

Zoning Matters Website

The “Zoning Matters” website was a primary source of information during the four-year zoning reform process (2007-2011). The Zoning Code Commission, which handled this process, no longer exists since the new Zoning Code went into effect in August 2012.

The website also included a wealth of information about zoning in general, as well as specific issues related to zoning in Philadelphia. The following sections have been compiled and updated from this website to serve as a useful reference.

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Zoning Facts & Resources

Why does ***zoning matter***?

It matters because zoning affects your property, your neighborhood, and our City. And, a zoning code should provide a framework for ***sensible, fair and smart*** land use planning.

To better understand how zoning ***matters*** to you . . .

- Learn the basics about zoning with our [Frequently Asked Questions \(FAQ\)](#)
- Learn how the remapping process works in Philadelphia
- Learn about Philadelphia's zoning and planning history
- Learn about the resources available to you:
 - [Philadelphia Zoning Code](#)
 - [Philadelphia Zoning Maps](#)
 - [Philadelphia City Planning Commission](#)
 - [Philadelphia Zoning Archives](#)

Zoning Basics

Zoning seeks to protect public health, safety and welfare by regulating the use of land and controlling the type, size and height of buildings. Some goals of early zoning codes were to prevent overcrowding and limit incompatible uses. Goals of modern zoning codes include *transit-oriented development*, pedestrian-friendly commercial corridors, and preservation of the historic fabric of neighborhoods.

The first zoning code was developed in 1916 in New York City, and the constitutionality of zoning laws was established by the U.S. Supreme Court in the landmark 1926 case *Village of Euclid, Ohio vs. Ambler Realty Co.* Since that time, virtually all large cities in the United States have adopted zoning codes to regulate land uses. Philadelphia, for example, adopted its zoning code in 1933, and utilized the Depression-era Works Progress Administration to conduct a complete survey of existing land conditions that culminated in the City's first zoning maps. Today, every parcel of land in the City has a *zoning classification* such as residential, commercial, or industrial.

The first comprehensive revision to the Zoning Code occurred in 1962, by which time many updates were needed to reflect changes that had taken place in the City. Thus, the City created a Zoning *Remapping* Program in 1965 to manage comprehensive development and land use plans for the City's neighborhoods. The Philadelphia Zoning Maps show the current *zoning classification* for every property in the City, and are now viewable online at <http://citymaps.phila.gov/zoning/>.

After the establishment of the Zoning Code Commission in 2007, Philadelphia worked for four years to modernize its zoning code and is now engaged in the accompanying *remapping* process.

Philadelphia's Zoning History

To understand the present and plan for the future, it is important to review the past... The following is a quick snapshot of key events in Philadelphia's zoning and planning history. From the initial founding of the City by William Penn to the last code revision in 1962, there are recurring themes and useful lessons that are important to know as the city begins a zoning code reform project.

The Past: *What Lessons Can We Learn?*

1683 - A "greene Country Towne" Is Planned

Philadelphia's planning and zoning history began in 1683 with the initial design of the city by William Penn. This first plan of the city appears in the *Portraiture of the City of Philadelphia* by Thomas Holme. Penn designed the city as a rectangle and divided it into four quadrants. He created a central square where City Hall now sits, and where the major north-south artery, Broad Street, intersected the major east-west artery, High Street (now known as Market Street). The City was framed by the Delaware and Schuylkill Rivers, which created a natural border and provided a key port significant to trade and

commerce. William Penn designed parks and open spaces for this "greene Country Towne," and he planned for growth. In this regard, today, he might be called a "new urbanist." Penn's plan has endured as he stands atop the "centre square" and looks out over the city he designed.

1933 - The First Zoning Code and Zoning Map Adopted

The first zoning code was approved in 1933. At that time, the code had 13 zoning classifications (7 residential, 4 commercial, and 2 industrial). At the same time the code was adopted, a *zoning map* was also created of the entire city. The *zoning map* consisted of 27 map sheets and it was a project of the Depression-era Works Progress Administration. It was created based on a land use survey of existing conditions.

1942 - Philadelphia City Planning Department Created

A group of young reformers who cared about the city's future formed the City Policy Committee. A member, Edmund Bacon, was interested in planning and encouraged the Committee to work on this issue. In 1941, a national planning conference was held in Philadelphia. Building on the ideas and excitement from this conference, the City Policy Committee worked on a bill to create the City Planning Department. The legislation passed in 1942, and the first director was Robert Mitchell, a transportation planner.

1947 - The Better Philadelphia Exhibition

In 1947, the Better Philadelphia Exhibition opened. It is a fun and fascinating part of Philadelphia's urban planning history. Robert Mitchell, the planning director, Ed Bacon, Louis Kahn and several leading architects and urban planners from the era coordinated this exhibit to educate the public about city planning and what it could achieve. The exhibit sparked citizens' interest in planning not only for Center City, but also planning for their own neighborhoods. School children were taught about planning and designed model playgrounds. It truly shaped a vision for the City and energized residents and city leaders.

The showcase of the exhibit was a large model of Center City as it presently looked with 13 sections that rotated to display a model of how Center City *could* look by the year 1982 (the City's 300th birthday). The exhibit was housed in Gimbel's Department Store. Over the course of two months it attracted more than 340,000 people. Ed Bacon would later become the executive director of the Planning Commission, serving as a dynamic visionary from 1949 to 1970. During his tenure, he conceived and implemented major projects that dramatically transformed the City, including the revitalization of Society Hill and the plan for the far Northeast.

1962 - The Zoning Code Undergoes a Major Revision

The post-WWII era of the early 1950s brought changes in lifestyles and housing preferences, along with an ever-increasing reliance on the automobile. The 1933 zoning code no longer met the City's needs and development trends. In the mid 1950s, the Mayor established a task force to make recommendations to modernize the Code. The task force met for several years and finally issued a report recommending major changes to the code. The report called for the creation of 43 zoning classifications - 23 residential, 8 commercial, 8 industrial and 4 "special use" districts. The work of the task force resulted in the approval of a new zoning code that took effect in 1962.

