help to improve RCO procedures and competency** (standards templates for process, decision-making, review of design, etc). Eligibility requirements good so RCO can get guidance and growth opportunities

73 comments

RCO Meetings with Developer	
4	**Lack of clarity about how many meetings** the Applicant must attend. This has led to abuse of the privilege by RCOs with anecdotes of RCOs using extortion (Applicant must pay for meeting) to get their approval. **Too much time to coordinate multiple meetings**. Address the extortion issues of RCOs asking to be paid.
27	**Go back to ONE required meeting with all RCOs**. Multiple meetings are "opaque and onerous". More transparent with only 1 meeting requirement. Should be in the neighborhood of most "affected" RCO. Meeting with multiple RCOs way to time-consuming, and each has conflicting standards. Overly cumbersome and burdensome. Bureaucratic nightmare- more $ and more time. Leads to squabbling among RCOs and assumes each have equal standing…**Applicant can provide different stories to different RCOs.**
5	**Developers choosing RCO that has a more favorable opinion**; pitting RCOs against each other. Applicants are "venue-shopping"- meeting only with supporting RCO
3	**Confusing- too complicated** for average home or business owner. Since anyone can be an RCO now, it's impossible to have a joint meeting and not realistic to make an applicant have multiple

	meetings.
4	**RCOs should have separate meetings** because they don't agree / can't work with each other. Should have more than 1 meeting in case of "deadlock". Long-standing RCOs don't share same vision or goals as new RCOs. **Good idea when RCOs can't work with each other**. Some RCOs push their own personal agendas. Will help everyone be on the same page.
2	Responsibility should be on Applicant to hold centralized RCO meeting
1	Remove Council persons from this process entirely.
1	Should be a facilitator at multi-RCO meetings.
1	Need to have a "mechanism" through which all RCOs can send comments/questions within a limited time.
2	**Good faith language** needed to show **Applicant** has followed process correctly (documentation of meeting and meeting with those requesting a meeting).
1	**Good faith language** needed to show **RCOs** have followed the process correctly. (validation)
1	Nothing has changed in how developers meet with local organizations. (since new code)
1	Follow-up communication needed to let RCOs know Applicant has followed proper procedures.
2	Clarity needed on how to record differing RCO opinions on a variance case. How is RCO supposed to report- consensus or not, by committee opinion of meeting attendees?
1	Meetings should involve a certain number of blocks, not any RCO who wants to be included.
1	Will discourage development
2	In our area, this has worked well- good dialogue and when difference occurs, our RCO continues to work with both develop and community/neighbors to find a possible solution. We have good working relationships with adjacent civics and have standards for how to hold a border meeting with each of them. **Confusion is when 1 of the 9 RCOs in our area wants to hold a meeting separate from us.**

57 comments

General: Bill No 120889 on RCOs	
26	**Repeal March amendment—too much room for manipulation**; heavy-handed and constrictive; go back to previous notification. **Not effective—resulting in too many RCOs**, **uneven compliance with requirements, confuses the process**. Undermines the reasonable concept of requiring all RCOs to meet together. • Took RCOs from manageable and predictable to unpredictable, uncertain and less manageable. Was fairly manageable before the amendment. • Bill is problematic—notification too burdensome and eligibility requirements bad. • Tremendous burden for small projects. • Not clear how to enforce. • Wording is difficult to understand—seems to state there is an endless process to meetings…"approved by" 1 or all 3? • Amendment took away PCPC role in vetting RCO requirements- not good.
7	**Bill was premature;** shouldn't rush to make changes. Should have waited for 1-year review before making changes. Insult to ZCC… Should have waited 2 years.
1	Regulations should apply to all organizations equally.
1	Bill is not appropriate for all communities.
1	We (RCO) were not being notified previously.
1	Need uniform guidance for RCOs to do their job—better definition of spirit and letter of the law.

1	Some areas that didn't have representation before, have it now- good thing.
2	RCOs abusing the system- demanding multiple meetings.
1	Council is trying to control the development process and is using communities and RCOs as the foil.
1	Code reform objective was to make communication easier; amendment does not meet that objective.
1	Too much power into district councilmember's hands

43 comments

ZBA / Variances / Special Exceptions	
26	**ZBA not basing decisions on existing zoning code**- **Code will only work if ZBA stops granting variances to every applicant**- should only be given if base zoning isn't correct or if there's true hardship. • Not applying the latest standards for variances. • Undermines the intent of the new zoning code. • Too many minor issues for RCOs to deal with. • Code was supposed to make variances harder to obtain. • Should be very hard to get a variance. (front-loaded garages on single family homes) curb cuts, signage, and industrial building conversions. • ZBA not following the rules- **inconsistent**. • ZBA not on the same wavelength- need more education on the code & processes.
9	**No reduction seen in number of variance requests**; multiple unit projects in particular. **Developers doing what they always do- "testing" the code** to see what they can get away with. Increased pressure to put more residential units in developments- variances for yard size, height, parking, mismatch between existing use (industrial) and proposed also a problem. Variances increased in areas with old I2 or ICMX zoning—remapping needed. Find that nearly 80% of new development projects require some variance.
3	**Number of variance requests has been reduced**. Side yard & roof deck changes have reduced variances. (number of "minor" variances has been reduced)
4	ZBA calendar of cases not user friendly—should have searchable filter options. Can't tell whether the project is in your boundaries.
1	ZBA grants variances despite RCO/Council opposition
4	Confusion about "conditional zoning approval"- process/RCO responsibilities.
7	Uncertainty about how much weight ZBA gives to citizen/RCO comments (especially when conflicting) **ZBA appears not to consider community input**. ZBA doesn't seem to care about local concerns- historically has valued economic development at any cost.
1	Community likes variances because only mechanism for input on design issues.
3	ZBA needs to be more professional- not familiar with new code.
5	How ZBA uses **"hardship**" not clear- not being able to market at a certain price point is not hardship. Not requesting "proof" of hardship- size of lot, easements, remapping…
1	ZBA not enforcing signage regulations—will have long term consequences on commercial corridor.
1	Developer can just bypass the entire process with a city council ordinance, which makes the new code ineffective.
2	When a project is on **industrially zoning land and is for residential homes** per RSA-5 or RM-?, the refusal should be given for the use and all dimensional refusals should come from residential

	designation—otherwise have developers that take advantage of "best"(for the project) aspect of the code from each district
1	Special exceptions should not stay with the property, if sold. Community may like the present owner, but not the next (example: entertainment club)
2	Developer should provide full disclosure / business plan / financial capability to make sure he will do what he says at community meetings and zoning hearing.
1	Find that the folks who answer the phone at the Zoning board office are very helpful and responsive.

71 comments

General Impacts of the Code:	
23	**New code is great to have; easier to read; easier to use; visual aids and charts are helpful; more organized; better structure; a "big success"; navigation improved, especially use tables**
2	Less guesswork, more consistency
3	**RCOs are a good idea, but politics became a problem**. Having website and contact info for RCOs has been helpful.
1	Idea of an RCO was not in the best interest of community—it has divided the community.
3	**Process is still too political**. Too many loopholes where political process can upend things. Code helps preserve character of existing neighborhoods, until gets picked apart by political process…
1	Great great process.
2	**Code created more community spirit**- better communication between adjacent RCOs. Inclusive process. Residents have more input.
1	Elected officials come to meetings more than before.
1	Some things allowed by right are surprising.
3	Remapping needs to catch up to the code; remapping is crucial.
1	Council availability in the summer can stall projects for months. Get PCPC to grant conditional approval to complete zoning process before the fall..
1	More illustrations are needed to explain development standards.
1	Need more graphics and flow charts on zoning permit and appeal process- online and in print.
2	Can't do provisos like we used to (only bargaining chip we had)
1	Good things: scale of housing; value of open space; prohibition of front-loaded garages.
2	Code doesn't address important design issues like materials and quality- no "CDR" equivalent" at neighborhood scale
1	Developers can still "game" the system.
1	Getting rid of accelerated permits was a bad idea
1	Developer/RCO actions have to be in the spirit of the code
1	Overlays make it difficult to understand sometimes.
2	Should have ALL **definitions** in the definitions chapter instead of cross-references to other sections. Disjointed process of consulting different chapters to find definitions- needs to be improved.
1	New code helps to better plan for the wholeness of the community—how to better plan for rebuilding.
1	New code appears to be set up for fast track development with little or no serious input from neighbors or community…
1	Because of the new zoning code, there is an increase in rental properties and commercial

	properties at the expense of homeowners.
1	Laying out of process and establishment of Community Organizations is helpful in our clients feeling the process is predictable, uniform and fair.
1	We have, unfortunately, reverts to a better stated, cleaner version of the old code. The attitude continues to be "take it to the Board" (and Councilman)
1	Biggest hurdle for code's future is to keep city Council's meddling to a minimum.
1	There should be a chapter by chapter review of the code as part of this review with revisions made.

61 comments

Enforcement	
4	**Mechanism needed to ensure that the final plan submitted by Applicant is the same one the RCOs commented on** (also for plan submitted to ZBA) *Can plan be date stamped by L&I and RCO say they won't look at plan without the stamp? Same at ZBA…*
4	**Complaints of non-compliance not taken seriously by L&I** (311 reporting); need to have a way to attach photos. Complaints should be in writing. "311 is a black hole"
2	Better enforcement needed to demolish illegal structures.
5	L&I reviewers are confused about new code- slows things down**. Needs to be more consistency in interpreting the code.**
1	Need to force developers to follow through with floor area bonuses.
3	Better enforcement overall is needed- building permits being violated. Signs and storefront violations persist.
2	Calls to L&I to complain about violations: told that each successive complaint wipes out previous logged complaint about a violation.
1	When L&I inspects violations are not always apparent.
2	Plan reviewers continue to make errors in interpreting the new code and issue over the counter permits that should require a variance.
4	Penalties not strict enough- no monetary penalty until after 3rd inspection- should be monetary penalty at first violation. Alexandria, VA has 5 levels of penalties depending on type of violation. Forgiveness for first-time developers, but not for established developers. Penalties not uniform- politically connected developers can avoid.
12	**Effectiveness of code in meeting objectives depends on proper enforcement.**
3	**L&I needs more plans examiners/ inspectors**. Don't have the resources for effective enforcement.
1	Seems like a lot of people break the code, then wait a few years to ask for an exception, claiming hardship.
1	Don't send out refusals as word documents- easier than a PDF to change words.
1	Information that inspectors view on the computer is not always correct.

46 comments

Code Familiarity	
4	RCOs don't understand notification requirements
1	Council office doesn't understand meeting requirements
1	Attorney not aware of requirements.
3	Developer not clear what is expected at RCO meeting or don't know notification rules
3	Lack of understanding about what RCOs can comment on and what they cannot (code issues)

	Neighbors comment on anything, once a project comes up for variance.
2	Training needed on how to hold meetings with developer.
2	Confusion about requirements for RCO meetings in case of CDR requirement.
3	Need an **education program for immigrants and non-native English speakers** on zoning code and what is allowed where. This would reduce appeals. Applicants are not well informed of the by-right uses of their properties. Put more zoning info online in more languages.
3	**Translators needed** at ZBA and L&I, provided by city. Forms for translation request should be at ZBA and L&I reception areas
1	Put any changes to the code on website that is updated immediately.
16	**Information campaign to better educate applicants and general public.** Educational program is badly needed- free. • City has done a good job of educating the public throughout the process of creating the code, but failed to change the culture of applying that code. • Once per year zoning review workshops going over basic of code, what's changed, new interpretations, etc. • An advocate would be helpful/useful for the general public. • Brochure or simple handout to download from web. • Take it to the streets. Go to neighborhoods and provide residents with zoning info and answers to questions • Send notices to residents and applicants with examples of how code will change and effect them • Use community newspapers as well as Daily News • Codes, by their very nature, will be confusing. Only those directly impacted or involved will bother to familiarize themselves with it. • The community meetings were helpful. • Training sessions targeted toward civic associations- some type of game- Sim Development Project • The administrative handbook overall is quite useful- thank you. • Encourage RCOs to publish recommended design standards • Send out a step by step guide with the refusal. • Orange notice should include notice about community meeting • Distribute funds to local orgs to host meetings
1	Not much changed as far as public participation. They see the orange sign and to be the hearing or civic group meeting.
1	General public has no interest unless the orange sign posting shows up on their block. Many neighbors assume that the RCO is the ZBA…

41 comments

Parking:	
1	Conflict between some community standards and the code.
1	Car share spaces ratio is over-compensating; replaces too many spaces.
1	Parking requirements should be per bedroom, NOT per unit.
1	**East Falls overlay** (NCA); **parking requirement does not differentiate between uses** (residential, retail, office, etc.); by square foot only, so a 143 mixed-use development requires 600 spaces(!)-

	necessitating a variance.
7	**Reduction of parking requirements is good**. Support reduced parking IF adequate public transit… New code's treatment of parking is a step in the right direction (reduce addiction to cars) New requirements are appropriate, but will take time to see evidence of appropriateness.
2	Parking should not be required, unless a site is really overdeveloped. Should be adequate spaces depending on development proposal.
1	Need to reinstate parking requirements- depends on the neighborhood
1	**Center City overlay required parking access** should expand to whole city—access off a common alley or driveway; should be based on use, not base district
2	Taking away requirement for parking for every rowhouse has helped. Keep parking in rowhome districts as needing a variance.
1	Should be **parking maximums for Center City**, and if a project is within a block of a public parking garage, no parking should be required.
5	**Too much parking is still being allowed, and curb cuts should never be allowed in dense rowhouse areas. Remove front garages in denser areas-** reduces street parking and ruins the streetscape; parking should be accommodated with lots or alley access. No not allow front loading garages on homes less than 20' wide- they do harm to urban fabric. Should match existing homes on block—rear entry garage or none.
1	Safety concern about "pocket parking" on sidewalks for student housing.
1	Parking should be considered as part of total transit accessibility.
1	Developers should be forced to provide parking for tenants/customers.
1	Parking requirement is often ignored.

27 comments

CDR:	
1	CDR should have more community representation
3	**CDR recommendations should have "teeth"**—PCPC should turn down projects that violate CDR recommendations Worthless as currently written—if the process had power to compel design changes related to public health, safe and welfare, then it would be fine.
3	**Timeline for review is too long.** Seems to serve 1 purpose of adding another layer and another month to the process. Not found much helpful (or damaging) input.
1	Burdensome and expensive to comply with for developers, particularly since recommendations are advisory only.
2	Should have a way to dictate materials and quality of development.
1	Seems to be working well- like the RCO inclusion
1	Present CDR board is not what was envisioned by the drafters of the new code
4	**Excellent idea.** While decisions are not binding, it does provide an additional level of oversight to help ensure better design and compliance.
1	CDR committee needs to be more in sync with PCPC rules and policies
1	It's innocuous, can be beneficial, but design concerns should not outweigh beneficial economic development to the city

18 comments

Signage:	
3	**Signs- need more controls over billboards and advertising in general**. Should not convert to digital. Get rid of grandfathered billboards- conform to highway beautification act.
1	Need more control on digital non-accessory; not just a face change.
1	Concerned about non-accessory sign regulations in non-residentially zoned areas.
2	Signs- need more controls over billboards and advertising in general. Should not convert to digital. Get rid of grandfathered billboards- conform to highway beautification act.
1	Signs are over regulated. Building logo sign being at least 150' in the air is outrageous—was a different meaning intended?
5	**Is ZBA aware of the sign controls? Too many exceptions for signs; too many variances**; controls being ignored in certain spaces. No intent to enforce by ZBA. Unenforced controls are useless, but huge improvement over previous code.
1	Conflict with where approval comes from: Art Commission vs. Streets Dept.
1	Existing sign controls, esp those that restrict advertising in certain areas, should be maintained.
1	No neon signs in neighborhoods around houses and any variances should be rescinded..

16 comments

CMX-2.5 Neighborhood Commercial Mixed-Use	
9	**CMX 2.5 dynamics are interesting**—how it can change the character of a neighborhood. Excellent idea. Need more walkable shopping areas. Appears to fill a gap. Reflects current successful urban planning. Will help bring more economic development into the community and create a more even playing field for all communities. Beneficial to many commercial corridors..
1	Would make more sense if zoning maps were adjusted to delete much of CMX-2—should also keep requirement for 1st floor commercial in CMX-2.5 and eliminate from CMX-2.
2	**Doesn't work as intended**. In lot of areas, there are vacant properties zoned commercial in mostly residential neighborhoods that aren't viable as commercial. Developers have to go through variance process to get a permit for residential use. VIABILITY of commercial space must be taken into consideration. Small (500sf) spaces aren't viable and deters development for residential, leaving empty storefronts.
1	Glad to see the "anti-farm" community garden elements were dropped.
1	ZBA does not seem interested in this district designation—lack of signage code requirements.
1	Concerned about adequate parking and room on sidewalks for pedestrians.

