



Legislation Details (With Text)

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**Type:** Bill      **Status:** ENACTED

**File created:** 9/23/2021      **In control:** Committee on Rules

**On agenda:**      **Final action:** 11/4/2021

**Title:** Amending Section 14-502 of The Philadelphia Code, entitled “/CTR, Center City Overlay District”, by amending certain height regulations and creating bulk and massing controls within the Benjamin Franklin Parkway Area, under certain terms and conditions.

**Sponsors:** Council President Clarke, Councilmember Parker

**Indexes:** OVERLAY ZONING DISTRICT

**Code sections:**

**Attachments:** 1. 210742 - Exhibit, As Amended.pdf, 2. Bill No. 21074201, As Amended.pdf, 3. CertifiedCopy21074201

Date	Ver.	Action By	Action	Result	Tally
11/18/2021	1	MAYOR	NO ACTION TAKEN		
11/4/2021	1	CITY COUNCIL	READ AND PASSED	Pass	15:0
10/28/2021	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL		
10/28/2021	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
10/28/2021	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
10/26/2021	0	Committee on Rules	HEARING NOTICES SENT		
10/26/2021	0	Committee on Rules	HEARING HELD		
10/26/2021	0	Committee on Rules	AMENDED		
10/26/2021	1	Committee on Rules	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
9/23/2021	0	CITY COUNCIL	Introduced and Referred		

Amending Section 14-502 of The Philadelphia Code, entitled “/CTR, Center City Overlay District”, by amending certain height regulations and creating bulk and massing controls within the Benjamin Franklin Parkway Area, 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:

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

\* \* \*

(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 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] *For any proposed structure and with no residential uses, for which a building permit is issued on or before March 31, 2024, within the area bounded by 20th Street, Arch Street, Cuthbert Street and a line parallel to and 213.958 ft. west of 20<sup>th</sup> Street, the maximum height is [240] 245 ft. This [240] 245 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 provided that the height of a structure in the area described in the preceding sentence including such appurtenances shall not exceed 260 ft.*

\* \* \*

(9) Bulk and Massing Controls.

\* \* \*

(e) Benjamin Franklin Parkway Area.

*Within the area bounded by 20<sup>th</sup> Street, Arch Street, Cuthbert Street a line extending south from Arch St. parallel to and 213.958 ft. west of 20<sup>th</sup> Street for 114.5 feet to a point, a line extending west from said point parallel with Cuthbert Street 68.54 feet to a point, and a line extending south from said point 32 feet to the north side of Cuthbert Street, the provisions of Chapter 14-700 applicable to CMX-5 shall apply upon satisfaction of the following conditions:*

*(.1) The applicant proposes to construct a structure with no residential uses; and*

*(.2) Whether or not the applicant elects to use the mixed income housing bonus provided in 14-702(7), the applicant, prior to the issuance of a zoning permit, has entered into an agreement with the Department of Planning and Development, pursuant to which such applicant shall pay to the City, prior to the issuance of a building permit, the sum of Two Million Five Hundred Fifteen Thousand Three Hundred Fifty Dollars (\$2,515,350.00) and the Department of Planning and Development shall have agreed to use such money for the purposes set forth in Section 21-1603 (“Creation, Distribution and Use of the Trust Fund’s Assets”).*

*(.3) If the applicant does elect to use the mixed income housing bonus provided in 14-702 (7), such sum shall constitute or shall be on account of the sum payable for such bonus under 14-702(7)(b)(.6) (.a).*

*(.4) This subsection (9)(e) shall sunset and cease to be effective on March 31, 2024.*

\* \* \*

SECTION 2. This Ordinance shall become effective immediately.

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**Explanation:**

*Italics* indicate matter added.

[Brackets] indicate matter deleted.