Mid-1980's - A Debate Over Tall Buildings Leads to New Center City Zoning Controls

For decades, there was a "gentleman's agreement" that buildings in the downtown should not be higher than the statue of William Penn on top of City Hall Tower. In 1984, developer Willard Rouse proposed an office building that would exceed this self-imposed height limit. The desire to break this barrier led to a spirited public debate. In 1987, One Liberty Place was built topping out at 960 feet - towering over the 491-foot City Hall.

However, the concerns about tall skyscrapers and their impact on existing buildings and the residential neighborhoods within Center City, spurred the City Planning Commission to develop a new Plan for Center City. The plan was released in 1988 and it sought to balance growth with neighborhood preservation. To help implement the plan's goal, new zoning classifications were created for high-rise buildings. These new zoning laws were developed over several years of intense work with extensive public involvement. Thus, the One Liberty Place controversy led to the creation of a modern set of zoning regulations for Center City that are a reflection of Philadelphia's civic values in terms of building scale, livability, historic preservation, enhancement of public transportation, and the creation of safe, inviting and active sidewalks and public spaces.

The Present: Are We Entering Another Reform Era?

Current Conditions

Similar to Philadelphia's experience in the early 1950's that led to the first major revision of the zoning code, the City has experienced significant change in the past 50 years. Population changes (this time a decline), a shift from heavy manufacturing to high tech companies, a residential construction boom, and changing lifestyles make the current code out-dated. In addition, piecemeal amendments over the years have resulted in a code that is overly complex, burdensome and unpredictable. The official version of the code is 642 pages long and has grown to include 55 different zoning classifications and dozens of special district controls.

2004 -- The Seeds of Reform Are Planted

In October 2004, the Building Industry Association issued a report called, "If We Fix It, They Will Come." This report discusses ten fixes to improve and streamline Philadelphia's cumbersome and unpredictable development process. One of the ten issues identified as impeding growth and revitalization of the City was the fact that *"Philadelphia's zoning code is outdated, cumbersome and difficult to use."* The long-term recommendation was to *"completely revise the Zoning Code and the Comprehensive Plan upon which it is based, with substantial public input."* The report was widely distributed to city leaders, policy makers and stakeholder groups who cared about the City's positive growth.

2006 -- A Charter Change Is Introduced in City Council

On September 21, 2006, Councilmembers Frank DiCicco and James Kenney introduced an amendment to the Home Rule Charter to create a Zoning Code Commission to *"conduct a comprehensive analysis and make recommendations regarding reforms to the Philadelphia Zoning Code."* The measure received widespread support from community organizations, urban planners, design professionals and the building industry at a public hearing on December 6, 2006. And, on February 8, 2007, Philadelphia City Council unanimously approved the legislation. This paved the way for a ballot question calling for the creation of a Zoning Code Commission to be presented to the voters in the May 2007 primary.

2007 -- Mayoral Candidates Talk About the "Next Great City"

The 2007 election was an "open" Mayor's race for the City. Mayor John Street was prohibited from running again due to term limits, and five major democratic candidates entered the race. A dedicated website called "*the Next Mayor*" was created by the *Philadelphia Daily News*, WHYY, and the Committee of 70 to cover the candidates and the issues. A civic engagement project conducted by the *Philadelphia Inquirer* and the University of Pennsylvania, called "*Great Expectations*," focused on key issues of concern to the voters. Good growth, planning and urban design were among the many issues discussed at forums and in the media. And, the Next Great City project -- which had issued an action agenda for cleaner, safer and healthier neighborhoods in early January -- had the good fortune of hosting the first Mayoral forum. Among the questions posed was the need for zoning reform.

May 2007 -- Zoning Code Commission Referendum Passes

Voters overwhelmingly approved the charter change to create the Zoning Code Commission with 79% of the voters saying "yes" to Ballot Question #6. A voter education and community outreach strategy, funded by the William Penn Foundation, helped inform citizens about the importance of zoning reform. The educational campaign was called "Zoning Matters" and an informational website was created along with flyers, a dedicated phone line and an email address. Speakers addressed community associations, attended candidate forums, and leafleted high traffic areas to spread the word about the need to revise and modernize the zoning code.

August 2007 - Inaugural Meeting of the Zoning Code Commission

With its members appointed, the Zoning Code Commission gathered for the first time on August 3, 2007 to begin its first task of identifying the problems with Philadelphia's current code. In later sessions, the Commission heard testimony from zoning experts on possible directions for reform, voted to establish committees to guide vital aspects of its work, and hired a consultant team that is working to translate its conceptual goals into a new zoning code. The Commission complemented and informed this work with a robust civic engagement process through which thousands of citizens articulated their objectives for a new code and reaffirmed their commitment to zoning reform.

The Future: Are We Ready to Embrace Change While Preserving Our Past?

From its inception by William Penn as four squares, to the first zoning code in 1933, the explosive growth in the 1950s, and the new challenges of today, urban planning and zoning have played a vital role in shaping the future of our City. Now, with a new more effective zoning code, and the adoption of the City's first comprehensive plan- *Philadelphia2035, A Citywide Vision*- in decades, that future is looking especially promising and exciting.

Remapping Primer

What are zoning maps?

Every parcel of land in the City has a *zoning classification* ranging from residential to commercial, industrial, and special purpose districts. Presently, there are 55 different zoning classifications. When the City's first Zoning Code was adopted in 1933, zoning maps were also created for the entire City to

depict the *zoning classification* for each parcel. The original zoning maps for Philadelphia were a project of the Depression-era Works Progress Administration and were created based on a land use survey of existing conditions. Thus, rather than providing a *comprehensive plan* to guide development, the City's original zoning maps simply reflected the current land use patterns that had evolved.

The Zoning Remapping Program

After the first comprehensive revision to the Zoning Code in 1962, it was apparent that the City had grown and changed significantly. Many updates were needed due to the changes that had taken place in the neighborhoods. Thus, the City created a Zoning *Remapping* Program in 1965 to manage comprehensive development and land use plans for the many communities and neighborhoods that comprise it.

