



City of Philadelphia

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

BILL NO. 000507

Introduced June 22, 2000

Councilmember Nutter

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by adding special provisions regulating the use of property as a residence for college and university students within designated "Educational Housing Districts"; by designating the Fourth Councilmanic District as an Educational Housing District; and by amending Section 14-1803, relating to the criteria for the granting of a special use permit, by specifying additional criteria for the granting of a special use permit for a "student home," as defined, within an Educational Housing District; amending Subcode "PM" of Title 4, entitled "The Philadelphia Property Maintenance Code," by requiring an annual license to own, operate or rent a student home within an Educational Housing District; and amending Subcode "A" of Title 4, entitled "The Philadelphia Administrative Code," by requiring payment of an annual fee for a student home license; 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

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CHAPTER 14-1200. EDUCATIONAL HOUSING DISTRICT SPECIAL CONTROLS.

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§14-1201. *Educational Housing Districts.* The following Educational Housing Districts are hereby created:

- (1) *The Fourth Councilmanic District.*

§14-1202. *Special Controls.*

- (1) *Definitions.*

- (a) *Student Home.* A living arrangement for two or more students unrelated by blood, marriage or legal adoption attending or planning to attend either undergraduate colleges or universities, or attending or planning to attend graduate programs at colleges or universities, or who are on a semester or summer break from studies at colleges or universities, or any combination of such persons. The residents of a student home share living expenses and may live and cook as a single housekeeping unit but may also only share access to cooking facilities and not live and cook as a single housekeeping unit. A Student Home shall not include any living arrangement within a Student Residence Hall or a fraternity or sorority.

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(b) *Student Residence Hall.* A structure owned or leased by an educational institution, containing living arrangements for students of such institution, and operated as an integral part of such institution.

(2) *Within any Educational Housing District created under §14-1201, a Student Home shall be permitted only if a Special Use Permit is issued. The owner or manager of a Student Home shall obtain a Student Home license from the Department of Licenses and Inspections in accordance with Section PM-102.9 of The Philadelphia Property Maintenance Code. If the owner or manager fails to obtain or annually renew such license in accordance with Section PM-102.9, then the Special Use Permit shall expire and the Student Home use shall be immediately terminated.*

(3) *On any residentially-zoned property within an Educational Housing District created under §14-1201, a Student Residence Hall shall be permitted only as an accessory use where the main use of the property (or a contiguous property not separated by a street) is as a school, college, university or other institution of learning.*

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CHAPTER 14-1800. ZONING BOARD OF ADJUSTMENT

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§14-1803. Criteria for Granting a Special Use Permit.

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(3) For the following specified uses, the applicant shall have the duty of presenting evidence and the duty of presenting all studies and materials required herein as well as the additional burden of persuading the Zoning Board that the following specific requirements have been met:

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(e) For a Student Home, the Zoning Board of Adjustment shall evaluate all of the following additional factors in determining whether or not to grant a special use permit:

(i) The number of persons living in a Student Home shall not exceed three (3).

(ii) A Student Home shall meet the minimum yard, setback, and lot width requirements for single family detached dwellings.

(iii) No Student Home shall be located on a lot any portion of which is closer to another lot lawfully used for a Student Home than the distance equal to twenty (20) times the required street frontage for a single family detached dwelling in the district in which the building is located.

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(iv) *The Student Home shall have a minimum of one thousand five hundred (1500) square feet of building area, exclusive of building area covered by a garage or accessory building.*

(v) *A minimum of three on-site, off street parking spaces shall be provided for each Student Home.*

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SECTION 2. Title 4 of The Philadelphia Code is hereby amended to read as follows:

TITLE 4. THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE

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CHAPTER 4-200.0 TEXT OF SUBCODES

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SUBCODE "A" (THE PHILADELPHIA ADMINISTRATIVE CODE)

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CHAPTER 9 FEES

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SECTION A-906.0 PROPERTY MAINTENANCE CODE FEES

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A-906.7 Student Home license: The annual license fee for the Student Home license required under PM-102.9 shall be \$25.00.

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SUBCODE "PM" (THE PHILADELPHIA PROPERTY MAINTENANCE CODE)

CHAPTER 1 ADMINISTRATION

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SECTION PM-102.0 LICENSING

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PM-102.9 Student Homes: No person shall own, operate or rent a Student Home as defined by §14-1202(1)(a) within any Educational Housing District created under §14-1201 without first obtaining a Student Home license from the Department. Every person applying for such license shall supply such information as the Department requires relating to the criteria set forth in §14-1803(3)(e), and shall pay an annual fee as set forth in the administrative code.

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Explanation:

Italics indicate new matter added.

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