

# City of Philadelphia



Council of the City of Philadelphia  
Office of the Chief Clerk  
Room 402, City Hall  
Philadelphia

(Resolution No. 110741)

## RESOLUTION

Setting forth recommendations to the Zoning Code Commission for amendments to the Zoning Code Commission Preliminary Report May 2011.

WHEREAS, In May 2007, Philadelphia voters approved an amendment to the City of Philadelphia Home Rule Charter to create a Zoning Code Commission (“Commission”) to propose reforms to modernize Philadelphia’s zoning code; and

WHEREAS, Under Home Rule Charter Section 4-1300(a)(1), the Commission was required to, among other things, “conduct a comprehensive analysis of and make recommendations regarding reforms to the Philadelphia Zoning Code”; and

WHEREAS, Section 4-1300(b) of the Home Rule Charter requires that by a date certain, “the Commission shall by a vote of two-thirds of all members of the Commission adopt a written preliminary report containing specific recommendations solely related to proposed changes to the Philadelphia Zoning Code, including drafts of all legislation required to implement the Preliminary Report May 2011 (the Preliminary Report), and recommendations, including a timetable and specific milestones, on how to proceed with a comprehensive revision of the City’s zoning maps (Zoning Map Revision Plan)”; and

WHEREAS, On May 11, 2011, the Commission adopted a written Preliminary Report by a vote of 22 of its members and a Minority Report by a vote of 9 Commission members and submitted to Council drafts of all legislation required to implement the Preliminary Report May 2011 (the Preliminary Report), and recommendations, including a timetable and specific milestones, on how to proceed with a comprehensive revision of the City’s zoning maps (Zoning Map Revision Plan); and

WHEREAS, Home Rule Charter Section 4-1300(d) states that “Within forty-five (45) days after the Commission issues its report, Council shall convene public hearings in Council Chambers to review the Commission Preliminary Report May 2011”; and

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*RESOLUTION NO. 110741 continued*

WHEREAS, Resolution No. 110459 (adopted June 2, 2011) authorized Council's Committee of the Whole "to hold public hearings to review the Preliminary Report May 2011 of the Zoning Code Commission;" and

WHEREAS, In accordance with Home Rule Charter Section 14-1300(d) and Resolution No. 110459, the Committee of the Whole held hearings on the following dates: June 15, 2011, September 14, 2011 and September 27, 2011; and

WHEREAS, The Committee of the Whole closed such hearings on September 27, 2011; and

WHEREAS, Pursuant to Home Rule Charter Section 14-1300(d), "[w]ithin thirty (30) days of the close of said hearings, Council may enact a resolution setting forth recommendations to the Commission concerning the Preliminary Report May 2011, which the Chief Clerk of Council shall transmit to the Commission"; and

WHEREAS, In accordance with Home Rule Charter Section 14-1300(d), Council make recommendations set forth in the Appendix, attached hereto, to the Commission for amendments to the Zoning Code Commission Preliminary Report May 2011; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That City Council hereby makes the recommendations set forth in the Appendix, attached hereto to the Zoning Code Commission for amendments to the Zoning Code Commission Preliminary Report May 2011.

FURTHER RESOLVED THAT The Chief Clerk is hereby directed to transmit a copy of this Resolution and attached Appendix to the Zoning Code Commission.

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RESOLUTION NO. 110741 continued

## APPENDIX

In accordance with Home Rule Charter Section 4-1300(d) City Council hereby makes to the Zoning Code Commission recommendations for amendments to the Zoning Code Commission Preliminary Report May 2011 as summarized below and fully sets forth the recommendations as attachments to this appendix. Where any Council recommendation for changes to the Preliminary Report require amendments to any tables, charts, definitions, or other sections and provisions of the Preliminary Report May 2011, amendments should be made to conform to such recommendations.

Amendment No.	Summary of Changes
01	Amending the primary use to recreation solely and allowing certain accessory uses in the SP-PO, Parks and Open Space (Special Purpose) District.
02	Regulating single medical professional office separately from group practice medical offices to incorporate use-specific standards for solo practices that prevent adverse impacts in residential districts.
03	Re-incorporating the current Code definition of “Family” to include 3 unrelated persons and amending the definition of Group Homes to include 4 or more unrelated persons.
04	Amending parking requirements for Religious Assembly in residential districts to reflect standards in the existing Code.
05	Amending the expansion of nonconformities to 10%.
06	Creating two categories of Home Occupations: (1) Home Office - professional services provided to customers who do not come onto premises; and (2) Home-Based Business – professional services provided to customers who come onto premises.
07	Eliminating mandatory submission requirements and penalties for non-submission of Community Benefits Agreements.
08	Amending Bed and Breakfasts use-specific standards and restricting the use from certain residential districts.
09	Providing for Registered Community Organization (RCO) to set its own geographical boundaries and providing for district council person to serve as RCO for areas where there is no RCO.
10	Amending the burdens of proof for Special Exceptions to reduce the burden on protestants by incorporating the <i>Bray</i> standards.
11	Amending reference to “Accepted Plans.”
12	Amending the qualifications for RCO rotating seat on Civic Design Review (CDR).
13	Eliminating mandatory Sky Plane provision and providing for the option

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Amendment No.	Summary of Changes
	for use of either Sky Plane controls or Bulk and Massing regulations under the existing Code.
14	Providing minimum Good Faith standards by applicant for RCO meetings and public posting of notices.
15	Requiring ZBA variance decisions in writing.
16	Requiring L&I to promulgate regulations for any manual or guide that interprets this Zoning Code.
17	Providing that appeals to the ZBA by protestants must be made within 30 days from the date of constructive notice.
18	Providing a temporary moratorium on Non-accessory Signage in the boundaries at Delaware Expressway, the Schuylkill Expressway and Darien Street (formerly known as the Food Distribution District).
19	Amending the minimum acreage of SP-INS districts (formerly known as IDD's) from 3 to 5 acres and requiring contextual fence height with the abutting residential districts.
20	Requiring Civic Design Review for any new Master Plan districts.
21	Reincorporating review criteria for dimensional variance standards from the existing Code.
22	Providing that any modification of use variances require ZBA action.
23	Providing for Use Permit application instructions and procedures.
24	Amending Regulated Uses to re-incorporate the types of uses and distance requirements for regulated uses under the existing Code.
25	Providing minimum spacing and distancing standards from specific uses for certain Re-Entry Facilities.
26	Reincorporating existing Code provisions for Wireless Facilities.
27	Amending the definition for "Nightclub."
28	Defining Beverage Distributors as a use within the Wholesale Category.
29	Retaining the protections of the East Falls Special Control district and adjusting height limits.
30	Retaining the protections of the Lower and Central Germantown Special Control district.
31	Retaining the protections of the Overbrook Farms Special Control district.
32	Retain the protections of the Fairmount Special Controls district.
33	Retain the protections of the North Delaware Avenue Area Special Control district.
34	Retain the protections of the Old City Residential Area Special Control district.
35	Creating an additional overlay district entitled <i>Environmental Conservation Overlay District</i> and including the boundaries for the



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Amendment No.	Summary of Changes
	Roxborough Environmental Control District and Fox Chase Environmental Control District.
36	Creating two Auto-Oriented Commercial districts: <ul style="list-style-type: none"> <li>• C-1 which limits uses to those permitted in C-7 of the current Code; and</li> <li>• C-2 which includes uses for the Area Shopping Center (ASC) district under the current Code.</li> </ul>
37	Amending the Residential Districts Table as it relates to the following: <ul style="list-style-type: none"> <li>• Community Home, Family</li> <li>• Daycare</li> <li>• Medical, Dental Health Practitioner offices</li> <li>• Drug Paraphernalia Store</li> <li>• Gun Shop</li> <li>• Bed and Breakfasts</li> </ul>
38	Amending the Commercial Districts Table as it relates to the following: <ul style="list-style-type: none"> <li>• Community Home, Family</li> <li>• Daycare Center</li> <li>• Medical, Dental Health Practitioner offices</li> <li>• Drug Paraphernalia Store</li> <li>• Gun Shop</li> <li>• Body Art Service</li> </ul>
39	Amending the Industrial Districts Table as it relates to Medical, Dental Health Practitioner offices.
40	Amending the Definitions Chapter to include the following definitions: <ul style="list-style-type: none"> <li>• Family</li> <li>• Master Plan</li> <li>• Streetscape Design</li> <li>• Variance</li> </ul>

In the following attachments, ~~strikethrough in red~~ indicates matter deleted.  
**Bold in red** indicate new matter added.

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## AMENDMENT NO. 01

### § 14-602 Use Tables.

\* \* \*

#### (6) Special Purpose Districts

Principal uses are allowed in special purpose zoning districts in accordance with Table 14-602-4. 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).

##### (a) Notes for Table 14-602-4

- [1] In addition to the regulations of this Zoning Code, uses in the SP-PO district are subject to Pennsylvania law. Uses on City-owned park and open land are also subject to approval by PPR.
- [2] Permitted only if accessory use to sports stadium or similar facility or if shown on an approved master plan.
- ~~[3] Non-accessory parking is allowed only when approved by PPR.~~
- [4] Day care uses shall be enclosed within a building and may be located within the terminal complex. Day care services may not be located within buildings containing uses listed in §14-601(4)(a)(.4) to §14-601(4)(a)(.17).

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**Table 14-602-4: Uses Allowed in Special Purpose Districts**

Temporary table row						
Use Category	IDD	CED	SSD	REC	New	Use -Specific Standards
Subcategory Specific Use Type	SP-INS	SP-ENT	SP-STA	SP-PO[1]	SP-AIR	
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited.						
<b>Residential</b>						
Household Living	N	Y	N	N	N	
Group Living (except as noted below)	Y	N	N	N	N	§14-603(1)
Community Home, Group	N	N	N	N	N	
Community Home, Family	N	N	N	N	N	§14-603(6)
<b>Parks and Open Space</b>						
Natural Resource Preservation	N	N	N	Y	Y	
Passive Recreation	Y	Y	Y	Y	Y	
Active Recreation	Y	Y	Y	Y	Y	
<b>Public, Civic, and Institutional</b>						
Airport-Related Facilities	N	N	N	N	Y	
Day Care	Y	N	[2]	✗ N	S[4]	§14-603(7)
Educational Facilities	Y	N	N	N	N	
Fraternal Organization	Y	N	N	N	N	
Hospital	Y	N	N	N	N	
Libraries and Cultural Exhibits	Y	N	N	✗ N	Y	
Religious Assembly	Y	N	N	N	N	
Safety Services	Y	N	N	N	Y	
Transit Station	Y	N	Y	N	Y	
Utilities and Services, Basic	Y	N	N	✗ N	Y	
Wireless Service Facility (as noted below)						
Freestanding Tower	Y	Y	Y	N	Y	§14-603(16)
Building or Tower-Mounted Antenna	Y	Y	Y	N	Y	§14-603(17)
<b>Office</b>						
Business and Professional	Y	Y	[2]	N	Y	
Medical, Dental, Health Practitioner	Y	Y	[2]	N	Y	
Government	Y	Y	[2]	S	Y	
<b>Retail Sales</b>						
Building Supplies and Equipment	Y	Y	N	N	Y	
Consumer Goods (except as noted below)	Y	Y	[2]	✗ N	Y	
Drug Paraphernalia Sales	✗ N	✗ N	✗ N	✗ N	✗ N	
Gun Shop	✗ N	✗ N	✗ N	✗ N	✗ N	
Food, Beverages, and Groceries (except as noted below)	Y	Y	N	N	Y	
Farmer's Market	Y	Y	N	Y	Y	
Fresh Food Market	Y	Y	N	N	Y	
Pets and Pet Supplies	Y	Y	N	N	Y	
Sundries, Pharmaceuticals, and Convenience Sales	Y	Y	[2]	N	Y	
Wearing Apparel and Accessories	Y	Y	[2]	N	Y	
<b>Commercial Services</b>						
Animal Services (except as noted below)	N	N	N	N	N	
Stables	N	N	N	Y	N	§14-603(14)
Assembly and Entertainment (except as noted below)	Y	Y	Y	Y	Y	
Amusement Arcade	N	Y	N	N	Y	
Pool or Billiards Room	N	Y	N	N	N	
Building Services	Y	N	N	N	Y	
Business Support	Y	N	N	N	Y	
Eating and Drinking Establishments (except as noted below)	Y	Y	[2]	✗ N	Y	§14-603(8)

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Temporary table row						
	IDD	CED	SSD	REC	New	
Use Category	SP-INS	SP-ENT	SP-STA	SP-PO[1]	SP-AIR	Use -Specific Standards
Subcategory						
Specific Use Type						
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited.						
Take-Out Restaurant	Y	Y	N	<del>S</del> N	Y	§14-603(8)
<b>Financial Services</b> (except as noted below)	Y	N	[2]	N	Y	
Personal Credit Establishment	N	N	N	N	N	
<b>Funeral and Mortuary Services</b>	Y	N	N	N	Y	
<b>Marina</b>	N	Y	N	Y	Y	
<b>Maintenance and Repair of Consumer Goods</b>	Y	N	N	N	Y	
<b>Parking, Non-Accessory</b> (as noted below)						
Surface, Open-Air	Y	Y	Y	<del>Y</del> [3] N	Y	§14-603(12)
Multi-Level Structure (garage)	Y	Y	Y	N	Y	
<b>Personal Services</b>	Y	Y	[2]	N	Y	
<b>Radio, Television, and Recording Services</b>	Y	N	N	N	Y	
<b>Visitor Accommodations</b>	Y	Y	[2]	N	Y	
<b>Wholesale, Distribution, and Storage</b>						
Wholesale Sales and Distribution	N	N	N	N	Y	
<b>Industrial</b>						
Artists Studios and Artisan Industrial	N	N	N	N	Y	
Research and Development	<del>N</del> Y	N	N	N	Y	
<b>Urban Agriculture</b>						
Community Garden	Y	Y	Y	Y	Y	
Market or Community-Supported Farm	S	N	N	<del>Y</del> N	Y	

\* \* \*

## §14-604 Accessory Uses and Structures.

\* \* \*

### (11) SP-PO, Parks and Open Space (Special Purpose) District

The following accessory uses are permitted in SP-PO districts:

- (a) Accessory Parking;
- (b) Day care;
- (c) Government offices;
- (d) Prepared food shops such as delis and coffee shops;
- (e) Retail sales of consumer goods;
- (f) Sit-down restaurants;
- (g) Take-out restaurants; and
- (h) Utilities and services, basic.



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## AMENDMENT NO. 02

### § 14-601(5) Office Use Category

This category includes uses in an enclosed building, customarily performed in an office, that focus on providing executive, management, administrative, government, professional, or medical services. The office subcategories are:

\* \* \*

#### (a) Medical, Dental, and Health Practitioner

Office uses related to diagnosis and treatment of human patients' illnesses, injuries, and physical malfunctions that can be performed in an office setting with no overnight care. Surgical, rehabilitation, and other medical centers that do not involve overnight patient stays are included in this subcategory, as are medical and dental laboratories, unless otherwise indicated.

**(.1) Solo Practitioner. Office use maintained by a single medical, dental or health professional having no more than one assistant regularly employed therein and not used by any colleagues or associates.**

**(.2) Group Practitioners. Office maintained by one or more medical, dental or health professionals having more than one assistant regularly employed therein.**

\* \* \*

### § 14-602 Use Tables

\* \* \*

#### (3) Residential Districts

Principal uses are allowed in Residential districts in accordance with Table 14-602-1. 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).

##### (a) Notes for Table 14-602-1

\* \* \*

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**[9] Permitted as of right if located in the dwelling of the solo practitioner; and if incidental to the main purpose of the residence.**

\* \* \*

## **§ 14-604 Accessory Uses and Structures**

\* \* \*

### **(18) Solo Practitioner**

**The following standards apply to solo practitioner offices located in dwelling units in residential districts:**

- (.1) The owner of the solo practice shall reside in the dwelling unit in which the solo practice office is located.**
- (.2) Solo practices must be accessory and secondary to the use of a dwelling unit for residential purposes.**
- (.3) No more than two off-street parking spaces shall be permitted for the solo practice.**
- (.4) Solo practice may not result in changes to the residential character of the residential building in which it is located. No separate building entrance that is visible from the street may be added to the residential building for the sole use of the solo practice.**
- (.5) Solo practices may not adversely affect the residential character of the neighborhood. A solo practice may not, for example, produce noise, vibration, glare, odors, parking/loading demands, traffic, or other effects that unreasonably interfere with any person's enjoyment of their residence.**
- (.6) The solo practice and all related activities must be conducted within a completely enclosed principal or accessory building.**
- (.7) Truck deliveries or pick-ups of supplies or products associated with a home occupation are allowed only between the hours of 8:00 a.m. and 7:00 p.m. Delivery and pick-up via semi-tractor trailer is prohibited.**

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## AMENDMENT NO. 03

### 601(2) Residential Use Category

\* \* \*

#### (b) **Group Living**

Residential occupancy of a building or any portion thereof that is not categorized as a household living use (see §14-601(2)9a)) and that typically provides communal kitchen/dining facilities. Examples of group living uses include, but are not limited to, fraternities, sororities, group homes, and temporary overnight shelters. The following are group living specific use types:

##### (.1) **Assisted Living**

As defined by the Public Welfare Code 62 P.S. §1001, any premises in which food, shelter, personal care, assistance or supervision, and supplemental health care services are provided for a period exceeding 24 hours for four or more adults who are not relatives of the operator, who require assistance or supervision in such matters as dressing, bathing, diet, financial management, evacuation from the residence in the event of an emergency, or medication prescribed for self-administration.

##### (.2) ~~Community Home, Family~~

~~A group of up to eight unrelated disabled persons living together as a single housekeeping unit in a dwelling unit and sharing common facilities as considered reasonably appropriate for a family. The eight person limit does not include staff.~~

##### (.3) **Community Home, Group**

A group of **four or more** ~~than eight~~ unrelated ~~disabled~~ persons living together as a single housekeeping unit with shared common facilities. Staff are not counted as part of the group.

### § 14-602 Use Tables

\* \* \*

#### (1) **Residential Districts**

Principal uses are allowed in Residential districts in accordance with Table 14-602-1. 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).

##### (a) **Notes for Table 14-602-1**

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\* \* \*

- [2] ~~A community home, family establishment with up to three unrelated disabled persons is permitted. If more than three unrelated disabled persons will reside in a community home, family establishment, a special exception approval is required.~~



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RESOLUTION NO. 110741 continued

## AMENDMENT NO. 04

**Table 14-802-1: Required Parking in Residential Districts**

Use Category Subcategory Specific Use Type	Minimum Required Parking Spaces (spaces per unit/sq. ft. of gross floor area/beds/seats)		
	RSD-1/2/3 RSA-1/2/3 RTA-1 RMX-1	RSA-4/5 RM-1	RM-2/3/4 RMX-2/3
<b>Residential (as noted below)</b>			
<b>Household Living (as noted below) [2][3]</b>			
Single-Family	1/unit	RSA-4 and RM-1: N/A; RSA-5: [1]	N/A
Two-Family	1/unit	RSA-4 and RM-1: N/A; RSA-5 [1]	1/2 units
Multi-Family	1/unit	N/A	3/10 units
<b>Group Living (as noted below)</b>			
Assisted Living	1/10 permanent beds	1/10 permanent beds	1/10 permanent beds
Community Home, Family	1/3 beds + 1; min.2	1/3 beds + 1; min. 2	1/8 beds + 1; min.2
Community Home, Group	1/3 beds + 1; min. 2	1/3 beds + 1; min. 2	1/8 beds + 1; min. 2
Single-Room Residence	1/20 units + 1; min. 2	1/20 units + 1; min. 2	1/20 units + 1; min. 2
<b>Public, Civic, and Institutional (as noted below)</b>			
Religious Assembly	1/10 seats or 1/1,000-sq.-ft., whichever is greater	1/10 seats The greater of (a) none for first 100 seats then 1/10 seats or (b) none for first 2,500 sq. ft. then 1/1,000 sq. ft.	1/10 seats The greater of (a) none for the first 200 seats then 1/10 seats or (b) none for first 4,000 sq. ft. then 1/1,000 sq. ft.
Wireless Service Facility	N/A	N/A	2
<b>Commercial Services (as noted below)</b>			
Assembly and Entertainment	1/10 seats or 1/1,000 sq. ft., whichever is greater	The greater of (a) none for first 100 seats then 1/10 seats or (b) none for first 2,500 sq. ft. then 1/1,000 sq. ft.	The greater of (a) none for the first 200 seats then 1/10 seats or (b) none for first 4,000 sq. ft. then 1/1,000 sq. ft.
<b>Urban Agriculture (as noted below)</b>			
Market or Community-Supported Farm	None if lot area is less than 5,000 sq. ft., otherwise 2	None if lot area is less than 5,000 sq. ft., otherwise 2	None if lot area is less than 5,000 sq. ft., otherwise 2

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## AMENDMENT NO. 05

### §14-305 Nonconformities

#### (5) Nonconforming Uses

##### (a) Expansion

- (.1) Expansion of nonconforming regulated uses that are listed in §14-603(13) (Regulated Uses), and nonconforming non-accessory signs is prohibited.
- (.2) For uses other than specified in §14-305(5)(a)(.1) above: A nonconforming use that is located in a conforming building may be expanded within that building, or within any expansion of that building that complies with §14-701 (Dimensional Standards), provided that the expansion shall not increase the area occupied by the nonconforming use by more than ~~15%~~ 10% more area than it occupied when it became nonconforming.