From Communities to the City Planning Commission

Zoning *remapping* proposals can be initiated by the community, the Planning Commission or by the local district councilmember. Usually, the neighborhood recognizes that significant land use changes have occurred or may occur, and that the existing zoning classifications do not reflect the needs of the community. Planning Commission staff work closely with the community to develop a land use and zoning profile of the neighborhood. An inventory of every land use is conducted and maps are created showing the existing zoning, the current uses, and a proposed *zoning map* change. The Planning Commission staff involves and informs the community as much as possible through neighborhood meetings, local newspapers, newsletters, etc.

After its approval at a community meeting, the proposed *zoning map* change is presented to the members of the Planning Commission at a public meeting. Representatives from the community and the district councilmember are encouraged to attend and provide comment. If the Planning Commission endorses the proposal, then a bill is drafted for introduction in City Council. Pursuant to the City Charter, the Planning Commission is also required to submit a formal recommendation to the Mayor after a *zoning map* bill is introduced but before the public hearing by the City Council Rules Committee.

Approval by City Council

The bill containing the "Existing *Zoning Map*" and the "Proposed *Zoning Map*" is traditionally introduced by the appropriate district councilmember. The process for passage of a *zoning map* bill is similar to the process for the adoption of any bill, except that there are additional notice requirements for the public hearing. First, the bill is referred to the Rules Committee. The Rules Committee then holds a public hearing on the bill. Notice of this hearing is advertised in the legal notices section of the newspaper 12 days in advance. In addition, the neighborhood area affected by the proposed *remapping* is posted with a notice of the date, time, place and purpose of the hearing.

If approved by the Rules Committee, the bill is voted on by the full City Council after the title is read at two sessions of Council. A majority vote of City Council (or nine votes) is required to pass the bill. The bill is then presented to the Mayor for his or her signature. Once signed by the Mayor (or once it becomes law without signature), the Planning Commission changes the City's official Zoning Maps.

This entire process takes approximately one year. If only a few parcels are being rezoned and remapped, then the timeframe can be shorter, requiring only a couple of months. Likewise, if the area to be remapped is quite large or requires extensive community discussion, then the process can take longer. By the end of 1999, 183 neighborhoods had been re-mapped through this process, representing 70% of the land area of the City.

Remapping and the current District Planning Process

Under the guidance of the Philadelphia City Planning Commission and with input from all community stakeholders, zoning *remapping* recommendations have been included in all district-level plans. "Corrective" zoning recommendations are those changes that are needed to align the zoning classification with the existing (and desired) land use. "Zoning to advance the plan" recommendations indicate changes to zoning classifications that reflect desired future land uses. The result will be a set of maps optimized for guiding future development in Philadelphia's best interests.

What happens to my property if the zoning classification is changed?

It is important to note that a *zoning map* change cannot be used to take away a property owner's right to continue to use their land or building for any legal existing use. Therefore, if you operate a retail store and the zoning was changed to residential, you can continue to operate the store until you either voluntarily change the use or abandon the use. This situation is referred to as a Non-Conforming Use. If however, your property meets the new classification, for example an old warehouse that has been converted into condominiums is changed from Light Industrial to Residential, then there is no "non-conformity" and the new *zoning map* reflects existing conditions.

You can view the City's zoning maps at <http://citymaps.phila.gov/zoning/>.

Types of Zoning Codes

New approaches to zoning matters are emerging and evolving. What follows is a brief description of the four basic types of zoning codes: Euclidean, Form-Based, Incentive and Performance. We have also included information on alternative forms of zoning codes: Modular and Web-based.

Euclidean Zoning

The most common and most traditional approach to zoning is called *Euclidean zoning*. It is named after the town of Euclid, Ohio. A landowner in Euclid, Ohio challenged the city's zoning code. The case wound its way up to the U.S. Supreme Court which upheld the municipality's ordinance. The case was decided in 1926, and the term "*Euclidean zoning*" emerged and influenced the content and design of zoning codes across the country for decades.

Euclidean zoning regulates development through land use classifications and dimensional standards. Typical land use classifications are single-family residential, multi-family residential, commercial, institutional, industrial and recreational. Each land use must comply with dimensional standards that regulate the height, bulk and area of structures. These dimensional standards typically take the form of setbacks, sideyards, height limits, minimum lot sizes, and lot coverage limits.

The traditional planning goals associated with *Euclidean zoning* are providing for orderly growth, preventing overcrowding of land and people, alleviating congestion, and separating incompatible uses (such as insuring that a noisy factory cannot be built near a residential neighborhood).

Euclidean zoning has come under scrutiny and criticism due to its lack of flexibility and somewhat outdated planning theory. Philadelphia's zoning code is a Euclidean code.

Form-Based Codes

A form-based code places more emphasis on regulating the form and scale of buildings and their placement along and within public spaces (such as sidewalks, street trees, street furniture). Some of the urban planning goals of *form-based codes* include curbing urban sprawl, promoting pedestrian safety, and preserving the fabric of historic neighborhoods.

The following description appears on the *Form-Based Codes* Institute website:

Form-based codes address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. The regulations and standards in *form-based codes*, presented in both diagrams and words, are keyed to a regulating plan that designates the appropriate form and scale (and therefore, character) of development rather than only distinctions in land-use types.

The City of Miami has a "floating-zone" form-based zoning code, and Denver is moving in this direction. *Form-based codes* are very new, and have not been utilized yet in any large, old industrial city. Depending upon the quality of the code and its diagrams, *form-based codes* can be difficult to interpret and administer.

To learn more about *form-based codes*, go to:

- <http://www.formbasedcodes.org/index.html>
- http://en.wikipedia.org/wiki/Form-based_codes

Incentive Zoning

Incentive zoning, as its name implies, offers a reward (usually in the form of increased density) to a developer who does something "extra" that is in the community's interest (such as more open space) or promotes a public goal (such as affordable housing).

