

# REGULATIONS OF THE CITY PLANNING COMMISSION

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**Amendments Incorporated through October 2020**

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## 1. **DECLARATION OF AUTHORITY AND PURPOSE**

### 1.1. **Authority<sup>1</sup>**

The City Planning Commission is established by § 3-100 and § 3-908 of the Philadelphia Home Rule Charter. The City Planning Commission has those powers set forth in Article IV, Chapter 6 of the Philadelphia Home Rule Charter and additional duties and responsibilities as provided in The Philadelphia Code.

### 1.2. **Prior Regulations Superseded**

All regulations heretofore adopted by the City Planning Commission are hereby superseded.

### 1.3. **Purpose<sup>2</sup>**

No provision of this section shall add to or detract from a power, duty, or responsibility granted to the City Planning Commission by the Philadelphia Home Rule Charter or The Philadelphia Code. In the case of any conflict between the provisions of these regulations and the provisions of the Philadelphia Home Rule Charter or The Philadelphia Code, the provisions of the Philadelphia Home Rule Charter or The Philadelphia Code shall govern.

1.3.1. The City Planning Commission is responsible for guiding the orderly growth and development of the City of Philadelphia. The City Planning Commission's charter-mandated powers include the preparation of:

- 1.3.1.1 A Comprehensive Plan, also referred to as the Physical Development Plan of the City, and its modifications;
- 1.3.1.2 The Capital Program and Budget;
- 1.3.1.3 Proposed zoning ordinances and amendments;
- 1.3.1.4 Regulations concerning the subdivision of land; and
- 1.3.1.5 Recommendations on legislation affecting zoning, the Comprehensive Plan, the Capital Program, plans of streets, land subdivision, or the purchase or sale of real estate.

1.3.2. The Philadelphia Code assigns certain duties and responsibilities to the City Planning Commission, including, but not limited to, the following:

- 1.3.2.1 Reviewing and issuing prerequisite approvals or recommendations on certain zoning and building permit applications, pursuant to Title 14;
- 1.3.2.2 Approving minor amendments to master plans, pursuant to Title 14;
- 1.3.2.3 Approving land subdivision plans pursuant to Title 14;
- 1.3.2.4 Making recommendations to the Zoning Board of Adjustment on variances and special exceptions, pursuant to Title 14;

- 1.3.2.5 Registering community organizations, maintaining a registry of Registered Community Organizations, and promulgating regulations concerning Registered Community Organizations pursuant to Title 14;
  - 1.3.2.6 Implementing certain neighborhood notice requirements and promulgating regulations concerning neighborhood notice and meetings, pursuant to Title 14;
  - 1.3.2.7 Promulgating regulations concerning Civic Design Review, pursuant to Title 14;
  - 1.3.2.8 Reviewing nominations of new Neighborhood Conservation Overlay (NCO) zoning districts, pursuant to Title 14;
  - 1.3.2.9 Approving equivalent green building or neighborhood development rating systems for the green building or site floor area or height bonus, pursuant to Title 14;
  - 1.3.2.10 Reviewing and commenting on the creation of Historic Districts by the Philadelphia Historical Commission, pursuant to Title 14;
  - 1.3.2.11 Developing the Philadelphia Land Bank Strategic Plan, in coordination with the Philadelphia Land Bank, pursuant to Title 16; and
  - 1.3.2.12 Promulgating regulations for the implementation of § 17-111 of The Philadelphia Code (Energy Efficiency and Environmental Design in Construction of Buildings) requiring every City contract for the design or construction of a large City public works project to meet minimum energy efficiency requirements, including requirements intended to ensure that a finished project will achieve a silver-level LEED rating.
- 1.3.3. In accordance with the Pennsylvania Urban Redevelopment Law, the City Planning Commission is responsible for:
- 1.3.3.1 Designating Redevelopment Areas
  - 1.3.3.2 Preparing Redevelopment Area Plans,
  - 1.3.3.3 Issuing recommendations on Redevelopment Proposals and agreements that authorize the acquisition, condemnation, or transfer of property prepared by the Philadelphia Redevelopment Authority; and
  - 1.3.3.4 Reviewing and certifying property as blighted for acquisition by the Philadelphia Redevelopment Authority
- 1.3.4. In addition to the administrative and regulatory duties specified in subsections 1.3.1 through 1.3.3, above, the City Planning Commission fulfills an advocacy and support function to the City and the public on issues such as economic development, transportation, neighborhood planning, housing, and urban design.

## 2. DEFINITIONS<sup>3</sup>

- 2.1 *Capital Program.* The Capital Program of the City of Philadelphia, as established by the Philadelphia Home Rule Charter.
- 2.2 *Commission.* The City Planning Commission, as established in § 3-100 and § 3-908 of the Philadelphia Home Rule Charter.
- 2.3 *CDR Committee.* The Civic Design Review Committee, as established in Title 14.
- 2.4 *Comprehensive Plan.* The Physical Development Plan of the City, as defined in § 4-600 of The Philadelphia Home Rule Charter.
- 2.5 *Executive Director.* The Executive Director of the Commission, or the Executive Director's staff designee.
- 2.6 *Inspector General.* The Inspector General of the City of Philadelphia.
- 2.7 *LEED.* The Leadership in Energy and Environmental Design rating system, established by the U.S. Green Building Council to encourage adoption of high performance building and development practice.
- 2.8 *Life-Cycle Cost.* The total cost of a building or building project measured over the useful life or period of ownership of the building, including as appropriate such costs as: planning and design; financing, acquisition; construction; operation and maintenance; renewal and rehabilitation; and replacement and disposition.
- 2.9 *Pennsylvania Urban Redevelopment Law.* Pennsylvania Act of May 24, 1945, P.L. 991, No. 385, as amended.
- 2.10 *Redevelopment Area.* An area, certified by the City Planning Commission, in accordance with the Pennsylvania Urban Redevelopment Law.
- 2.11 *Redevelopment Area Plan.* A plan prepared for a Redevelopment Area by the City Planning Commission in accordance with the Pennsylvania Urban Redevelopment Law.
- 2.12 *Redevelopment Proposal.* A proposal for the redevelopment of all or part of a Redevelopment Area, submitted by the Philadelphia Redevelopment Authority, in accordance with the Pennsylvania Urban Redevelopment Law. Redevelopment Proposals include urban renewal plans and urban renewal area plans.
- 2.13 *RCO or Registered Community Organization.* A Registered Community Organization, as established in Title 14.
- 2.14 *Pennsylvania Sunshine Act.* Pennsylvania Act of October 15, 1998, P.L. 729, No. 93, as amended.
- 2.15 *Zoning Board.* The Philadelphia Zoning Board of Adjustment.
- 2.16 *Zoning Code.* Title 14 of The Philadelphia Code.
- 2.17 *Zoning Map.* The Official Zoning Map of the City of Philadelphia as established in Title 14 of The Philadelphia Code.

### 3. THE COMMISSION

#### 3.1. Composition and Qualifications<sup>4</sup>

The Commission consists of eleven members. The composition and qualifications of the Commission are set forth in § 3-908 of The Philadelphia Home Rule Charter.

#### 3.2. Officers<sup>5</sup>

The members of the Commission shall select from among themselves a chair, a vice-chair, and such other officers as the Commission may determine.

#### 3.3. Committees

3.3.1. The Commission may, by a majority of those present and voting, create such standing and ad hoc committees as it deems necessary for the conduct of the Commission's work.

3.3.2. Pursuant to The Zoning Code, the Mayor may establish a Civic Design Review Committee and the Commission shall act as the Civic Design Review Committee until such establishment.

#### 3.4. Conflict of Interest<sup>6</sup>

3.4.1. Members of the Commission and its Committees are subject to the City's ethics laws found at Chapter 20-600 of The Philadelphia Code and Article X of the Philadelphia Home Rule Charter, which include several restrictions on topics such as gifts, conflicts of interest, political activity, representations before the Commission or its Committees, and financial disclosure. These ethics laws are administered by the City Board of Ethics.

3.4.2. Any person or entity submitting physical development projects to the Commission for approval (hereinafter called "Developer") must, prior to any action by the members of the Commission, submit a disclosure statement or provide other documentation that includes:

3.4.2.1 The address of the project;

3.4.2.2 The name, address, telephone number, and email of the Developer;

3.4.2.3 The name, address, and affiliation of each authorized Developer representative.

### 4. CONDUCT OF MEETINGS

#### 4.1. Meetings<sup>7</sup>

4.1.1. The Commission shall meet monthly or as required. Special meetings may be held, as needed, upon the call of the Chair or Vice-Chair.

4.1.2. The Commission shall post notice of and conduct all meetings in accordance with the Pennsylvania Sunshine Act.



- 4.1.3. In addition to the requirements of the Pennsylvania Sunshine Act, the day, hour, and place of the regularly scheduled meetings of the Commission shall be posted on the Commission's website.

**4.2. Quorum<sup>8</sup>**

A quorum of the Commission shall consist of six members. A majority of the members voting in the presence of a quorum is required for Commission action. An abstention for any reason shall not affect the presence of a quorum.

**4.3. Conduct of Business**

- 4.3.1. The Chair shall recognize Commission members who wish to comment on an agenda item during or upon conclusion of the presentation of the agenda item at the discretion of the Chair.
- 4.3.2. After the Commission members have had an opportunity to comment, the Chair shall recognize the presenter and then other members of the public who wish to speak to the matter under consideration. The Chair may impose reasonable time limits on public comment to avoid repetitive discussion.
- 4.3.3. Any presenter of an item before the Commission shall submit presentation materials and any supplementary documentation, reports, and studies to the Commission at least seven calendar days in advance of the Commission meeting.

**4.4. Agendas and Minutes<sup>9</sup>**

- 4.4.1. The Commission shall post agendas on the Commission's website at least three business days in advance of each meeting.
- 4.4.2. The Chair may add items to the meeting agenda at the Chair's discretion.
- 4.4.3. The Commission shall post written minutes of meetings on the Commission's website.

**5. THE COMPREHENSIVE PLAN AND OTHER PLANS**

**5.1. Adoption of the Comprehensive Plan**

Per the Philadelphia Home Rule Charter, the Commission shall prepare, adopt, and amend the Comprehensive Plan. The Commission shall review and adopt the Comprehensive Plan and its amendments following the procedures set forth in the Zoning Code.

**5.2. Recognition of Other Plans<sup>10</sup>**

- 5.2.1. A plan prepared by an organization other than the Commission or a public or quasi-public agency may be submitted to the Commission for recognition if it meets the following criteria:
  - 5.2.1.1 The preparation of the plan must have been guided by a broad-based advisory committee. The committee membership must include a staff member of the Commission.

- 5.2.1.2 The plan sponsor must have held at least two open, public meetings during the planning process.
- 5.2.1.3 The plan sponsor must have met with individuals and groups who will be affected by the plan's recommendations, which may include but is not limited to property owners, institutions, businesses, neighborhood service and charitable organizations, and public agencies that operate and have an interest in the area for which the plan is being developed.
- 5.2.1.4 Consultants retained for preparation of the plan through the use of public funds must be selected through an open and fair competitive procedure.
- 5.2.2. The Commission may consider the plan at a public meeting. The Commission may recognize the plan if it determines that the plan is consistent with the general goals and objectives of the adopted Comprehensive Plan. If the plan is recognized, the Commission shall issue a recognition letter to the sponsor of the plan.
- 5.2.3. Plan recognition is not an amendment to the Comprehensive Plan and is not an approval by the Commission of any element of the plan. However, at the discretion of the Commission, a recognized plan may be considered in the development of the Comprehensive Plan and other Commission policy.

## 6. **RECOMMENDATIONS ON LEGISLATION<sup>11</sup>**

### 6.1. **Authority and Delegations to the Executive Director**

- 6.1.1. The Executive Director is hereby authorized to provide, on behalf of the Commission, recommendations to City Council regarding legislation affecting zoning, the Comprehensive Plan, the Capital Program, land subdivision, plans of streets, or the purchase or sale of real estate, to fulfill the Commission's duties pursuant to § 2-307 and § 4-604 of the Philadelphia Home Rule Charter, as follows:
  - 6.1.1.1 Bills authorizing encroachments into the right-of-way that affect the Comprehensive Plan, as provided in Subsection 6.2, below;
  - 6.1.1.2 Bills, described in subsections .1 through .5 below, with respect to which the Commission, has provided an approval or made a recommendation which encompasses the substance of the bill, as determined by the Executive Director;
    - .1 Bills affecting plans of streets and other utility rights-of-way ;
    - .2 Bills to authorize an activity contemplated in a finally approved plat;
    - .3 Bills extending the time for conditions to be met to make a bill effective;
    - .4 Bills authorizing the sale or purchase of real property that is the result of, or is necessary to carry out, other activities; and

- .5 Zoning bills, including map change bills, the regulation of uses, approvals pertaining to specialized districts, and zoning rule changes.

- 6.1.1.3 Bills authorizing the sale or purchase of real property that is less than 10,000 square feet in area.

- 6.1.2. The Executive Director is hereby authorized to extend the review period, on behalf of the Commission, with respect to any proposed legislation subject to Commission review under Section § 2-307 of the Philadelphia Home Rule Charter, for up to an additional forty-five days, whenever the Commission's next scheduled meeting after introduction of the proposed legislation into Council is either ten or fewer days after such introduction or thirty or more days after such introduction.

