

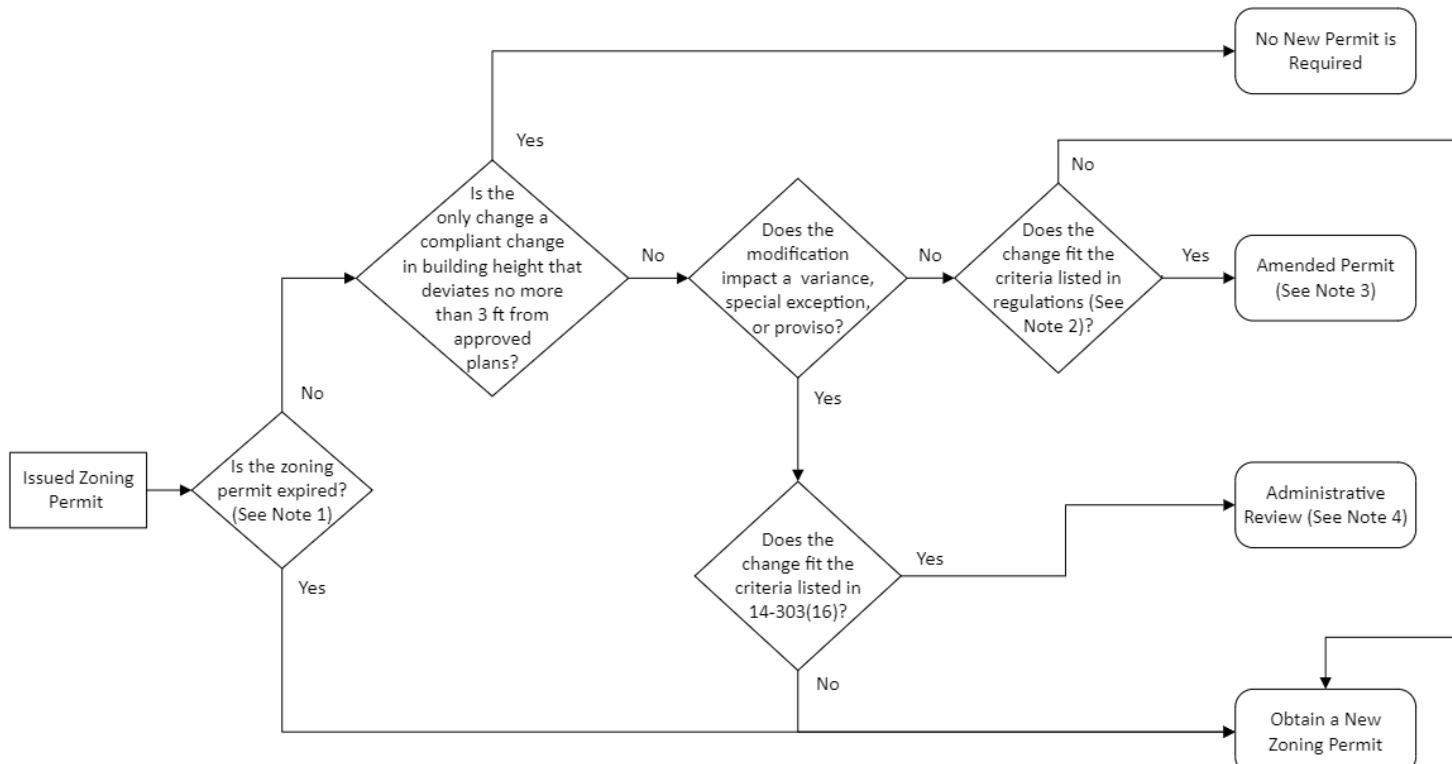
## Zoning Permit Amendments Information Sheet

### Background:

An approved zoning permit is a matter of record and should reflect what is ultimately developed on the lot. If deviations are made from the approved plans, they must be approved. Depending on what aspect of the project is changed, there are different procedures for approval. The Flow Chart below is intended to be used as guide to determine the method for approving proposed changes. The subsequent pages of this information sheet provide details specific to each method.