The *Smart Growth* Resource Library defines *incentive zoning* as follows:

Incentive zoning allows a developer to build a larger, higher-density project than would be permitted under existing zoning. In exchange, the developer provides something that is in the community's interest that would not otherwise be required (e.g., open space, plazas, arcades, etc.). The common types of community benefits or amenities for which state and local governments have devised incentive programs are urban design, human services (including affordable housing), and transit access.

Incentive zoning has its origins in New York City and Chicago. It has become increasingly common over the past 20 years. The terms "density bonuses" or "community benefits" are related terms and are often used when discussing *incentive zoning*.

Incentive zoning allows for a high degree of flexibility, but it can be complex to administer.

Performance Zoning

A key goal of zoning codes is to limit conflicting and incompatible uses. Traditional *Euclidean zoning* does this by regulating land use and bulk. *Performance zoning*, however, regulates the *effects* or impact of land uses through performance standards. Performance standards usually concern traffic flow, density, noise and access to light and air. Developers can build almost any building that meets the performance standards for that district. Therefore, *performance zoning* allows for a great deal of flexibility. This level of flexibility makes it a very useful tool, but also makes it difficult to administer.

Currently, no large city has a zoning code based completely on *performance zoning*. Chicago has used a hybrid approach for its manufacturing districts, using performance standards in addition to *Euclidean zoning*.

More information about Chicago's manufacturing districts can be found in the publication *Revise, Recreate, Rezone: A Neighborhood Guide to Zoning* prepared by the Metropolitan Planning Council. Go to <http://www.metroplanning.org/zoningGuide/index.html>

Modular Zoning

One reason that the number of zoning districts in major U.S. cities tends to expand over time is that new development proposals and redevelopment plans seem to need "a zone district that is almost like C-2 (or R-3, or M-1), but a little different." In other words, new zone districts are sometimes only modest variations of older districts. In some cases, they involve a slightly different list of uses, in others they allow slightly larger (or smaller) buildings, and in yet others they vary only in the amount of parking required or the size of signs permitted. This has led some cities to move toward "*modular zoning*". In concept, *modular zoning* breaks-up" the idea of a zone district into its fundamental building blocks - permitted uses, dimensional standards (i.e., height, bulk, and setbacks, or form), and development standards (i.e., parking, signs, landscaping) - and allows those components to be combined in different ways. For example, a theoretical *modular zoning* district might be R-3-B: The first module (R) indicates a set of uses available to the owner; the second module (3) might indicate the maximum height of buildings in stories; and the third module (B) might indicate a package of parking requirements and design requirements.

Modular zoning's proponents generally come from two groups with different visions of why it is a good idea. The first support this technique as a way to encourage flexibility. A property owner who wants to build a larger building can request a zoning amendment to the second module - for example, from R-3-B to R-4-B. In theory, a modular rezoning request could be simpler and less controversial, since the owner could agree in advance that he or she was not asking for any change in permitted uses or parking requirements. The only debate would be over building size.

The second group of proponents supports *modular zoning* as a way to more closely tailor zoning regulations to specific neighborhood character. For example, a typical R-3 district might allow one set of residential uses and buildings of a certain size, while the R-4 district allows a few more permitted uses and larger buildings. But if R-3 limits buildings to be smaller than those in the existing neighborhood and R-4 allows uses not currently permitted in the area, the city may face a difficult choice in how to zone the area. *Modular zoning* seems to offer the opportunity to combine a use module that perfectly matches the character of the area with a size module that matches that same character. In this case, however, the goal is not to insert flexibility to change zoning but to create more predictability for neighbors, and the expectation is that this closely tailored zoning will probably not change much over time.

The major argument against *modular zoning* is that it adds complexity to the zoning code. It takes time to do the research to determine what dimensions or development standards should be grouped together in different modules. The more module combinations, the more time it takes. While individual zoning modules can be simple, the number of combinations can be very large, which may require more staff training and more explanations to citizens about how the system works. When a wide variety of use and dimensional modules are allowed to be combined, the chances of unintended consequences increase - some combinations that work on paper may be impossible in practice.

This article excerpted from the New Philadelphia Zoning Code: Best Practices Report, by the Zoning Code Commission's Clarion/Duncan consulting team.

Web-based Code

The future of zoning is web-based codes, for a variety of reasons. One important advantage is the cost of keeping codes current. When book-based codes are used, amendments need to be printed and manually inserted in the document, and many cities can only afford to consolidate amendments, send them to the publisher, and mail out updates to known code users every three or six or twelve months. As a result, zoning book readers always need to check with zoning staff to ensure that there are no new amendments that modify the text they are reading. In contrast, web-based codes can be updated (often by city staff without the use of an intermediary codification firm) on an almost real-time basis - often on the same date that the amendment becomes effective. If the planning director makes an interpretation of an ambiguous provision, that can be uploaded as well, so that other property owners can rely on the same interpretation. Residents, property owners, and potential investors save substantial time and energy - and avoid costly mistakes - simply by being able to rely on the accuracy of the web-based code.

In addition, web-based codes can offer several features that promote user-friendliness and understandability to the general public. In addition to standard text, they can include far more illustrations and graphics because uploading them to the web is very inexpensive relative to printing costs. They can also include unofficial commentary and links to comprehensive plan or area plan policies that are helpful to property owners and landowners interested in understanding the objective behind a specific zoning provision. Links between zoning text and defined terms can be instantaneous, and "flipping back and forth" between different provisions of the code can be done by the click of a mouse. Perhaps most importantly, zoning code portals can be programmed to answer common technical questions ("Where can I build a fence? How tall can it be?") based on a specific property address, while book-based codes often require readers to integrate several sections together to get the same answer.

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Trends & Themes

New Urbanism, Smart Growth, Sustainable Design, Green Buildings, Inclusionary Zoning – these phrases and more are making their way into the vocabulary of design and urban planning professionals, as well as developers and contractors, elected officials and citizens. Concerns about urban sprawl, over-reliance on fossil fuels, traffic congestion, lack of affordable housing, and global

warming are changing the way we think about cities, how we plan for neighborhood revitalization, and how we design new buildings.