## 6.2. **Encroachment Ordinances that Affect the Comprehensive Plan**

- 6.2.1. Ordinances that approve the imposition of the following types of obstacles or obstructions in the right of way are deemed not to affect the Comprehensive Plan, for the purposes of the requirement of Commission review under § 2-307 of the Philadelphia Home Rule Charter: awnings; marquees; balconies; bay windows; planters; benches; and underground conduits.
- 6.2.2. Ordinances that approve the imposition of the following types of obstacles or obstructions in the right of way are deemed to affect the Comprehensive Plan, for purposes of the requirement of Commission review under § 2-307 of the Philadelphia Home Rule Charter: significant obstacles or obstructions including pedestrian bridges; newsstands; semi-permanent kiosks; sidewalk cafes; ground level building additions; retaining and other walls and fences; statues; and aboveground utility vaults.

## 7. **REVIEW OF SUBDIVISIONS**

### 7.1. **Authority and Delegations to the Executive Director**

- 7.1.1. The Executive Director is hereby authorized to approve, on behalf of the Commission, the following types of subdivision plats in order to fulfill the Commission's duties pursuant to § 4-603 of the Philadelphia Home Rule Charter:
  - 7.1.1.1 A reduction in the number of lots and minor changes in layout for approved Preliminary Plats. The location or width of a street shall not be considered a minor change;
  - 7.1.1.2 Final Plats that contain no changes from approved Preliminary Plats.

### 7.2. **Submission Requirements<sup>12</sup>**

Pursuant to the subdivision standards in the Zoning Code and these regulations, applicants are required to submit to the Commission:

- a. A statement of existing conditions,<sup>13</sup>
- b. A proposed development narrative. The narrative shall describe the potential impacts of the subdivision plat on the elements that are presented in the

statement of existing conditions and the applicant's intent in requesting the subdivision.<sup>14</sup>

- c. Property Data Map,
- d. Preliminary Plat, and
- e. Final Plat to the Commission.

The maps and plats shall satisfy the minimum requirements of this Subsection 7.2.

#### 7.2.2. Property Data Map

7.2.2.1 The Property Data Map shall be drawn at a scale of one inch equal to 100 feet or less.

7.2.2.2 The Property Data Map shall include the following information:

- .1 Name of the applicant;
- .2 Name of the registered owner;
- .3 North point, and scale and date;
- .4 Name of licensed engineer, architect, surveyor, or other qualified person responsible for the map;
- .5 Tract boundaries with bearings and distances;
- .6 Topography, with elevations based on datum approved by the Department of Streets, and showing contours at vertical intervals of two feet;
- .7 Approximate location of water courses, tree masses, rock outcrops, existing buildings and actual location of sewers, inlets, water mains, fire hydrants, railroads, easements and other right-of-ways<sup>15</sup> existing or confirmed streets and their established grades, floodplain information if applicable<sup>16</sup>; and
- .8 Adjacent streets.

#### 7.2.3. Preliminary Plat

7.2.3.1 The Preliminary Plat shall be recorded on the Property Data Map in sketch form.

7.2.3.2 The Preliminary Plat shall include the following information:

- .1 Proposed street layout, street names, lot lines, and lot identification numbers. Lots shall show approximate dimensions and areas; streets shall indicate proposed cartway and right-of-way widths, approximate radii of curvature and approximate grades;

- .2 Sites dedicated or reserved for purposes other than residential; and
- .3 Proposed sewerage systems and drainage, including the method for the control of on-site stormwater runoff, and water supply.
- 7.2.3.3 When required by the Executive Director, the applicant shall submit data on subsoil conditions.

7.2.4. Final Plat

- 7.2.4.1 The Final Plat shall be printed on reproducible material, such as mylar, and drawn at a scale of one inch equal to 100 feet or less.
- 7.2.4.2 The Final Plat shall include the following information:
  - .1 Name of applicant and the owner in whose name the plat is to be recorded;
  - .2 Title;
  - .3 North point, scale and date;
  - .4 Name and seal of licensed professional engineer or surveyor;
  - .5 Primary control points, approved by the Department of Streets, or ties to such control points to which all pertinent engineering data shall be referred;
  - .6 Boundaries, with distances, bearings, and location of monuments. Such dimensions shall be in feet and hundredths of a foot;
  - .7 Street lines, street names, lot names, and lot identification numbers, easements, and other land divisions and their purpose;
  - .8 Radii, lengths of curves, and tangent bearings for all streets;
  - .9 Right-of-way and cartway widths for all streets;
  - .10 When required by the Department of Streets, street profiles, details of culverts, or other necessary data;
  - .11 Building lines or street setback lines;
  - .12 Calculated area of all lots where area approximation is within five percent of the minimum area requirements;
  - .13 Location and boundaries of all non-dedicated ways or easements, and of drainage ways;
  - .14 Location and outline place of all existing structures to remain;
  - .15 Location of all watercourses;

- .16 The location, depth, and size of sewers, stormwater drains, waterlines, location of wells and cesspools or septic tanks;
- .17 Proof of legal or equitable interest in the property in question, such as a fully-signed deed, agreement of sale, lease, or similar instrument;
- .18 Statement dedicating streets, rights-of-way or other areas for public use as may be required by the City; and
- .19 Such other certificates, affidavits, or endorsements as the Executive Director may require for the enforcement of this Chapter.

## 8. REVIEW OF MASTER PLANS

### 8.1. Authority and Delegations to the Executive Director

The Executive Director is hereby authorized to approve, on behalf of the Commission, minor amendments to master plans in order to fulfill the Commission's duties pursuant to the Zoning Code.

### 8.2. Submission Requirements<sup>17</sup>

All master plans required by the Zoning Code to establish a new Master Plan District shall include the following:

- 8.2.1. A Statement of Existing Conditions that describes the existing context of the proposed Master Plan District and its surrounding areas. The Statement of Existing Conditions may include, but is not limited to:
  - 8.2.1.1 Local, state, or national historic designations;
  - 8.2.1.2 A description of surrounding land use and density patterns;
  - 8.2.1.3 A description of the natural environment, including topographic conditions and any floodplains, wetlands, or other sensitive habitats present in the area;
  - 8.2.1.4 A description of existing parking and traffic conditions.
- 8.2.2. Statement of Impacts of Proposed New Conditions that describes the potential impacts of the Master Plan District on the elements presented in the Statement of Existing Conditions. The Statement of Impacts of Proposed New Conditions should indicate any proposed mitigation measures.
- 8.2.3. Site Plan with the following information recorded on the Site Plan:
  - 8.2.3.1 Extent, boundaries, and area of the proposed district;
  - 8.2.3.2 If there are multiple land owners within the proposed district area, the existing ownership of land;
  - 8.2.3.3 Proposed changes to the existing confirmed street layout within or surrounding the boundaries of the district;
  - 8.2.3.4 Total proposed maximum gross floor area;

- 8.2.3.5 Total area and type of open space;
- 8.2.3.6 Setback lines from watercourses;
- 8.2.3.7 Occupied area, gross floor area, and height of each structure, existing and proposed, within the district;
- 8.2.3.8 Use of each structure, existing and proposed, within the district;
- 8.2.3.9 Size and location of all parking areas;
- 8.2.3.10 Size and location of all driveways leading thereto;
- 8.2.3.11 Size and location of all other private driveways or streets intended to be used by automobiles;
- 8.2.3.12 Size and location of all off-street loading; and
- 8.2.3.13 Size and location of any signage.
- 8.2.4. A completed copy of the City Planning Commission's Complete Streets Handbook Checklist.
- 8.2.5. Except in the SP-ENT district, a written request from a City Councilmember or a copy of the introduced legislation necessary to create the Master Plan District.
- 8.2.6. The Executive Director may request additional materials as deemed necessary to guarantee that the proposed Master Plan is substantially consistent with the stated purposes of the district.
- 8.2.7. For Special Purpose Institutional (SP-INS) districts, the Site Plan required by Subsection 8.2.3, above, shall additionally indicate the area(s) to be designated commercial and a specified list of uses within each commercial area.
- 8.2.8. For Special Purpose Sports Stadium (SP-STA) Districts, the Master Plan submission shall additionally include a parking and circulation plan showing the size, capacity, and use of all buildings and structures proposed and existing on the lot.
- 8.2.9. For Special Purpose Entertainment (SP-ENT) districts, the Master Plan submission shall additionally include the following:
  - 8.2.9.1 A landscape plan.
  - 8.2.9.2 A transportation management plan that details:
    - .1 Internal circulation systems;
    - .2 External access points;
    - .3 Pedestrian flows, including to and from parking facilities;
    - .4 Estimates of levels of service on sidewalks and internal roads; and
    - .5 A traffic and parking study prepared by a licensed traffic engineer, assessing the impacts of new traffic generated by the proposal on roadway and intersection capacity, public transit and other bus operations, and pedestrian and bicycle circulation and safety.

8.2.9.3 A parking management plan describing the proposed policy on and resources for parking for patrons, employees, and managers, and anticipated traffic and parking management resources.

8.2.9.4 Any recommendations on intersection improvements, new roadway construction, or widening of existing roadways, if required, and any traffic buffers to protect residential areas, including the manner of funding such improvements by the developer.

**8.3. Submission Requirements for Amendments to Master Plans<sup>18</sup>**

8.3.1. For minor amendments, as defined by the Zoning Code, the proposed changes shall be indicated on a copy of the adopted site plan for the master plan district. Upon Commission approval of the minor amendment, the site plan with the approved changes shall become the adopted site plan for the Master Plan District.

8.3.2. For major amendments, as defined by the Zoning Code, the amendment shall be accompanied by a revised site plan and, except in the SP-ENT district, a written request from a City Councilmember or a copy of the introduced legislation necessary to amend the Master Plan District. Except for Master Plan Districts established as of August 21, 2012, the major amendment shall also be accompanied by a revised Statement of Impacts of Proposed New Conditions.

8.3.3. The Executive Director may request additional materials as deemed necessary to guarantee that the proposed amendment to the Master Plan is substantially consistent with the stated purposes of the district.

**8.4. Criteria for Civic Design Review of Major Amendments to Master Plans<sup>19</sup>**

Major amendments to master plans, as defined by the Zoning Code, shall be subject to Civic Design Review pursuant to the Zoning Code, provided the amendment meets the criteria of both subsections 8.4.1 and 8.4.2 below.

8.4.1. One or more of the following applies to the major amendment:

8.4.1.1 The amendment increases the gross floor area by more than 50,000 sq. ft.

8.4.1.2 The amendment changes the proposed building footprints by more than 50,000 sq. ft.

8.4.1.3 The amendment includes a rezoning of more than 50,000 sq. ft. of land into the master plan.

8.4.2. The Executive Director and the Chair of the CDR Committee agree that the amendment significantly impacts the public realm within the Master Plan District or the surrounding area and that civic design review would be in the best interests of the City. Significant impacts to the public realm may include modifications to the connectivity, functionality, character, or utilization of sidewalks, public spaces, streets, and public and community facilities.



## 9. REVIEW OF ZONING AND BUILDING PERMIT APPLICATIONS

### 9.1. Authority and Delegations to the Executive Director

- 9.1.1. The Executive Director is hereby authorized to provide, on behalf of the Commission, prerequisite approvals and recommendations on zoning permits and building permits in order to fulfill the Commission's duties pursuant to the Zoning Code.
- 9.1.2. The Executive Director is hereby authorized, on behalf of the Commission, to review and make recommendations on all cases heard before the Zoning Board of Adjustment regarding variances and special exceptions to fulfill the Commission's duties pursuant to the Zoning Code.

### 9.2. Submission Requirements<sup>20</sup>

Site plans for the activities provided in Subsection 9.1.1 of these Regulations, shall satisfy the requirements of this Subsection 9.2.

- 9.2.1. At a minimum, site plans shall include the following:

- 9.2.1.1 Title block, including the name of the registered property owner and property address;
- 9.2.1.2 North point, scale and date. The Site Plan shall be drawn at a scale of one inch equal to 100 feet or less;
- 9.2.1.3 Legal descriptions of lot, right-of-way, or easement boundaries shall be in Philadelphia District Standard;
- 9.2.1.4 Dedicated and non-dedicated rights-of-way, easements, alleys, and driveways on or bounding the property. Include cartway widths, sidewalk widths, street names, and the location of the nearest fire hydrant;
- 9.2.1.5 Lot identifications and their purposes;
- 9.2.1.6 Building setback lines and distances to other buildings on the lot;
- 9.2.1.7 Building dimensions and number of stories;
- 9.2.1.8 Nearest intersection;
- 9.2.1.9 Location and dimensions of all existing or proposed driveways, curb cuts, and off-street parking lots, with distances from lot lines.

- 9.2.2. The Executive Director may require additional information to be provided on site plans, where necessary for the Commission to make a determination as required by the Zoning Code. This may include, but is not limited to, the following:

- 9.2.2.1 Seal of a registered architect, engineer, or land surveyor in accordance with Pennsylvania Engineer, Land Surveyor, and Geologist Registration Law;
- 9.2.2.2 Radii, lengths of curves, and tangent bearings for all streets;
- 9.2.2.3 Existing and proposed elevation contours;

- 9.2.2.4 Final elevation converted to City Datum;
- 9.2.2.5 Yard drains with top elevation in City Datum;
- 9.2.2.6 Lowest floor elevation in City Datum;
- 9.2.2.7 Topography at minimum two foot intervals;
- 9.2.2.8 Stormwater management plans;
- 9.2.2.9 Geotechnical data;
- 9.2.2.10 Building elevations;
- 9.2.2.11 Written descriptions or samples of building materials.
- 9.2.2.12 Traffic studies to be submitted to the Department of Streets.
- 9.2.2.13 The location of existing trees, fire hydrants, inlets, traffic signs, streetlights, manholes, steps, meters, and other street furniture at the project location and adjacent properties;
- 9.2.2.14 The width and area of adjacent lots; and
- 9.2.2.15 The heights and setbacks of buildings on the same block as the project.

