



City of Philadelphia

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

BILL NO. 120484

Introduced May 24, 2012

Councilmembers Henon and Green

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by revising the definition of the pending ordinance doctrine; amending certain procedures and requirements relating to Civic Design Review; amending certain provisions and requirements relating to stream buffers; amending and modifying parking requirements in certain districts and by making certain technical changes, 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 14-300 Administration and Procedures

* * *

§14-304 Specific Procedures

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(3) Zoning Map and Text Amendments

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(h) Pending Ordinance Doctrine

(.1) Definitions

(.a) A “pending ordinance” is any bill not yet enacted into law that would amend either the Zoning Code or the Zoning Maps, if [either]:

(.i) the bill has been advertised for a public hearing before a Committee of Council and not more than 30 days have passed since the advertisement; [or] *and*

(.ii) a Committee of Council has voted to report the bill *to Council with a favorable recommendation* and the bill remains under active consideration.

* * *

(5) Civic Design Review

(a) Civic Design Review Committee

(.1) Establishment. Where this Zoning Code requires review by the Civic Design Review Committee, such review shall be performed by the Commission, which shall function as the Civic Design Review Committee, until such time as the Chair of the Commission certifies to the Council that the Mayor has established [a] *one or more separate Civic Design Review Committees as may be necessary to carry out the reviews required by this Zoning Code within the time constraints herein established. Each of these Civic Design Review Committees shall be*[,] composed of seven appointed members as set forth in §14-304(5)(a)(.2) (Composition) below.

(.2) Composition

[The] A Civic Design Committee shall be composed of two Pennsylvania-licensed architects, one Pennsylvania-licensed landscape architect, one urban design professional, one developer or builder, one person with experience reviewing projects on behalf of civic associations, including a person who previously served or currently serves on a zoning, land use, or similar committee of a Registered Community Organization, and one rotating seat for a representative of a Local Registered Community Organization located in the project area. A member of the Commission will be the Chair of the Civic Design Review Committee and will fill one of the designated positions. The Executive Director of the Commission (or appointed designee) will advise the Civic Design Review Committee but will have no vote.

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(b) Applicability

(.1) Required Review

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[(.b) L&I shall not issue or deny a final decision on an application for any development that meets the criteria in Table 14-304-2 until review by the Civic Design Review Committee has been completed pursuant to the procedures of this subsection.]

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(c) Determination of Requirement

L&I will determine whether the application is required to complete Civic Design Review. If Civic Design Review is required, the applicant is required to comply with the neighborhood notice and meeting requirement in §14-303(12) (Neighborhood Notice and Meetings). *When a Zoning Board hearing is required for a special exception or a variance, L & I shall do the following:*

(.1) schedule a public hearing date on a regularly scheduled Zoning Board hearing date that is closest to 120 days from the date of determination by L&I;

(.2) schedule a Civic Design Review Committee meeting on a date closest to 60 days from the date of determination by L&I; and

(.3) Provided that upon the request of the applicant, the time period between the date of determination by L & I of the need for Civic Design Review and the Zoning Board hearing may be extended an additional 30 days (to 150 days) to allow for review by L&I of any changes made to the application in response to comments or recommendations of the Civic Design Review Committee and the issuance of a amended referral or refusal, as necessary.

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(e) Review by Civic Design Review Committee

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(b) The Civic Design Review Committee may require a second review meeting if significant issues remain unresolved after the initial review meeting, *provide, that this second meeting shall be held within 45 calendar days of the initial review meeting.*

(c) Within 45 calendar days of the initial review meeting (see §14-304(5)(e)(4)(a)), the Civic Design Review Committee must deliver a written recommendation to the *applicant and the Commission*. The Civic Design Review Committee's recommendation may incorporate recommendations from other design entities, such as the Art Commission and Historical Commission. If the Civic Design Re-view Committee fails to deliver a written recommendation within the 45-day limit, the project will be presumed to be recommended for approval as designed. The Commission shall post the written recommendation of the Civic Design Review Committee on the Commission's website.

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Chapter 14-700 Development Standards

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§14-704 Open Space and Natural Resources

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(7) Stream Buffers

(a) Applicability. The stream buffer requirement shall apply to all lots sharing a boundary with any water course that contributes to the City's surface drinking water sources. The Water Department shall establish, by regulation, a Hydrology Map that designates these water courses. The map below is for illustrative purposes only. *The provisions of §14-703(5) (b) shall become effective when the illustrative Stream Buffer Map below is replaced by the Water Department Hydrology Map.*

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Chapter 14-800 Parking and Loading

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§14-801 Purpose, Applicability, and General Standards

(1) Purpose. This section establishes off-street parking requirements as a necessary part of the development and use of land, to ensure the safe and adequate flow of traffic in the public street system, and to ensure that parking areas are designed to perform in a safe, efficient manner. It is also the intent of this section to manage the adverse visual, environmental, and economic impacts of parking areas. Specific purposes include to:

* * *

(a) Ensure that off-street parking, loading, and access demands will be met without adversely affecting nearby land uses and neighborhoods;

(b) Provide for vehicle and pedestrian circulation and safety in parking areas, and create a safe and more pedestrian-friendly environment;

* * *

[(c) Encourage the efficient use of land by avoiding excessive amounts of land being devoted to parking and thus unavailable for other productive uses;]

[(d)](c) * * *

[(e)](d) * * *

[(f)](e) * * *

[(g)](f) * * *

(5) Rules of Parking Measurement

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(c) The following types of parking spaces shall count towards the satisfaction of minimum off-street parking requirements[, but shall not count against the maximum parking requirement].

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§14-802 Motor Vehicle Parking Ratios

* * *

(3) Required Parking in Commercial Districts. Table 14-802-2 lists the parking requirements for set forth in §14-802(7)(a) (CMX-1Parking). The CA-1 and CA-2 parking requirements are set forth in §14-802(7)(b) (CA-1 and CA-2 Parking).

Table 14-802-2: Required Parking in Commercial Districts (Except CMX-1, CA-1, and CA-2) is hereby amended to repeal and delete the column that is entitled “Maximum Number of Parking Spaces”.

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(4) Required Parking in Industrial Districts. Table

4-802-3 lists the parking requirements for Industrial districts.

Table 14-802-3: Required Parking in Industrial Districts is hereby amended to repeal and delete the column that is entitled “Maximum Number of Parking Spaces”.

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SECTION 2. This Ordinance shall take effect at the same time and in the same manner as Bill No. 110845 (approved December 22, 2011).

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Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

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