15 comments

Development Standards: bonuses, open space, landscaping	
1	What impact has change to density bonuses had? How has it changed which amenities are adopted, especially in under-developed pressure areas?
2	Should have required building set-backs with landscape buffers (in certain areas); require some open space. Each building should have its own landscape, not just add a "parklet", which may add to congestion.
1	**Landscaping requirements** requires that design be finalized for zoning/use permit, which is not how the design process usually works.
4	Need to review **street tree/heritage tree requirements**: did not take into account setback requirements by streets/parks; conflicting issues between depts. on trees (stormwater management, Streets, Parks & Rec)

1	Existing mature trees should be included on development plan regardless of species (if not causing any damage).
1	Should have addressed permeable surfaces for sidewalks.
	Bonuses are a good move, but unclear how you get the LEED bonus for added floors when you get the bonus long before you can get certification…
2	Seems to be moving in the right direction…
1	Open space issue is turning out to be our most popular application…desire to preserve open space.

13 comments

Dimensional Standards	
1	Contextual front set-backs is more sensible than strict ordinance.
1	Eliminate contextual standards.
1	New standards are clearer, but expanded requirements are leading to more variance requests.
1	Queen Village standards height limit- 22'- good luck building a house!
1	Third floor setback of 8' does not work, particularly where property is less than 45' deep. Not enough space for stairs, bedroom, bathroom.
1	Good to remove the sideyard setback in RSA-5 if you're building to a property line, but no building on that property line yet.
1	Residential districts should allow for 4-story construction by right.
1	New heights are resulting in building that don't meet roof line of neighboring buildings or floor levels- detracts from streetscape in older neighborhoods.
1	Rear-yard setback in [RS5] is deep—exception needs to be expanded to at least 50'. On a small lot, 9' eats into the building quite a bit.
1	100% lot coverage for industrial districts is arbitrary and unnecessary

10 comments

MISC Code Issues/Questions:	
3	Pilot houses- 10' height should require variance. 8' is high enough and should slope to follow stairs. Size should be limited and in scale with size of existing building.
1	Decks should not be allowed on the roof.
2	Bay windows protruding into the street—allowed by code, but not a good thing. More clarity needed: criteria for projections (bay window)
1	Confusion about "preliminary use permit" and what is required.
1	Density bonuses are a good idea- PCPC should share examples of how they are working.
1	Green building bonuses too open. Compliance penalty too restrictive and may scare developers away from using.
1	Too many layers of input (CDR, RCOs)
1	Broad Street overlays overlap—minor conflicts.
1	Some regulations for facades/building materials necessary; no plastic or stucco
1	Prepared foods/takeout sections in code good, but distinction still confusing.
1	Provision for utility meters on front of building with bollards that take up sidewalk space?
1	Developer subdividing a large lot to avoid stormwater and CDR requirements.
1	Council recommendations being ignored by civics

1	Should evaluate entire block for heights- stay within 10%
1	3-story buildings should not be allowed on 2-story blocks unless community agrees
1	Need to address density issues—tiny houses should not have multiple units
2	Urban agriculture helpful addition; positive change to have it codified; helps facilitate construction projects on farms.
1	IRMX good tool, if used properly
1	3rd story setback when abutting 2-story homes is being enforced
1	Legal liability for RCOs? Does city provide technical support? Indemnity?
1	Better coordination between L&I and PCPC as well as other agencies needed on specific cases;
1	8' setback on 2-story blocks: should allow for mansard roof construction, still maintains cornice line.
1	If building has been vacant for more than 2 years, use should revert back to original use (use before it was vacant?)
1	38' height limit is hard for many blocks
1	Zoning code does not take existing neighborhood character into account.
1	Requirement for accessible rental (residential) unit on first floor of building with more than 3 units shrinks the available space for commercial units in smaller commercial corridors- less likely to attract good commercial tenant.
6	Would like to see **bed and breakfast zoning** in historic houses allowed. Need provision addressing Bed & Breakfasts- definition, minimum standards, etc. needs distinction from rooming houses, housing co-ops, halfway houses.
1	Greening playgrounds: http://www.ednewscolorado.org/news/top_news/omnipresent-learning-landscapes-boost-activity "Learning Landscapes playground
1	Shopping centers are I-2 which require variances for any new stores- need rezoning.
1	Code does not recognize real differences between homeowner and renter occupied properties and those owned by health care/behavioral health groups housing 3 or fewer people. Saturation is a very real issue ignored in revisions.

39 comments

645 comments recorded

This Exhibit A.1 presents the raw comments of the participants of six public feedback sessions hosted by the Citizens Planning Institute.

RCO NOTIFICATION	
Comments from June 5, 2013:	
1	Zoning signs are not being posted prior to hearings
2	Mayfair RCO is not getting notified, civic is, but RCO isn't
3	RCO doesn't like the blockface notification requirements—cumbersome for high rises, leaving stuff on doorsteps is litter ("no litter" stickers) can you still put flyers out? Handbill license?
4	Rule for different notifications is confusing—developer tells about ZBA hearing; RCO talks about RCO meeting—confusing.
5	How do you prove you've notified appropriately*? (also enforcement)*
6	Need clear guidelines for notifications – all neighborhoods are different
7	Number of people you have to notify is excessive, especially for stuff like decks
8	Categorize notification requirement by use request (by impact)—make a checklist to determine how many people need to be notified based on impact
9	RCO's know who is impacted, so give them more leeway for who to notify.
10	RCO doesn't have the funding to do "all this" *(notifications)*
11	Developer should bear the cost of notification
12	Put the requirement for notifying adjacent neighbors on the applicant, not on the applicant and the community
13	"I disagree with this statement" (above)
14	Notification requirements don't necessarily follow the diagram shown in the RCO amendment. Some areas of the city have much larger blocks or blockfaces or different block configurations.
15	Notification requirements are excellent just as they are because you cannot satisfy everyone.
16	RCO's need a bit more lead time to be notified.
17	RCO's not being notified by Applicant *(3 in agreement- not all agree)*
18	Does applicant have to mail notification or is it flyer in the door? What are the specifics of the process?
19	The notification system could rely on Robo calls to reach members of RCO's
20	Requirement to cover 9-block front is burdensome and not needed. Could exhaust a group's budget. Designed for most extreme case, not normal cases. *(group agrees)*
21	Make notification context-based for notification and how big boundary of notification should be.
22	RCO's have limited budgets and operate on a volunteer basis- can always find volunteers to help distribute flyers.
23	RCO's should be able to spend limited resources in other ways.
24	City has imposed expenses on RCO's without compensation. People in distribution radius may not care about proposal.
25	Why are RCO's held to a higher standard for notification than the City?
26	Developer should pay for notification, person making "the ask" should fund.
27	Not in developer's best interest to conduct thorough notification.
28	Mandating notifications, while not perfect, is a good thing.
29	Notification burden should fall to the developer.

RCO NOTIFICATION	
30	Nine block face notification is ridiculous, vague regulations (hit front desk at a high rise? Leave on doorsteps?)
31	Applicant is not required to use RCO meeting and time (specifics)
32	RCOs are required to deal with people who are not members. Has diminished the urge to join RCOs. (*disagreement from a civic that does not get dues)*
33	Used to flyer close neighbors anyway
34	No teeth
35	2 overlapping groups, 1 diligent and 1 that does not do hard work.
36	Why are RCOs and applicants held to a higher standard than the ZBA? (*ideas: ZBA-like poster on property, electronic notices)*
37	Criteria for registration: So a group doesn't do flyers, shows up to a dissent and picks and chooses their issues?
38	QU: always did leaflets to a common sense radius for over 50 years – people who cared. Ex: rear deal
39	Important to people across the street and whole neighborhood
40	Onerous: especially for less sophisticated groups. Applicant's lawyers did all notifications
41	The purpose is notification, extra notice is always good.
42	Compromise solution: email and signs, notification is NOT just getting people attending the meetings.
43	More info online is good
44	Hard work, expensive. Some groups do it, some don't.
45	ZBA does not have a mechanism in place to find out if notifications took place.
46	Combine Applicant and RCO into one leaflet
47	Anti-flyer law: you break the law if you leaflet
48	Against the law to also put something in mailbox or through a mail slot
Comments from June 7, 2013	
1	What happens if someone didn't get a flier? Does this derail the process? Interjects confusion into the whole process
2	Could someone just say "I didn't get the flier"?? (untruth)
3	Does notification mean to resident (eg. Condo residents, apartment residents, etc.) or to the property owner?
4	What about empty lots – how does notification work?
5	9 block face notification is a TOTAL NIGHTMARE. Could potentially require notifying thousands in center city/Rittenhouse SQ.
6	What is due diligence notification?
7	Neighbors don't all have facebook or text messaging or newspaper delivery. What is the best mechanism of notification?
8	Two hours to flier for a one square foot project???
9	Notification process is confusing
Comments from June 10, 2013	
1	Written notification means we can't use our robo-call process which was very effective.
2	Used to leaflet many house in a short timeframe.
3	Confusion on when contact is made, who makes it, and in what manner. We often find out about cases through neighbors, not developers.

RCO NOTIFICATION	
4	Level of leafleting/ notification concern – it is a burden. How is it affecting community groups?
5	RCO notification should be certified mail, insurances notice was spent, can't plead ignorance of what was not received by resident. NJ requires certified mail…
6	Include option for telephone notification by RCOs as well as written. Groups use email, internet, facebook. When using robo-calls – attendance goes up at meetings. $50 service/11,000 households in Mayfair CDC.
7	Robo-calls get tracked with date and time, call made to what number and whether there was an answer or not.
Comments from June 19, 2013	
1	Developers not notifying RCOS or neighbors.
2	Burden is on the RCOs for notification, hold meetings on demand, Time, $$$, paper.
3	Why doesn't the city offset or do it itself?
4	Challenge for volunteer organizations to comply, 9 blocks is a lot!
5	Other cities (NY, Chicago) use 2 block radius because it is most affected.
6	Impacts to closest neighbors are of concern; flyering further away from project site mat not be necessary.
7	What about rental apartments? They don't have as much of a right as property owners.
8	Costs should be passed on to the developer >>but developer is notifying TOO >> but RCO doesn't know what type of information is being sent out by developer.
9	Experience is that developers are not notifying.
10	Content of notices should be agreed upon, combined into a single note and then distributed by RCO at the expense of the developer.
11	Orange poster is not visible sometimes.
12	There is too much notifying when there are multiple RCOS >> needs to be streamlined
13	Distribution of information is burdensome to RCOs
14	Developers are not notifying residents per the new checking process
15	Changes to notification requirements is negative – heavy handed and constrictive.
16	9 block face requirement is costly and RCO may not have funds for it, these are VOLUNTEERS. Burdensome.
17	Burden should be on the developer, not RCOs.
18	Duplication of notifications by 4 entities, if 3 RCOs and developer. This is an unnecessary duplication. >>>> but without this duplication if one entity fails to notify, who will?
19	Notification requirement before amendment was desired and fought for in the ZCC process.
Comments from June 21, 2013:	
1	Cost and burden of notification for RCOs is too high

RCO MEETING WITH DEVELOPER	
Comments from June 5, 2013:	
1	RCO requests (of developer) are excessive: too many RCO's to deal with who claim interest in project; abuse- RCO's requesting developers to pay to hold meetings, etc. (2 people confirmed)
2	Should be ONE joint meeting of all RCO's; multiple RCO's have conflicting opinions

3	Should be community makes decision and RCO writes report
4	Takes too much time to report to multiple RCO's
5	RCO's want to be separate (hold separate meetings?) because they don't necessarily agree with each other
6	Supposed to be ONE meeting- more if there's "deadlock"
7	Resolve issues in public in front of Council *(get clarification on this note)*
8	Responsibility should be on developer to centralize RCO meetings in a neutral location, like a church, school—should also pay for flyers, assemble mtg, etc. (not in exchange for approval, but just to satisfy requirements)
9	Could be advertisement in local papers in addition to flyers (notification)
10	One central meeting
11	Address extortion issues of RCO's asking to be paid
12	Council people should be removed from this process entirely
13	Too many meetings
14	1 RCO meeting was transparent, in original drafting (of new code). Now, multiple meetings are opaque and onerous. Fears about $ extortion by RCO to get their approval. But with 1 group meeting, "daylight" should prevent this. Go back to 1 meeting.
15	Go back to 1 meeting!
16	Make community benefit negotiations ("agreements") against the law.
17	There should be 1 facilitator for a multi-RCO meeting. Developer to email all parties at once. There should be no designated "home" RCO responsible for contacting other RCO's.
18	Needs to be a mechanism for all RCO's to send comments / questions within a set time.
19	Cost of notice by RCO should be borne by developer.
20	Developers not giving notice all the time.
21	Better to have ONE meeting—all RCO's invited from the neighborhood, not separate meetings.
22	If the RCO cannot perform their duty, the developer is not responsible.
23	Developers are still meeting with organizations as they always did.
24	RCOs should validate if RCO process was followed.
25	RCOs do not know if developers have followed proper procedure.
26	Wish they still required all to meet together
Comments from June 7, 2013: None	
Comments from June 10, 2013: None	
1	Would prefer meetings one on one with developers rather than group meetings with other RCPOs. Long standing RCOs don't share same vision or goals as new RCOs. Concerns and issues between groups are very different.
2	Why do developers need to have 1 meeting with RCOs?
3	If only one meeting it should be in the neighborhood of RCO affected.
Comments from June 19, 2013:	
1	Would be helpful to have a mechanism for developers to meet with affected community before acquiring a property. Even if by right because there could be other permit issues like parking.
Comments from June 21, 2013: None	

ENFORCEMENT
Comments from June 5, 2013:

ENFORCEMENT	
1	Enforcement is lacking *(of what?)*
2	L&I needs to check to make sure the plan is the same plan the RCO "approved"
3	L&I needs more inspectors to determine if what is being built is ZBA approved plan
4	311 system- calls about illegal activity don't get the level of urgency they deserve *(L&I write " unfounded" in response to some complaints due to lack of personnel)*
5	Better enforcement to tear down illegal structures
6	311 should have the ability to attach pictures
7	Some communities overwhelmed—need a 311 "liaison" to make calls
8	There needs to be more follow-through when a case is continued and the applicant is required to post that notice.
9	Is there a place that we can go to help us with developers who try to wiggle around the rules?
10	How can RCO know if developer gives notice as required? Who is giving? How?
11	RCO did letter of non-opposition with restricted use. ZBA agreed. L&I didn't enforce. How does RCO enforce?
12	Policing of regulations onerous; who regulates that an RCO has done their diligence?
13	Heritage tree is not being enforced (*someone agrees*)
Comments from June 7, 2013:	
1	Enforcement is an issue.
Comments from June 10, 2013:	
1	No control that developers have provided documentation of RCO meetings w/ ALL organizations – is the code enforceable?
2	Is there anything that can force developers to follow through with their floor area bonuses.
3	It's not just the code – it's also about enforcement.
Comments from June 19, 2013:	
1	No $
2	Not enforcing any building permits
3	311 >> last phone call wipes out previous calls
4	Complaints should be in writing
5	Council recommendations are being ignored by civic associations
6	3rd story setback when abutting 2 story homes is being enforced
7	311 system for complaints
8	Does a 2nd complaint cancel the first one?
9	Does the "10-day response" time start over when a new complaint is recorded?
10	Do multiple calls cancel out?
11	Disconnect between L&I's interpretation of building and codes.
12	If multiple people call and lodge complaints w/ L&I, each successive complaint wipes out the previous. >> was told by L&I "If I take your complaint about property X, it will wipe out previous logged complaint about zoning violations"
13	Translators are needed at ZBA and L&I, provided by city. (big problem for asian immigrants) Needs to be announced and marketed, not concealed due to cost.
Comments from June 21, 2013:	
1	Unclear who is enforcing RCO rules
2	Burden is on community members to report violations.
3	When L&I inspects violations are not always apparent.

