



City of Philadelphia

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

RESOLUTION NO. 070033

Introduced January 23, 2007

Councilmember O'Neill

**Referred to the
Committee on Law and Government**

RESOLUTION

Proposing an amendment to the Philadelphia Home Rule Charter to provide for the creation, appointment, powers and duties of a Zoning Code Commission, and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,
That the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE III – EXECUTIVE AND ADMINISTRATIVE BRANCH –

ORGANIZATION

CHAPTER 1
OFFICERS, DEPARTMENTS, BOARDS,
COMMISSIONS AND OTHER AGENCIES

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Section 3-100. Executive and Administrative Officers, Departments, Boards, Commissions and Agencies Designated. The executive and administrative work of the City shall be performed by:

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(e) The following independent boards and commissions, which, except for the Board of Trustees of the Free Library of Philadelphia, are hereby created:

City Planning Commission;

Commission on Human Relations;

Board of Trustees of the Free Library of Philadelphia;

Board of Pensions and Retirement;

Civil Service Commission;

Philadelphia Tax Reform Commission and its Advisory Committee;

Board of Ethics[.]; *and*

Zoning Code Commission.

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CHAPTER 8 INDEPENDENT BOARDS AND COMMISSIONS

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SECTION 3-807. Zoning Code Commission. The Zoning Code Commission shall be comprised of the members of the City Planning Commission.

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ARTICLE IV EXECUTIVE AND ADMINISTRATIVE BRANCH POWERS AND DUTIES

The Mayor, The City Representative and
Departments, Boards and Commissions under the Mayor

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CHAPTER 10 ZONING CODE COMMISSION

SECTION 4-1200. Powers and Duties.

(a) *The Zoning Code Commission shall conduct a comprehensive analysis of and make recommendations regarding reforms to the Philadelphia Zoning Code. The Commission shall analyze the Zoning Code to determine each section's intent, its impact on residential, commercial and industrial development, the costs associated with the Zoning Board of Adjustment including its current caseload and whether the Code may be consolidated or simplified to make it more consistent and easy to understand and to reduce the number of appeals to the Zoning Board of Adjustment while still maintaining community input and neighborhood controls. The Commission shall also compare the Zoning Code to the zoning code in jurisdictions that have experienced growth in residents and businesses, using accepted models of analysis. The Commission's work shall be guided by the principles that 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*

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encouraging positive development and protecting the character of Philadelphia's neighborhoods.

(1) The staff of the City Planning Commission shall serve as staff to the Commission, and the Commission shall not appoint other staff. The Commission shall invite the participation of any staff of the Mayor or the Council , as well as utilize any available resources, studies or reports of the Mayor or the Council. The Commission may also, subject to the availability of appropriations, retain any organization or individual as a consultant to assist the Commission in its work.

(2) All departments, boards, commissions and other City agencies shall cooperate fully with the Commission in the performance of its duties and responsibilities and shall provide any and all documents, data, analyses or other information related to construction, development and zoning requested by the Commission, except documents the nondisclosure of which is legally privileged or which have been prepared for or by the Law Department for use in actions or proceedings to which the City is or may be a party, and provided that the Commission shall maintain the confidentiality of any documents, data, analyses or other related information upon the written request by any City agency that the material being provided to the Commission be treated as confidential.

(b) On or before June 30, 2008, unless Council by a resolution adopted by a two-thirds vote of all the members of the Council approves an extension, the Commission shall by a vote of two-thirds of all members of the Commission adopt a written report

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containing specific recommendations solely related to proposed changes to the Philadelphia Zoning Code, including drafts of all legislation required to implement those proposed changes; and recommendations, including a timetable and specific milestones, on how to proceed with a comprehensive revision of the City's zoning maps. The Commission shall provide copies of its report to the Mayor and to each member of Council and to the Clerk of Council, and the Commission shall see 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.

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Explanation:

[Brackets] indicate matter deleted by this amendment.
Italics indicate new matter added by this amendment.

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