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**On agenda:**      **Final action:** 11/17/2022

**Title:** Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by revising and clarifying certain provisions and making technical changes, all under certain terms and conditions.

**Sponsors:** Councilmember Johnson

**Indexes:** ZONING AND PLANNING

**Code sections:**

**Attachments:** 1. Bill No. 22041801, As Amended.pdf, 2. CertifiedCopy22041801

Date	Ver.	Action By	Action	Result	Tally
11/30/2022	1	MAYOR	SIGNED		
11/17/2022	1	CITY COUNCIL	READ AND PASSED	Pass	10:0
11/3/2022	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL		
11/3/2022	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
11/3/2022	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
11/1/2022	0	Committee on Rules	HEARING NOTICES SENT		
11/1/2022	0	Committee on Rules	HEARING HELD		
11/1/2022	0	Committee on Rules	AMENDED		
11/1/2022	1	Committee on Rules	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
5/12/2022	0	CITY COUNCIL	Introduced and Referred		

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by revising and clarifying certain provisions and making technical 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:

Key: In Tables and Table Notes, deletions shall be denoted by {curly brackets}, and not by [square brackets].

\* \* \*

TITLE 14. ZONING AND PLANNING

CHAPTER 14-100. GENERAL PROVISIONS

\* \* \*

§ 14-107. Determination of Boundaries.

\* \* \*

(2) Multiple Districts or Provisions

\* \* \*

(b) If [any] *two or more* zoning [district] *districts each cover* [covers] a contiguous area on the lot that is greater than or equal to either of the following, the most restrictive provisions of all zoning districts that have a contiguous area that covers at least 10% the total lot area shall apply:

\* \* \*

CHAPTER 14-300. ADMINISTRATION AND PROCEDURES

§ 14-301. Reviewers and Decision Makers.

\* \* \*

(3) City Planning Commission

\* \* \*

(c) Review and Prerequisite Approval Authority

(1) The Commission provides prerequisite approvals for:

\* \* \*

(r) Zoning permits regarding properties that are covered by two or more zoning districts and that meet the criteria of [§ 14-107(2)(c).] § 14-107(2)(d).

(s) *Building permits regarding facades in the Mt. Airy Subarea of the Germantown Ave /NCA Neighborhood Commercial Area and the Ridge Avenue /NCA Neighborhood Commercial Area Overlay district. See 14-503(3)(c) (1) (Facade Review).*

\* \* \*

CHAPTER 14-400. BASE ZONING DISTRICTS

\* \* \*

§ 14-406. SP-STA, Sports Stadium (Special Purpose) District.

\* \* \*

(4) Height Regulations.

No building on the lot, except as provided below, may exceed 38 ft. in height. This height restriction shall not apply to the following:

\* \* \*

(d) [Hotels, motels,] *Visitor Accommodations* or office buildings, which may be up to a maximum of 150 ft. in height.

(5) Off-Street Parking.

Off-street parking spaces must be provided in accordance with the following schedule and requirements within the SP-STA district, on any lot abutting the district, or on a lot on the opposite side of any street bounding the district:

\* \* \*

(d) [Housing accommodations] *Residential uses reserved* exclusively for employees and *visitor accommodations* [hotels or motels]: one space for every two living units.

\* \* \*

CHAPTER 14-500. OVERLAY ZONING DISTRICTS

\* \* \*

§ 14-502. /CTR, Center City Overlay District

\* \* \*

(2) Applicability.

\* \* \*

(b) Area Boundaries.

\* \* \*

(.19) Parkway Buffer Area.

The Parkway Buffer area is:

(.a) Northwest: the area within the boundary lines of the Benjamin Franklin Parkway (*as indicated on the City Plan*) or Logan Square and within 200 ft. of the Benjamin Franklin Parkway (*as indicated on the City Plan*) or Logan Square,

between Fairmount Park and 18th Street.

(b) Southeast: the area within the boundary lines of the Benjamin Franklin Parkway (as indicated on the City Plan) and within 200 ft. of the Benjamin Franklin Parkway (as indicated on the City Plan) between Broad Street and 18th Street.