ENFORCEMENT	
4	311 is a black hole
5	Not strict enough. No monetary penalty until after 3rd inspection.
6	Alexandria, VA has 5 levels of penalties depending on type of violation

RCO BOUNDARIES	
Comments from June 5, 2013: None	
Comments from June 7, 2013: None	
Comments from June 10, 2013:	
1	RCO boundaries mean that neighborhoods take part in development that doesn't impact them. This can create conflict.
2	Developer might choose the RCO that has the more favorable opinion.
3	RCOs might have differing notes and opinions, developers leverage the one that is more favorable.
4	Civic associations used to be the voice of the community. Now other organizations have popped up and are speaking for the community and they have les knowledge of the area.
5	Organizations that don't really care about development decisions because they aren't in their direct community and now have say in decisions.
6	Overlapping RCOs is an issue – who hosts the meetings? Group compromise is very difficult.
7	RCO who has the area impacted should have a voice in the process greater than those indirectly impacted geographically (eg. Flooding and sewer backups)
8	Use "impacted area" over "home" RCOs.
9	Concerns about overlapping territory of local zoning committees, suggestions for change boundaries are too large – set smaller boundaries.
10	Perhaps there's a way to improve this by considering the scale of the applicants project or dollar value of the improvement.
Comments from June 19, 2013: None	
Comments from June 21, 2013: None	

QUALIFICATIONS OF RCO'S / BEST PRACTICES	
Comments from June 5, 2013:	
1	Need a bill that limits the number of RCO's in neighborhoods and have criteria (for them).
2	Transparency of RCO's- need more
3	Like multiple RCO's because it opens process up to common people
4	Need requirements for RCO's (at a min. required # of meetings)—otherwise it gets out of hand; individuals can still go to ZBA; not fair to other RCO's (who meet earlier qualifications) who hold meetings
5	People are having trouble figuring out how an RCO should be structured.
6	Civic group using Robocalls- got 300% increase in attendance at mtg regarding zoning (RCO notification)
7	Eligibility requirements are now too loose. Go back to original requirements. (group agrees)
8	Some RCO's didn't meet criteria; some were political- Question: Is Council supposed to be involved?
9	Some RCO's need to be re-evaluated in less than 3 years—some "pop-up" NIMBY groups. Others are political.

QUALIFICATIONS OF RCO'S / BEST PRACTICES	
10	Overlapping RCO's create turf wars- everyone wants to be the chief.
11	RCOs are starting to abuse the process.
12	Way too easy to become a local RCO and all organizations have equal weight in process.
13	Some organizations would not qualify as RCOs under original code (*could be well-funded by someone who stands to gain $$$ from applicants)*
Comments from June 7, 2013:	
1	Anyone can be an RCO – needs to have the requirements reinstalled (3)
2	Needs to have requirements so that groups actually represent a community properly and not just disgruntled individuals – ad hoc.
3	Reduced minimum requirements for RCOs and has made them over-proliferate. (10 overlapping ones in Fishtown = repetition of work)
4	Needs minimum requirements for RCOs
5	Too many opinions with so many RCOs. (Fiefdoms)
6	Too frustrating for developers to work with so many RCOs
Comments from June 10, 2013:	
1	Ward committees registered as RCOs is a conflict in mixing political and civic agendas. An unintended requirement of relaxing RCO requirements.
Comments from June 19, 2013: None	
Comments from June 21, 2013: None	

RCO AMENDMENT, BILL NO. 120889	
Comments from June 5, 2013:	
1	Repeal March amendment—too much room for problems / manipulation
2	Throw out the new bill (amendment?)
3	Revise regulations back to single RCO meeting- with too many RCO's one tends to dominate, etc.
4	RCO's don't have the resources to meet the new regulations
5	My neighborhood does not like the new RCO bill—requirements to be an RCO is too watered down; RCO formed just to oppose a project, then disappears.
6	Support the new RCO bill- rules should apply to all organizations, equally.
7	New RCO bill is not appropriate for all communities.
8	Law is only about notification—we were not being notified previously.
9	RCO bill in spirit is good
10	City Council prematurely acted
11	RCO Bill problematic—notification is burdensome; new eligibility requirements are bad
12	RCO bill applies "extreme case scenario" to all cases.
13	New bill puts too high a burden on developers. When many RCOs ask for meetings, lose transparency.
14	More transparency with the RCO process than previous
Comments from June 7, 2013:	
1	Some issues do make code unpredictable – Took RCOS from manageable and predictable to unpredictable, uncertain & less manageable. (3)
2	RCO was a fairly manageable process before the amendment.

RCO AMENDMENT, BILL NO. 120889	
3	With amendment, council is trying to get their hands back to control the development process and are using communities and RCO groups as the foil
4	PCPC threw in the towel on who could be RCO. Original regulation required representation, elected leadership. Now allows political organizations to be an RCO! Not democratic and is un-American. This is not what the government should allow. The Blackwell amendment further degrades.
5	Overlapping RCOs – when they don't agree, what happens?
6	RCO amendments reintroduced problems that the original notification process solved.
7	Reintroduces the problems that original notification process solved. Too onerous.
8	As written, doesn't deal with all uses (Ranstead Street) and is incomprehensible.
9	Don't like.
10	Groups often don't like each other.
Comments from June 10, 2013:	
1	Written notification means we can't use our robo-call
2	#120889 – wording is difficult to understand. Seems to state there is now an endless process to meetings. The "approved by" is it all 3 or 1 of the 3? What is intended?
3	Clarity on what happens when RCOs differ over ZBA case – would like something written on how it is handled.
4	Amendment took away PCPCs role in vetting RCO requirements, so is PCPC just the repository for the inventory?
5	Problem is that applicants seem to be shopping around for neighborhood advisory approval.
Comments from June 19, 2013:	
1	Effectiveness – Too many in a geographic area, waters down, confuses process, uneven compliance with requirements, meeting management.
2	Need uniform guidance for RCOs to do their job (spirit and letter of law)
3	Legal liability for RCOs? Does city provide support? Technical? Indemnity?
4	How is RCO supposed to report in consensus or not, zoning committee opinion, or meeting attendees?
5	Many RCOs are not zoning oriented, lack of response/interest from RCOs who sign up aren't really functional/interested. (eg. Social service organizations)
6	RCO conspired to oppose item before applicant hearing.
7	RCO amendment is horrible – there is little explanation. It is difficult with new family buildings, whether abutting properties are publicly owned.
8	RCOs are running amok >> developers are required to do more and RCOs are treating this as having new-found power.
9	Too many RCOs, especially with issue-based organizations that claim the entire city
10	RCOs are demanding multiple meetings
11	The opportunity to have multiple meetings is ridiculous.
12	Meetings should involve a certain number of blocks, not any RCO who wants inclusion.
13	RCO boundaries are not equal to neighborhood boundaries.
14	RCOs can not determine how attractive a property is to a potential buyer.
15	RCOs have inhibited development which is contrary to the code's objectives.
16	RCOs can now be sued more easily than they could under the old code.
Comments from June 21, 2013:	
1	Need good faith language

RCO AMENDMENT, BILL NO. 120889	
2	Objective was to make communication easier; code does not meet that objective.
3	Developers only bring concept plans to meeting – No insurance these will be the same plans during application to L&I
4	Developer/RCO actions have to be in the spirit of the code

ZBA / VARIANCES / SCHEDULE	
Comments from June 5, 2013:	
1	We've seen no reduction in the number of variance requests.
2	Zoning Calendar (ZBA hearings) is not user friendly. Not mobile friendly, not searchable. Not sort of filter options by zip code, Council District, applicant name…looks good on screen, not user friendly. Better to have searchable table too.
3	Change in website isn't useful. Doesn't provide as much info or searchable. Cannot tell if the project is in your community.
4	Conditional zoning approval: RCO is not clear on when to hold meeting. Doesn't applicant have to hold meeting within 45 days? Are there different rules for conditional zoning or not? If so, RCO's need guidance/info.
5	43rd and Baltimore case—what is rationale for conditional zoning approval? Conditional zoning in this case being used as a threat. Not legitimate plan. (?)
6	Searching for ZBA cases- (upcoming) not easy. Need to be able to filter by zip codes.
7	Conditional zoning permit- confusion about process / RCO responsibility. Code not clear about when notice and mtg has to occur. *Bogus plan given to L&I and permit issued. Developer not planning to go forward with this plan- scared community.*
8	Explain rationale for conditional zoning permits.
9	Variances have been reduced.
10	Used to be able to count on ZBA support- now it's a crap shoot.
11	Shocked to read her civic's minutes and see a project that is opposed by the ZBA
12	Does the ZBA even understand the roles of the RCOs? It seems not.
13	CDCs get a higher status than RCOs at ZBA (*other person disagreed… "it's a matter of perception")*
14	Online ZBA calendar is not user friendly
Comments from June 7, 2013:	
1	Density bonuses – good idea. Maybe good for PCPC to share examples of how it is working.
2	Green building bonuses – process is too open and as a result restrictive (risks). Unclear how it can be utilized. The compliance at the end is restrictive and scary. May commit developer to unrealistic objectives.
3	Landscape plans typically don't come into the final design until the end of the project. Zoning app requirements moves up design schedule and is a problem.
4	Master plan revision process requires city council ordinance. Council availability (and lack of in summer) can stall major projects for months (a problem for 22+ years). Leave it to PCPC, not council ordinances to get conditional approval to complete zoning process before the fall. The process should NOT shut down for the summer.
5	Individual citizens can still seek legal recourse to hold up a development project outside of the zoning process.

ZBA / VARIANCES / SCHEDULE	
6	Don't know how opinions of RCO and citizens with affect ZBA. Uncertainty about how much weight ZBA gives to citizen comments and RCO (especially when conflicting) comments.
7	Hasn't affected the number of variances – multiple unit projects in particular. (open air space, roof decks, parking)
8	Too many layers of input (CDR, RCOs, etc.)
9	Side yard and roof deck changes have reduced these variances.
10	Issue: once a project comes up for variance, neighbors can comment on anything.
11	Issue: Struggling with density: should neighborhood make a plan? It's an issue that comes up repeatedly > benefits vs. problems of density. Education about density issue vs. psychological issues of losing control of what's happening.
12	Rift between lifers and new residents
13	Dynamics of CMX 2.5 is interesting > not good or bad, just interesting that you can change the character of a neighborhood
14	Stuff in code that hasn't been mapped yet
15	Broad street overlays overlap > maybe minor conflicts
16	Happy about changes to prepared foods/takeout sections but the distinction is still a little confusing.
17	Disagree with spot zoning.
Comments from June 10, 2013:	
1	Developers are doing what they've always done – ZBA does not consider community input. Technically it has but it is still being ignored.
2	Developers are "testing" the code and they are learning what they can get away with in the code.
3	How do memoranda get vetted that have bearing on development but don't go through the same process as zoning amendment?
4	Tree planting – reconstruction/develop on block w/ older mature trees (pre-existing) and not causing damage, should be left alone and be able to be included on development plan regardless of species.
Comments from June 19, 2013:	
1	Is the ZBA following the criteria and processes outline in code for variances? (eg. Front loaded garages)
2	A concern about the powers of the RCO and how/whether the ZBA regards RCO's opinions.
3	Grant variances despite RCO/council opposition.
4	New code was supposed to make new variances harder to obtain..
5	Hardship does not equal can't market house @ certain price point
6	ZBA is not following the rules – they are inconsistent.
7	ZBA does not request a proof of hardship
8	Real hardship = a lot too small; remapped; easements constraining development
9	ZBA needs to be changed – we were supposed to have a more professional board.
10	Translators are needed at ZBA and L&I, provided by city. (big problem for asian immigrants) Needs to be announced and marketed, not concealed due to cost.
11	New chair lacks knowledge of zoning (2 agree)
12	All members should have extensive knowledge of zoning and zoning code.
13	At beginning of meetings, ask if there are any language needs or translators needed.
14	Forms for translation request need to be at wall by ZBA reception and L&I permits >> use a language cost.

ZBA / VARIANCES / SCHEDULE	
Comments from June 21, 2013:	
1	Why variance for upper floors when ground floor = 100% coverage? Will not generate more stormwater.
2	Illegal construction >>> ZBA to remedy violation >>> Grants hardship
3	ZBA is granting variances too easily >> (curb cuts, signage/billboards, overlay dense residential in industrial building conversions
4	ZBA inconsistency in administration/procedures
5	Variances should be tied to building owner, not the property.

CODE FAMILIARITY	
Comments from June 5, 2013:	
1	RCO's don't understand requirements (specifically notification)
2	Council office called and asked why RCO doing this (meeting with developer)
3	Attorney for developer not aware of requirements.
4	Still more education needed in communities and RCOs.
5	What can RCO's influence /not influence?
6	Some RCO's do not know their role as prescribed by code—such as, RCO posting notice of meeting
7	Developers don't know what is expected from RCO meeting.
8	Not all applicants having zoning attorneys—this should not be necessary. Code should be more user-friendly.
9	RCO training (basics) on how to hold developer meeting, guidelines.
10	Uncertainty with RCO's with new code. Simpler with old code.
11	We did not have a group before new code, now we do. Just need basic training.
12	Developers do not know about RCOs.
Comments from June 7, 2013: None	
Comments from June 10, 2013: None	
Comments from June 19, 2013:	
1	Small developers need to follow the rules, they either don't know or don't care.
Comments from June 21, 2013: None	

CIVIC DESIGN REVIEW:	
Comments from June 5, 2013:	
1	Question about "preliminary review" for civic design review- what does a develop need to go in for a preliminary review?
Comments from June 7, 2013: None	
Comments from June 10, 2013: None	
Comments from June 19, 2013:	
1	Timeline for civic design review process it too long
Comments from June 21, 2013: None	

PARKING:

PARKING:	
Comments from June 5, 2013: None	
Comments from June 7, 2013: None	
Comments from June 10, 2013:	
1	Parking requirements: there's a conflict between some community standards and the city's regulations.
Comments from June 19, 2013:	
1	People still use cars even without parking requirements >> need to reinstate parking requirements >> (depends on the neighborhood)
2	Reduction of parking requirements is good
Comments from June 21, 2013:	
1	Center city overlay required parking > access off common alley/driveway should expand to whole city >> apply based on USE not base district

SIGNAGE:	
Comments from June 5, 2013: None	
Comments from June 7, 2013:	
1	Need more controls over billboards and advertising in general. Shouldn't be able to convert them to digital.
2	City should conform to the highway beautification act > get rid of the grandfathered billboards.
Comments from June 10, 2013:	
1	Need more control on digital non-accessory, it is considered just a face change.
2	No way to challenge technical memorandum concerning billboards on vine street – I feel like I have no opportunity to challenge it through the new code.
3	My concern is non-accessory sign regulations in non-residentially zoned areas.
Comments from June 19, 2013: None	
Comments from June 21, 2013: None	

CONTEXTUAL ZONING:	
Comments from June 5, 2013: None	
Comments from June 7, 2013: None	
Comments from June 10, 2013: None	
Comments from June 19, 2013:	
1	Should evaluate entire block for heights, stay within 10%
2	3 story buildings should not be allowed on 2 story blocks unless the community agrees.
3	Need to address density somehow (tiny houses should not have multiple units)
4	Pilot House – should limit size scaled to size of building.
Comments from June 21, 2013: None	

OTHER CODE ISSUES:	
Comments from June 5, 2013:	
1	10 foot pilot houses should require a variance. 8' is enough and should slope to follow stairs.

OTHER CODE ISSUES:	
2	Buildings are taller
3	Should not allow decks directly on roof—dangerous.
4	Pilot houses without variance is a mistake- would have written into Queen Village overlay.
5	Now allowable- not before: 3rd story additions; entry floor above ground level; bay windows protruding into street; neighbors raise height of their homes above stories of new additions.
6	Don't yet understand sky plane.
7	When is a preliminary use permit obtainable? Do I need to have all my pre-requisite approvals from other agencies first?
Comments from June 7, 2013: None	
Comments from June 10, 2013: None	
Comments from June 19, 2013: None	
Comments from June 21, 2013:	
1	Did not take into account setback requirements by streets/parks
2	Communication issue b/w depts. on trees (e.g. green city / clean waters, storm water)
3	Better coordination between L&I and PCPC as well as other agencies is needed on specific cases >>> public information is not always accurate
4	Over the counter permits are being issues even though not as-of-right (E.g. commercial expansion into neighboring twins
5	APPEAL REQUIREMENTS – Possible to have an "easy track" for community members?
6	8' setback on 2 story blocks – Should allow mansard roof, still keeps the cornice line.
7	REMAPPING – needs to correct 1-2 zoning; res conversions in 1-2 don't have any rules.
8	Buildings should setback with landscape buffers (environmental benefits; soften the hardscape) >>> What about planters on sidewalk? >>> But landscape buffers attract rats, litter, etc. >>> Should require SOME open space
9	Regulations for facades/building materials is necessary >> cornice line, no plastic or stucco.
10	BOXY BAY WINDOWS – street rules = if can stand in bay, needs ordinance. Rule should be written down somewhere with criteria for projections, setbacks, etc.
11	If a building has been vacant for more than 2 years the use should revert back to original use.

