

City of Philadelphia



December 4, 2003

CERTIFICATION: This is to certify that Bill No. 030657, entitled “An Ordinance amending Title 14 of The Philadelphia Code, entitled ‘Zoning and Planning,’ by amending Section 14-1621, entitled ‘Passyunk Avenue Special District Controls,’ by revising the prohibited uses and the regulations regarding signs within the District,” was returned by the Mayor to City Council on the fourth day of December, 2003 “DISAPPROVED.”

The said bill having been considered again, was repassed on the fourth day of December, 2003. Two-thirds of all of 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. 030657)

AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by amending Section 14-1621, entitled “Passyunk Avenue Special District Controls,” by revising the prohibited uses and the regulations regarding signs within the District.

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.

* * *

CHAPTER 14-1600. MISCELLANEOUS.

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§14-1621. Passyunk Avenue Special District Controls.

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(2) District Boundaries. For the purposes of this Section, the Passyunk Avenue Special District Controls shall apply to all commercially zoned properties with frontage on Passyunk avenue between Washington avenue and Twenty-fifth street.

(3) Prohibited Uses. Within the area subject to the Passyunk Avenue Special District Controls and notwithstanding any other Chapter of this Title, the following uses shall be prohibited:

(a) Athletic and drill hall, *night club*, dance hall, and other entertainment of guests and patrons as a main use;

(b) Automobile repair shops; automobile service station for the retail sale of automobile fuels, lubricants and accessories; retail sale and installation of automobile parts, tires or audio equipment; automobile and truck sale lots, except as part of franchise new car facility; automobile and truck rental lots;

(c) Car wash;

[(d) Fortune teller establishment;]

[(e)](d) Installations of auto, boat, motorcycle or truck parts;

[(f)](e) Non-accessory outdoor advertising signs;

[(g)](f) Outdoor sales or storage, including outdoor use of coin operated machines that dispense food or drink, *but not including open air cafes*;

[(h)](g) Private clubs;

[(i)](h) Restaurants, take-out restaurants, cafes, coffee shops and other similar establishments for the sale and consumption of food and/or beverages, with drive-in or take-out service (sale of food and/or beverages to be consumed outside the confines of the premises);

[(j)](i) Retail sales of products or food through a window or aperture which opens directly onto the sidewalk, a public arcade, or public entranceway into a building;

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- [(k) Tattoo and body piercing establishments;
- (1) Trolley and bus terminals and car and bus barns; and]
- [(m)](j) Any accessory speaker or audio device that causes music or voices to reach the sidewalk area, public arcade, or public entranceway to a building, which is adjunct to any permitted retail use, used to advertise merchandise sold, and/or used to call public attention to the use of the premises.
- (k) Delicatessen; restaurant, cafe or soda and ice cream fountain which dispenses food at retail through a window or aperture which opens onto the sidewalk or public arcade area; restaurant which serves patrons who remain in their automobiles; take-out restaurant; restaurant which exceeds 4,000 square feet in gross floor area;*
- (l) Retail sale of bakery goods, confectionery goods, fruits, vegetables, groceries, meat and/or seafood where the use exceeds 1,000 square feet of floor area;*
- (m) Sale of packaged beverages and/or malt beverages;*
- (n) Retail sale of variety store merchandise;*
- (o) Personal service or treatment of patients;*
- (p) Sales of live poultry, live fish, or live animals for human consumption;*
- (q) Hand laundry; self-service dry cleaning establishment; self-service laundry and/or dry cleaning pick-up agency;*
- (r) Amusement arcade;*
- (s) Any establishment with a license from the Pennsylvania Liquor Control Board for the “after hours” sale of alcoholic beverages;*
- (t) Fortune teller establishment/palmist;*
- (u) Tattoo and body piercing establishments;*
- (v) Pay phone.*
- (4) *Uses prohibited on ground floor. In any building or upon any land abutting East Passyunk Avenue between Federal Street and Broad Street, the following uses shall be prohibited from occupying the ground floor:*

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- (a) Blueprinting, duplicating, printing, publishing, photoprocessing, and/or kindred reproduction services;*
- (b) Laboratories for analytical, chemical and research purposes, assay offices;*
- (c) Repair of household appliances and fixtures, musical instruments, photographic equipment, radio and television equipment, shoes, dental or prosthetic laboratories, and optical lens grinding;*
- (d) Dry cleaning establishments;*
- (e) Financial institutions;*
- (f) Manicure/nail salons;*
- (g) Retail sale of drugs;*
- (h) Retail sale of groceries;*
- (i) Shoe repair.*

[(4)](5) Prohibition of Building Set-Back. Any building upon any lot abutting Passyunk avenue shall not provide any front, side or rear yard that sets back from the street line of Passyunk avenue.

[(5)](6) Signs. Signs accessory to the use on the premises shall be permitted in this district only under the following conditions:

[(a)] All signs must be attached flat against the wall of the building;

[(b)] (a) Lots facing one street line shall be permitted a total sign area of 3 square feet for each lineal foot of street line;

[(c)] (b) Lots facing more than one street line shall be permitted a total sign area as follows:

(.1) For the shorter street line frontage there shall be permitted a sign area of 3 square feet for each lineal foot of street line;

(.2) For the longer street line frontage there shall be permitted a sign area of 2 square feet for each lineal foot of street line; provided, that in no case shall the total sign area on the longer street line frontage be less than the equivalent sign area permitted upon the shorter street line frontage;

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(.3) Where a lot has 2 or more short and/or 2 or more long street line frontages, the provisions of (.1) and (.2) shall apply to each of said street frontages;

(.4) The total of the sign areas permitted in sub-paragraphs (.1) and (.2) may be cumulated; provided, such use is restricted to one street frontage.

(c) Wall signs parallel to the building face shall be permitted provided that for each building the aggregate square foot coverage shall be limited to a maximum area of one square foot for each lineal foot of store frontage, provided that such signs shall project no more than twelve inches from the principal face of the building, and that the top of such signs shall extend no higher than the bottom of the window sills or projecting bay located on the second story of the building face or fourteen feet above the street line, whichever is lower. In no case shall any sign exceed twenty square feet in area. The copy on such signs shall not be less than six inches high. Internally illuminated box type signs and plastic faced signs shall not be permitted.

(d) One projecting sign shall be permitted for each store front business subject to the prior written approval of the Art Commission. Such sign shall occupy a maximum area of nine square feet per face and the top of such sign shall extend no higher than the window sill or projecting bay located on the second story of the building face, or fourteen feet above the sidewalk, whichever is lower. Such signs shall be non-illuminated, and constructed of traditional materials. Plastic faced signs shall be prohibited.

(e) One storefront window sign shall be permitted, provided that it is limited to a maximum area of eight (8) square feet. Such signs shall not be illuminated.

(f) Flashing, animated or roof mounted signs shall not be permitted.

[(6)](7) Conflicting Regulations. When the provisions of this Section conflict with other provisions of this Title, more restrictive provisions shall control.

SECTION 2. This Ordinance shall take effect immediately.

Explanation:

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

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