

Legislation Details (With Text)

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Title: Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14 -100 entitled "General Provisions" by amending Section 14-104, entitled "Non-Conforming Structures and Uses" by amending provisions relating to the reconstruction of non-conforming structures, under certain terms and conditions.

Sponsors: Councilmember Blackwell

Indexes:

Code sections: Title 14 - ZONING AND PLANNING

Attachments: 1. CertifiedCopy03076801.pdf

Date	Ver.	Action By	Action	Result	Tally
12/31/2003	1	MAYOR	SIGNED		
12/18/2003	1	CITY COUNCIL	READ		
12/18/2003	1	CITY COUNCIL	PASSED	Pass	15:0
12/11/2003	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
12/11/2003	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
12/11/2003	1	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
12/8/2003	0	Committee on Rules	HEARING NOTICES SENT		
12/8/2003	0	Committee on Rules	HEARING HELD		
12/8/2003	0	Committee on Rules	AMENDED		
12/8/2003	1	Committee on Rules	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
11/20/2003	0	CITY COUNCIL	Referred		
11/20/2003	0	CITY COUNCIL	Introduced	Pass	

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-100 entitled "General Provisions" by amending Section 14-104, entitled "Non-Conforming Structures and Uses" by amending provisions relating to the reconstruction of non-conforming structures, under certain terms and conditions.

WHEREAS, Many of the provisions of the current Zoning Code were drafted in the mid 1950's and enacted in 1962;

WHEREAS, These provisions of the Code were intended to respond to new development of large tracts of undeveloped land;

WHEREAS, The current Code does not work well for infill development;

WHEREAS, In many areas of the City, the majority of the existing residential lots do not conform to the minimum lot area, lot size or rear yard requirements of the Code;

WHEREAS, Many of these lots existed prior to the enactment of the City's first Zoning Code in 1932;

WHEREAS, In many instances the only way a building can be replaced is by seeking the approval of variances through the Zoning Board of Adjustment;

WHEREAS, This can prove be an unnecessary obstacle to rehabilitation, development and redevelopment; now therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 14 of The Philadelphia Code is hereby amended by amending Section 14-104 entitled "Non-Conforming Structures and Uses" to read as follows:

TITLE 14. ZONING AND PLANNING.

CHAPTER 14-100. GENERAL PROVISIONS.

* * *

§14-104. Non-Conforming Structures and Uses.

* * *

(6) Reconstruction of Demolished, Destroyed, or Condemned Structures.

* * *

(c) Where a structure or any portion thereof is demolished other than by fire, Act of God or under legal condemnation, it shall be rebuilt only in accordance with the area height, floor area and bulk regulations of the district in which it is located; provided, that where such demolition constitutes two-thirds or more of the gross floor area of the structure, it shall, upon reconstruction, conform to the use regulations of the district in which it is located;

(d) As an exception to the foregoing paragraphs (a), (b) and (c) above, properties zoned R-3, R-5, R-9, R-9A, R-10 and R-10A may be reconstructed to their prior configuration prior to the demolition or destruction of the structure, and as such case shall be exempt from any current off street parking requirements. This exception shall only apply where at least 75% of the structures in the block are still in place. This shall only apply to the Third Councilmanic District.

* * *

SECTION 2. This Ordinance shall take effect immediately.

Explanation:

Italics indicate new matter added.