CODE IN GENERAL:	
Comments from June 5, 2013:	
1	New code is great to have!
2	Easier to read. Illustrations help. (not all agree) Some sections are ambiguous and hard to read- section on signs, when sign is in excess and when Art Commission is involved…
3	RCO's a good idea. Politics became a problem.
4	Politics a problem. Groundbreaking ceremony at 30th and Gray's Ferry- community not informed? Was group made aware? [another viewpoint- not too much of this problem- not a # of large projects in community]
5	New zoning code easier to use. Makes more sense.
6	Overall, RCO's are a good thing. Gives affected people power; feels good.
7	Need to cut down on variances, groups not having to deal with so many minor issues.
8	Don't change code right away- live with it longer. Continue to monitor new code. Don't rush to make changes- would be band-aids like before.

CODE IN GENERAL:	
9	Some areas that never had representation have it now (good thing)
10	City Council members still the focus of development communications, the main contact. (good or bad?)
11	Still too political, old code and new code.
12	Council person still knows their own district the best.
13	Distribution radius-inclusive under new code vs. too large, not relevant (?)
14	It's a great great process
15	Code is much easier to read.
16	Code is more organized.
17	New code has created more of a community spirit- better communication between RCO's that abut.
18	Elected officials come to RCO meetings more than they used to.
19	Much better structured code.
20	Map on L&I site is not helpful. Not all addresses are there.
21	RCO requires too many hours to be informed, particularly in dense areas.
22	Some things that can now be by-right are surprising.
23	Best thing about new code- better organized, better structure.
24	L&I is confused about the new code- things get sent back to reviewer, this slows things down tremendously.
Comments from June 7, 2013:	
1	New code is an improvement. Not perfect – but can still be improved upon. A big success. (2)
2	What happened to the 1-year review before changing codes? There were 4 years of meetings with bright, committed 2CC w/ council representation. When council voted to change the code it sent a BAD message to the public. When talented people are asked to join a blue ribbon council again – they won't.
3	RCO & Zoning code changes prior to 1-year review – How could city council say they didn't know what was going into new code after forty meetings and four years of work by ZCC?? Outrageous!
4	Remapping needs to catch up to code
5	Website and contact information for civics have been helpful
6	Basically like the new code
Comments from June 10, 2013:	
1	New code is easier to read.
2	Interpretation is easier.
3	Minor variances have been reduced.
4	More visual aids are needed to explain development standards.
5	Code has an inclusive process.
6	Visual aids and charts are helpful.
7	CPI has been helpful.
8	City changes in the past year have been a slap in the face for the 4 years of work that went into it. They are railroading certain people.
9	Can't do provisos anymore – this was the only bargaining chips that we had.
10	My neighborhood zoning committee can't put provisos in like we used to (someone agrees).
Comments from June 19, 2013:	
1	Navigation certainly improved – specifically the use table
2	Less guess work involved, more consistency.

CODE IN GENERAL:	
3	Navigation is more difficult
4	Getting rid of accelerated permits was terrible
5	Urban agriculture was a helpful addition
6	IRMX is a good tool if used properly
7	Due to the newness of the code, people are taking advantage of the uncertainty of interpretation.
8	Remapping will be crucial so that it aligns with the new code.
9	CDR should have more community representation and the process should have teeth so it doesn't waste time.
10	Presence of renters is confusing, especially when there is a single owner of a multi-family rental.
11	New urban agriculture category is helpful to have it codified under the zoning a code >> A positive change >> enterprise center has production farms and updated code helped facilitate construction projects on the farm.
12	Change to density bonuses – what impact has this had? How has it changed which amenities are adopted, especially in under-developed pressure areas (center city)??
13	CDR input is only voluntary – recommendations need to have TEETH. PCPC should be able to turn down projects that violate CDR recommendations/decisions.
14	Need to have some sort of education program for immigrants and non-native English speakers so they can know about zoning code and what is allowed where. This would reduce appeals.
16	Needs more graphics and flow charts on zoning permit and appeal process – online and in print.
Comments from June 21, 2013: None	

SPECIFIC PROJECTS:	
Comments from June 5, 2013:	
1	Controversy re: specific project which was by-right. Old code required variance. New code did not. (sunset of affordable housing developments) Permitted too much bulk/ # of units. Zoning map not adjusted when rental became homeownership w/ separate ownership.
2	Problem- no parking required. Requirement too low. Unrealistic because jobs are not in City. Have to stay competitive with other development.
3	RCO "facilitating" developer's meeting and administering developer's website- 4224 Baltimore.
4	ZBA allowed a semi-historic building to be razed in spite of big neighborhood opposition. Empty lot was "acceptable use" and the tax was lower for the owner with the empty lot.
5	L+I said tear off stoop or shed, then need zoning to put it back.
Comments from June 7, 2013:	
1	A Washington Sq. West project with variances – working well so far with RCO process
2	Old City Civic lost 'Ds' on a real issue (insurance).
Comments from June 10, 2013:	
1	Mayfair overlay went away, some undesirable biz now as of night pawn shops.
2	Increases in medical offices, dog cares, and pharmacies.
Comments from June 19, 2013: None	
Comments from June 21, 2013: None	

UNRELATED COMMENTS:

UNRELATED COMMENTS:	
Comments from June 5, 2013:	
1	Streets Dept is requesting stormwater management practices that require developer to move earth in a way prohibited by codes.
Comments from June 7, 2013: None	
Comments from June 10, 2013: None	
Comments from June 19, 2013:	
1	Neighborhood groups would sometimes rather see vacant lots stay vacant than see them redeveloped
Comments from June 21, 2013:	
1	Communities should have 1st right on vacant properties

This **Exhibit A.2** presents the questions and responses to the online survey posted on the Philadelphia City Planning Commission's website from June 12-24, 2013.

QUESTION ON NOTIFICATION PROCEDURES:
An applicant must provide written notice to all local and issue-based RCOs. Bill No. 120889 added a new requirement for the applicant and local RCOs to separately provide written notice to each occupant in a 9-block vicinity of the project. No standards for "good faith effort" are included.

RESPONSES:

- This was written with the idea that it's only big developers who are applying for variances. This is a tremendous burden for the average home-owner who needs a variance for a small project on their property.
- Notification equals transparency
- I believe standards are a necessity; too many applicants will take the easy way out of avoiding these meetings if they know their projects will be disapproved within the communities.
- 9 blocks might be too many thereby encouraging disregarding the requirement.
- Our organization already flyers all houses in a 2 block radius. However there is no way that we could flyer in a 9 block radius. The time and cost would be too much for our volunteer organization.
- This requirement is burdensome and difficult to comply with. The original concept of a designated RCO made sense. This is simply a grab for councilmanic patronage.
- OVER KILL should only apply to vicinity of project.
- I have not had to file for an appeal yet under the new code
- Standards would help but this is a step in the right direction.
- What about those occupants who have low literacy levels?
- Only the applicant should have to do this. The RCOs do not have the resources or personal to do this for every project.
- In principle, notification of all occupants is a good idea. I dropped out of my local RCO because I disagreed with many of their policies and their vision for the neighborhood. I still have opinions on local development and would like to be notified of projects in the vicinity of where I live.
- Overkill and costly provision-- poorly drafted and motivated by folks who don't want any development or "new people" in their community.
- I personally feel that it is too soon to say, that there hasn't been enough time/examples to see the impact and to have form many opinions. I suggest that the review period be extended to a two year period.
- RCO's seem to be notifying the residents in my area.
- Not Working !!!
- I agree with leafleting the surrounding area, not just notifying the rco's
- While onerous on both developers and civic associations, the inclusiveness of this requirement is a good thing.
- The new notification procedures require more human and financial resources from the RCOs which vary in size and finances. It seems no resources and/or funding has been allocated or even considered as a possibility for RCOs. Standards for "good faith effort" should be included in the policy,planning, process and legislation.
- some we get and some we do not
- The current standards of notification are onerous for both the applicant and any RCO.
- There should be a good faith effort standard. It is almost impossible to have 100% notification
- I believe this is a very positive change and protects the neighborhoods from development that does blend with the goals and vision of the neighbors.
- It's still unclear whether "written notice" provided by the RCO means the fliers that they've traditionally distributed or a letter. If a letter, then this becomes too burdensome. If only a flier, then many

neighborhood associations distributed fliers in a far larger radius before the amendment and continue to do so.

- Should include some standards for "good faith effort"If applicant and RCO can document they attempted to notify residents taht should account for a good faith effort.
- It is not possible to have standards for flyering because flyering is not perfect and they can be taken or thrown out before getting to the resident of the home.
  The flyering is something we have always done so this is not a change for our organization (FNA).
- I love this change, maybe now residents will have more say in what is allowed in their community, because they will have to be notified in advance. I think that this allows for a healthier community when residents feel that they have a voice in what goes on around them.
- WCGN, despite a reputation for being one of the more active groups, has not warned neighbors of impending projects in a timely manner.
- Standards for "good faith" efforts should be included.
- I consider this absurd! It is an unnecessary burden on all parties and a monumental waste of time
- This has always been a practice for my organization, however it is a help to make others do the job fairly.
- I think that is not this is a good step but not a meaningful way to involve the public in developing the built environment we need and prefer. It is still entirely developer-driven and does not incentivize or penalize developers for process improvements (which lead to better results and development that actually is built rather than that infuriates and leads to obstruction).
- Written notice is very helpful - I get info from the RCO over a listserv but many do not use the listserv
- No issues
- Scale of project is a consideration not addressed - while projects large in scale (e.g., development of a grocery store) would certainly merit input from a 9-block vicinity, projects of a smaller scale (e.g., legalizing an existing apartment in an carriage house) might not merit such a widespread notification.
  I would also consider adding a minimum time line by which applicants must provide written notice to the occupants, if it is not already specified in the guidelines.
  How are standards by which notification may be provided to apartment buildings? Is notification to each apartment occupant required or is posting in a general area sufficient?
- Ridiculous
- A 9-block vicinity of the project is quite a bit of territory and could include hundreds of rowhomes (property owners) in a typical neighborhood.
- so far, my RCO has NOT recieved notices from developers.
  Name of RCO South Street West Civic Association
  Example 2303 Bainbridge Street
- We are struggling to figure this out.. We often get applicants confused about the zoning process for lack of education or familiarity with the system. In the past we worked with them and our RCO notifications did the job. 2 notices are confusing to neighbors. We are working with an elderly applicant and this requirement is extremely difficult to meet. The area to be notified is often a little different than diagram. The cost of notification for RCO's is getting prohibitive and we are working hard as volunteers to comply.
- I agree. In addition the notification "must" be provided whether or not the property is owned.
- This rule is absurd. My organization did this type of flyering for one year and found that it created trash and confused people. Nine blocks in Philadelphia is too much - 9 blocks can be a different zip code or another, different, neighborhood.
- This is a ridiculous task to ask of community groups, design professionals, and property owners. Not to mention how environmentally unfriendly the new policy is. These are often 50 leaflets being distributed by the applicant and the community group. Working through the community groups (often times multiple ones for one project) should be enough public notice. The orange posters should serve as public notice now that continuances must be reposed too.
- Developers are playing the RCO's against one another
- Getting two notices seems like it could be confusing to residents.

- Requirements are excessive, difficult for applicants to comply with and a potential source of collateral appeals.

QUESTION ON RCO MEETINGS:
An applicant is required to meet with the local RCOs in advance of the hearing before the Zoning Board or Civic Design Review Committee. In the case of multiple local RCOs, the RCOs must coordinate to convene a single, combined meeting that is open to the public. The Bill added a new requirement for the zoning applicant to meet with each RCO separately, "if requested by any single RCO and approved by the district councilmember, the Philadelphia City Planning Commission (PCPC), and the Zoning Board of Adjustment."

RESPONSES:

- Talk about muddying the waters. Why would you put the average home or business owner through this?
- Rcos should be require to certify that the most affected property owners receive actual notic of meetings. Simply putting flyers in doors is not effective notice.
- this is starting to get crazy.....
- This again undermines the reasonable concept of requiring all RCO's to meet together and comu up with one response.
- This will just discorge development.
- Meeting with multiple RCO's is way too time consuming, plus in the past each RCO has its own standards. How can you address conflicting standards? I have found RCO's have too much power and are biased towards applicants, professionals, and property owners. there have been many occasions when communities ignore the actual variance(s) required and focus on aspects of the project that should not be considered when voting for or against a project.
- While this sounds good on paper, in reality it is cumbersome and tasks volunteers with a great deal of work and cost with no compensation.
- Great.
- This is stupid. Since anyone can make be an RCO now, it can make it nearly impossible to have a joint meeting and why would you want to make an applicant have multiple meetings.
- This requirement seems overly cumbersome to me.
- Wrong-headed. All RCOs should meet in one place and have one meeting.
- This is occurring in my neighborhood.
- One open public meeting would be acceptable in most areas... As long as the public is notified...
- Inclusiveness is a good thing, however, we have yet to determine how these RCO meetings collaborate with Neighborhood Development Agreements with the developer and the civic association. RCO meetings and Civic Design Review Committees cannot and should not be a substitute for Neighborhood Development Agreements.
- It just adds more steps to the process and may require a new look at various deadlines for L&I, ZBA, PCPC, District council member, developers and RCOs. I am sure that there has been an initial case before or since the new requirements.
- this can get better.
- The current standards allowing for optional meetings with each RCO within the project area is an unnecessary burden for the applicant.
- This puts too much power into the district councilmember's hands
- In our area tis has worked very well and applicants attend our monthly meeting to present the plans and variances they are seeking to have approved. Thus far it has proven to be a very good dialogue and when difference occur our RCO continues to work with both developer and community /neighbors to find a possible solution.
- We're now getting complaints that this amendment is short-circuiting the process and applicants are once again venue-shopping, just meeting with the RCO who will support their project.

- Seems burdensome in areas where there are many RCOs.
- We have good working relationships with our adjacent civic associations and we have standards for how to hold a border meeting with each of them. The confusion I see that could be a problem is if one of the other 9 RCOs in our area wants to hold a meeting seperate from us. There needs to be a reduction in RCOs.
- I think that this will help everyone be on the same page with what will be in the community, whether or not it will benefit the community as a whole.
- Good idea when RCO's can't work with each other. It is not necessarily the fault of a smaller or less publicly visible RCO not to be able to work with the others. Some RCo's get their reputation due to pushing their own personal agenda's.
- I don't agree with new requirement. It is too cumbersome.
- Again, nothing but a bureaucratic nightmare. It leads to squabbling among RCOs and assumes that all have equal standing--a ridiculous assumption given that it seems that any group with a pulse ends up recognized as an RCO
- The idea of an RCO was not in the best interest of the community. It has in some cases divided the community.
  If there is such an occasion to do do zoning no one group should be privileged to demand a meeting outside of the regular meetings being held, particularly if that RCO does not live in that area.
- These are still all musts rather than more creative approach to processes aimed at better results
- No issues
- I am not keen on the exception as it may allow the applicant to provide different stories to different RCOs to get their necessary letters of approval.
- There should be one meeting to promote consensus period.
- More meetings means more money and more time for a development.
- I think it is better to meet with all RCOs at once. Large projects should be stand along meetings, not one item at the end of an agenda with many other items
- Very unlikely that volunteer RCO's can coordinate schedules and communications when dealing with multiple applications. Who bears cost of notification? How to hold accountable? community associations are geographically bound and have history of representation. Issue based are getting notices from applicants but don't respond. Are we supposed to keep them informed? Is no way for applicants to know which RCO can be most helpful. We are still doing all the work, have more to do and ZBA is still dismissive.
- The separate meetings are valid because there are cases where an RCO, no immediate to the development may not agree with certain decisions regarding issues that impact a specific geographic area. In addition, a written business plan would be better to increase accountability to the development process and the design as they relate to issues
- Absurd, again. The point was to streamline and to eliminate the multiple meetings.
- No real problem with this change. It comes at a cost to the developer or property owner. It's a burden to go to several meetings, but it can be done. It's not good policy if we're looking to increase investment and development in the city.
- This is clearer what RCOs have to do.
- Requirement is excessive and burdensome to applicants. There should be one meeting with the RCO's but each RCO should be allowed to make its own recommendation concerning the application. The City Planning Commission and Zoning Board should play no role in RCO meetings.

QUESTION ON RCO ELIGIBILITY CRITERIA:
The Bill reduced the minimum RCO qualifications to a registration statement providing only geographic boundaries, purpose, and schedule of meetings.

