

# City of Philadelphia



December 7, 2006

CERTIFICATION: This is to certify that Bill No. 060582-A, entitled "An Ordinance amending Title 14 of The Philadelphia Code, entitled 'Zoning and Planning,' by adding a definition and providing for day care in certain commercial districts and as an accessory use to churches and places of worship," was returned by the Mayor to City Council on the thirtieth day of November, 2006 "DISAPPROVED."

The said bill having been considered again, was repassed on the seventh day of December, 2006. Two-thirds of all the members of City Council having voted in the affirmative, the said bill became law without the Mayor's approval, pursuant to the provisions of Section 2-202 of the Philadelphia Home Rule Charter.

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

Patricia Rafferty  
Chief Clerk of the City Council

(Bill No. 060582-A)

## AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by adding a definition and providing for day care in certain commercial districts and as an accessory use to churches and places of worship, all 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 to read as follows:

### TITLE 14. ZONING AND PLANNING.

\* \* \*

§14-102. Definitions.

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In Chapters 14-100 through 14-1800 inclusive, the following general definitions shall apply:

\* \* \*

*(36.1) Day Care. The provision of care to individuals under the age of 18 for periods less than twenty-four (24) consecutive hours, but not including schools, provided that such day care conforms to all applicable licensing and/or registration requirements of the Commonwealth of Pennsylvania and the City of Philadelphia;*

\* \* \*

§14-203. Residential Related Uses, Non-Residential Uses and Other Permitted Uses.

(1) Residential Related Uses. Where the Chart at §14-205 provides for Residential Related Uses, the following uses shall be permitted:

\* \* \*

(e) The following uses, in completely enclosed, detached buildings only, provided that any existing building which is proposed to be converted into one of the following uses shall comply with the area regulations and the off-street parking regulations of the district; and further provided that off-street parking shall not be located between the street line and the front wall of any existing building:

(.1) Churches, chapels, convents, monasteries, or other places of worship, [and] their adjunct residential dwellings, *and day care as an accessory use to churches and places of worship*, except that day care as an accessory use to churches and places of worship shall not be permitted in the Sixth and Tenth Councilmanic Districts;

\* \* \*

§14-302. “C-1” Commercial District.

\* \* \*

(b) The following uses in completely enclosed buildings dealing directly with the consumer and in no case above the first story of the building; provided, that for buildings erected after the effective date of this section, no single use, nor any combination thereof shall occupy more than 2,000 square feet of gross floor area:

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*(.4) Day care for twelve (12) or fewer children, except in the Sixth and Tenth Councilmanic District;*

[(.4)] (.5) \* \* \*

[(.5)] (.6) \* \* \*

[(.6)] (.7) \* \* \*

[(.7)] (.8) \* \* \*

§14-307. “OC” Office-Commercial District.

(1) Use Regulations. The specific uses permitted in this district shall be the erection, construction, alteration, or use of buildings and/or land for the following uses, to be conducted wholly within a completely enclosed building:

\* \* \*

*(b) Day care, except in the Sixth and Tenth Councilmanic Districts;*

[(b)](c) \* \* \*

[(c)](d) \* \* \*

[(d)](e) \* \* \*

[(e)](f) \* \* \*

[(f)](g) \* \* \*

§14-308. Neighborhood Shopping Center District.

(1) Use Regulations. The specific uses permitted in this district shall be the erection, construction, alteration, or use of buildings and/or land (subject to § 14-308(3) Required Conditions) for:

\* \* \*

*(e) Day care, except in the Sixth and Tenth Councilmanic Districts;*

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[(e)] (*f*) \* \* \*

[(f)] (*g*) \* \* \*

SECTION 2. This Ordinance shall become effective immediately.

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**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.