



# City of Philadelphia

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

**BILL NO. 190601**

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**Introduced June 20, 2019**

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**Councilmember Henon**

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**Referred to the  
Committee on Rules**

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## **AN ORDINANCE**

Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” to revise certain provisions of Chapter 14-200, entitled “Definitions” and Chapter 14-600, entitled “Use Regulations,” by creating the use category “Smoking Lounge” and related changes; all under certain terms and conditions.

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

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

### TITLE 14. ZONING AND PLANNING

\* \* \*

### CHAPTER 14-200. DEFINITIONS

\* \* \*

§ 14-203. 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 Construction and Occupancy Code), shall be construed as defined in Title 4.

\* \* \*

*(300.1) Smoking Lounge. See § 14-601(7)(c)(.6) (Smoking Lounge).*

\* \* \*

# City of Philadelphia

BILL NO. 190601 continued

## CHAPTER 14-600. USE REGULATIONS

### § 14-601. Use Categories.

\* \* \*

#### (7) Commercial Services Use Category.

This category includes uses that provide for consumer or business services, for the repair and maintenance of a wide variety of products, and for entertainment. The commercial services subcategories are:

\* \* \*

#### (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:

\* \* \*

#### (.6) Smoking Lounge.

*An establishment where the smoking of tobacco products, electronic cigarettes, or other substances is permitted. Examples of smoking lounges include, but are not limited to, cigar lounges, hookah lounges, vape lounges, tobacco clubs, tobacco bars, etc.*

\* \* \*

### § 14-602. Use Tables

\* \* \*

#### (4) Commercial Districts.

\* \* \*

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

Previous District Name	C-1	C-2/RC-2	(/NCC)	C-3/RC-3	C-4	C-5	C-7/NSC	ASC	
District Name	CMX-1	CMX-2	CMX-2.5	CMX-3	CMX-4	CMX-5	CA-1	CA-2	Use-Specific Standards
<p><b>Y</b> = Yes permitted as of right   <b>S</b> = Special exception approval required  <b>N</b> = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited                      See § <a href="#">14-602(3)</a>(a) (Notes for <a href="#">Table 14-602-1</a>) for information pertaining to bracketed numbers (e.g., "[2]") in table cells.</p>									

# City of Philadelphia

BILL NO. 190601 continued

* * *									
<b>Commercial Services Use Category</b>									
* * *									
Assembly and Entertainment (except as noted below)	N	S	S	S	Y	Y	S	Y	
<i>Smoking Lounge</i>	<i>N</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>Y</i>	<i>Y</i>	<i>S</i>	<i>S</i>	§ 14-603(19)
* * *									

## (5) Industrial Districts.

\* \* \*

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

Previous District Name	New	L4/L5	L1/L2/L3	G1/G2	LR	PI	Use-Specific Standards
District Name	IRMX [3]	ICMX	I-1	I-2	I-3	I-P	
<b>Y = Yes permitted as of right   S = Special exception approval required</b> <b>N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited</b> See § 14-602(3)(a) (Notes for <a href="#">Table 14-602-1</a> ) for information pertaining to bracketed numbers (e.g., "[2]") in table cells.							
* * *							
<b>Commercial Services Use Category</b>							
* * *							
Assembly and Entertainment (except as noted below)	S	Y	N	N	N	N	
<i>Smoking Lounge</i>	<i>S</i>	<i>S</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	§ 14-603(19)
* * *							

## (6) Special Purpose Districts.

\* \* \*

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

Previous District Name	IDD	CED	SSD	REC-P	REC	New	Use-Specific Standards
District Name	SP-INS	SP-ENT	SP-STA	SP-PO-P	SP-PO-A	SP-AIR	
<b>Y = Yes permitted as of right   S = Special exception approval required</b> <b>N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited</b> See § 14-602(3)(a) (Notes for <a href="#">Table 14-602-1</a> ) for information pertaining to bracketed numbers (e.g., "[2]") in table cells.							
* * *							
<b>Commercial Services Use Category</b>							
* * *							
Assembly and Entertainment (except as noted below)	Y	Y	Y	N	N	Y	§ 14-603(18)
<i>Smoking Lounge</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>N</i>	<i>N</i>	<i>S</i>	§ 14-603(19)
* * *							

# City of Philadelphia

BILL NO. 190601 continued

## § 14-603. Use Specific Standards

\* \* \*

(19) [Reserved] *Smoking Lounge*.

(a) *Smoking Lounges are subject to the applicable regulations set forth in § 10-602 (Smoking) of The Philadelphia Code.*

(b) *The following activities are permitted in association with smoking lounges:*

*(.1) Retail sale of cigars, tobacco, e-liquid, or similar products, devices or associated accessories.*

*(.2) Entertainment purposes in the form of dancing or live or recorded music.*

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### Explanation:

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