RESPONSES:

- How can you guarantee that the RCO speaks for the neighborhood if you don't require public meetings, an elected board and by-laws that help the community understand the purpose of the organization?
- Should also be required to furnish a list of office rs and contact information
- DO NOT lower the criteria for the RCO! If an organization is representing 1 block area, but does not publicize their meetings, 3 people elect themselves year after year, they should not be able to hold hostage a larger wider community.
- The result has been a plethera of organizations which have single issues, not really related to the details of specific construction. It takes away from the legitimate RCO) iinput.
- More RCO's to deal with, in some area they are 10 or more who have an interset which seems a lot to ask someone to try a coordinate one meeting.
- not sure wht is being asked here but I believe that RCO's need oversight from the city.
- This dilutes the legitimacy of the RCO concept.
- That is insufficient.
- This is even stupider. It does not allow for transparency with RCO's and allows for conflicts of interest within RCOs.
- In practice this may lead to "hollow" RCOs formed to deal with one issue, or even to advance the views of one individual. There zoning code should include more specific criteria that may help determine whether an organization actually represents the community. All RCOs will make this claim, but not all of them will actually have the popular support they claim.
- PCPC has not enforced these standards. They should.
- While the criteria have worked in my area, they might be too minimal.
- Citizens Rights,mostly volunteers ,
  why make us have to work so hard ?
- Disagree with this.
- This requires, at least, some basic knowledge about how to get information although PCPC through CPI has done an excellent job in ensuring that information...and training is available. This Bill also requires that there is periodic assessment to ensure fidelity of process and which allows for help when needed.
- we need to know mor about this
- The RCO standards have been both compromised by recent amendments and liberalized by the Planning Commission's interpretation of the spirit and intent of the original regulations, to the point of being meaningless.
- no opinion
- I believe the effectiveness of a RCO lies with its leadership and community interest not necessarily with eligibility requirements. I do however, believe it is beneficial to have eligibility requirements so RCO can be provided guidance and growth opportunities.
- This will only lead to confusion. I now hear even more from RCOs than before who would prefer the City to designate a specific neighborhood association to cover a defined area, similar to something like a NAC boundary, zip code or police district.
- Not sufficent.
- This is not acceptable. RCOs need to have bylaws in order to keep consistency during changes in leadership. It is the only way for developers to know they are being treated fairly as compared to all of the other projects that have come before them.
- This is reasonable.
- Again, it simply leads to diminishing the product.
- As I stated, RCO's is not in the communities best interest.
- Sounds okay.
- While it is useful to have a process that is open to multiple RCO's , this very low level of proof seems to open the process up to the creation of numerous "shadow" RCOs during contentious zoning debates.
- No issues
- No membership minimum? Does this mean that a single person can claim to be an RCO?

- Ridiculous. The RCO should be a verifiable operating organization truly representing and providing services to the community.
- No comments
- There are some RCO's that were approved that are so small that they are getting notices from applicants for a neighborhood when their boundary is only a subset. It's confusing to the applicant and to our RCO which represents the whole community and has a history and members. Others just want the opportunity to speak out when they want but generally don't respond. They don't have their own structure for following through and rely on us anyway. How do they prove constituency? Will they be evaluated for zoning activity before reregistration?
- Great! If there needs to be an RCO, Philadelphia citizens should be able to organize easily.
- City Council is out of their minds.
- Disgraceful! Some of these "RCO's" are nothing more than a bunch of neighbors trying to stop people from investing in their communities.
- this made it more inclusive
- The RCO process should be inclusive and the broad minimum qualifications achieves this goal.

QUESTION:
Do you have comments concerning enforcement of the Zoning Code?

RESPONSES:

- L&I needs more plans examiners!
- L&I simply does not have the resources for effective enforcrmrnt. The zba is too subseptable to influence
- The review by Licenses and Inspections continues to be tedious. .
- Its being enforced as long as the plan examiners are awere of the new changes which happen monthly.
- Yes. Once illegal activity is completed there is little to no enforcement to remove violating structures.
- Not enough inspectors, L&I is personell starved
- Signs and store fronts in my area which are in violation of the code persist. I have been told that a case was closed and resolved when the violations still exist. I question the inspector's enforcement.
- none
- So far, the ZBA is acting as usual and thumbs its nose at the old and the new zoning code.
- No
- YES , PLEASE HAVE SOMEONE TO CALL ME ABOUT THIS

  215-849-8021
- L&I application/plan reviewers continue to make errors in interpreting the new zoning code, and consequently, issue over-the-counter permits for applications that actually require a zoning hearing.
- The code is in place to reduce and eliminate variances, but everyone seems to be operating under that old mindset and asking for variances anyway.
- No
- Keeping track of the Bills out of committee and how many times it has been heard is a full time task. As an examiner it is almost impossible to do a review and feel confident that all out of committee bills are being applied. There needs to be someone publically documenting all the bills in an easy manner. Also, say an application came in on a date when a bill was out of committee but by the time the examiner got to review the application the bill was denied. The examiner is required to review the application on all codes and bills out of committee in effect the day the application is submitted. It doesn't happen a lot because its very difficult.
- Yes. Many. But I can't repeat them in polite company.
- No
- Don't send out refusals as word documents. It is easier than a PDF to change words on the refusal.

I would like for penalties for established developers if they build and ask for a legalization. I can understand a simple one time developer not understanding the zoning code but a developer who makes a living building should not be able to build and ask for forgiveness.

- Enforcement does not seem to be uniform. I feel politically connected developers avoid enforcement.
- Too soon to tell
- No!
- The Planning Commission should take into account the zoning code as it does design review. It should also provide specific consultation on project review including the engagement of stake-holders earlier on.
- No
- No
- It needs to be better enforced. It has been a disgrace, over the last year, how much the zoning board has ignored the new code.
- There needs to be more consistency in interpreting the new code. Some of that is to be expected during the first year, but it does seem that more staff training would be helpful.
- No comments
- Don't feel The ZBA is on same wave length about the new code. They need more education on the code and the processes
  When a proviso is approved it is unclear as to whether there will be any enforcement. Appeals are expensive for community groups.
- From my experience, enforcement of the Zoning decisions and code to insure Developers adhere to rules and procedures are tied to Licenses and Inspections:
  1. Zoning, L&I and its divisions: building and other ispectors, need better internal communications about the plans, issues and resolutions
  2. Computer archives are not historically complete in every case.
  3. Zoning and L&I legalize persons who constantly break the rules, such as a) not posting permits b) beginning development BEFORE getting Zoning approval, etc... EVEN after being discovered and reported by the residents of the community.
- no
- The code is actually enforced?
- I have concerns that L&I does not follow up or enforce any of the ZBA's recommendations until they are asked to do so. I also have issues with the shortage of published ZBA outcomes, although it is good to see the website is set up to provide this information. It would be helpful if RCOs were notified automatically of the ZBA outcomes from the previous month.
- Is there enforcement? I've never come across it before.
- Can L& I handle the enforcement more effectively
- It seems like a lot of people just go ahead and break the code, and then wait a few years to ask for exception, claiming it will be a hardship to change it back.
- Zoning and Enforcement are separate functions and, in my opinion, enforcement provisions should not be included in the Zoning Code.

QUESTION:
Do you have comments concerning variances and special exception cases?

RESPONSES:

- The new code will only work of the ZBA stops giving variances to every applicant. Variances should only be given if the base zoning of the property isn't correct or if there's a true hardship to develop the property.
- Variances & special exceptions should be granted only in limited circumstances

- Yes. It seems in the past year that the ZBA has no regard for the new zoning code. It seems to our organization that it doesn't matter what the code says, if a developer or a church want to do something the ZBA grants the exception. We as an RCO have a community meeting, get the input from the community and present the communities wishes to the ZBA and yet, it seems as if what we are saying- we don't want the variance, it doesn't matter- ZBA goes ahead anyway.
- despite the objective of drafting an "of right" code where many fewer projects would end up in front of the Board, we find that, as under the old code, nearly 80% of new development projects require some variance.
- No everything is a simple yes or no, so they have to be exceptions sometimes.
- These should remain with the community and not be made subject to political cronyism.
- WHY ARE CURB CUTS STILL BEING ALLOWED WHEN A VARIANCE IS NEEDED?!?!?

  THEY SHOULD NOT EVEN BE STAMPED OFF BY PLANNING AND/OR STREETS!!!!
- Only that variances should not become the normal way of doing business—as they were under the old code—and should be used as sparingly as possible.
- No.
- not at the time...
- Would like to see bed and breakfast zoning in historic houses (not as "boarding houses" as it was in the old code) allowed.
- Again, the ZBA has failed to adhere to the new zoning code and provides variances as if the new zoning code does not exit. For the ZBA, it's business as usual. Furthermore, if a developer does not meet code, the developer simply bypass the entire process with a city council ordinance, which makes the new zoning code ineffective.
- No
- YES
- The ZBA has not demonstrated its willingness to accept and apply the latest standards for variance. The ZBA continues to undermine the standards and intent of the new zoning code by liberally granting variances. Unless the ZBA adopts an appropriate culture of respect for the new zoning code, Philadelphia's new zoning code is undermined on a daily bases, and the culture of wholesale variances will persist.
- see above
- No
- Only that there's still enough clarity on what the difference is between the two. At the neighborhood level, they're still treated the same. The definitions should be written even more clearly regarding the burden of proof required to oppose a special X.
- The new zoning code was intended to minimize the need for so many variances. I expect there will always be special exceptions cases.
- When a project is on industrial zoned land and is building residential homes per RSA-5 or RM-? the refusal should be given for the use and then all of the dimensional refusals should come from the residential designation that the developer is building. Otherwise we have seen projects where developers can have their cake and eat it too with taking the best aspect sof the code from each district.
- Again, too soon to tell
- No!
- Variances should be few and far between and should only occur if there is a true hardship not a trumped up one.
- No
- No
- Would like it the code to be more the way that the ZBA had it before City Council said no to certain aspects and made them non negotiable. I would like for Bed and Breakfasts to be given legal status and to be addressed in the Zoning code.
  Some properties are very large and these should be allowed to have 1 or 2 apartments, as long as the

property is owner occupied. They should still be allowed to be single family. In addition, when a carriage house is a part of an owner occupied property, it should be allowed to have an apartment in it or office space. This would allow the owners of the property to maintain the dwelling and to preserve its architecture. After all many people did live together in these large properties in the past. There were family members beyond the nuclear family, servants, grooms, gardeners and relatives staying for long periods of time.

- Stop giving so many.
- It would be helpful if there was a provision addressing Bed & Breakfasts - definition, minimum standards and such. Needs distinction from rooming houses, halfway houses, housing co-ops.
- See statement above about consistency.
- Variances and special exception cases still exists for adaptive reuse of buildings such as old school buildings.
- Need City Planning to get out of ad hoc mode and stop adding high density housing in our area. We lack the ability to handle the additional people, and just saying "they should not have cars" does not mean they WILL not have cars. Converting St Matthews church at Fitzwater & Grays Ferry to rabbit hutch apartments is unimaginative and likely to create a mess -- best case it will be a dorm for Penn students, who do not make good neighbors.
- It is a problem for the community that special exceptions stay with the property and cannot be separately evaluated. Especially with exception for a club with entertainment. We may want to support the applicant group but community has no protections for the future if a worse group comes in.
- Variance and exceptions that can substantially change an are should be fully vetted. The developer should give full disclosure regarding capabilities and financial capability as well as references. The community should not be the sole supervisor of the developer process to make sure that the developer does what he/she has agreed to do per the community meeting(s) and zoning hearing(s).
- no
- Variances and special exceptions MUST and should be discussed with the neighborhoods before they are granted. The neighborhood must understand what will happen to them in advance of these variances and special exceptions.
- I think that the RCOs and the ZBA need to put more emphasis on the applicant's burden to show hardship. The City should provide zoning information online in more languages - Spanish, Chinese, and Vietnamese would be helpful. Applicants are not well informed of the by-right uses of their properties.
- The city's plans examiners need to be more educated about zoning matters. Over the past year we've had several identical cases pertaining to additions to single family houses with lack of open space and rear yard depth. Some go right through- others receive a refusal. We need consistency. It's impossible to prepare our clients for what they can expect when we have no idea if we're going to get a refusal until we submit the drawings to L&I. This is my #1 gripe with the zoning code. Everyone needs to be on the same page at L&I.
- please make the timelines for info, hearings,etc realistic
- It seems that they are granted a lot, and granted randomly.
- The provisions in the new Code have not been tested in the Courts.

QUESTION:
Do you have suggestions for better educating applicants and the general public about new processes and procedures in the zoning code?

RESPONSES:

- People need to be educated on why they should care about zoning
- A web site that is updated as soon as any changes are made would help.
- not at this time
- How about an information campaign? People need to be educated/reminded about their rights. In

addition, an advocate would be helpful/useful for the general public.

- no
- I'm afraid not, but some educational program is badly needed
- No.
- More education forums (free)... Notification... Real Citizens Participation...
- Civic associations are attempting to figure out how the new zoning code, RCOs, CDR, and Zoning Committees navigate the new code requirements.
- THIS SHOULD BE PUT IN ALL THE CITY NEWS
- I think the city has done a good job of educating the public throughout the process of creating the new zoning code, but has failed to change the culture of applying that new code.
- Perhaps a brochure or simple handout that can be downloaded for mhe web
- Our RCO has tried to provide education to our community but the effects of this is determined by the level of involvement of community members.
- You can only put so much online.
  Perhaps once per year zoning review workshops going over the basics of the Code, what's changed, what are the new interpretations, etc.
- Take it to the streets. Go out to neighborhoods and provide residents with zoning information and answers to their questions.
- Not much has changed as it comes to the publics participation. They can still read the orange sign and go to the ZBA hearing or the civic's hearing.

  The applicants should be hiring a lawyer or an architect who already knows the new code so they don't need much educating.
- Maybe there should be notices sent to residents and applicants with example of how the codes will change and effect them and their neighborhood.
- Use community newspapers as well as Daily News.
- codes, by their very nature, will be confusing. Only those directly impacted or involved with a project will bother to familiarize themselves with it.
- No!
- Yes.
- The community meetings were helpful
- No
- Meetings in neighborhoods
- It is hard to interest folks unless they have to use the code. Maybe there could be training sessions targeted toward civic associations. Also maybe if there could be some type of game - Sim Development Project.
- The administrative handbook overall is quite useful -thank you.
- need to balance rights of existing property owners and new development. For example, should not take away street access from a commercial property, should not allow on street seating for bars in residential areas (where abut R10 or R10a). It does not seem fair to downgrade someone's property unless the city wants to pay them
- The general public has no interest unless the orange posting shows up on their block. We do local education to raise awareness but there is always misunderstanding. Many neighbors assume that the RCO is ZBA. I find that the folks who answer the phone at the Zoning board office are very helpful and responsive.
- Until the underlying internal issues are rectified, the education processes will mean very little. Information that inspectors review on the computer is not always correct. L&I expeditors, who, I am told, do not do site visits, MUST have a building inspector investigate buiding codes and variances prior to approving permits.
- no
- See above. Also, encouraging RCOs to publish recommended design standards is a help.

- Send out a step by step guide with the refusal. This is what you need to do now that you've received a zoning refusal...
- Distribute funds to local organizations to host meetings
- Orange notice should include notice that a community meeting will be held.

QUESTION:
The code created a new review process called the Civic Design Review. Do you have comments about this process?

RESPONSES:

- it seems to be working well...like the RCO inclusion
- This should be an iterative process where the PCPC staff, members of the Committee and the applicant can brainstorm and reach decisions that mutually benefit the applicant and the community.
- The present cdr board is not what was envisioned by the drafters of the new code
- I've encountered projects in the navy yard, such as adding a dock, that 'technically' requires a CDR. This seems to be overkill.
- This seems to serve one purpose of adding another layer and another month to the process. We have not found much helpful (or damaging input.
- NO
- No real experience with this.
- This process in many instances can be helpful. However, often, a member of the committee will insist on the addition of "something" to a proposed structure so it "will fit in" without considering that the other structures on the block are scheduled for demolition.
- no
- I think it is an excellent idea.
- While it is called advisory. It really is not since PCPC is following all of its recommendations it seems.

  It creates another step on the way to permittibg
- No.
- More inclusion of citizens...
- Good idea.
- See previous response.
- No
- PLEASE HAVE THIS SENT OUT TO US.
- Not yet.
- For large projects I think its a good idea
- no I'm not that familiar with the code
- Yes. This is worthless as currently written and administered.
  If the process had the power to compel design changes specifically related to public health, public safety or the public welfare, then it would be fine.
  I suppose it might be useful in an area where no RCO is active. But all of the projects that have come through are in areas where RCOs are active, so this has become a forum to rehash of a neighborhood-level zoning review.
- I'm supportive ofthe process. While the decisions are not binding , it does provide an additional level of oversight to help ensure better design and compliance with existing standards.
- I have not seen the process in action yet, however the map to determine affected properties needs some improvement. It is not clear what will happen with a corner property. It is also not clear if the 200' dimension is a radius around the site or just goes in a 180 degree zone in front of the project. It actually would make the most sense if it is a radius, which would be the easiest to enforce.