Please note, A new Zoning Permit is required for any newly added uses or any increase in gross floor area, building footprint or building height (exceeding 10% of the original approval).

### Changes to Approved Zoning Permits Flow Chart:



### Flowchart Notes:

1. An expired or closed permit may not be modified. Please see [Code Bulletin: Expiration Periods Related to Zoning Permits](#) and [Zoning Permit Extension Information Sheet](#).
2. See [L&I's regulations](#) regarding amendments to permit applications. Unique scenarios that do not fit the criteria for an amended zoning permit may potentially be reviewed as Administrative Adjustments.
3. See [Amended Zoning Permit Process](#) on page 2.
4. See [Zoning Administrative Adjustment Process](#) on page 4.

## Amended Zoning Permit Process

Amended zoning permits are intended to document changes to non-expired zoning permits where those changes do not impact a variance, special exception, or proviso.

### Limits and Conditions

- Amendments to approved Zoning Permits are reviewed under the Zoning Code in effect at the time of the amended permit application is filed.
- Amendments to Zoning and Use Registration Permit applications must address the same subject matter as addressed in the original application (i.e. the height and area related to construction on a particular building, a change related to a particular use, or a modification of a parking configuration) and must include one of the following:
  - Increase in building height which does not exceed 10% of the approved height, 10 feet or a single story, whichever is greater.
  - Increases in gross floor area (GFA) not to exceed 10% of the original approval, when the zoning district is governed by maximum floor area.
  - Increase in building footprint not to exceed 10% of the original approval.
  - Decrease in height, gross floor area or building footprint.
  - Additions, removal or modifications of roof decks and roof deck access structures.
  - Modifications to parking configuration, including a change in the number of spaces not to exceed 10% of the original approval.
  - Modifications to legal signs.
  - Removal of a use from a group of uses previously approved.
  - Comparable changes that do not increase the intensity of the approved use.
- A new Zoning Permit is required for any newly added uses or any increase in gross floor area, building footprint or building height (exceeding 10% of the original approval).
- A deviation in building height of 3 feet or less that complies with the maximum building height allowed by the Zoning Code and does not result in a change in the number of stories is permitted under original approval and does not require a permit amendment. See [FAQ](#) for additional information.
- Modifications to permits that were approved by variance or special exception are permissible provided that the application is consistent with the variance, special exception or proviso.
  - **Note: Modifications impacting a specific variance, special exception, or proviso shall only be permitted if it meets the Administrative Review Criteria established under Section 14-303(16) of the Philadelphia Code.** These modifications MUST be submitted through the Zoning Administrative Adjustment Process. All other changes impacting a variance, special exception, or proviso are not eligible for amendment and shall require a new permit application and will result in a permit denial.
  - For more information about the Zoning Administrative Adjustment Process, see Section [14-303\(16\)](#) of the Philadelphia Zoning Code, the [Zoning Administrative Adjustment Process](#) on page 4 and the [Zoning Administrative Adjustment Application](#).
- A permit application awaiting a decision of the Zoning Board of Adjustments (ZBA) may only be amended under the authorization of the ZBA.
- Applications subject to Civic Design Review (CDR) will be returned to the Civic Design Review Committee for approval.

- A change in ownership does not necessitate a new permit and is not eligible for an amendment.
- An expired or closed permit may not be modified. Please see [Code Bulletin: Expiration Periods Related to Zoning Permits](#) and [Zoning Permit Extension Information Sheet](#).
- An amendment does not extend the life of the underlying approval.
- Additional approvals by other departments may be required.

## Filing Methods

The Amended Zoning Permit application must always reference the original permit number. Review the options below to initiate the Zoning amendment process. **Note:** Amendments to applications under review by the ZBA must be accompanied by a memorandum from the Zoning Board Administrator identifying the amendments.

