

City of Philadelphia



(Bill No. 050465)

AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-200 entitled "Residential Districts," by adopting a new Section 14-216 entitled "Waterfront Redevelopment District," 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 by adopting a new Section 14-216 entitled "Waterfront Redevelopment District," to read as follows:

TITLE 14. ZONING AND PLANNING.

* * *

CHAPTER 14-200. RESIDENTIAL DISTRICTS.

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§14-216. Waterfront Redevelopment District.

(1) Statement of Purpose. This district is intended to encourage the orderly redevelopment of large parcels of formerly industrial, utility and port related land located along or near rivers, streams or canals into new mixed-use communities. All types of residential uses and commercial facilities in support of these new communities and existing neighborhoods as well as certain non-residential uses shall be permitted in accordance with an approved Master Plan of development. The Master Plan shall be approved and from time to time may be amended as necessary and is subject to restrictions on the type of use and certain other development controls.

(2) Procedures for the Establishment of a District.

(a) Council may establish, by amendment of the City's Zoning Maps, a Waterfront Redevelopment District or Districts, only after approval by the City Planning Commission of any such proposed re-mapping and any accompanying required Plans. An ordinance establishing a Waterfront Redevelopment District shall include an Illustrative Site Plan and a Master Plan Narrative indicating the total gross floor area for the District, the total gross floor area of any proposed commercial uses in the District, the total open space by type of open space, the parking ratio, any required off-street loading spaces, maximum building height, set back lines from any street, bounding

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district or river and the total amount of signage for the proposed Waterfront Redevelopment District.

(3) Procedure for Issuance of Permits in a Waterfront Redevelopment District.

(a) Prior to the issuance of any zoning permits in a Waterfront Redevelopment District, the City Planning Commission shall review the application and accompanying plans to determine if they are in accord with the approved Master Plan.

(.1) If the Commission determines that the proposed plan is in accord with the Master Plan Narrative, the Commission shall approve the proposal and return it to the Department of Licenses and Inspections for the issuance of zoning permits.

(.2) If the Commission determines that the application for zoning permit is not in accord with the approved Master Plan Narrative, the Commission may nonetheless conditionally approve application for zoning permit as a change to the Master Plan, if the Commission determines that the proposal is in accord with the purposes of this Section and consistent with the sound development needs of the District; provided, however, that any such approval shall first be forwarded to the Council, and shall not be effective unless and until Council has conducted a public meeting in at least six separate weeks thereafter and failed to adopt, by ordinance, the change to the Master Plan. In the event the Council fails to conduct such meetings within 45 days after the change is forwarded to the Council, the Council President may waive the right to disapprove, if he or she determines that the proposal is consistent with the overall development needs of the district.

(b) No City department shall issue any building or zoning permit for any parcel zoned Waterfront Redevelopment District unless the Commission shall have approved the applicant's development plans as consistent with the Master Plan for the District. The plans shall contain, as a minimum, the following information and details:

(.1) Plans for the development of the entire district, or for a separate lot, parcel, or block within the district;

(.2) The height, and use of all buildings and structures;

(.3) All proposed set-backs, open space, recreational and play areas;

(.4) The gross floor area of all buildings;

(.5) Any proposed change to the existing confirmed street layout within or surrounding the boundaries of the district;

(.6) The total occupied area of the district, expressed in square feet and percentages;

(.7) A landscaping plan;

(.8) A parking plan, including all driveways leading thereto and the size and location of all private drives or public streets intended to be used for

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automobile traffic. All proposed plans for off-street parking lots shall be approved by the Department of Streets;

(.9) The size and location of all off-street loading facilities;

(.10) The size and location of any signs.

(c) The Commission shall take no action on any proposed plan unless the Commission shall have first referred the plan to the Streets Department and the Water Department for their recommendation and said departments shall have had thirty days to offer their recommendation. If the Commission fails either to approve, disapprove, conditionally approve or table the proposal within 45 days after submission of complete plans to the Commission, the approval of the Commission shall be presumed. The Commission shall reply in writing informing the proponent as to the action that the Commission has taken.

