

Legislation Details (With Text)

File #: 090348 **Version:** 1 **Name:**

Type: Bill **Status:** ENACTED

File created: 4/30/2009 **In control:** Committee on Rules

On agenda: **Final action:** 6/11/2009

Title: Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-1619, entitled "Frankford Avenue Special District Controls," by changing the boundaries of the area subject to the controls of the District, by changing the name of the District and by adding provisions with regard to signs.

Sponsors: Councilmember Krajewski

Indexes: FRANKFORD SPECIAL SERVICES DISTRICT, ZONING AND PLANNING

Code sections: 14-1619 - Frankford Avenue Special District Controls, Title 14 - ZONING AND PLANNING

Attachments: 1. CertifiedCopy09034801.pdf

Date	Ver.	Action By	Action	Result	Tally
6/24/2009	1	MAYOR	SIGNED		
6/11/2009	1	CITY COUNCIL	PASSED	Pass	16:0
6/11/2009	1	CITY COUNCIL	READ		
6/4/2009	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
6/4/2009	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/4/2009	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
6/3/2009	1	Committee on Rules	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
6/3/2009	0	Committee on Rules	AMENDED		
6/3/2009	0	Committee on Rules	HEARING HELD		
6/3/2009	0	Committee on Rules	HEARING NOTICES SENT		
4/30/2009	0	CITY COUNCIL	Referred		
4/30/2009	0	CITY COUNCIL	Introduced	Pass	

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-1619, entitled "Frankford Avenue Special District Controls," by changing the boundaries of the area subject to the controls of the District, by changing the name of the District and by adding provisions with regard to signs.
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.

* * *

§14-1619. [Frankford Avenue] *Tacony/Mayfair* Special District Controls.

(1) Legislative Findings. The Council finds that:

(a) Major public and private investments have been made and continue to be made in and around [Frankford avenue] *this area of the City*, to preserve and protect the economic development potential, and protect and promote the economic vitality of this area of Philadelphia;

(b) The revitalization of [Frankford avenue] *this area of the City*, is important to the economic vitality and diverse character of Philadelphia in that it serves as a shopping area for nearby residents;

(c) It is desirable to maintain the pedestrian friendly atmosphere of this area as future development and redevelopment progresses [along Frankford avenue];

(d) Within the said area there has been an increased number of certain uses. Said uses while not necessarily offensive by themselves, when concentrated in an area, tend to contribute to the deterioration of the aesthetics and economics of that area;

(e) This area is important to the cultural and commercial vitality of Philadelphia and these types of uses could have a negative impact upon the City's efforts to improve this area;

(f) *Improved signage will contribute to the overall aesthetics and economics of the area;*

[(f)] (g) Therefore, special land use and zoning controls, providing for the prohibition of certain uses are required to preserve the integrity of this area.

(2) District Boundaries. For the purposes of this Section, the [Frankford Avenue] *Tacony/Mayfair* Special District Controls shall apply to all commercially zoned properties [with frontage on] (*except as noted in Section (5) below*) located within the area bounded by (and including properties fronting on both sides of the bounding streets) Frankford avenue, [between] Harbison avenue, *Tacony street, New State road, State road* and [Solly avenue] *Ashburner street*, as well as all commercially zoned properties with frontage on Cottman avenue between Leon street and Erdrick street.

(3) Prohibited Uses. [Within the area subject to the Frankford Avenue Special district Controls] *For all commercially zoned properties with frontage on Frankford avenue between Harbison avenue and Solly avenue, as well as all commercially zoned properties with frontage on Cottman avenue between Leon street and Erdrick street*, and notwithstanding any other Chapter of this Title, the following uses shall be prohibited:

(a) Barber and/or beauty shops;

(b) Bars, pubs and taverns;

(c) Consignment shops;

(d) Employment agencies;

(e) Restaurants;

(f) Retail Sales of beauty products and/or wigs;

(g) Retail sales of telecommunications equipment as a main use, including, but not limited to, retail sales of cellular phones and pagers.

(4) Off-street Parking. [Within the area subject to the Frankford Avenue Special District Controls] *For all commercially zoned properties with frontage on Frankford avenue between Harbison avenue and Solly avenue, as well as all commercially zoned properties with frontage on Cottman avenue between Leon street and Erdrick street* any use that would be erected, constructed, expanded or extended so that it occupies more than 10,000 square feet of gross floor area, notwithstanding any other Chapter of this Title, will be required to provide off-

street parking at the ratio of one space per 1,000 square feet of Gross Floor Area. Such parking must be provided in accord with the provisions of Chapter 14-1400 <[http://www.amlegal.com/nxt/gateway.dll?f=id&id=The%20Philadelphia%20Code%3Ar%3A4d05\\$cid=pennsylvania&t=document-frame.htm&an=JD_Chapter14-1400\\$3.0](http://www.amlegal.com/nxt/gateway.dll?f=id&id=The%20Philadelphia%20Code%3Ar%3A4d05$cid=pennsylvania&t=document-frame.htm&an=JD_Chapter14-1400$3.0)> of this Title. Additionally, *in the case of lots with frontage on Frankford Avenue*, the parking that is provided must be located to the rear of the building with no ingress or egress from Frankford Avenue.

(5) *Signs. Within the area subject to the Tacony/Mayfair Special District Controls, signs which have been affixed to or printed on awnings and which are accessory to a permitted use of the property shall be permitted. Such signs shall be permitted notwithstanding signs which may be permitted under the individual zoning designation of the property or which have been authorized by the Zoning Board of Adjustment. Awning signs accessory to the use on the premises shall be permitted in this district only under the following conditions:*

(a) *Awnings with signage are only permitted on the building façade that houses the main entrance;*

(b) *The top of the awning sign shall extend no higher than the bottom of the second story of the building face; or 14 feet above the street line, whichever is lower;*

(c) *Awnings must function as true awnings by being placed over a doorway or window, and not occupy the entire façade of the primary wall upon which the sign is mounted;*

(d) *The area of copy and logo on awnings shall be limited to forty (40) percent of the awning;*

(e) *Signs on awnings must be affixed flat to the surface thereof;*

(f) *Awnings shall not project more than three feet over the sidewalk;*

(g) *All awnings must be non-illuminated;*

(h) *All awnings must be fabric or canvas.*

[(5)] (6) *Conflicting Regulations. When the provisions of this Section conflict with other provisions of this Title, the [more restrictive] provisions of Section 14-1619 shall control.*

SECTION 2. This Ordinance shall become effective immediately.

Explanation:

Italics indicate new matter added.

[Brackets] indicate matter deleted.