

Legislation Text

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To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Valley Avenue, Domino Lane, Ridge Avenue, Paoli Avenue, Pechin Street (extended), Ridge Avenue, Hermit Street, and Henry Avenue, and to amend Title 14 of The Philadelphia Code by adding Section 14-541, Ridge Avenue Neighborhoods Overlay /RAN, and making other related changes, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Pursuant to Section 14-106 of The Philadelphia Code, The Philadelphia Zoning Maps are hereby amended by changing the zoning designations of certain areas of land within an area bounded by Valley Avenue, Domino Lane, Ridge Avenue, Paoli Avenue, Pechin Street (extended), Ridge Avenue, Hermit Street, and Henry Avenue from the existing zoning designations indicated on Maps "A1", "A2", "A3", "A4", "A5", "A6", "A7", "A8", "A9", and "A10" set forth below, to the zoning designations indicated on Maps "B1", "B2", "B3", "B4", "B5", "B6", "B7", "B8", "B9", and "B10" set forth below.

SECTION 2. Title 14 of The Philadelphia Code is hereby amended to read as follows:

TITLE 14. ZONING AND PLANNING

\* \* \*

CHAPTER 14-300. ADMINISTRATION AND PROCEDURES

\* \* \*

§ 14-301. Reviewers and Decision Makers

\* \* \*

(c) Review and Prerequisite Approval Authority.

(.1) The Commission provides prerequisite approvals for:

\* \* \*

(.d) Building permits regarding facades in the [ Ridge Avenue /NCA Neighborhood Commercial Area Overlay district. See § 14-503(6)(c) (Facade Controls) ] /RAN Ridge Avenue Neighborhoods Overlay district. See § 14-541(3)(g).

\* \* \*

(.t) Building permits regarding facades in the Mt. Airy Subarea of the Germantown Ave /NCA Neighborhood Commercial Area [ and the Ridge Avenue /NCA Neighborhood Commercial Area Overlay district. ] See § 14-503(3)(c)(.1) (Facade Review) .

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## CHAPTER 14-500. OVERLAY ZONING DISTRICTS

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

\* \* \*

(6) *Reserved* [ Ridge Avenue.

(a) Applicability.

The requirements of this Ridge Avenue /NCA district apply to lots in commercial-mixed use and industrial zoning districts with frontage on the following streets:

- (.1) Ridge Avenue between Cresson Street and Paoli Avenue;
- (.2) Pechin Street between Hermitage Street and Paoli Avenue;
- (.3) Mitchell Street between Hermit Street and Hermitage Street; and
- (.4) Green Lane between Ridge Avenue and Lawnton Street.

(b) Use Regulations.

(.1) Prohibited Uses.

In addition to uses prohibited under base zoning, the following uses shall also be prohibited:

- (.a) Freestanding tower wireless service facilities;
- (.b) Moving and storage facilities;
- (.c) Personal care homes;
- (.d) Non-accessory parking, except where this parking satisfies the required accessory parking of an off-site use, pursuant to the requirements of § 14-802(9) (Off-Site Parking); and
- (.e) Drive-throughs.

(.2) Special Exceptions.

In addition to uses requiring a special exception under base zoning, the following uses shall also require a special exception:

- (a) Group child care;
- (b) Research and development;
- (c) Medical, dental, and health practitioner offices; and
- (d) Take-out restaurants.

(3) For buildings in the CMX-3 district, at least seventy-five percent (75%) of ground floor frontage along Ridge Avenue must be occupied by a commercial use.

(4) Non-conforming commercial uses that obtained use permits prior to 2000 are permitted to expand the floor area devoted to that use by up to twenty percent (20%).

(5) Any proposal that will result in a total of five or more dwelling units within a building must include common, on-site trash storage. This storage may be included in a basement, designated trash storage room, or a dumpster for which the property owner will be responsible.

(c) Development Standards.

(1) Buildings in a CMX-2.5 or CMX-3 zoning district may not exceed 38 ft. in height and may not contain more than three stories.

(2) Bonuses.

(a) The bonuses offered in § 14-702(7) (Mixed-Income Housing) may only be earned by including affordable units on-site in a quantity that satisfies § 14-702(7)(b)(.1); and

(b) No other Floor Area, Height, and Dwelling Unit Density bonuses may be earned.

(3) Roof decks must be set back at least five feet from all building lines.

(d) Parking and Loading.

(1) Accessory parking shall be provided in a surface lot, not a garage.