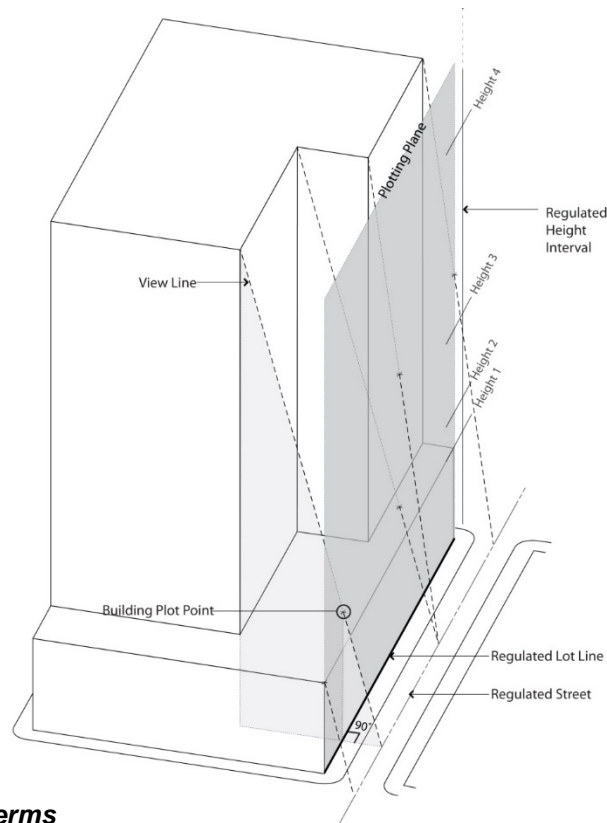
### 9.3. **Additional Submission Requirements for Sky Plane**

Zoning permit applicants who select to demonstrate the CMX-4 and CMX-5 Bulk and Massing Controls of the Zoning Code using the sky plane option rather than the alternative open area, building width, building spacing, and building height standards shall submit the materials provided in this Subsection.

9.3.1. For the purposes of this Subsection 9.3, the following definitions apply (see also Figure 1).

- 9.3.1.1 Regulated street: A street subject to the sky plane standards of the Zoning Code.
- 9.3.1.2 Regulated lot line: A lot line that is contiguous to a regulated street.
- 9.3.1.3 Regulated height interval: The heights above sidewalk level for which Table 14-701-5 of the Zoning Code restricts the blockage of sky plane.
- 9.3.1.4 Plotting plane: A vertical plane passing through a regulated lot line.
- 9.3.1.5 View line: A line beginning at a top corner of a wall facing a regulated street and ending at the point of intersection between the regulated street centerline and a vertical plane perpendicular to the regulated lot line which passes through the beginning corner. There will be multiple view lines (one per top corner).

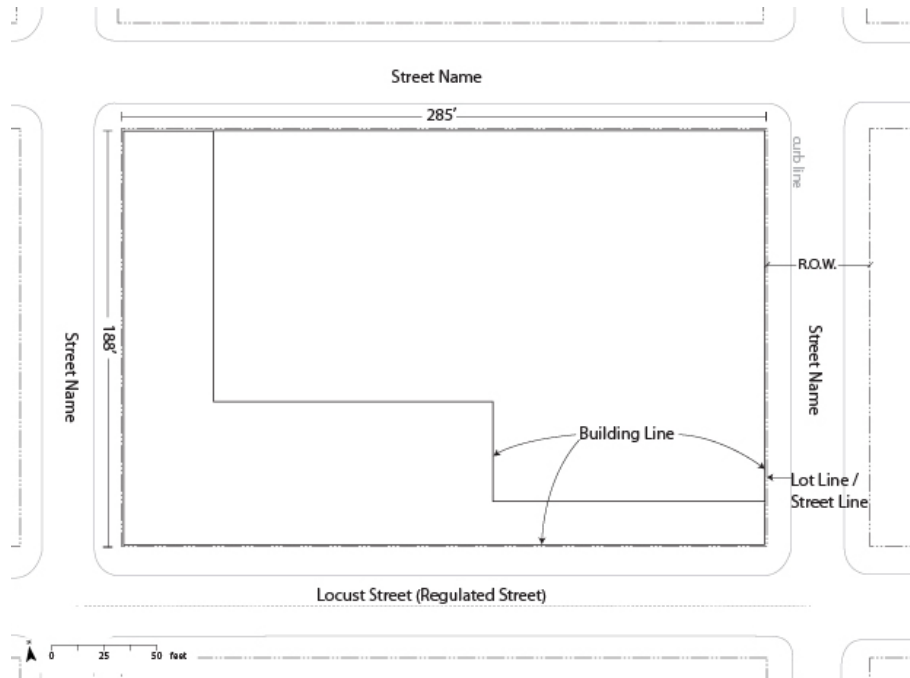
- 9.3.1.6 Building plot point: The point of intersection between a view line and the plotting plane. There will be multiple building plot points (one per view line).



**Figure 1: Terms**

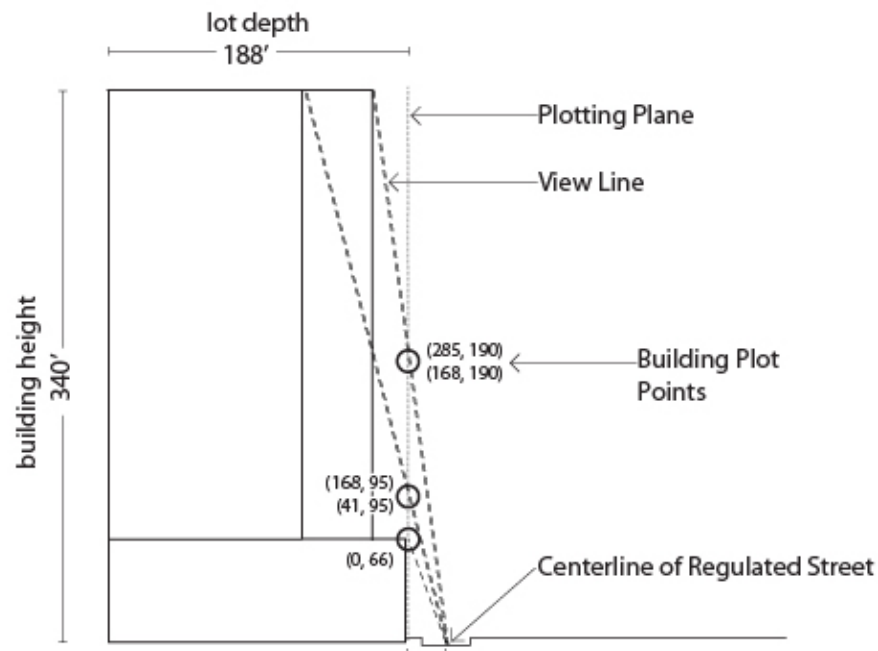
- 9.3.2. Applicants shall provide the submission materials listed below in subsections 9.3.2.1 through 9.3.2.4 for each regulated street. All submission materials shall be certified and sealed by a licensed architect. Applicants shall submit one certified copy each to the Department of Licenses & Inspections and the Commission.

- 9.3.2.1 Plan view diagram that includes the following (see also Figure 2):
- .1 North point and scale;
  - .2 Lot lines, street lines, and building lines;
  - .3 Lot dimensions in feet;
  - .4 Street names;
  - .5 Indicate each regulated street.



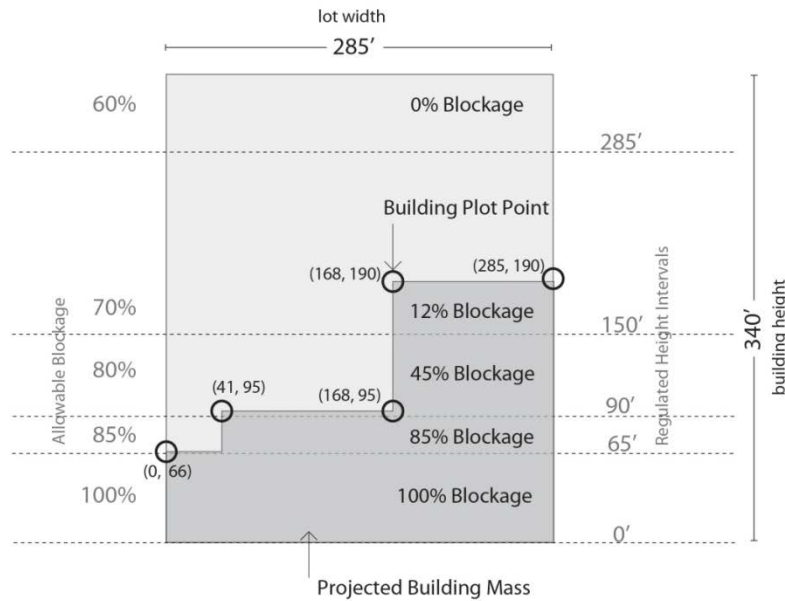
**Figure 2: Sample Plan View Diagram**

- 9.3.2.2 For each regulated street, a profile diagram that includes the following (see also Figure 3):
- .1 Cross-section of the building, lot, and regulated street, with measurements in feet for maximum building height and lot depth;
  - .2 A vertical line extending from the regulated lot line to represent the edge of the plotting plane;
  - .3 A view line for each top corner of a regulated street-facing wall;
  - .4 A building plot point for each view line. Each building plot point shall be labeled with:
    - (.1) The horizontal distance, in feet, between the left endpoint of the regulated lot line (as viewed from the street), and the point of intersection between a vertical line extending down from the building plot point to the regulated lot line; followed by
    - (.2) Its height above the sidewalk, in feet.



**Figure 3: Sample Profile Diagram**

- 9.3.2.3 For each regulated street, a plotting plane diagram that includes the following:
- .1 A scaled plotting chart showing the lot width in feet along the x-axis and the building height in feet along the y axis;
  - .2 Horizontal lines representing the regulated height intervals. Indicate the allowed blockage of sky plane at each interval;
  - .3 Each building plot point charted with:
    - (.1) The horizontal distance, in feet, between the left endpoint of the regulated lot line (as viewed from the street), and the point of intersection between a vertical line extending down from the building plot point to the regulated lot line on the x-axis; and
    - (.2) Its height above the sidewalk, in feet, on the y-axis;
  - .4 Projected building mass: The building mass projected onto the plotting plane is drawn on the plotting plane diagram by connecting the building plot points with horizontal and vertical lines;
  - .5 The proposed building's blockage of sky plane at each height interval, calculated as the area of the projected building mass divided by the plotting chart area times 100.



**Figure 4: Sample Plotting Plane Diagram**

9.3.2.4 As required by the Commission, a computer-generated model of the building in an acceptable file format.

#### 9.4. Additional Submission Requirements and Review Criteria for Landscape and Tree Preservation Plans<sup>21</sup>

#### 9.4.1. Landscape and Tree Preservation Plan Submission Requirements

Any additional information the Executive Director deems necessary to determine compliance with these regulations and the Zoning Code.

On-site landscape, trees, shrubs, and plants required by the Zoning Code shall be indicated on a Landscape and Tree Preservation Plan (Landscape Plan), which shall include all of the following:

- 9.4.1.1 North point, scale and date. The Landscape Plan shall be drawn at a scale of one inch equal to 100 feet or less;
- 9.4.1.2 The name and seal of a Registered Landscape Architect, Registered Architect, registered professional civil engineer, or a certified arborist, licensed in the Commonwealth of Pennsylvania;
- 9.4.1.3 Sight triangles and heights of any plants located in the sight triangle;
- 9.4.1.4 Table indicating conformance with applicable Zoning Code provisions;;
- 9.4.1.5 Existing vegetation including:
  - .1 Existing trees to be removed and their caliper size;
  - .2 Existing trees to be preserved and their caliper size;

.3 Calculation of tree preservation credits in accordance with the Zoning Code, shown in tabular form.

9.4.1.6 Statement from a certified arborist if any trees to be removed may be exempt from Heritage Tree and Tree Replacement requirements in accordance with the Zoning Code; and

9.4.1.7 Proposed vegetation including:

.1 Required landscape areas, showing required dimensions, including distance between trees and shrubs;

.2 Proposed trees, shrubs, grasses, perennials, and groundcover, shown in plan with species labeled;

.3 Proposed trees, shrubs, grasses, perennials, and groundcover, shown in tabular form indicating species, count, and size;

.4 Proposed decorative fences and walls, including details, shown in plan;

.5 Proposed location and total square footage of open-air parking areas including drive aisle widths, parking space dimensions.

.6 Area of green roof, if applicable; and

.7 Soil depth detail.

#### 9.4.2. Soil Depth Requirements

9.4.2.1 36" of soil depth shall be provided for all ball and burlap (B&B) plants planted in accordance with landscape requirements of the zoning code.

9.4.2.2 18" of soil depth shall be provided for containerized plants planted in accordance with landscape requirements of the zoning code.

#### 9.4.3. Required Trees and Shrubs List

9.4.3.1 Trees, shrubs, grasses, perennials, and groundcover planted to satisfy the prescribed planting requirements shall be selected from the list of appropriate plantings maintained by the Commission. Plantings intended to satisfy the provisions of §14-705(1)(g) may be selected from either the list of appropriate plantings maintained by the Commission, or such list maintained by the Department of Parks and Recreation.

9.4.3.2 The use of invasive species as identified by the [Pennsylvania Department of Conservation and Natural Resources](#) is prohibited.