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 06

### §14-604 Accessory Uses and Structures

\* \* \*

#### (8) Home Occupations

(a) General Home occupations, including but not limited to offices of doctors, dentists, lawyers, ministers, architects, licensed psychologists and web designers, are accessory uses to principal uses in the household living use category. The standards of this section are intended to ensure that home occupations will not be a detriment to the character and livability of the surrounding neighborhood. The regulations recognize that many types of work can be done in a home with little or no effect on the surrounding neighborhood.

**(.1) Home Office. A business accessory to the primary use in the household living category where business or professional services are provided to customers who do not come onto the premises, including but not limited to, web designers, editors, writers, floral designers and caterers. Home offices are permitted in Residential Districts and in Residential Mixed Use Districts.**

**(.2) Home Business Operation. A business conducted within a home where household living is the primary use and where business or professional services are provided to customers or clients who may come to the premises, including but not limited to doctors, dentists, ministers, hair salons and spas. Home business operations are prohibited in Residential Districts and are permitted in Residential Mixed Use Districts by special exception.**

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RESOLUTION NO. 110741 continued

## AMENDMENT NO. 07

### §14-109 Relationship to Private Agreements

#### ~~(1) — General~~

Where the provisions of this Zoning Code impose a greater restriction than that imposed by a private agreement, including but not limited to any easement, covenant, or deed restriction, **or a Community Benefits Agreement**, the provisions of this Zoning Code will control. Where the provisions of a private agreement impose a greater restriction than this Zoning Code, the provisions of the private agreement may be enforced between private parties notwithstanding the provisions of this Zoning Code. The existence of a private agreement shall not excuse any failure to comply with this Zoning Code. The City shall not be responsible for monitoring or enforcing private agreements.

#### ~~(2) — Community Benefits Agreement~~

~~An applicant for relief from the Zoning Board who enters into a Community Benefits Agreement shall file any such agreement with the Zoning Board prior to any decision on the application. Any relief granted to such applicant shall be vacated upon a showing, at any time, that the applicant failed to file a Community Benefits Agreement. The filing of a Community Benefits Agreement by an applicant shall not, in and of itself, constitute an incorporation of that Agreement into the terms of any relief granted by the Zoning Board, unless that Agreement satisfies the requirements set forth in §14-303(9) (Conditions on Approvals).~~



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RESOLUTION NO. 110741 continued

## AMENDMENT NO. 08

### § 14-603 Use-Specific Standards

\* \* \*

#### (2) **Bed and Breakfast**

Bed and breakfast establishments are subject to the following standards in Residential **Mixed Use** districts:

- (a) the establishment must be operated by the owner of the building, who must live on the property;
- (b) **the applicant shall certify registration with the Pennsylvania Tourism and Lodging Association and shall maintain continuous enrollment in the PTLA's biennial Bed and Breakfast Inspection program.**
- (bc) the bed and breakfast may not contain ~~more than four guest rooms in RSD, RSA, and RTA districts or~~ more than eight guest rooms in any RM district;
- (ed) food service must be provided for guests; such food service shall not be provided to persons that are not guests of the bed and breakfast establishment;
- (d) bed and breakfast establishments may not be leased or offered for use as reception space, party space, meeting space, or other similar events open to nonresident guests; and
- (ef) if the lot abuts an alley or driveway with a width of 12 ft. or more, access to guest parking spaces must come from the alley or driveway.

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## AMENDMENT NO. 09

### (12) Neighborhood Notice and Meetings

#### (a) Registered Community Organizations

Organizations that desire to be recognized as a Registered Community Organization by the Commission shall register annually with the Commission by providing (1) the name of a contact person, (2) the name of a person designated to participate in the Civic Design Review process, (3) the boundaries of its geographical area of concern, (4) whether the organization wishes to be notified of applications in its geographical area of concern electronically or by mail, and (5) such other information as may be required by the regulations of the Commission. ~~An issue-specific interest group whose geographical area of concern is all or substantially all of the city may not apply for registration as a Registered Community Organization, and the listed~~ **The** geographical area of concern of a Registered Community Organization shall meet the geographic area requirements set forth in the **organization's formation documents regulations of the Commission. In the event that an area is not represented by a Registered Community Organization, the District Councilperson for the area shall take the place of such organization for all purposes.**

#### (b) Applicability

The procedures of this §14-303(12) (Neighborhood Notice and Meetings) shall apply to applications that pertain to a property within the boundaries of the Registered Community Organization and that:

- (.1) Require Zoning Board approval of a special exception under §14-303(7) (Special Exception Approval); or
- (.2) Require Zoning Board approval of a zoning variance under §14-303(8), (Zoning Variances); or
- (.3) Meet the requirements for Civic Design Review in §14-304(5) (Civic Design Review).

#### (c) Notice to Registered Community Organizations

- (.1) Within seven days of (a) filing a petition of appeal to the Zoning Board for approval of a special exception or variance or (b) being notified by L&I that an application will require review under the Civic Design Review Process, the applicant must provide notice to each Registered Community Organization whose registered boundaries include the applicant's property **or the District Councilperson where there is no Registered Community Organization for the area** and provide a copy of such notice to the Commission, L&I, and the Zoning Board.

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RESOLUTION NO. 110741 *continued*

- (.2) L&I shall provide the applicant with names and contact information for the Registered Community Organization(s) **or the District Councilperson where there is no Registered Community Organization for the area**, to be contacted and shall require that the applicant provide notice in the preferred form stated in the organization's filing documents (i.e. electronically or by mail).
- (.3) The notice **from applicant** shall contain the following content:
  - (.a) The name and address of the applicant;
  - (.b) The name and contact information of any other Registered Community Organizations whose registered geographical boundaries include the applicant's property **or the District Councilperson where there is no Registered Community Organization for the area**;
  - (.c) The location where copies of the application and any related information submitted by the applicant can be obtained;
  - (.d) A description of the property involved by general vicinity, street address, size, and nearest cross street, and the zoning district in which the property is located;
  - (.e) A description of the nature, scope, and purpose of the application and the type of permit, approval, or variance being sought;
  - (.f) The time and place of any required public meeting or hearing regarding the application or a statement that such required public meeting or hearing has not yet been scheduled; and
  - (.g) Any additional information required by L&I, the Zoning Board, or the Commission for the proposed application.
- (d) **Neighborhood Meeting and Documentation Requirements**
  - (.1) Within 45 days after the applicant has filed a petition of appeal to the Zoning Board for approval of a special exception or variance or within 45 days after the applicant has been notified by L&I that an application will require review under the Civic Design Review Process, the noticed Registered Community Organization(s) **or the District Councilperson where there is no Registered Community Organization for the area**, and the applicant shall complete the actions required by this §14-303(12)(d) (Neighborhood Meeting and Documentation Requirements). The Zoning Board or Civic Design Review Committee shall not conduct its first meeting on the application until the applicant and the Registered Community Organization(s) **or the District Councilperson where there is no Registered Community Organization for the area** have completed the actions required by this §14-303(12)(d) (Neighborhood Meeting and Documentation Requirements) or 45 days, whichever is less.



# City of Philadelphia

RESOLUTION NO. 110741 continued

- (.a) The noticed Registered Community Organization(s) **or the District Councilperson where there is no Registered Community Organization for the area** shall:
  - i. Convene, organize, and conduct a meeting with the applicant to discuss the proposal. If there is more than one Registered Community Organization whose geographical area of concern includes the project site, those organizations shall coordinate to convene a single meeting with the applicant during such 45-day period; and
  - ii. Provide to the Zoning Board or Civic Design Review Committee, as applicable, written documentation of the meeting or the reason that no meeting was held within the required timeframe.
- (.b) The applicant shall provide to the Zoning Board or Civic Design Review Committee, as applicable, written documentation of the meeting or the reason that no meeting was held within the required 45-day timeframe. If, within the 45-day period, the applicant has made a good faith effort to meet with the Registered Community Organization(s) **or the District Councilperson where there is no Registered Community Organization for the area**, and no meeting has been convened within that period, the applicant will be presumed to have fulfilled the requirements of this §14-303(12)(d) (Neighborhood Meeting and Documentation Requirements).
- (.2) If an application requires both Civic Design Review and Zoning Board approval, the applicant is required to comply with the requirements of this §14-303(12) (Neighborhood Notice and Meetings) only once. A second meeting with the Registered Community Organization(s) **or the District Councilperson where there is no Registered Community Organization for the area**, is not required following Civic Design Review and before action by the Zoning Board.



# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 10

### §14-303: Common Procedures and Requirements

#### (7) Special Exception Approval

\* \* \*

#### (e) Criteria for Review and Action by the Zoning Board

The Zoning Board shall approve or approve with conditions the application for a special exception if it determines that the criteria in §14-303(7)(e)(.1) and §14-303(7)(e)(.2) below have been met, unless the Zoning Board finds that the objectors, if any, satisfy the criteria in ~~§14-303(7)(e)(.2)~~ or §14-303(7)(e)(.3).

##### (.1) Specific Conditions of Use

The applicant shall have the initial duty of presenting evidence, and the burden of proof, that the application complies with all the criteria and meets all the conditions applicable to the proposed use, including all applicable use-specific standards in §14-603 (Use-Specific Standards).

##### (.2) ~~General-Specific~~ Detrimental Impacts

**The applicant has the initial duty of presenting objective evidence that the proposed use meets the definition for a use permitted by special exception, that all dimensional standards are satisfied and the grant of special exception will not cause specific detrimental impacts. Once the applicant meets such initial duty and burden of proof, the objectors, if any, shall have the duty of presenting objective evidence that the proposed use is substantially likely to cause a detrimental impact exceeding that which normally might be expected from the proposed use on the health, safety, and welfare of the neighborhood. If the objectors meet the duty of presenting such evidence of specific detrimental impacts caused by the proposed use, the burden of proof shifts to the applicant to rebut such evidence.** Such detrimental impacts may include:

- (.a) Substantially increasing congestion in the public streets or transportation systems;
- (.b) Overcrowding the land or creating an undue concentration of population;
- (.c) Impairing an adequate supply of light and air to adjacent property;

# City of Philadelphia

RESOLUTION NO. 110741 *continued*

- (.d) Unduly burdening water, sewer, school, park, or other public facilities;
- (.e) Impairing or permanently injuring the use of adjacent conforming properties;
- (.f) Increasing the danger of fire or otherwise endangering the public health or safety; or
- (.g) Being inconsistent with the Comprehensive Plan of the City.

(.3) **General Policy of the Code**

**Once the applicant meets such initial duty and burden of proof, the objectors, if any, shall have the duty of presenting objective evidence that the proposed use is substantially likely to cause a detrimental impact exceeding that which normally might be expected from the proposed use on the health, safety, and welfare of the neighborhood.**

The objectors also may present evidence, and have the burden of proof, that the proposed use fails to conform with the purpose, spirit, and intent of this Zoning Code.

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 11

### § 14-105 Relationship to Plan Documents

#### (1) The Comprehensive Plan

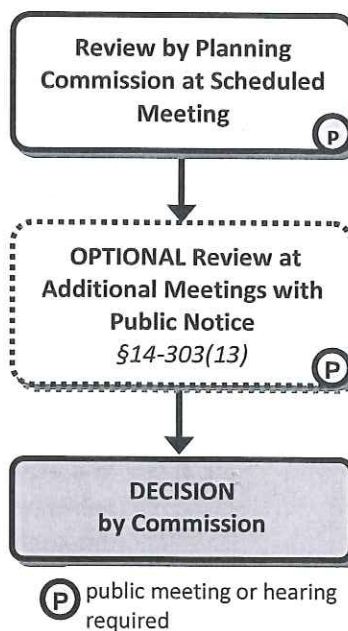
The Comprehensive Plan that is adopted by the Planning Commission (“the Commission”) serves as the statement of goals, recommendations, and policies guiding the development of the physical environment of the City.

#### (2) Amendments to the Comprehensive Plan and Other Plans

(a) If a plan other than the Comprehensive Plan containing additional recommendations, policies, and standards regarding development within the City is prepared by the City or a public or quasi-public agency and is adopted by the Commission it will be considered an amendment to the Comprehensive Plan and serve as an additional guide for the administration of this Zoning Code as described in §14-101(3) (Adopted Plans Guide Discretionary Decisions). In the case of a direct conflict between the provisions of the Comprehensive Plan and more detailed provisions in an amendment to the Comprehensive Plan adopted after the Comprehensive Plan, the provisions of the later amendment govern.

~~(b) As an alternative to adoption, a plan prepared by an organization other than the City or a public or quasi-public agency may be accepted by the Commission. If a plan is accepted rather than adopted by the Commission, it may serve as a general policy guide where it is not inconsistent with the Comprehensive Plan, additional plans, and other policies adopted by the Commission. If a plan is not formally adopted by the Commission pursuant to §14-304(2) (Comprehensive and Other Plan Adoption), it may serve as a guide for administration of this Zoning Code at the discretion of the Commission or Zoning Board, but those bodies shall not be obligated to make decisions consistent with accepted plans.~~

### Comprehensive Plan Adoption



#### (3) Adopted Plans Guide Discretionary Decisions

Where a Comprehensive Plan or an amendment to the Comprehensive Plan has been adopted pursuant to ~~§14-304(2) (Comprehensive and Other Plan Adoption)~~ the recommendations of that plan shall be considered by the Commission and Zoning Board as a factor in making any decision on a zoning permit application on a topic or area covered by the adopted plan.

\* \* \*

### § 14-304 Specific Procedures

#### (1) Authority to Prepare and Adopt the Comprehensive Plan

Only the Commission may prepare and adopt a Comprehensive Plan pursuant to the Philadelphia Home Rule Charter. The City or any public or quasi-public agency may submit a proposed



# City of Philadelphia

RESOLUTION NO. 110741 continued

amendment to the Comprehensive Plan for approval pursuant to §14-304(2) (Comprehensive and Other Plan Adoption). ~~Other organizations may submit plans for acceptance by the Commission, but if accepted those plans will not be considered amendments to the Comprehensive Plan (see §14-105 (Relationship to Plan Documents)).~~

## (2) Comprehensive and Other Plan Adoption

### (a) Applicability

This section applies whenever a Comprehensive Plan or other plan is intended to become the adopted policy of the City and to guide the approval of rezonings, permits, or approvals, including special exception approvals, in the area of the City covered by the plan.

### (b) Review and Action by the Commission

- (.1) No plan shall become the adopted policy of the City unless it is first approved by the Commission.
- (.2) The Commission shall review the plan in at least one Commission meeting. The Commission may schedule additional public meetings to review the plan, and notice of those meetings shall be provided by the Commission as set forth for in §14-303(13) (Public Notice).
- (.3) In the case of the Comprehensive Plan or other plan prepared by the City or any public or quasi-public entity, if the Commission determines that the plan will promote the best interests of the City and that it should become the policy of the City, it shall adopt the plan, or adopt it with changes, and the plan shall then be considered an amendment to the Comprehensive Plan. If the Commission determines that the plan will not promote the best interests of the City, or that it should not become the policy of the City, it shall not adopt the plan.
- (.4) ~~In the case of a plan prepared by a group other than the City or a public or quasi-public entity, if the Commission determines that the plan will promote the best interests of the City, the Commission may accept the plan, but the plan will not be considered an amendment to the Comprehensive Plan.~~

### (c) Effect of Approval

Only plans adopted by the Commission as amendments to the Comprehensive Plan shall be considered by the Commission or the Zoning Board as a factor in its decision to approve, approve with conditions, or deny a permit, special exception, variance, or other approval. ~~Pursuant to §14-105(2) (Amendments to the Comprehensive Plan and Other Plans), accepted plans may be used at the discretion of the Commission or the Zoning Board, but these bodies are not required to make decisions consistent with accepted plans.~~

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 12

### § 14-304(5) Civic Design Review.

\* \* \*

#### (a) Civic Design Review Committee.

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 separate Civic Design Review Committee, composed of seven members as follows: two Pennsylvania-licensed architects, one Pennsylvania-licensed landscape architect, one transportation/urban planner, one developer/builder, one person ~~with civic association review experience,~~ **who currently is an active member of the Zoning Committee of a Registered Community Organization**, and one rotating seat for a representative, **who currently is an active member of the Zoning Committee** of a 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.

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 13

### § 14-502 /CTR, Center City Overlay

\* \* \*

#### (4) Bulk and Massing Regulations

The following bulk and massing regulations apply to the areas described in each subsection and shown on the two Bulk and Massing Control Area maps below. **The applicant shall have the option of meeting the requirements of either subsection 14-502(4)(a) (relating to Sky Plane Controls) or subsection 14-502(4)(b) (relating to Open Area Above Ground Level Controls).**

##### (a) Sky Plane Controls

###### (.1) Applicability

The sky plane provisions of this section apply to **all** CMX-4 and CMX-5 ~~lots in the Sky Plane Control Area~~, except as noted in §14-502(4)(a)(.2) below (See Bulk and Massing Control Area Map 1 for illustrative purposes only). ~~Notwithstanding §14-501(2) (Interpretation), when the sky plane standards of this §14-101(1)(a) (Sky Plane Controls) conflict with the floor area ratio standards of §14-701 (Development Standards), the stricter standard shall govern.~~

\* \* \*

##### (b) Chestnut/Walnut/Broad Street Cornice Controls

The main cornice line on any building in any of the following areas may not be less than 25 ft. above the average sidewalk level (See Bulk and Massing Control Area Map 2 for illustrative purposes only).

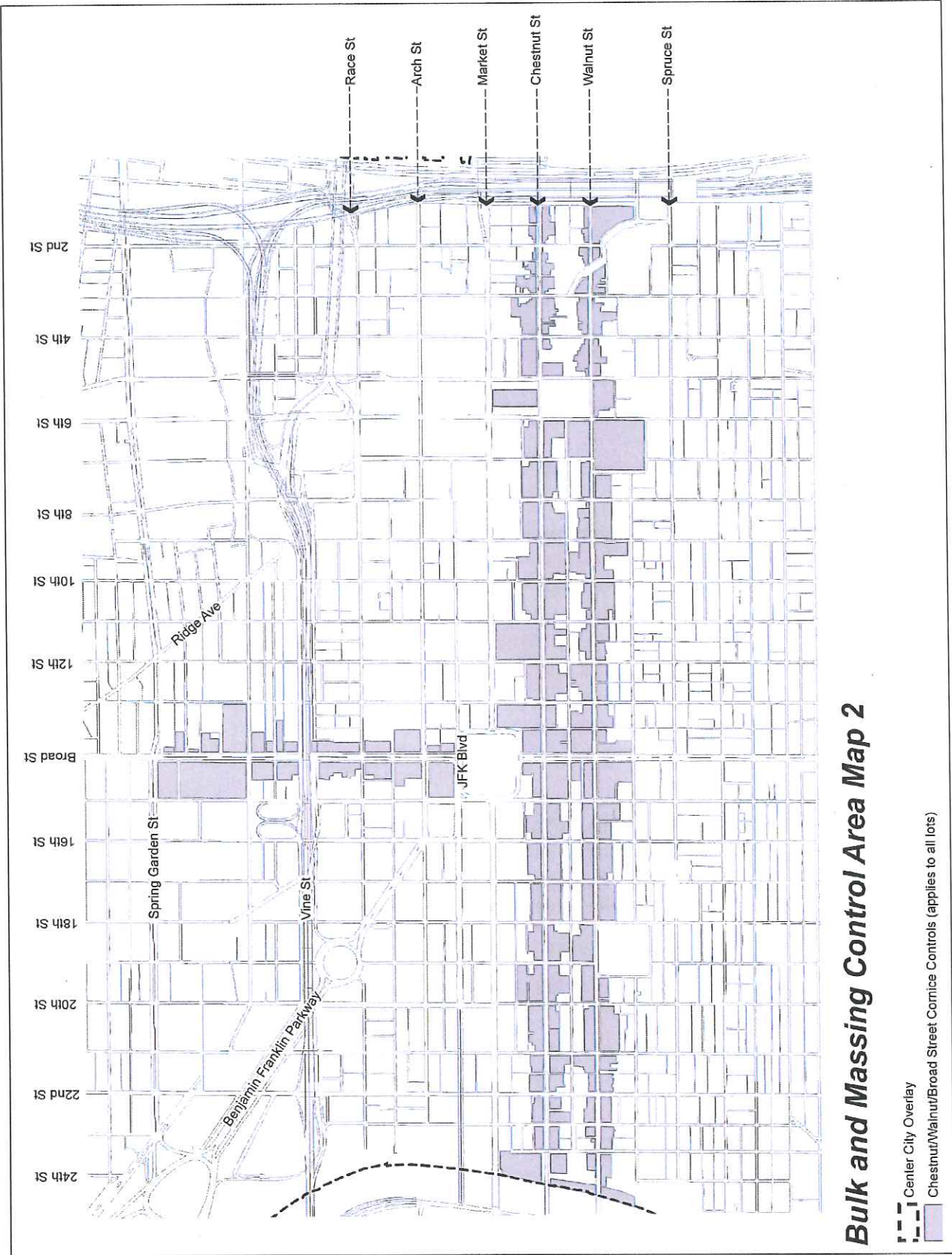
(.2) Chestnut and Walnut Street Subarea 1.

