

9.12.2 Additional Criteria for Granting a Waiver

- 9.12.2.1 A waiver pursuant to 14-533(3) (b)(.1)(.a) shall only be granted if all off-site affordable units claimed to satisfy the requirements of that section have been granted a certificate of occupancy prior to the submission of the waiver request.
- 9.12.2.2 A waiver pursuant to 14-533(3) (b)(.1)(.a) shall only be granted if the neighborhood affordability submitted pursuant to 9.12.1.3, above, demonstrates that, within one-half-mile of the Residential Housing Project, there is an adequate supply of supply of housing that is affordable to households earning up to 40 percent of Area Median Income, relative to the demand for such housing.
- 9.12.2.3 Dwelling units earned as part of any bonus program in the Zoning Code shall not be eligible to be included in the waiver request.
- 9.12.2.4 An applicant may not request a waiver for units which have received a Certificate of Occupancy more than three years in advance of their waiver request submission date.
- 9.12.2.5 If a waiver request is granted based upon the affordability of off-site units, the same off-site affordable units cannot be relied upon in later waiver requests by the same or different applicants.

10. **CIVIC DESIGN REVIEW**

10.1. **Authority**

The Civic Design Review Committee is authorized by the Zoning Code to review zoning permit applications for any development that meets the criteria established therein.

10.2. **Civic Design Review Committee**³⁰

Except where the Commission is acting as the CDR Committee, pursuant to the Zoning Code:

- 10.2.1. The CDR Committee consists of seven members, as set forth by the Zoning Code;
- 10.2.2. A quorum of the CDR Committee shall consist of four members. A majority of those voting in the presence of a quorum is required to issue a CDR Committee recommendation;
- 10.2.3. The CDR Committee shall meet monthly, or as required. The CDR Committee shall post notice of and conduct all meetings in accordance with the Pennsylvania Sunshine Act. The CDR Committee shall post web notice of the day, hour, and place of the regularly scheduled meetings and meeting agendas of the CDR Committee.

10.2.4. The CDR Committee shall be guided by the Zoning Code and Section 10.6 of these Regulations when reviewing developments required to undergo civic design review as provided in The Zoning Code.

10.3. Recommended Qualifications for CDR Committee Members³¹

The Executive Director may recommend candidates to the Mayor for appointment to the CDR Committee as follows:

- 10.3.1.** Each member recommended to serve in the seat designated for an architect or landscape architect should be a certified professional registered in the Commonwealth of Pennsylvania;
- 10.3.2.** Each member recommended to serve in the seat designated for an urban design professional, sustainability professional, and a developer or builder should be recognized by peers to possess extensive knowledge of their practice area;
- 10.3.3.** The member recommended to serve in the civic association review seat should have: (1) experience in architecture, planning, urban design, or development; and (2) experience reviewing development plans on behalf of a community organization. Persons satisfying this criterion may include, but are not limited to, persons who serve or have served on a zoning, land use, or similar committee of a community organization.
- 10.3.4.** The RCO(s) whose registered boundaries include the Civic Design Review project will select a representative to serve on the CDR Committee.
 - 10.3.4.1** At least one week before the date of the scheduled Civic Design Review meeting for the project, the RCO(s) shall nominate a representative to the Executive Director.
 - 10.3.4.2** If there is more than one RCO whose boundaries include the project site, the RCOs may select up to two representatives.
 - 10.3.4.3** If the Executive Director receives more nominations than there are available RCO representative seats, the Executive Director shall ask submitting nominees to decide amongst themselves whom the two representatives will be. If a decision is not made at a point three days from the date of the scheduled CDR meeting, then the Executive Director shall select the representative(s) from among the nominees.

10.4. Procedure³²

- 10.4.1.** The Executive Director shall review the application and determine its completeness pursuant to the submission requirements delineated in subsection 10.5. The Executive Director shall forward the completed application to the CDR Committee.
- 10.4.2.** Applications deemed complete in accordance with subsection 10.4.1. shall be scheduled for consideration by the CDR Committee at the discretion of the Executive Director.

10.4.3. The CDR Committee shall keep a summary of its recommendations made at each meeting and shall forward its recommendations to the Executive Director. Should an application be subject to a second CDR Committee meeting, the Executive Director shall provide a recommendation summary to the applicant prior to the second CDR Committee meeting on the application.

10.4.4. The Executive Director shall forward the recommendations of the CDR Committee to the Department of Licenses and Inspections and shall post the recommendations on the Commission's website, as required by the Zoning Code.