#### 9.4.4. Reserved

9.4.5. Landscape Waivers

- 9.4.5.1 An applicant may seek a waiver from of any provision of §14-705(1) (On-Site Landscape and Tree Requirements) and §14-803(5) (Parking Landscape and Screening), provided that, for any Landscape and Tree Preservation Plan reviewed by the Commission, the applicant must:
- .1 Provide a written Waiver Request describing the impracticality of conforming to specific Code requirements; and
  - .2 If applicable, make a payment in-lieu of planting, as calculated in §14-705(1)(c)(.9) (In-lieu Fee) and described in the Regulations of the Department of Parks and Recreation.
- 9.4.5.2 The Commission may approve, deny, or approve-with-conditions each deviation from the zoning code included a Waiver Request. The Commission shall base its decision on factors including, but not limited to:
- .1 Whether the request represents the minimum necessary deviation from the zoning code;
  - .2 Conditions unique to the lot, abutting lot, or abutting public right-of-way;
  - .3 Conditions unique to the use that necessitate a site plan that is deficient in open space or soil depth that would support successful plantings;
  - .4 The applicant's demonstration of an alternative landscape design that achieves similar or better results and adheres to the City's goals for landscaping and increasing tree canopy; and;
  - .5 Other Zoning Code provisions that make conformance with landscape requirements impracticable.

9.5. **Additional Submission Requirements for Building Permit Applications in /NCO Districts<sup>22</sup>**

At a minimum, an application must include:

- 9.5.1. A site plan that shows the structure in relationship to adjacent structures, the street, and curb cuts;
- 9.5.2. Building elevation drawings and all other applicable drawings that illustrate the proposed work. All drawings must show significant dimensions and include notes that describe existing and proposed building materials, finishes, and colors. Other applicable drawings may include, but are not limited to, building wall sections, floor plans, roof plans, and plan and sectional drawings of all roof decks and building setbacks above the second floor;



- 9.5.3. Color photographs of the existing building or site and of buildings on abutting lots on either side;
- 9.5.4. A sheet or board that describes construction materials and includes physical material samples or photographs of the materials along with the names of the manufacturers and products;
- 9.5.5. Plans for the post-demolition use if the application is for demolition; and
- 9.5.6. Any additional information the Executive Director deems necessary in order to determine compliance with these regulations and the Zoning Code.

**9.6. Additional Submission Requirements for Building Permit Applications of Developments Earning the Public Space Zoning Bonus<sup>23</sup>**

At a minimum, an application must include:

- 9.6.1. A site plan of the public space that includes grading, landscaping, public pathways, seating areas, water features, lighting and any other components of the public space, as applicable, under the provisions of the Zoning Code;
- 9.6.2. A detailed description of all public space materials and elements, including plant species and prefabricated components including but not limited to tables, trash receptacles, and light fixtures;
- 9.6.3. The amount of public space as a percentage of lot area and the minimum contiguous area of the public space shown and labeled on the site plan or a separate plan;
- 9.6.4. A plan that demonstrates the compliance of the public space with the City Planning Commission's Complete Streets Handbook and the Americans with Disabilities Act either on the site plan or a larger detail of the site plan;
- 9.6.5. Sectional drawings detailing changes in grade and relationships to existing or proposed vertical elements that demonstrate compliance with provisions of the public space bonus in the Zoning Code, including but not limited to compliance with vertical separation maximums and daylight provisions; and
- 9.6.6. Any additional information the Executive Director deems necessary to determine compliance with these regulations and the Zoning Code.

**9.7. Additional Submission Requirements for Building Permit Applications Requiring a Facade Review or Parking Garage Facade Review<sup>24</sup>**

At a minimum, an application must include:

- 9.7.1. Building elevation drawings showing dimensions and labels for materials, finishes, and colors, provided facade renovations shall distinguish between existing materials and new materials;
- 9.7.2. A sheet or board that describes construction materials and includes physical material samples or photographs of the materials along with the names of the manufacturers and products;
- 9.7.3. Color photographs of the existing building or site and of adjoining buildings; and
- 9.7.4. Any additional information the Executive Director deems necessary to determine compliance with these regulations and the Zoning Code.

**9.8. Additional Review Standards and Submission Requirements for Certain Zoning and Building Permit Applications in the /CDO, Central Delaware Riverfront Overlay District.<sup>25</sup>**

**9.8.1. Authority.**

Pursuant to the Zoning Code, certain developments within the /CDO, Central Delaware Riverfront Overlay District are entitled to review under an optional process. The Commission is authorized by the Zoning Code to:

- 9.8.1.1 Review zoning permit applications and building permit applications for applicable proposed developments; and
- 9.8.1.2 Certify to the Department of Licenses and Inspections that such proposed developments meet the requirements enumerated in the Zoning Code and as directed by these regulations.

**9.8.2. Procedures**

- 9.8.2.1 The Commission shall review the application pursuant to the Zoning Code and these regulations.
- 9.8.2.2 Prior to the certification of the Zoning Permit application of any applicable development by the Commission to the Department of Licenses and Inspections:
  - .1 The applicant and the development's design professional must attend a meeting with the Executive Director to discuss the proposed development.
  - .2 The development must complete the Civic Design Review process as required by the Zoning Code.
- 9.8.2.3 The results of the Commission's review of the application shall be submitted by the Executive Director to the Department of Licenses and Inspections.

**9.8.3. Submission Requirements**

- 9.8.3.1 At a minimum, an application must include:
  - .1 All applicable requirements of this Section 9, which may include, but are not limited to site plans, sky plane, landscape plans, public space, and facade review.
  - .2 Any additional information the Executive Director deems necessary to determine compliance with these regulations and the Zoning Code.

**9.8.4. Development Guidelines**

The review criteria outlined in subsections 9.8.5 and 9.8.6 shall be interpreted by the Commission within the context of the broad goals for the /CDO, Central Delaware Riverfront Overlay District outlined in the Zoning Code and articulated in greater detail as follows:

- 9.8.4.1 Site design, architecture, and circulation patterns should reinforce the Delaware River waterfront as a public amenity through clear visual and physical access to the Delaware River from public streets.
- 9.8.4.2 Open spaces and trails should have clear public access, active programming, and visual access to adjacent neighborhoods and developments.
- 9.8.4.3 Architecture should complement adjacent sites and public circulation to create a cohesive and welcoming public realm, including active and transparent ground floors.
- 9.8.4.4 A safe, walkable environment should be fostered through a mix of uses and a circulation network that prioritizes pedestrians and bicyclists.
- 9.8.4.5 Where applicable, site and building design should incorporate and help to animate the Delaware River Trail.
- 9.8.4.6 For projects adjacent to Columbus Boulevard or Delaware Avenue, site and building design should foster the transition of these high capacity roadways into ones that are safe, welcoming, and attractive to pedestrians and bicyclists.
- 9.8.4.7 Projects should utilize the best sustainable design practices to minimize and mitigate harmful environmental impacts, while also designing for resilience from climate change impacts.
- 9.8.4.8 Developments should be incorporated into and connected to existing neighborhoods and future developments, and, where applicable, should adopt internal street grids that consider and connect to adjacent sites.
- 9.8.4.9 Parking should not have a significant visual presence in the public realm.

9.8.5. Review of Zoning Permits

In addition to any standards enumerated in the Zoning Code, the Commission will consider the following criteria in evaluating whether a development advances the purpose of the /CDO.

- 9.8.5.1 Site Plan and Circulation
  - .1 Developments must preserve public views of the Delaware River by providing public pedestrian and vehicular connections and river viewsheds from public streets. This standard may not be waived under the provisions of subsection 9.8.5.4.

- .2 Publicly accessible walkways, connections, and open spaces must have links to the waterfront trail and adjacent neighborhoods and all such spaces and links must be accessible to persons with physical impairments meeting all public access design and engineering requirements under the Americans with Disabilities Act and any implementing regulations adopted by the City. This standard may not be waived under the provisions of subsection 9.8.5.4.
- .3 Developments must include a diverse mix of uses, building types, and, if applicable, residential unit types.
- .4 Dead-end streets and alleys must be avoided.
- .5 Where feasible, the existing street and sidewalk grid must be continued through the site.
- .6 Development plans for large properties must provide for future street connections to adjacent properties.
- .7 Curb cuts from streets and private driveways must be minimized.
- 9.8.5.2 Sustainable Design Elements
  - .1 Developments must include site characteristics and building features to help reduce energy use and greenhouse gas emissions. This standard may not be waived under the provisions of subsection 9.8.5.4.
  - .2 Shade trees must be included on public rights of way and any private pathways or vehicular driveways intended for public access. This standard may not be waived under the provisions of subsection 9.8.5.4.
  - .3 Developments must incorporate existing on-site natural habitats and landscape elements into the project design.
  - .4 Developments must help manage sea-level rise and foster wildlife habitats through the creation or preservation of undeveloped wetland areas.
  - .5 Projects must manage additional stormwater above minimum Philadelphia Water Department requirements.
  - .6 Projects must include generous tree plantings throughout to mitigate the heat island effect and climate change impacts.
- 9.8.5.3 Parking
  - .1 Contiguous surface parking lots larger than 4,000 square feet are prohibited. Properties may have more than one surface parking lot linked by internal access roads but they must be separated by landscape buffers and/or building footprints. The area of landscape buffers between lots should be equal to or greater than 25% of the combined area of the surface parking lots. This standard may not be waived under the provisions of subsection 9.8.5.4.

- .2 Surface parking lots, except those available for use by the public and providing public access to the waterfront, must be located at the rear of buildings and away from the waterfront trail. This standard may not be waived under the provisions of subsection 9.8.5.4.
- .3 Parking structures must be designed with consideration for future conversion to other, non-auto-oriented uses.
- .4 Where applicable and appropriate, mechanical systems must be incorporated to decrease the footprint of parking structures.
- 9.8.5.4 Except where otherwise stated, the Commission may waive one or more of the standards enumerated in subsections 9.8.5.1, 9.8.5.2, and 9.8.5.3, if it finds that:
  - .1 When the entire development is considered, the development still advances the purpose of the /CDO; or
  - .2 Certain development or site conditions make adherence to such standards infeasible.

#### 9.8.6. Review of Building Permits

In addition to any standards enumerated in the Zoning Code, the Commission will consider the following criteria in evaluating whether all proposed facades and public spaces are in harmony with the intended character of the /CDO:

##### 9.8.6.1 Architectural Design

- .1 Ground floors must include engaging facades, large areas of transparency, or primary entrances oriented toward streets or other public-serving driveways, walkways, or paths for any building that meets one or more of the following criteria, provided this standard may not be waived under the provisions of subsection 9.8.6.4:
  - (.1) The building includes non-residential uses;
  - (.2) The building includes multifamily uses; or
  - (.3) The building abuts Delaware Avenue or Christopher Columbus Boulevard.
- .2 The siting and massing of buildings must maximize daylight for exterior spaces and minimize shading on adjacent sites or public amenities.
- .3 Materials must be complementary to, and of a quality suitable for, a waterfront destination.
- .4 Mechanical systems, including individual unit systems, must be screened and should have a minimal visual impact on the public realm.

##### 9.8.6.2 Sustainable Design Elements

- .1 Environmental factors, including regional climate and solar orientation, must be reflected in the façade design.

- .2 Third-party sustainable design certification such as LEED, Passive House, or other comparable standards, that exceeds building code minimums must be attained.
- 9.8.6.3 Parking
  - .1 Above-ground parking garages must be screened using baffles, screens, or landscaped walls. This standard may not be waived under the provisions of subsection 9.8.6.4.
  - .2 Any adverse visual impacts of vehicular service areas must be minimized.
- 9.8.6.4 Except where otherwise stated, the Commission may waive one or more of the standards enumerated in subsections 9.8.6.1, 9.8.6.2, and 9.8.6.3, if it finds that:
  - .1 When the entire development is considered, all proposed facades and public spaces are in harmony with the intended character of the /CDO; or
  - .2 Certain development or site conditions make adherence to such standards infeasible.

**9.9. Determination of Controlling Zoning District.<sup>26</sup>**

Where the Commission is authorized by the Zoning Code to select a zoning district for a lot with more than one base zoning district designation, it shall base its selection primarily on Zoning Map amendments recommended in the Comprehensive Plan. If the Comprehensive Plan does not recommend amendments to the Zoning Map that would affect the lot, the Commission shall base its selection on the following factors:

- 9.9.1 Other Comprehensive Plan recommendations;
- 9.9.2 Adjacent land uses;
- 9.9.3 Where the Commission is granted review and prerequisite approval authority to determine one or more primary frontages, the relative share of linear primary frontage abutting each zoning district;
- 9.9.4 The relative share of all linear street frontage abutting each zoning district; and
- 9.9.5 The relative share of the area of the lot covered by each zoning district.

**9.10 Additional Submission Requirements for Zoning Permit Applications Requiring an Earth Moving Plan<sup>27</sup>**

Earth moving plans required pursuant to the Zoning Code shall satisfy the requirements of this Subsection 9.10.

- 9.10.1 Earth moving plans shall bear the name and seal of a Professional Engineer licensed in the Commonwealth of Pennsylvania.
- 9.10.2 Each earth moving plan shall include an existing condition plan and a proposed activity plan.
- 9.10.3 Existing Conditions Plan

At a minimum, the existing conditions plan shall include the following, in addition to the site plan submission requirements in Subsection 9.2:

9.10.3.1 The site address and a locator map indicating the site's location within the watershed, Steep Slope Protection Area, or other area requiring the earth moving plan pursuant the Zoning Code;

9.10.3.2 Location and size of all existing site features within 25 ft. of the limit of disturbance, including features on adjacent properties. Site features shall include:

.1 Buildings and structures.

.2 Pervious and impervious ground cover.

.3 Walls, railings, fences, or other means of closure of the property's boundary; and

.4 Landscaping, gardens, lawns, and other planted areas.

