

# City of Philadelphia



(Bill No. 250293)

## AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by revising the One Year Rule which limits the filing of permit applications that are substantially similar to a prior application with respect to which an appeal to the Zoning Board of Adjustment has been denied or dismissed; and making related changes; all under certain terms and conditions.

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

SECTION 1. Title 14 of The Philadelphia Code is hereby amended to read as follows:

### TITLE 14. ZONING AND PLANNING.

\* \* \*

#### CHAPTER 14-200. DEFINITIONS.

\* \* \*

§ 14-203. Definitions.

\* \* \*

(204) [One] Two Year Rule

See § 14-303(6)(g) (The [One] Two Year Rule).

\* \* \*

#### CHAPTER 14-300. ADMINISTRATION AND PROCEDURES.

\* \* \*

§ 14-303. Common Procedures and Requirements.

\* \* \*

(6) Zoning Permits.

# City of Philadelphia

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\* \* \*

(g) The [One] Two Year Rule.

(.1) L&I shall determine whether a substantially similar application for the same property was finally denied or dismissed by the Zoning Board or a court within [one] two years prior to the date of the application, or whether an appeal is pending (either before the Zoning Board or before a court) of the denial or dismissal of a substantially similar application. If such a determination is made and if the application is not one that L&I may grant as of right under this Zoning Code, then L&I shall deny the application and note on the application "Denied – [One] Two Year Rule."

(.2) The issuance of a refusal or referral denoted, "Denied – [One] Two Year Rule", may be appealed to the Zoning Board. On such an appeal, the Zoning Board shall hold a hearing limited to two issues: (i) whether L&I properly applied the [One] Two Year Rule; and (ii) whether, because of materially changed circumstances, the application should be considered notwithstanding the [One] Two Year Rule. Following a public hearing pursuant to § 14-303(14) (Public Hearings) the Zoning Board shall make a decision limited to those two issues.

(.3) If the Zoning Board's decision is that the application should not be denied on the basis of the [One] Two Year Rule, then the Zoning Board shall consider the appeal on the merits in accordance with its usual procedures, including the holding of an additional hearing in accordance with § 14-303(14) (Public Hearings) for which posting notice of the additional hearing shall be required in accordance with § 14-303(13)(c)(.3)(.b) (Continued Hearing) and applicable Zoning Board regulations, but for which no additional fee shall be imposed.

(.4) The failure of L&I to deny an application on the basis of the [One] Two Year Rule may be raised by any affected party in an appeal from L&I's issuance of a permit or in an appeal to the Zoning Board from L&I's refusal to issue a permit for reasons other than application of the [One] Two Year Rule.

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## CHAPTER 14-300. ADMINISTRATION AND PROCEDURES.

\* \* \*

# City of Philadelphia

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§ 14-303. Common Procedures and Requirements.

\* \* \*

(14) Public Hearings of the Zoning Board of Adjustment.

All Zoning Board hearings are subject to the following provisions:

\* \* \*

(k) Hearings on appeals relating to the [One] Two Year Rule set forth in § [14-303\(6\)](#)(g) (The [One] Two Year Rule) shall be conducted in accordance with the procedures set forth in that subsection.

\* \* \*

SECTION 2. This Ordinance shall take effect immediately.

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Explanation:

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.

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*BILL NO. 250293 continued*

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 12, 2025. The Bill was Signed by the Mayor on June 26, 2025.

A handwritten signature in black ink, reading "Elizabeth McCollum". The signature is fluid and cursive, with the first name "Elizabeth" and last name "McCollum" clearly distinguishable.

Elizabeth McCollum  
Chief Clerk of the City Council