

Legislation Text

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**File #:** 100678, **Version:** 1

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Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by adding a new Section 14-1642, entitled "I-95 Condemnation Corridor," to permit the relocation of certain structures and devices in connection with the PennDOT project to widen portions of I-95 that pass through the City, 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 14-1600. MISCELLANEOUS.

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*§14-1642. I-95 Acquisition Corridor.*

*(1) Legislative Findings.*

*(a) The Pennsylvania Department of Transportation ("PennDOT") has announced a road-widening project for portions of I-95 that pass through the City of Philadelphia. PennDOT's plans indicate that properties contiguous to I-95 will be acquired, in whole or in part, in order to complete this road-widening*

*project.*

*(b) According to the PennDOT plans, numerous properties with structures and outdoor advertising signs within the I-95 project area will be affected.*

*(c) This Special District is established to minimize the impacts on those properties that are located within the I-95 Acquisition Corridor.*

*(d) The purpose of this Special District is to encourage and permit the continuation of business and uses within the Special District with minimal dislocation and interruption.*

*(2) District Boundaries.*

*For purposes of this Section, the "I-95 Acquisition Corridor" shall include all areas within 200 feet of the PennDOT right-of-way (as that right-of-way may change from time to time) from the south side of Allegheny Avenue to Arch Street.*

*(3) Permitted Uses.*

*A structure or outdoor advertising sign that is a lawful use located within the I-95 Acquisition Corridor shall be permitted if relocated within the I-95 Acquisition Corridor, notwithstanding any contrary provisions of this Title, provided all of the following apply:*

*(a) The owner or tenant of the structure or outdoor advertising sign has received a Declaration of Taking, a Notice of Acquisition or a Notice of Relocation Eligibility from PennDOT or its agent with respect to such structure or outdoor advertising sign, or has moved its structure or outdoor advertising sign as a result of receiving one of the aforesaid notices;*

*(b) The owner or tenant files an Application for Relocation, in a form required by the Department of Licenses and Inspections, within three years after receiving such Declaration of Taking, Notice of Acquisition or Notice of Relocation Eligibility or has moved its structure or outdoor advertising sign as a result of receiving one of the aforesaid notices;*

*(c) The proposed new location of the structure or outdoor advertising sign is within the I-95 Acquisition Corridor and is within 350 feet of the existing location of the structure or outdoor advertising sign;*

*(d) The proposed new location of the structure or outdoor advertising sign is zoned industrial or commercial;*

*(e) The dimensions and height of the relocated structure or outdoor advertising sign do not exceed the dimensions and height of the existing structure or sign at the time of the filing of the Application for Relocation;*

*(f) The size of the face of the relocated outdoor advertising sign is not greater than 1,200 square feet with a maximum height of 30 feet and a maximum length of 60 feet inclusive of any border of trim but*

*excluding the base or apron, supports or other structural members. The area shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which will encompass the entire sign;*

*(g) Where the relocated outdoor advertising sign exceeds 600 square feet in area, it is not double-faced (abutting and facing the same direction);*

*(h) The distance between the relocated structure or outdoor advertising sign and any residentially zoned property is not less than that required by any other applicable provision of this Title at the time of the filing of the Application for Relocation;*

*Exception: Where the distance between a legally existing structure or outdoor advertising sign and any residentially zoned property is less than the distance required by this Title and the proposed new location does not meet the required distance from any residentially zoned property, the relocated structure or outdoor advertising sign shall be at least the same distance from any residentially zoned property as the existing structure or outdoor advertising sign;*

*(i) The relocated outdoor advertising sign is not located within 500 feet of any other outdoor advertising sign as measured along the nearest edge of the pavement between points directly opposite the outdoor advertising signs along the same side of the traveled way;*

*(j) The relocated outdoor advertising sign does not include lights which are of such intensity or brilliance as to cause glare or impair the vision of a driver of any vehicle, interfere with any driver's operation of a motor vehicle, or are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of I-95;*

*(k) The relocated outdoor advertising sign is not illuminated such that it interferes with the effectiveness of or obscures an official traffic sign, device or signal;*

*(l) The relocated outdoor advertising sign is consistent with all other provisions relating to lighting of signs along State highways;*

*(m) The relocated outdoor advertising sign is not a non-accessory changeable electronic variable message sign; and*

*(n) The owner or tenant has not previously relocated the structure or outdoor advertising sign pursuant to the provisions of this Section.*

*(4) None of the provisions of this Section 14-1642 shall have any impact upon the duty of an owner or tenant to move its structure or outdoor advertising sign when given notice to vacate by PennDOT.*

SECTION 2. This Ordinance shall become effective immediately.

**Explanation:**

*Italics indicate new matter added.*