9.10.3.3 Existing active and abandoned water, sewer, and stormwater pipes within 25 ft. of the limit of disturbance, including aboveground and belowground stormwater management systems;

9.10.3.4 Streams, stream banks, swales, and other watercourses or water bodies within 200 feet of the property line;

9.10.3.5 Topography on the site and within the full width of any abutting public streets, private rights-of-way, and easements, shown at a minimum vertical contour interval of one foot;

9.10.3.6 On-site waste drain systems, including but not limited to septic tanks, leach fields, and associated drain, waste, and vent plumbing;

9.10.3.7 Topographic features that affect the site's drainage, including natural depressions, retaining walls, natural berms, and flood plains;

9.10.3.8 Vegetation, including location and species. Trees that measure greater than six inches diameter at breast height shall be identified;

9.10.3.9 The extent of any proposed demolition, including but not limited to all structures and pavement to be removed and all utilities to be capped or plugged;

9.10.3.10 For slopes regulated by the Steep Slopes Protection Area requirements, two categories of sloped areas shall be shown, each with a unique shade or hatch pattern:

.1 Areas in which the slope is greater than 15% but less than 25%; and

.2 Areas in which the slope is greater than 25%. If there are no slopes greater than 15% on the site, then the plan shall include a note stating such; and

9.10.3.11 Any additional information the Executive Director deems necessary in order to determine compliance with these regulations and the Zoning Code.

9.10.4 Proposed Activity Plan

At a minimum, the proposed activity plan shall include the following, in addition to the site plan submission requirements in Subsection 9.2:

9.10.4.1 The limit of disturbance, which shall surround all proposed site features, proposed erosion and sedimentation controls, and other areas that may be disturbed. The limit of disturbance shall include areas that will be disturbed both in the finished condition and areas that will be disturbed over the course of construction, for activities such as vehicle access, construction staging, re-grading, demolition, trenching, and disturbance within a public right-of-way. The physical extent of the limit of disturbance within the project site must be quantified and clearly displayed;

9.10.4.2 Standard construction details in accordance with the current Pennsylvania Department of Environmental Protection's Erosion and Sediment Pollution Control Program Manual for the following erosion and sedimentation control measures. If any of these measures do not apply to the project, justification must be provided as a note.

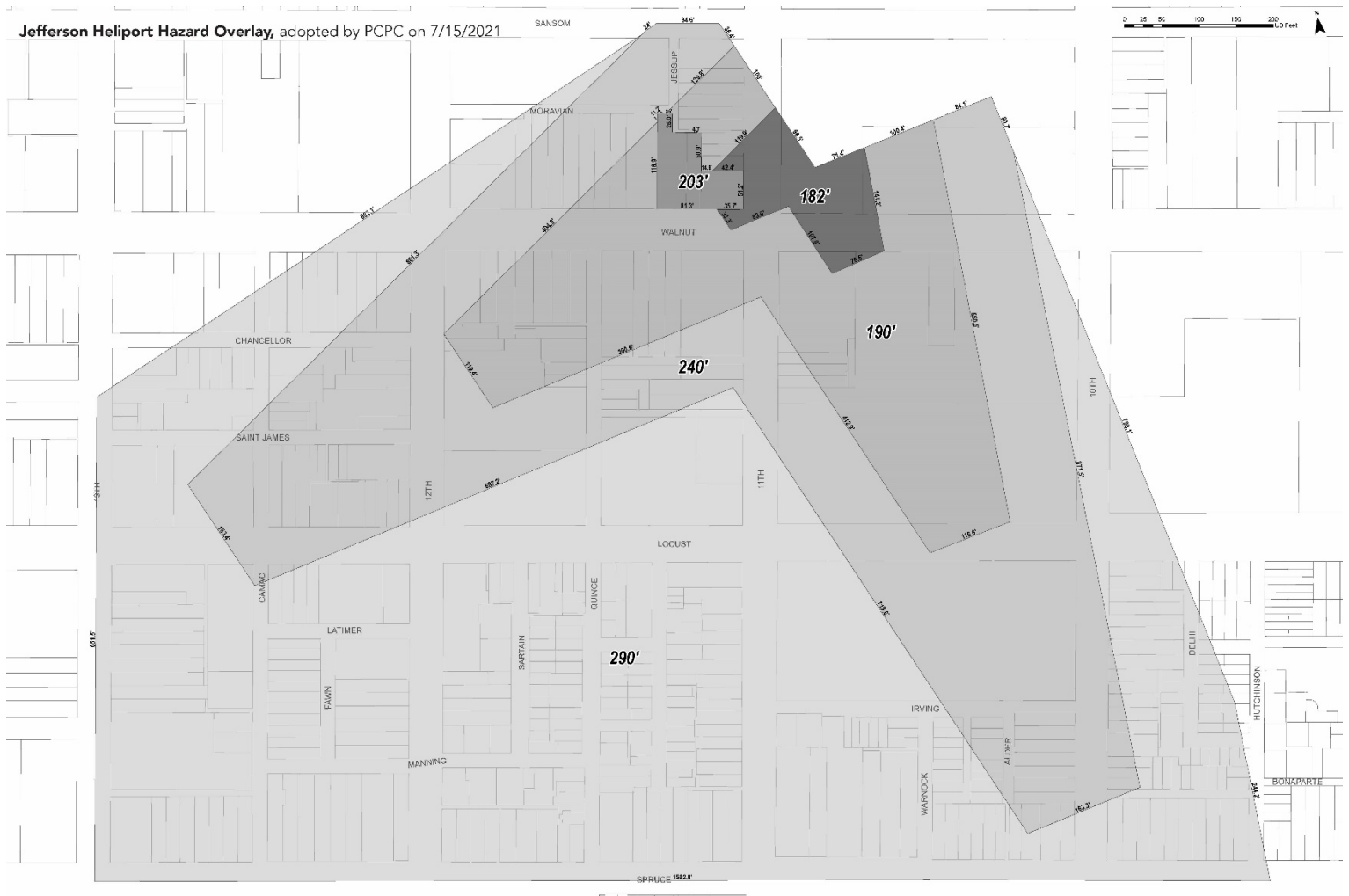
- .1 Inlet protection;
- .2 Silt fences and/or compost filter socks;
- .3 Rock filter outlets;
- .4 Rock construction entrances;
- .5 Concrete washout stations;
- .6 Dust control; and
- .7 Pumped water filter bags;

9.10.4.3 A sequence of construction of the project site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation; and

9.10.4.4 Any additional information the Executive Director deems necessary in order to determine compliance with these regulations and the Zoning Code.



## 9.11 Heliport Area Hazard Map.<sup>28</sup>



## 9.12 Procedures for Waiver Requests in the /MIN Mixed Income Neighborhoods Overlay District.<sup>29</sup>

Pursuant to Section 14-533(3)(b) of the Zoning Code, the Department of Planning and Development shall approve or reject an Applicant's Waiver Request following the requirements and criteria stated herein.

### 9.12.1 Submission Requirements for an Applicant's Waiver Request

The applicant must notify the Department which of the two waiver options, listed in the Zoning Code Chapter 14-533(3) (b)(.1), they are applying for.

- 9.12.1.1 The If seeking any waiver pursuant to 14-533(3) (b)(.1), at the time of application for a zoning permit, the applicant must submit to the Department of Planning and Development a waiver request that includes the following information:
- 9.12.1.1 The declaration of the Residential Housing Project, including a plan showing all parcels and their legal addresses, the number of planned and approved dwelling units, the number of planned and approved affordable dwelling units, and the dates of any previous approvals.
- 9.12.1.2 An affidavit that includes a narrative describing:
- .1 The exceptional circumstances of this proposed project and the particular substantial public benefit that would be derived from the proposed off-site development; and
  - .2 The reasons that the development cannot provide the remaining affordable dwelling units on-site.
- 9.12.1.2 In addition, if seeking a waiver pursuant to 14-533(3) (b)(.1)(.a), the applicant must submit to the Department of Planning and Development the Certificates of Occupancy of any approved dwelling units within one-half mile of the remaining units included in the Residential Housing Project.
- 9.12.1.3 In addition, if seeking a waiver pursuant to 14-533(3) (b)(.1)(.b), the applicant must submit to the Department the following information:
- .1 The declaration of the Residential Housing Project, including a plan showing all parcels and their legal addresses, the number of planned and approved dwelling units, the number of planned and approved affordable dwelling units, and the dates of any previous approvals.
  - .2 A Market Study documenting the supply of and demand for housing that is affordable to households earning up to 40 percent of Area Median Income within one-half-mile of the Residential Housing Project

9.12.2 Additional Criteria for Granting a Waiver

- 9.12.2.1 A waiver pursuant to 14-533(3) (b)(.1)(.a) shall only be granted if all off-site affordable units claimed to satisfy the requirements of that section have been granted a certificate of occupancy prior to the submission of the waiver request.
- 9.12.2.2 A waiver pursuant to 14-533(3) (b)(.1)(.a) shall only be granted if the neighborhood affordability submitted pursuant to 9.12.1.3, above, demonstrates that, within one-half-mile of the Residential Housing Project, there is an adequate supply of supply of housing that is affordable to households earning up to 40 percent of Area Median Income, relative to the demand for such housing.
- 9.12.2.3 Dwelling units earned as part of any bonus program in the Zoning Code shall not be eligible to be included in the waiver request.
- 9.12.2.4 An applicant may not request a waiver for units which have received a Certificate of Occupancy more than three years in advance of their waiver request submission date.
- 9.12.2.5 If a waiver request is granted based upon the affordability of off-site units, the same off-site affordable units cannot be relied upon in later waiver requests by the same or different applicants.

10. **CIVIC DESIGN REVIEW**

10.1. **Authority**

The Civic Design Review Committee is authorized by the Zoning Code to review zoning permit applications for any development that meets the criteria established therein.

10.2. **Civic Design Review Committee<sup>30</sup>**

Except where the Commission is acting as the CDR Committee, pursuant to the Zoning Code:

- 10.2.1. The CDR Committee consists of seven members, as set forth by the Zoning Code;
- 10.2.2. A quorum of the CDR Committee shall consist of four members. A majority of those voting in the presence of a quorum is required to issue a CDR Committee recommendation;
- 10.2.3. The CDR Committee shall meet monthly, or as required. The CDR Committee shall post notice of and conduct all meetings in accordance with the Pennsylvania Sunshine Act. The CDR Committee shall post web notice of the day, hour, and place of the regularly scheduled meetings and meeting agendas of the CDR Committee.

- 10.2.4. The CDR Committee shall be guided by the Zoning Code and Section 10.6 of these Regulations when reviewing developments required to undergo civic design review as provided in The Zoning Code.

**10.3. Recommended Qualifications for CDR Committee Members<sup>31</sup>**

The Executive Director may recommend candidates to the Mayor for appointment to the CDR Committee as follows:

- 10.3.1. Each member recommended to serve in the seat designated for an architect or landscape architect should be a certified professional registered in the Commonwealth of Pennsylvania;
- 10.3.2. Each member recommended to serve in the seat designated for an urban design professional, sustainability professional, and a developer or builder should be recognized by peers to possess extensive knowledge of their practice area;
- 10.3.3. The member recommended to serve in the civic association review seat should have: (1) experience in architecture, planning, urban design, or development; and (2) experience reviewing development plans on behalf of a community organization. Persons satisfying this criterion may include, but are not limited to, persons who serve or have served on a zoning, land use, or similar committee of a community organization.
- 10.3.4. The RCO(s) whose registered boundaries include the Civic Design Review project will select a representative to serve on the CDR Committee.
- 10.3.4.1 At least one week before the date of the scheduled Civic Design Review meeting for the project, the RCO(s) shall nominate a representative to the Executive Director.
- 10.3.4.2 If there is more than one RCO whose boundaries include the project site, the RCOs may select up to two representatives.
- 10.3.4.3 If the Executive Director receives more nominations than there are available RCO representative seats, the Executive Director shall ask submitting nominees to decide amongst themselves whom the two representatives will be. If a decision is not made at a point three days from the date of the scheduled CDR meeting, then the Executive Director shall select the representative(s) from among the nominees.

**10.4. Procedure<sup>32</sup>**

- 10.4.1. The Executive Director shall review the application and determine its completeness pursuant to the submission requirements delineated in subsection 10.5. The Executive Director shall forward the completed application to the CDR Committee.
- 10.4.2. Applications deemed complete in accordance with subsection 10.4.1. shall be scheduled for consideration by the CDR Committee at the discretion of the Executive Director.

10.4.3. The CDR Committee shall keep a summary of its recommendations made at each meeting and shall forward its recommendations to the Executive Director. Should an application be subject to a second CDR Committee meeting, the Executive Director shall provide a recommendation summary to the applicant prior to the second CDR Committee meeting on the application.

10.4.4. The Executive Director shall forward the recommendations of the CDR Committee to the Department of Licenses and Inspections and shall post the recommendations on the Commission's website, as required by the Zoning Code.