(2) Parking for dwelling units in a CMX-2 or a CMX-2.5 district shall be provided at a minimum of 0 spaces per dwelling unit for the first five dwelling units, then at a minimum of 1 space per each additional dwelling unit, notwithstanding any other parking requirements set forth in this Zoning Code.

(3) Off-street surface parking and loading shall not be located between the building line and street line along Ridge Avenue.

(4) The Ridge Avenue, Pechin Street, Mitchell Street, or Green Lane frontage of any parking garage must include an office, retail sales, commercial services, public, civic, or institutional use. Regulated uses, as set forth in § 14-603(13) (Regulated Uses), shall not be used satisfy this requirement.

(.5) Curb Cuts.

(a) If a lot has frontage on two or more streets, parking may not be accessed by Ridge Avenue, Pechin Street, Mitchell Street, or Green Lane.

(b) No curb cuts may exceed 24 feet in width.

(c) Lots with 150 feet or less of total linear street frontage shall have no more than one curb cut for both ingress and egress.

(.6) In any zoning district, required accessory parking may be provided on a lot separate from the one on which the principal use is located, subject to the standards of § 14-802(9) (Off-Site Parking).

(e) Facade Review.

L&I shall not issue a building permit for the erection of a building or the alteration of facade until the Planning Commission has reviewed the plans of all proposed facades and determined that the proposed facades, in the opinion of the Commission, are in harmony with the commercial area and pedestrian-oriented environment. The Commission shall have 60 days to approve or disapprove the application, after which its approval will be presumed.

(f) Signs.

(.1) In addition to the requirements of Chapter 14-900 (Signs), the following signs shall be prohibited:

(a) Internally illuminated signs and awnings;

(b) Animated illumination signs;

(c) Digital display; and

(d) Freestanding signs.

(.2) The maximum area of signs shall be either 40 sq. ft. total per building frontage or the maximum area allowed in Table 14-904-1 (Accessory Sign Controls for Specific Zoning Districts), whichever is more restrictive.

(.3) Where permitted, no more than one window sign may be placed in each window located above the first floor.

(.4) The total area of window signs on doors shall not exceed ten percent (10%) of the total transparent glazed area of all glass doors. ]

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§ 14-504. /NCO, Neighborhood Conservation Overlay District.

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(7) Central Roxborough.

\* \* \*

(b) Applicability.

The Central Roxborough/NCO applies to properties in the area generally bounded by Gates Street (both sides), Ridge Avenue, Hermitage Street, Manayunk Avenue (both sides), Green Lane (both sides), Dexter Street (both sides), Lyceum Avenue, Manayunk Avenue (both sides), Roxborough Avenue (both sides), Ridge Avenue, Dupont Street (both sides), Lawnton Street, Green Lane, Jannette Street, Monastery Avenue, and Henry Avenue, except for the parcels located in the [ Ridge Avenue/NCA ] /*RAN Ridge Avenue Neighborhoods Overlay district*, as shown on the following map for illustrative purposes only.

\* \* \*

(10) Wissahickon.

\* \* \*

(b) Applicability.

The Wissahickon /NCO applies to properties in the area bounded by Henry Avenue, Hermit Street, Ridge Avenue, and the Wissahickon Creek, except for the parcels located in [ Ridge Avenue/NCA ] /*RAN Ridge Avenue Neighborhoods Overlay district*, as shown on the following map for illustrative purposes only.

\* \* \*

§ 14-541. /RAN, Ridge Avenue Neighborhoods Overlay District.

\* \* \*

(1) *Applicability.*

*The requirements of this Ridge Avenue Neighborhoods Overlay /RAN district apply to lots in commercial-mixed use, residential multifamily (RM-1), and industrial zoning districts with frontage on the following streets:*

- (a) Ridge Avenue between Cresson Street and Domino Lane;*
- (b) Pechin Street between Krams Avenue and Paoli Avenue;*
- (c) Mitchell Street between Hermit Street and Hermitage Street; and*
- (c) Green Lane between Ridge Avenue and Lawnton Street.*

(2) *Use Regulations.*

*(a) Prohibited Uses.*

*In addition to uses prohibited under base zoning, the following uses shall also be prohibited:*

- (.1) Freestanding tower wireless service facilities;*
- (.2) Moving and storage facilities;*
- (.3) Personal care homes;*
- (.4) Non-accessory parking;*
- (.5) Drive-throughs.*

