



Legislation Text

File #: 030101, Version: 0

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-200 entitled "Residential Districts," by amending use regulations in certain Residential Districts, and by making certain technical amendments, 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 amending Chapter 14-200 as follows:

TITLE 14. ZONING AND PLANNING.

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CHAPTER 14-200. RESIDENTIAL DISTRICTS.

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§14-204. "R-3" Residential District.

(1) Use Regulations. The specific uses permitted in this district shall be the erection, construction, alteration or use of buildings and/or land for:

(a) Detached single-family dwellings;

(b) Semi-detached single-family dwellings;

(c) [Agriculture or horticulture, except the commercial keeping or handling of farm stock or poultry; and except commercial greenhouses or establishments for sale of farm or horticultural products;

(d) Office of doctors of medicine, osteopathy, dentistry, chiropractic or optometry, podiatry; minister; lawyer; licensed psychologist; or architect provided that such office:

- (.1) Shall be situated in the dwelling of such practitioner;
- (.2) Shall be incidental to the main purpose of the residence;
- (.3) Shall have no more than one assistant regularly employed therein;
- (.4) Shall not be used by any colleagues or associates;

(e)] Private dwelling garage and/or stable as an accessory use;

[(f)](d) Accessory uses, as defined;

[(g) The following uses, in completely enclosed, detached buildings only, provided that any existing building which is proposed to be converted into one of the following uses shall comply with the area

regulations and the off-street parking regulations of the district; and further provided that off-street parking shall not be located between the street line and the front wall of any existing building;

(.1) Churches, chapels, convents, monasteries, or other places of worship and their adjunct residential dwellings;

(.2) Municipal art galleries, municipal museums or municipal libraries;

(.3) Railroad passenger stations;

(.4) Telephone exchange buildings; water booster or sewer booster substations; electric transforming or gas regulating substations provided, the exterior architectural design shall be of a residential character, in conformity with all the regulations of the district, and shall at no time be used for the storage of equipment or vehicles or for other commercial purposes;]

[(h)] (e) The providing of family day care to six (6) or fewer children (except that for properties within the Sixth and Tenth Councilmanic Districts, family day care may only be provided to four (4) or fewer children) for periods of less than twenty-four (24) consecutive hours, provided that such day care providers conform to all relevant licensing and/or registration requirements of the Commonwealth of Pennsylvania and the City of Philadelphia, and further provided that such day care be conducted in completely enclosed structures containing no more than one (1) family and in a manner incidental to the main purpose of the residences. However, nothing in this subsection shall be construed to restrict uses customarily and traditionally conducted in dwellings as an accessory to the main purpose of the residences, including the providing of day care for less than ten (10) hours per week or the providing of day care without charge or without reimbursement;

[(i)] (f) Signs, to the extent permitted in “R-2” Residential Districts;

[(j)] The following non-residential uses shall be permitted only if a Board of Adjustment certificate is obtained and provided that they are conducted in completely enclosed detached buildings:

(.1) Art galleries, museums and/or libraries; provided, that any sales shall be accessory and incidental thereto, and limited to catalogues, books, prints, postcards, and kindred items;

(.2) Charitable institutions;

(.3) Club houses, lodges, fraternity houses in which the service conducted is solely for the use of members and guests and is not a business operation for gain;

(.4) Fire stations;

(.5) Home occupations, customarily and traditionally conducted in a dwelling as an incidental use, subject to all of the following limitations and restrictions:

(.a) It shall be conducted solely by members of the family residing in the same dwelling without the employment of other persons;

(.b) It shall not be permitted any display sign or public advertising, exterior

storage of materials or any other exterior indications of the home occupation, or variation from the residential appearance of the structure;

(c) It shall not be conducted between the hours of 10:00 P.M. and 8:00 A.M.;

(d) It shall not be permitted the use of equipment producing offensive noise, vibration, smoke, dust, odors, heat or glare;

(e) It shall be limited to the use of not more than 25% of the total floor area of the building, including basements, or 250 square feet, whichever is less;

(f) It shall not be permitted the storage of a stock in trade nor the sale of commodities on the premises;

(6) Medical and surgical hospitals and medical centers, and sanitarium;

(7) Police stations;