(.3) Commercially-zoned lots located in Broad Street Subarea 2.



# City of Philadelphia

RESOLUTION NO. 110741 continued



# City of Philadelphia

RESOLUTION NO. 110741 *continued*

**(5) Open Area Above Ground Level Controls.**

In order to prevent the entire street and adjoining sidewalks and public spaces from being placed in constant shadow, buildings should occupy less of the area of the lot as they become taller. These controls should be established to enhance the utility of public space as well as the public sidewalk by providing for the penetration of sunlight and air. Therefore, development controls which require that the upper floors of buildings occupy no more than thirty percent (30%) to seventy-five percent (75%) of the lot area, are imposed as follows, provided, that when lots are located in areas which are subject to other more restrictive height and bulk controls set forth in other Sections of this Title, the most restrictive regulations shall apply:

**(.1) Buildings within the basic allowable gross floor area, as provided herein, and three hundred feet or less in height above the average ground level:**

**(.a) For lots designated class "C-4" Commercial, and not exceeding a floor area ratio (F.A.R.) of five hundred percent (500%) and lots designated class "C-5" Commercial, and not exceeding a floor area ratio of one thousand two hundred percent (1,200%), buildings may occupy one hundred percent (100%) of the lot area for the first sixty-five feet of building height above the average ground level and no more than seventy-five percent (75%) of the lot area for portions of the building above the first sixty-five feet of building height.**

**(.b) Notwithstanding subparagraph (.a), for the area bounded by 15th Street, Arch Street (Benjamin Franklin Parkway), Cherry Street and 16th Street, and for the area bounded by Arch Street, Juniper Street, Cuthbert Street and Broad Street, no set back above grade shall be required for lots designated "C-5" Commercial.**

**(.2) Buildings in excess of the basic allowable gross floor area, as provided herein, (on lots designated class "C-4" Commercial, exceeding a F.A.R. of five hundred percent (500%) and on lots designated class "C-5" Commercial, exceeding a F.A.R. of one thousand two hundred percent (1,200%) and which are over three hundred feet in height above the average ground level:**

**(.a) From ground level to a point sixty-five feet above the average ground level of the lot, buildings may occupy one hundred percent (100%) of the lot;**

**(.b) From a point sixty-five feet above the average ground level of the lot, buildings, including mechanical space, shall occupy no more than seventy-five percent (75%) of the lot up to a point three hundred feet in height above the average ground level;**

**(.c) From three hundred feet above the average ground level of the lot, buildings, including mechanical space, shall occupy no more than**



# City of Philadelphia

RESOLUTION NO. 110741 *continued*

fifty percent (50%) of the lot up to a point five hundred feet in height above the average ground level, or buildings, including mechanical space, over three hundred feet but less than five hundred feet in height above the average ground level may be constructed so that the average lot coverage of the building above a point sixty-five feet above the average ground level of the lot, shall not exceed sixty percent (60%) of the lot;

- (.d) From five hundred feet above the average ground level of the lot, buildings, including mechanical space, shall occupy no more than forty percent (40%) of the lot up to a point seven hundred feet in height above the average ground level, or buildings, including mechanical space, over five hundred feet but less than seven hundred feet in height above the average ground level may be constructed so that the average lot coverage of the building above a point sixty-five feet above the average ground level of the lot, shall not exceed fifty percent (50%) of the lot;
- (.e) From seven hundred feet above the average ground level of the lot, buildings, including mechanical space, shall occupy no more than thirty percent (30%) of the lot, or buildings, including mechanical space, over seven hundred feet in height above the average ground level may be constructed so that the average lot coverage of the building above a point sixty-five feet above the average ground level of the lot, shall not exceed forty percent (40%) of the lot, provided, that in the area bounded by Arch Street, 18th Street, Cuthbert Street, and 19th Street, buildings, including mechanical space, over seven hundred feet in height above the average ground level may be constructed so that the average lot coverage of the building above a point sixty-five feet above the average ground level of the lot shall occupy no more than forty-eight and one-half percent (48.5%) of the lot.

## (56) Setback/build-To Regulations

\* \* \*

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 14

### 14-303(12) Neighborhood Notice and Meetings

\* \* \*

#### (d) Neighborhood Meeting and Documentation Requirements

(.1) Within 45 days after the applicant has filed a petition of appeal to the Zoning Board for approval of a special exception or variance or within 45 days after the applicant has been notified by L&I that an application will require review under the Civic Design Review Process, the noticed Registered Community Organization(s) and the applicant shall complete the actions required by this §14-101(1)(a) (Neighborhood Meeting and Documentation Requirements). The Zoning Board or Civic Design Review Committee shall not conduct its first meeting on the application until the applicant and the Registered Community Organization(s) have completed the actions required by this §14-101(1)(a) (Neighborhood Meeting and Documentation Requirements) or 45 days, whichever is less.

(.a) The noticed Registered Community Organization(s) shall:

- i. Convene, organize, and conduct a meeting with the applicant to discuss the proposal. If there is more than one Registered Community Organization whose geographical area of concern includes the project site, those organizations shall coordinate to convene a single meeting with the applicant during such 45-day period; and
- ii. Provide to the Zoning Board or Civic Design Review Committee, as applicable, written documentation of the meeting or the reason that no meeting was held within the required timeframe.

(.b) The applicant shall provide to the Zoning Board or Civic Design Review Committee, as applicable, written documentation of the meeting or the reason that no meeting was held within the required 45-day timeframe. If, within the 45-day period, the applicant has made a good faith effort to meet with the Registered Community Organization(s) and no meeting has been convened within that period, the applicant will be presumed to have fulfilled the requirements of this §14-101(1)(a) (Neighborhood Meeting and Documentation Requirements). **The applicant shall have made a good faith effort to meet with the Registered Community Organization(s) upon demonstration of the following:**

- i **applicant has contacted an officer of such organization(s) on at least two separate occasions, either in person, by telephone or in writing (by first class mail or by e-mail) for the purpose of scheduling a meeting;**
- ii **such contact was made at least 30 days prior to the requested meeting date;**

# City of Philadelphia

RESOLUTION NO. 110741 continued

- iii the applicant proposed at least 2 separate dates and times after 5:00 PM for holding the meeting at a location within the boundaries of the Registered Community Organization; and
- iv despite such efforts, no meeting was scheduled by the Registered Community Organization(s).

\* \* \*

### 14-303(13) Public Notice

\* \* \*

### (c) Sign Notice

\* \* \*

### (.4) Reposting

If signs are not posted in accordance with the requirements of §14-101(3)(c)(.3) (Time of Posting), the Zoning Board shall delay action on the matter and require reposting of the sign notices, unless the Zoning Board determines, based on information provided by the applicant, that (a) the required posting began on or before the required date and (b) the applicant made good faith efforts to keep the sign notices posted during the entire period. Any reposting of required sign notices will be treated as a new posting and a reposting fee shall be required in accordance with the fee schedule set forth in Chapter 9 of the Philadelphia Administrative Code. **A photograph showing that the sign notice was posted in accordance with the posting requirements of this Zoning Code and, in the case where a sign was removed or torn, evidence that a new sign notice was obtained from L&I and posted, shall constitute good faith efforts to keep the sign notices posted during the entire period.**



# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 15

### § 14-303 (8) Zoning Variances.

\* \* \*

#### (e) **Criteria for Approval**

The Zoning Board shall grant a variance only if it determines that the applicant has demonstrated that the criteria of this §14-303(8)(e) (Criteria for Approval) have been met and that any applicable criteria in subsections §14-303(8)(g) (Additional Criteria for Floodplain Variances) through §14-303(i) (Additional Criteria for Height Variances Near the Airport) through have been met. Otherwise, the Zoning Board shall deny the variance. The Zoning Board may grant a lesser variance than requested, and may attach such reasonable conditions and safeguards as it may deem necessary to implement this Zoning Code, including without limitation a limitation on the size or duration of the variance. The Zoning Board shall set forth each required finding for each variance that is granted, and shall set forth each finding that is not satisfied for each variance that is denied. Each finding shall be supported by substantial evidence. Reports of other City agencies made as a result of inquiry by the Zoning Board may be considered by the Zoning Board.

#### (.1) **Use Variances**

The Zoning Board may only grant a variance to allow any use not authorized on the lot by this Zoning Code if it determines that the denial of the variance would result in an unnecessary hardship. To find an unnecessary hardship, the Zoning Board must make all of the following findings where relevant, and to the extent that a specific finding is not relevant, shall so state **in writing**:

\* \* \*

#### (.2) **Variances to Dimensional Standards**

To grant a dimensional variance, the Zoning Board must make all of the following findings where relevant, and to the extent that a specific finding is not relevant, shall so state **in writing**:

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 16

### § 14-103 Authority

\* \* \*

#### (4) Department of Licenses & Inspections

- (a) The Department of Licenses & Inspections (“L&I”) has the power and duty of administering and enforcing the provisions of this Zoning Code, with the exception of those provisions related to the approval of land subdivisions (See §14-304(7) (Subdivisions and Subdivision Plats)) and any powers specifically granted to another department, agency, board, or commission of the City under this Zoning Code.
- (b) No permit, certificate, license, or document relating to the use of property shall be issued by any other department, agency, board, or commission of the City until L&I shall have certified that the use to be made of the property is in full compliance with the provisions of this Zoning Code.
- (c) L&I shall administer and enforce the requirement that a use registration permit be obtained for every new use commenced on any land or in any structure, except for use as a single-family use or place of worship.
- (d) L&I shall administer and enforce the requirement that a zoning permit shall be obtained for every new structure or alteration or addition to an existing structure that results in a change to gross floor area commenced on any land within the City.
- (e) L&I shall issue a zoning permit or use registration permit for a special exception only after the Zoning Board has approved the application and when all the other applicable provisions of this Zoning Code have been met.
- (f) L&I shall issue building permits and Certificates of Occupancy only after zoning permits and use registration permits required under this Zoning Code have been issued by L&I.
- (g) Upon application, L&I shall issue a certification noting the zoning district classifications of any property and the current zoning status of that property as shown by the official zoning map and records of L&I.
- (h) **L&I is authorized to promulgate such regulations as are necessary and appropriate to implement the provisions of this Zoning Code. Any administrative manual or any other publication prepared as a guide for this Zoning Code shall be considered regulations and shall be adopted in accordance with the provisions of Section 8-407 of the Philadelphia Home Rule Charter.**

\* \* \*

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 17

### § 14-303. Common Procedures and Requirements

\* \* \*

#### (15) Appeals

##### (a) Appeals to Zoning Board of Adjustment

\* \* \*

- (.3) Any appeal of an L&I decision shall be filed with the Zoning Board **by an applicant** within 30 days of the date of L&I's decision **and by a protestant, within 30 days of the date when such protestant had actual or constructive notice of the decision of L&I. Such appeal shall be in the form of a ~~through~~** a written notice of appeal stating specifically how L&I's decision is inconsistent with the requirements of this Zoning Code or the basis for the requested variance or other relief.

\* \* \*

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 18

### §14-905 Non-Accessory Signs

\* \* \*

#### (10) Prohibited Areas

Outdoor advertising signs and non-accessory signs shall be prohibited:

\* \* \*

**(p) Any property zoned I-2 within the area bounded by the Delaware Expressway, the Schuylkill Expressway and Darien Street (extended).**

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 19

### §14-404. SP-INS, Institutional (Special Purpose) District

\* \* \*

#### (3) Area Regulations

(a) **District Area and Boundaries**

An SP-INS district must contain at least ~~three~~ **five** acres of contiguous land area.

(b) **Gross Floor Area**

The gross floor area of all buildings may not exceed 400% of the total area of the SP-INS district, exclusive of streets.

(c) **Occupied Area**

Not more than 70% of the SP-INS district area, exclusive of streets, may be occupied by buildings.

(d) **Yards**

~~No front, Front, side, or and~~ rear yards ~~are shall be required in this district in accordance with the requirements of the most restrictive adjacent residential district.~~

\* \* \*

#### (8) Fences and Retaining Walls

Fences are permitted in this district. Fences that abut the property line may not exceed by ~~six ft. in height,~~ **more than 20% the fence height of the adjacent district** except that fences surrounding athletic fields may be up to 15 ft. in height. Any portion of a retaining wall that exists above the higher level grade shall comply with the requirements for fences. Where a fence is located on top of a retaining wall, the combined height of the retaining wall that exists above the higher level grade and fence shall not exceed the maximum height permitted for a fence. This paragraph shall not apply to any retaining wall required to meet alternative standards by any provision of The Philadelphia Code, any provision of state or federal law, or any regulations adopted to implement the code or those laws.



# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 20

### §14-304 (3) Zoning Map and Text Amendments

\* \* \*

#### (e) Special Provisions for Master Plan Districts

\* \* \*

##### (1) Master Plan Districts Generally

**The creation of any new master plan district shall require Civic Design Review under subsection §14-304(5)(f) (Criteria for Review).** The procedures of this subsection (1) apply to the master plan districts listed in Table 14-304-1, other than the SP-ENT, Entertainment (Special Purpose) District. See §14-304(3)(e)(2) below for procedures relating to the SP-ENT, Entertainment (Special Purpose) District.

### §14-304 (5) Civic Design Review

\* \* \*

#### (b) Applicability

##### (.1) Required Review

- (.a) The civic design review procedures of this subsection apply to any **proposed** development that meets the criteria in Table 14-304-2 (Civic Design Review Triggers) except for:
- (i) development on lots located within the SP-ENT, SP-PO, and SP-STA districts **in accordance with an approved Master Plan;**
  - (ii) A building with a primary use in the industrial use category in an Industrial district; and
  - (iii) Wireless service facilities.
- (.b) L&I shall not issue or deny a Final Zoning Permit (see §14-303(6)(c)(Optional )) 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.

\* \* \*

# City of Philadelphia

RESOLUTION NO. 110741 continued

<b>Table 14-304-2: Civic Design Review Triggers Civic Design Review is required in the following three four cases:</b>		
<b>Location of Applicant's Property</b>	<b>Property Affected by the Application</b> (as defined by §14-304(5)(b)(2) (Affected Properties))	<b>Covered Types of Applications</b>
<b>Case 1:</b> The applicant's property is located in any district	<b>AND</b> the property affects: property in any district	<b>AND</b> the application: Includes more than 100,000 sq. ft. of new gross floor area or more than 100 new dwelling units.
<b>Case 2:</b> Case 1 does not apply, but the applicant's property is located in a Commercial, Industrial, or Special Purpose district	<b>AND</b> the property affects: property in any RM or RMX district	<b>AND the application:</b> 1. Includes more than 50,000 sq. ft. of new construction; 2. Includes more than 50 new dwelling units; or 3. Includes buildings that are more than 20 ft. taller than maximum permitted height of an affected RM- or RMX-zoned lot.
<b>Case 3:</b> Cases 1 and 2 do not apply, but the applicant's property is located in an RM, RMX, Commercial, Industrial, or Special Purpose district,	<b>AND</b> the property affects: property in any RSD, RSA, or RTA district	<b>AND the application:</b> 1. Includes more than 25,000 sq. ft. of new construction; 2. Includes more than 25 new dwelling units; or 3. Includes buildings that are more than 20 ft. taller than maximum permitted height of an affected RSD-, RSA-, or RTA-zoned lot.
<b>Case 4:</b> <b>The applicant's property is located within any area for which a Master Plan intends to establish a Special Purpose District. In such a case, the Master Plan shall require Civic Design Review.</b>		

\* \* \*

# City of Philadelphia

RESOLUTION NO. 110741 *continued*

(f) **Criteria for Review**

Design review shall focus on the impact of building and site design on the public realm, particularly streets, sidewalks, trails, public parks, and open spaces. The Civic Design Review Committee's review is not intended to evaluate the architectural style or compositional aspects of a project outside of their clear impact on the public realm. Criteria for review shall include the following, and any recommendations for changes to the proposal shall be directed toward improving performance in the following areas:

- (.1) Whether the design, including but not limited to, **streetscape** curbside management and vehicular and pedestrian access points, contributes to the walkability of adjacent streets;
- (.2) Whether the ground level **design and uses** of the proposal contributes to street activity on adjacent streets;
- (.3) Whether the design of open spaces within the boundaries of the proposal are appropriate for their intended function and reinforce the importance, safety, and enjoyment of public use of those spaces;
- (.4) Whether the design allows adequate light and air for nearby public streets, sidewalks, trails, parks, ~~and~~ open spaces **and adjacent properties**;
- (.5) Whether the design is consistent with **the goals and objectives of the Comprehensive Plan and** the intended character of streets, sidewalks, trails, parks, and open spaces indicated in any adopted plan, redevelopment plan, ~~and~~/or any **proposed** master plan for the area where the property is located;
- (.6) **Whether the design protects the desirable characteristics of the surrounding neighborhood, and creates appropriate buffers between proposed buildings and residential or other uses on adjacent properties;**
- (.7) **Whether the design incorporates appropriate watershed requirements and storm water controls;**
- (.8) **Whether the design incorporates internal parking requirements so as not to create undue burdens on the surrounding streets; and**
- (~~.6.9~~) Any additional criteria stated in the regulations of the Commission for the purposes of clarifying or implementing the criteria in this §14-304(5)(f) (Criteria for Review).



# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 21

### §14-303(8) Zoning Variances

\* \* \*

#### (e) **Criteria for Approval**

The Zoning Board shall grant a variance only if it determines that the applicant has demonstrated that the criteria of this §14-303(6)(d)(2) (Criteria for Approval) have been met and that any applicable criteria in subsections §14-303(8)(g) Additional Criteria for Floodplain Variances) through §14-303(8)(i) (Additional Criteria for Height Variances Near the Airport) have been met. Otherwise, the Zoning Board shall deny the variance. The Zoning Board may grant a lesser variance than requested, and may attach such reasonable conditions and safeguards as it may deem necessary to implement this Zoning Code, including without limitation a limitation on the size or duration of the variance. The Zoning Board shall set forth each required finding for each variance that is granted, and shall set forth each finding that is not satisfied for each variance that is denied. Each finding shall be supported by substantial evidence. Reports of other City agencies made as a result of inquiry by the Zoning Board may be considered by the Zoning Board.

