

Legislation Text

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Amending Title 14 of The Philadelphia Code, relating to "Zoning and Planning," by amending Chapter 14-1600, entitled "Miscellaneous," by adding a new §14-1620, entitled "Avenue of the Arts North Special District Controls," under certain terms and conditions.

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

SECTION 1. Chapter 14-1600 of The Philadelphia Code, relating to "Miscellaneous," is hereby amended to read as follows:

TITLE 14. ZONING AND PLANNING.

\* \* \*

CHAPTER 14-1600. MISCELLANEOUS.

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*§14-1620. Avenue of the Arts North Special District Controls.*

*(1) Legislative Findings. The Council finds that:*

*(a) Major public and private investments have been made and continue to be made in this section of the City to preserve and protect the economic development potential, prevent declining property values, encourage investment and tourism, and protect and promote the economic vitality of this area of Philadelphia;*

*(b) Avenue of the Arts North is important to the economic vitality and diverse character of Philadelphia in that it serves as a shopping and recreation area for residents of Philadelphia;*

*(c) Avenue of the Arts North is an area consisting of a fragile and unique balance of retail development, educational institutions and cultural institutions surrounded by residential communities within walking distance or a short commute;*

*(d) It is desirable to maintain the street scale, historical character and pedestrian friendly atmosphere of Avenue of the Arts as future development and redevelopment progresses along Broad street;*

*(e) Therefore, special land use and zoning controls, providing for the prohibition of certain uses and the institution of certain development controls, are required to preserve the integrity of this area and to promote and guide future development.*

*(2) District Boundaries. For the purpose of this section, the Avenue of the Arts North Special District Controls shall apply to all commercially zoned properties with frontage along Broad Street between*

*John F. Kennedy boulevard and Cambria street.*

*(3) Prohibited Uses. Within the area subject to the Avenue of the Arts North Special District Controls and notwithstanding any other Chapter of this Title, the following uses shall be prohibited:*

- (a) Any regulated use as listed under Zoning Code §14-1605;*
- (b) Automobile repair shop;*
- (c) Automobile sales lot, except as part of a franchise new car facility;*

*(d) Automobile service station for the retail sale of automobile fuels, lubricants, radiator fluids and accessories, and for the performance indoors of incidental service and minor repairs to automobiles, incidental car washing indoors;*

*(e) Bottling and/or distributing of liquids for human consumption;*

*(f) Installations of auto, motorcycle or truck parts;*

*(g) Restaurant which serves patrons who remain in their automobiles; restaurant, cafe or soda and ice cream fountain which dispenses food at retail through a window or aperture which opens onto the sidewalk or public arcade area;*

*(h) Retail sale of packaged beverages as a main use and the retail sale of malt beverages for take out as an accessory use;*

*(i) The following sales, separately or in any combination: automobile parts, truck parts, motorcycles and motorcycle parts.*

*(4) Height Regulations.*

*(a) The main cornice line of any newly erected building shall not be less than 25 feet above the average sidewalk level.*

*(5) Building Setback Line.*

*(a) Newly erected buildings shall not be set back from the street line of Broad street.*

*(6) Off-street Parking. In addition to the requirements set forth below, see Chapter 14-1400 of this Title:*

*(a) Location of Parking. All required parking shall be provided as follows:*

*(.1) For lots fronting on Broad street, off-street parking shall not be permitted between any building line and the street line of Broad Street;*

*(.2) All required parking shall be located either on the same lot or on an abutting lot; provided that required parking may be located on a non-abutting lot (where public parking is a permitted use)*

*within 1,000 feet provided a Zoning Board of Adjustment Special Use Permit is obtained.*

*(7) Conflicting Regulations. When the provisions of this section conflict with other provisions of this Title, the more restrictive provisions shall control.*

SECTION 2. This Ordinance shall take effect immediately.

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**Explanation:**

*Italics indicate new matter added.*