- Have not really seen any results from this process in order to make a fair assessment
- No!
- I do but would require a real conversation to share them.
- No
- the CDR committee needs to be more in snyc with Planning Commissions rules and policies
- I think the process is innocuous. It can be beneficial, but design concerns should not outweigh beneficial economic development to the city.
- It adds to the overall timeline of a development. Time is money.
- have not seen it in use yet
- Have not had opportunity to observe this yet.
- Again, there should be a documented and approved Business Plan coupled with accurate blue prints of the design to discuss and hold true.
- no
- Haven't needed to use it.
- Have not used it
- Doesn't include the much of the neighborhood
- No
- The CDR process is burdensome and expensive to comply with for developers, particularly since the recommendations are advisory only.

QUESTION:
The code created a new commercial base district called "CMX-2.5, Neighborhood Commercial Mixed-Use District" intended to promote an active, pedestrian-friendly retail and service corridor. Do you have comments about this new district designation?

RESPONSES:

- N c
- This would make more sense if the Zoning Maps were adjusted to delete much of the CMX-2 zoning. It would also help if the requirement for first floor commercial was kept on CMX-2.5 and eliminated from CMX-2
- Good ideal
- This doesn't work as intended. In general, in a lot of areas there are vacant properties zoned commercial in mostly residential neighborhoods that remain vacant for a few reasons: most developers do not see commercial properties in these neighborhoods a worthwhile investment because to get a by-right permit, a commercial use is needed on the ground floor. Developers have to go through the variance process to get a permit for residential use
- There needs to be further consideration to this. The VIABILITY of the commercial space must be taken into consideration. 500 sq ft spaces are of little commercial use and serve as an after thought for the developer with an eye on the residential rental revenues above, leaving the neighbors to live with another empty storefront or redundant dollar store/hair/nail shop or convenience store. Commercial diversity and vitality are the spirit of this designation.
- Great idea.
- no
- It is an excellent idea. We need more walkable shopping districts and fewer shopping malls and big box stores.
- I haven't seen any improvement in my commercial district, Germantown and Chelten Ave. Central Germantown.
- Not used very much on Cecil B.Moore Ave,Susquehanna Ave. where this would be of value...
- Good idea.

- Mixed use designations will probably be good for certain areas, but individual communities should be able to determine where the CMX-2.5 mixed use districts occur.
- No
- WE NEED TO CALL TO A METTING TO KNOW MOR ABOUT THIS.
- The classification appears to appropriately infill a gap.
- I am fully supportive of this new designation, as it reflects current successful urban planning and design
- No comment.
- No
- It is unclear if it was create a more active pedestrian friendly retail street than properly developed CMX-2. It really just adds more residential density to the area.
- I think its great, will help bring more economic development into the community, and create a more even playing feild for all communities in Philadelphia.
- good thing the anti-farm community garden elements were dropped.
- We are in the process of seeing how this new designation (recommended by City Planning, but not yet in force) might impact a current discussion on a proposed site development. The jury is out
- No!
- Not at this time
- No
- Have not utilized this designation yet.
- No comments
- Only if don't downgrade value of people's property to do it -- otherwise city should compensate people who lose their quality of life or property value
- I am glad the designation is there to distinguish from large commercial centers. Our one issue here is the lack of enforcement of signage code requirements. Size and digital signage is a problem. The ZBA does not seem interested in this district distinction
- Several factors seem to be ignored:

  1. the importance of PROPER landscaping to maintain a ecological for nature and human emotional balance.

  2. congestion:adequate parking and room on the sidewalks for pedestrians:

  3. A review board to say when this idea is Oversaturated, as most development does. It has always been interesting to me that no entity has the guts to say "NO" when the overall benefit of an idea is exhausted.
- no
- This is a good idea.
- I think it could be beneficial to many commercial corridors in the city such as Passyunk Ave.

QUESTION:
Do you have comments regarding any dimensional standards in the code?

RESPONSES:

- N c
- Eliminate contextual standards
- The new standards are clearer, but have expanded the requirements, leading to more variance requests. The new dimensional standards do NOT take into account the scale of most lots in developed areas.
- The Quen Villege standards for new construction, height limit to 22 Ft. Good luck building a house.
- Yes, the requirement that the 3rd floor of a house needs to be setback 8 ft. when the adjacent property, or properties, are only 2 stories in height does not make sense to me. I have a few projects where the

property is less than 45 ft in depth and in order to meet open space requirements, the houses end up only being around 30 ft. in depth on the 2nd and 3rd floors. When 8 ft. is taken out of this short depth, there is barely space for stairs/circulation, a bedroom, and a bathroom.
- not at this time
- no
- Sign codes in my area are not well enforced.
- Not at this time ...
- No
- YES
- In general, dimensional standards have been liberalized with the intention of promoting and facilitating development. Given that liberalization, it is disheartening to witness the wholesale granting of variances for additional height and bulk.
- n/a
- No comment
- No
- Thank you for removing the sideyard setback in RSA-5 if you are building to a property line but there is not building on that property line (yet).
- Not sufficiently familiar to comment
- No
- Residential districts should allow for four story construction by right.
- No comments
- New heights are resulting in buildings that don't meet roof line of neighboring buildings or the floor levels. this detracts from the overall streetscape in older neighborhoods
- no
- I don't see anyone measuring.
- The rear yard depth requirement in R5A is fairly deep. And I know there are special exceptions for very short lots, but I think that exception needs to be expanded to at least 50' yard depth. Many of the lots we've been working in this year are at 46' or 47' range and just miss the exception. On such a small lot, 9' eats into the building quite a bit.

QUESTION:
Do you have comments about any of the development standards in the code, such as bonuses, open space, landscaping and trees?

RESPONSES:
- No parking lot should be approved without the required landscaping!
- Should have addressed permeable surfaces for sidewalks
- Tree requirements should, and I believe will, be directed to Parks and Recreation so that they follow their requirements.
- No
- I'm glad these have been taken into consideration.
- Great idea. Will help to enhance the quality of life.
- The heritage tree, tree replacement requirements, and street tree requirements needs to be reviewed.

  Per my experience, these code items were not coordinated with the Streets department or Fairmount Parks and create unncessary variances on projects.
- They should be strictly enforced.
- No.
- Not at this time...
- No experience yet.

- No
- YES
- n/a
- Yes. Being business friendly is one thing but I still thing that allowing 100 percent lot coverage in industrial districts is arbitrary and unnecessary.
- Win-Win. Good for the environment,and as a bonus not overly burdensome on the developer.
- Bonuses are a very good move in the new code. However it is unclear how you can get a LEED bonus for added floors when you get the variance long before you can get LEED certification. Just forwarding us to the enforcement part of the code does not help understand.
- I think this is great and will give communities some wonderful ideas about how to utilize some of the vacant lots in the city, and make the an asset in the neighborhood and promote wholeness and social opportunities for the citizens of Philadelphia. It also opens up opportunities for business.
- Seems to be moving in the right direction
- The standard does not take in to account what occurred prior to today's zoning process and procedures.
- No
- None
- no comments
- Buildings or commercial spaces should NOT be built up to the sidewalk and EACH building should have its own landscape, which is inherent to the land space and not an addition of a "parklet" which may add to the congestion.
- no
- Issues with open space is turning out to be our most popular application...the committee needs to take a very hard line in order to be consistent with its desire to preserve open space in our neighborhood.
- None

QUESTION: Do you have comments regarding any of the parking requirements?

RESPONSES:

- There should be parking maximums for Center City. And if a project is within a block of a public parking garage, no parking should be required.
- N c
- I have always felt that parking should not be required unless a site is being really overdeveloped. I know community residents complain about a new project not providing off-street parking, but I never understood why people living in one of the biggest cities in the country expect that they are going to have a guaranteed parking spot right in front of their house.
- I support reduced parking IF there is adequate public trans or local resources.
- Too much parking is still being allowed and curb cuts should NEVER BE ALLOWED IN DENSE ROWHOME AREAS. If people want parking, they should move another section of the city.
- In the long run, parking requirements like those in the old code not only destroy the fabric of neighborhoods, but encourage our addiction to the private automobile. We have to shake this addiction as part of the effort against climate change. The new code's treatment of parking is a step in the right direction.
- No.
- Safety of our children as developers provide pocket parking on sidewalks for student housing...
- I don't agree with denser areas of townhouses requiring a garage in the front of the house. It takes away from street parking and ruins the historic look of Phila.'s historic rowhouse streetscape. Parking should be accommodated with parking lots or alley access for each development.
- No
- YES

- I think the new parking requirements/standards are appropriate, but this is an item that will take some time to see evidence of the appropriateness of the new standards.
- Parking should be considered as part of a total transit accessability
- Yes. Don't change the requirement that parking in a rowhome district needs a variance.
- No
- Do not hand out certificates for front loaded garages on homes less than 20' wide (can't fit a room next to the garage on the ground floor). These projects do harm to our urban fabric.
- you mean, the lack there of. I applaud the fact that parking slots are not front and center, and that the code does not seem to insist that the automobile should be central to urban planning
- No!
- Yes, this is what I was referring to above. The CDR committeee making suggestions for below grade parking, where a exception in the zoining code exists (to allow above grade parking).
- Minimal parking requirements are best.
- No comments
- Should match existing homes on block. in north end of South Philadelphia and Schuykill should only have rear entry garage or none.
- The parking must be adequate supply of NEW parking spaces to the development proposal in discussion. Do NOT assume that most people do not or will not drive.
- no
- Parking preference should be given to home owners who have a long term investment in the neighborhood. Transient tenants need more transient parking like parking lots. Developers should be forced to provide parking for their tenants/customers. Post Brothers, in particular, is guilty of not doing this.
- none
- This is much needed. Good for-sight here
- It seems that the parking requirement is often ignored.
- The sections in 800 are confusing in that they appear to allow parking but later, there are significant exclusions. In addition, in the nonconfomring section, parking is not considered nonconforming but then there is nonconforming parking.as a category of nonconformity.

QUESTION: Do you have comments regarding any of the sign controls?

RESPONSES:

- May be too complicated
- Signs are over-regulated and the idea of a building logo sign being at least 150' in the air seems outrageous. Possibly a different meaning was intended.
- Is the ZBA aware of the sign controls? Do they care? I wish they would not grant exceptions for signs! I hate the ZBA
- Yes there is confict with this as follows: Sec 14-904 controls to all zoning districts, signs projecting over a public walkway the Art Comminsions approval is required, this should only apply to the Streets Department, we have District Maps that clearly show when the Art Comminsions approval is require.
- Variances are too easily granted making the controls perfunctory in many situations.
- I have previously stated that the controls are not enforced in Central Germantown. This was previously an overlay district with strict controls which were also largely ignored when violated.
- not at this time...
- Existing sign controls, including those that restrict advertising in certain areas, including restrictions with regard to proximity to residential areas and churches,schools and parks should be maintained.
- No
- DO NOT UNDERSTAND ALL

- We works on new sign controls, but we don't have new sign controls in the code, do we?
- n/a
- No comment.
- No.
- Applicants should be asked about signage at the original application. We see a lot of projects that get refused but do not show signage on their original new construction of the building. They are then refused again once the project is complete because of their signage added to the building.
- No not at this time.
- Not at the moment
- No!
- No
- None
- No comments
- Lots of concern about this. The code seems reasonable but my understanding is that there is no overall intent to enforce by ZBA.
  We have had businesses who put up too large and too bright signs without permits that were later approved. Churches are all putting up digital signage with moving messages that are totally inappropriate to their location.
- There should be no variance of signs, particularly for professional offices where clients call in or e-mail for appointments. There should be no neon signs in neighborhoods around houses and any variances for this should be rescinded - particularly where proper zoning procedures were not followed.
- no
- Police should enforce them. Currently, there is no enforcement.
- Un-enforced controls are totally useless, but they are a huge improvement over the previous code.
- none

QUESTION: Are there any additional comments you would like to provide?

RESPONSES:

- I would like to see better enforcement of building code standards- particularly not letting slum landlords get away with broken windows and unsafe housing conditions. The zoning code should protect people, and fines could be gathered and applied to school funding.

  I would also like to see a more streamlined proceedure for citing farmers markets without having to get councilpeople to introduce a new bill - and get it passed by all of city council.

  Is there anyway we could a pull off what Denver did with greening playgrounds:
  http://www.ednewscolorado.org/news/top_news/omnipresent-learning-landscapes-boost-activity

  By the end of 2012, every elementary school in Denver will have an upgraded Learning Landscapes playground incorporating all these things, thanks to voter approval of bond measures in 2003 and 2008.
- A code review committe neds to be formed to look at the effects of the n new code and recommend further changes
- We need to add back in a provision for bed and breakfasts. This is hurting development and tourism in NW Philadelphia - a jewel in the city poised to bloom.
- We have, unfortunately, reverted to a better stated, cleaner versioon of the old code. ALL of the quirks, peculiarities, and locally odd limitations have been ptreserved. The attitude continues to be "take it to the Board (and the Councilman)
- A lot of the shopping area's are I-2 which forces the applicant to apply to the zoning board for a varience

for any new stores that wish to open. This needs to be change.

- I am getting more by right permits but it is taking longer to get them. When a project is approved by the ZBA or there is a subdivision or lot consolidation involved, it takes multiple trips and phones calls and 2-3 weeks to get the permit.
- No.
- The city now has no provision for bed and breakfast establishments. These would be a welcome addition in many neighborhoods, including my own. The new code should allow them.
- No.
- How can we truly plan for our neighborhood when there is so many untold forces moving against our best wishes? ... Too many unknowns...Schools closings without input from the community or Planning Commission! Audubon Society/ Project not a part of neighborhood Plan-if not why not?People who do not reside in the community have more power ,$$$ and influence than homeowners ,based on white supremacy,and general disrespect for poor people...We are working hard with the small $$$ resources available to us... We are resourceful and enjoy the space called North Central. Strawberry Mansion ,Located high on the banks of the Schuylkill River - Fairmount Park... Great transportation ... near Center City...We want the Best life has to offer for us and our children like you do ...
- No
- ALL PARTS NEED TO BE CALL TO A MEETING NOT DOWN TOWN
- There is still room to incorporate standards that limit the number of harmful uses (any Special Exception or Variance Use) that any one city block should have to absorb. Why does the city allow such uses to reach a toxic level?
- For the above questions I ma not familiar enough with the code to comment. I learn a bit more each time a variance or change is requested by an applicant in out neighborhood

- Yes. L&I is still not posting their decisions regarding zoning cases. This shows a serious lack of trust. With the technology we have, it doesn't make any sense for someone to have to call a person to find out what the resolution to a case was, and just as important the "why" behind the decision.

  Also, regarding L&I's procedures: They are still not considering the impacts of a whole project. We continue to see projects come in under the old I2 zoning categories, being granted use variances for residential, but then allowed the I2 dimensional requirements by right. So we're getting more 60 ft singly family homes with 100 percent lot coverage. This doesn't make any sense.
  We aught to have a provision in industrial zones that says, if residential use is not allowed by right, but if the ZBA grants the variance, then the following dimensional requirements apply. These are ...
  We already do this with parking in I2, I3 and IP. Residential use is not allowed in these zones, but if you're going to build residential, the parking tables show that you must provide one space for every two units. We should change the code to do the same with dimensional requirements.
- No.
- one chief complaint about this survey is is poorly set up and dysfunctional!
  in the first part of this survey is a gives a multiple-choice, the directions say "choose all that apply"this survey is incapable of this function. When I attempted to choose multiple answers the tool auto corrected and removed previous answers which only permitted me to choose one. Choose all that apply is not functioning in the survey so your data is a failure. I suggest someone tries to do this survey internally to detect this failure. Survey is in serious need of a do over if the intentions were to permit people to have "choose all that apply" because of this I am unable to complete this survey!
- Now lets get the remapping complete. Once that is done, it should be very difficult to prove hardship and very few variances should be granted.
- it would particularly help historic but poor communities to be able to open bead and breakfasts more easily.
- Yes. The biggest hurdle for the code's future will be to keep City Council's meddling to a minimum. And I think the code, at least from a community perspective, will sink of its own weight if the RCO situation is

not addressed. 9 block notice? Any group capable of gaining standing, no matter how many souls they represent? GET SERIOUS!

- No!
- It continues to stress low/moderate income communities like mine when zoning codes do not recognize the very real differences between homeowner and renter occupied properties and those owned by health care/ behavioral health groups which house 3 or fewer people. Saturation is a very real issue that has been ignored in the zoning code revisions. Many of these groups do not maintain properties well, staff do not seek to or support integrating residents into daily community life and in many cases are not friendly to neighbors.
- No
- None
- Overall the new zoning code is good.
- I appreciate new code and thought it would cut down on applications we have to deal with. That has not been the case. Developers are still going for what they can get away with, planning for things outside the code and then asking for approval which they are getting. We are now getting lots of applications for legalizing of existing conditions.
  Suggestion- joint meting of ZBA, planning commission, mayor's office and some RCO's to build understanding and awareness of roles. ZBA seems outside of touch with implications of new code.
- The Zoning code, procedures and enforcement should work to optimize the desireability of Philadelphia for ALL its stakeholders. The beauty of Philadelphia is that it is an old, historic city that is also a major American city with a neighborhood feel. This is the major attraction.