\* \* \*

§ 14-504. /NCO, Neighborhood Conservation Overlay District

\* \* \*

(1.1) Permits

\* \* \*

(b) No zoning permit or building permit shall be issued for the demolition of a principal building located within an /NCO district unless a building permit has been issued for the construction, expansion, or alteration of a new or existing principal building on the same [lot.] lot, unless either:

*(1) Such demolition is necessary to abate an imminently dangerous condition as determined by the Department of Licenses and Inspections; or*

*(2) Such demolition is necessary to abate an unsafe condition impacting the right of way or any adjacent property as determined by the Department of Licenses and Inspections.*

\* \* \*

§ 14-518. /WWA, West Washington Avenue Overlay District

\* \* \*

[(3) Additional Standards for Lots Zoned CMX-3.

(a) Applicability.

The provisions of this § 14-518(3) apply to lots zoned CMX-3 within the /WWA overlay district, provided these provisions shall expire on December 31, 2021.

(b) Uses.

Notwithstanding the provisions of § 14-502(5) (Supplemental Use Controls), § 14-518(2) (Use Regulations), and any other provision of this Zoning Code, the following additional use provisions shall apply:

- (1) Eating and drinking establishments shall be a permitted use.
- (2) Non-accessory structured and accessory parking shall be permitted uses for lots with at least 20,000 sq. ft. of the ground floor area occupied by at least one office, retail sales, commercial services, or public, civic, or institutional use, provided that the use as an accessory surface parking shall expire on December 31, 2019.

(c) Maximum Occupied Area.

The maximum occupied area as a percentage of the lot shall be ninety percent (90%) for lots with at least 20,000 sq. ft. of the ground floor area occupied by office, retail sales, commercial services, or public, civic, or institutional uses.

(d) Parking and Loading.

- (1) Notwithstanding any other requirements of this Zoning Code, the requirements of § 14-502(6)(d) (Parking Garage Ground Floor Use Controls) shall only apply to portions of a parking garage with frontage along Broad Street or Washington Avenue.
- (2) The ground floor facade of a parking garage, except for facades abutting the sidewalk along Broad Street or Washington Avenue, shall be exempt from the requirements of § 14-803(4)(b)(3)(a).
- (3) Drive-throughs shall be prohibited.
- (4) A maximum of one required off-street loading space shall be exempt from the height requirement of § 14-806(3)(c), provided that such space shall have an unobstructed height of at least 12 ft.
- (5) Notwithstanding the provisions of § 14-803(4)(b)(1) and any other provision of this Zoning Code, along any street frontage, a parking garage shall have no more than two curb cuts for both ingress and egress, the maximum aggregate width of which shall not exceed 48 ft., provided that the curb cuts shall not occupy more than fifty percent (50%) of the street frontage.]

\* \* \*

§ 14-522. *Reserved* [/FAO, Frankford Academy Overlay District.

(1) Applicability.

Applicable properties in the Frankford Academy Overlay District shall consist of all lots zoned CA-2 and located in the areas bounded by Frankford Avenue, the Delaware Expressway Ramp, Linden Avenue, and Torresdale Avenue.

(2) Vehicle Access Points.

Curb Cut width for applicable properties in the /FAO may be a maximum of 30 ft.]

\* \* \*

§ 14-531 /HHC, Heliport Hazard Control Overlay District.

\* \* \*

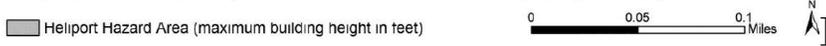
(2) Heliport Areas.

(a) Thomas Jefferson University Hospital Heliport Area.

