

Legislation Details (With Text)

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Title:	Amending Section 14-704 of The Philadelphia Code, entitled "Open Space and Natural Resources" by changing the applicability of steep slope protection requirements for certain stream restoration activities, all under certain terms and conditions.				
Sponsors:	Councilmember Jones				
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5/21/2024	0	Committee on Rules	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
4/4/2024	0	CITY COUNCIL			

Amending Section 14-704 of The Philadelphia Code, entitled "Open Space and Natural Resources" by changing the applicability of steep slope protection requirements for certain stream restoration activities, 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 14-700. DEVELOPMENT STANDARDS

* * *

§ 14-704. Open Space and Natural Resources.

* * *

(2) Steep Slope Protection.

(a) Applicability.

These steep slope protection [standards] *requirements* shall apply to [all site clearing and earth moving in all zoning districts located] *development, earth moving activity, and site clearing* 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.

{MAPS HERE}

(b) *Exceptions.*

These steep slope protection requirements shall not apply to the following:

(1) Lots which do not include slopes of 15% or greater.

(2) Development, earth moving activity, or site clearing with a cumulative total limit of a disturbance area of 1,400 sq. ft. or less, excluding the earth disturbance area within the public street.

(3) Stream restoration projects. For the purposes of this subsection, stream restoration projects are defined as activities that satisfy all of the following conditions:

(a) The applicant has obtained a general permit or a water obstruction and encroachment permit for the project from the Pennsylvania Department of Environmental Protection pursuant to Title 25, Chapter 105 or Chapter 106 of the Pennsylvania Code or a Joint Permit pursuant to section 404 of the Federal Clean Water Act.

(b) The project is intended to restore a watercourse's natural forms and processes, reduce erosion and sedimentation, or mitigate the effects of erosion on water or sewer infrastructure.

(c) The project does not increase the area of impervious coverage.

(c) *Review and Approval by the Commission.*

[(2)] (1) Applications for a permit under this Zoning Code [that meet all of the following conditions] are subject to prerequisite approval from the Commission per § 14-301(3)

<https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-288645>

(c)(1)(j). The Department shall not issue a zoning permit for an application that is subject to these steep slope protection requirements until the Commission approves the zoning permit application as meeting all applicable requirements of this Zoning Code.

[(.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)](2) [In order to identify conditions described in (.a) through (.c) above, the City] *The Commission* 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.

[(b)](d) Restrictions on Disturbance.

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[(c)](e) Earth Moving Plans.

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SECTION 2. This Ordinance shall become effective immediately.