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

(a) Single family dwellings, two family dwellings, multiple family dwellings and hotels; private garages, private dwelling garages and private parking lots;

(b) Places of worship;

(c) Medical and surgical hospitals, medical centers, health centers, and any adjunct residential dwellings;

(d) Nursing, rest or convalescent homes; assisted living facilities, age restricted housing;

(e) Child care facilities, pre-schools;

(f) Schools, colleges, universities, other institutions of learning; adjunct play and recreational grounds or facilities;

(g) Art galleries, museums, libraries, community centers, recreation centers, indoor or outdoor swimming pools whether publicly or privately owned or operated;

(h) Fire stations, police stations, post offices;

(i) Public utility facilities;

(j) Waiting rooms or shelters for public transportation passengers;

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(k) The following home occupations, subject to the conditions set forth in subsection (5), below:

(.1) Family day care, as provided under Section 14-203(1)(f);

(.2) Home offices for financial, tax investment and accounting services where customers and associates do not come to the premises;

(.3) Home offices using personal computers, software, modems, telephones and computer hardware where customers and associates do not come to the premises;

(.4) Sales of products using the internet or telephones where customers or products sold do not come to the premises;

(.5) Instruction or tutoring of individuals or pupils in music, art, and academic subjects;

(.6) Sewing, tailoring, dressmaking and alterations;

(.7) Artist;

(.8) Any use of the same general character as those listed above;

(l) The following commercial uses, provided that, if the commercial uses are not expressly set forth in a Master Plan, they are nonetheless permitted so long as the total square footage of the net leasable area of all such uses not expressly permitted in the Plan does not exceed the product of 100 times the number of dwelling units approved in the Master Plan for the District:

(.1) Retail sales of goods and the provision of services to the ultimate consumer except for any goods and services regulated under the provisions of Section 14-1605 of The Philadelphia Code;

(.2) Indoor theater; bowling alley; private equestrian centers;

(.3) Marinas, boat launches;

(.4) Any use of the same general character as those listed above providing goods or services to the ultimate consumer;

(.5) Accessory uses customarily incidental to any of the above permitted uses.

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(5) Home occupations shall be conducted in a dwelling as an incidental use and are subject to all of the following limitations and restrictions:

(a) It shall be conducted solely by members of the family residing in the same dwelling without the employment of other persons on-site;

(b) The home occupation shall not be permitted:

(.1) any display sign or public advertising, exterior storage of materials or any other exterior indications of the home occupation;

(.2) the use of equipment other than hand tools, computer software and peripheral hardware, fax and photocopying equipment, and related office equipment, provided, any equipment producing offensive noise, vibration, smoke, dust, odors, heat or glare shall be prohibited;

(c) The home occupation shall be limited to the use of not more than 25% of the total floor area of the dwelling, including basements;

(d) No storage of a stock in trade nor the sale of products on the premises.

(6) Area Regulations. Neither the Council nor the Commission shall approve a Master Plan or a proposed remapping of an area to Waterfront Redevelopment District unless the proposal complies with all of the following:

(a) District Area and Boundaries. The minimum Waterfront Redevelopment District area shall be 1 acre of contiguous property. Boundaries shall be so designated to afford a reasonable line of division between the district and adjacent uses consistent to carry out the purposes and scope of this Title as required in §14-101. The Master Plan should also provide for reasonable, compatible spatial relationships between buildings that are situated on the periphery of the district and abutting non-Waterfront Redevelopment District areas. No limitation on multiple buildings on a lot shall apply in this District, unless expressly set forth in a Master Plan.

(b) Gross Floor Area. The gross floor area of all buildings shall not exceed 250% of the total area of the Waterfront Redevelopment District, and subject to the provisions of §14-216(7) of this Chapter.

(c) Occupied Area. Buildings, structures, streets, shall occupy not more than 80% of the Waterfront Redevelopment District area.

(d) Open Area. Not less than 40% of the Waterfront Redevelopment District area shall be open area provided, that at least 50% of the required open area shall be used to

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provide open area for individual dwelling units or shared open area. The remaining open area shall be used to provide public open areas such as, parks or recreation areas and open space and screening for commercial development.

(e) Open Area Above the Ground Level. Open space that is required to be provided for individual dwelling units or as shared open space may be provided in the form of decks, patios and terraces and may be located above the ground level as part of buildings and structures.