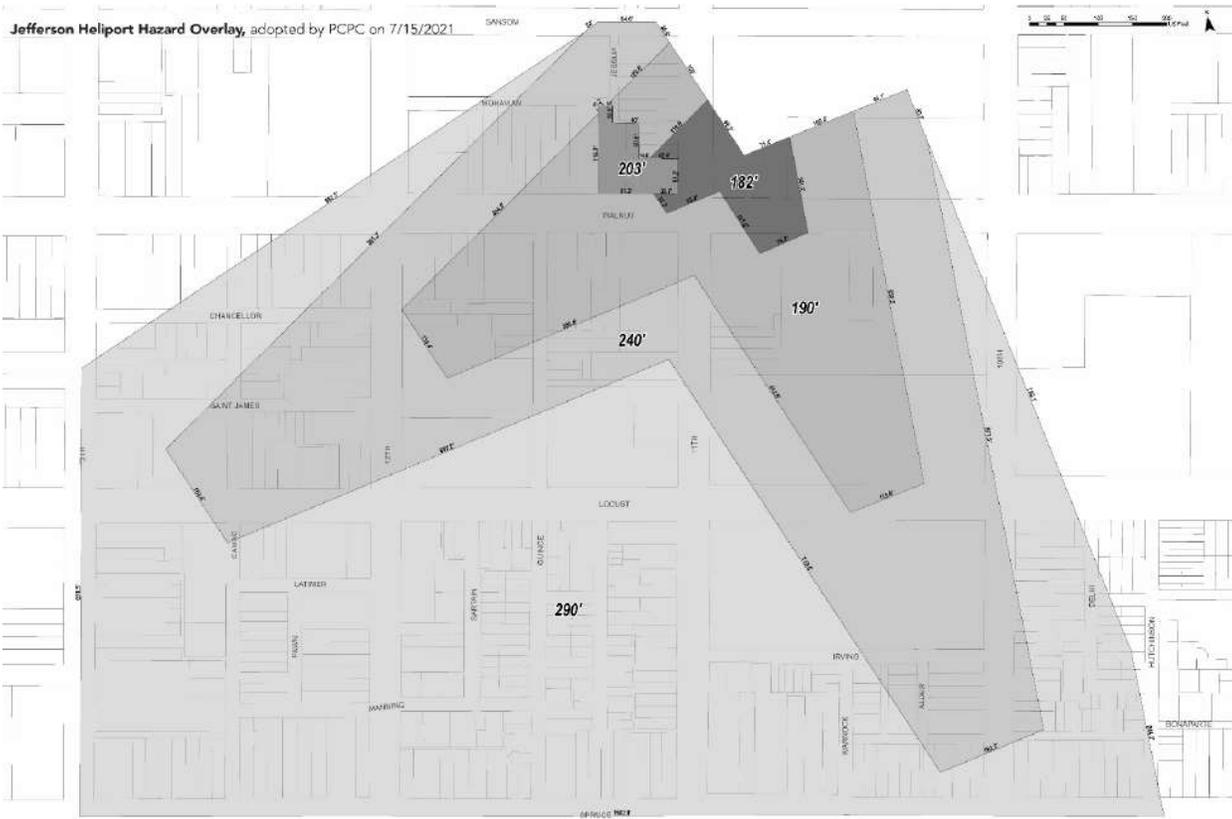
The Thomas Jefferson University Hospital Heliport Area shall be associated with Thomas Jefferson University Hospital Heliport (FAA location identifier 9PA8) and shall consist of the area bounded by Sansom Street, 10th Street, Walnut Street, 9th Street, Spruce Street, and 13th Street. [



