



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 110459

Introduced May 26, 2011

Councilmember DiCicco

RESOLUTION

Authorizing the Committee of the Whole to hold public hearings to review the Zoning Code Proposals of the Zoning Code Commission.

WHEREAS, In May 2007, the Philadelphia voters overwhelmingly approved an amendment to the City of Philadelphia Home Rule Charter to create a Zoning Code Commission (“Commission”) to propose reforms to modernize Philadelphia’s outdated and complex zoning code;

WHEREAS, Under Home Rule Charter Section 4-1300(a)(1), the Commission has been charged to, among other things: “conduct a comprehensive analysis of and make recommendations regarding reforms to the Philadelphia Zoning Code”;

WHEREAS, The Commission has been guided by the following goals set forth in Home Rule Charter Section 4-1300(a)(1): “Philadelphia’s Zoning Code should be consistent and easy to understand, should help shape future construction and development, and should enhance and improve Philadelphia’s development approval process while encouraging positive development and protecting the character of Philadelphia’s neighborhoods”;

WHEREAS, In the course of its work, the Commission has held 46 public meetings, two public hearings in City Council chambers, 36 community-based meetings, seven Stakeholder X-Changes, and two public meetings to discuss why the Commission adopted, rejected, or modified a group’s proposal; attended dozens of community meetings where it has explained the Commission’s work and possible changes to the Philadelphia Zoning Code; and has received hundreds of comments from members of the public about proposed changes to the Zoning Code;

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WHEREAS, The Commission has interviewed 125 professional zoning code users and surveyed nearly 2,000 individuals on components of the proposed new zoning code;

WHEREAS, Over the past 24 months the Commission has released for public review, and received public comment upon a number of documents concerning the existing zoning code and drafts of the proposed new zoning code, including:

Analysis of the Current Zoning Code
Best Practices Report
Recommendations for the New Zoning Code
Module 1 – Administration and Procedures
Module 2 – Districts and Uses
Module 3 – Development Standards
Consolidated Draft
Referral Draft
Referral Draft version 2
Draft Preliminary Report
Preliminary Report;

WHEREAS, Section 4-1300(b) of the Home Rule Charter requires that by a date certain, “ the Commission shall by a vote of two-thirds of all members of the Commission adopt a written preliminary report containing specific recommendations solely related to proposed changes to the Philadelphia Zoning Code, including drafts of all legislation required to implement the Zoning Code Proposals (the Preliminary Report), and recommendations, including a timetable and specific milestones, on how to proceed with a comprehensive revision of the City’s zoning maps (Zoning Map Revision Plan)”;

WHEREAS, On May 6, 2010, Council passed Resolution No.100332, which extended the deadline for the Commission to submit its preliminary report until June 30, 2011;

WHEREAS, On March 2, 2011, the Commission voted to approve a “Draft Preliminary Report” containing, among other things, a proposed new zoning code, and to seek further public comment about the proposed new zoning code;

WHEREAS, Since March 2, 2011, the Commission has further revised the draft new zoning code based on its meetings with interested groups and additional comments it has received regarding the proposed new zoning code;

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WHEREAS, On May 11, 2011 the Commission adopted a written Preliminary Report by a vote of 22 of its members and a Minority Report by a vote of 9 Commission members. Exhibit A to this resolution sets forth the Zoning Code Proposals and drafts of legislation required to implement the Zoning Code Proposals. Exhibit B to this resolution sets forth the “Zoning Map Revision Plan” consisting of recommendations, including a timetable and specific milestones, on how to proceed with a comprehensive revision of the City’s zoning maps; an outline of regulations that will be required to administer the Zoning Code Proposals; and the template for a Zoning Administrative Manual. Exhibit C to this resolution sets forth the Majority and Minority Reports of the Commission, as adopted on May 11, 2011;

WHEREAS, Home Rule Charter Section 4-1300(d) states that “Within forty-five (45) days after the Commission issues its report, Council shall convene public hearings in Council Chambers to review the Commission’s Zoning Code Proposals. Within thirty (30) days of the close of said hearings, Council may enact a resolution setting forth recommendations to the Commission concerning the Zoning Code Proposals, which the Chief Clerk of Council shall transmit to the Commission. The Commission shall review and may incorporate such recommendations into a final report. The Commission shall issue its final report within thirty (30) days of receiving Council’s recommendations, or, if Council does not enact a resolution setting forth its recommendations within thirty (30) days after the close of the required public hearings, the Commission shall issue its final report no later than sixty (60) days after the close of such hearings. Council shall either enact into law, reject or table the Commission’s Zoning Code Proposals contained within the final report in their entirety by the later of (i) sixty (60) days after the Commission issues its final report or (ii) the fifth Council meeting after the Commission issues its final report”; and

WHEREAS, The Commission has provided copies of the Zoning Code Proposals to each of the Commission's appointing authorities and to each member of Council and to the Clerk of Council, and the Commission has seen to it that copies are provided to all public libraries in the City and that a copy is posted on the City's official Internet site.

Now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, The Committee of the Whole is authorized to hold public hearings to review the Zoning Code Proposals and the reports of the Zoning Code Commission attached as exhibits to this resolution. The Chief Clerk is directed to maintain said exhibits on file and available for public inspection.

[Note: Exhibits to this Bill are on file in the Office of the Chief Clerk.]

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