\* \* \*

#### (.2) **Variances to Dimensional Standards**

To grant a dimensional variance, the Zoning Board must make all of the following findings where relevant, and to the extent that a specific finding is not relevant, shall so state:

- ~~(.a) — That the denial of the variance would result in an unnecessary hardship. To find an unnecessary hardship, the Zoning Board shall consider the economic detriment to the applicant if the variance is denied, the financial burden created by any work necessary to bring the building into strict compliance with the zoning requirements and the characteristics of the surrounding neighborhood;~~
- ~~(.b) — That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue;~~
- ~~(.c) — That the grant of the variance will be in harmony with the purpose and spirit of this Zoning Code;~~
- ~~(.d) — That the grant of the variance will not substantially increase congestion in the public streets, increase the danger of fire, or otherwise endanger the public health, safety, or general welfare;~~



# City of Philadelphia

RESOLUTION NO. 110741 continued

- ~~(.e) That the variance will not substantially or permanently injure the appropriate use of adjacent conforming property or impair an adequate supply of light and air to adjacent conforming property;~~
  - ~~(.f) That the grant of the variance will not adversely affect transportation or unduly burden water, sewer, school, park, or other public facilities;~~
  - ~~(.g) That the grant of the variance will not adversely and substantially affect the implementation of any adopted plan for the area where the property is located or any area redevelopment plan approved by City Council; and~~
  - ~~(.h) That the grant of the variance will not create any significant environmental damage, pollution, erosion, or siltation, and will not significantly increase the danger of flooding either during or after construction, and the applicant will take measures~~
- (.a) That because of the particular physical surrounding, shape, or topographical conditions of the specific structure or land involved, a literal enforcement of the provisions of this Title would result in unnecessary hardship;
  - (.b) That the conditions upon which the appeal for a variance is based are unique to the property for which the variance is sought;
  - (.c) That the variance will not substantially or permanently injure the appropriate use of adjacent conforming property;
  - (.d) That the special conditions or circumstances forming the basis for the variance did not result from the actions of the applicant;
  - (.e) That the grant of the variance will not substantially increase congestion in the public streets;
  - (.f) That the grant of the variance will not increase the danger of fire, or otherwise endanger the public safety;
  - (.g) That the grant of the variance will not overcrowd the land or create an undue concentration of population;
  - (.h) That the grant of the variance will not impair an adequate supply of light and air to adjacent property;
  - (.i) That the grant of the variance will not adversely affect transportation or unduly burden water, sewer, school, park or other public facilities;
  - (.j) That the grant of the variance will not adversely affect the public health, safety or general welfare;
  - (.k) That the grant of the variance will be in harmony with the spirit and purpose of this Title; and

# City of Philadelphia

RESOLUTION NO. 110741 *continued*

- (.l) That the grant of the variance will not adversely in a substantial manner any area redevelopment plan approved by City Council or the Comprehensive Plan for the City approved by the City Planning Commission.
- (.m) That the grant of the variance will not create any significant environmental damage;
- (.n) That the grant of the variance will not significantly increase the danger of flooding;
- (.o) That the grant of the variance will not cause erosion, siltation or pollution that are significant;
- (.p) That the applicant will take reasonable means to minimize environmental damage during construction;
- (.q) That the applicant in developing the site will use reasonable countermeasures in order that the completed project will not create significant environmental damage;

\* \* \*

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 22

### § 14-303 Common Procedures and Requirements

Procedures that are common to several types of applications for permits, approvals, or variances are listed in this section.

\* \* \*

#### (8) Zoning Variances

##### (.1) Use Variances

The Zoning Board may only grant a variance to allow any use not authorized on the lot by this Zoning Code if it determines that the denial of the variance would result in an unnecessary hardship. To find an unnecessary hardship, the Zoning Board must make all of the following findings where relevant, and to the extent that a specific finding is not relevant, shall so state:

\* \* \*

##### ~~(f) Modification of Uses Approved by Variance~~

~~A use approved through the use variance procedures of this (8) (Zoning Variances) may be modified, including any expansion, only if the modification is approved in accordance with the use variance procedures and criteria of this (8) (Zoning Variances).~~

\* \* \*

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 23

### § 14-303 Common Procedures and Requirements

Procedures that are common to several types of applications for permits, approvals, or variances are listed in this section.

\* \* \*

#### (2) Application Materials

~~L&I shall state on the City's website the application materials required by L&I to review an application for compliance with this Zoning Code. If upon review of an application, L&I determines that the application does not contain all of the required materials, L&I shall inform the applicant of the additional materials necessary to demonstrate compliance with this Zoning Code.~~

- (a) All applications for any zoning or use registration permit under this Code shall be made to L&I.
- (b) No zoning or use registration permits shall be issued unless:
  - (.1) The owner or his agent, authorized in writing, files a plan in duplicate drawn to scale showing the actual lot dimensions, use or intended use, height or size, and location of the uilding or buildings on the lot, together with such other information and data as L&I may require;
  - (.2) Such plan is approved by L&I as showing compliance with the applicable provisions of this Code; and
  - (.3) The required fee is paid.
- (c) The plan required hereunder, when approved by L&I, shall be final and conclusive. One copy of such plan, as approved, shall be returned to the applicant stamped as approved by L&I.

\* \* \*



# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 24

### § 14-603 Use-Specific Standards

\* \* \*

#### (13) Regulated Uses<sup>1</sup>

##### (a) Designation of Regulated Uses

The following uses are designated as regulated uses:

- ~~(.1) — Adult-oriented merchandise;~~
  - ~~(.2) — Adult-oriented service;~~
  - ~~(.3) — Drug paraphernalia stores;~~
  - ~~(.4) — Gun shops;~~
  - ~~(.5) — Detention and correctional facilities; and~~
  - ~~(.6) — Personal credit establishments.~~
- 
- (.1) Adult book stores;
  - (.2) Adult mini-motion picture theater;
  - (.3) Adult motion picture theater;
  - (.4) Cabaret;
  - (.5) Massage businesses as regulated by §§ 9-610 and 9-611 of The Philadelphia Code;
  - (.6) Drug paraphernalia stores;
  - (.7) Amusement arcades;
  - (.8) Pool rooms;
  - (.9) Adult video stores;
  - (.10) Check Cashing Establishments;
  - (.11) Pawnshops;
  - (.12) Adult Modeling or Photography Studio;
  - (.13) Adult Spa or Health Club;
  - (.14) Adult Entertainment Store;
  - (.15) Penal and Correctional Institution (private);

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<sup>1</sup> The recommended changes to this Section will require conforming amendments to Use Table 14-602-3 entitled, "Uses Allowed in Industrial Districts."

# City of Philadelphia

RESOLUTION NO. 110741 continued

- (.16) Penal and Correctional Institution (public);
  - (.17) Tattoo Parlors;
  - (.18) Body Piercing Shops;
  - (.19) Payday Lenders;
  - (.20) Gun shops.
- (b) Special regulated uses. The following uses are designated as special regulated uses:
- (.1) Sewage overflow tanks, for collection and storage of dilute sewage for a short period of time prior to release of the sewage to the treatment plant, but not including any tank used for collection and storage of sewage only from an individual property.
- (b) (c) Regulations and Standards
- (.1) Separation Requirements  
No regulated use may be located:
    - (.a) Within a zoning district where such use is not expressly allowed;
    - ~~(.a) Within 1,000 ft. of any other existing regulated use;~~
    - ~~(.b) Within 500 ft. of any Residential district or SP-INS district;~~
    - ~~(.c) Within 1,000 ft. of any SP-ENT zoning district; or~~
    - ~~(.d) Within 500 ft. of the nearest lot line of a lot containing any protected use (see Error! Reference source not found. (Error! Reference source not found.)).~~
    - (.b) Within one thousand (1,000) feet of any other existing regulated use; and/or
    - (.c) Within 500 feet of any residentially zoned district (regardless of the actual uses contained therein), Institutional Development District or any of the following residentially related uses:
      - (.i) Churches, monasteries, chapels, synagogues, convents, rectories, religious article, religious apparel stores, residential homes, or apartment buildings, hotels or Convention/Civic center;
      - (.ii) Schools, up to and including the twelfth (12th) grade, and their adjunct play areas;
      - (.iii) Public playgrounds, public swimming pools, public parks and public libraries;
    - (.d) For the purposes of this Section, spacing distances shall be measured as follows:
      - (.i) From all property lines of any "regulated use" listed in subsection (13)(a) above;



# City of Philadelphia

RESOLUTION NO. 110741 continued

**pictures, films, or live presentation of persons  
performing or services offered on the premises.**

- (e) Conflicting Regulations. When the provisions of § 14-1605 conflict with other provisions within this Title, the more restrictive provisions shall control.**

\* \* \*



# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 25

### Chapter 14-602 Use Tables

#### (5) Industrial Districts

Principal uses are allowed in Industrial districts in accordance with Table 14-602-3. 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).

##### (a) Notes for Table 14-602-3

~~[1] A community home, family establishment with up to three unrelated disabled persons is permitted. If more than three unrelated disabled persons will reside in a community home, family establishment, a special exception approval is required.~~

**A re-entry facility providing over-night accommodations for more than 25 persons, including staff shall be subject to spacing requirements in accordance with §14-603 (18) (Re-Entry Facilities).**

\* \* \*

### §14-603 Use-Specific Standards

\* \* \*

#### (18) Re-Entry Facilities

**Any Re-entry facility providing over-night accommodation for 25 or more persons, including staff shall not be located less than 500 feet from the following uses and structures:**

(a) **Any Residential District;**

(b) **Any Special Purpose District;**

(c) **Places of Religious Assembly;**

(d) **Hotels;**

(e) **Convention or Civic Centers;**

(f) **Schools up to and including the twelfth (12<sup>th</sup>) grade and its adjunct play areas; and**

(g) **Public playgrounds, public swimming pools, public parks, libraries and cultural exhibits.**

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 26

### § 14-603 Use-Specific Standards

\* \* \*

#### (16) Wireless Service Facilities (Freestanding Towers)

Freestanding towers ~~are subject to the following regulations:~~ shall meet the following requirements:

##### (a) Distance from Residential Dwelling Units

- (.1) Towers in all Residential and CMX-1 districts ~~must be setback at least 500 ft. from any lot occupied by a residential dwelling unit.~~ shall not be located within 500 feet of a lot line of any residential dwelling unit, provided that where a fall zone of greater than 500 feet is required the greater fall zone distance shall apply.
- (.2) Towers in all Commercial districts other than CMX-1, and in all Industrial districts ~~must be set back at least 250 ft. from any lot occupied by a residential dwelling unit.~~ shall not be located within 250 feet of a lot line of any residential dwelling unit, provided that where a fall zone of greater than 250 feet is required the greater fall zone distance shall apply.

##### (b) Minimum Lot Size

New towers may be erected only on lots with a minimum area of 2,000 sq. ft.

##### (c) Setback and Height Requirements

Buildings and structures associated with a newly erected tower (excluding antennas and antenna towers or support structures) must comply with the setback and height requirements of the zoning district in which they are located.

##### (d) Screening

- (.1) A continuous evergreen screen must be provided around all newly erected towers. The screen may consist of a hedge or a row of evergreen trees. The evergreen screen must be a minimum of six ft. in width with a minimum height of six ft. at time of planting, with a minimum 15-foot height at maturity.
- (.2) All structures, buildings and equipment accessory to antennas placed on an existing structure that is not located within the existing structure must be screened with materials compatible with the existing structures, buildings, or equipment at the time of planting.
- (.3) The vegetative species to be used for required screening must be selected from a list of trees recommended by the Commission. If the Commission determines that existing structures, buildings, vegetation, topography, or other natural features achieves the same level of screening as required above and informs L&I in

# City of Philadelphia

RESOLUTION NO. 110741 continued

writing of this finding, the requirements of this paragraph may be modified or waived.

(e) **Height Limit<sup>1</sup>**

- (.1) In districts with a maximum height limit of 38 ft., ground- and building-mounted towers may not exceed 60 ft. in height above the average ground level at the base of the tower or building.
- (.2) In all other districts, ground- and building-mounted towers may not exceed the greater of 60 ft. or the maximum building height allowed in the subject zoning district.

(f) **Fall Zone**

**Within the lot where the facility is located there shall be a fall zone around the entire tower whose radius is equal to the height of the tower above average ground level at its highest point.**

~~(g)~~ (g) **Fencing**

Unless located on an existing building, towers must be completely enclosed by a six-foot tall chain link or similar fence. The entire fence must be located behind the required landscape screen and the required setback.

~~(g)~~ (h) **Guy Wires**

All guy wires and guyed towers must be clearly marked so as to be visible at all times;<sup>2</sup> **and all guy wires shall be a minimum of 10 feet from a property line of the facility.**

~~(h)~~ (i) **Lighting**

All lighting, other than required by the FAA, must be shielded and **oriented-reflected** away from abutting properties.

~~(i)~~ (j) **Special Exception Decision-Making Criteria**

In all locations in which freestanding towers require special exception approval, the applicant must:

- (.1) submit a definition of the area of service needed for coverage or capacity;
- (.2) submit information showing that the proposed facility would provide the needed coverage or capacity;
- (.3) submit a map showing all alternate sites from which the needed coverage could also be provided, indicating the zoning for all such sites;
- (.4) show why alternate sites that would not require special exception approval have not been proposed;

<sup>1</sup> ~~Eliminated "fall zone" requirement.~~

<sup>2</sup> ~~Removed 10-foot setback requirement due to concerns that guy wires sometimes need to cross property lines.~~



# City of Philadelphia

RESOLUTION NO. 110741 continued

- (.5) demonstrate that existing facilities cannot accommodate the proposed antennas within the service area and that an existing public, community, or institutional facility cannot accommodate the proposed antennas within the service area;
- (.6) demonstrate that they cannot co-locate the antenna within the service area;
- (.7) demonstrate, by presenting technological evidence, that the tower must be located at the proposed site in order to satisfy the needs of the applicant's wireless grid system;
- (.8) allow other wireless service providers using similar technology to co-locate on the tower;
- (.9) demonstrate how the site will be designed to accommodate future multiple users; and
- (.10) demonstrate that the proposed tower will preserve the preexisting character of the surrounding buildings and land use as much as possible. All components of the proposed tower must be integrated through location and design to be compatible with the existing characteristics of the site to the extent practical. Existing on-site vegetation must be preserved or improved, and the disturbance of the existing topography must be minimized, unless such disturbance would result in less visual impact on the surrounding area.
- (.11) demonstrate that the applicant has advertised in a newspaper of general circulation, at least 21 days prior to the public hearing, notice of the application, which shall, in addition to the information included on the posting notice, give notice of the pending hearing and of individuals rights to appear at the hearing to apprise the Board of their concerns regarding the proposed Facility. This provision shall be satisfied by presenting to the Board, at the time of the public hearing, a copy of the newspaper containing the advertisement.**

**(17) Wireless Service Facilities (Building or Tower-Mounted Antenna)**

Building- or tower-mounted antennas and supporting electrical and mechanical equipment are subject to the following requirements:

- (a) They are prohibited on a lot containing a single-family or two-family use.
- (b) They must be painted or screened in a way to match the colors or simulate the materials of the building or tower on which they are mounted.
- (c) They may not be artificially illuminated, unless required by the FAA. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding uses.



# City of Philadelphia

RESOLUTION NO. 110741 *continued*

- (d) They must comply with the height restrictions otherwise applicable to the building or tower on which they are mounted.
- (e) They may not have signs attached to them unless required by the FAA, FCC, or other applicable authority.
- (f) Building-mounted antennas must be flush-mounted to the structure and may not extend above the wall to which it is attached.
- (g) Modification of any tower to accommodate an additional antenna may not cause the height of the tower to be increased more than 10 ft. beyond the tower height originally approved.

\* \* \*

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 27

### 14-601 (7) Commercial Services Use Category

\* \* \*

#### (c) **Assembly and Entertainment**

Uses that provide gathering places for participant or spectator recreation, entertainment, or other assembly activities. Assembly and entertainment uses may provide incidental food or beverage service for on- or off-premise consumption. The following are assembly and entertainment specific use types:

\* \* \*

#### (.2) Nightclubs and Private Clubs

An establishment ~~defined as a special assembly occupancy in §9-703 of The Philadelphia Code~~ **where 50 or more people congregate at one or more times in a month for entertainment purposes.** Such establishments may include, but are not limited to, discotheques, cabarets, private clubs, banquet halls, and similar places of assembly.

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 28

### § 14-601 Use Categories

\* \* \*

#### (6) Retail Sales Use Category

This category includes uses involving the sale, lease, or rental of new or used goods to the ultimate consumer within an enclosed structure, unless otherwise specified. The retail sales subcategories are:

\* \* \*

#### (d) Food, Beverages, and Groceries

Uses that sell or otherwise provide food or beverages for off-premise consumption, including grocery stores and similar uses that provide incidental and accessory food and beverage service as part of their primary retail sales business, **but not including any use that qualifies as a Beverage Distributor under § 14-601(9)(d)**. The following are food, beverage, and groceries specific use types:

\* \* \*

#### (9) Wholesale, Distribution, and Storage Use Category

This category includes uses that provide and distribute goods in large quantities, principally to retail sales, commercial services, or industrial establishments. Long-term and short-term storage of supplies, equipment, commercial goods and personal items is included. The wholesale, distribution, storage subcategories are:

\* \* \*

#### (d) Wholesale Sales and Distribution

Uses engaged in the wholesale sales, bulk storage and distribution of goods. Such uses may also include incidental retail sales. Wholesale showrooms are also included in this use subcategory. **Beverage distributors, as defined in subsection (.1) below, are also included in this use subcategory.**

**(.1) A use or establishment is a Beverage Distributor if fifty percent (50%) or more of its sales, measured by volume or gross receipts, are sales of beverages by the case, keg or other bulk quantity; or fifty percent (50%) or more of its display area is occupied by beverages for sale by the case, keg or other bulk quantity. For purposes of this definition, all sales, including sales for resale and sales directly to the ultimate consumer, shall be counted.**

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 29

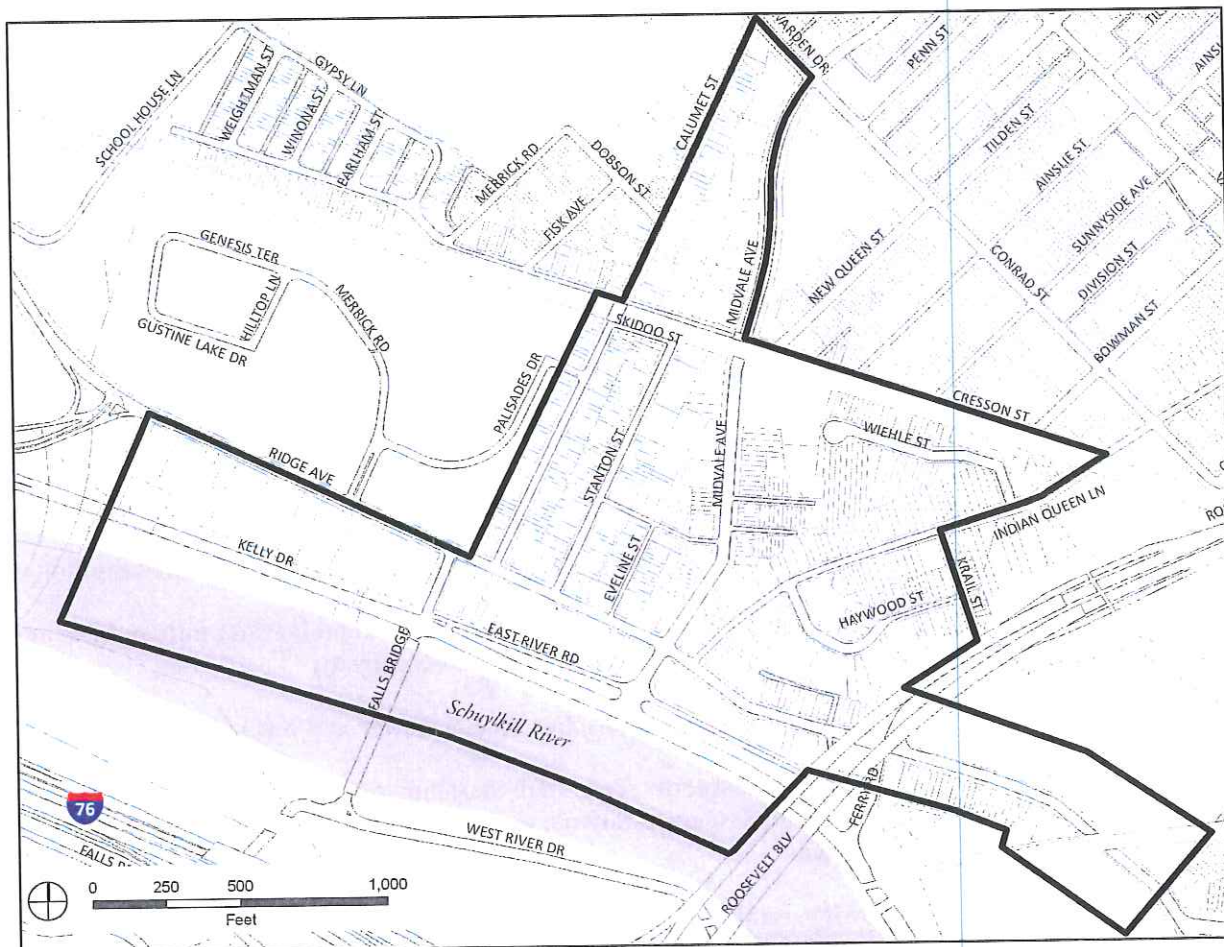
### § 1'4-503 /NCA, Neighborhood Commercial Area Overlay

\* \* \*

#### (2) East Falls Neighborhood

##### (a) Applicability

The requirements of this East Falls /NCA overlay district apply to all commercially-zoned properties, beginning at its southwest boundary and proceeding north, within the area bounded by Weightman Street, Ridge Avenue, a line approximately 77 ft. northwest of Calumet Street, Cresson Street, Calumet Street, Warden Drive, Midvale Avenue, Cresson Street, Indian Queen Lane, Krail Street, the Roosevelt Boulevard Extension, and the Schuylkill River; and properties with frontage on Ridge Avenue between the Roosevelt Boulevard Extension and Scotts Lane, as shown on the following map for illustrative purposes only.