Heliport Hazard Area Map - Thomas Jefferson University Hospital Heliport Area



{Map to be added to Code:}



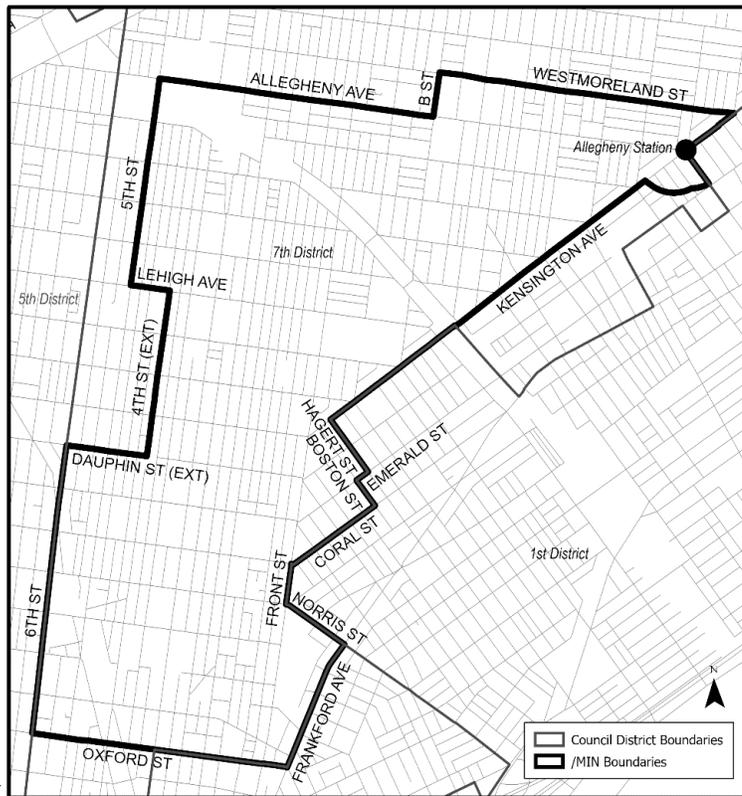
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§ 14-533. /MIN, Mixed Income Neighborhoods Overlay District

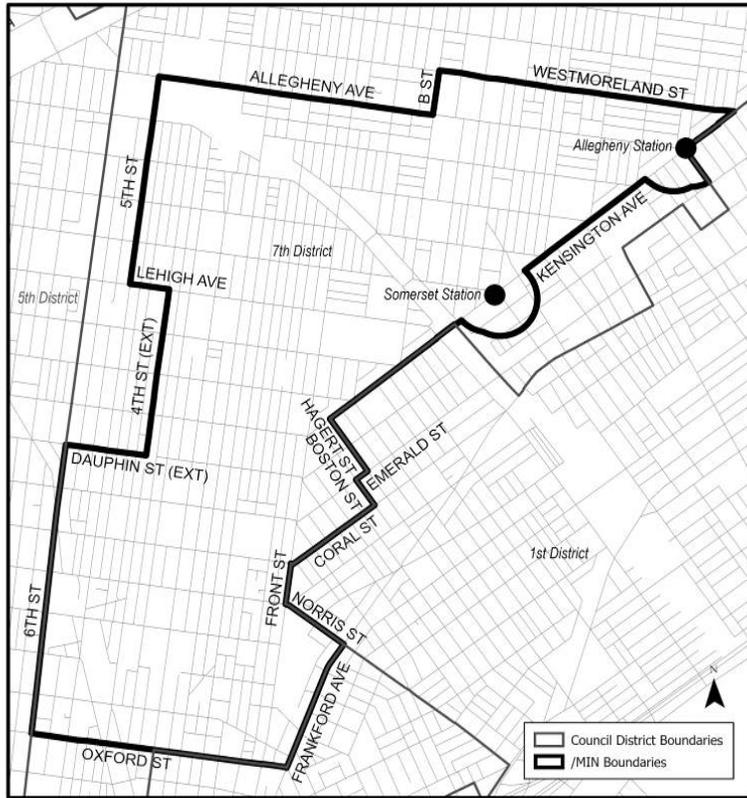
(1) Applicability.