10.5. Submission Requirements³³

10.5.1. Applicants must submit one paper copy of the site survey required in 10.5.1.1 and one paper copy of the site plan required in subsection 10.5.1.4. in a 24"x36" minimum format. Applicants must also submit a digital Portable Document Format (.PDF) file and 5 bound color copies of the following in 11" x 17" format, except items in subsections 10.5.1.5 through 10.5.1.13 shall not apply to applicants of new master plan districts or major amendments to master plans, unless otherwise requested by the Executive Director:

- 10.5.1.1** A site survey indicating the current conditions of the proposed site conducted by a licensed surveyor or engineer. A plan illustrating the current conditions of the proposed site. Refer to Section 8.2.3 of these regulations for the information to be included on the site plan;
- 10.5.1.2** A completed copy of the City Planning Commission's Complete Streets Handbook Checklist;
- 10.5.1.3** Photographs of the proposed site and immediate area and aerial photographs in plan and oblique views;
- 10.5.1.4** Site plan, drawn to a scale where all elements of the streetscape are discernible and the relationship of outside spaces to inside spaces can be understood. The site plan must include all existing street elements such as utility poles, traffic signs, handicapped ramps, fire hydrants, street lights, bollards, benches, bicycle racks, and other street furniture;
- 10.5.1.5** Ground floor plan, drawn to a scale where the relationship of outside spaces to inside spaces can be understood. The ground floor plan must show all building entrances and exits and vehicle loading and unloading areas;
- 10.5.1.6** Landscape plan, drawn to a scale where all elements of the streetscape are discernible and the relationship of outside spaces to inside spaces can be understood;
- 10.5.1.7** Elevations drawn to scale of all sides of the proposed building(s) with all exterior materials labeled.
- 10.5.1.8** Site sections (minimum of two) showing the relationships to adjacent buildings and spaces;

- 10.5.1.9** Perspective renderings (minimum of two views including at least one at street-level perspective). Exterior materials must be depicted in the renderings;
- 10.5.1.10** 3D digital or physical massing model that shows the proposed development within the context of surrounding buildings;
- 10.5.1.11** The Commission's Sustainability Questionnaire. In addition to the Sustainability Questionnaire, applicants applying for LEED certification, or certification by another green building or neighborhood development rating system, may also submit additional materials that detail the credits for which they are applying.
- 10.5.1.12** A written description of the building materials and their textures and colors. The CDR Committee may request material samples as it deems necessary to evaluate the project;
- 10.5.1.13** If applicable, the submissions required to demonstrate compliance with the sky plane controls of the Zoning Code, as provided in subsection 9.3 of these Regulations;
- 10.5.1.14** If an application is returning for a second CDR Committee meeting, a written statement responding to the CDR Committee's recommendation summary as provided by the Executive Director under subsection 10.4.3. The statement must be from the applicant or the applicant's design professional. The statement must explain how the applicant will address, or why the applicant will not address, the specific CDR Committee comments.

10.5.2. The Executive Director may request additional materials as deemed necessary to assist the Civic Design Review Committee in its evaluation of the proposal.

10.5.3. Unless otherwise notified by the Executive Director, applications meeting the requirements of subsection 10.5.1 shall be submitted for each Civic Design Review meeting no later than 4:00 p.m. on the date two weeks before the scheduled Civic Design Review meeting.

10.6. Review Guidelines³⁴

The CDR Committee shall consider the impacts on the public realm in accordance with the Zoning Code. The CDR Committee shall apply the guidelines set forth in this Subsection 10.6 to evaluate each project and to make its advisory recommendation. Due to the general nature of master plans, certain guidelines regarding architectural elements shall not apply to master plan reviews as noted below. Reviews of major amendments to master plans shall apply these guidelines to the modifications proposed in the amendment and not the entire master plan district. These CDR Guidelines are intended to supplement the form and design standards in the Zoning Code. Should there be a conflict between the regulations of this Subsection 10.6 and the Zoning Code, the provisions of the Zoning Code shall prevail.

10.6.1. General Intent. Civic Design Review is focused on the assessment of the proposed characteristics and quality of the public realm that is an integral part of any large development project. The “public realm” is defined as sidewalks, public spaces, streets, and public and community facilities. In addition, Civic Design Review will address the way in which a large proposed development may have an impact on its neighborhood. The Civic Design Review process does not lend itself to precise quantifiable certainty, requiring members of the CDR Committee to use their professional expertise and judgment in rendering advisory action.

10.6.2. Purpose. Projects and master plans that are subject to Civic Design Review, pursuant to the Zoning Code, are encouraged to:

- 10.6.2.1** Enhance the city’s streets and sidewalks, which represent the greatest percentage of its public realm, to function well, and promote vitality and activity;
- 10.6.2.2** Reinforce desirable urban features found within the surrounding area, such as siting patterns, massing arrangements, and streetscape characteristics; and, if appropriate, provides buffers and screens between the proposed building(s) and the adjacent area;
- 10.6.2.3** Maximize the utility of open space, which may be either public or private, and visible to the public;
- 10.6.2.4** Design site characteristics and building features to help reduce energy use and greenhouse gas emissions, manage stormwater runoff, conserve water, and preserve natural habitats;
- 10.6.2.5** Promote pedestrian interest, safety, and comfort by creating attractive and serviceable walkways and pedestrian routes;
- 10.6.2.6** Promote the safe and efficient circulation of bicyclists and motorists;
- 10.6.2.7** Promote the use of public transit;
- 10.6.2.8** Integrate accessibility for persons with disabilities; and
- 10.6.2.9** Minimize the adverse visual impact of vehicular service areas, while providing safe and ample access for emergency and delivery vehicles.