**10.5. Submission Requirements<sup>33</sup>**

10.5.1. Applicants must submit one paper copy of the site survey required in 10.5.1.1 and one paper copy of the site plan required in subsection 10.5.1.4. in a 24"x36" minimum format. Applicants must also submit a digital Portable Document Format (.PDF) file and 5 bound color copies of the following in 11" x 17" format, except items in subsections 10.5.1.5 through 10.5.1.13 shall not apply to applicants of new master plan districts or major amendments to master plans, unless otherwise requested by the Executive Director:

- 10.5.1.1 A site survey indicating the current conditions of the proposed site conducted by a licensed surveyor or engineer. A plan illustrating the current conditions of the proposed site. Refer to Section 8.2.3 of these regulations for the information to be included on the site plan;
- 10.5.1.2 A completed copy of the City Planning Commission's Complete Streets Handbook Checklist;
- 10.5.1.3 Photographs of the proposed site and immediate area and aerial photographs in plan and oblique views;
- 10.5.1.4 Site plan, drawn to a scale where all elements of the streetscape are discernible and the relationship of outside spaces to inside spaces can be understood. The site plan must include all existing street elements such as utility poles, traffic signs, handicapped ramps, fire hydrants, street lights, bollards, benches, bicycle racks, and other street furniture;
- 10.5.1.5 Ground floor plan, drawn to a scale where the relationship of outside spaces to inside spaces can be understood. The ground floor plan must show all building entrances and exits and vehicle loading and unloading areas;
- 10.5.1.6 Landscape plan, drawn to a scale where all elements of the streetscape are discernible and the relationship of outside spaces to inside spaces can be understood;
- 10.5.1.7 Elevations drawn to scale of all sides of the proposed building(s) with all exterior materials labeled.
- 10.5.1.8 Site sections (minimum of two) showing the relationships to adjacent buildings and spaces;

- 10.5.1.9 Perspective renderings (minimum of two views including at least one at street-level perspective). Exterior materials must be depicted in the renderings;
  - 10.5.1.10 3D digital or physical massing model that shows the proposed development within the context of surrounding buildings;
  - 10.5.1.11 The Commission's Sustainability Questionnaire. In addition to the Sustainability Questionnaire, applicants applying for LEED certification, or certification by another green building or neighborhood development rating system, may also submit additional materials that detail the credits for which they are applying.
  - 10.5.1.12 A written description of the building materials and their textures and colors. The CDR Committee may request material samples as it deems necessary to evaluate the project;
  - 10.5.1.13 If applicable, the submissions required to demonstrate compliance with the sky plane controls of the Zoning Code, as provided in subsection 9.3 of these Regulations;
  - 10.5.1.14 If an application is returning for a second CDR Committee meeting, a written statement responding to the CDR Committee's recommendation summary as provided by the Executive Director under subsection 10.4.3. The statement must be from the applicant or the applicant's design professional. The statement must explain how the applicant will address, or why the applicant will not address, the specific CDR Committee comments.
- 10.5.2. The Executive Director may request additional materials as deemed necessary to assist the Civic Design Review Committee in its evaluation of the proposal.
- 10.5.3. Unless otherwise notified by the Executive Director, applications meeting the requirements of subsection 10.5.1 shall be submitted for each Civic Design Review meeting no later than 4:00 p.m. on the date two weeks before the scheduled Civic Design Review meeting.

#### 10.6. **Review Guidelines**<sup>34</sup>

The CDR Committee shall consider the impacts on the public realm in accordance with the Zoning Code. The CDR Committee shall apply the guidelines set forth in this Subsection 10.6 to evaluate each project and to make its advisory recommendation. Due to the general nature of master plans, certain guidelines regarding architectural elements shall not apply to master plan reviews as noted below. Reviews of major amendments to master plans shall apply these guidelines to the modifications proposed in the amendment and not the entire master plan district. These CDR Guidelines are intended to supplement the form and design standards in the Zoning Code. Should there be a conflict between the regulations of this Subsection 10.6 and the Zoning Code, the provisions of the Zoning Code shall prevail.

- 10.6.1. General Intent. Civic Design Review is focused on the assessment of the proposed characteristics and quality of the public realm that is an integral part of any large development project. The “public realm” is defined as sidewalks, public spaces, streets, and public and community facilities. In addition, Civic Design Review will address the way in which a large proposed development may have an impact on its neighborhood. The Civic Design Review process does not lend itself to precise quantifiable certainty, requiring members of the CDR Committee to use their professional expertise and judgment in rendering advisory action.
- 10.6.2. Purpose. Projects and master plans that are subject to Civic Design Review, pursuant to the Zoning Code, are encouraged to:
- 10.6.2.1 Enhance the city’s streets and sidewalks, which represent the greatest percentage of its public realm, to function well, and promote vitality and activity;
  - 10.6.2.2 Reinforce desirable urban features found within the surrounding area, such as siting patterns, massing arrangements, and streetscape characteristics; and, if appropriate, provides buffers and screens between the proposed building(s) and the adjacent area;
  - 10.6.2.3 Maximize the utility of open space, which may be either public or private, and visible to the public;
  - 10.6.2.4 Design site characteristics and building features to help reduce energy use and greenhouse gas emissions, manage stormwater runoff, conserve water, and preserve natural habitats;
  - 10.6.2.5 Promote pedestrian interest, safety, and comfort by creating attractive and serviceable walkways and pedestrian routes;
  - 10.6.2.6 Promote the safe and efficient circulation of bicyclists and motorists;
  - 10.6.2.7 Promote the use of public transit;
  - 10.6.2.8 Integrate accessibility for persons with disabilities; and
  - 10.6.2.9 Minimize the adverse visual impact of vehicular service areas, while providing safe and ample access for emergency and delivery vehicles.
- 10.6.3. The site design is encouraged to:
- 10.6.3.1 Where feasible, re-establish or continue the existing street and sidewalk grid;
  - 10.6.3.2 Maintain adequate sidewalk widths in accordance with the Commission’s Pedestrian and Bicycle Plan to ensure pedestrian clear zone widths;
  - 10.6.3.3 Locate surface parking lots behind buildings;
  - 10.6.3.4 Provide vehicular access and access to service areas, such as those from dumpsters, loading docks and mechanical equipment, from smaller service streets or alleys.

Landscaping and walls may be used to screen service areas from view;

10.6.3.5 Include clearly defined pedestrian connections from buildings and parking areas to public streets;

10.6.3.6 Incorporate quality public open spaces and pedestrian networks between buildings.

10.6.4. The building design is encouraged to:

10.6.4.1 Locate buildings at the street line, match the prevailing setback on the block, or set back buildings to accommodate public space;

10.6.4.2 Define building entrances by an easily recognizable architectural element in the façade that leads the pedestrian to an entryway, provided this guideline shall not apply to master plan reviews;

10.6.4.3 Maximize ground floor transparency through generous fenestration, provided this guideline shall not apply to master plan reviews;

10.6.4.4 Incorporate windows, as well as materials and architectural details, into street-facing building facades to articulate the building in order to provide an interesting pedestrian experience, provided this guideline shall not apply to master plan reviews.

10.6.5. The parking design is encouraged to:

10.6.5.1 Break up surface parking lots into smaller “cells,” “pods,” or “modules” by buildings, landscaping, and pedestrian paths;

10.6.5.2 Provide shared parking and shared driveway entrances and exits whenever possible;

10.6.5.3 Construct multi-level parking structures instead of large surface parking lots, where possible;

10.6.5.4 Include ground-floor commercial uses in parking structures, where possible. Above-ground screening devices, such as architectural articulation including baffles, screens, and landscaped walls are encouraged, provided this guideline shall not apply to master plan reviews.

10.6.6. The design of public open space is encouraged to:

10.6.6.1 Be visible from the sidewalk;

10.6.6.2 Include direct access from adjacent streets, allow for multiple points of entry, and, where applicable, integrate public transit stops or stations;

10.6.6.3 Incorporate amenities such as benches, seats, tables, fountains, drinking fountains, and interpretive historical markers., provided this guideline shall not apply to master plan reviews.



10.6.7. The project is encouraged to integrate sustainable design elements that:

- 10.6.7.1 Reuse the existing building stock when possible;
- 10.6.7.2 Incorporate existing on-site natural habitats and landscape elements into the design;
- 10.6.7.3 Incorporate functional storm water control features such as rain gardens, swales, and green roofs to store, slow and/or reduce rainwater runoff from the site;
- 10.6.7.4 Site and mass buildings to maximize daylight for exterior spaces and minimize shading on adjacent sites.

## **11. NOMINATION OF A NEIGHBORHOOD CONSERVATION OVERLAY (/NCO) DISTRICT**

### **11.1. Nomination Criteria**

The Executive Director is hereby authorized, on behalf of the Commission, to accept nominations and to make recommendations for /NCO districts. The Executive Director shall not offer a recommendation in support of the creation of the /NCO district unless the proposed district satisfies all of the following criteria:

- 11.1.1. An /NCO shall consist of an area of at least two blocks by two blocks and no more than 25 blocks, unless otherwise authorized by the Executive Director;
- 11.1.2. No portion of the /NCO shall be contained within a historically-designated district on the Philadelphia Register of Historic Places or a district for which notice of proposed designation has been sent pursuant the Zoning Code;
- 11.1.3. At least 70 percent of the /NCO's area must be of residential use and zoned Residential;
- 11.1.4. No more than 20 percent of the /NCO's area shall consist of vacant lots; and
- 11.1.5. The /NCO must possess a consistent architectural character as a result of a concentration of residential buildings of similar character or a continuity established by an overall plan.

### **11.2. Nomination Process**

- 11.2.1. The process to initiate the creation of a new /NCO district is established by the Zoning Code.
- 11.2.2. The party nominating the /NCO shall submit to the Executive Director, as required by the Zoning Code, a map of the proposed /NCO district boundaries and proposed design guidelines for the /NCO district. The nominating party shall also submit a background survey of the proposed /NCO which shall include an existing conditions study for each block with photographs, maps or diagrams, and written descriptions.
- 11.2.3. The Executive Director shall review the nomination materials to determine that the /NCO satisfies the criteria in Subsection 11.1 of these Regulations and the criteria set forth in the Zoning Code. Upon such determination, the Executive Director shall draft a proposed enabling ordinance that would establish the /NCO.

- 11.2.4. Pursuant to the Zoning Code, the Executive Director shall convene at least one public meeting within the /NCO's proposed boundaries.
- 11.2.5. The Executive Director shall forward the proposed enabling ordinance to City Council to be introduced at its discretion.

## 12. REGISTERED COMMUNITY ORGANIZATIONS (RCOs)

### 12.1. Registry<sup>35</sup>

- 12.1.1. Pursuant to the Zoning Code, the Commission shall maintain a registry of community organizations. This duty shall be delegated to the Executive Director.
- 12.1.2. The Executive Director shall post the registry on the Commission's website, which shall indicate the geographic boundaries of all RCOs and provide contact information for each RCO.

### 12.2. Qualifying Criteria<sup>36</sup>

- 12.2.1. An organization must meet the minimum qualifying criteria established by the Zoning Code to qualify for RCO registration.
- 12.2.2. In addition to those subjects enumerated in the Zoning Code, similar subjects for any required adopted statement of purpose shall include land use, zoning, development, or preservation.
- 12.2.3. Organizations required by the Zoning Code to meet certain membership requirements shall define the organization's membership in its governing rules or bylaws and without discrimination against any protected class protected under the Philadelphia Fair Practice Ordinance.
- 12.2.4. Organizations required by the Zoning Code to meet certain leadership election requirements shall elect leadership in a manner consistent with the process included in the organization's governing rules or by-laws.

### 12.3. Registration<sup>37</sup>

Organizations shall apply for RCO registration with the Commission as specified in the Zoning Code and the provisions of this subsection 12.3.

#### 12.3.1. Application Period.

- 12.3.1.1 The Commission shall accept applications for RCO registrations between June 1st and June 30th of each year. At the discretion of the Executive Director, the registration period may be extended.
- 12.3.1.2 If an RCO's registration status is due to expire during a given year and the RCO does not submit an application that is approved by the Commission, it will be removed from the registry at the close of that application period. An organization that allows its RCO status to lapse may reapply during a subsequent registration period.

- 12.3.1.3 If a completed application form is submitted and a good faith effort is made to submit all required documents during the registration period, the Executive Director, on behalf of the Commission, may accept revised or additional supporting documentation as part of an RCO's application for up to 30 days following the close of that registration period.

12.3.2. Application Requirements.

- 12.3.2.1 Registration submissions must include a completed application form. The application form will be provided by the Commission.

- 12.3.2.2 Registration applications for any organization must include all information required by the Zoning Code. Except as provided in the Zoning Code, any organization must also include the following supplemental information to be considered complete:

- .1 The organization's official name and street address;
- .2 The names, addresses and contact information of the organization's primary contact person and secondary contact person;
- .3 The name of the person designated to participate in the Civic Design Review process;
- .4 The organization's adopted statement of purpose;
- .5 The organization's governing rules or bylaws, including the organization's geographic boundaries and a description of its leadership selection process;
- .6 A description or illustration of the boundaries of the organization's geographic area of concern. Where the boundaries submitted do not follow streets, waterways, rail lines or similar physical features, the Commission will register the boundaries to follow such features. In doing so, an RCO's registered boundaries may be larger than the boundary submitted<sup>38</sup>.
- .7 The organization's preferred means of notification via e-mail or regular mail, and the provision of an electronic or postal mail address at which the organization is to be contacted;
- .8 The location and a schedule of the organization's public meetings for its two-year term of registration. If the organization does not have a location at which it routinely conducts meetings, the organization shall indicate that meetings are not held at a routine location within the boundaries of the organization's geographic area of concern. All meetings must be announced publicly through media such as flyers, newsletters, newspaper notice, electronic or social media by the RCO;

- .9 An example of a notice used by the organization to publicly announce its meetings;
- .10 Any additional application materials deemed necessary by the Executive Director to determine an organization's compliance with these regulations and the Zoning Code, which may include, but is not limited to, verification that the organization has authorized the individual filing the application to register the organization as an RCO and has approved the listed primary contact person, secondary contact person, and person designated to participate in the Civic Design Review process.