\* \* \*

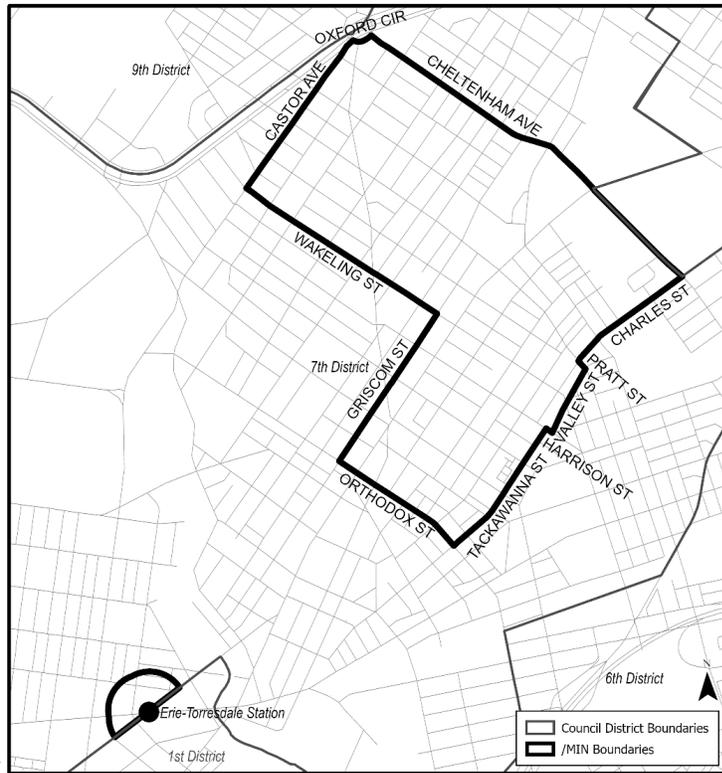
(c) The area bounded by Westmoreland Street, Kensington Avenue, Hagert Street, Emerald Street, Boston Street, Coral Street, Front Street, Norris Street, Frankford Avenue, Oxford Street, 6th Street, Dauphin Street (extended), 4th Street (extended), Lehigh Avenue, 5th Street, Allegheny Avenue, and B Street, as shown on the following map, for illustrative purposes only;



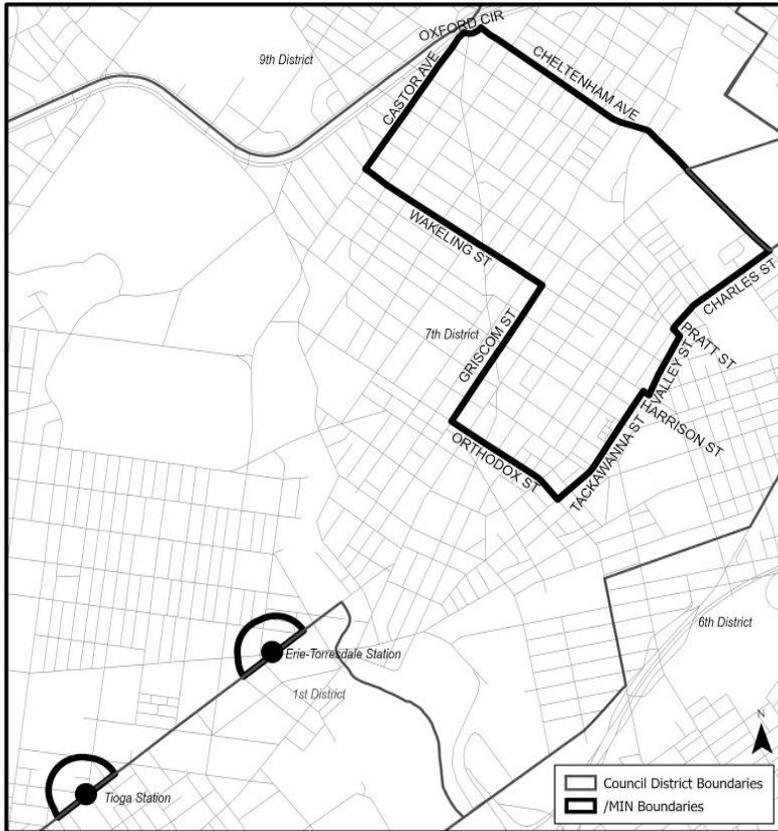
{Map to be added to Code:}



(d) The area bounded by Cheltenham Avenue, Charles Street, Pratt Street, Valley Street, Harrison Street, Tackawanna Street, Orthodox Street, Griscom Street, Wakeling Street, Castor Avenue, and Oxford Circle, as shown on the following map, for illustrative purposes only; and



{Map to be added to Code:}



\* \* \*

(2) Definition of Residential Housing Project.

