

City of Philadelphia



(Bill No. 090294)

AN ORDINANCE

Amending Chapter 14-400 of The Philadelphia Code, entitled "Commercial Entertainment District," by amending Section 14-403 of The Philadelphia Code, entitled "Procedures for the Establishment of a Commercial Entertainment District," by amending the procedure by which a Plan of Development is approved or amended; and amending Section 14-409, entitled "Off-Street Loading," by adding provision relating to proposed projects in the Center City area, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 14-403 of The Philadelphia Code is hereby amended to read as follows:

§ 14-403. Procedures for the Establishment of a Commercial Entertainment District.

(1) Council shall designate, by ordinance, such Commercial Entertainment Districts in such areas as Council deems appropriate. For each such District, such designations shall become effective upon the adoption of an ordinance designating the district boundaries; and the approval by [Council] *the Commission pursuant to subsection (2) of a Plan of Development for the District.* Upon the designation becoming effective, the underlying zoning classification for all lots within the District shall be superseded, and no permits shall issue for any use within the District other than as permitted by the approved Plan of Development and this Chapter.

(2) Review and approval of a proposed Plan of Development. The Commission shall *approve* [submit to the Council for its consideration] a proposed Plan of Development for a Commercial Entertainment District *or any proposed amendment to a previously approved Plan of Development* if the Commission finds that the Plan is consistent with the purposes of such a District, is in compliance with the provisions of this Chapter, and is otherwise appropriate in terms of scale, density, accessibility and design for the neighborhood.

* * *

(4) [Council approval of a Plan of Development shall be presumed if Council fails to approve by ordinance, disapprove by ordinance, or table consideration of a proposed Plan by the later of (i) 45 days after submission by the Commission of a proposed Plan to the Council or (ii) the fifth Council meeting after submission by the

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Commission of a proposed Plan to the Council.] In the event the owner of a lot within a District submits a proposed Plan to the Commission and the Commission fails to approve, disapprove or table consideration of it within 45 days after submission, *it will be deemed approved by the Commission* [the proponent may submit the application directly to the Council and it will be deemed submitted to the Council by the Commission].

* * *

SECTION 2. Section 14-409 of The Philadelphia Code is hereby amended to read as follows:

§ 14-409. Off-Street Loading.

* * *

(2) The off-street loading areas must be designed in such a manner that all service vehicles enter and exit the facility in forward gear, *except in the area bounded by Sixth Street, Broad Street, Chestnut Street and Arch Street.*

* * *

Explanation:

[Brackets] indicate matter deleted.
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 May 21, 2009. The Bill was Signed by the Mayor on June 3, 2009.



Patricia Rafferty
Chief Clerk of the City Council