



# City of Philadelphia

City Council  
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## Legislation Details (With Text)

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**File created:** 4/21/2016    **In control:** Committee on Rules

**On agenda:**    **Final action:** 9/22/2016

**Title:** Amending Section 14-503 of the Philadelphia Code, entitled "/NCA, Neighborhood Commercial Area Overlay District," by amending the subsection entitled "East Falls Neighborhood" and making related changes, all under certain terms and conditions.

**Sponsors:** Councilmember Jones

**Indexes:** NCA, NEIGHBORHOOD COMMERCIAL OVERLAY DISTRICT

**Code sections:** 14-503 - /NCA, Neighborhood Commercial Area Overlay District

**Attachments:** 1. 160330 - Attachment, As Introduced.pdf, 2. 160330 - Attachment, As Amended on Floor.pdf, 3. CertifiedCopy160330-A02.pdf

Date	Ver.	Action By	Action	Result	Tally
10/4/2016	2	MAYOR	SIGNED		
9/22/2016	2	CITY COUNCIL	READ AND PASSED	Pass	17:0
9/15/2016	2	CITY COUNCIL	AMENDED		
9/15/2016	2	CITY COUNCIL	ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING.		
9/15/2016	1	CITY COUNCIL	READ		
6/9/2016	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/9/2016	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
6/9/2016	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
6/7/2016	0	Committee on Rules	HEARING NOTICES SENT		
6/7/2016	0	Committee on Rules	HEARING HELD		
6/7/2016	0	Committee on Rules	AMENDED		
6/7/2016	1	Committee on Rules	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
4/21/2016	0	CITY COUNCIL	Introduced and Referred	Pass	

Amending Section 14-503 of the Philadelphia Code, entitled “/NCA, Neighborhood Commercial Area Overlay District,” by amending the subsection entitled “East Falls Neighborhood” and making related 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:

TITLE 14. ZONING AND PLANNING.

\* \* \*

CHAPTER 14-500. OVERLAY ZONING DISTRICTS.

\* \* \*

§14-503. /NCA, Neighborhood Commercial Area Overlay District.

\* \* \*

(2) East Falls [Neighborhood]

(a) Applicability.

The requirements of this East Falls /NCA overlay district apply to all [commercially-zoned properties, beginning at its southwest boundary and proceeding north,] *properties zoned CMX-2, CMX-2.5, or CMX-3* within the area bounded by the former Weightman Street, Ridge Avenue, [a line approximately 77 ft. northwest of Calumet Street, Cresson Street,] *School House Lane, SEPTA Railroad*, Calumet Street, Warden Drive, Midvale Avenue, Cresson Street, Indian Queen Lane, [Krail Street,] *SEPTA Railroad*, the Roosevelt Boulevard Extension, and the Schuylkill [River; and properties with frontage on Ridge Avenue between the Roosevelt Boulevard Extension and Scotts Lane,] *River*, as shown on the following map for illustrative purposes only.

\* \* \*

(c) Parking.

[This subsection 14-503(2)(c) ("Parking") shall apply to non-residential uses only.

(.1) At the time of the erection of any new building or structure, the extension of any building or structure, or for a change of use that requires more parking spaces than the existing use, off-street parking spaces must be provided in accordance with the following requirements:

(.a) The number of required parking spaces for any eating and drinking establishment must be determined by the legal occupancy of the use (as calculated in accordance with Building Code occupancy requirements) at the minimum rate of one space for every four persons.

(.b) For uses other than eating and drinking establishments, the number of parking spaces must be provided in accordance with the following schedule:

Building's Gross Floor Area	Spaces required per 1,000 sq. ft. of gross floor area
Up to 2,999 sq. ft.	0
3,000 sq. ft. and over	4

]

[(.2)] (.1) All required parking for *non-residential uses* must be located either on:

- (a) the same lot as the principal use;
- (b) on a lot abutting the principal use, regardless of whether parking is a permitted use on the abutting lot; or
- (c) on a non-abutting lot that is within 1,000 ft. and upon which parking is a permitted use, provided that a special exception approval is obtained from the Zoning Board pursuant to § 14-303(7) (Special Exception Approval).

[(.3)] (.2) Off-street parking is not allowed between any building line and the street line on lots fronting Ridge Avenue, *Kelly Drive*, *East River Drive*, *Calumet Street*, or Midvale Avenue.

\* \* \*

(d) Curb Cuts.

- (.1) Curb cuts are prohibited on Kelly Drive; and
- (.2) Permitted curb cuts are limited to one curb cut per 100 lineal ft. of lot frontage.

[(e) Building Width.

After January 23, 2001, for any newly erected building or existing building to which an addition is added with street frontage on Ridge Avenue or Midvale Avenue, the width of each building frontage along Ridge Avenue and Midvale Avenue shall not exceed 100 ft.]

(e) *Building Height.*

*Buildings in the CMX-3 district must have a minimum building height of 25 ft.*

(f) *Use Regulations.*

(.1) *In addition to any uses prohibited by the underlying zoning, the following uses are prohibited:*

- (.a) *Nightclubs and Private Clubs*
- (.b) *All uses within the Vehicle and Vehicular Equipment Sales and Services Use Category*
- (.c) *All uses within the Wholesale, Distribution, and Storage Use Category*

(.2) *Take-Out Restaurants shall require a special exception in the CMX-3 district.*

(.3) *Buildings in the CMX-2.5 district with frontage along Midvale Avenue or Ridge Avenue must contain a non-residential use along 100% of the ground floor frontage within the first 30 ft. of building depth, measured from the front building line, only along the Midvale Avenue and Ridge Avenue frontages.*

- (.4) *Buildings in the CMX-3 district with frontage along Ridge Avenue must contain a non-residential use along at least 50% of the ground floor frontage within the first 30 ft. of building depth, measured from the front building line, only along the Ridge Avenue frontage.*
- (.5) *In the CMX-2 and CMX-2.5 districts, the number of permitted dwelling units is as follows, provided that, whenever the calculation of permitted number of dwelling units results in a fraction of a dwelling unit, then the number of permitted dwelling units shall be rounded down to the nearest whole number.*
- (.a) *A minimum of 480 sq. ft. of lot area is required per dwelling unit for buildings less than or equal to 38 ft. in height, except if the green roof conditions set forth in § 14-602(7) are met, then a minimum of 360 sq. ft. of lot area is required per dwelling unit.*
- (.b) *A minimum of 360 sq. ft. of lot area is required per dwelling unit for buildings greater than 38 ft. in height, but less than or equal to 45 ft. in height.*
- (.c) *A minimum of 270 sq. ft. of lot area is required per dwelling unit for buildings greater than 45 ft. in height.*

\* \* \*