(f) Yards. No individual minimum front, side, or rear yards shall be required in this district except as shall be required as part of the approval of a Waterfront Redevelopment District Master Plan.

(g) Waterfront Setback. All lots shall provide or allow for an unencumbered setback from the top of the bank of any river to allow for unrestricted public access to the river's edge. Any land located within this set-back which is dedicated to the City of Philadelphia, the Commonwealth of Pennsylvania or any public entity, shall be included in the determination of conformance to the requirements of §14-216(3). This waterfront setback shall include as follows:

(.1) A public open space which may include privately or publicly owned space at a width of no less than 30 feet; and

(.2) A publicly or privately owned right-of-way dedicated for pedestrian, bicycle and/or vehicular traffic at a width of no less than 20 feet.

(7) Height Regulations.

(a) There shall be no height regulations in this district except as may be imposed as part of the approval of a Waterfront Redevelopment District Master Plan or by other applicable provisions of this Title.

(8) Off-Street Parking.

(a) Every residential use shall provide for off-street parking, as follows: At a minimum, one parking space for the first two bed rooms in any dwelling unit and one additional parking space for each additional two bed rooms in any dwelling unit, subject to any further parking requirements set forth in a Master Plan.

(b) Auditoriums, theaters and churches: one parking space per 10 seating spaces;

(c) Nursing, rest or convalescent homes; assisted living facilities: one parking space per 10 permanent beds;

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(d) For uses other than the uses listed in paragraphs (a), (b) and (c) above, and excluding parking or loading structures, one space shall be provided for every 3,000 square feet of the cumulative gross floor area of the buildings within the Waterfront Redevelopment District, subject to any additional parking that may be required as part of Master Plan.

(e) Location. Off-street parking areas shall be located within a distance of 1,000 feet from the building or buildings that they serve and shall not include any parking provided on any public street or private street within the boundaries of the Waterfront Redevelopment District Master Plan.

(f) The applicable provisions of §14-1402(6)(a), (b) and (c) of this Title shall govern open-air parking.

(9) Off-Street Loading.

(a) Off-street loading spaces shall be provided in accordance with the following table. Any individual building in excess of 100,000 square feet shall provide off-street loading. Two or more buildings may share a common loading area when loading spaces are required for said buildings. The number of required spaces for the Waterfront Redevelopment District shall not be determined by calculating the total gross floor area of all buildings in the district.

Gross Floor Area (square feet)	Spaces
0 - 99,000	0
100,000 - 150,000	1
150,001 - 400,000	2
400,001 - 660,000	3
660,001 - 970,000	4
970,001 - 1,300,000	5

(10) Signs.

(a) Signs shall be permitted in accordance with the following limitations and conditions:

(.1) For uses specified in §14-216(2)(b) through (l):

(.a) Each building in the Waterfront Redevelopment District shall be permitted to have signs, identifying the name, use or purpose of said building. Signs

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shall be permitted a total sign area of two square feet for each lineal foot of building width. This limitation shall not apply to traffic or directional signs;

(.b) Each building in the Waterfront Redevelopment District shall also be permitted to have an additional monument sign, not to exceed 48 square feet on each face limited to the name and address of the building;

(.c) Each development or community shall be permitted to have an additional monument sign, not to exceed 48 square feet on each face limited to the name and address of the development or community;

(.2) For all permitted signs:

(.a) Permitted signs may be illuminated by interior lighting or lighting directed toward the signs, provided that they do not create glare upon adjacent districts; but in no case shall signs be illuminated by flashing, animated or intermittent illuminations;

(.b) Signs that revolve shall be prohibited;

(.c) Any revolving device that causes intermittent flashes of light to be projected shall be prohibited;

(.d) Signs may be attached flat against the wall of the building or marquee, but may not project above the roof or wall coping, nor extend beyond the building walls;

(.e) Non-accessory or outdoor advertising signs shall not be permitted.

SECTION 2. The Chief Clerk of City Council shall keep and make available to the public for inspection during regular business hours the Illustrative Site Plan referred to in Section 14-216(2) (a) of this Ordinance.

Explanation:

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

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 16, 2005. The Bill was Signed by the Mayor on July 8, 2005.

A handwritten signature in cursive script that reads "Patricia Rafferty".

Patricia Rafferty
Chief Clerk of the City Council