



# City of Philadelphia

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

**BILL NO. 090354  
(As Amended, 5/26/09)**

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**Introduced April 30, 2009**

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**Councilmember DiCicco**

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**Referred to the  
Committee on Rules**

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## **AN ORDINANCE**

Amending Chapter 14-400 of The Philadelphia Code, entitled "Commercial Entertainment District," by revising and clarifying requirements relating to parking, height regulations, gross floor area and permitted uses, all under certain terms and conditions.

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

SECTION 1. Chapter 14-400 of The Philadelphia Code is hereby amended to read as follows:

### CHAPTER 14-400. COMMERCIAL ENTERTAINMENT DISTRICT.

\* \* \*

§ 14-405. Use Regulations.

\* \* \*

*(4) To the extent any provision of this Section conflicts with any provision of Section 14-1624, relating to North Delaware Avenue Special District Controls, including Section 14-1624(5), relating to conflicting provisions, the provisions of this Section shall control.*

§ 14-406. Area Regulations.

In the area bounded by Sixth Street, Broad Street, Chestnut Street and Arch Street, the Area Regulation provisions of § 14-305(4), the Floor Area Regulation

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provisions of § 14-305(8), § 14-305(9), and § 14-305(10), and the Retail Space provisions of § 14-305(12) shall apply as if the underlying area was designated as ‘C-5’ Commercial. In all other areas, the following provisions apply:

\* \* \*

(2) Gross Floor Area.

(a) [For specifically designated areas, the] *The* total gross floor area of all buildings shall not exceed 400% of the Commercial Entertainment District. Underground parking shall not be included in this calculation.

\* \* \*

§ 14-407. Height Regulations.

In the area bounded by Sixth Street, Broad Street, Chestnut Street and Arch Street, the provisions of § 14-305(7) shall apply as if the underlying area was designated as ‘C-5’ Commercial. In all other areas, the following provisions apply:

(1) [For specifically designated areas, the] *The* maximum height of any building shall not exceed 300 feet or 30 stories.

§ 14-408. Off-Street Parking.

In the area bounded by Sixth Street, Broad Street, Chestnut Street and Arch Street, the provisions of § 14-305(13) shall apply as if the underlying area was designated as ‘C-5’ Commercial, except that any such C-5 Commercial parking requirements in this area may be met by providing parking spaces in a lot or structure within one thousand (1000) feet of the boundary of an area designated as a Commercial Entertainment District. In all other areas, the following provisions apply:

(1) Plans for all off-street parking areas must comply with the provisions set forth herein, and the prerequisite approvals contained herein:

(a) Number of Spaces. Within any Commercial Entertainment District, off-street parking spaces shall be provided in accordance with the following requirements:

(.1) Licensed gaming facilities.

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[(.a) For specifically designated areas, four] *Four (4)* parking spaces for every five (5) slot machine or gaming positions *shall be provided for patrons and guests[;] on the same parcel as the slot machines or gaming positions; provided that, if the Commission, after consultation with the Department of Streets, approves a proposed location as compatible with the purpose of this Chapter:*

(A) *Some or all of the parking required by this subsection may be provided on immediately adjacent lots, regardless of the parcel's underlying zoning.*

(B) *During any period of time when any parking spaces required by this Section are rendered unavailable because of ongoing construction of a parking garage to meet the requirements of subsection (2)(a), replacement parking spaces may be provided within one (1) mile of the boundary of the Commercial Entertainment District in which the gaming facility is located, regardless of the parcel's underlying zoning, but only on a parcel or parcels immediately adjacent to and accessible from Delaware Avenue.*

[(.b) For other specifically designated areas, one parking space for every slot machine or gaming position provided for patrons and guests.]

## (.2) Hotels.

[(.a) For specifically designated areas, one] *One (1)* parking space for every *two (2)* units.

(2) Off-street Parking Layout and Access Conditions. Parking provided in this district shall be adequately served by high capacity roads and/or driveways approved by the Department of Streets as being adequate to safely serve the ingress and egress of patrons and guests using the facility, further provided:

(a) [Not] *Except for interim facilities with 1700 or fewer gaming positions, not more than 10% of all parking spaces in a Commercial Entertainment District may be provided in parking lots. This includes required handicapped spaces, bus parking, limousine parking, cabstands, loading spaces and delivery spaces;*

\* \* \*

(g) Open-Air Parking Provisions. Where parking spaces are in an open-air area, the open-air parking area shall:

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\* \* \*

(.5) Contain permanent, substantial barriers around the area, *for the protection of surrounding buildings and pedestrians*, constructed of metal or masonry. If constructed of masonry, the wall shall be not less than 2 feet above the ground, and if constructed of metal or masonry posts, the posts shall be not less than 4 inches nor more than 6 inches in diameter, placed not more than 5 feet apart, nor less than 30 inches above the ground and connected by metal pipes, rods, fencing or chains;

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**Explanation:**

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