12.3.3. Determination of Eligibility and Appeals.

- 12.3.3.1 As specified by the Zoning Code, the Executive Director shall, on behalf of the Commission, make eligibility determinations and notify an organization as to whether its registration request has been granted or denied. If denied, the reason(s) for this action shall be in writing.
- 12.3.3.2 If an organization's registration request has been denied, it may, within 10 days of written notice, request a review for appeal by the Chair of the Commission. The Chair may either affirm the decision of the Executive Director or refer the appeal for review by the full Commission.
- 12.3.3.3 If an appeal is so referred by the Chair, it will be scheduled for consideration at a regularly scheduled meeting of the Commission within 60 days of the original notice to the organization that its application has been denied.

12.3.4. Updates and Corrections. An RCO may submit a written request to the Executive Director to correct or update its registration information at any time, with the exception of changes to registered boundaries. Changes to an RCO's registered boundaries will only be processed during the annual RCO registration period<sup>39</sup>. This request shall be submitted or verified by the primary contact person as listed on the RCO's current registration unless the primary contact is unavailable due to death, medical condition, or other exceptional circumstances. The Executive Director may request additional documentation to verify any modification to an RCO's registration information.

12.3.5. Falsified Information. The Commission may suspend or revoke an organization's RCO registration if it is found that information provided by an RCO during the registration process was deliberately falsified.

12.3.6. Voluntary Suspension of RCO Registration.

- 12.3.6.1 An RCO may submit a written request to the Executive Director to voluntarily suspend its RCO registration due to dissolution of the organization, suspension of operations, inability to fulfill the obligations of the Zoning Code and these regulations, or any other reason specified by the RCO.

- 12.3.6.2 A request for voluntary suspension of RCO registration shall be submitted or verified by the primary contact person as listed on the RCO's current registration.
- 12.3.6.3 The Executive Director may request additional documentation to verify the request to suspend an organization's RCO registration.
- 12.3.6.4 The Executive Director shall, on behalf of the Commission, make such determination to grant or deny the request and shall provide written notice to the organization as to whether its request has been granted or denied.
- 12.3.6.5 If an organization's request for voluntary suspension of RCO registration is granted, such suspension shall remain in effect until the RCO status of the organization was due to expire.
- 12.3.6.6 An organization that has voluntarily suspended its RCO status may reapply for RCO registration subject to the Zoning Code and these regulations during the next registration period.
- 12.3.6.7 If an organization's request for voluntary suspension of RCO registration is denied, the RCO's registration shall remain in effect until the RCO status of the organization was due to expire.

**12.4. Meetings with Registered Community Organizations Required by the Zoning Code<sup>40</sup>**

- 12.4.1. Commission Notice. The Commission shall provide notice to applicants and others under such conditions and including such information and attachments as indicated in the Zoning Code.
- 12.4.2. Coordinating RCO Selection.
  - 12.4.2.1 The Executive Director shall, on behalf of the Commission, advise the appropriate District Councilmember to select a Coordinating RCO, as applicable under the requirements of the Zoning Code.
  - 12.4.2.2 If a Coordinating RCO is not selected by the District Councilmember within four (4) days of this request, the Executive Director, on behalf of the Commission, may determine that the time for providing notice is about to expire and, in such cases, shall select the Coordinating RCO, in accordance with the Zoning Code.
  - 12.4.2.3 The Executive Director shall advise the District Councilmember that any RCO submitting a project for zoning approval or employed in a professional capacity in reference to the project should not serve as a Coordinating RCO for that project.
- 12.4.3. RCO Notification, Meeting, and Documentation Requirements.

- 12.4.3.1 All RCOs and applicants shall adhere to the requirements for notification, neighborhood meetings, and meeting documentation provided in the Zoning Code and these regulations.
- 12.4.3.2 RCO meetings required by the Zoning Code shall only take place after the applicant has completed the notification requirements of the Zoning Code and these regulations.
- 12.4.3.3 If the applicant has not completed the notification requirements of the Zoning Code prior to the scheduled meeting date, the RCO meeting shall be postponed or reconvened at a later date within 45 days of the applicant having completed said notification requirements. In such case, the Coordinating RCO will not be found to be in violation of section 12.5 of these regulations.
- 12.4.3.4 Notwithstanding any failure by the applicant to provide required notification, the RCO meeting may take place after this 45-day period only if the applicant is provided the opportunity to meet within the 45-day period, but voluntarily agrees to a later date.
- 12.4.3.5 An RCO shall not consider an agreement designed to provide a benefit within the RCO's registered boundaries as a condition of support of an application subject to the neighborhood notice and meeting requirements of the Zoning Code, unless the RCO has provided prior written notice of such agreement as provided in this subsection.
  - .1 The RCO considering an agreement designed to provide a benefit within the RCO's registered boundaries shall make such agreement available for public inspection and shall provide the Coordinating RCO, for inclusion in the announcement of public meeting at which the application is subject to review, with:
    - (.1) A summary of the provisions of the proposed agreement;
    - (.2) The geographic area that would benefit from the proposed agreement; and
    - (.3) The expected benefit provided by the proposed agreement.
  - .2 A Coordinating RCO shall not be subject to penalty pursuant to subsection 12.5 based on the failure of a participating RCO to provide proper notice of an agreement designed to provide a benefit within the RCO's registered boundaries as provided in this subsection.

- 12.4.3.6 At least two (2) days prior to the hearing by the Zoning Board of Adjustment or meeting of the Civic Design Review Committee, the Coordinating RCO shall complete and submit the Meeting Summary Form provided by the Commission, in accordance with the Zoning Code. The Meeting Summary Form shall be accompanied by a written statement documenting all actions taken at the meeting. Other participating RCOs may also submit a Meeting Summary Form, written statement, or both a summary form and a written statement. The Meeting Summary Form and written statement shall be submitted to the applicant, the Commission, the Zoning Board of Adjustment or Civic Design Review Committee (as applicable), and the District Councilmember.

## 12.5. RCO Standards of Conduct<sup>41</sup>

### 12.5.1. Requirements other than those Enumerated.

- 12.5.1.1 RCOs and applicants shall fulfill the obligations enumerated in these regulations and the Zoning Code. The fulfillment of such obligations shall not be made contingent on any requirements other than those enumerated in these regulations or the Zoning Code.

- 12.5.1.2 Any RCO shall not attempt to place upon applicants any requirements not enumerated in these regulations or the Zoning Code, including but not limited to the solicitation of payment, services, donations, or contributions, either financial or in-kind, from an applicant or other party, as direct or implied condition of fulfilling its obligations outlined in these regulations and the Zoning Code.

.1 Except as provided in 12.5.1.3, an RCO shall not solicit payment, services, donations, or contributions, either financial or in-kind, from any applicant, including their agent, or other associated party, that has filed an application within the RCO's registered boundaries subject to the neighborhood notice and meeting requirements of the Zoning Code until either:

(.1) All applicable Zoning Board decisions, Commission decisions, and civic design reviews, are issued or completed; or

(.2) The application is considered abandoned by the Department of Licenses and Inspections in accordance with Title 4, Subcode "A" of the Philadelphia Code.

.2 All RCOs shall report annually to the Commission all payments, services, donations, or contributions received during the previous calendar year from any individuals, companies, or agents involved in any application within the RCO's registered boundaries subject to the neighborhood notice

and meeting requirements of the Zoning Code during such period that the RCO was subject to the requirements of this subsection 12.5.1.2.3. Such reporting shall include but be not limited to agreements designed to provide a benefit within the RCO's registered boundaries. An RCO shall only be required to report such payments, services, donations, or contributions received from the date these regulations take effect or the date the organization becomes registered as an RCO, whichever is later. The annual report shall:

- (.1) Be in a form deemed satisfactory by the Executive Director;
- (.2) Include the parties involved in the agreement, the date of the agreement, a summary of the provisions of the agreement, including, for any agreement designed to provide a benefit within the RCO's registered boundaries, the geographic area benefiting from the proposed agreement and expected benefit provided by the proposed agreement;
- (.3) Be received by the Commission no later than January 31st of each year, provided the reporting deadline may be extended at the discretion of the Executive Director; and
- (.4) Be posted by the Commission on the Commission's website for at least one year.

.3 An RCO that fails to follow the requirements of this subsection may, at the discretion of the Executive Director, and in consultation with the office of the Inspector General, have its RCO registration suspended or revoked.

12.5.1.3 An RCO that conditions its support of any application subject to the neighborhood notice and meeting requirements of the Zoning Code on the applicant's participation in an agreement designed to provide a benefit within the RCO's registered boundaries shall not be found to be in violation of 12.5.1.1, provided that the RCO's fulfillment of the obligations enumerated in these regulations and the Zoning Code are not made contingent on the applicant's participation in said agreement. Upon request of the Commission, the terms of any agreement designed to provide a benefit within the RCO's registered boundaries shall be disclosed to the Office of the Inspector General for review, investigation, and findings, as appropriate.



- 12.5.1.4 In such case that an individual in a leadership position of an RCO has a financial interest in the outcome of an application being reviewed by that RCO, the RCO shall disclose this interest during the public meeting, and include such disclosure in the text of its Meeting Summary Form or written statement to the Zoning Board of Adjustment or CDR Committee (as applicable). The Commission also recommends that said individual be excluded from participation in the review of that application. Any RCO that intentionally fails to disclose such interest as required above may, at the discretion of the Executive Director, and in consultation with the Inspector General, have its RCO registration suspended or revoked.

12.5.2. Procedural Requirements.

- 12.5.2.1 An RCO shall fulfill the procedural requirements of these regulations and the Zoning Code.
- 12.5.2.2 If an RCO acts in violation of the procedures in the Commission's regulations or the Zoning Code, it may be subject to penalty, including the suspension or revocation of the organization's RCO registration. These violations include, but are not limited to:
- .1 Non-responsiveness to applicants.
  - .2 Failure to coordinate meetings with other RCOs whose registered boundaries include the applicant's property.
  - .3 Failure to publicize meetings.
  - .4 Failure to hold meetings within 45 days of an appeal, subject to any extenuating circumstances described in the Zoning Code.
  - .5 Failure to submit the Meeting Summary Form and a written statement in a timely manner to all required parties.
  - .6 Failure to provide the coordinating RCO with information required by these regulations for inclusion in the announcement of public meeting.
- 12.5.2.3 Following any incident of an RCO's failure to follow the procedural requirements of this section, the Commission shall notify the RCO in writing of such failure. If an RCO fails to follow the procedural requirements of this subsection three (3) or more times during its two-year registration as an RCO, that RCO may be subject to a one (1) year suspension of the RCO's registration. Any such suspension shall be at the discretion of the Executive Director.

12.5.3. Non-Discrimination.

- 12.5.3.1 RCOs shall perform the activities described in these regulations or the Zoning Code without discrimination against any applicant or other participant or participating member of the public because of race, color, religion, age, national origin, sex, sexual orientation, gender identity, disability, or any other class protected under the Philadelphia Fair Practices Ordinance or federal Fair Housing Act.
- 12.5.3.2 Any RCO that discriminates against any applicant or other participant or participating member of the public because of race, color, religion, age, national origin, sex, sexual orientation, gender identity, disability, or any other class protected under the Philadelphia Fair Practices Ordinance or federal Fair Housing Act in the performance of activities described in these regulations or the Zoning Code may, at the discretion of the Executive Director, have its RCO registration suspended or revoked.

12.5.4. Notice. The Executive Director shall provide written notice to any RCO that has its RCO registration status suspended or revoked.

12.5.5. Appeals. Any decision made by the Executive Director to suspend or revoke an RCO's registration status may be appealed by the RCO for review at a meeting of the Commission. An appeal shall be made in writing by the RCO within 30 days of written notice from the Executive Director that the RCO's registration status was suspended or revoked.

12.5.6. Authority. The authority of the Executive Director to suspend the registration of an RCO pursuant to this subsection 12.5 is subject to the Philadelphia Code and any additional grant of authority created through an ordinance enacted by the Philadelphia City Council.

### 13. **ENERGY EFFICIENCY AND ENVIRONMENTAL DESIGN IN CONSTRUCTION OF BUILDINGS**

#### 13.1. **Alternative Standards for Green Building or Site Floor Area or Height Bonus<sup>42</sup>**

Pursuant to the Zoning Code, a floor area or height bonus may be awarded to an eligible building or site that is designed for certification at the LEED Platinum or Gold levels or certification by an equivalent green building or neighborhood development rating system as approved by the Commission. The following green building or neighborhood development rating systems are approved by the Commission as being equivalent:

##### 13.1.1. National Association of Home Builders' "National Green Building Standard" (NGBS)

13.1.1.1 "Emerald" certification under NGBS shall be considered equivalent to "Platinum" certification under LEED.

13.1.1.2 "Gold" certification under NGBS shall be considered equivalent to "Gold" certification under LEED.

##### 13.1.2. The United States Environmental Protection Agency's "ENERGY STAR Multifamily New Construction" (MFNC) program

- 13.1.2.1 Certification under the MFNC program shall be considered equivalent to “Gold” certification under LEED.

13.1.3. Passive House Institute US' “PHIUS+ Certification Program” (PHIUS+)

- 13.1.3.1 Certification under PHIUS+ shall be considered equivalent to “Platinum” certification under LEED.

13.1.4. Passive House Institute's "Certified Passive House Program"

- 13.1.4.1 Certification under the Certified Passive House Program shall be considered equivalent to “Platinum” certification under LEED.

13.1.5. Enterprise Community Partners' “Enterprise Green Communities Program” (EGC)

- 13.1.5.1 Certification under EGC shall be considered equivalent to “Gold” certification under LEED.

13.1.6. International Living Future Institute's “Living Building Challenge”.

- 13.1.6.1 Any certification received under the Living Building Challenge shall be considered equivalent to “Platinum” Certification under LEED.

