



City of Philadelphia

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

**BILL NO. 190443
(As Amended, 6/12/19)**

Introduced May 23, 2019

**Councilmember Greenlee
for
Council President Clarke**

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Section 14-502 of the Zoning Code, entitled “CTR, Center City Overlay”, Section 14-701 of the Zoning Code, entitled “Dimensional Standards” and Section 14-702 of the Zoning Code entitled “Floor Area, Height, and Housing Density Bonuses” under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 14-500 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 14-500. OVERLAY ZONING DISTRICTS.

* * *

§14-502. / CTR, Center City Overlay.

* * *

(3) Height Regulations.

* * *

(d) Benjamin Franklin Parkway Area.

(.1) The maximum height within the Benjamin Franklin Parkway Area, except as provided in §14-502(3)(d)(.2) and 14-502(3)(d)(.3) below, is 125 ft. (See Height Control Area

City of Philadelphia

BILL NO. 190443, as amended continued

Map 2 for illustrative purposes only). This 125-foot height limit does not apply to monuments, belfries, cupolas, minarets, pinnacles, gables, spires, or ornamental towers not intended for human occupancy, provided that the total height of the structure and excepted items does not exceed a maximum height of 209 ft.

(.2) The maximum height within the area bounded by 23rd Street, John F. Kennedy Boulevard, the Schuylkill River, and the center line of the right-of-way of SEPTA is 500 ft. The maximum height within the area bounded by 23rd Street, the center line of the right-of-way of SEPTA, the Schuylkill River, and Cherry Street is 300 ft. These 500-foot and 300-foot height limits do not apply to penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, heating and cooling towers, or similar equipment required to operate and maintain the building.

(.3) The maximum height within the area bounded by 20th Street, Arch Street, Cuthbert Street and a line parallel to and 213.958 feet west of 20th Street is 240 ft. This 240-foot height limit does not apply to penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, heating and cooling towers, or similar equipment required to operate and maintain the building.

* * *

SECTION 2. Chapter 14-700 of The Philadelphia Code is hereby amended to read as follows:

§14-701 Dimensional Standards

(5) CMX-4 and CMX-5 Bulk and Massing Controls.

(b) Option A: Sky Plane Controls

(.1) Sky Plane Standards

[(h)]

(.h) In the area bounded by 20th Street, Arch Street, Cuthbert Street and a line parallel to and 213.958 feet west of 20th Street, an applicant electing to be subject to these sky plane controls may take the dimensional limitations necessary to comply with sky plane on the

City of Philadelphia

BILL NO. 190443, as amended continued

20th Street frontage and apply them instead to the entire west facade of its building in lieu of complying with sky plane as to the 20th Street frontage.

(i) L&I shall not issue a zoning permit unless the Commission has determined compliance with this § 14-701(5)(b) (Option A: Sky Plane Controls).

* * *

§14-702. Floor Area, Height and Housing Unit Density Bonuses.

* * *

(7) Mixed Income Housing.

* * *

(b) Criteria.

A floor area, height, or housing unit density bonus, as applicable, may be earned (i) by providing affordable housing, provided that the project meets the standards set forth in subparagraphs (.1) through (.5), below; or (ii) if the owner of the property enters into a payment-in-lieu agreement that meets the standards set forth in subparagraph (.6), below. This bonus is not available for developments of subsidized housing where 51% or more of the dwelling units will be affordable under any of the definitions set forth in subsection (a) (“Affordability”), above, and is not available for developments where less than 50% of gross floor area will be in residential use *except for property located in the area bounded by 20th Street, Arch Street, Cuthbert Street, a line parallel to 20th Street that extends north 32 feet from a point located on Cuthbert Street 282.5 feet from the northwest corner of 20th Street and Cuthbert Street, a line beginning at the foregoing point and extending 68.54 feet to the east parallel to Arch Street to a point and a line parallel to 20th Street beginning at the foregoing point and extending north 114.5 feet to the south side of Arch Street.*

(9) Underground Accessory Parking

(a) Criteria.

(.5) Notwithstanding any other provision of this Section 14-702(9) the floor area bonus provided in this section may be earned by the construction of an underground public parking garage in the area bounded by 20th Street, Arch Street, Cuthbert Street, a line parallel to 20th Street that extends north 32 feet from a point located on Cuthbert Street 282.5

City of Philadelphia

BILL NO. 190443, as amended continued

feet from the northwest corner of 20th Street and Cuthbert Street, a line beginning at the foregoing point and extending 68.54 feet to the east parallel to Arch Street to a point and a line parallel to 20th Street beginning at the foregoing point and extending north 114.5 feet to the south side of Arch Street.

SECTION 3. Sunset Provision. This Ordinance shall lapse on May 14, 2024, except as to any building permit then in effect.

SECTION 4. This Ordinance shall become effective immediately.

Explanation:

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