New Urbanism, Smart Growth, Sustainable Design, Green Buildings and Inclusionary Zoning are emerging **trends** in planning, design and development. And, many of these trends are being incorporated into zoning codes. As cities revise and modernize their old codes, *transit-oriented development*, increased attention to design, and preserving the character of older neighborhoods are common **themes** in zoning reform.

To get you started with this new vocabulary, **ZoningMatters.org** provides you with a summary of some of the most common **zoning trends and themes**. Please note that many of these new concepts are related and complimentary. And, the terms are often used interchangeably.

A sampling of website links are also provided to help you learn more about each of these topics. There is a wealth of information on the internet about these ideas, and in some instances there are some spirited debates about these **zoning matters**.

New Urbanism is an urban **design trend** that began in the 1970s in response to concerns about urban and suburban sprawl. It seeks to promote planning and architecture that work together to create traditional, pedestrian-friendly, walk-able communities.

And, while it is an urban design approach that borrows many elements from old neighborhood designs, it also attempts to provide a more modern product that today's homeowners seek by incorporating up-to-date floor plans and including many sought-after amenities.

The following are some of the **key themes of New Urbanism**:

Create a traditional neighborhood structure with a town center.

This central place can be a town square, a community park or a key transit stop - but it serves as the core for the neighborhood. Density is greater at the core with a range of diverse uses.

Design for pedestrians and encourage residents to walk.

Pedestrian-friendly design is incorporated throughout, such as bringing buildings closer to the curb, streets are lined with trees, and homes have porches in the front and garages in the rear. This also involves providing for a mix of shops, housing, and transit stops in close proximity to one another so that most things are within a five or ten minute walk from home or work.

Develop a mix of uses to promote diversity and livability.

A mixture of uses - including shops, offices and residential - within a building or along a block is preferred over separating uses. And, a variety of housing options within a community - including apartments, rowhomes and detached residential - allows for a mixture of income levels, ages and lifestyles within the same neighborhood.

Create a sense of place.

There is attention to quality architecture and good design. And, there is an emphasis on incorporating public spaces within a community - such as common areas like sitting parks, community gardens or a central square.

Utilize smart traffic designs to encourage the use of public transit, cycling and walking.

These can range from *transit-oriented development* to traffic calming designs.

Here are some links to help you learn more about ***New Urbanism***:

- <http://www.newurbannews.com/AboutNewUrbanism.html>
- <http://www.newurbanism.org/>

Smart Growth is a ***development and planning trend*** that evolved from the anti-sprawl movement.

Beginning in the 1970s, concerns over demographic shifts, loss of farmland and open spaces, environmental impact of over-development, and urban decay spurred interest in *smart growth* and livable community policies. This movement culminated in the creation of *Smart Growth* America which is a nationwide coalition, formed by the American Planning Association in the mid-1990s, that advocates for *smart growth* policies and issues including: farmland and open space protection, neighborhood revitalization, and affordable housing. A key element of *smart growth* is an emphasis on regional cooperation around these issues. Many states have enacted "smart growth" laws that require routine comprehensive planning at the local and regional level.

The following are the U.S. Environmental Protection Agency's ten guidelines or ***themes for smart growth***:

1. Mix land uses
2. Take advantage of compact building design

3. Create housing opportunities and choices for a range of household types, family size and incomes
4. Create walkable neighborhoods
5. Foster distinctive, attractive communities with a strong sense of place
6. Preserve open space, farmland, natural beauty, and critical environmental areas
7. Reinvest in and strengthen existing communities & achieve more balanced regional development
8. Provide a variety of transportation choices
9. Make development decisions predictable, fair and cost-effective
10. Encourage citizen and stakeholder participation in development decisions

Here are some links to help you learn more about **Smart Growth**:

- <http://www.smartgrowth.org/default.asp>
- <http://www.smartgrowthamerica.org/>

Sustainable Design

LEED stands for "*Leadership in Energy and Environmental Design*" and it is a rating system for the design, construction and operation of "green buildings."

And, a "**green building**" is a structure that was built and is operated in a way that minimizes negative environmental impacts and improves the health and well-being of the occupants.

The LEED standards and rating system were developed and are administered by the U.S. Green Building Council, which is a nonprofit coalition of building industry leaders. This design and construction **trend** promotes a whole-building approach to sustainability by recognizing performance in five key areas: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality. The LEED rating system consists of four certification levels for new construction - Certified, Silver, Gold and Platinum. So, if you hear a builder say, they are going for "gold" or "platinum," they are not talking about the Olympics or record sales.

Some **green** elements or **themes** include: green roofs, solar panels, water-less urinals, use of gray water, on-site storm water management controls, and situating a building on a site so as to take advantage of light and air.

Sustainable design is a broader term which describes a growing **trend** within many professions including: architecture, landscape architecture, engineering, industrial design, interior design and more. The goal of a *sustainable design* is to create a product, packaging, building or even an entire

community in a way that minimizes negative environmental impacts, reduces the use of non-renewable resources, and connects people with the natural environment.

Some common principles or **themes for sustainable design** include:

- Using recycled building materials or materials that are non-toxic and were sustainably produced.
- Incorporating energy efficient designs, heating systems and appliances.
- Utilizing high-quality and durable products that last longer and don't need to be replaced as frequently.
- Designing products and systems that can be reused and recycled after their useful life.

Here are some links to help you learn more about **LEED, Green Buildings, and Sustainability**:

- <http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>
- <http://www.nrdc.org/buildinggreen/leed.asp>
- http://en.wikipedia.org/wiki/Sustainable_design

Inclusionary zoning seeks to increase the supply of affordable housing in market-rate development projects through the use of either voluntary incentives or mandatory requirements.