  When I arrived in Philadelphia, Fairmount Park was touted as the largest city park in the United States - larger thatn Central Park. An impressed New Yorker told me this. Is this still the case?
  Too much random development for $$$ money that cannot be accounted for in the budget could erase the very core of Philadelphia and the reasons that developers are interested in the first place.

  Long time residents have helped contribute tremendously to Philadelphia. Yes, some commercial business have contributed jobs but at what cost. Businesses like Comcast, got its building through the Empowerment Zone program, got tax abatement and holds the City hostage regarding leaving the City. Casinos were supposed to provide money to the City Public school system. Public schools are closing this month and staff workers ae being laid off.

  This is an opportunity for the Planning Commission, City Council, Aoning and L&I and the Mayor to rectify the wrongs done by favoring certain development over its citizens. A premier City in my mind is one that has aesthetic beauty and provides safety and a good quality of living through community relations, negotiating business deals that enhance the city and opportunities for its people but without giving away the store and its diversity: symbolic of the global world we live in. What better place for our children to become prepared for their future - if the Zoning Code is true to its objectives and being fair to all.
- no
- When I attended a new zoning code seminar about 18 months ago, we were told that the rear yard and open space requirements were going to be more contextual particularly in RSA5. They were supposedly going to be based on the immediate neighbors. That is not in the code. Was it thrown out or were we misled?

  The survey wouldn't allow me to 'click all that apply' but I am an architect and sit on my neighborhood zoning board as well.
- There should be a chapter by chapter review of the New Code as part of this review with appropriate revisions made.

This **Exhibit A.3** presents the blank Goals Achievement Questionnaire that was distributed to all live and online participants, followed by a compilation of the results and verbatim comments.

Philadelphia Zoning Code – One Year Review
Public Feedback Form

How frequently have you referenced the zoning code in the last year?

- ☐ Daily
- ☐ Weekly
- ☐ Monthly
- ☐ A Few Times
- ☐ Never

How have you used the zoning code in the last year (check all that apply):

- ☐ I have applied for a zoning change or permit for my home, business, or investment property.
- ☐ I have worked in a professional capacity on behalf of a client.
- ☐ I have worked with a community organization to support or oppose a proposed development
- ☐ Other: _____

Which of the following describe you (check all that apply):

- ☐ I am an active member of a neighborhood association
- ☐ I represent a private firm in the real estate development industry
- ☐ I am a design professional (e.g. architect, engineer, landscape architect, planner)
- ☐ I work within city government
- ☐ I am a member of the public who fits none of the above categories

What zip code do you live in:_____

The reform process for the zoning code had five main objectives:

1) provide consistency and understandability of the zoning code;
2) make future construction and development more predictable;
3) encourage high quality, positive development;
4) preserve the character of existing neighborhoods; and
5) involve the public in development decisions.

Please provide feedback on how well you feel the new zoning code is achieving these objectives by answering the following questions:	Strongly Disagree	Disagree	No Opinion	Agree	Strongly Agree
1. **The new zoning code is easier to understand and provides better consistency.** Comments:	1	2	3	4	5
2. **The new zoning code will make future construction and development more predictable.** Comments:	1	2	3	4	5
3. **The new zoning code encourages high quality, positive development.** Comments:	1	2	3	4	5
4. **The new zoning code helps to preserve the character of existing neighborhoods.** Comments:	1	2	3	4	5
5. **The new zoning code has a clearer and more defined role for public participation in development decisions.** Comments:	1	2	3	4	5

		Strongly Disagree	Disagree	No Opinion	Agree	Strongly Agree
1. The new zoning code is easier to understand and provides better consistency.	**June 5th**	1	4	3	9	4
	June 7th	0	1	1	3	2
	June 10th	0	0	1	6	2
	June 13th	0	0	2	0	0
	June 19th	1	5	2	2	1
	June 21st	0	0	1	6	1
	Survey	3	6	10	24	12
	SUM	5	16	20	50	22
	PERCENTAGE	4%	14%	18%	44%	19%

Comments:	
1	Could be a little clearer.
2	Don't know yet. At this stage, it's just different than it was.
3	Yes – Charts and graphics really help.
4	It's straightforward.
5	Code is well organized.
6	I don't feel it is significantly easier.
7	The new zoning code should address vacant properties and redevelopment planning.
8	The Zoning Code to me if effective and easier to manipulate but still seems to only cover a large portion of the projects we handle (Use categories). The contextual standards have caused a few major issues and should be more concrete.
9	Much improved.
10	The only consistency I see is the implementation of a reform that will force low income residents to give up and sell or lose their homes due to inability to pay the taxes coupled with the "bargain basement" sale to alleged persons who are able to pay the tax ,but won't have to for a few years because of tax abatement.
11	In general I think it is easy to use but the overlays make it difficult to understand at times.
12	To some extent, yes. Although there are still some annoying features. One is having to flip back to the definitions for daycare only to find that the definition is in a different section, for example. In this case, placing all definitions in the definitions sections, and the citations for cross reference in the body of the Code would seem to be more logical.
13	Another is that in the use category definitions, where some of the use sub-categories are a bit too vague to figure out what's allowed by right. One example: Artist studio and artisan industrial in the Industrial Use Category is supposedly allowed by right in CMX-2. The category says that production or manufacturing by hand with small hand tools and "small-scale, light mechanical equipment" is allowing. When a client called L&I, and asked whether a table-saw was "small scale", he was told it was. As he described every other component of his business, he was told he fit the definition. But when he asked if he could add a small exhaust fan, L&I said "no, we've been getting too many complaints about noise and odors from exhaust fans so you'd have to be zoned I2 to allow this by right", So in the practice, the activity is allowed by right in CMX-2, but not all of the components needed for that activity to operate are allowed by right.
14	The new zoning code is easier to read. The new website with the city map is very helpful also.
15	It would be good if RCOs could get notice via email of any permits or variances being pulled within their boundaries or zip code.
16	Yes the code provides better consistency. the new zoning code has helped when planning for revitalizing our community back to its former glory, the changes to the residential codes has helped us to better plan where to place commercial properties, and how to properly us mixed-use properties for a better neighborhood for all to enjoy.
17	It is straightforward
18	don't know about execution yet
19	One area that seems to still be very ambiguous is the enforcement of signage code requirements. We have been frustrated by the ZBA's lack of willingness to enforce any sign limitations and this will have long term consequences for our commercial corridor.
20	The definition section needs significant improvement. The disjointed process of consulting separate chapters to find out the base district, any overlays, the uses and the dimensional requirements makes this Code anything but easy to understand. The overlay sections/maps are anything but transparent. The requirements that depend upon the zoning classification of abutting districts or the setbacks of other properties is confusing and less than easy or consistent.

		Strongly Disagree	Disagree	No Opinion	Agree	Strongly Agree
2. The new zoning code will make future construction and development more predictable.	**June 5th**	1	4	7	6	2
	June 7th	0	1	2	3	1
	June 10th	0	1	5	2	0
	June 13th	0	1	1	0	0
	June 19th	1	4	4	2	0
	June 21st	0	1	1	4	2
	Survey	3	4	20	18	9
	SUM	5	16	40	35	14
	PERCENTAGE	5%	15%	36%	32%	13%

Comments:	
1	If properly interpreted.
2	Not sure – there is less room for provisos and thus less predictability.
3	Not sure – depends on ZBA's willingness to stick to it.
4	Parking requirements may not be congruent with resident's needs (ie. Required parking for resident that doesn't drive.)
5	Think this is more a judgment call.
6	Not sure but it is easier to understand.
7	I don't see it making for more predictable development.
8	This will remain so only if City Council refrains from making individual changes to cater to specific projects. One of the main reasons the old code was so horrid was because of so many jury-rigged additions, exceptions, etc inserted by Council. If a project can't meet the code, then they should apply for a variance!
9	Not until l & I and the zba are fully on board with this
10	Although variances were supposed to be more difficult to obtain, it appears they are being handed out at an equal (or even greater) pace than in the previous Code.
11	Standardization makes things clearer and fairer.
12	Future construction and development will take place in areas in which the long-time residents are poor & unable to obtain loans to improve their homes and will be developed by the "haves" who otherwise would never consider relocating to these areas.
13	The ZBA still grants variances not permitted by code,i.e. 'the new boss is the same as the old boss.'
14	Only if it's enforced and adhered to
15	Only once the City is remapped. Otherwise, I've heard, and seen, that the number of variances in certain neighborhoods hasn't decreased. In fact, in some areas, especially with old I2 or ICMX zoning, variance requests have increased.
16	Not if it is not enforced and variances continue to be given for projects not following the code. If a district is properly mapped with the correct designation it should be very hard to get a variance.
17	Yes I believe it will help create a more cohesive look to communities throughout Philadelphia, so that developers will have to adhere to the character of that community.
18	It is clearer to read and understand.
19	Although the code is a lot better neither the Planning Commission nor the ZBA in my experience use it to create predictability for developers or the public. The most blatant example of this that I know of concerns the Canal Street north project which recently received support from both entities despite having a number of refusals, many of which directly relate to the harm of my property and the future decline of an increasingly robust residential housing market in my area.
20	If enforced
21	Still not enough development by right. Too many loopholes where political process can upend things.
22	not sure
23	However, only if the ZBA is willing to uphold the code. As a community organization we objected to two recent applications which were clearly not to code in several aspects. The ZBA was dismissive of our objections as RCO
24	Maybe if it was actually followed.

		Strongly Disagree	Disagree	No Opinion	Agree	Strongly Agree
3. The new zoning code encourages high quality, positive development.	**June 5th**	0	3	10	7	0
	June 7th	0	0	4	3	0
	June 10th	0	1	3	3	2
	June 13th	0	1	1	0	0
	June 19th	1	6	2	1	1
	June 21st	1	1	1	3	2
	Survey	7	4	25	15	4
	SUM	9	16	46	32	9
	PERCENTAGE	8%	14%	41%	29%	8%

Comments:	
1	Sorry, undecided yet. The 38' limit is hard for many blocks.
2	The code still has loop holes.
3	Not in the way it is setup – looking to gain feedback from neighborhood.
4	Time will tell..
5	Quality is not really addressed by zoning code w/o.
6	Depends on enforcement and ZBA.
7	While CDR is great for larger projects, it's the smaller, in-fill projects that may have more of an impact on a neighborhood. There is no way to determine that these projects are of good design or quality.
8	Too many ways to circumvent thd code
9	The jury is out on this.
10	it is not enough to encourage high quality, positive development. Have these concepts been defined for future developers?
11	The zoning code does nothing for the quality of development. It can't pick materials and designs of buildings.
12	The jury is still out. Civic associations are still trying to figure out how being a RCO will impact development.
13	Not really sure what the quality of development has to do with anything, unless the Code starts regulating building materials. And positive or negative is just an opinion.
14	Again, only if the ZBA enforces the new code. I do appreciate the new codes bonus for sustainable design and reduction of front loaded garages on thin single family rowhomes. We unfortunatly also have not seen a reduction in variances requested. We have been having community meetings at a record pace this year and it would be good to see a code work that does not require this.
15	Yes I feel that the new zoning codes helps to better plan for the wholeness of the community. how to better plan for the rebuilding of the overwhelming amount of vacant lots and abandoned building in our communities. where to build, and what is best to build in the community. How to utilize some of the lots as open spaces and to rebuild homes where there should be homes, commercial where there should be commercial.
16	The code appears to be set up for fast track development with little or no serious input from neighbors and or the community AND at the risk of community and residential neighborhoods.
17	In residential neighborhoods, if the zoning code allows for an unproportionate increase of rental properties versus home owners, then the home owners suffer.
18	The Code tries. L&I's limited oversight allows a great deal of LOW quality construction and even lower quality demolition. How developers protect the walls and foundations of adjacent properties is an issue that has been brought to light in the recent center city building collapse, but is a longtime problem for homeowners.

		Strongly Disagree	Disagree	No Opinion	Agree	Strongly Agree
4. The new zoning code helps to preserve the character of existing neighborhoods.	**June 5th**	0	7	6	6	0
	June 7th	0	1	5	1	0
	June 10th	0	2	2	3	2
	June 13th	0	0	1	1	0
	June 19th	1	6	1	3	0
	June 21st	1	0	3	3	1
	Survey	7	5	18	17	8
	SUM	9	21	36	34	11
	PERCENTAGE	8%	19%	32%	31%	10%

Comments:	
1	Other methods may, but I'm not sure the code preserves the character.
2	To some extent.
3	Absence of provisos makes it harder to preserve character.
4	It has the decided possibility to, as now written/if enforced and full participated in by the community.
5	While there are more context-related rules in the new code (such as a set back for the third floor if the row is two-stories), overall the code is written for new construction, not the preservation of existing neighborhoods.
6	Again circumvention is the order of the day. The zba is too ready to be influenced to approve bad ideas
7	i.e. Having front setbacks based on existing neighboring structures is much more sensible than a strict ordinance.
8	Although the Code attempts to preserve the character of the existing neighborhoods, it is apparent that if a builder constructs a building in accordance with the Code, it doesn't have to agree with the character of the neighboring properties.
9	I think the RCO's can take most of the credit for this.
10	Nothing could be further from the truth. Anytime houses selling for $250,000 + are placed in the same vicinity as existing homes valued at $60,000 to $150,000, I fail to see how it preserves the character of existing neighborhoods.
11	The zoning code does not take existing neighborhood character into account.
12	We have yet to determine.
13	Again, we won't know this until the City is remapped, but anecdotally, doing away with the requirement for parking for every rowhouse has helped.
14	There are good improvements with the new code to preserve the existing neighborhood. The primary issue in our neighborhood (fishtown) is front garages on single family homes. We have seen the ZBA not enforce this even when the community votes down the project. It would be good to see consistent enforcement preventing these garage fronts that break up the street wall.
15	Yes now developers can not build whatever they want to build, but they will have to adhere to the codes and the character of the existing neighborhood, and residents have more input in what happens in their community.
16	I do not believe this is a true statement.
17	If followed.
18	if enforced
19	Initially, yes. As the code gets picked apart by be political process, less so.
20	we have lacked any master planning in our area (Schuykill). We have lost all public parking facilities due to ad hoc decisions prior to this code being in place, and so far the city continues to approve high density housing without dedicated parking. The neighborhood is filling with "luxury condos" that don't sell -- the ones at 2100 South are not even rented. Yet the city keeps approving more of the same. Until I see the city try to plan for all our needs, and refuse almost all variances it is hard to see improvement.
21	It has the possibility of doing so but local communities can best attest to existing character. Now if the code allows what is proposed but it is out of character it is hard to monitor as an RCO if it is allowed or required by right e.g. Requirement for accessible rental unit on first floor of building with more than 4 units. This significantly shrinks the commercial units on the first on smaller commercial corridors which is then less likely to attract good commercial tenant
22	Because of the new Zoning code in my neighborhood, there is an increase in rental properties and commercial properties at the expense of home owners. There is too much noise, trash in the streets and traffic (especially speeding) because of the transient nature of the developments. There is no on street parking. I cannot imagine that a traffic study was done, it would have indicated that parking was strained already in this neighborhood, but now it is just impossible.
23	It does if it's followed.

