



City of Philadelphia

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

BILL NO. 120916

Introduced November 15, 2012

Councilmember O'Neill

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by creating a new commercial mixed use district, providing for permitted uses and dimensional standards in that district, making conforming amendments and 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

* * *

CHAPTER 14-400. BASE ZONING DISTRICTS

* * *

§ 14-402. Commercial and Commercial Mixed-Use Districts.

(1) General.

(a) Districts.

(.1) List.

The City's Commercial and Commercial Mixed-Use zoning districts are listed in Table 14-402-1, below. When this Zoning Code refers to "Commercial" zoning districts, it is referring to all of these districts as of the effective date of this Zoning Code.

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Table 14-402-1: Commercial and Commercial Mixed-Use Districts

Map Symbol	District Name	Previously Known As
CMX-1	Neighborhood Commercial Mixed-Use-1	C-1
CMX-2	Neighborhood Commercial Mixed-Use-2	C-2
		RC-1
		RC-2
		OC
CMX-2.2	<i>Neighborhood Commercial Mixed-Use-2.2</i>	N/A
CMX-2.5	Neighborhood Commercial Mixed-Use-2.5	Various special district controls
CMX-3	Community Commercial Mixed-Use	C-3
		RC-3
CMX-4	Center City Commercial Mixed-Use	C-4
CMX-5	Center City Core Commercial Mixed-Use	C-5
CA-1	Auto-Oriented Commercial-1	C-7
		NSC
CA-2	Auto-Oriented Commercial-2	ASC
	Eliminated>>	C-6

* * *

(c) Descriptions.

* * *

(.3) *CMX-2.2, Neighborhood Commercial Mixed-Use District-2.2.*

The CMX-2.2 Neighborhood Commercial Mixed-Use District is primarily intended to accommodate neighborhood-serving retail and service uses. The range of allowed uses is broader than permitted in the CMX-2 district. This district shall be established only upon remapping and approval by ordinance.

[(.3)] (.4) * * *

[(.4)] (.5) * * *

[(.5)] (.6) * * *

[(.6)] (.7) * * *

[(.7)] (.8) * * *

(4) Multiple Principal Uses and Buildings.

* * *

(b) Multiple principal buildings may be placed on a single lot in all Commercial districts, except CMX-1, CMX-2, *CMX-2.2*, and CMX-2.5, where multiple principal buildings may be placed on a single lot only if approved as a special exception in accordance with the procedures of § 14-303(7) (Special Exception Approval).

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CHAPTER 14-500. OVERLAY ZONING DISTRICTS

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§ 14-513. /TOD, Transit-Oriented Development Overlay District.

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(6) Additional Standards for /TOD-1 and /TOD-2 Districts.

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(c) Dimensional Standards – Frontage on a TOD Primary Street.

Notwithstanding the provisions of this Zoning Code, the following provisions shall apply in any /TOD-1 and /TOD-2 district to any lot fronting on a TOD Primary Street.

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(.2) Properties in a CMX-1, CMX-2, CMX-2.2, CA-1, or CA-2 district are subject to a maximum height limit of 55 ft.

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CHAPTER 14-600. USE REGULATIONS

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§ 14-602. Use Tables.

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(4) Commercial Districts.

Principal uses are allowed in Commercial districts in accordance with Table 14-602-2. Uses classified as accessory uses, such as home occupations, are not regulated by the use table. Accessory uses are permitted in conjunction with allowed principal uses, provided they comply with all applicable regulations of § 14-603 (Use-Specific Standards) and § 14-604 (Accessory Uses and Structures).

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Table 14-602-2: Uses Allowed in Commercial Districts