More than 200 municipalities across the country have some form of an *inclusionary zoning* or inclusionary housing ordinance. This **zoning trend** can take the form of a required set-aside of affordable units within a development project, or the payment of a fee into a city-administered fund that is used to support the development of affordable housing. Many of these ordinances are voluntary and use incentives, such as density bonuses or streamlined permit review, which reward a developer for including affordable units within a market-rate project.

Some of the different approaches or **themes** you will find in reviewing *inclusionary zoning* ordinances are:

- Whether the program is mandatory or voluntary
- Whether affordable units are built within the project, or whether a payment is made to an affordable housing fund, or whether both options exist
- Differences in the definition of "affordable"
- Differences in what type of development projects trigger the provisions
- Differences in the scale of development projects that trigger the provisions

Unlike some of the other zoning trends and themes, there is a spirited debate around *inclusionary zoning* ordinances. Proponents of these measures point to the need to provide more affordable housing and the importance of encouraging mixed-income communities. Opponents argue that these measures interfere with the free market place of supply and demand; and, that the requirements may actually deter development.

Here are some links to help you learn more about *Inclusionary Zoning* and the different opinions:

- http://en.wikipedia.org/wiki/Inclusionary_zoning
- <http://www.brookings.edu/es/urban/publications/inclusionary.htm>
- [Builder's Perspective on Inclusionary Zoning](#)

Transit-Oriented Development (TOD) is a ***planning and design trend*** that seeks to create walkable communities that are centered around a public transit node, such as a train station, a large bus stop or along a key transit route.

The movement toward TOD is in response to increasing traffic congestion, advancing urban sprawl, and a desire for a more pedestrian-friendly environment. TOD is becoming a very common theme in zoning code reform across the country. Many, if not all, of the newer zoning codes provide for and encourage the use of [*transit-oriented development*](#) through [*incentive zoning*](#) by allowing increased density at transit nodes.

Some components or ***themes of transit-oriented design*** include:

- A mix of uses including office, residential, retail as well as public spaces around a key transit node (such as a train station).
- High quality design and increased density at and near train stations.
- Designs also promote and encourage the use of bicycles, rollerblades and walking as daily forms of transportation.
- Less parking options or managed parking to insure turn-over at transit nodes.

Here are some links to help you learn more about ***Transit-Oriented Development***:

- <http://www.transitorienteddevelopment.org/>
- http://www.apta.com/research/info/briefings/briefing_8.cfm

Frequently Asked Questions (FAQs)

General

Q. What is zoning?

Zoning seeks to protect public health, safety and welfare by regulating the use of land and controlling the type, size, and height of buildings. Some goals of early zoning codes were to prevent overcrowding and limit incompatible uses. Goals of modern zoning codes include promoting *transit-oriented development*, pedestrian-friendly commercial corridors, and preservation of the historic fabric of neighborhoods.

Q. What is the Zoning Code?

The zoning code is the law that regulates land use, and the height and size (or bulk) of structures. The code contains land use classifications, such as residential, commercial and industrial, controls that govern the size and height of structures, and parking, signage and landscaping requirements. The Philadelphia Zoning Code is available online. Philadelphia's first zoning code was enacted in 1933. You can read the zoning code here <http://www.amlegal.com/library/pa/philadelphia.shtml>

Q. What is the Zoning Code?

Philadelphia's first zoning code was enacted in 1933. In the post WWII era of the early 1950s, changes in lifestyles and housing preferences combined with the increasing use and reliance on the automobile meant that the 1933 code no longer met the City's needs and development trends. So, in the mid 1950s, the Mayor established a task force to make recommendations to modernize the Code. And, a new zoning code took effect in 1962. That was the last update.

As set forth in the City Charter, the Department of Licenses and Inspections (L&I) is responsible for administering the zoning code. L&I reviews zoning applications and issues permits, refusals of permits, and referrals of special exceptions to the *Zoning Board of Adjustment* (ZBA).

- The ZBA has the authority to grant variances to the zoning code or to allow special exceptions. An applicant who wishes to obtain a special exception or appeal a refusal in order to obtain a *variance* from the zoning code must file for a hearing at the *Zoning Board of Adjustment* (ZBA).
 - Changes to the zoning text or the *zoning map* may only be made by City Council ordinance.
 - The Philadelphia City Planning Commission (PCPC) is charged with making recommendations to the ZBA on specific zoning cases and to City Council on pending ordinances to change the zoning text or *zoning map*.
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Q. What are the Zoning Maps?

When the City's first zoning code was adopted in 1933, a *zoning map* was also created. Every parcel of land in the City has a *zoning classification* such as residential, commercial, and industrial. Presently, there are 55 different zoning classifications. The Zoning Maps depict the *zoning classification* for each parcel. You can view the City's Zoning Maps at <http://citymaps.phila.gov/zoningoverlay/>.

Q. What is the process for changing the Zoning Maps?

An ordinance must be approved by City Council and signed by the Mayor to change the *zoning map*. The Planning Commission has developed a community-based process to ensure neighborhood involvement in any *remapping* effort.

Zoning Code Reform

Q. Why do we need to reform the Zoning Code?

Philadelphia's first zoning code was enacted in 1933. The last major revision of the code was completed in 1962. Since then, approximately 1,000 piecemeal amendments have made the zoning code an overly complex and burdensome regulatory patchwork. The consequences are development outcomes that are unpredictable and out-of-sync with the land use needs of present day Philadelphia. Population changes, a shift away from heavy manufacturing toward a more diverse employment base, a residential boom and changing lifestyles call for a new, modernized zoning code.

Q. How was the Zoning Code Commission formed? (no longer in effect)

The Zoning Code Commission was formed by mandate of the citizens of Philadelphia with the overwhelming approval of a ballot question in the May 2007 primary election. Close to 80% of voters elected to create "an independent Zoning Code Commission which would recommend amendments to the Philadelphia Zoning Code to make the Code consistent and easy to understand, and to enhance and improve Philadelphia's city planning process while encouraging development and protecting the character of Philadelphia's neighborhoods." This charter amendment defined the duties, composition, and timetable of the ZCC. The full text of the City Council resolution authorizing the ballot question is available at the following website:<http://legislation.phila.gov/attachments/3307.pdf>.

