



# City of Philadelphia

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

**BILL NO. 080203**

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**Introduced February 28, 2008**

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**Councilmember Kenney**

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**Referred to the  
Committee on Rules**

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## **AN ORDINANCE**

Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by amending Section 14-101, entitled “Purpose and Scope”, amending Section 14-102, entitled “Definitions,” and creating a new Chapter 14-2200, entitled “Sustainable Zoning,” to require certain sustainable building and construction practices for public parking lots and public garages, all under certain terms and conditions.

### *THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Section 14-101 of The Philadelphia Code, entitled “Purpose and Scope”, is hereby amended to read as follows:

§ 14-101. Purpose and Scope.

(1) Chapters 14-100 through 14-[1800]2200, inclusive, of this Title are enacted to promote the public health, safety, order and general welfare by regulating and restricting the location, size, bulk and use of buildings; the height and size of buildings and other structures, percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location, use and occupancy of buildings, structures and land for residential and non-residential purposes.

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SECTION 2. Section 14-102 of The Philadelphia Code, entitled “Definitions,” is hereby amended to add the following definitions, the existing definitions to be renumbered accordingly:

In Chapters 14-100 through 14-[1800]2200 inclusive, the following general definitions shall apply: In this section, the following definitions apply:

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( ) *Green Building. A structure and its surrounding landscape designed, constructed, and maintained to decrease energy and water usage and costs, to improve the efficiency and longevity of building systems, and to decrease the burdens imposed on the environment and public health.*

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( ) *LEED. Leadership in Energy and Environmental Design Green Building Rating System is a compilation of best practices and proven technologies for green buildings and green construction developed by the USGBC. LEED standards include the following: LEED NC for new construction and major renovation projects; LEED CI for commercial interior projects; LEED H for homes; LEED ND for neighborhood development. The Green Guide for Health Care, developed by Healthcare without Harm, in conjunction with the USGBC is the appropriate standards for hospitals.*

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( ) *USGBC. United States Green Building Council is a nonprofit organization comprised of leaders from the building industry formed to encourage sustainability by promoting buildings and construction that are environmentally responsible, profitable, and healthy places to live and work.*

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SECTION 3. A new Chapter 14-2200 of The Philadelphia Code, entitled “Sustainable Zoning”, is hereby enacted to read as follows:

*CHAPTER 14-2200. SUSTAINABLE ZONING.*

*§14-2201. General Provisions.*

*The purpose of this Chapter is to ensure that building and construction projects are planned, designed, constructed, and managed to minimize adverse environmental impacts, to conserve natural resources, to promote sustainable development and to enhance the quality of life in Philadelphia.*

*§14-2202. Sustainable Site Development for Public Parking Lots and Public Garages.*

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(1) *Requirements.*

*No zoning or use permit shall be issued for any public parking lot or public garage unless the Department is satisfied that the proposed project shall incorporate LEED criteria for stormwater management and reduction of heat island effect.*

(2) *Procedures.*

*Any Applicant subject to the provisions of this Section shall provide to the Department an abbreviated LEED project checklist relating to stormwater management and reduction of heat island effect. The Applicant shall demonstrate that the proposed project will meet the requirements of this Section with appropriate supporting documentation and by certification from a LEED Accredited Professional and/or other expert recognized by the Department that the proposed project meets the requirements of this Section.*

*Within five (5) days of its receipt of a completed LEED submission, the Department shall transmit a copy of the submission to the Office of Sustainability and the Planning Commission.*

(3) *Regulations.*

*The Department, in consultation with the Office of Sustainability, may promulgate regulations to administer this Section.*

(4) *Certification of Compliance.*

*The Department shall not issue any zoning or use permit for a public parking lot or public garage unless the Department has issued a Certification of Compliance with the requirements of the Section.*

(5) *Variances.*

*No variance shall be granted from this Section except where the denial of a variance would affect an unconstitutional taking.*

SECTION 4. Effective Date. This Ordinance shall take effect six months after final approval.

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**Explanation:**

[Brackets] indicate matter deleted.  
*Italics* indicate new matter added.