*(b) Special Exceptions.*

*In addition to uses requiring a special exception under base zoning, the following uses shall also require a special exception:*

- (.1) Group child care;*
- (.2) Research and development;*
- (.3) Take-out restaurants;*
- (.4) Sales of telecommunications equipment as a main use, including, but not limited to, retail sales of cellular phones and pagers.*

*(c) On-Site Trash Storage.*

*Any proposal that will result in a total of five or more dwelling units within a building must include common, on-site trash storage. This storage may be included in a basement or designated trash storage room. Unless located in a basement, trash storage areas shall not be located within the first 30 feet of building depth.*

*(3) Development Standards.*

*(a) Height*

- (.1) Unless additional height is earned pursuant to § 14-702 (7) (Mixed Income Housing), buildings in a RM-1 or CMX-2 zoning district may not contain more than three stories.*
- (.2) Buildings in a CMX-2.5 zoning district may not exceed 45 ft. in height and may not contain more than four stories, but are eligible to earn an additional 7ft in height and may contain five stories if the lot meets the conditions necessary to earn a height bonus under the provisions of 14-702(7) (Mixed Income Housing), as though it were located in a RM-1, CMX-1, or CMX-2 zoning district..*

*(.3) Bonus height or floors earned pursuant to § 14-702 (7) (Mixed Income Housing) shall be setback five feet from the front façade.*

*(.4) First floor entrances along primary frontages shall not be lowered below grade to comply with height requirements.*

*(b) Bonuses.*

*(.1) The bonuses offered in § 14-702(7) (Mixed-Income Housing) may only be earned by including affordable units on-site in a quantity that satisfies § 14-702(7)(b)(.1); and*

*(.2) No other Floor Area, Height, and Dwelling Unit Density bonuses may be earned.*

*(.3) CMX-2.5 Lots in the Ridge Avenue Neighborhoods Overlay /RAN Overlay District are eligible for the height bonus permitted in § 14-702(7).*

*(c) The required first floor commercial space in the CMX-2 and CMX-2.5 districts shall have a minimum fourteen (14) foot floor to floor height. Projects are exempt where there is an existing structure and the proposed development increases by twenty-five percent (25%) or less the number of dwelling units or the gross floor area.*

*(d) All utility equipment shall be screened with landscaping, fences, or walls. Screening fencing shall be constructed of wood or ornamental metal; chain-link and barbed wire are prohibited as a material for any fences used to meet the requirements of this section.*

*(e) Where a property is bounded by two or more streets, Ridge Avenue shall be considered as the primary frontage, and opposite Ridge Avenue shall be considered the rear for rear yard determinations.*

*(g) For lots over 5,000 square feet:*

*(.1) Portions of a development that are within 20 feet of a residential single family zoning district shall not exceed 38 feet in height or 3 stories.*

*(.2) For development projects with multiple street frontages:*

*(.i) Facades on streets other than Ridge Avenue shall be no less than the distance between the front facade and the front lot line of the principal building on the immediately adjacent lot. If there is no principal building on an immediately adjacent lot, then the distance between the front facade and the front lot line shall match the distance between the front facade and the front lot line on the closest building to the subject property that is on the same blockface. If there is no such building, the minimum distance between the front facade and the front lot line shall be zero.*

*(.ii) When the Planning Commission designates a primary frontage in addition to Ridge Avenue, the first 65 feet of ground floor frontage, as measured from Ridge Avenue shall be subject to the following:*

*(.a) it shall contain a use other than residential and other than parking within the first 30 ft. of building depth, measured from the front building line.*

*(.b) The front building line may be built to the property line.*

*The remaining ground floor frontage, past the first 65 feet measured from Ridge Ave, shall meet the contextual setback requirements of § 14-541(3)(g)(.2)(.i) above.*

*(.3) Side yards are required when a side lot line abuts a single-family residential zoning district.*

*(.4) Properties zoned RM-1 located between Domino Lane and Fountain Street shall provide a 10-foot front yard setback from Ridge Avenue. Landscape and plant materials shall be provided in the front yard setback as follows:*

*(.i) Plants and landscape materials shall be installed in conformance with § 14-705(1)(.c);*

*(.ii) The required number of plantings shall be consistent with the requirements set forth in § 14-705(1)(d)(.2)(ii);*

*(.iii) This area is shall not be counted towards any yard tree obligations as required by § 14-705(1)(e); and*