East Falls Neighborhood (Only applies to commercially-zoned lots)

\* \* \*



# City of Philadelphia

RESOLUTION NO. 110741 *continued*

- (g) Within the area subject to the East Falls Special District Controls and notwithstanding any other Chapter of this Title, the following uses shall be prohibited:
- (.1) Athletic drill hall; dance hall; theater; motion picture theater; and other entertainment of guests and patrons as a principal use;
  - (.2) Automobile repair shop;
  - (.3) Automobile sales lot;
  - (.4) Automobile service station for the retail sale of automobile fuels, lubricants, radiator fluids and accessories, and for the performance indoors of incidental service and minor repairs to automobiles, incidental car washing indoors;
  - (.5) Bottling and/or distributing of liquids for human consumption;
  - (.6) Central heating plant;
  - (.7) Installations of auto, boat, motorcycle or truck parts;
  - (.8) Outdoor amusement parks;
  - (.9) Penal and correctional institutions;
  - (.10) Radio or television transmission tower;
  - (.11) Restaurant which serves patrons who remain in their automobiles; restaurant, café or soda and ice cream fountain which dispenses food at retail through a window or aperture which opens onto the sidewalk or public arcade area;
  - (.12) Retail sale of packaged beverages as a main use and the retail sale of malt beverages for take out as an accessory use;
  - (.13) Sales of live poultry, live fish, or live animals for human consumption;
  - (.14) The following sales, separately or in any combination: automobiles and parts, motorcycles; boats and farm equipment;
  - (.15) Trolley and cab stations, bus terminals, car and bus barns;
  - (.16) Water booster or sewer sub-stations; telephone exchange buildings; railroad passenger stations; electric transforming or gas regulating sub-stations.
- (h) The following retail sales, separately or in any combination, shall not exceed 1,500 square feet in gross floor area:
- (.1) Electric appliances;
  - (.2) Floor coverings;

# City of Philadelphia

RESOLUTION NO. 110741 *continued*

- (.3) Furniture;**
- (.4) Garden supplies;**
- (.5) Hardware;**
- (.6) Household appliances;**
- (.7) Office equipment and supplies;**
- (.8) Radio and television sets and parts.**

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 30

### §14-503 /NCA, Neighborhood Commercial Area

\* \* \*

#### (7) Lower and Central Germantown Special District Controls

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

(a) This area has unique historic and cultural significance nationally and locally; part of it is located within the Colonial Germantown Historic District, and a number of historic properties are located throughout the area.

(b) Part of this area is located within a Neighborhood Commercial Revitalization Area and is important to the economic viability of Philadelphia and the surrounding community, and this area serves as a neighborhood shopping destination within walking distance of or a short commute from the residential community.

(c) Major public and private investments have been made and continue to be made in this area of the City to encourage the preservation of historic properties, prevent declining property values, protect and promote the economic development potential, encourage investment and tourism, protect and promote small businesses, enhance residential uses in and adjacent to this area and protect and promote the economic vitality and aesthetics of this area of Philadelphia.

(d) Within the defined area, there has been an increase in the number of certain uses which, while not necessarily offensive by themselves, when concentrated within an area, tend to contribute to the deterioration of the economics and aesthetics of the area.

(e) Therefore, special land use and zoning controls, providing for the prohibition of certain uses, are required to preserve the historic, economic and aesthetic integrity of this area and to promote and guide future development.

(2) District Boundaries. For the purposes of this Section, the Lower and Central Germantown Special District Controls shall apply to all commercially zoned properties located in the area bounded by (Old) Stenton Avenue, Logan Street, Belfield Avenue, Baynton Street, Walnut Lane, Wayne Avenue, Rittenhouse Street, Morris Street, and Berkley Street.

(3) Prohibited Uses. Within the area subject to the Lower and Central Germantown Special District Controls, and notwithstanding any other Chapter of this Title, the following uses shall be prohibited:

- (a) Barber and/or beauty shops;
- (b) Manicure/nail salons;
- (c) Retail sales of beauty products and/or wigs;
- (d) Retail sales of telecommunications equipment as a main use, including, but not limited to, retail sales of cellular phones and pagers;
- (e) Retail sales of variety/general store merchandise in a store less than 7,500 square feet in size; and
- (f) Furniture stores.



# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 31

### **§14-504 /NCO, Neighborhood Conservation Overlay District**

**(2) /NCO-2, Overbrook Farms**

**(a) Purpose**

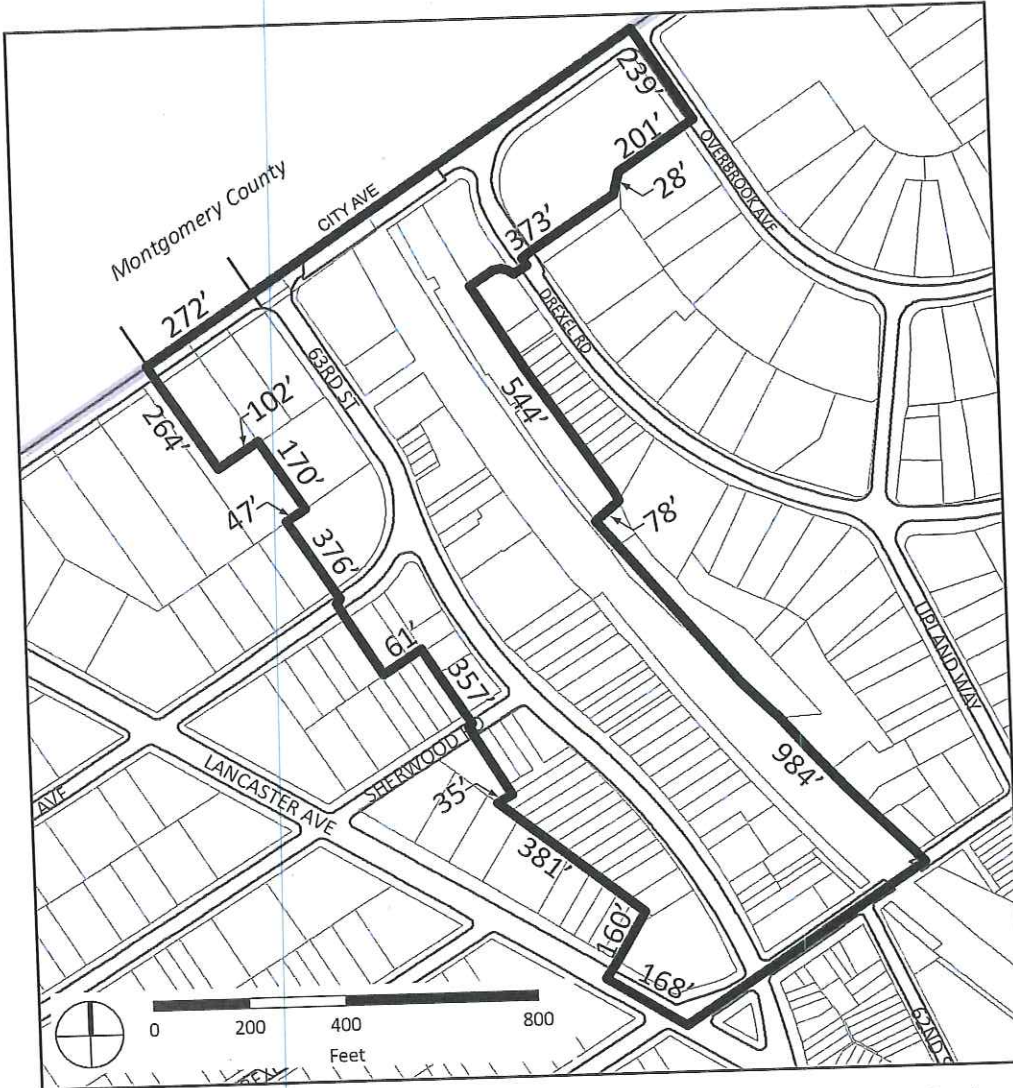
The Overbrook Farms /NCA Overlay district is established in order to preserve and protect this area of the city. It is recognized that this section of the city, located primarily within the Overbrook Farms National Historic District, is a unique mixed-use, neighborhood-oriented retail district containing residential uses and retail uses interspersed at street level and upper floor residential uses. There is a need to establish special sign and building controls to protect the unique character of the district, foster the preservation of buildings in accordance with its special character, and encourage new compatible development.

**(b) Applicability**

The requirements of this Overbrook Farms /NCA Overlay district apply to all lots within the boundaries shown on the following map.

# City of Philadelphia

RESOLUTION NO. 110741 continued



NCO-2 Overbrook Farms Conservation Overlay District (Applies to all lots)

(c) **Prohibited Uses.** Notwithstanding any other Chapter of this Code, the following uses shall be prohibited:

- (.1) **Automobile repair shop;**
- (.2) **Automobile service station;**
- (.3) **Fortune teller establishment/palmist;**
- (.4) **Installation of auto, boat, motorcycle, or truck parts;**
- (.5) **Regulated uses;**

# City of Philadelphia

RESOLUTION NO. 110741 *continued*

- (.6) **Restaurants, cafes, or other similar establishments for the sale or consumption of food and beverages, with drive-in service;**
  - (.7) **Retail sales of automobiles, boats, motorcycles or parts;**
  - (.8) **Retail sale of packaged beverages as a main use;**
  - (.9) **Retail sales of products or food through a window or aperture which opens onto the sidewalk.**
- (ed) **Additional Permitted Uses**  
On RSA-3-zoned lots fronting on 63rd Street, office and financial services uses are permitted in addition to uses allowed by the underlying zoning.

\* \* \*



# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 32

§14-503 /NCA Neighborhood commercial Area Overlay

\* \* \*

**(8) Fairmount Avenue 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 and around this area of the City to prevent declining property values, protect and promote the economic development potential, enhance residential uses in and adjacent thereto, encourage investment and tourism, protect and promote small businesses, and protect and promote the economic vitality of this area of Philadelphia;**
- (b) Substantial private investment within and immediately adjacent to this section of Fairmount avenue has included the restoration, adaptive reuse, and reconstruction of numerous historic buildings as well as new construction and new parking facilities to serve the needs of the developing residential, commercial and tourist areas;**
- (c) Public and private expenditures have also included funding for the restoration of Eastern State Penitentiary, an important City-owned historical and tourist site on Fairmount Avenue;**
- (d) The neighborhoods abutting this section of Fairmount avenue consist of a fragile and unique balance of residences and retail development surrounded by predominantly residential areas within walking distance or a short commute of the business core;**
- (e) The Spring Garden neighborhood has been designated as both a Federal Historic District and a Philadelphia Historic District;**
- (f) Therefore, special land use and zoning controls are required to protect the historic, residential and cultural properties in and near this district and to maintain and promote the economic vitality of the area.**

**(2) District Boundaries. For the purposes of this Section, the Fairmount Avenue Special District Controls shall apply to all properties with frontage on the north side of Fairmount Avenue between Corinthian avenue and Pennsylvania Avenue and on the south side of Fairmount avenue between Twenty-first street and Pennsylvania avenue.**

**(3) Prohibited Uses. Within the area subject to the Fairmount Avenue Special**

# City of Philadelphia

RESOLUTION NO. 110741 continued

**District Controls and notwithstanding any other Chapter of this Title, the following uses shall be prohibited:**

- (a) Animal hospital;**
- (b) Drill hall, dance hall, nightclub, private clubs; catering hall; theaters with live stage performances; motion picture theaters or auditoriums and other entertainment of guests and patrons as a main use; sound and media recording studios; radio and television studios;**
- (c) Automobile repair shops; automobile service station for the retail sale of automobile fuels, lubricants and accessories; vehicle licensing and inspection stations; car wash; retail sale and installation of automobile parts, tires or audio equipment; automobile and truck sales lots; automobile and truck rental lots; installations of auto, boat, motorcycle or truck parts;**
- (d) Bath houses;**
- (e) Bottling and/or distribution of liquids for human consumption;**
- (f) Drug stores, unless less than 2,000 square feet in net leasable area;**
- (g) Fortune teller establishment;**
- (h) Funeral parlors;**
- (i) Hand laundry and on-premises dry cleaning;**
- (j) Medical and surgical hospitals and medical centers of more than 4,000 square feet, clinics and sanitariums; rest, old age, nursing or convalescent centers; social service offices and agencies;**
- (k) Outdoor sales or storage, including outdoor use of coin operated machines that dispense food or drink;**
- (l) Take-out restaurants, and other similar establishments for the sale and consumption of food and/or beverages, with drive-in or take-out service (sale of food and/or beverages to be consumed outside primarily the confines of the premises);**
- (m) Retail sales of liquor or beer, except for facilities operated by the State Liquor Control Board;**
- (n) Retail sales of products or food through a window or aperture which opens directly onto the sidewalk, a public arcade, or public entranceway into a building;**
- (o) Any accessory speaker or audio device that causes music or voices to**

# City of Philadelphia

RESOLUTION NO. 110741 *continued*

reach the sidewalk area, public arcade, or public entranceway to a building, which is adjunct to any permitted retail use, used to advertise merchandise sold, and/or used to call public attention to the use of the premises;

- (p) Food markets of more than 2500 square feet.
- (4) **Prohibition of Building Set-Back.** Except when required by the underlying zoning classification, newly erected buildings shall have no set-back from the street line of Fairmount Avenue.
- (5) **Height Regulations.** The maximum height of a building shall be 55 feet above the average ground level at the base of the structure, but in no case over 4 stories.



# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 33

### §14-503 /NCA Neighborhood Commercial Area Overlay

\* \* \*

#### **(9) 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;**
- (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**

# City of Philadelphia

RESOLUTION NO. 110741 *continued*

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 the north street line of Spring Garden street on the south, the west bank of the Delaware River on the east, the south street line of Lehigh avenue on the north and the east street line of Frankford avenue, the north street line of Girard avenue and the east street line of 5th street on the west.
- (3) **Special Exception Uses.** Within the area subject to the North Delaware Avenue Area Special District Controls and notwithstanding any other Chapter of this Code Sit-down Restaurants shall be permitted by Special Exception.
- (4) **Prohibited Uses.** Within the area subject to the North Delaware Avenue Area Special District Controls and notwithstanding any other Chapter of this Code, the following uses shall be prohibited:
- (a) Dancehalls;
  - (b) Entertainment of guests and patrons as a main use;
  - (c) Nightclubs;
  - (d) Private clubs;
  - (e) Cabarets;
  - (f) The expansion or extension of any use listed in (a) through (f) above.
- (5) The provisions of Section 14-602(3) that permit the uses referenced in Section (3) above, in the "I -2" Medium Industrial District shall not be applicable in this special controls district.
- (6) **Conflicting Regulations.** When the provisions of this Section conflict with other provisions of this Code the more restrictive provisions shall control.



# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 34

### § 14-503 /NCA Neighborhood Commercial Area Overlay

\* \* \*

#### (10) Old City

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

- (a) Major public and private investments have been made and continue to be made in and around the Old City section of the City to enhance visual aesthetics, preserve and protect the nationally registered historic district, prevent declining property values, encourage economic investment and tourism, promote residential uses in and adjacent to the downtown core, and protect the economic vitality of this section of Philadelphia;
- (b) Public expenditures have included appropriations for restoration of historic sites, improvement of vehicular access, street and sidewalk improvements, reconstruction of Market street from Front street to Fifth street, interstate right-of-way landscaping and sound barriers to protect Old City;
- (c) Private investment within and immediately adjacent to Old City includes the restoration, adaptive reuse, and reconstruction of numerous historic structures, representing upwards of five hundred million (\$500,000,000) dollars of investment and creating more than two thousand (2,000) new housing units, the new construction within the Independence Mall Urban Renewal Area, the rehabilitation of historic churches and the private development of City-owned piers at Penn's Landing;
- (d) The large amount of public and private investment in the areas adjacent to Old City, namely, redevelopment within the Independence Mall Urban Renewal Area, Market Street East Urban Renewal Area, Vine Street Expressway, Interstate 95 access ramps, and Penn's Landing may pose a threat to the retention of the unique historic character, cultural significance and residential viability of Old City;
- (e) Old City is important to the economic vitality and diverse character of Center City Philadelphia in that it serves as a major tourist destination within "America's Most Historic Square Mile", with more than 1.6 million sightseers per year visiting Independence National Historic Park, Elfreth's Alley, Christ Church, the Betsy Ross House, Benjamin Franklin's gravesite, the 1802 Society of Friends Meeting House and the Museum of American Jewish History;
- (f) Old City is a neighborhood consisting of a unique collection of 18th and 19th century structures, the great majority of which do not exceed 5 stories in height. The area is considered one of the greatest intact collections of 19th century cast iron facade buildings in the United States. The district is now and has been for over 100 years essentially fully developed, thus there are few vacant development sites. Pressure to develop these few vacant parcels with higher density projects for greater



# City of Philadelphia

RESOLUTION NO. 110741 *continued*

economic return will intensify. This will ultimately lead to construction of buildings of a height, bulk and density that will overshadow existing historic 3 to 5 story structures. Such higher density development may be incompatible with sensitive historic areas such as Elfreth's Alley, the Betsy Ross House and Christ Church;

- (g) Higher density development may over burden local streets with additional vehicular traffic and strain utility and City provided services. Structures in excess of 5 stories may block out light and air to the predominantly lower historic buildings nearby, now occupied by predominantly by residential uses. They may also block historic views of important historic sites and groups of restored facades typical of the district. This will serve to lower the quality of life for existing homeowners and tenants and may negatively affect the property values of previously converted residential structures;
- (h) Therefore, special land use and zoning controls providing for limitation on the height of new construction or additions to existing buildings as well as on the size and location of certain specific entertainment and commercial uses, are required to protect the historic, residential, cultural and economic vitality of this section of the City;
- (i) In addition to the areas covered by the special land use and zoning controls when this Section was first added to the Code, there are equally important areas within Old City that require protection under the Code;
- (j) There are over 99 restaurant, bar, or nightclub uses within a 25-square block area of Old City with a residential occupancy of over 4,000 people;
- (k) Within these 25-square blocks (Front Street to Sixth Street, Wood Street to Walnut Street) seven blocks are the Independence National Historic Park. The 13 remaining blocks contain mixed-use zoning;
- (l) This 13-block area of Old City supports 91 restaurant and bar establishments, 86 of which are located south of Market Street;
- (m) The 86 restaurant, bar, or nightclub establishments south of Market Street operate within a 5-block area and 57 of these establishments have liquor licenses;
- (n) Within an area of only 2 square blocks (Front Street to Third Street and Market Street to Chestnut Street) there are 55 restaurant, bar, or nightclub establishments, 46 of which have liquor licenses;
- (o) While much of this growth is positive, some of its negative effects have been severely impacting the residents and reputable businesses in the area. Some of the existing restaurants, bars, and nightclubs have become a nuisance to the community by contributing to more crime, public intoxication, vandalism, litter, and other anti-social forms of behavior and by reducing parking spaces for residents and patrons of more reputable establishments in the area;
- (p) Recent fights and shootings have been committed as a result of disputes arising within some of the restaurants, bars, or nightclubs. In response, police activity has been increased in the area;