(a) For the purposes of this § 14-533, a Residential Housing Project is any development which itself, or in combination with any closely related development, involves the [construction] *development* of ten or more dwelling units, twenty or more sleeping units, or both, and that is located in whole or in part within the Mixed Income Neighborhoods Overlay District, provided a Residential Housing Project is not:

\* \* \*

(4) Development Standards.

\* \* \*

Table 14-533-2: Maximum Occupied Area in the /MIN Overlay District

District Name	RSD-1/2/3, RSA-1/2/3/4/5, RTA-1, RM-1/2, RMX-3 CMX-1/2.5/4/5, CA-1,2 ICMX, 1-1/2/3/P	RM-3	RM-4, CMX-2/3	RMX-1	RMX-2	IRMX	SP-INS/ENT/PO-A/PO-P/AIR
See § 14-533(4)(a) (Notes for Table 14-533-2) for information pertaining to bracketed numbers (e.g., “[2]”) in {Floor Area Ratio} Lot Dimensions							
* * *							

\* \* \*

### CHAPTER 14-600. USE REGULATIONS

\* \* \*

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

\* \* \*

##### (7) Solar Collectors.

(a) Roof-mounted solar collectors and associated solar collector support structures are permitted accessory structures in all zoning districts, subject to the following standards:

\* \* \*

(.2) Solar collector support structures shall not exceed 9 ft. in height above the surface of the [roof.] *roof, unless the total height of the building including the solar collector does not exceed the maximum height permitted in Chapter 14-700 (Development Standards).*

(.3) In the RSD, RSA, RTA, RM-1, CMX-1, CMX-2, and CMX-2.5 districts, solar collector support structures and associated solar collectors shall be set back at least seven ft. from the extreme front building [line.] *line, unless the total height of the building including the solar collector does not exceed the maximum height permitted in Chapter 14-700 (Development Standards).*

\* \* \*

### CHAPTER 14-700. DEVELOPMENT STANDARDS

#### § 14-701. Dimensional Standards

\* \* \*

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

\* \* \*

Table 14-701-5: Sky Plane Requirements by Street

A. Regulated Street Frontage	B. Height Threshold (ft. above sidewalk)	C. Regulated Height Interval (ft. above sidewalk)	D. Allowed Blockage of Sky Plane
50-59 ft. wide streets {(including but not limited to Race and Locust)}	65	>575	0%
		285-575	60%
		150-285	70%
		90-150	80%
		65-90	85%
		<65	100%
60-69 ft. wide streets {(including but not limited to Chestnut and Walnut)}	80	>690	0%
		340-690	60%
		175-340	70%
		115-175	80%
		80-115	85%
		<80	100%
70-79 ft. wide streets {(including but not limited to Arch)}	100	>825	0%
		415-825	60%
		200-415	70%
		135-200	80%
		100-135	85%
		<100	100%
* * *			
100 ft. and wider streets {(including but not limited to Market and John F. Kennedy)}	125	>1145	0%
		570-1145	60%
		285-570	70%
		190-285	80%
		125-190	85%
		<125	100%

\* \* \*

§ 14-704. Open Space and Natural Resources.

\* \* \*

(2) Steep Slope Protection.

(a) Applicability.

(.1) These steep slope protection standards shall apply to all site clearing and earth moving in all zoning districts located within the "Steep Slope Protection Area", as shown on the City of Philadelphia Steep Slopes Map maintained by the Commission. The steep slopes map shown below is for illustrative purposes only. [Such lots must also contain the following:

(.a) A disturbance of lot area greater than 1,400 sq. ft. or on which the proposed activity will increase impervious ground cover on the lot by more than 1,400 sq. ft.; and

(.b) Slopes of fifteen percent (15%) or greater on any lot or portion(s) thereof.]

