

# City of Philadelphia



(Bill No. 110275)

## AN ORDINANCE

Amending Section 14-1402 of The Philadelphia Code, entitled “Parking in Residential Districts,” and Section 14-1607 of The Philadelphia Code, entitled “Special Controls for the Center City Commercial Area,” by adding to both Sections special provisions relating to the area bounded by Walnut Street, Twelfth Street, Thirteenth Street, and Sansom Street, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. 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:

(.1) Within the area bounded by Seventh street, Spruce street, Twentieth street and Vine street: One space for two families, *except that within the area bounded by Walnut street, Twelfth street, Thirteenth street and Sansom street, no spaces shall be required on the same lot, provided that the owner of the property maintains, at all times, a valid agreement with the operator of one or more public parking lots or garages within 1,000 feet of the lot that confirms the availability of a total of not less than three spaces per ten families for monthly (or, for a hotel, daily) rental by individual occupants, as needed;*

\* \* \*

SECTION 2. Section 14-1607 of The Philadelphia Code is hereby amended to read as follows:

§14-1607. Special Controls for the Center City Commercial Area.

\* \* \*

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(7) Conditional Uses. In any building or upon any land abutting Chestnut street and Walnut street between Seventh street and the Schuylkill River and Broad street between South Penn Square and Washington avenue (except as noted in §14-1607(6) above), the following uses shall require a Zoning Board of Adjustment certificate:

\* \* \*

(b) Restaurants, cafes, coffee shops and other similar establishments for the sale and consumption of food and/or beverages, without drive-in or take-out service (service at tables or sit down counter facilities only); *except for restaurants along the north side of Walnut Street or the south side of Sansom street between Twelfth street and Thirteenth street that are located on the ground floor of a building which has as the principal use a multi-family residence, a hotel, or both*; except for restaurants on Broad street between South Penn Square and Washington avenue and, except for restaurants located within hotels and, except for restaurants accessory to an office building (intended principally to serve the occupants of the building) provided that there shall be no ingress or egress directly from any street (accessible solely from the interior of the building) and there shall be no signage visible from the street;

\* \* \*

(22) *Additional Special Controls. In recognition of special development considerations, unique property characteristics and unparalleled access to various modes of public transportation, and to encourage the highest and best use and development of this area, the following special controls shall apply to the area bounded by Walnut Street, Twelfth Street, Thirteenth Street, and Sansom Street:*

(a) *Frontage along Walnut Street. The total frontage on any building along Walnut street (measured on a line parallel to Walnut Street) shall not exceed sixty feet, except that if the building provides a through-block passageway with pedestrian access between Walnut street and Sansom street, the total frontage of the building along Walnut street may not exceed one hundred ten feet;*

(b) *Loading spaces. The minimum dimensions for the first and second required off-street loading and trash storage spaces, if located on Sansom street, shall be as follows: ten feet wide, forty feet long, fourteen feet high.*

(c) *Bonus floor area for Green Buildings. In addition to the Basic Floor Area permitted under Section 14-305(8)(a)(2) of this Title, any new building shall be permitted bonus gross floor area for committing to green building construction practices, as follows:*

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*(.1) Criteria.*

*(.a) The applicant has submitted documentation sealed by a LEED-AP professional confirming that the building has been designed for certification at the LEED Silver, Gold or Platinum level, and that preliminary review of the building design and elements confirm that it will earn enough points to be certified at that level.*

*(.b) The applicant has signed an agreement with the City confirming that it will complete the LEED certification and commissioning process at the Silver, Gold or Platinum level, and that if the building fails to be commissioned at the level for which the bonus has been awarded, the applicant will either:*

*(i) Make improvements to the building design, equipment or operation until commissioned at that level, or*

*(ii) Be in violation of this Title and subject to applicable penalties, as set forth in the Philadelphia Administrative Code.*

*(.2) Bonus Floor Area. In addition to the Basic Floor Area permitted under Section 14-305(8)(a)(.2):*

*(.a) If the applicant is applying for certification at the LEED Silver level, the bonus floor area earned for LEED will be two hundred percent (200%) of the lot area.*

*(.b) If the applicant is applying for certification at the LEED Gold or Platinum level, the bonus floor area earned for LEED will be four hundred percent (400%) of the lot area.*

*(.3) For purposes of this Section, "LEED" refers to the Leadership in Energy and Environmental Design process.*

*(d) Bonus Floor Area for Public Art. In addition to the Basic Floor Area permitted under Section 14-305(8)(a)(.2) of this Title, any new building shall be permitted bonus gross floor area for committing to public art, as follows:*

*(.1) Criteria.*

*(.a) Qualifying Items: The items provided to earn this bonus must meet the definition of "On-site Public Art" under Section 14-305(9)(g)(.1) of*

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*this Title and be located on the building, or in an open area or passageway with public access. Items for which an admission fee or viewing fee is charged, such as with an art gallery, or that are primarily designed to advertise or promote a commercial good or service, shall not satisfy the requirements of this section.*

*(.b) Cost: The applicant shall provide public art at an amount equal to at least 1% of hard construction costs for the new building.*

*(.c) Agreement with Art Commission: In order to expedite the development review and approval process, an applicant for a floor area bonus pursuant to this section may sign an agreement with the Art Commission committing to provide and install public art as required by this section. After signing an agreement in a form acceptable to the City and posting financial security in a form acceptable to the City, the applicant shall be deemed to have satisfied the requirements of this section.*

*(.d) Approval Criteria: To meet the requirements of this section, the applicant must have the public art and proposed artist(s) approved by the Art Commission or an Art Selection Committee in one of the manners set forth in Section 14-305(9)(g)(.5), (.6).*

*(.2) Bonus Floor Area: In addition to the Basic Floor Area permitted under Section 14-305(8)(a)(2), if the applicant provides and installs public art meeting the criteria set forth in this section, the bonus floor area earned for public art will be two hundred percent (200%) of the lot area.*

*(e) Maximum Floor Area Bonus Amounts. The floor area bonus provisions of Sections 14-1607(22)(c) and (d) for green buildings and public art may be used in combination to earn additional gross floor area up to a maximum bonus of 400% of the lot area, and may not be used in addition to any floor area bonus provided under Section 14-305(9). All bonus floor area earned pursuant to these sections must be used so that the property otherwise complies with all dimensional standards applicable to the property (other than the maximum gross floor area or floor area ratio) under this Title.*

*(f) When the provisions of this subsection 14-1607(22) conflict with other provisions of this Title, the provisions of this subsection shall control.*

\* \* \*

SECTION 3. This Ordinance shall be effective immediately.

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**Explanation:**

*Italics indicate new matter added.*

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 8, 2011. The Bill was Signed by the Mayor on December 21, 2011.



Michael A. Decker  
Chief Clerk of the City Council