Q. Who was on the Zoning Code Commission?

The Commission was comprised of 31 members: three City officials with responsibility for zoning matters; three members of City Council; five representatives of the Chambers of Commerce; ten persons with experience in land use matters, five appointed by the Mayor and five by the Council President; and ten community leaders, one appointed by each district councilmember.

Q. Who was on the consultant team?

The consultant team of Clarion Associates and Duncan Associates, with extensive experience in zoning reform in U.S. cities, was charged with evaluating the current zoning code, overseeing community and code-user engagement, providing recommendations for the code rewrite, and implementing the code rewrite. They were assisted in their work by team members Wallace Roberts & Todd, LLC, Clafien Associates, CHPlanning, Ltd, Portfolio Associates, Dyett & Bhatia, Hurley-Franks & Associates, and The Vic Group.

Q. How did the new zoning code come to be adopted?

After over three years of hard work and collaboration among city administrators, developers, architects, planners, attorneys, business representatives and residents, the ZCC produced a draft new

zoning code and sent its Preliminary Report to City Council in May 2011 for its review. Various revisions were made until the new code was signed into law in August, 2012.

Q. What was the role of citizens in the reform process?

The charter amendment that created the Zoning Code Commission called for a public process in which citizens can stay informed and participate fully, a vision that the Zoning Code Commission met and exceeded. The Charter requires that the Commission hold two public hearings and that it meet at least ten times during the year. Throughout the reform period from 2007-2011, the Commission held 50 public meetings, all aired on public television, two public hearings in City Council chambers, 36 community-based meetings; seven Stakeholder X-Changes, two public meetings to discuss why the Commission adopted, rejected, or modified a group's proposal, and attended dozens of community meetings where it has explained the Commission's work and possible changes to Philadelphia Zoning Code. The Commission also interviewed 125 professional zoning code users and surveyed nearly 2,000 individuals on components of the proposed new zoning code. The Commission received hundreds, if not thousands of comments from members of the public about proposed changes to the Zoning Code. Part of the process of adoption of the code by City Council included public hearings.

Q. What were the Zoning Code Commission's goals for the new code?

The Zoning Code Commission has adopted the following goals as a framework for creating Philadelphia's new zoning code:

- Provide consistency and understandability of the zoning code.
- Make future construction and development more predictable.
- Encourage high quality, positive development.
- Preserve the character of existing neighborhoods.
- Involve the public in development decisions.

Q. What were the overarching changes in the draft zoning code?

1. **New organization:** The Code is better organized and is easier to navigate. No longer organized by district, there are separate chapters on districts, overlays, uses, dimensional standards, parking, and signage. Code users know exactly where to look.
2. **Online version and new use of graphics:** The Code makes extensive use of tables, illustrations, and maps. It is produced in a web-based version that will link you to cross-references, definitions, and amplify particular code sections.
3. **Community Role in Development Processes:** 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 go before the ZBA. Also, the community has a chance to provide input on certain as of right projects that are expected to have a significant impact on a community through a new public Civic Design Review process.
4. **Districts:** Most current zoning districts are maintained, but re-named. Some districts that were very similar, or that have never been mapped, are consolidated. Three new districts are created: (a) Commercial Mixed-Use 2.5 (CMX-2.5) intended to support the revitalization of neighborhood commercial areas; (b) Industrial –Residential Mixed Use (IRMX) designed to help neighborhoods that were once manufacturing hubs to transition to mixed use including residential and commercial; and (c) a new Airport District.

5. **Overlays:** The complex and dense matrix of zoning rules for specific areas, also known as “overlays,” has been consolidated, streamlined, and reorganized. The Code includes three “master overlays” – one for Center City; one for Neighborhood Commercial Areas; and one for Neighborhood Conservation areas.
6. **Uses:** Uses are organized 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, bed and breakfasts, adult day care and community homes. The ZCC has created a series of maps and tables that illustrate how and where these changes would occur.
7. **Dimensions:** Most of the dimensional standards (lot area, setbacks, height) remain the same. The height limit in residential and low-density commercial districts has been increased from 35 ft. to 38 ft. Many dimensional standards in rowhome neighborhoods vary according to the context.
8. **Development Standards:** The Code includes state of the art form and design standards for multi-family, institutional, and commercial properties; enhanced landscaping and tree requirements, and better protection for natural resources.
9. **Parking:** The Code reduces automobile parking requirements. It encourages development near transit nodes and promotes walking and cycling.
10. **A Healthy and Sustainable City:** 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.

Resources

Q. Where can I find a copy of the zoning code?

Philadelphia's zoning code is available online at <http://www.amlegal.com/library/pa/philadelphia.shtml> under Title 14 of the City Code, Zoning and Planning. This link can also be accessed via the Philadelphia City Planning Commission website <http://phila.gov/CityPlanning>, under the Project Review heading “Zoning”.

Q. How can I find out how my property is zoned?

The City's web resources allow citizens to determine their property's *zoning classification* and permitted uses. Zoning classifications can be identified by clicking on the "*Zoning Map*" application on the city's homepage <http://www.phila.gov/map> or <http://phila.gov/CityPlanning>, under the Project Review heading “Zoning”. This application enables property owners to find classifications, maps, and overlays at the parcel and block level. Please note that the information provided through the application does not represent a zoning evaluation or decision.

Q. What if I have questions about my zoning?

Individuals with questions about their property's zoning should contact the Department of Licenses and Inspections: Municipal Services Building 1401 John F. Kennedy Boulevard, 11th Floor Philadelphia, PA 19102 Phone: (215) 686-2463. Zoning resources are also available on the Department's website at <http://www.phila.gov/li>.

Q. How do I find notice of upcoming Zoning Board of Adjustment hearings?

Upcoming *Zoning Board of Adjustment* hearings are listed at the Department of Licenses and Inspections website, <http://www.phila.gov/li>. Click on "Board Appeals and Hearings" on the sidebar and "Hearings" on the sub-menu to view the schedule.