10.6.3. The site design is encouraged to:

- 10.6.3.1** Where feasible, re-establish or continue the existing street and sidewalk grid;
- 10.6.3.2** Maintain adequate sidewalk widths in accordance with the Commission’s Pedestrian and Bicycle Plan to ensure pedestrian clear zone widths;
- 10.6.3.3** Locate surface parking lots behind buildings;
- 10.6.3.4** Provide vehicular access and access to service areas, such as those from dumpsters, loading docks and mechanical equipment, from smaller service streets or alleys.

Landscaping and walls may be used to screen service areas from view;

10.6.3.5 Include clearly defined pedestrian connections from buildings and parking areas to public streets;

10.6.3.6 Incorporate quality public open spaces and pedestrian networks between buildings.

10.6.4. The building design is encouraged to:

10.6.4.1 Locate buildings at the street line, match the prevailing setback on the block, or set back buildings to accommodate public space;

10.6.4.2 Define building entrances by an easily recognizable architectural element in the façade that leads the pedestrian to an entryway, provided this guideline shall not apply to master plan reviews;

10.6.4.3 Maximize ground floor transparency through generous fenestration, provided this guideline shall not apply to master plan reviews;

10.6.4.4 Incorporate windows, as well as materials and architectural details, into street-facing building facades to articulate the building in order to provide an interesting pedestrian experience, provided this guideline shall not apply to master plan reviews.

10.6.5. The parking design is encouraged to:

10.6.5.1 Break up surface parking lots into smaller “cells,” “pods,” or “modules” by buildings, landscaping, and pedestrian paths;

10.6.5.2 Provide shared parking and shared driveway entrances and exits whenever possible;

10.6.5.3 Construct multi-level parking structures instead of large surface parking lots, where possible;

10.6.5.4 Include ground-floor commercial uses in parking structures, where possible. Above-ground screening devices, such as architectural articulation including baffles, screens, and landscaped walls are encouraged, provided this guideline shall not apply to master plan reviews.

10.6.6. The design of public open space is encouraged to:

10.6.6.1 Be visible from the sidewalk;

10.6.6.2 Include direct access from adjacent streets, allow for multiple points of entry, and, where applicable, integrate public transit stops or stations;

10.6.6.3 Incorporate amenities such as benches, seats, tables, fountains, drinking fountains, and interpretive historical markers., provided this guideline shall not apply to master plan reviews.

10.6.7. The project is encouraged to integrate sustainable design elements that:

- 10.6.7.1** Reuse the existing building stock when possible;
- 10.6.7.2** Incorporate existing on-site natural habitats and landscape elements into the design;
- 10.6.7.3** Incorporate functional storm water control features such as rain gardens, swales, and green roofs to store, slow and/or reduce rainwater runoff from the site;
- 10.6.7.4** Site and mass buildings to maximize daylight for exterior spaces and minimize shading on adjacent sites.

11. NOMINATION OF A NEIGHBORHOOD CONSERVATION OVERLAY (/NCO) DISTRICT

11.1. Nomination Criteria

The Executive Director is hereby authorized, on behalf of the Commission, to accept nominations and to make recommendations for /NCO districts. The Executive Director shall not offer a recommendation in support of the creation of the /NCO district unless the proposed district satisfies all of the following criteria:

- 11.1.1.** An /NCO shall consist of an area of at least two blocks by two blocks and no more than 25 blocks, unless otherwise authorized by the Executive Director;
- 11.1.2.** No portion of the /NCO shall be contained within a historically-designated district on the Philadelphia Register of Historic Places or a district for which notice of proposed designation has been sent pursuant the Zoning Code;
- 11.1.3.** At least 70 percent of the /NCO's area must be of residential use and zoned Residential;
- 11.1.4.** No more than 20 percent of the /NCO's area shall consist of vacant lots; and
- 11.1.5.** The /NCO must possess a consistent architectural character as a result of a concentration of residential buildings of similar character or a continuity established by an overall plan.

11.2. Nomination Process

- 11.2.1.** The process to initiate the creation of a new /NCO district is established by the Zoning Code.
- 11.2.2.** The party nominating the /NCO shall submit to the Executive Director, as required by the Zoning Code, a map of the proposed /NCO district boundaries and proposed design guidelines for the /NCO district. The nominating party shall also submit a background survey of the proposed /NCO which shall include an existing conditions study for each block with photographs, maps or diagrams, and written descriptions.
- 11.2.3.** The Executive Director shall review the nomination materials to determine that the /NCO satisfies the criteria in Subsection 11.1 of these Regulations and the criteria set forth in the Zoning Code. Upon such determination, the Executive Director shall draft a proposed enabling ordinance that would establish the /NCO.