# City of Philadelphia

RESOLUTION NO. 110741 continued

- (q) **The City should protect this vital residential and commercial community from these negative influences by enacting legislation that creates a positive environment for current and future residential and commercial development.**
- (2) **District Boundaries. For the purposes of this Section, the Old City Residential Area Special District regulations shall apply to:**
  - (a) **All the properties within the area bounded as follows and depicted on Map "A": On the north, the south street line of Wood street; on the east, the west street line of the Delaware Expressway; on the south, the north property line of all properties fronting on the north side of Market street; and, on the west, the east street line of Fifth street; and the properties bounded by the south street line of Spring Garden street on the north, the east street line of Seventh street on the west, the north street line of Wood street on the south and the west street line of Christopher Columbus boulevard on the east; and the properties bounded by the south street line of Wood street on the north, the east street line of Sixth street on the west, the north street line of Vine street on the south and the west street line of Fifth street on the east;**
  - (b) **All the properties within the area bounded by Market Street on the north, (including properties fronting on both sides of Market Street), the east street line of Fifth street on the west, the north street line of Walnut Street on the south and the west street line of Front Street on the east.**
- (3) **Within the Old City Residential Area Special District and notwithstanding any other Chapter of this Title, the following uses shall be restricted as set forth below:**
  - (a) **Within the area described in §14-503(7)(2)(a) above, the following uses shall be permitted by Special Exception use:**
    - (.1) **Eating and Drinking Establishments.**
  - (b) **Within the area described in §14-503(7)(2)(a) above, the following uses shall be prohibited:**
    - (.1) **Amusement Arcades;**
    - (.2) **Athletic and drill hall, dance hall, and other entertainment of guests and patrons as a main use;**
    - (.3) **Automobile repair shops, automobile service station for the retail sale of automobile fuels, lubricants and accessories, retail sale and installation of automobile parts, tires or audio equipment, car wash, automobile and truck sale lots;**
    - (.4) **Billiards, pool and bowling;**
    - (.5) **Bottling and/or distribution of liquids for human consumption;**
    - (.6) **Central heating plant;**
    - (.7) **Courtroom and courthouse building;**

# City of Philadelphia

RESOLUTION NO. 110741 continued

- (.8) Garages as a main use and public parking lots;**
  - (.9) Installations of auto, boat, motorcycle or truck parts;**
  - (.10) Laboratories (analytical, chemical and research) and assay offices;**
  - (.11) Penal and correctional institutions;**
  - (.12) Nightclubs;**
  - (.13) Theaters with live stage performances and motion picture auditoriums;**
  - (.14) Trolley and bus terminals and car and bus barns;**
  - (.15) Fortune teller establishments;**
  - (.16) Tattoo and body piercing establishments;**
  - (.17) Palm readers, Tarot Card readers and other related types of so-called psychic personal services;**
  - (.18) Telemarketing, as that term is defined in the Telemarketer Registration Act, Act of December 4, 1996, P.L. 911, No. 147, § 2, as amended (73 P.S. § 2242).**
- (c) Within the area described in §14-503(7)(2)(a) above, the following uses shall be permitted by Special Exception use:**
- (.1) Eating and Drinking Establishments.**
- (d) Within the area described in subsection 14-503(7)(2)(b), the following uses shall be prohibited:**
- (.1) Cabarets;**
  - (.2) Dance halls;**
  - (.3) Entertainment of guests and patrons as a main use;**
  - (.4) Fortune teller establishments;**
  - (.5) Nightclubs and private clubs;**
  - (.6) Palm readers, Tarot Card readers and other related types of so-called psychic personal services;**
  - (.7) Tattoo and body piercing establishments;**



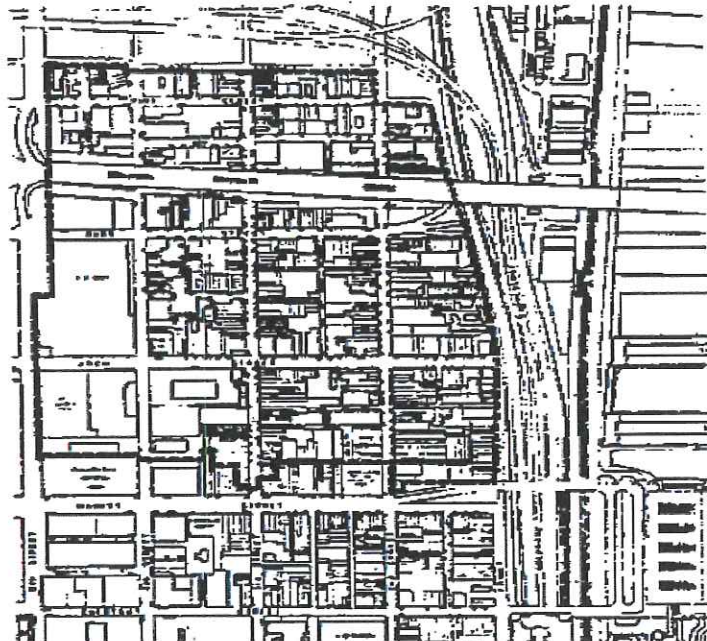
# City of Philadelphia

RESOLUTION NO. 110741 *continued*

- (.8) **Telemarketing, as that term is defined in the Telemarketer Registration Act, Act of December 4, 1996, P.L. 911, No. 147, § 2, as amended (73 P.S. § 2242);**
- (4) **Dimensional Regulations. Within the area described in subsection 14-503(7)(2)(a), the following height regulations shall apply:**
  - (a) **The maximum height of a building or an addition to an existing building shall be 65 feet about the average ground level at the base of the structure, provided, that this height restriction shall also be applicable to:**
    - (.1) **Any rooftop parapet wall, mechanical or elevator penthouse, any mechanical or building support equipment;**
    - (.2) **Cable service equipment of any type including antennae;**
    - (.3) **Non-accessory outdoor advertising signs.**
  - (b) **Within the area described in subsection 14-503(7)(2)(a), the maximum width of any newly erected building or existing building shall be constructed so that the total width of the building at its widest point measured on a line parallel with the street does not exceed 70 feet.**

## MAP A

### SPECIAL ZONING & LAND USE CONTROLS FOR THE OLD CITY RESIDENTIAL



**Old City Residential Area  
Special District Boundaries**

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 35

### Chapter 14-500 Overlay Zoning Districts

\* \* \*

#### **§14-505 /ENV, Environmental Conservation Overlay District**

**(1) Purpose**

The /ENV, Environmental Conservation Overlay District is intended to preserve certain natural and scenic areas of the City for the benefits they provide to residents, visitors, and wildlife.

**(2) Roxborough**

**(a) Applicability**

For the purposes of this Section, the boundaries of the Roxborough /ENV overlay district shall include the entire land area identified as Parcel 1 in Bill No. 263 (approved December 31, 1984).

**(b) Regulations**

Within the area of the Roxborough Environmental Control, the following shall be prohibited: all commercial uses, including but not limited to commercial farming, with the exception of commercial farming on plots within the footprint of the existing community gardens, the boundaries of which are approximately located along the Philadelphia - Montgomery County Line beginning at Hagy's Mill Road and which are more precisely depicted on Map "A" below.

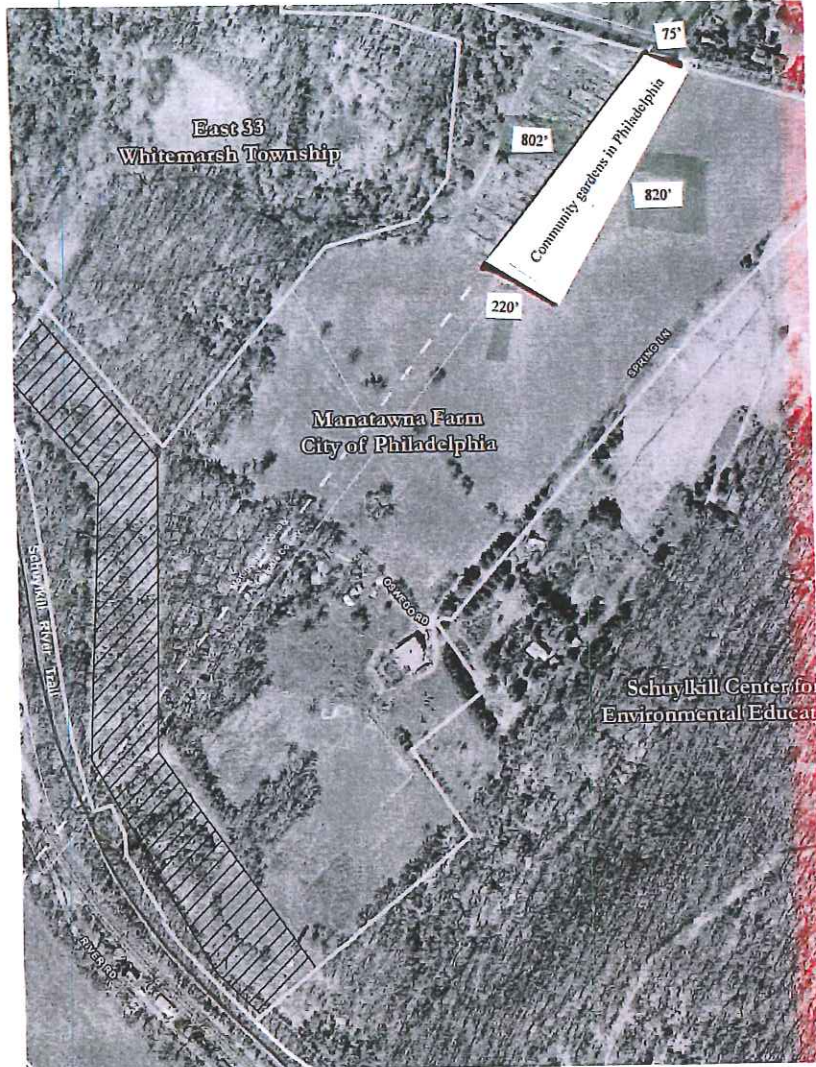
- (.1) Any increase in size of non-commercial urban agriculture uses beyond the existing boundaries of community gardens depicted on the Existing Community Gardens Map, below, shall be prohibited.**



# City of Philadelphia

RESOLUTION NO. 110741 continued

## MAP - A



Existing Community Gardens Map

### (3) Fox Chase

#### (a) Applicability

For the purposes of this Section, the Fox Chase Environmental Control District shall include the approximately 34.8 acre area of the City known generally as Fox Chase Farm, and more particularly described in the Sublease Agreement dated November 1, 1999, between the Fairmount Park Historic Conservation Trust and the School District of Philadelphia.

#### (b) Regulations

The uses permitted in the Fox Chase /ENV Overlay District shall be restricted to educational facilities and non-commercial urban agriculture uses.

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 36

### §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 below. When this zoning code refers to “Commercial” zoning districts, it is referring to all of these districts. As of [INSERT EFFECTIVE DATE OF THIS ZONING CODE], the zoning district for all lots for which the zoning district designation is currently as set forth in the column labeled “Previously Known As” in Table 14-401-2 is designated as set forth in the corresponding row of the column labeled “District Name”. The official zoning map shall reflect the foregoing designations by use of the corresponding map symbol set forth in the corresponding row of the column labeled “Map Symbol”.

**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-2.5	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
<b>CA-2</b>	<b>Auto-Oriented Commercial-2</b>	<b>ASC</b>
	Eliminated>>	C-6

(b) **Map Symbols**

- (.a) The alphanumeric map symbols are intended to provide a general, relative indication of the range of uses and activities allowed within the respective districts. “CMX” is used to indicate a mixed-use zoning district that is intended to accommodate both commercial and non-commercial development.
- (.b) The numeral following the dash in the Commercial district map symbols is a relative indicator of the density/intensity or use, with a “1” indicating the lowest density/intensity/use option.

(c) **Purposes**

Philadelphia’s commercial zoning districts are primarily intended to accommodate and promote neighborhood-, community- and region-serving commercial uses, as well as mixed-use development consisting of commercial and residential uses in the same building or on the same site. This type of mixed-use development is encouraged in many



# City of Philadelphia

RESOLUTION NO. 110741 continued

areas of the City because it reflects the City's traditional urban, pedestrian-oriented character. Encouraging residential development in Commercial zoning districts also provides increased housing choice and reduces motorized transportation demands. The Commercial districts are distinguished primarily on the basis of allowed uses and commercial floor area limits.

## (d) Descriptions

### (.1) **CMX-1, Neighborhood Commercial Mixed-Use District**

The CMX-1, Neighborhood Commercial Mixed-Use district is primarily intended to accommodate low-impact, small-scale, neighborhood-serving retail and service uses in storefront buildings, as well as the types of residential uses allowed in surrounding zoning districts.

### (.2) **CMX-2, Neighborhood Commercial Mixed-Use District-2**

The CMX-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 the CMX-1 district.

### (.3) **CMX-2.5, Neighborhood Commercial Mixed-Use District-2.5**

The CMX-2.5, Neighborhood Commercial Mixed-Use district is primarily intended to accommodate active, pedestrian-friendly retail and service uses in commercial nodes and along commercial corridors. The range of allowed uses is slightly narrower than the CMX-2 district and the development standards are intended to promote a pedestrian-oriented environment.

### (.4) **CMX-3, Community Commercial Mixed-Use District**

The CMX-3, Community Commercial Mixed-Use district is primarily intended to accommodate community- and region-serving retail and service uses. The range of allowed uses is broader than the CMX-1 and CMX-2 districts.

### (.5) **CMX-4, Center City Commercial Mixed-Use District**

The CMX-4, Center City Commercial Mixed-Use district is primarily intended to accommodate mixed-use development, including a broad range of nonresidential uses, in the Center City area.

### (.6) **CMX-5, Center City Core Commercial Mixed-Use District**

The CMX-5, Center City Core Commercial Mixed-Use district is primarily intended to accommodate mixed-use development in the central core area of center City.

### (.7) **CA-1 and CA-2, Auto-Oriented Commercial Districts**

The primary purpose of the CA-1 and CA-2, Auto-Oriented Commercial districts is to accommodate a very broad range of uses, often in the physical form of shopping centers and other destination-oriented uses in which a large percentage of customers will arrive by automobile.

\* \* \*



# City of Philadelphia

RESOLUTION NO. 110741 continued

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

Temporary table row

	C-1	C-2/RC-2	(/NCC)	C-3/RC-3	C-4	C-5	C-7/NSC/ASG	ASC	
<b>Use Category</b>	CMX-1	CMX-2	CMX-2.5	CMX-3	CMX-4	CMX-5	CA-1	CA-2	Use-Specific Standards
<b>Subcategory</b>									
Specific Use Type									
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.									
<b>Residential</b>									
<b>Household Living</b>	[1][2]	Y[2][3]	Y[2][4]	Y	Y	Y	N	N	
<b>Group Living</b> (except as noted below)	N	S	Y[4]	Y	Y	Y	N	N	
Assisted Living	N	Y	Y[4]	Y	Y	Y	Y	N	§14-603(1)
Community Home, Family	[5]	[5]	[4][5]	[5]	[5]	[5]	N	N	§14-603(6)
Community Home, Group	N	Y	Y[4]	Y	Y	Y	N	N	
Single-Room Residence	N	S	S[4]	Y	Y	Y	N	N	
<b>Parks and Open Space</b>									
<b>Passive Recreation</b>	Y	Y	Y	Y	Y	Y	Y	Y	
<b>Active Recreation</b>	S	S	S	Y	Y	Y	Y	Y	
<b>Public, Civic, and Institutional</b>									
<b>Day Care</b> (as noted below)									
Family (1-6)	Y[6]	Y	Y	Y	Y	Y	Y	Y	§14-603(7)
Group (7-12)	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Center (13+)	N	Y	Y	Y	Y	Y	Y	Y	
<b>Educational Facilities</b>	N	Y	N	Y	Y	Y	N	Y	
<b>Fraternal Organization</b>	N	Y	S	Y	Y	Y	N	Y	
<b>Hospital</b>	N	Y	Y	Y	Y	Y	N	Y	
<b>Libraries and Cultural Exhibits</b>	Y	Y	Y	Y	Y	Y	Y	Y	
<b>Religious Assembly</b>	Y	Y	S	Y	Y	Y	N	Y	
<b>Safety Services</b>	Y	Y	Y	Y	Y	Y	Y	Y	
<b>Transit Station</b>	Y	Y	Y	Y	Y	Y	S	Y	
<b>Utilities and Services, Basic</b>	Y	Y	N	Y	Y	Y	Y	Y	
<b>Wireless Service Facility</b> (as noted below)									
Freestanding Tower	S	S	S	Y	Y	Y	S	Y	§14-603(16)
Building or Tower-Mounted Antenna	Y	Y	Y	Y	Y	Y	Y	Y	§14-603(17)
<b>Office</b>									
<b>Business and Professional</b>	Y[6]	Y	Y	Y	Y	Y	Y	Y	
<b>Medical, Dental, Health Practitioner</b>	Y[6]	Y	Y	Y	Y	Y	Y	Y	
<b>Government</b>	Y[6]	Y	Y	Y	Y	Y	Y	Y	
<b>Retail Sales</b>									
<b>Building Supplies and Equipment</b>	Y[6]	Y	Y	Y	Y	Y	Y	Y	§14-603(4)
<b>Consumer Goods</b> (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Drug Paraphernalia Sales	N	N	N	N	N	N	N	N	§14-603(13)
Gun Shop	N	N	N	N	N	N	N	N	§14-603(13)
<b>Food, Beverages, and Groceries</b> (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Fresh Food Market	Y[6]	Y	Y	Y	Y	Y	Y	Y	§14-603(9)
<b>Pets and Pet Supplies</b>	Y[6]	Y	Y	Y	Y	Y	Y	Y	
<b>Sundries, Pharmaceuticals, and Convenience Sales</b>	Y[6]	Y	Y	Y	Y	Y	Y	Y	
<b>Wearing Apparel and Accessories</b>	Y[6]	Y	Y	Y	Y	Y	Y	Y	
<b>Commercial Services</b>									
<b>Animal Services</b> (except as noted below)	Y	Y	Y	Y	Y	Y	Y	Y	
Stables	N	N	N	N	N	N	N	N	§14-603(14)

# City of Philadelphia

RESOLUTION NO. 110741 continued

Temporary table row	C-1	C-2/RC-2	(/NCC)	C-3/RC-3	C-4	C-5	C-7/NSC/ASG	ASC	
Use Category	CMX-1	CMX-2	CMX-2.5	CMX-3	CMX-4	CMX-5	CA-1	CA-2	Use-Specific Standards
Subcategory									
Specific Use Type									
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.									
<b>Assembly and Entertainment</b> (except as noted below)	N	S	S	Y	Y	Y	S	Y	
Amusement Arcade	N	N	N	N	N	N	N	N	§14-603(13)
Nightclubs and Private Clubs	N	S	N	Y	Y	Y	N	Y	
Pool or Billiards Room	N	N	N	N	N	N	N	N	§14-603(13)
<b>Building Services</b>	N	N	N	Y	Y	Y	N	Y	
<b>Business Support</b>	Y[6]	Y	Y	Y	Y	Y	Y	Y	
<b>Eating and Drinking Establishments</b> (as noted below)									
Prepared Food Shop	S[6]	Y	Y	Y	Y	Y	Y	Y	
Take-Out Restaurant	N	S	N	Y	Y	Y	S	Y	§14-603(8)
Sit Down Restaurant	N	Y	Y	Y	Y	Y	Y	Y	
<b>Financial Services</b> (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Personal Credit Establishment	N	N	N	N	N	N	N	N	§14-603(13)
<b>Funeral and Mortuary Services</b>	S[6]	Y	N	Y	Y	Y	Y	Y	
<b>Maintenance and Repair of Consumer Goods</b> (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	Y	
On-Premise Dry Cleaning	Y[6]	Y	S	Y	Y	Y	Y	Y	
<b>Parking, Non-Accessory</b> (as noted below)									
Surface, Open-Air	N	S	S	S	N	N	S	Y	§14-603(12)
Multi-Level Structure (garage)	N	Y	Y	Y	[7]	[7]	S	Y	§14-603(12)
<b>Personal Services</b> (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Body Art Service	N	N	N	N	N	N	N	N	§14-603(3)
<b>Radio, Television, and Recording Services</b>	N	Y	Y	Y	Y	Y	Y	Y	
<b>Visitor Accommodations</b>	N	Y	Y	Y	Y	Y	N	Y	
<b>Vehicle and Vehicular Equipment Sales and Services</b>									
<b>Commercial Vehicle Sales and Rental</b>	N	N	N	N	N	N	N	Y	
<b>Personal Vehicle Repair and Maintenance</b>	N	Y	N	Y	Y	Y	S	Y	
<b>Personal Vehicle Sales and Rental</b>	N	Y	N	Y	Y	Y	N	Y	
<b>Gasoline Station</b>	N	Y	N	Y	Y	Y	S	Y	§14-603(10)
<b>Vehicle Equipment and Supplies Sales and Rental</b>	N	Y	N	Y	Y	Y	S	Y	
<b>Wholesale, Distribution, and Storage</b>									
<b>Moving and Storage Facilities</b>	N	Y	N	Y	Y	Y	N	Y	
<b>Industrial</b>									
<b>Artist Studios and Artisan Industrial</b>	N	Y	Y	Y	Y	Y	N	Y	
<b>Research and Development</b>	N	Y	Y	Y	Y	Y	Y	Y	
<b>Urban Agriculture</b>									
<b>Community Garden</b>	Y	Y	Y	Y	Y	Y	Y	Y	§14-603(15)
<b>Market or Community-Supported Farm</b>	Y	Y	Y	Y	N	N	Y	Y	§14-603(15)

