

City of Philadelphia



(Bill No. 020142)

AN ORDINANCE

Amending Title 14 of The Philadelphia Code, relating to “Zoning and Planning,” by amending Chapter 14-1600, entitled “Miscellaneous,” by adding a new Section 14-1624, entitled “North Delaware Avenue Area Special District Controls,” under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 14-1600 of The Philadelphia Code, relating to “Miscellaneous,” is hereby amended to read as follows:

TITLE 14. ZONING AND PLANNING.

* * *

CHAPTER 14-1600. MISCELLANEOUS.

* * *

§14-1624. North Delaware Avenue Area Special District Controls.

(1) *Legislative Findings. The Council finds that:*

(a) *Major public and private investments have been made and continue to be made in this section of the City to preserve and protect the residential communities and the economic development potential of this area, to encourage investment, and to protect and promote the economic vitality of this area of Philadelphia;*

(b) *Public expenditures have included significant street and sidewalk improvements;*

(c) *Private investment within this area includes new residential construction, the restoration and rehabilitation of many existing residential properties, and significant retail investment;*

(d) *The Delaware River waterfront positively contributes to the economic vitality and to the diversity of Philadelphia. The area south of Spring Garden street consists of a strong residential, commercial, and family entertainment area that now extends further up the waterfront to the area north of Spring Garden street;*

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(e) *Unfortunately, the positive effects of this growth may remain short-lived for the residents and respectable businesses in the area. Some bars and nightclubs along the waterfront have become a nuisance to nearby residential communities by contributing to more crime, public intoxication, vandalism, litter, and other anti-social forms of behavior and by reducing parking spaces available for residents and patrons of more reputable establishments in the area;*

(f) *Several murders and shootings have been committed as the result of disputes that have arisen in some of the nightclubs on the waterfront;*

(g) *In response to these growing crime rates, the City increased its police activity in the area. In fact, the police responded to disturbances at one establishment over 50 times in a two-month period. But problems that begin at some of these establishments more often hurt the residents of the nearby neighborhoods who suffer the brunt of the late night violence and destruction;*

(h) *The City should protect these residential communities from these negative influences by enacting legislation that creates a positive environment for future residential and commercial development;*

(i) *By implementing special land use and zoning controls that prohibit certain uses, the City will protect the residential communities in the area and will enhance and promote future development opportunities.*

(2) *District Boundaries. For the purposes of this Section, the North Delaware Avenue Area Special District Controls shall apply to the area bounded by Vine street, Second street, Wood street, Fifth street, Girard avenue, Frankford avenue Lehigh avenue, the Delaware River, Spring Garden street, and Second street.*

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

- (a) *Dancehalls;*
- (b) *Entertainment of guests and patrons as a main use;*
- (c) *Nightclubs;*
- (d) *Private clubs;*
- (e) *Restaurants;*

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- (f) *Cabarets;*
- (g) *The expansion or extension of any use listed in (a) through [(e)](f) above.*
- (4) *The provisions of Section 14-508(11) that refer to commercial uses permitted in the “G-2” General Industrial District shall not be applicable in this district.*
- (5) *Conflicting Regulations. When the provisions of this Section conflict with other provisions of this Title, the more restrictive provisions shall control.*

SECTION 2. This Ordinance shall take effect immediately.

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 April 18, 2002. The Bill was Signed by the Mayor on May 1, 2002.



Marie B. Hauser
Chief Clerk of the City Council