(8) Rest, old age, nursing or convalescent homes, and nurseries;

(9) Water or sewage pumping station;

(k) The following non-residential uses shall be permitted only if a Board of Adjustment certificate is obtained:

(1) Electric transforming or gas regulating substations; provided, that any facilities used in connection therewith and located in the open air shall: (1) not be within 50 feet from any lot line; (2) have a green belt at least 4 feet high containing evergreens, shrubbery and/or trees to be planted and maintained in an area at least 10 feet in depth around the entire inside perimeter of the lot, except at points of ingress or egress; (3) shall not be used for the storage of equipment or vehicles;

(2) Municipal recreational facilities owned and operated by the City of Philadelphia, and the buildings adjunct to the same;

(3) Schools, colleges, universities, and other institutions of learning, adjunct dormitories and adjunct play and recreation grounds;

(4) Waiting rooms or shelters for the use of bus or trolley passengers;

(5) Water storage tanks or reservoirs.]

(2) Area Regulations.

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§14-209. "R-8" Residential District.

(1) Use Regulations. The specific uses permitted in this district shall be the erection, construction,

alteration or use of buildings and/or land for:

(a) [The uses permitted in “R-7” Residential Districts, subject to all qualifications imposed on such uses] *Detached single-family dwellings*;

(b) *Attached single family and attached duplex dwellings[.]*;

(c) *Semi-detached single-family dwellings*;

(d) *Agriculture or horticulture, except the commercial keeping or handling of farm stock or poultry; and except commercial greenhouses or establishments for sale of farm or horticultural products*;

(e) *Office of doctors of medicine, osteopathy, dentistry, chiropractic or optometry, podiatry; minister; lawyer; licensed psychologist; or architect provided that such office*:

(.1) *Shall be situated in the dwelling of such practitioner*;

(.2) *Shall be incidental to the main purpose of the residence*;

(.3) *Shall have no more than one assistant regularly employed therein*;

(.4) *Shall not be used by any colleagues or associates*;

(f) *Private dwelling garage and/or stable as an accessory use*;

(g) *Accessory uses, as defined*;

(h) *The following uses, in completely enclosed, detached buildings only, provided that any existing building which is proposed to be converted into one of the following uses shall comply with the area regulations and the off-street parking regulations of the district; and further provided that off-street parking shall not be located between the street line and the front wall of any existing building*:

(.1) *Churches, chapels, convents, monasteries, or other places of worship and their adjunct residential dwellings*;

(.2) *Municipal art galleries, municipal museums or municipal libraries*;

(.3) *Railroad passenger stations*;

(.4) *Telephone exchange buildings; water booster or sewer booster substations; electric transforming or gas regulating substations provided, the exterior architectural design shall be of a residential character, in conformity with all the regulations of the district, and shall at no time be used for the storage of equipment or vehicles or for other commercial purposes*;

(i) *The providing of family day care to six (6) or fewer children (except that for properties within the Sixth and Tenth Councilmanic Districts, family day care may only be provided to four (4) or fewer children) for periods of less than twenty-four (24) consecutive hours, provided that such day care providers conform to all relevant licensing and/or registration requirements of the Commonwealth of Pennsylvania and*

*the City of Philadelphia, and further provided that such day care be conducted in completely enclosed structures containing no more than one (1) family and in a manner incidental to the main purpose of the residences. However, nothing in this subsection shall be construed to restrict uses customarily and traditionally conducted in dwellings as an accessory to the main purpose of the residences, including the providing of day care for less than ten (10) hours per week or the providing of day care without charge or without reimbursement;*

*(j) Signs, to the extent permitted in “R-2” Residential Districts;*

*(k) The following non-residential uses shall be permitted only if a Board of Adjustment certificate is obtained and provided that they are conducted in completely enclosed detached buildings:*

*(.1) Art galleries, museums and/or libraries; provided, that any sales shall be accessory and incidental thereto, and limited to catalogues, books, prints, postcards, and kindred items;*

*(.2) Charitable institutions;*

*(.3) Club houses, lodges, fraternity houses in which the service conducted is solely for the use of members and guests and is not a business operation for gain;*

*(.4) Fire stations;*

*(.5) Home occupations, customarily and traditionally conducted in a dwelling as an incidental use, subject to all of the following limitations and restrictions:*

