City of Philadelphia

(Bill No. 080954)

AN ORDINANCE

To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue; amending Section 14-1402 of The Philadelphia Code, entitled "Parking in Residential Districts;" amending Section 14-305 of The Philadelphia Code, entitled "C-4 Commercial and C-5 Commercial Districts;" and by amending Section 14-1620 of The Philadelphia Code, entitled "Avenue of the Arts North Special District Controls," all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 14-305 of The Philadelphia Code is hereby amended to read as follows:

§14-305. "C-4" Commercial and "C-5" Commercial Districts.

(2) Use Regulations. It is the intention of this Section of the Code to allow for types of uses that are commonly found in and compatible with, a high-density business core. The uses permitted in these districts are those which minimize negative impact upon and which are compatible with the use and enjoyment of the public sidewalks and public space by large numbers of people and which enliven and enhance the public use, experience and enjoyment of these spaces. Therefore, the specific uses permitted in these districts shall be the erection, construction, alteration or use of buildings and/or land for:

(a) Parking garages, whether above or below ground level, when the lot on which it is located has frontage on any of the following streets:

* * *

(.6) the area bounded by Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue;

(b) The uses permitted in "C-3" Commercial Districts subject to all the use qualifications set forth therein except:

* * *

(.3) In the area bounded by Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue, individual units in multiple dwellings may house up to four persons unrelated by blood, marriage or adoption.

* * *

(3) Use Regulations, With A Special Use Permit. The following uses shall be permitted in these districts only if a Zoning Board of Adjustment Special Use Permit, as herein provided, is obtained:

(a) Accessory private parking lots except as prohibited in §14-305(2)(b)(.2)(.g) above; *and except that no Special Use Permit shall be required in the area bounded by Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue;*

* * *

(4) Area Regulations.

* * *

(g) Yards and Courts. For buildings of five (5) stories or greater with more than three (3) families the following requirements shall apply:

(.1) Side Yards and Courts With Legally Required Windows. *Except as provided in subsection (.2),* [Any] *any* wall with one (1) or more legally required window shall be located so that every point of the wall shall be minimum horizontal distance which is not less than the following:

* * *

(.2) Side Yards and Courts With Legally Required Windows, in the area bounded by Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue: Any wall with one (1) or more legally required window shall be located so that every point of the wall shall be a minimum horizontal distance form the opposite side of any street the wall faces, any facing lot line which is not a street line, or any opposing wall on the same lot, as provided by the Building Code.

[(.2)]*(.3)* Side Yards and Open Courts Without Legally Required Windows.

* * *

(8) Floor Area Regulations. No building in these districts shall have a gross floor area (as defined in § 14-102(39)) greater than that permitted under the provisions herein set forth.

(a) Basic Floor Area. Every building in these districts shall be permitted a gross floor area as follows:

* * *

(.3) Lots designated "C-4" Commercial within an area bounded by North Broad Street, Fairmount Avenue, North 13th Street, Wallace Street and Ridge Avenue*; or in an area bounded by Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue.* Six hundred percent (600%) of the area of the lot.

* * *

SECTION 2. Section 14-1402 of The Philadelphia Code is hereby amended to read as follows:

§14-1402. Parking in Residential Districts.

* * *

(2) Number of Spaces Required. For all dwellings one space for each family, except as follows:

(a) For dwellings containing twenty-five or more families:

* * *

(.5) Within the area bounded by Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue, parking shall not be required;

SECTION 3. Section 14-1620 of The Philadelphia Code is hereby amended to read as follows:

§14-1620. Avenue of the Arts North Special District Controls.

* * *

(4) Height Regulations.

(a) [The] *Except in the area bounded by Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue, the* main cornice line of any newly erected building shall not be less than 25 feet above the average sidewalk level.

(5) Building Setback Line.

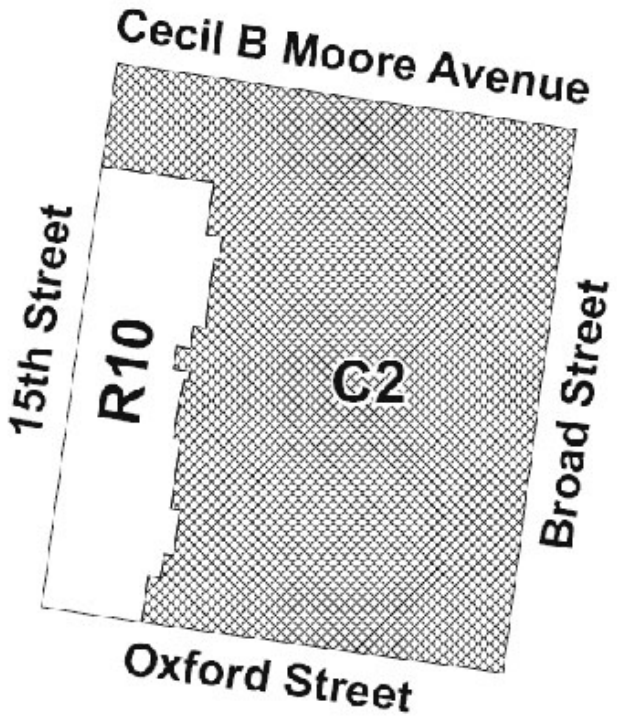
(a) [Newly] *Except in the area bounded by Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue, newly* erected buildings shall not be set back from the street line of Broad street.

* * *

SECTION 4 Sunset Provision. This Ordinance shall lapse on December 31, 2011, unless the Department of Licenses and Inspections certifies to the Chief Clerk of Council that, on or before such date, a building permit for construction in the area bounded by Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue has been issued, in which case this Ordinance shall lapse only if the Department certifies that such building permit or any related zoning permit has expired due to a failure to proceed under the permit. The City Planning Commission may extend the effectiveness of this Ordinance by no more than one (1) year by certifying to the Chief Clerk that the applicant is making substantial progress toward completion of development consistent with the zoning changes effected by this Ordinance.

SECTION 5. Pursuant to Section 14-103 of The Philadelphia Code, The Philadelphia Zoning Maps are hereby amended by changing the zoning designations of certain areas of land within an area bounded by Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue from the existing zoning designations indicated on Map “A” set forth below to the zoning designations indicated on Map “B” set forth below.

Map A - Existing Zoning



[redacted]

Explanation:

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

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on April 2, 2009. The Bill was Signed by the Mayor on April 15, 2009.

Patricia Rafferty

Chief Clerk of the City Council