13.2. **[DELETED]** <sup>43, 44</sup>

**14. URBAN REDEVELOPMENT**

**14.1. Redevelopment Areas and Redevelopment Area Plans<sup>45</sup>**

14.1.1. The Commission shall certify Redevelopment Areas and adopt a Redevelopment Area Plan for each Redevelopment Area, pursuant to the Pennsylvania Urban Redevelopment Law.

14.1.2. The Commission may update or readopt a Redevelopment Area Plan. Failure to update or readopt a Redevelopment Area Plan shall not invalidate a Redevelopment Area Plan.

**14.2. Blight Certifications<sup>46</sup>**

The Commission may certify property as blighted for acquisition by the Philadelphia Redevelopment Authority pursuant to the Pennsylvania Urban Redevelopment Law. Such certification shall be contingent on a report, adopted by the Commission, certifying a property or properties as blighted.

**14.3. Review of Redevelopment Proposals and Agreements<sup>47</sup>**

The Executive Director is hereby authorized, on behalf of the Commission, to fulfill the Commission's duties pursuant to the Pennsylvania Urban Redevelopment Law, to issue recommendations on Redevelopment Proposals and agreements that authorize the acquisition, condemnation, or transfer of property provided that:

14.3.1. The item is consistent with previous Commission approvals for the same property and proposes a use that is consistent with the adopted Redevelopment Area Plan; or

14.3.2. The property or properties included in the item are less than 10,000 sq. ft. in aggregate area.

**15. DELEGATIONS TO THE EXECUTIVE DIRECTOR<sup>48</sup>**

- 15.1 In making recommendations and decisions pursuant to the delegations set out in these Regulations, the Executive Director shall use the Director's discretion, based on a review of the subject bill or matter and prior general consultation with the Commission, to determine whether the bill or matter is sufficiently similar to a past approval or recommendation, or of sufficiently minimal impact, as to make the Commission's further review unnecessary. Any approval or recommendation made pursuant to these Regulations shall expressly so note in the approval or recommendation itself.
- 15.2 The Executive Director shall regularly provide the Commission with itemized lists of recommendations and decisions made by the Executive Director on behalf of the Commission pursuant to the authority set forth in these Regulations.
- 15.3 Notwithstanding the delegations set out in these Regulations, the Chair of the Commission may require review and recommendation by the full Commission in any particular case.

**16. EXTENSIONS<sup>49</sup>**

The Executive Director is hereby authorized, on behalf of the Commission, to grant an extension of up to one year to comply with conditions imposed by the Commission, or in the case of a City Council ordinance when Commission approval is required to extend the term in order to avoid the sunset provisions of an ordinance.

**17. [Deleted].<sup>50</sup>**

## ENDNOTES

- <sup>1</sup> Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the renumbering of the Philadelphia Home Rule Charter Section 3-800 to Section 3-908.
- <sup>2</sup> Revised under amendments to regulations promulgated March 17, 2016, effective June 27, 2016, regarding the Commission's authority to establish regulations concerning the Civic Design Review requirements of major amendments to master plans under Ordinance No. 150766; Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding various duties and responsibilities of the Commission under the Philadelphia Code and the Pennsylvania Urban Redevelopment Law.
- <sup>3</sup> Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the addition, modification, and deletion of various definitions pertaining to these regulations.
- <sup>4</sup> Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the renumbering of the Philadelphia Home Rule Charter Section 3-800 to Section 3-908 and an amendment to such section revising the composition of the Commission.
- <sup>5</sup> Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding changes to the required officers of the Commission.
- <sup>6</sup> Revised from Conflict of Interest Regulation, promulgated June 13, 1973, effective July 13, 1973; Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the submission of disclosure documentation.
- <sup>7</sup> Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding compliance with the Pennsylvania Sunshine Act.
- <sup>8</sup> Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the number of Commission members needed for the presence of a quorum to reflect revisions to the composition of the Commission under the Philadelphia Home Rule Charter Section 3-908 and the clarification of requirements for Commission action.
- <sup>9</sup> Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding Commission agenda posting requirements and certain technical changes.
- <sup>10</sup> Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the requirements and procedures for recognition by the Commission of plans other than those prepared by the Commission or a public or quasi-public agency.
- <sup>11</sup> From regulations promulgated May 1, 2009, effective June 1, 2009, regarding delegation of certain Commission powers to the Executive Director and regarding encroachment ordinances that affect the City's Physical Development Plan. Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the length of time under which the Executive Director is authorized to provide legislative recommendations, the delegation to the Executive Director of legislative recommendations concerning the sale or purchase of real property, and the Executive Director's authority to extend the review period for legislation.
- <sup>12</sup> Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding technical changes to submission requirements for subdivision review.
- <sup>13</sup> Revised under amendments to regulations promulgated July 21, 2022, effective August 25, 2022 regarding technical changes to submission requirements for subdivision review.
- <sup>14</sup> Revised under amendments to regulations promulgated July 21, 2022, effective August 25, 2022 regarding technical changes to submission requirements for subdivision review.
- <sup>15</sup> Revised under amendments to regulations promulgated July 21, 2022, effective August 25, 2022 regarding technical changes to submission requirements for subdivision review.
- <sup>16</sup> Revised under amendments to regulations promulgated July 21, 2022, effective August 25, 2022 regarding technical changes to submission requirements for subdivision review.
- <sup>17</sup> Revised under amendments to regulations promulgated November 19, 2013, effective December 30, 2013, regarding the inclusion of the Complete Streets Handbook Checklist in the master plan submission requirements; Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the inclusion of a written City Council request or a copy of the introduced legislation in the master plan submission requirements certain technical changes.
- <sup>18</sup> Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the inclusion of a written City Council request or a copy of the introduced legislation in the master plan amendment submission requirements and requests for additional materials by the Executive Director.
- <sup>19</sup> Revised under amendments to regulations promulgated March 17, 2016, effective June 27, 2016, regarding the establishment of criteria for required Civic Design Review of major amendments to master plans as permitted through

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- Ordinance No. 150766; Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the criteria for master plans subject to Civic Design Review.
- 20 Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the clarification of submission requirements for zoning and building permit applications and certain technical changes.
- 21 Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding requests for additional materials by the Executive Director for landscape plan submissions and additional requirements for parking landscape plans. Further revisions promulgated July 21, 2022, effective August 25, 2022.
- 22 Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the clarification of additional submission requirements for building permits in /NCO Districts.
- 23 From amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the additional submission requirements for building permit applications of developments earning the public space zoning bonus.
- 24 From amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the additional submission requirements for building permit applications requiring facade review or parking garage review.
- 25 From amendments to regulations promulgated September 23, 2020, effective October 23, 2020, regarding the implementation of certain changes to Central Delaware Riverfront Overlay District enacted through Ordinance No. 190811-A concerning the review of certain zoning permit and building permit applications.
- 26 From amendments to regulations promulgated July 15, 2021, effective August 14, 2021, regarding determination of split lot zones.
- 27 From amendments Promulgated September 27, 2021, effective October 27, 2021, regarding additional submission requirements for earth disturbance when PCPC staff reviews zoning permit applications.
- 28 From amendment to regulations promulgated July 22, 2021, effective August 21, 2021 regarding the /HHC, Heliport Hazard Control Overlay District, enacted through Ordinance No. 210482-A.
- 29 From amendment to regulations promulgated July 21, 2022, effective August 25, 2022 adding regulations guiding an applicant's request to be granted a waiver within the /MIN Mixed Income Neighborhoods Overlay District.
- 30 Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding Civic Design Review Committee quorum requirements, meeting notice, agenda posting, and adherence to the Pennsylvania Sunshine Act.
- 31 Revised under amendments to regulations promulgated March 17, 2016, effective June 27, 2016, regarding the clarification of Registered Community Organization representation on the Civic Design Review Committee; Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the composition of the Civic Design Review Committee as enacted through Ordinance No. 160966 and certain technical changes.
- 32 Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding Civic Design Review application completeness, recommendation summaries, and recommendation forwarding.
- 33 Revised under amendments to regulations promulgated November 19, 2013, effective December 30, 2013, regarding the inclusion of a site plan, the Complete Streets Handbook Checklist, and requests for additional materials by the Executive Director in Civic Design Review submission requirements; Revised under amendments to regulations promulgated March 17, 2016, effective June 27, 2016, regarding the application of Civic Design Review submission requirements for major amendments to master plans and the inclusion of the Commission's Sustainability Questionnaire in Civic Design Review submission requirements; Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding revisions to Civic Design Review submission requirements for site surveys, site plans, and the number of submission copies, the inclusion of a written response to recommendations in in Civic Design Review submission requirements, Civic Design Review submission deadlines, and certain technical changes.
- 34 Revised under amendments to regulations promulgated March 17, 2016, effective June 27, 2016, regarding the clarification of Civic Design Review Committee review guidelines for master plans and amendments to master plans. Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the clarification of Civic Design Review Committee review guidelines for master plans and amendments to master plans and certain technical changes.
- 35 Revised under amendments promulgated February 4, 2014, effective March 6, 2014, regarding the implementation of certain changes to Registered Community Organizations enacted through Ordinance No. 130657;
- 36 Revised under amendments to regulations promulgated March 21, 2013, effective April 22, 2013, regarding the implementation of certain changes to Registered Community Organizations enacted through Ordinance No.120889. Revised under amendments promulgated February 4, 2014, effective March 6, 2014, regarding the implementation of certain changes to Registered Community Organizations enacted through Ordinance No. 130657; Revised under amendments promulgated April 20, 2016, effective June 27, 2016, regarding the clarification of certain requirements for Registered Community Organizations, including the establishment of standards of conduct; Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the implementation of certain changes to Registered Community Organizations and neighborhood notice and meetings, including provisions enacted through Ordinance No. 161003-A, Ordinance No. 170285, and Ordinance No. 180504.



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- 37 Revised under amendments to regulations promulgated March 21, 2013, effective April 22, 2013, regarding the implementation of certain changes to Registered Community Organizations enacted through Ordinance No.120889. Revised under amendments promulgated February 4, 2014, effective March 6, 2014, regarding the implementation of certain changes to Registered Community Organizations enacted through Ordinance No. 130657; Revised under amendments promulgated April 20, 2016, effective June 27, 2016, regarding the clarification of certain requirements for Registered Community Organizations, including the establishment of standards of conduct; Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the implementation of certain changes to Registered Community Organizations and neighborhood notice and meetings, including provisions enacted through Ordinance No. 161003-A, Ordinance No. 170285, and Ordinance No. 180504.
- 38 From amendments Promulgated February 9, 2023, effective March 11, 2023 regarding RCO boundaries.
- 39 From amendments Promulgated February 9, 2023, effective March 11, 2023 regarding RCO boundaries.
- 40 Revised under amendments to regulations promulgated March 21, 2013, effective April 22, 2013, regarding the implementation of certain changes to Registered Community Organizations enacted through Ordinance No.120889. Revised under amendments promulgated February 4, 2014, effective March 6, 2014, regarding the implementation of certain changes to Registered Community Organizations enacted through Ordinance No. 130657 Revised under amendments promulgated April 20, 2016, effective June 27, 2016, regarding the clarification of certain requirements for Registered Community Organizations, including the establishment of standards of conduct; Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the implementation of certain changes to Registered Community Organizations and neighborhood notice and meetings, including provisions enacted through Ordinance No. 161003-A, Ordinance No. 170285, and Ordinance No. 180504.
- 41 From amendments promulgated April 20, 2016, effective June 27, 2016, regarding the clarification of certain requirements for Registered Community Organizations, including the establishment of standards of conduct; Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the implementation of certain changes to Registered Community Organizations and neighborhood notice and meetings, including provisions enacted through Ordinance No. 161003-A, Ordinance No. 170285, and Ordinance No. 180504.
- 42 From amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding accepted alternative standards for green building or site floor area or height bonuses, in accordance with §14-702 of the Philadelphia Code and revised from Commission Resolution No. 1, resolved April 23, 2019.
- 43 From regulation regarding § 17-111 Energy Efficiency and Environmental Design in City Public Works Projects of the Philadelphia Code, promulgated September 10, 2010, effective October 12, 2010.
- 44 From regulation regarding § 17-111 Energy Efficiency and Environmental Design in City Public Works Projects Energy Efficiency and Environmental Design in City Public Works Projects of the Philadelphia Code, promulgated November 17, 2022, effective December 17, 2022. Ordinance No. 210826-A, December 2021, transferred authority to review these projects to the Office of Sustainability.
- 45 Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the responsibilities and duties of the Commission related to redevelopment areas and area plans under the Pennsylvania Urban Redevelopment Law.
- 46 Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the responsibilities and duties of the Commission related to blight certifications under the Pennsylvania Urban Redevelopment Law.
- 47 Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding the responsibilities and duties of the Commission related to redevelopment proposals and agreements under the Pennsylvania Urban Redevelopment Law and the authorization of the Executive director to issue recommendations on such proposals and agreements on behalf of the Commission.
- 48 From regulations promulgated May 1, 2009, effective June 1, 2009, regarding delegation of certain Commission powers to the Executive Director and regarding encroachment ordinances that affect the City's Physical Development Plan. Revised under amendments to regulations promulgated October 16, 2019, effective November 15, 2019, regarding certain technical changes.
- 49 From regulations promulgated May 1, 2009, effective June 1, 2009, regarding delegation of certain Commission powers to the Executive Director and regarding encroachment ordinances that affect the City's Physical Development Plan.
- 50 Adopted July 30, 2012, rescinded December 30, 2013, regarding plan of development approval in the Central Delaware Riverfront Overlay District as enacted through Ordinance No. 120431.