➤ **In-Person / On Paper** – For applications originally filed with paper plans this method must be followed.

1. [Make an appointment](#) to visit the Permit and License Center.
2. Bring all of the following documentation to your scheduled appointment:
  - A completed [Amendment or Extension to Issued Permit](#) application describing the extent of all revisions.
  - **Six (6) copies** of revised plans or other documents for review. Revisions to plans must be denoted with revision 'clouds' or equivalent annotation.
3. Pay an amendment **filing fee** using any form of payment accepted by the Department.

**Note:** Customers can contact L&I for assistance to submit an electronic amendment to a permit originally filed on paper, including all permits filed prior to March 13, 2020.

➤ **Online using eCLIPSE** – Those permits filed online in the eCLIPSE portal may request an amendment through the permit record on the portal.

1. Login and navigate to the 'My Activities' section for *Issued* permits associated with your account.
2. Click on the permit record and look for the *Permit Activities* heading on the right-hand side of the screen.
3. Click the 'Amend Permit' button under the *Amend Permit* subheading.
4. Provide a detailed description of the request and electronically upload any revised plans. Revisions to plans must be denoted with revision 'clouds' or equivalent annotation. A completed [Online Amendment Form](#) must also be uploaded.
5. Pay the amendment filing fee for the Department to evaluate the request.

## Review Times:

Standard review times apply.

## Permit Fees:

Filing Fee: \$50

Refer to the [L&I permit fee schedule](#) for applicable permit fees. Paper submissions will incur a **\$4 per page** imaging fee.

The amendment permit fee is based on the number of sheets submitted. Only the revised sheets must be submitted with the amendment request. If the applicant elects to also include sheets without revisions, those sheets shall also contribute to fee calculations.

## Zoning Administrative Adjustment Process

The Zoning Administrative Process is intended to document changes to non-expired zoning permits where those changes impact a variance, special exception, or proviso. Refer to [Section 14-303\(16\)](#) of the Philadelphia Zoning Code for complete requirements and [Exhibit A](#) for a visual representation of the process.

### Confirm Applicability and Eligibility

#### 1. Scope

A Zoning Administrative Adjustment review may only be approved if the proposal affects a previous variance, special exception, or proviso and it meets the timing and impact criteria noted below.

#### 2. Timing

The application must meet the following criteria:

- a. The applicable Zoning permit must still be active and not yet expired as set forth in [Section 14-303\(10\)](#).
- b. Please see [Code Bulletin: Expiration Periods Related to Zoning Permits](#) and [Zoning Permit Extension Information Sheet](#).

#### 3. Impact

Changes affecting a variance, special exception, or proviso must meet the following criteria:

- Minor changes to reduce the footprint, GFA, or height of an approved structure; or
- Lessens the degree of impact related to dimensional variances; or
- Lessens the number of approved dwelling units; or
- Lessens the number or size of approved signs; or
- Makes comparable changes that reduce the intensity of the proposed use.

### Contact the Registered Community Organizations

The applicant shall notify the following parties of the Zoning Administrative Adjustment request in advance of filing an application:

- Registered Community Organizations (RCOs) whose registered boundaries include the subject property at the time of Administrative Adjustment Application.
- District Councilperson for subject property
- All interested parties that entered an appearance in subject matter before the Zoning Board.

For a list of applicable RCOs and the District Councilperson, please contact Philadelphia City Planning Commission at [RCO.Notification@phila.gov](mailto:RCO.Notification@phila.gov) or (215)-683-4646.

For a list of parties that entered an appearance at the Zoning Board hearing, please contact Zoning Boards Administration at [RCOZBA@phila.gov](mailto:RCOZBA@phila.gov) or (215)-686-2429.

