



# City of Philadelphia

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

**BILL NO. 070008**

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**Introduced January 23, 2007**

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**Councilmember DiCicco**

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**Referred to the  
Committee on Rules**

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## **AN ORDINANCE**

Amending Chapter 14-400 of The Philadelphia Code, entitled "Commercial Entertainment District," by deleting the provision authorizing the City Planning Commission to approve temporary facilities; by removing licensed gaming facilities and off-track betting facilities as permitted uses; and by deleting any provision that may undermine Philadelphia local zoning controls; all under certain terms and conditions.

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

SECTION 1. Chapter 14-400 of The Philadelphia Code is hereby amended to read as follows:

### CHAPTER 14-400. COMMERCIAL ENTERTAINMENT DISTRICT.

\* \* \*

#### §14-402. Definitions.

[(1) Licensed Gaming Facility. A licensed gaming facility as authorized by the Commonwealth of Pennsylvania, pursuant to 4 Pa. C.S., Part II, the "Pennsylvania Race Horse Development and Gaming Act" (the Act)."]

[(2)] (1) Commission. The City Planning Commission.

\* \* \*

#### §14-404. Procedure for Issuance of Permits in a Commercial Entertainment District.

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(1) Prior to the issuance of any zoning permits in a Commercial Entertainment District, the Commission shall review the application and accompanying plans to determine if they are in accord with the approved Plan of Development.

(a) If the Commission determines that the proposed plans are in accord with the approved Plan of Development and is otherwise in accord with the provisions of Chapter 14-400, the Commission shall approve the proposed plans and return them to the Department of Licenses and Inspections for the issuance of zoning permits.

[(b) The Commission may approve an application for temporary facilities and related temporary structures if the Commission determines that the temporary facilities and structures, and the proposed phasing of development, would not undermine the overall intent of the approved Plan of Development.]

§14-405. Use Regulations.

(1) The specific uses permitted in this district shall be the erection, construction, alteration or use of one or more structures or land for:

\* \* \*

[(c) Licensed gaming facilities and off-track betting facilities;]

- [(d)c] \* \* \*
- [(e)d] \* \* \*
- [(f)e] \* \* \*
- [(g)f] \* \* \*
- [(h)g] \* \* \*
- [(i)h] \* \* \*
- [(j)i] \* \* \*
- [(k]j] \* \* \*

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[(2) Nothing in this Chapter shall limit the right of the Pennsylvania Gaming Control Board under the Act to identify the property on which it will permit a Category 2 licensed gaming facility within the City.]

[(3) Nothing in this Chapter shall be construed to prohibit any use that is exclusively regulated and permitted by the Commonwealth under the Act.]

\* \* \*

SECTION 2. Effective Date. This ordinance shall take effect immediately.

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**Explanation:**

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

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