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Previous District Name	C-1	C-2/RC-2	N/A	(/NCC)	C-3/RC-3	C-4	C-5	C-7/NSC	ASC	
District Name	CMX-1	CMX-2	CMX-2.2	CMX-2.5	CMX-3	CMX-4	CMX-5	CA-1	CA-2	Use-Specific Standards
Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not listed in this table are prohibited See § 14-602(4)(a) (Notes for Table 14-602-2) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.										
Residential Use Category										
Household Living	[1][2]	Y[2][3]	Y[2][3]	Y[2][4]	Y	Y	Y	N	N	
Group Living (except as noted below)	N	S	S	Y[4]	Y	Y	Y	N	N	
Personal Care Home	N	Y	Y	Y[4]	Y	Y	Y	Y	N	§ 14-603(11)
Single-Room Residence	N	S	S	S[4]	Y	Y	Y	N	N	
Parks and Open Space Use Category										
Passive Recreation	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Active Recreation	S	S	S	S	Y	Y	Y	Y	Y	
Public, Civic, and Institutional Use Category										
Day Care (as noted below)										
Family Day Care	Y	Y	Y	Y	Y	Y	Y	N	N	§ 14-603(5)
Group Day Care	Y	Y	Y	Y	Y	Y	Y	Y	Y	§ 14-603(5)
Day Care Center	S	Y	Y	Y	Y	Y	Y	Y	Y	§ 14-603(5)
Educational Facilities	N	Y	Y	N	Y	Y	Y	N	Y	
Fraternal Organization	N	Y	Y	S	Y	Y	Y	N	Y	
Hospital	N	Y	Y	Y	Y	Y	Y	N	Y	
Libraries and Cultural Exhibits	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Religious Assembly	Y	Y	Y	S	Y	Y	Y	N	Y	
Safety Services	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Transit Station	Y	Y	Y	Y	Y	Y	Y	S	Y	
Utilities and Services, Basic	Y	Y	Y	N	Y	Y	Y	Y	Y	
Wireless Service Facility (as noted below)										
Freestanding Tower	S	S	S	S	Y	Y	Y	S	Y	§ 14-603(16)
Building or Tower-Mounted Antenna	Y	Y	Y	Y	Y	Y	Y	Y	Y	§ 14-603(17)
Office Use Category										
Business and Professional	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	
Medical, Dental, Health Practitioner (as noted below)										
Sole Practitioner	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	
Group Practitioner	S[5]	S	S	S	Y	Y	Y	Y	Y	
Government	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	
Retail Sales Use Category										
Building Supplies and Equipment	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	§ 14-603(3)
Consumer Goods (except as noted below)	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	
Drug Paraphernalia Sales	N	N	N	N	N	N	N	N	N	§ 14-603(13)
Gun Shop	N	N	N	N	N	N	N	N	N	§ 14-603(13)
Food, Beverages, and Groceries	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	§ 14-603(7)
Pets and Pet Supplies	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	
Sundries, Pharmaceuticals, and Convenience Sales	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	
Wearing Apparel and Accessories	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	

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Previous District Name	C-1	C-2/RC-2	N/A	(/NCC)	C-3/RC-3	C-4	C-5	C-7/NSC	ASC	
District Name	CMX-1	CMX-2	CMX-2.2	CMX-2.5	CMX-3	CMX-4	CMX-5	CA-1	CA-2	Use-Specific Standards
Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not listed in this table are prohibited See § 14-602(4)(a) (Notes for Table 14-602-2) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.										
Commercial Services Use Category										
Animal Services (except as noted below)	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	
Stables	N	N	N	N	N	N	N	N	N	§ 14-603(14)
Assembly and Entertainment (except as noted below)	N	S	S	S	Y	Y	Y	S	Y	
Amusement Arcade	N	N	N	N	N	N	N	N	N	§ 14-603(13)
Casino	N	N	N	N	N	N	N	N	N	
Nightclubs and Private Clubs	N	S	S	N	Y	Y	Y	N	Y	§ 14-603(18)
Pool or Billiards Room	N	N	N	N	N	N	N	N	N	§ 14-603(13)
Building Services	N	N	N	N	Y	Y	Y	N	Y	
Business Support	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	
Eating and Drinking Establishments (as noted below)										
Prepared Food Shop	S[5]	Y	Y	Y	Y	Y	Y	Y	Y	
Take-Out Restaurant	N	S	S	N	Y	Y	Y	S	Y	§ 14-603(6)
Sit Down Restaurant	N	Y	Y	Y	Y	Y	Y	Y	Y	
Financial Services (except as noted below)	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	
Personal Credit Establishment	N	N	N	N	N	N	N	N	N	§ 14-603(13)
Funeral and Mortuary Services	S[5]	Y	Y	N	Y	Y	Y	Y	Y	
Maintenance and Repair of Consumer Goods (except as noted below)	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	
On-Premise Dry Cleaning	Y[5]	Y	Y	S	Y	Y	Y	Y	Y	
Parking, Non-Accessory (as noted below)										
Surface Parking	N	S	S	S	S	N	N	S	Y	§ 14-603(10)
Structured Parking	N	Y	Y	Y	Y	[6]	[6]	S	Y	§ 14-603(10)
Personal Services (except as noted below)	Y[5]	Y	Y	Y	Y	Y	Y	Y	Y	
Body Art Service	N	N	N	N	N	N	N	N	N	§ 14-603(2); § 14-603(13)
Fortune Telling Service	N	N	N	N	Y	Y	Y	Y	Y	
Radio, Television, and Recording Services	N	Y	Y	Y	Y	Y	Y	Y	Y	
Visitor Accommodations	N	Y	Y	Y	Y	Y	Y	N	Y	
Vehicle and Vehicular Equipment Sales and Services Use Category										
Commercial Vehicle Sales and Rental	N	N	N	N	N	N	N	N	Y	
Personal Vehicle Repair and Maintenance	N	Y	Y	N	Y	Y	Y	S	Y	
Personal Vehicle Sales and Rental	N	Y	Y	N	Y	Y	Y	N	Y	
Gasoline Station	N	Y	Y	N	Y	Y	Y	S	Y	§ 14-603(8)
Vehicle Equipment and Supplies Sales and Rental	N	Y	Y	N	Y	Y	Y	S	Y	
Wholesale, Distribution, and Storage Use Category										
Moving and Storage Facilities	N	Y	Y	N	Y	Y	Y	N	Y	
Wholesale Sales and Distribution	N	N	N	N	N	N	N	N	Y	§ 14-603(1)
Industrial Use Category										
Artist Studios and Artisan Industrial	N	Y	Y	Y	Y	Y	Y	N	Y	
Research and Development	N	Y	Y	Y	Y	Y	Y	Y	Y	
Urban Agriculture Use Category										
Community Garden	Y	Y	Y	Y	Y	Y	Y	Y	Y	§ 14-603(15)
Market or Community-Supported Farm	Y	Y	Y	Y	Y	N	N	Y	Y	§ 14-603(15)