*(.a) It shall be conducted solely by members of the family residing in the same dwelling without the employment of other persons;*

*(.b) It shall not be permitted any display sign or public advertising, exterior storage of materials or any other exterior indications of the home occupation, or variation from the residential appearance of the structure;*

*(.c) It shall not be conducted between the hours of 10:00 P.M and 8:00 AM;*

*(.d) It shall not be permitted the use of equipment producing offensive noise, vibration, smoke, dust, odors, heat or glare;*

*(.e) It shall be limited to the use of not more than 25% of the total floor area of the building, including basements, or 250 square feet, whichever is less;*

*(.f) It shall not be permitted the storage of a stock in trade nor the sale of commodities on the premises;*

*(.6) Medical and surgical hospitals and medical centers, and sanitarium;*

*(.7) Police stations;*

*(.8) Rest, old age, nursing or convalescent homes, and nurseries;*

(.9) *Water or sewage pumping station;*

(l) *The following non-residential uses shall be permitted only if a Board of Adjustment certificate is obtained:*

(.1) *Electric transforming or gas regulating substations; provided, that any facilities used in connection therewith and located in the open air shall: (1) not be within 50 feet from any lot line; (2) have a green belt at least 4 feet high containing evergreens, shrubbery and/or trees to be planted and maintained in an area at least 10 feet in depth around the entire inside perimeter of the lot, except at points of ingress or egress; (3) shall not be used for the storage of equipment or vehicles;*

(.2) *Municipal recreational facilities owned and operated by the City of Philadelphia, and the buildings adjunct to the same;*

(.3) *Schools, colleges, universities, and other institutions of learning, adjunct dormitories and adjunct play and recreation grounds;*

(.4) *Waiting rooms or shelters for the use of bus or trolley passengers;*

(.5) *Water storage tanks or reservoirs.*

(2) *Area Regulations.*

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#### §14-210.1. “R-9A” Residential Districts.

(1) *Use Regulations. The specific uses permitted in this district shall be the erection, construction, alteration, or uses of buildings and/or land for:*

(a) [The uses permitted in “R-5” Residential Districts, subject to all qualifications imposed on such uses.] *Detached single-family dwellings;*

(b) *Attached single family dwellings[.];*

(c) *Semi-detached single-family dwellings;*

(d) *Agriculture or horticulture, except the commercial keeping or handling of farm stock or poultry; and except commercial greenhouses or establishments for sale of farm or horticultural products;*

(e) *Office of doctors of medicine, osteopathy, dentistry, chiropractic or optometry, podiatry; minister; lawyer; licensed psychologist; or architect provided that such office:*

(.1) *Shall be situated in the dwelling of such practitioner;*

(.2) *Shall be incidental to the main purpose of the residence;*

(.3) Shall have no more than one assistant regularly employed therein;

(.4) Shall not be used by any colleagues or associates;

(f) Private dwelling garage and/or stable as an accessory use;

(g) Accessory uses, as defined;

(h) The following uses, in completely enclosed, detached buildings only, provided that any existing building which is proposed to be converted into one of the following uses shall comply with the area regulations and the off-street parking regulations of the district; and further provided that off-street parking shall not be located between the street line and the front wall of any existing building;

(.1) Churches, chapels, convents, monasteries, or other places of worship and their adjunct residential dwellings;

(.2) Municipal art galleries, municipal museums or municipal libraries;

(.3) Railroad passenger stations;

(.4) Telephone exchange buildings; water booster or sewer booster substations; electric transforming or gas regulating substations provided, the exterior architectural design shall be of a residential character, in conformity with all the regulations of the district, and shall at no time be used for the storage of equipment or vehicles or for other commercial purposes;

(i) The providing of family day care to six (6) or fewer children (except that for properties within the Sixth and Tenth Councilmanic Districts, family day care may only be provided to four (4) or fewer children) for periods of less than twenty-four (24) consecutive hours, provided that such day care providers conform to all relevant licensing and/or registration requirements of the Commonwealth of Pennsylvania and the City of Philadelphia, and further provided that such day care be conducted in completely enclosed structures containing no more than one (1) family and in a manner incidental to the main purpose of the residences. However, nothing in this subsection shall be construed to restrict uses customarily and traditionally conducted in dwellings as an accessory to the main purpose of the residences, including the providing of day care for less than ten (10) hours per week or the providing of day care without charge or without reimbursement;