		Strongly Disagree	Disagree	No Opinion	Agree	Strongly Agree
5. The new zoning code has a clearer and more defined role for public participation in development decisions.	**June 5th**	1	4	5	7	3
	June 7th	1	2	2	2	0
	June 10th	0	2	1	4	2
	June 13th	0	0	0	2	0
	June 19th	0	5	1	4	1
	June 21st	0	3	1	2	2
	Survey	5	4	14	20	11
	SUM	7	20	24	41	19
	PERCENTAGE	6%	18%	22%	37%	17%

Comments:	
1	But is problematic in regulating public involvement.
2	It did before council amendment and bill 120889. This person hates billboards and the notification system.
3	Yes.
4	Was clearer before amendments made by council.
5	Absolutely.
6	Conflicts boundaries.
7	Defined yet still ineffective, multiple RCOs in an area lead to lack of consensus.
8	Agree but the role is not a positive one.
9	Use facebook and other social media outlets for more public participation.
10	Still work to be done to improve RCO procedures.
11	It has an avenue for community meetings but just for the sake of saying the developer met with the community. There needs to be a WRITTEN BUSINESS PLAN available from any developer at meetings and at zoning hearings, to insure credibility, L&I enforcement and accoountability for final development results.
12	Again, I have been dismayed that the ZBA does not seem to support this and has been dismissive of RCO input even of we'll established groups who have been appearing before the board over many years.
13	don't know yet
14	The revised RCO process is onerous and does not necessarily target the community most effected by development.
15	There are no standards or meaningful support for RCOs to steward design engagement and review with their constituencies and there is no proactive support for such civic involvement and the code did not incentive such participation in any way that I know of.
16	No more then before as far as I can see.
17	More work needs to be done so there are competent RCO's in each neighborhood. Something needs to be done to encourage local groups to become RCO's. (like Penn-Knox, for example.) When there isn't a local RCO in Germantown, zoning issues get deferred to restoration or GCC. Restoration does outreach, GCC doesn't.
18	There is a very good role for public participation in the process. The main issue right now is that their is not a clear RCO to contact for the zoning meetings. Currently fishtown has 9-10 RCOs listed within our boundries and this certainly causes confusion for who to contact when building on a site.
19	Agreed. Although I continue to hear that neighborhood associations want the City to be more heavy handed with these regulations.
20	We still have yet to know how RCO's and the Civic Design Review process will effect development in our neighborhood.
21	For public at large, but has reduced role of existing community review bodies with a more involved process.
22	It did but when you guys bowed down to the City Council on the changes to the RCO's. You really screwed the RCO's that were following the rules.
23	Not really.
24	The laying out of the process and the establishment of Community Organizations role is helpful in our clients feeling like the process is predictable, uniform, and fair.
25	This was true under the code as it was originally passed, but the changes pushed by Councilwoman Blackwell made this aspect of the code much less clear and defined.
26	it was clear prior to the March amendment

This **Exhibit B.4** contains letters submitted by the following:

- Philadelphia Chinatown Development Corporation
- University of Pennsylvania
- Coalition of Urban Gardeners and Farmers
- Philadelphia Corporation for Aging

pcdc philadelphia chinatown development corp. • 301-305 N. 9th st. • phila. pa 19107 • tel (215) 922-2156 • fax (215) 922-pcdc

June 17, 2013

Gary Jastrzab
Executive Director
Philadelphia City Planning Commission
1515 Arch Street
13th Floor
Philadelphia, PA 19102

Re: Philadelphia Zoning Code – One Year Review Survey

Dear Mr. Jastrzab:

Thank you for the opportunity to present comments on the new Zoning Code. As the RCO for the Chinatown area in matters of zoning and urban renewal, I have referenced the zoning code frequently in the last year in order to review proposed developments in our community. I applaud PCPC's work dedicated to the significant undertaking of updating the zoning code to be more applicable to current developments in Philadelphia communities. I believe the new standards that allow for bonuses provide incentives for developers to consider the sustainability and health of the communities.

My comments are in reference to the new RCO requirements, particularly the notification procedures. While I support the notion that neighbors should be aware of meetings and hearings, we have encountered difficulties in timing. We hold regular monthly planning committee meetings in which we discuss zoning hearings, and we publish the agenda in our newsletter, distributed door to door, on our website, to our email list, and in the Chinese newspapers. However, when changes occur, as they often do for zoning hearings, we have to send out further outreach with these changes. Sometimes, we have seen applicants ask to be placed on the agenda in advance, but are unprepared for the meeting, and we must re-notify the community for several months. In other instances, we must require applicants to push the hearing to a later date, an expensive option for the developer. Lastly, we have encounter more difficulty for larger apartment complexes, in which cases the applicant and we have had to send out hundreds of flyers on a single block. The requirement seems to be ideal in theory but impractical in practice.

I appreciate your time and consideration.

Sincerely,

John Chin
Executive Director

費城華埠發展會

www.chinatown-pcdc.org

Penn
Facilities & Real Estate Services

3101 Walnut Street
Philadelphia, PA 19104-6289

July 19, 2013

Mr. Alan Greenberger
Deputy Mayor for Economic Development
City of Philadelphia
1515 Arch Street
Philadelphia, PA 19103

Re: Civic Design review process for SP-INS Zoning Districts

Dear Alan,

As the Philadelphia City Planning Commission (PCPC) is preparing their one-year analysis of the effectiveness of the Zoning Code, we would like to call your attention to one provision of the code that we believe is in need of some attention– the Civic Design Review process. This is one provision in the code that is written in a manner that prevents it from functioning as intended; at least in the context of the SP-INS districts.

As the new Zoning Code was being developed, Penn recognized that there were some potential sequencing issues relative to the CDR process. We raised that concern at a number of feedback sessions, as well as in our written comments as the various drafts of the code were released. Our concerns were noted, but no solution was proposed. We were told, by the consultants who were facilitating these sessions, to expect an email response that would address all of the concerns that were identified. That response was never provided.

The basic problem is a variation of the chicken-egg conundrum. Briefly, the Zoning Code stipulates that, upon submission of a zoning application, the zoning examiner will make the determination that a project is, or is not, subject to CDR.

The Zoning Unit, however, will not accept applications for a project in an SP-INS district without the PCPC first stamping and signing the drawings and the application. The PCPC will not sign those documents until a Master Plan Revision has been completed, including the confirming ordinance. Further, the CPC considers the CDR process as a pre-requisite that is expected to be completed prior to the Master Plan Revision process. A SP-INS applicant is caught up in a circular logic problem, with no obvious way to begin the process. We are asking that this sequencing anomaly be addressed in the one-year analysis and that appropriate adjustments be devised to better accommodate SP-INS districts. This same concern may also apply to other Master Plan districts.

Even without the SP-INS specific issues, we do not believe that having a project targeted for CDR at the time of zoning submission is conducive to a productive CDR process. By the time a zoning application is submitted, the design is typically developed to a level where a meaningful response to legitimate CDR concerns is not practical. We recommend that some means be devised to get a project in front of CDR early enough that there are still options for meaningful adjustments to be made in response to CDR's comments.

We are very grateful for your efforts to streamline this new process and look forward to positive changes that will allow the Zoning Code to function as it was intended. Should it be deemed helpful, we are always available to discuss this issue in more detail.

Sincerely,

Anne Papageorge
Vice President, Facilities and Real Estate Services

cc: Natalie Shieh

July 17, 2013

Gary Jastrzab
Executive Director
Philadelphia City Planning Commission
1515 Arch Street, 13th Floor
Philadelphia, PA 19102

Re: Urban Agriculture and Feedback on Philadelphia Zoning Code

Dear Mr. Jastrazab,

We are writing in response to the requests by the Philadelphia City Planning Commission for feedback on experiences and challenges related to the implementation of this city's new zoning code. We are writing as organizations involved in community garden and market farming, many of whom have joined together in the new Healthy Foods Green Spaces coalition.

Gardeners and farmers throughout Philadelphia came together in November of 2012, in response to Philadelphia City Council Bill Number 120917, which would have restricted community gardening and market farming on one third of the city's commercial land and placed twenty percent of existing gardens and farms at risk. We were thrilled that City Council responded to the concerns of myriad individuals and community-based and citywide organizations by preserving the Philadelphia Zoning Code as written, safeguarding existing gardens, and creating opportunities for new ones.

Philadelphia's new zoning code creates a clear and accessible framework for urban agriculture, including community gardening, market farming, greenhouses/nurseries, and, in limited situations, animal husbandry. The code allows community gardens to operate as of right in most residential and commercial districts around the city. While more restrictive of market farms and greenhouses/nurseries, they are still allowed in many areas of the city.

We believe the Philadelphia Zoning Code, as written, accurately reflects existing and historic urban agricultural land uses. This is an important consideration, since Philadelphia's neighborhoods are home to so many long-lasting, community-driven garden spaces that have deep roots in their neighborhoods and are now zoned appropriately. The code also opens the possibility for communities and local organizations to initiate new projects that are in compliance with current zoning. Finally, the code builds in safeguards to ensure positive relationships between gardens, farms, and neighbors – specifically related to fencing, drainage, refuse, compost, noise, and parking. All of these considerations come together to support a vibrant urban agricultural sector for Philadelphia, which in turn promotes healthy neighborhoods.

While we are pleased with the code, we have identified opportunities where the Philadelphia Zoning Code and its implementation could use additional improvement to more fully and equitably support community members who want urban agricultural uses in their neighborhoods.

The first opportunity involves changes to the language of the code on Accessory Agricultural Structures. The second and third suggestions address the use registration process, which we understand to be more administrative in nature.

Hoop Houses/High tunnels/Cold frames

Hoop houses/high tunnels, defined as "Accessory Agricultural Structures" in the Philadelphia Zoning Code, are growing in prominence throughout Philadelphia, with the assistance of Penn State Agricultural Extension and a host of other urban agriculture organizations.

In a January 29, 2013 memo to the Pennsylvania State Legislature, Senators Elder Vogel and Domenic Pileggi describe high tunnels/ hoop houses as follows:

> These unheated tunnels can help market growers extend their growing season so that they can improve the profitability of their farms.
>
> Studies have shown that in colder climates similar to the Northeast, growers can start their season 4 to 8 weeks earlier in the spring and extend the season 2 to 5 weeks later in the fall. Season extension works for many crops including vegetables, small fruit, herbs, and tree fruit. These techniques keep fresh Pennsylvania produce on our store shelves and reduce our need to import fresh products from overseas. Additionally, high tunnel greenhouses provide crops better protection from weather, diseases and pests than field grown crops, thereby reducing soil disturbance, additional fertilizers and pest control chemicals.

In Philadelphia research has shown that greens and other root crops can be harvested during the winter months, which provides additional income and fresh local produce to communities in Philadelphia.

Although Hoop house/high tunnels/cold frames are uniform in construction and should be regulated as such, under the Philadelphia Zoning Code, Accessory Agricultural Structures, like hoop houses and high tunnels, are deemed permanent structures for the purpose of compliance with the code if they are erected for more than 180 days. This triggers a host of requirements and associated costs, not the least of which is the requirement that the applicant submit a plan signed and sealed by a registered design professional, at significant cost to the applicant.

Senators Vogel and Pileggi raised the subject with their colleagues because of concerns that high tunnels/hoop houses were being considered permanent structures and taxed as real estate. They stated that this "directly conflicts with the purpose of improving the grower's profitability by constructing low-cost high tunnels." Similarly, regulating Accessory Agricultural Structures as permanent structures, similar to buildings, raises the costs of what is intended to be a profit- and food-generating measure.

In addition, the Philadelphia Zoning Code includes cold frames as an Accessory Agricultural Structure. A cold frame is more appropriately categorized similarly to a "hand tool storage shed," which is allowed as of right within the definition of a community garden, rather than included

within the list of Accessory Agricultural Structures subject to the >180 day requirements applied to permanent structures.

We welcome the opportunity to work with the City Planning Commission, market farmers, and support organizations to develop a set of uniform requirements tailored specifically to Accessory Agricultural Structures that can balance safety with cost.

Use Registration Permits

We understand that the use registration process will allow the City Planning Commission to more accurately map and fully understand uses across the city. Knowing the locations of gardens and farms and other open spaces will help us all understand where communities may not be well served by access to fresh food and green space, and facilitate planning. However, the one-time $125 per lot fee is prohibitively expensive for gardens and farms that encompass multiple lots. This is a deterrent to compliance. Throughout the city, gardeners demonstrate enormous capacity to repurpose vacant parcels, grow food, and build community, but many do not have the resources for larger fee amounts.

Our suggestions would be to

- Allow gardeners to pay one $125 one-time fee per garden, regardless of the number of lots; or
- Provide a fee waiver application.

Providing a set of more equitable options will encourage more gardens to be in compliance with the code, providing all the benefits described above.

Use Registration and Vacant Property Lot Licenses

A second area of concern has to do with the intersection between the one-time use registration permitting process and the annual vacant property lot licenses required by the Department of Licensing and Inspections. As we understand it, a parcel being used for urban agricultural uses is no longer a "vacant" parcel because that parcel has a designated use. Currently, uncertainty persists about whether applying for a use registration permit for an urban agricultural use will obviate the need for the owner of the parcel to register a lot as vacant. Our suggestion is to clarify the relationship between these two application processes and ensure that, once a use registration permit has been obtained for urban agricultural uses, City Planning Commission designate that parcel as no longer "vacant."

Individuals and entities engaged in urban agricultural uses will be more likely to comply with use registration if they understand that this will mitigate the need to pay for lot licenses. It may also encourage owners of vacant and blighted parcels to allow community groups to clean, green, and garden this land, if they understand that creating a garden will generate savings associated with lot licenses.

Many thanks to all at the City Planning Commission for your work in working with constituents and stakeholders to develop a zoning code that allows urban agriculture to take hold and flourish within the City of Philadelphia. We look forward to our continued partnership.

Best regards,

Amy Laura Cahn, Garden Justice Legal Initiative, Public Interest Law Center of Philadelphia
Aissia Richardson, African American United Fund
Bill Lamont, Penn State Extension
Bob Pierson, Farm to City
Chloe Cerwinka, community gardener and landscape planner
Dawn Graham, WeNurturies
Domenic Vitiello, Assistant Professor of City Planning & Urban Studies, University of Pennsylvania
Glenn Bergman, Weavers Way Co-op
Jerome Shabazz, Overbrook Environmental Center
Johanna Rosen, Mill Creek Farm
John Byrnes, Penn State Extension
Margaret Guthrie, Weavers Way Community Partners
Maureen Breen, Philadelphia Backyard Chickens
Michael Nairn, Philadelphia Orchard Project
Gardeners of La Finquita
Owen Taylor, Garden Justice Legal Initiative, Public Interest Law Center of Philadelphia
Patricia Blakely, The Merchants Fund
Sally McCabe, Philadelphia Horticultural Society
Sarah Amazeen, HIAS Pennsylvania

"Clark, Kate"
<kclark@pcaphl.org>
08/15/2013 12:49 PM

To '"gary.jastrzab@phila.gov"' <gary.jastrzab@phila.gov>
cc '"Natalie.Shieh@phila.gov"' <Natalie.Shieh@phila.gov>
bcc
Subject Feedback on Zoning Code from Philadelphia Corporation for Aging

Gary J. Jastrzab
Executive Director
Philadelphia City Planning Commission
One Parkway Building
1515 Arch Street, 13th Floor
Philadelphia, PA 19102

CC: Natalie Shieh, Deputy Chief of Staff

Dear Mr Jastrzab:

I am writing at the suggestion of Eleanor Sharpe, whom I met recently. Thank you for providing this opportunity to give feedback on the first year of the current zoning code. During the creation of the code, Philadelphia Corporation for Aging provided input to Zoning Code Commissioners on the importance of including aging in community into the document. We were very pleased with the addition of the adult day care as a use and visitability requirements for private developers (not much but at least it is in the code). We were also excited to see that accessory dwelling units (ADUs) were included in the code, but disappointed by the way they were included:

- the areas in which ADUs are permitted is undefined; and
- they are only allowed on lots occupied by a single-family use contained in a detached or semi-detached building (much of Philadelphia consists of attached row homes).

206,000 Philadelphians age 60+ are home owners, and 72% of them wish to remain in their current homes for at least ten more years, yet mobility issues and financial difficulties will make this difficult. There are very long waiting lists for subsidized housing for seniors, which in itself is limited.

Accessory Dwelling Units can provide older adults the opportunity to downsize without having to leave the community or go to an institution, and to live in the same building as caregivers. They also provide housing options to a variety of income levels and lifestyle needs, and they allow additional housing units to be created while preserving the character of existing neighborhoods. There are some challenges with ADUs that community members have voiced. These have to do with the difficulty of creating an ADU in a small Philadelphia row home, potential increased parking in the neighborhood, complexity in monitoring them, and the possibility that some homeowners would take advantage of this

use to create a duplex.

However, the Zoning Code Commission consultants noted that in other cities that allow ADUs, they are not widely used and have created minimum impact. The growing trend towards multi-generational families living together (also characteristic of many ethnic groups) will also increase demand for these dwellings in the near future. Additionally, Philadelphians are creating AUDs illegally, and some of those ADU's could pose a significant safety risk when thinking about fire and other emergency scenarios.

Please reconsider opening up the process to enable the entire city to create these units: certain portions of the city should not be at a disadvantage by not having this option.

Sincerely,

Kate Clark

Kate Clark, M.P.A
**Planner for Policy & Program Development // ** Philadelphia Corporation for Aging
**Chair // ** GenPhilly, emerging leaders promoting an age-friendly city
Learn more about Age-friendly Philadelphia here
P. 215.765.9000 x 5072 // F. 215.765.9066
642 N. Broad Street, Philadelphia, PA 19130 // kclark@pcaphl.org

*Data Comes from the 2012 PHMC Community Health Survey. All numbers are estimates.

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