*(.iv) The required landscape will be reviewed for conformance with these standards by the Planning Commission and will require the submission of a landscape and tree preservation plan prepared by a licensed architect, licensed landscape architect, licensed professional civil engineer, or a certified arborist that demonstrates compliance with these provisions.*

*(g) Facade Review.*

*(.1) L&I shall not issue a building permit for the erection of a building or the alteration of facade until the Planning Commission has reviewed the plans of all proposed facades and determined that the proposed facades, in the opinion of the Commission, are in harmony with the surrounding commercial and residential area and pedestrian-oriented environment. The Commission shall have 60 days to approve or disapprove the application, after which its approval will be presumed.*

*(4) Parking and Loading.*

*(a) Except when 3 or fewer parking spaces are provided, accessory parking shall be provided in a parking lot, or underground parking garage. Parking spaces are not permitted under buildings.*



(b) *Parking for dwelling units in a RM-1, CMX-2 or a CMX-2.5 district shall be provided at a minimum of 0 spaces per dwelling unit for the first five dwelling units, then at a minimum of 1 space per each additional dwelling unit, notwithstanding any other parking requirements set forth in this Zoning Code. Any required number of affordable on-site housing units determined by § 14-702(7)(b)(1) shall be excluded from parking requirement calculations.*

(c) *Off-street surface parking and loading shall not be located between the building line and street line.*

(d) *Curb Cuts.*

(.1) *If a lot has frontage on two or more streets, parking may not be accessed by Ridge Avenue, Pechin Street, Mitchell Street, or Green Lane. In cases where a lot is bounded by two streets that are named above, parking may not be accessed by the primary frontage, as designated by the Planning Commission.*

(.2) *No curb cuts may exceed 24 feet in width.*

(.3) *Lots with 150 feet or less of total linear street frontage shall have no more than one curb cut for both ingress and egress.*

(5) *Signs.*

(a) *In addition to the requirements of Chapter 14-900 (Signs), the following signs shall be prohibited:*

(.1) *Internally illuminated signs and awnings;*

(.2) *Animated illumination signs;*

(.3) *Digital display; and*

(.4) *Freestanding signs.*

(b) *The maximum area of signs shall be either 40 sq. ft. total per building frontage or the maximum area allowed in Table 14-904-1 (Accessory Sign Controls for Specific Zoning Districts), whichever is more restrictive.*

(c) *Where permitted, no more than one window sign may be placed in each window located above the first floor.*

(d) *The total area of window signs on doors shall not exceed ten percent (10%) of the total transparent glazed area of all glass doors.*

(e) *No sign may be erected or maintained in the Ridge Avenue /NCA unless approved by the Art Commission. The Art Commission has 60 days to approve or disapprove the application, after which its approval will be presumed.*

\* \* \*

§ 14-702. Floor Area, Height, and Dwelling Unit Density Bonuses

\* \* \*

(2.1) Eligibility for Height Bonuses.

In order to be eligible for any height bonuses pursuant to this section,

(a) The property must be located in the /ECO overlay district and be subject to the height restrictions of § 14-519(4)(b);

(b) The property must be located in the /CDO overlay district and be subject to the height restrictions of § 14-507(6)(b); [ or ]

*(c) The property must be located in the /RAN overlay district and be subject to the height restrictions of § 14-541(3)(a); or*

(d) [(c)] The development must:

(.1) Result in the construction of at least three residential dwelling units;

(.2) Meet the conditions of § 14-702(7) by including affordable units on-site in a quantity that satisfies § 14-702(7)(b)(.1); and

(.3) The property must be located:

(.a) In an RM-1 or CMX-2 zoning district; or

(.b) In a CMX-1 zoning district and be subject to a base height limit of 38 ft. or less.

CHAPTER 14-800. PARKING AND LOADING

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§ 14-802. Motor Vehicle Parking Ratios

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(9) Off-Site Parking.

Required accessory parking for any lot in an RMX-1, RMX-2, RMX-3, CMX-3, CMX-4, or CMX-5 zoning district, [ in the Ridge Avenue /NCA, Neighborhood Commercial Area Overlay District, ] and for any building or structure that meets the conditions of § 14-801(2)(d) (Historic Structures) may be provided on a lot separate from the lot on which the principal use is located; provided that the parking complies with all of the following standards.

\* \* \*

SECTION 3. This Ordinance shall take effect immediately.

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**Explanation:**

*Italics* indicate new matter added.

[Brackets] indicate matter deleted.