(j) Signs, to the extent permitted in "R-2" Residential Districts;

(k) The following non-residential uses shall be permitted only if a Board of Adjustment certificate is obtained and provided that they are conducted in completely enclosed detached buildings:

(.1) Art galleries, museums and/or libraries; provided, that any sales shall be accessory and incidental thereto, and limited to catalogues, books, prints, postcards, and kindred items;

(.2) Charitable institutions;

(.3) Club houses, lodges, fraternity houses in which the service conducted is solely for the use of members and guests and is not a business operation for gain;

(.4) *Fire stations;*

(.5) *Home occupations, customarily and traditionally conducted in a dwelling as an incidental use, subject to all of the following limitations and restrictions:*

(.a) *It shall be conducted solely by members of the family residing in the same dwelling without the employment of other persons;*

(.b) *It shall not be permitted any display sign or public advertising, exterior storage of materials or any other exterior indications of the home occupation, or variation from the residential appearance of the structure;*

(.c) *It shall not be conducted between the hours of 10:00 P.M and 8:00 AM;*

(.d) *It shall not be permitted the use of equipment producing offensive noise, vibration, smoke, dust, odors, heat or glare;*

(.e) *It shall be limited to the use of not more than 25% of the total floor area of the building, including basements, or 250 square feet, whichever is less;*

(.f) *It shall not be permitted the storage of a stock in trade nor the sale of commodities on the premises;*

(.6) *Medical and surgical hospitals and medical centers, and sanitarium;*

(.7) *Police stations;*

(.8) *Rest, old age, nursing or convalescent homes, and nurseries;*

(.9) *Water or sewage pumping station;*

(l) *The following non-residential uses shall be permitted only if a Board of Adjustment certificate is obtained:*

(.1) *Electric transforming or gas regulating substations; provided, that any facilities used in connection therewith and located in the open air shall: (1) not be within 50 feet from any lot line; (2) have a green belt at least 4 feet high containing evergreens, shrubbery and/or trees to be planted and maintained in an area at least 10 feet in depth around the entire inside perimeter of the lot, except at points of ingress or egress; (3) shall not be used for the storage of equipment or vehicles;*

(.2) *Municipal recreational facilities owned and operated by the City of Philadelphia, and the buildings adjunct to the same;*

(.3) *Schools, colleges, universities, and other institutions of learning, adjunct dormitories and adjunct play and recreation grounds;*

(.4) *Waiting rooms or shelters for the use of bus or trolley passengers;*

(.5) *Water storage tanks or reservoirs.*

(2) Area Regulations.

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§14-218. “R-17” Residential District.

(1) Use Regulations. The specific uses permitted in this district shall be the erection, construction, alteration, or use of buildings and/or land for:

(a) [The uses permitted in “R-3” Residential Districts, subject to all qualifications imposed on such uses] *Detached single-family dwellings;*

(b) *Detached and semi-detached duplex dwellings;*

(c) *Detached and semi-detached multiple dwellings[.];*

(d) *Semi-detached single-family dwellings;*

(e) *Agriculture or horticulture, except the commercial keeping or handling of farm stock or poultry; and except commercial greenhouses or establishments for sale of farm or horticultural products;*

(f) *Office of doctors of medicine, osteopathy, dentistry, chiropractic or optometry, podiatry; minister; lawyer; licensed psychologist; or architect provided that such office:*

(.1) *Shall be situated in the dwelling of such practitioner;*

(.2) *Shall be incidental to the main purpose of the residence;*

(.3) *Shall have no more than one assistant regularly employed therein;*

(.4) *Shall not be used by any colleagues or associates;*

(g) *Private dwelling garage and/or stable as an accessory use;*

(h) *Accessory uses, as defined;*

(i) *The following uses, in completely enclosed, detached buildings only, provided that any existing building which is proposed to be converted into one of the following uses shall comply with the area regulations and the off-street parking regulations of the district; and further provided that off-street parking shall not be located between the street line and the front wall of any existing building;*