**Notice must be served prior to application. The applicant must certify that all parties were notified on the Zoning Administrative Adjustment Application and provide a contact list / copy of notification.**

## Filing Methods

### ➤ In-person / On Paper

1. [Make an appointment](#) to visit the Permit and License Center.
2. Bring all the following documentation to your scheduled appointment:
  - A completed [Zoning Administrative Adjustment Application](#).
  - A copy of the previously approved Zoning permit and any subsequent administrative reviews.
  - Six (6) copies of revised site plan and elevation plan. All plans shall be drawn to scale with prerequisite approval stamps of applicable city departments / agencies.
  - A copy of the notification to the applicable RCO, District Councilperson and all interested parties, including full contact list of each.
3. Pay the administrative adjustment filing fee using any form of payment accepted by the Department.

**Note:** Customers can contact L&I for assistance to submit an electronic amendment to a permit originally approved on paper, including all permits granted by variance prior to March 13, 2020.

### ➤ Online using [eCLIPSE](#)

1. Login to your eCLIPSE account.
2. Navigate to the 'My Activities' tab for *Issued* permits associated with your account.
3. Click on the permit record and look for the 'Permit Activities' heading on the right-hand side of the screen.
4. Click on 'Amend Zoning Permit'.
5. Select 'Permit Amendment' from the pull-down menu and enter the reason for the amendment in the 'Amendment Description' box (i.e. "Request a Zoning Administrative Adjustment to make the following changes...").
6. Upload applicable documentation for review:
  - A completed [Zoning Administrative Adjustment Application](#).
  - The copy of the previously approved Zoning permit and any subsequent administrative reviews.
  - A revised site plan and elevation plan. All plans shall be drawn to scale.
  - A copy of the notification to the applicable RCO, District Councilperson and all interested parties, including full contact list of each.
7. Click the 'Pay Fees and Submit' button.

## Review Times:

20 business days (Zoning Administrative Adjustments are not eligible for accelerated review).

## Filing Fee:

Refer to the [L&I permit fee schedule](#) for applicable fee.

**The changes will be reviewed in accordance with the Code in effect at the time of Zoning Administrative Adjustment Application.**

## Approval

The approval process includes two steps to ensure that all interested parties had an opportunity to review request and file any objections:

1. L&I may not render a decision of 'Approved' until at least 10 days after application is filed.
2. Upon approval, the Department and/or Zoning Boards Administration must notify all parties on the contact list of approval. Any party may request a hearing before the Zoning Board of Adjustment within 14 days of such notice.

A final permit may not be issued until:

- a. At least 14 days have lapsed and there has been no hearing request; or
- b. The conclusion of a requested hearing.