(.2) [When an application] *Applications* for a permit under this Zoning Code [includes any land] that *meet all of the following conditions are subject to* [is located within the "Steep Slope Protection Area" of the City of Philadelphia Steep Slopes Map,] prerequisite approval from the Commission [is required] per § 14-301(3)(c)(.1)(.j):

(.a) *The application includes any land that is located within the "Steep Slope Protection Area" of the City of Philadelphia Steep Slopes Map;*

(.b) *The application proposes earth disturbance, site clearing, or additional impervious ground coverage that cumulatively affect more than 1,400 sq. ft. of land area; and*

(.c) *The application includes any land containing slopes of fifteen percent (15%) or greater.*

(.3) *In order to identify conditions described in (.a) through (.c) above, [The] the City may require that the applicant submit a topographic survey, prepared by a licensed engineer or surveyor, confirming the locations of slopes of fifteen percent (15%) or greater, but less than twenty-five percent (25%) and twenty-five percent (25%) or greater, as well as a plan showing the limit of earth moving or site clearing activities.*

\* \* \*

§ 14-705. Landscape and Trees

(1) On-Site Landscape and Tree Requirements

\* \* \*

(c) General Standards.

(.2) Minimum Plant Size.

Unless otherwise provided by the Department of Parks and Recreation by regulation, trees installed in the required landscaped area shall have a minimum caliper of 2.0 [in. DBH] *in.*, except evergreen species, which must be at least 5 feet in height.

\* \* \*

(.5) Minimum Plant Spacing.

Trees shall have a minimum spacing of 12 ft. from other trees. Shrubs shall have a minimum spacing of 3 ft. from other *shrubs and trees*. [trees and shrubs.]

\* \* \*

(g) Tree Replacement Requirements.

(.1) Except as set forth in § 14-705(1)(g)(.2) or § 14-705(1)(g)(.3) below, all healthy trees on the lot of 2.5 in. *of* DBH or larger that are removed, damaged, or destroyed as a result of [development activities] *development, site clearing, or both* shall be replaced on the same lot or an abutting lot in accordance with the following standards:

\* \* \*

(.b) The total caliper *inches* of all replacement trees shall be no less than the total [caliper] *inches of DBH* of all trees removed from the lot. Each replacement tree shall not be less than 2.5 *caliper* in. [DBH] at planting.

\* \* \*

(h) Credits for Preserving Existing Trees

\* \* \*

Table 14-705-1: Tree Preservation Credits

{Caliper} Inches of DBH of Preserved Tree {(in.)}	Credit (in total {DBH}) Caliper Inches
Over 12 in. {DBH}	12 in. {DBH}
Over 8 in. to 12 in. {DBH}	8 in. {DBH}
5 in. to 8 in. {DBH}	5 in. {DBH}

\* \* \*

CHAPTER 14-800. PARKING AND LOADING

§ 14-801. Purpose, Applicability, and General Standards.

\* \* \*

(2) Applicability.

\* \* \*

(b) Change of Use.

\* \* \*

(.2) The minimum parking and loading requirements [of this section] *listed within sections § 14-802 (Motor Vehicle Parking Ratios), § 14-804 (Bicycle Parking Ratios and Standards), and § 14-806 (Off-Street Loading)* do not apply to any change of use within a structure constructed before the effective date of this Zoning Code, provided that the changes is to a permitted or approved special exception use for the zoning district where the lot is located.

\* \* \*

§ 14-803. Motor Vehicle Parking Standards

\* \* \*

(4) Parking Design Standards.

\* \* \*

(b) Design Standards for Garage Structures

\* \* \*

(.5) Parking Garage Review.

Parking garages in the RMX-3, CMX-3, CMX-4, and CMX-5 [districts] *districts, in*

the /CDO, Central Delaware Riverfront Overlay District, and parking garages of at least 250 parking spaces on lots in or adjacent to any other residential or commercial district, shall be subject to the following review

\* \* \*

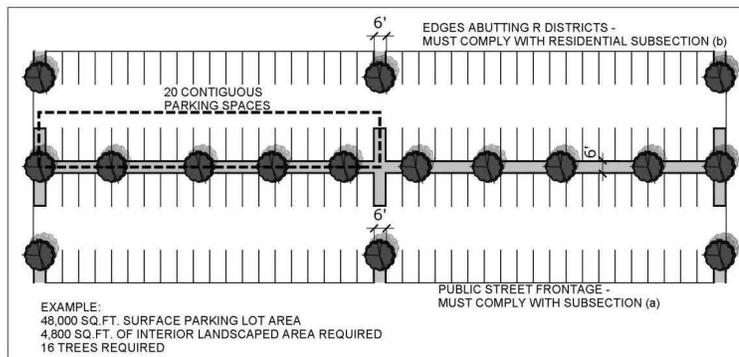
(5) Parking Landscape and Screening.