(.1) *Churches, chapels, convents, monasteries, or other places of worship and their adjunct residential dwellings;*

(.2) *Municipal art galleries, municipal museums or municipal libraries;*

(.3) *Railroad passenger stations;*

(.4) *Telephone exchange buildings; water booster or sewer booster substations; electric transforming or gas regulating substations provided, the exterior architectural design shall be of a residential character, in conformity with all the regulations of the district, and shall at no time be used for the storage of equipment or vehicles or for other commercial purposes;*

(j) *The providing of family day care to six (6) or fewer children (except that for properties within the Sixth and Tenth Councilmanic Districts, family day care may only be provided to four (4) or fewer children) for periods of less than twenty-four (24) consecutive hours, provided that such day care providers conform to all relevant licensing and/or registration requirements of the Commonwealth of Pennsylvania and the City of Philadelphia, and further provided that such day care be conducted in completely enclosed structures containing no more than one (1) family and in a manner incidental to the main purpose of the residences. However, nothing in this subsection shall be construed to restrict uses customarily and traditionally conducted in dwellings as an accessory to the main purpose of the residences, including the providing of day care for less than ten (10) hours per week or the providing of day care without charge or without reimbursement;*

(k) *Signs, to the extent permitted in “R-2” Residential Districts;*

(l) *The following non-residential uses shall be permitted only if a Board of Adjustment certificate is obtained and provided that they are conducted in completely enclosed detached buildings:*

(.1) *Art galleries, museums and/or libraries; provided, that any sales shall be accessory and incidental thereto, and limited to catalogues, books, prints, postcards, and kindred items;*

(.2) *Charitable institutions;*

(.3) *Club houses, lodges, fraternity houses in which the service conducted is solely for the use of members and guests and is not a business operation for gain;*

(.4) *Fire stations;*

(.5) *Home occupations, customarily and traditionally conducted in a dwelling as an incidental use, subject to all of the following limitations and restrictions:*

(.a) *It shall be conducted solely by members of the family residing in the same dwelling without the employment of other persons;*

(.b) *It shall not be permitted any display sign or public advertising, exterior storage of materials or any other exterior indications of the home occupation, or variation from the residential appearance of the structure;*

(.c) *It shall not be conducted between the hours of 10:00 P.M and 8:00 AM;*

*(d) It shall not be permitted the use of equipment producing offensive noise, vibration, smoke, dust, odors, heat or glare;*

*(e) It shall be limited to the use of not more than 25% of the total floor area of the building, including basements, or 250 square feet, whichever is less;*

*(f) It shall not be permitted the storage of a stock in trade nor the sale of commodities on the premises;*

*(.6) Medical and surgical hospitals and medical centers, and sanitarium;*

*(.7) Police stations;*

*(.8) Rest, old age, nursing or convalescent homes, and nurseries;*

*(.9) Water or sewage pumping station;*

*(m) The following non-residential uses shall be permitted only if a Board of Adjustment certificate is obtained:*

*(.1) Electric transforming or gas regulating substations; provided, that any facilities used in connection therewith and located in the open air shall: (1) not be within 50 feet from any lot line; (2) have a green belt at least 4 feet high containing evergreens, shrubbery and/or trees to be planted and maintained in an area at least 10 feet in depth around the entire inside perimeter of the lot, except at points of ingress or egress; (3) shall not be used for the storage of equipment or vehicles;*

*(.2) Municipal recreational facilities owned and operated by the City of Philadelphia, and the buildings adjunct to the same;*

*(.3) Schools, colleges, universities, and other institutions of learning, adjunct dormitories and adjunct play and recreation grounds;*

*(.4) Waiting rooms or shelters for the use of bus or trolley passengers;*

*(.5) Water storage tanks or reservoirs.*

(2) Area Regulations.

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§14-220.1. "R-20" Residential District.

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(2) Use Regulations. The specific uses permitted in this district shall be the erection, construction, alteration or use of one or more structures and/or land for:

(a) Detached, semi-detached or attached single-family dwellings;

(b) Uses permitted in ["R-3"] "R-8" Residential District, subject to all qualifications imposed on such uses.

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SECTION 2. This Ordinance shall take effect immediately.

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**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.