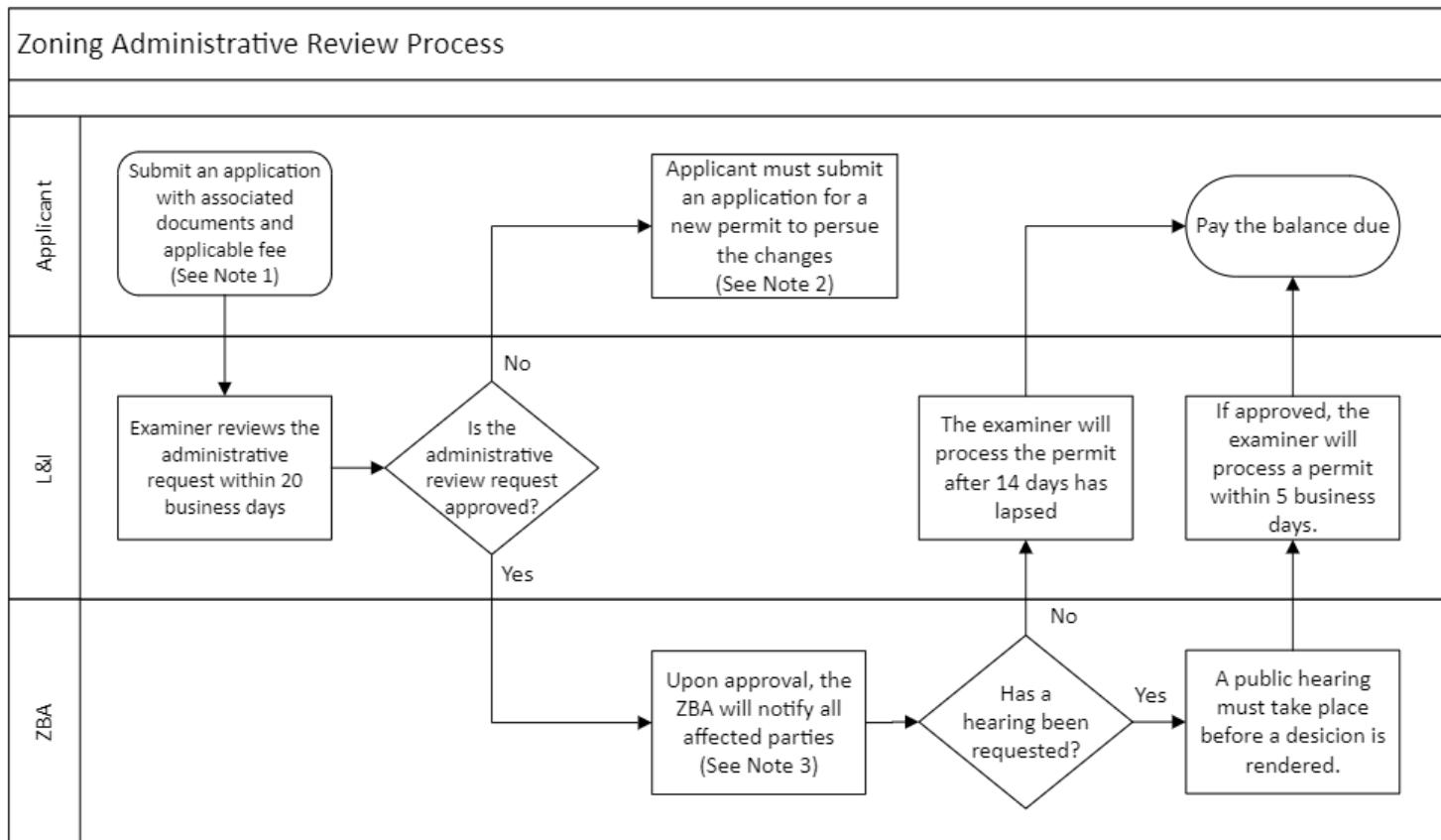
**Posting:** Permits for administrative adjustment must be posted on-site and may be appealed by affected parties.

## Denial

If a request for a Zoning Administrative Adjustment is denied by the Department, the applicant may take the following action:

- If the applicant believes that the decision was rendered improperly, the decision may be appealed to the Zoning Board of Adjustment following standard appeal procedures.

## EXHIBIT A



### Exhibit A Flowchart Notes:

1. Refer to the *Confirm Applicability and Eligibility* and *Contact the Registered Community Organizations* sections on page 4 of this guide for more details on the application submission process.
2. The customer has the right to appeal the decision of the ZBA if they believe the decision was not rendered per Section 14-303(16) of the Philadelphia Zoning Code.
3. Any party may request a hearing before the ZBA within 14 days of such notice.

### Questions?

Call 311 or (215) 686-8686 (if outside Philadelphia) or submit an online form via <http://www.phila.gov/li/get-help>.

### Disclaimer:

This interpretation, policy or code application is intended to provide guidance to staff for consistency of review and is subject to change without notice. Application of this interpretation, policy or code application to specific projects may vary. There may be other ways to comply with the Code. If so, you are not required to use this method. You may want to investigate other options or consult with a professional identifying an equally code compliant solution.