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# City of Philadelphia

RESOLUTION NO. 110741 continued

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

temporary row	C1	C2/RC2/Commercial Corridor Overlays	C3		C4 C5	C7/NSC/ASG	ASC
Dimensional Standard	CMX-1	CMX-2/ CMX-2.5	CMX-3		CMX-4/ CMX-5	CA-1	CA-2
			Structure includes dwelling unit(s)	Structure does not include dwelling unit(s)			
<b>District and Lot Dimensions</b>							
Min. District Area (sq. ft.)	N/A	N/A	N/A	N/A	N/A	N/A	80,000
Min. Street Frontage (ft.)	[1]	N/A	N/A	N/A	N/A	50	100
Min. Lot Area (sq. ft.)	[1]	N/A	N/A	N/A	N/A	5,000	15,000
Max. Occupied Area (% of lot)	[1]	Intermediate: 75 Corner: 80	Intermediate: 75 Corner: 80	Intermediate: 75 Corner: 80	Buildings ≤ 5 stories with 1 or more dwelling units: 90; Others: 100	60	N/A
<b>Setbacks</b>							
Front Setback (ft.)	[1]	CMX-2: N/A; CMX-2.5: Must be built to front lot line	N/A	N/A	N/A	N/A	N/A
Side Setback (ft.)	[1]	0; if used 5	0; if used 8	N/A	0; if used: Buildings ≤ 4 stories with three or fewer dwelling units=5; Others = 8	0; if used 5	N/A
Rear Setback (ft.)	[1]	9 w/ min. area of 344 sq. ft.	N/A	N/A	N/A	0; if used 5	N/A
<b>Height</b>							
Max. Height (ft.)	[1]	CMX-2: 38 CMX-2.5: 55	N/A	N/A	N/A	38	38
Min. Cornice Height (ft.)	[1]	CMX-2: N/A; CMX-2.5: 25 above average sidewalk level	N/A		N/A	N/A	N/A
<b>Floor Area Ratio (FAR)</b>							
Max. Floor Area (% of lot area)	[1]	N/A	500		CMX-4: 500 CMX-5: 1200 [2]	N/A	N/A

\* \* \* \*



# City of Philadelphia

RESOLUTION NO. 110741 continued

## §14-802 Motor Vehicle Parking Ratios

### (2) Regulations Applicable to Specific Areas

#### (a) CA-1 and CA-2 Parking

- (.1) The number of parking spaces shall be provided in accordance with the following schedule:

**Table 14-802-5: CA-1 and CA-2 Required Parking**

Net Leasable Area of Building	Spaces per 1,000 sq. ft. of net leasable area
<b>General Rule</b>	
Less than 100,000 sq. ft.	4
100,001 to 200,000 sq. ft.	3.5
Above 200,000 sq. ft.	3

#### **Exception 1**

For any building in a CA-2 district that contains two or more stories, the number of parking spaces required shall be as stated above for the first floor, plus 50% of the stated requirements for any floors above the first floor.

#### **Exception 2**

Assembly and Entertainment Uses and Religious Assembly Uses that are constructed or expanded, shall provide one parking space for every four permanent seats. In the case of a building expansion, this ratio shall be met for the existing Assembly and Entertainment or Religious Assembly space as well as the addition.

- (.2) Where a CA-1 or CA-2 district is located on the same block frontage as a Residential district, all parking spaces and aisles shall be located behind the minimum setback required by the most restrictive Residential district on the same block.

\* \* \* \*

## §14-904 Accessory Sign Controls

### (3) Signs in Commercial Districts

#### (e) CA-1

- (.1) Only one sign shall be permitted on each building and it shall not exceed two sq. ft. for each linear foot of building facing any and only one street, shall be constructed facing only on the street designated for the above computation, and may be (1) attached flat against the wall of the building or marquee or, (2) upon the roof of a marquee, and may project above the roof or wall coping, but may not extend beyond the building walls. In the case of multiple users in one building, the locations and numbers of signs totaling not more than the allowable sign area set forth may be approved in accordance with the special exception procedures in §14-303(7) (Special Exception Approval).
- (.2) Signs may be animated or illuminated; provided, the illumination shall be focused upon the sign itself, so as to prevent glare upon the adjacent lots.

# City of Philadelphia

RESOLUTION NO. 110741 *continued*

- (.3) Signs with flashing or intermittent illumination shall not be erected within 150 ft. of any Residential District, nor facing any Residential District within 300 ft. of the sign.**
  - (.4) Revolving signs shall be prohibited.**
  - (.5) Any revolving device which causes intermittent flashes of light to be projected shall be prohibited.**
- (f) CA-2**
- (.1) No sign shall be illuminated by revolving illumination.
  - (.2) Signs with flashing or intermittent illumination are permitted, provided that such signs shall not be erected within 150 ft. of any Residential district nor facing any Residential district within 300 ft. of the sign.
  - (.3) Signs with animated illumination are permitted, provided that the animated illumination shall be focused upon the sign itself so as to prevent glare on adjacent lots.
  - (.4) Revolving signs shall be prohibited.
  - (.5) The total area of signs permitted on buildings shall not exceed five sq. ft. for each lineal foot of store front width, and may be attached flat against the wall of the building or marquee, or upon the roof of a marquee and may extend above the roof or wall coping, but may not project beyond the building walls.
  - (.6) In addition to the signs allowed in §14-904(3)(f)(.5) above, one freestanding sign for each 80,000 sq. ft. of the area the CA-1 district shall be permitted under the following conditions:

    - (.a) The uses within each 80,000 sq. ft. of CA-2 district area exceed a sales-floor area of 15,000 sq. ft.
    - (.b) Such sign shall not contain more than two sign faces with a total area of 300 sq. ft., exclusive of supporting structures, nor exceed in total height 40 ft.



# City of Philadelphia

RESOLUTION NO. 110741 continued

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

Temporary table row									
	C-1	C-2/RC-2	(/NCC)	C-3/RC-3	C-4	C-5	C-7/NSC/ASG	ASC	
Use Category	CMX-1	CMX-2	CMX-2.5	CMX-3	CMX-4	CMX-5	CA-1	CA-2	Use-Specific Standards
Subcategory									
Specific Use Type									
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.									
<b>Residential</b>									
Household Living	[1][2]	Y[2][3]	Y[2][4]	Y	Y	Y	N	N	
Group Living (except as noted below)	N	S	Y[4]	Y	Y	Y	N	N	
Assisted Living	N	Y	Y[4]	Y	Y	Y	N	N	§14-603(1)
Community Home, Family	[5]	[5]	[4][5]	[5]	[5]	[5]	N	N	§14-603(6)
Community Home, Group	N	Y	Y[4]	Y	Y	Y	N	N	
Single-Room Residence	N	S	S[4]	Y	Y	Y	N	N	
<b>Parks and Open Space</b>									
Passive Recreation	Y	Y	Y	Y	Y	Y	Y	Y	
Active Recreation	S	S	S	Y	Y	Y	Y	Y	
<b>Public, Civic, and Institutional</b>									
Day Care (as noted below)									
Family (1-6)	Y[6]	Y	Y	Y	Y	Y	Y	Y	§14-603(7)
Group (7-12)	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Center (13+)	N	Y	Y	Y	Y	Y	Y	Y	
Educational Facilities	N	Y	N	Y	Y	Y	N	Y	
Fraternal Organization	N	Y	S	Y	Y	Y	N	Y	
Hospital	N	Y	Y	Y	Y	Y	N	Y	
Libraries and Cultural Exhibits	Y	Y	Y	Y	Y	Y	Y	Y	
Religious Assembly	Y	Y	S	Y	Y	Y	N	Y	
Safety Services	Y	Y	Y	Y	Y	Y	Y	Y	
Transit Station	Y	Y	Y	Y	Y	Y	S	Y	
Utilities and Services, Basic	Y	Y	N	Y	Y	Y	Y	Y	
Wireless Service Facility (as noted below)									
Freestanding Tower	S	S	S	Y	Y	Y	S	Y	§14-603(16)
Building or Tower-Mounted Antenna	Y	Y	Y	Y	Y	Y	Y	Y	§14-603(17)
<b>Office</b>									
Business and Professional	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Medical, Dental, Health Practitioner	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Government	Y[6]	Y	Y	Y	Y	Y	Y	Y	
<b>Retail Sales</b>									
Building Supplies and Equipment	Y[6]	Y	Y	Y	Y	Y	Y	Y	§14-603(4)
Consumer Goods (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Drug Paraphernalia Sales	N	N	N	N	N	N	N	N	§14-603(13)
Gun Shop	N	N	N	N	N	N	N	N	§14-603(13)
Food, Beverages, and Groceries (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Fresh Food Market	Y[6]	Y	Y	Y	Y	Y	Y	Y	§14-603(9)
Pets and Pet Supplies	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Sundries, Pharmaceuticals, and Convenience Sales	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Wearing Apparel and Accessories	Y[6]	Y	Y	Y	Y	Y	Y	Y	
<b>Commercial Services</b>									
Animal Services (except as noted below)	Y	Y	Y	Y	Y	Y	Y	Y	
Stables	N	N	N	N	N	N	N	N	§14-603(14)



# City of Philadelphia

RESOLUTION NO. 110741 continued

Temporary table row	C-1	C-2/RC-2	(/NCC)	C-3/RC-3	C-4	C-5	C-7/NSC/A&G	ASC	
Use Category Subcategory Specific Use Type	CMX-1	CMX-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.									
<b>Assembly and Entertainment</b> (except as noted below)	N	S	S	Y	Y	Y	S	Y	
Amusement Arcade	N	N	N	N	N	N	N	N	§14-603(13)
Nightclubs and Private Clubs	N	S	N	Y	Y	Y	N	Y	
Pool or Billiards Room	N	N	N	N	N	N	N	N	§14-603(13)
<b>Building Services</b>	N	N	N	Y	Y	Y	N	Y	
<b>Business Support</b>	Y[6]	Y	Y	Y	Y	Y	Y	Y	
<b>Eating and Drinking Establishments</b> (as noted below)									
Prepared Food Shop	S[6]	Y	Y	Y	Y	Y	Y	Y	
Take-Out Restaurant	N	S	N	Y	Y	Y	S	Y	§14-603(8)
Sit Down Restaurant	N	Y	Y	Y	Y	Y	Y	Y	
<b>Financial Services</b> (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Personal Credit Establishment	N	N	N	N	N	N	N	N	§14-603(13)
<b>Funeral and Mortuary Services</b>	S[6]	Y	N	Y	Y	Y	Y	Y	
<b>Maintenance and Repair of Consumer Goods</b> (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	Y	
On-Premise Dry Cleaning	Y[6]	Y	S	Y	Y	Y	Y	Y	
<b>Parking, Non-Accessory</b> (as noted below)									
Surface, Open-Air	N	S	S	S	N	N	S	Y	§14-603(12)
Multi-Level Structure (garage)	N	Y	Y	Y	[7]	[7]	S	Y	§14-603(12)
<b>Personal Services</b> (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	Y	
Body Art Service	N	N	N	N	N	N	N	N	§14-603(3)
<b>Radio, Television, and Recording Services</b>	N	Y	Y	Y	Y	Y	Y	Y	
<b>Visitor Accommodations</b>	N	Y	Y	Y	Y	Y	N	Y	
<b>Vehicle and Vehicular Equipment Sales and Services</b>									
Commercial Vehicle Sales and Rental	N	N	N	N	N	N	N	Y	
Personal Vehicle Repair and Maintenance	N	Y	N	Y	Y	Y	S	Y	
Personal Vehicle Sales and Rental	N	Y	N	Y	Y	Y	N	Y	
Gasoline Station	N	Y	N	Y	Y	Y	S	Y	§14-603(10)
Vehicle Equipment and Supplies Sales and Rental	N	Y	N	Y	Y	Y	S	Y	
<b>Wholesale, Distribution, and Storage</b>									
Moving and Storage Facilities	N	Y	N	Y	Y	Y	N	Y	
<b>Industrial</b>									
Artist Studios and Artisan Industrial	N	Y	Y	Y	Y	Y	N	Y	
Research and Development	N	Y	Y	Y	Y	Y	Y	Y	
<b>Urban Agriculture</b>									
Community Garden	Y	Y	Y	Y	Y	Y	Y	Y	§14-603(15)
Market or Community-Supported Farm	Y	Y	Y	Y	N	N	Y	Y	§14-603(15)

\* \* \*

# City of Philadelphia

RESOLUTION NO. 110741 continued

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

temporary row	C1	C2/RC2/Commercial Corridor Overlays	C3		C4 C5	C7/NSC/ASC	ASC
Dimensional Standard	CMX-1	CMX-2/ CMX-2.5	CMX-3		CMX-4/ CMX-5	CA-1	CA-2
			Structure includes dwelling unit(s)	Structure does not include dwelling unit(s)			
<b>District and Lot Dimensions</b>							
Min. District Area (sq. ft.)	N/A	N/A	N/A	N/A	N/A	N/A	80,000
Min. Street Frontage (ft.)	[1]	N/A	N/A	N/A	N/A	50	100
Min. Lot Area (sq. ft.)	[1]	N/A	N/A	N/A	N/A	5,000	15,000
Max. Occupied Area (% of lot)	[1]	Intermediate: 75 Corner: 80	Intermediate: 75 Corner: 80	Intermediate: 75 Corner: 80	Buildings ≤ 5 stories with 1 or more dwelling units: 90; Others: 100	60	N/A
<b>Setbacks</b>							
Front Setback (ft.)	[1]	CMX-2: N/A; CMX-2.5: Must be built to front lot line	N/A	N/A	N/A	N/A	N/A
Side Setback (ft.)	[1]	0; if used 5	0; if used 8	N/A	0; if used: Buildings ≤ 4 stories with three or fewer dwelling units=5; Others = 8	0; if used 5	N/A
Rear Setback (ft.)	[1]	9 w/ min. area of 344 sq. ft.	N/A	N/A	N/A	0; if used 5	N/A
<b>Height</b>							
Max. Height (ft.)	[1]	CMX-2: 38 CMX-2.5: 55	N/A	N/A	N/A	38	38
Min. Cornice Height (ft.)	[1]	CMX-2: N/A; CMX-2.5: 25 above average sidewalk level	N/A		N/A	N/A	N/A
<b>Floor Area Ratio (FAR)</b>							
Max. Floor Area (% of lot area)	[1]	N/A	500		CMX-4: 500 CMX-5: 1200 [2]	N/A	N/A

\* \* \* \*



# City of Philadelphia

RESOLUTION NO. 110741 continued

## §14-802 Motor Vehicle Parking Ratios

### (2) Regulations Applicable to Specific Areas

#### (a) CA-1 and CA-2 Parking

- (.1) The number of parking spaces shall be provided in accordance with the following schedule:

**Table 14-802-5: CA-1 and CA-2 Required Parking**

Net Leasable Area of Building	Spaces per 1,000 sq. ft. of net leasable area
<b>General Rule</b>	
Less than 100,000 sq. ft.	4
100,001 to 200,000 sq. ft.	3.5
Above 200,000 sq. ft.	3

#### **Exception 1**

For any building in a CA-2 district that contains two or more stories, the number of parking spaces required shall be as stated above for the first floor, plus 50% of the stated requirements for any floors above the first floor.

#### **Exception 2**

Assembly and Entertainment Uses and Religious Assembly Uses that are constructed or expanded, shall provide one parking space for every four permanent seats. In the case of a building expansion, this ratio shall be met for the existing Assembly and Entertainment or Religious Assembly space as well as the addition.

- (.2) Where a CA-1 or CA-2 district is located on the same block frontage as a Residential district, all parking spaces and aisles shall be located behind the minimum setback required by the most restrictive Residential district on the same block.

\* \* \* \*

## §14-904 Accessory Sign Controls

### (3) Signs in Commercial Districts

#### (e) CA-1

- (.1) Only one sign shall be permitted on each building and it shall not exceed two sq. ft. for each linear foot of building facing any and only one street, shall be constructed facing only on the street designated for the above computation, and may be (1) attached flat against the wall of the building or marquee or, (2) upon the roof of a marquee, and may project above the roof or wall coping, but may not extend beyond the building walls. In the case of multiple users in one building, the locations and numbers of signs totaling not more than the allowable sign area set forth may be approved in accordance with the special exception procedures in §14-303(7) (Special Exception Approval).
- (.2) Signs may be animated or illuminated; provided, the illumination shall be focused upon the sign itself, so as to prevent glare upon the adjacent lots.



# City of Philadelphia

RESOLUTION NO. 110741 *continued*

- (.3) Signs with flashing or intermittent illumination shall not be erected within 150 ft. of any Residential District, nor facing any Residential District within 300 ft. of the sign.**
  - (.4) Revolving signs shall be prohibited.**
  - (.5) Any revolving device which causes intermittent flashes of light to be projected shall be prohibited.**
- (f) CA-2**
- (.1) No sign shall be illuminated by revolving illumination.
  - (.2) Signs with flashing or intermittent illumination are permitted, provided that such signs shall not be erected within 150 ft. of any Residential district nor facing any Residential district within 300 ft. of the sign.
  - (.3) Signs with animated illumination are permitted, provided that the animated illumination shall be focused upon the sign itself so as to prevent glare on adjacent lots.
  - (.4) Revolving signs shall be prohibited.
  - (.5) The total area of signs permitted on buildings shall not exceed five sq. ft. for each lineal foot of store front width, and may be attached flat against the wall of the building or marquee, or upon the roof of a marquee and may extend above the roof or wall coping, but may not project beyond the building walls.
  - (.6) In addition to the signs allowed in §14-904(3)(f)(.5) above, one freestanding sign for each 80,000 sq. ft. of the area the CA-1 district shall be permitted under the following conditions:

    - (.a) The uses within each 80,000 sq. ft. of CA-2 district area exceed a sales-floor area of 15,000 sq. ft.
    - (.b) Such sign shall not contain more than two sign faces with a total area of 300 sq. ft., exclusive of supporting structures, nor exceed in total height 40 ft.

# City of Philadelphia

RESOLUTION NO. 110741 continued AMENDMENT NO. 37

**Table 14-602-1: Uses Allowed in Residential Districts**

	R1	R1A	R2	R3	R4	R5	R6/7	R9A/10A/R20	R5A	R8/9/10/10B/18/19	R11/11A/12/13	R14	R15/16	RC-6	WRD/ITD	RC-4	
Use Category	RSD-1	RSD-2	RSD-3	RSA-1	RSA-2	RSA-3	RSA-4	RSA-5	RTA-1	RM-1	RM-2	RM-3	RM-4	RMX-1	RMX-2	RMX-3	Use-Specific Standards
Subcategory																	
Specific Use Type																	
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited																	
<b>Residential</b>																	
<b>Household Living (as noted below)</b>																	
Single-Family)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Two-Family)	N	N	N	N	N	N	N	N	Y	Y[1]	Y	Y	Y	Y	Y	Y	
Multi-Family)	N	N	N	N	N	N	N	N	N	Y[1]	Y	Y	Y	Y	Y	Y	
<b>Group Living (except as noted below)</b>																	
Assisted Living)	N	N	N	S	S	S	S	S	S	Y	Y	Y	Y	Y	Y	Y	\$14-603(1)
Community Home, Family)	{2}	{2}	{2}	{2}	{2}	{2}	{2}	{2}	{2}	{2}	{2}	{2}	{2}	{2}	{2}	{2}	\$14-603(6)
Community Home, Group)	N	N	N	S	S	S	S	S	S	Y	Y	Y	Y	Y	Y	Y	
Single-Room Residence)	N	N	N	N	N	N	N	N	N	S	S	S	S	S	S	S	
<b>Parks and Open Space</b>																	
Passive Recreation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Active Recreation	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
<b>Public, Civic, and Institutional</b>																	
<b>Day Care (as noted below)</b>																	
Family (1-6) <sup>1</sup>	[8]	[8]	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	\$14-603(7)
Group (7-12)	[8]	[8]	[8]	{8}	{8}	{8}	{8}	{8}	{8}	{8}	{8}	{8}	{8}	{8}	Y[5]	Y[6]	Y[7]
Center (13+)	[8]	[8]	[8]	[8]	[8]	[8]	[8]	[8]	[8]	[8]	[8]	[8]	[8]	Y[5]	Y[6]	Y[7]	
Educational Facilities	S	S	S	S	S	S	S	S	S	S	Y	Y	Y	Y	Y	Y	
Fraternal Organization	N	N	N	S	S	S	S	S	S	S	S	S	S	S	S	S	
Hospital	N	N	N	S	S	S	S	S	S	S	S	S	S	S	S	S	
Libraries and Cultural Exhibits	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Religious Assembly	S[3]	S[3]	S[3]	Y[3]	Y[3]	Y[3]	Y[3]	Y[3]	Y[3]	Y[3]	Y[3]	Y[3]	Y[3]	Y[3]	Y[3]	Y[3]	
Safety Services	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Transit Station	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Utilities and Services, Basic	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
<b>Wireless Service Facility (as noted below)</b>																	
Freestanding Tower	N	N	S	S	S	S	S	S	S	S	S	S	S	S	S	S	\$14-603(16)
Building or Tower-Mounted Antenna	[4]	[4]	[4]	[4]	[4]	[4]	[4]	[4]	[4]	[4]	Y	Y	Y	Y	Y	Y	\$14-603(17)
<b>Office</b>																	

<sup>1</sup> In light of the recent remapping of Council Districts (Bill No.110547, approved September 23, 2011), the new Zoning Code should note that new district boundaries will take effect for the Sixth and Tenth Council Districts on the first Monday of January 2016, and thereafter. This reference can be made in a footnote or other appropriate manner to indicate that district boundaries will change at a future date.



