Legislation Details (With Text)

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Title:	Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1600, entitled "Miscellaneous," by adopting a new Section 14-1635, entitled "River Road District Controls," under certain terms and conditions.
Sponsors:	Councilmember Jones
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Date	Ver.	Action By	Action	Result	Tally
7/15/2008	0	MAYOR	SIGNED		
6/19/2008	0	CITY COUNCIL	READ		
6/19/2008	0	CITY COUNCIL	PASSED	Pass	17:0
6/12/2008	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
6/12/2008	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/12/2008	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK`S SECOND READING CALENDAR		
6/11/2008	0	Committee on Rules	HEARING NOTICES SENT		
6/11/2008	0	Committee on Rules	HEARING HELD		
6/11/2008	0	Committee on Rules	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
3/6/2008	0	CITY COUNCIL	Referred		
3/6/2008	0	CITY COUNCIL	Introduced	Pass	

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1600, entitled "Miscellaneous," by adopting a new Section 14-1635, entitled "River Road District Controls," 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 by adopting a new Section 14-1635, entitled "River Road District Controls," to read as follows:

TITLE 14. ZONING AND PLANNING.

* * *

CHAPTER 14-1600. MISCELLANEOUS.

*   *   *

§ 14-1635. River Road District Controls.

(1) Legislative Findings and Purpose. Council finds as follows:

(a) River Road is a 4,000 foot long road in the Northwest section of the City adjacent to the Schuylkill River. The area is in the 100 year flood plain and subject to flooding from the Schuylkill River. There are 40 residential structures located on River Road and they are served by City Water but not connected to the City sanitary sewer system. These properties all have private on-lot septic systems of questionable operational efficiency. As a result, the Pennsylvania Department of Environmental Protection asked the City to revise its Act 537 Plan as it relates to River Road.

(b) Whereas a First Responder can be put at risk while attempting a rescue during a flood, a limit on residents needing support from First Responders in the event of a flood is considered important.

(c) The ground level of River Road is below a nearby interceptor sewer and the area is prone to flooding, which prevents a traditional sewer construction method and results in an expensive design solution for providing a connection to the City Sewer System.

(d) A serious health concern exists. The Health Department has investigated and it became evident that many of the on-lot septic systems were in poor operating condition and sewage was found on the surface of the lots and in the street. These conditions are the result of septic systems subjected to flooding and existing in an area with a high water table, as well as the age of the systems, the physical structure and conditions that are unknown.

(e) The City, in addressing these concerns and protecting the public health and safety, is constructing a sewer system to connect the existing residences to the City sewer system.

(f) The cost of the system prohibits allowing unlimited connection.

(g) The zoning designation of the area has been changed to a designation of "RC-6" Residential and such designation is governed by the provisions of a Master Plan of development.

(2) District boundaries. The River Road District Controls shall apply to all properties zoned "RC-6" Residential in the area bounded by the County Line, a Railroad R. O. W., Shawmont Avenue and the Schuylkill River.

(3) Prohibited Uses. Within the area subject to the River Road District Controls, the following uses shall be prohibited:

(a) Restaurants;

(b) Multiple dwellings.

(4) Height limits. No structure shall exceed 3 stories or 35 feet in height above the grade level of the 100 year flood plain elevation as determined by the FEMA maps.

(5) Additional requirements for consideration and approval of Master Plan amendments. In addition to the requirements set forth in Section 14-215(2) for approval of an amendment to an "RC-6" Residential Master Plan, no amendment to a Master Plan shall be approved unless the following items are submitted, along with the proposed amendment, to the Commission and the Council:

(a) A topographic study of the area, with no greater than 2 foot contours being shown.

(b) A hydrologic study to indicate that each proposed structure will withstand the effects of buoyancy and the pressures of flood waters.

(c) The number and location of sanitary facilities in each proposed structure.

(d) A soil study indicating the load bearing ability of the soil and the ability of the soil to absorb stormwater.

(e) A plan indicating the number of existing trees on the development site, the number that will be preserved, and the number that will be replaced. To the extent practicable, any trees that are removed shall be replaced with trees of similar size and caliper.

(f) Approval of the Department of Public Health, Environmental Health Services Unit, indicating that the proposed amendment will have no material negative impacts on the public health for the area.

(g) Approval of the Water Department indicating that the sewer infrastructure has the capacity to handle the additional material resulting from the proposed new development.

(6) Conflicting Regulations. When the provisions of this Section conflict with other provisions of this Title, the more restrictive provisions shall control.