Resources

Philadelphia Zoning Resources

- [Zoning Code](#) The complete text of Philadelphia's current zoning code.
- [Zoning Maps](#) The Philadelphia Zoning Maps illustrate the current *zoning classification* of every parcel of land in the City. Searchable by address. Both the code and maps can be found at: <http://www.phila.gov/CityPlanning/projectreviews/Pages/Zoning.aspx>
- [Zoning Archive](#) This service by the Department of Licenses and Inspections offers electronic scans of over 200,000 zoning applications, approved usages, and site drawings dating to the 1930s. Searchable by address. <http://www.phila.gov/zoningarchive>
- [CityMaps](#) Provides access to public records on Philadelphia properties from the Board of Revision of Taxes and the Department of Licenses and Inspections, as well as basic information on parcels. Searchable by address. <http://www.phila.gov/map>
- [Microsoft Bing Maps](#) Previously known as Microsoft Live Local, this application combines searchable online maps with satellite imagery to provide users with recent visual data on cities, neighborhoods, and even individual homes.

Visit these sites for more *zoning matters*. Google the following organizations and resources to find information on zoning codes, zoning reform and urban planning.

- [Campaign for Sensible Growth](#)
- [Center for Livable Communities](#)
- [City Planning Commission](#)
- [Congress for the New Urbanism](#)
- [Community Design Collaborative](#)
- [Delaware Valley Regional Planning Commission](#)
- [FIX IT PHILLY](#) Contains *If We Fix It, They Will Come*, the seminal October 2004 Report from the Building Industry Association on how the development process works in Philadelphia and ten steps to make the system more user-friendly.
- [Policy Map](#)
- [Design Advocacy Group](#)
- [The Ed Bacon Foundation](#)
- [Form-Based Codes Institute](#)
- [Green Plan Philadelphia](#)
- [Metropolitan Planning Council](#) (Report: "*Lay of the Land: A National Survey on Zoning Reform*")
- [NeighborhoodsNow](#)
- [Next Great City](#)
- [WHYY It's Our City](#)
- [Pennsylvania Environmental Council](#)
- [Philadelphia Association of Community Development Corporations](#)
- [Philadelphia Zoning Code](#)
- [Philadelphia Zoning Maps](#)
- [Plan Philly](#)
- [Project for Public Spaces](#)
- [The Reinvestment Fund](#)

Glossary

Comprehensive Plan

A long-term plan for development of a city or region that addresses the built environment, land use, economic structure, and other areas that are deemed relevant to managing growth.

Euclidean Zoning

Euclidean zoning regulates development through land use classifications and dimensional standards. The traditional planning goals associated with *Euclidean zoning* are providing for orderly growth, preventing overcrowding of land and people, alleviating congestion, and separating incompatible uses

Form-Based Codes

A form-based code places more emphasis on regulating the form and scale of buildings and their placement along and within public spaces (such as sidewalks, street trees, street furniture). Some of the urban planning goals of *form-based codes* include curbing urban sprawl, promoting pedestrian safety, and preserving the fabric of historic neighborhoods.

Incentive Zoning

Incentive zoning, as its name implies, offers a reward (usually in the form of increased density) to a developer who does something "extra" that is in the community's interest (such as more open space) or promotes a public goal (such as affordable housing).

Inclusionary Zoning

Inclusionary zoning seeks to increase the supply of affordable housing in market-rate development projects through the use of either voluntary incentives or mandatory requirements.

Modular Zoning

Modular zoning "breaks-up" the idea of a zone district into its fundamental building blocks – permitted uses, dimensional standards (i.e., height, bulk, and setbacks, or form), and development standards (i.e., parking, signs, landscaping) – and allows those components to be combined in different ways.

New Urbanism

New Urbanism is an urban design trend that began in the 1970s in response to concerns about urban and suburban sprawl. It seeks to promote planning and architecture that work together to create traditional, pedestrian-friendly, walk-able communities.

Performance Zoning

Performance zoning regulates the effects of land uses through performance standards. Performance standards usually concern traffic flow, density, noise and access to light and air. Developers can build almost any building that meets the performance standards for that district. Therefore, *performance zoning* allows for a great deal of flexibility.

Remapping

The process of modifying zoning maps, which depict the classifications of parcels in a given area, to either reflect current usage or to control future usage as part of the goals of a community or *comprehensive plan*.

Smart Growth

Smart Growth is a development and planning trend that evolved from the anti-sprawl movement, emphasizing regional cooperation around issues like farmland and open space protection, neighborhood revitalization, and affordable housing.

Sustainable Design

Sustainable design is a broader term which describes a growing trend within many professions including: architecture, landscape architecture, engineering, industrial design, interior design and more. The goal of a *sustainable design* is to create a product, packaging, building or even an entire

community in a way that minimizes negative environmental impacts, reduces the use of non-renewable resources, and connects people with the natural environment.

Transit-oriented Development

Transit-Oriented Development (TOD) is a planning and design trend that seeks to create walk-able communities that are centered around a public transit node, such as a train station, a large bus stop or along a key transit route.

Variance

A zoning *variance* is an exception granted by the *Zoning Board of Adjustment* from the provisions of the Zoning Code to permit a reasonable or practical use of a given piece of land. The ZBA may find that the owner is under a hardship and grant a *variance* if the conditions of a specific parcel render it impractical for development under the provisions of the existing classification.

Web-based Code

A zoning code that is optimized for display on the Internet. Web-based codes are becoming increasingly common due to their ease of accessibility, integration of user-friendly features, and ability to be amended in real time.

Zoning Board of Adjustment

The *Zoning Board of Adjustment* is the body that hears petitions for zoning variances and appeals to development approval decisions.

Zoning Classification

A designation that is applied to a parcel of land reflecting permitted uses and dimensional requirements. Some common zoning classifications include residential, commercial, industrial, and recreational.

Zoning Map

A document that establishes the zoning classifications of parcels of land in a city and illustrates them in map format.