\* \* \*

(e) Interior Landscape Requirements for Parking Lots and Off-Street Loading Areas.

\* \* \*

(.3) Interior landscaped areas shall be dispersed on the site to break up the perception of large uninterrupted expanse of pavement. In surface parking lots containing more than 50 parking spaces, interior landscaped areas should be used to break up those spaces into groups of no more than 20 contiguous parking spaces.



Parking Lot Landscape – Interior Landscape Requirements

\* \* \*

§ 14-806. Off-Street Loading.

\* \* \*

(1) General Requirement for All Districts Except RMX-3, CMX-4, and CMX-5.

\* \* \*

Table 14-806-1: Off-Street Loading

Use	Gross Floor Area (Sq. Ft.)	Required Loading Spaces
* * *		

Commercial Districts except CMX-4 and CMX-5		
* * *		
All other permitted {uses} uses, except non-accessory parking.	20,000 - 40,000	1
	40,001 - 100,000	2
	100,001 - 160,000	3
	160,001 - 240,000	4
	240,001 - 320,000	5
	Over 320,000	1 additional space per each additional 90,000 sq. ft.
Industrial Districts except IRMX		
All permitted {uses} uses, except non-accessory parking.	10,000 - 20,000	1
	20,001 - 40,000	2
	40,001 - 60,000	3
	60,001 - 80,000	4
	80,001 - 100,000	5
	Over 100,000	1 additional space per each additional 50,000 sq. ft.
IRMX		
* * *		
All other permitted {uses} uses, except non-accessory parking.	20,000 - 40,000	1
	40,001 - 60,000	2
	60,001 - 80,000	3
	80,001 - 100,000	4
	100,001 - 120,000	5
	Over 120,000	1 additional space per each additional 50,000 sq. ft.

(2) RMX-3, CMX-4, and CMX-5 Districts.

(a) Required Spaces.

\* \* \*

Table 14-806-2: Off-Street Loading in RMX-3, CMX-4, and CMX-5

Use	Gross Floor Area (Sq. Ft.)	Required Loading Spaces
* * *		

All other permitted {uses} <i>uses, except non-accessory parking.</i>	40,000-100,000	1
	100,001-160,000	2
	160,001-240,000	3
	240,001-320,000	4
	Over 320,000	1 additional space per each additional 90,000 sq. ft.

\* \* \*

CHAPTER 14-900. SIGNS

\* \* \*

§ 14-904. Accessory Sign Controls.

\* \* \*

(3) Building Identification Signs in CMX-4, CMX-5, IRMX, ICMX, I-1, and SP-CIV Districts.

In the CMX-4, CMX-5, IRMX, ICMX, I-1, and SP-CIV districts, building identification signs in excess of the signage allowed by Table 14-904-1 are permitted on a building, provided they are approved by the Art Commission and comply with the following requirements:

- (a) A building identification sign is permitted on each facade of a building, provided the signs contain the same message for the same single tenant on each facade. [For example, the Widget Corporation could have an identical logo sign on each building facade of the building in which it is located.]

\* \* \*

(4) Special Controls for Cobbs Creek, Roosevelt Boulevard, and Department of Parks and Recreation Land.

- (a) Applicability.

The standards of this subsection (4) shall apply to any signs:

\* \* \*

- (.2) Within the boundary lines of Fairmount Park (*as defined in § 15-201. (Jurisdictional Areas)*) or Cobbs Creek Park;

\* \* \*

SECTION 2. This Ordinance shall become effective immediately.