# City of Philadelphia

RESOLUTION NO. 110741 continued

temporary table row																	
Use Category	R1	R1A	R2	R3	R4	R5	R6/7	R9A/10A/R20	R5A	R8/9/10/10B/18/19	R11/11A/12/13	R14	R15/16	RC-6	WRD/ITD	RC-4	Use-Specific Standards
Subcategory	RSD-1	RSD-2	RSD-3	RSA-1	RSA-2	RSA-3	RSA-4	RSA-5	RTA-1	RM-1	RM-2	RM-3	RM-4	RMX-1	RMX-2	RMX-3	
Specific Use Type																	
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited																	
<b>Business and Professional</b>	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[5]	Y[6]	Y[7]	
<b>Medical, Dental, Health Practitioner</b> <i>(as noted below)</i>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>Y[5]</del>	<del>Y[6]</del>	<del>Y[7]</del>	
Solo Practitioner	Y[9]	Y[9]	Y[9]	Y[9]	Y[9]	Y[9]	Y[9]	Y[9]	S	S	S	S	S	Y[5]	Y[6]	Y[7]	\$14-603(18)
Group Practitioner	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
<b>Retail Sales</b>																	
<b>Consumer Goods</b> <i>(except as noted below)</i>	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[5]	Y[6]	Y[7]	
Drug Paraphernalia Stores	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>\$14-603(13)</del>
Gun Shop	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>\$14-603(13)</del>
<b>Food, Beverages, and Groceries</b> <i>(except as noted below)</i>	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[5]	Y[6]	Y[7]	
Fresh Food Market	N	N	N	N	N	N	N	N	N	N	N	N	S	Y[5]	Y[6]	Y[7]	\$14-603(9)
<b>Sundries, Pharmaceuticals, Convenience Sales</b>	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[5]	Y[6]	Y[7]	
<b>Wearing Apparel and Accessories</b>	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[5]	Y[6]	Y[7]	
<b>Commercial Services</b>																	
<b>Business Support</b>	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[5]	Y[6]	Y[7]	
<b>Eating and Drinking Establishment</b>	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[5]	Y[6]	Y[7]	\$14-603(8)
<b>Personal Services</b>	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[5]	Y[6]	Y[7]	
<b>Visitor Accommodations</b> <i>(as noted below)</i>																	
Hotel	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	Y[6]	Y[7]
Bed and Breakfast	<del>S</del> N	<del>S</del> N	<del>S</del> N	<del>S</del> N	<del>S</del> N	<del>S</del> N	<del>S</del> N	<del>S</del> N	<del>S</del> N	S	Y	Y	Y	Y[5]	Y[6]	Y[7]	\$14-603(2)
<b>Urban Agriculture</b>																	
<b>Community Garden</b>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	\$14-603(15)
<b>Market or Community-Supported Farm</b>	S	S	S	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	\$14-603(15)



# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 38

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

Temporary table row

	C-1	C-2/RC-2	(/NCC)	C-3/RC-3	C-4	C-5	C-7/NSC/ASC	
<b>Use Category</b>	<b>CMX-1</b>	<b>CMX-2</b>	<b>CMX-2.5</b>	<b>CMX-3</b>	<b>CMX-4</b>	<b>CMX-5</b>	<b>CA-1</b>	<b>Use-Specific Standards</b>
<b>Subcategory</b>								
Specific Use Type								
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited								
<b>Residential</b>								
<b>Household Living</b>	[1][2]	Y[2][3]	Y[2][4]	Y	Y	Y	N	
<b>Group Living</b> (except as noted below)	N	S	Y[4]	Y	Y	Y	N	
Assisted Living)	N	Y	Y[4]	Y	Y	Y	N	§14-603(1)
<del>Community Home, Family</del>	<del>{5}</del>	<del>{5}</del>	<del>{4}{5}</del>	<del>{5}</del>	<del>{5}</del>	<del>{5}</del>	<del>N</del>	<del>§14-603(6)</del>
Community Home, Group	N	Y	Y[4]	Y	Y	Y	N	
Single-Room Residence	N	S	S[4]	Y	Y	Y	N	
<b>Parks and Open Space</b>								
<b>Passive Recreation</b>	Y	Y	Y	Y	Y	Y	Y	
<b>Active Recreation</b>	S	S	S	Y	Y	Y	Y	
<b>Public, Civic, and Institutional</b>								
<b>Day Care</b> (as noted below)								
Family (1-6)	Y[6]	Y	Y	Y	Y	Y	Y	§14-603(7)
Group (7-12)	Y[6]	Y	Y	Y	Y	Y	Y	
Center (13+)	<del>N</del> S	Y	Y	Y	Y	Y	Y	
<b>Educational Facilities</b>	N	Y	N	Y	Y	Y	Y	
<b>Fraternal Organization</b>	N	Y	S	Y	Y	Y	Y	
<b>Hospital</b>	N	Y	Y	Y	Y	Y	Y	
<b>Libraries and Cultural Exhibits</b>	Y	Y	Y	Y	Y	Y	Y	
<b>Religious Assembly</b>	Y	Y	S	Y	Y	Y	Y	
<b>Safety Services</b>	Y	Y	Y	Y	Y	Y	Y	
<b>Transit Station</b>	Y	Y	Y	Y	Y	Y	Y	
<b>Utilities and Services, Basic</b>	Y	Y	N	Y	Y	Y	Y	
<b>Wireless Service Facility</b> (as noted below)								
Freestanding Tower	S	S	S	Y	Y	Y	Y	§14-603(16)
Building or Tower-Mounted Antenna	Y	Y	Y	Y	Y	Y	Y	§14-603(17)
<b>Office</b>								
<b>Business and Professional</b>	Y[6]	Y	Y	Y	Y	Y	Y	
<b>Medical, Dental, Health Practitioner</b> (as noted below)	<del>Y[6]</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	
<del>Solo Practitioner</del>	<del>Y[6]</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	
<del>Group Practitioner</del>	<del>S</del>	<del>S</del>	<del>S</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	
<b>Government</b>	Y[6]	Y	Y	Y	Y	Y	Y	
<b>Retail Sales</b>								
<b>Building Supplies and Equipment</b>	Y[6]	Y	Y	Y	Y	Y	Y	§14-603(4)
<b>Consumer Goods</b> (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	
<del>Drug Paraphernalia Sales</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>§14-603(13)</del>
<del>Gun Shop</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>§14-603(13)</del>
<b>Food, Beverages, and Groceries</b> (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	
Fresh Food Market	Y[6]	Y	Y	Y	Y	Y	Y	§14-603(9)
<b>Pets and Pet Supplies</b>	Y[6]	Y	Y	Y	Y	Y	Y	

# City of Philadelphia

RESOLUTION NO. 110741 continued

Temporary table row	C-1	C-2/RC-2	(/NCC)	C-3/RC-3	C-4	C-5	C-7/NSC/ASC	
Use Category	CMX-1	CMX-2	CMX-2.5	CMX-3	CMX-4	CMX-5	CA-1	Use-Specific Standards
Subcategory								
Specific Use Type								
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited								
Sundries, Pharmaceuticals, and Convenience Sales	Y[6]	Y	Y	Y	Y	Y	Y	
Wearing Apparel and Accessories	Y[6]	Y	Y	Y	Y	Y	Y	
<b>Commercial Services</b>								
Animal Services (except as noted below)	Y	Y	Y	Y	Y	Y	Y	
Stables	N	N	N	N	N	N	N	§14-603(14)
Assembly and Entertainment (except as noted below)	N	S	S	Y	Y	Y	Y	
Amusement Arcade	N	S	S	S	S	S	S	
Nightclubs and Private Clubs	N	S	N	Y	Y	Y	Y	
Pool or Billiards Room	N	N	N	S	S	S	S	
Building Services	N	N	N	Y	Y	Y	Y	
Business Support	Y[6]	Y	Y	Y	Y	Y	Y	
Eating and Drinking Establishments (as noted below)								
Prepared Food Shop	S[6]	Y	Y	Y	Y	Y	Y	
Take-Out Restaurant	N	S	N	Y	Y	Y	Y	§14-603(8)
Sit Down Restaurant	N	Y	Y	Y	Y	Y	Y	
Financial Services (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	
Personal Credit Establishment	N	N	N	N	N	N	N	§14-603(13)
Funeral and Mortuary Services	S[6]	Y	N	Y	Y	Y	Y	
Maintenance and Repair of Consumer Goods (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	
On-Premise Dry Cleaning	Y[6]	Y	S	Y	Y	Y	Y	
Parking, Non-Accessory (as noted below)								
Surface, Open-Air	N	S	S	S	N	N	Y	§14-603(12)
Multi-Level Structure (garage)	N	Y	Y	Y	[7]	[7]	Y	§14-603(12)
Personal Services (except as noted below)	Y[6]	Y	Y	Y	Y	Y	Y	
Body Art Service	N	N	N	N	S	S	S	§14-603(3)
Radio, Television, and Recording Services	N	Y	Y	Y	Y	Y	Y	
Visitor Accommodations	N	Y	Y	Y	Y	Y	Y	§14-603(2)
<b>Vehicle and Vehicular Equipment Sales and Services</b>								
Commercial Vehicle Sales and Rental	N	N	N	N	N	N	Y	
Personal Vehicle Repair and Maintenance	N	Y	N	Y	Y	Y	Y	
Personal Vehicle Sales and Rental	N	Y	N	Y	Y	Y	Y	
Gasoline Station	N	Y	N	Y	Y	Y	Y	§14-603(10)
Vehicle Equipment and Supplies Sales and Rental	N	Y	N	Y	Y	Y	Y	
<b>Wholesale, Distribution, and Storage</b>								
Moving and Storage Facilities	N	Y	N	Y	Y	Y	Y	
<b>Industrial</b>								
Artist Studios and Artisan Industrial	N	Y	Y	Y	Y	Y	Y	
Research and Development	N	Y	Y	Y	Y	Y	Y	
<b>Urban Agriculture</b>								
Community Garden	Y	Y	Y	Y	Y	Y	Y	§14-603(15)
Market or Community-Supported Farm	Y	Y	Y	Y	N	N	Y	§14-603(15)



# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 39

**Table 14-602-3: Uses Allowed in Industrial Districts**

Temporary table row		New	L4/L-5	I1/L2/L3	G1/G2	LR	PI	
Use Category	Subcategory	IRMX	ICMX	I-1	I-2	I-3	I-P	Use-Specific Standards
Specific Use Type								
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited.								
<b>Residential</b>								
<b>Household Living (as noted below)</b>								
	Multi-Family	Y	N	N	N	N	N	
	Caretaker Quarters	Y	Y	Y	Y	Y	Y	
	Group Living	Y[1]	N	N	N	N	N	§14-603(1) §14-603(6)
<b>Parks and Open Space</b>								
	Passive Recreation	Y	Y	Y	Y	Y	Y	
	Active Recreation	Y	Y	N	N	N	N	
<b>Public, Civic, and Institutional</b>								
	Day Care	Y	Y	N	N	N	N	§14-603(7)
	Detention and Correctional Facilities	N	S	S	S	Y	S	§14-603(13)
	Fraternal Organization	Y	Y	N	N	N	N	
	Libraries and Cultural Exhibits	Y	N	N	N	N	N	
	Re-Entry Facility	N	S	S	S	Y	S	
	Religious Assembly	Y	Y	Y	Y	Y	Y	
	Safety Services	Y	Y	Y	Y	Y	Y	
	Transit Station	Y	Y	Y	Y	Y	Y	
	Utilities and Services, Basic	Y	Y	Y	Y	Y	Y	
	Utilities and Services, Major	N	N	N	Y	Y	Y	
	Wireless Service Facility (as noted below)							
	Freestanding Tower	Y	Y	Y	Y	Y	Y	§14-603(16)
	Building or Tower-Mounted Antenna	Y	Y	Y	Y	Y	Y	§14-603(17)
<b>Office</b>								
	Business and Professional	Y	Y	Y	Y	N	N	
	Medical, Dental, Health Practitioner (as noted below)	Y	Y	Y	Y	N	N	§14-603(18)
	Solo Practitioner	Y	Y	Y	N	N	N	
	Group Practitioner	Y	Y	Y	Y	Y	N	
<b>Government</b>								
<b>Retail Sales</b>								
	Adult-Oriented Merchandise	N	S	S	S	Y	S	§14-603(13)
	Building Supplies and Equipment	Y	Y	Y	Y	Y	Y	
	Consumer Goods (except as noted below)	Y	Y	N	N	N	N	
	Drug Paraphernalia Sales	N	N	N	N	Y	N	§14-603(13)
	Gun Shop	N	S	S	S	Y	S	§14-603(13)
	Food, Beverages, and Groceries (except as noted below)	Y	Y	N	N	N	N	
	Fresh Food Market	Y	Y	Y	Y	N	N	§14-603(9)
	Pets and Pet Supplies	N	Y	N	N	N	N	
	Sundries, Pharmaceuticals, and Convenience Sales	Y	Y	N	N	N	N	
	Wearing Apparel and Accessories	Y	Y	N	N	N	N	
<b>Commercial Services</b>								
	Adult-Oriented Service	N	N	N	N	Y	N	§14-603(13)
	Animal Services	Y	Y	Y	Y	Y	N	
	Stables	N	N	S	S	N	N	§14-603(14)
	Assembly and Entertainment (except as noted below)	S	Y	Y	N	N	N	



# City of Philadelphia

RESOLUTION NO. 110741 continued

Temporary table row							
Use Category	New	L4/L-5	L1/L2/L3	G1/G2	LR	PI	Use-Specific Standards
Subcategory	IRMX	ICMX	I-1	I-2	I-3	I-P	
Specific Use Type							
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited.							
Amusement Arcade	S	S	S	S	Y	S	
Pool or Billiards Room	S	S	S	S	Y	S	
<b>Building Services</b>	Y	Y	Y	Y	Y	N	
<b>Business Support</b>	Y	Y	Y	Y	Y	N	
<b>Eating and Drinking Establishments</b>	Y	Y	N	N	N	N	§14-603(8)
<b>Financial Services (except as noted below)</b>	Y	Y	Y	Y	Y	Y	
Personal Credit Establishment	N	S	S	S	Y	S	§14-603(13)
<b>Funeral and Mortuary Services</b>	Y	Y	N	N	N	N	
<b>Maintenance and Repair of Consumer Goods</b>	Y	Y	Y	Y	Y	Y	
<b>Parking, Non-Accessory</b>	N	S	Y	Y	Y	Y	§14-603(12)
<b>Personal Services (except as noted below)</b>	Y	Y	N	N	N	N	
Body Art Service	Y	Y	Y	Y	Y	Y	§14-603(3)
<b>Radio, Television, and Recording Services</b>	Y	Y	Y	Y	Y	N	
<b>Visitor Accommodations</b>	Y	N	N	N	N	N	
<b>Vehicle and Vehicular Equipment Sales and Services</b>							
<b>Commercial Vehicle Repair and Maintenance</b>	N	Y	Y	Y	Y	Y	
<b>Commercial Vehicle Sales and Rental</b>	Y	Y	Y	Y	Y	Y	
<b>Personal Vehicle Repair and Maintenance</b>	N	Y	Y	Y	Y	N	
<b>Personal Vehicle Sales and Rental</b>	N	Y	N	Y	Y	N	
<b>Gasoline Station</b>	N	Y	Y	Y	Y	N	§14-603(10)
<b>Vehicle Equipment and Supplies Sales and Rental</b>	N	Y	N	N	N	N	
<b>Vehicle Paint Finishing Shop</b>	N	Y	Y	Y	Y	N	
<b>Wholesale, Distribution, and Storage</b>							
<b>Equipment and Materials Storage Yards and Buildings</b>	N	Y	N	Y	Y	Y	
<b>Moving and Storage Facilities</b>	N	Y	Y	Y	Y	Y	
<b>Warehouse</b>	Y	Y	Y	Y	Y	Y	
<b>Wholesale Sales and Distribution</b>	N	Y	Y	Y	Y	Y	
<b>Industrial</b>							
<b>Artists Studios and Artisan Industrial</b>	Y	Y	Y	Y	Y	N	
<b>Limited Industrial</b>	S	Y	Y	Y	Y	N	
<b>General Industrial</b>	N	N	N	Y	Y	N	
<b>Intensive Industrial</b>	N	N	N	N	Y	N	
<b>Junk and Salvage Yards and Buildings</b>	N	N	N	S	Y	N	§14-603(11)
<b>Marine-Related Industrial</b>	N	N	N	N	Y	Y	
<b>Mining/Quarrying</b>	N	N	N	N	Y	N	
<b>Research and Development</b>	Y	Y	Y	Y	Y	N	
<b>Trucking and Transportation Terminals</b>	N	N	Y	Y	Y	Y	
<b>Urban Agriculture</b>							
<b>Community Garden</b>	Y	Y	Y	Y	Y	N	§14-603(15)
<b>Market or Community-Supported Farm</b>	Y	Y	Y	Y	Y	N	§14-603(15)
<b>Animal Husbandry</b>	N	Y	Y	Y	Y	N	§14-603(15)
<b>Horticulture Nurseries and Greenhouses</b>	Y	Y	Y	Y	Y	N	

# City of Philadelphia

RESOLUTION NO. 110741 continued

## AMENDMENT NO. 40

### §14-101

#### **Definitions**

For purposes of this Zoning Code, the following definitions shall apply; words, phrases, and terms not defined herein, but defined in Title 4 (The Philadelphia Building Code), shall be construed as defined in Title 4:

\* \* \*

#### **Family**

A group of persons living as a single household unit using housekeeping facilities in common, but not to include more than three persons who are unrelated by blood, marriage, adoption, or foster-child status.

#### **Master Plan**

Schemata for land use development in the form of text, maps and graphics, used to guide public and private decisions that affect the long-range social, economic, and physical growth of a community, district, or area of land defined with geographic boundaries.

#### **Streetscape Design**

All elements that impact the character of streets, sidewalks and adjacent public spaces, including, but not limited to paving patterns and materials, curb cut and driveway dimensions, landscape planting, lighting, signage, street furniture, and the related aspects of adjacent building façades such as entrances, windows, materials and overhangs.

#### **Variance**

A variance is relief to zoning terms that allow use or development of property outside of strict requirement of the zoning for that property.

# City of Philadelphia

*RESOLUTION NO. 110741 continued*

CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twentieth of October, 2011.

Anna C. Verna  
PRESIDENT OF THE COUNCIL

Michael A. Decker  
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Tasco

Sponsored by: Councilmembers Tasco, DiCicco, Clarke, Council President Verna, Councilmembers Green, Miller, Kenney, Jones, Blackwell, Goode, O'Neill, Greenlee, Krajewski, Kelly, Rizzo, Sanchez and Reynolds Brown