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CHAPTER 14-600. USE REGULATIONS

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§ 14-604. Accessory Uses and Structures.

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(5) Roof Decks.

Roof decks in Residential, CMX-1, CMX-2, CMX-2.2, or CMX-2.5 districts are subject to compliance with §§ 14-604(5)(a) through 14-604(5)(c), below. Roof decks for non-residential uses in the CMX-2 or CMX-2.5 district require special exception approval in accordance with the procedures of § 14-303(7).

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(8) Satellite Dish Antennas.

(a) Satellite dish antennas up to one meter in diameter are permitted as accessory uses in all Residential, CMX-1, CMX-2, CMX-2.2, and CMX-2.5 zoning districts.

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CHAPTER 14-700. DEVELOPMENT STANDARDS

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§ 14-701. Dimensional Standards.

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(3) Commercial Districts Dimensional Table.

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Table 14-701-3: Dimensional Standards for Commercial Districts

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Previous District Name	C1	C2/RC2	<i>N/A</i>	Commercial Corridor Overlays	C3	C4 C5	C7/NSC	ASC	
District Name	CMX-1	CMX-2	<i>CMX-2.2</i>	CMX-2.5	CMX-3	CMX-4/CMX-5	CA-1	CA-2	
	See § 14-701(3)(a) (Notes for Table 14-701-3) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.								
				Denotes zoning requirements not applicable					
District and Lot Dimensions									
Min. District Area (sq. ft.)								80,000	
Min. Street Frontage (ft.)	[1]						50	100	
Min. Lot Area (sq. ft.)	[1]						5,000	15,000	
Max. Occupied Area (% of lot)	[1]	Intermediate: 75 Corner: 80	<i>Intermediate: 75 Corner: 80</i>	Intermediate: 75 Corner: 80	Intermediate: 75 Corner: 80	Buildings :- 5 stories with 1 or more dwelling units: 90; Others: 100	60	100	
Yards									
Min. Front Yard Depth (ft.)	[1]			Must be built to front lot line					
Min. Side Yard Width, Each (ft.)	[1]	5 if used	<i>5 if used</i>	5 if used	8 if used for buildings containing dwelling units	If used: Buildings :- 4 stories with three or fewer dwelling units=5; Others= 8	5 if used		
Min. Rear Yard Depth (ft.)	[1]	The greater of 9 ft. or 10% of lot depth	<i>The greater of 9 ft. or 10% of lot depth</i>	The greater of 9 ft. or 10% of lot depth			5 if used		
Height									
Max. Height (ft.)	[1]	38	38	55			38	38	
Min. Cornice Height (ft.)	[1]			25					
Floor Area Ratio									
Max. Floor Area (% of lot area)	[1]				500	CMX-4: 500 CMX-5: 1200 [2] See also § 14-701(5) (CMX-4 and CMX-5 Bulk and Massing Controls)			

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CHAPTER 14-800. PARKING AND LOADING

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§ 14-803. Motor Vehicle Parking Standards.

(1) Accessory Parking Standards.

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City of Philadelphia

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- (c) Additional Regulations for RSA-5, RM-1, CMX-2, *CMX-2.2* and CMX-2.5 Districts.

Notwithstanding the provision of this Zoning Code, accessory parking in the RSA-5, RM-1, CMX-2, *CMX-2.2*, and CMX-2.5 districts shall comply with the following:

* * *

§ 14-904. Accessory Sign Controls.

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- (3) Signs in Commercial Districts.

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- (b) [~~CMX-2~~] *CMX-2*, *CMX-2.2* and CMX-2.5.

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SECTION 2. This Ordinance shall become effective immediately.

Explanation:

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