

Legislation Text

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Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by amending Chapter 14-1600 entitled “Miscellaneous,” by adding a new Section 14-1621, entitled “Passyunk Avenue Special 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 to read as follows:

TITLE 14. ZONING AND PLANNING.

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CHAPTER 14-1600. MISCELLANEOUS.

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§14-1621. *Passyunk Avenue 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 and around Passyunk avenue to enhance visual aesthetics, preserve and protect the economic development potential, prevent declining property values, encourage investment and tourism, promote residential uses in and adjacent to this area of the City, and protect and promote the economic vitality of this area of Philadelphia;*

(b) *Substantial private investment within and immediately adjacent to Passyunk avenue includes the restoration, adaptive reuse, and reconstruction of numerous buildings as well as new construction, thereby creating many employment opportunities and new housing units within the area;*

(c) *Passyunk avenue is important to the economic vitality and diverse character of Philadelphia in that it serves as a major retail destination for a number of neighborhoods;*

(d) *The Passyunk avenue commercial area is an area consisting of a fragile and unique balance of retail development surrounded by predominantly single-family residential areas within walking distance or a short commute;*

(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 the residential community and to promote and help guide appropriate commercial development.*

(2) *District Boundaries. For the purposes of this Section, the Passyunk Avenue Special District Controls shall apply to all commercially zoned properties with frontage on Passyunk avenue between Washington avenue and Twenty-fifth street.*

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

(a) *Athletic and drill hall, dance hall, and other entertainment of guests and patrons as a main use;*

(b) *Automobile repair shops; automobile service station for the retail sale of automobile fuels, lubricants and accessories; retail sale and installation of automobile parts, tires or audio equipment; automobile and truck sale lots, except as part of franchise new car facility; automobile and truck rental lots;*

(c) *Car wash;*

(d) *Fortune teller establishment;*

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

(f) *Non-accessory outdoor advertising signs;*

(g) *Outdoor sales or storage, including outdoor use of coin operated machines that dispense food or drink;*

(h) *Private clubs;*

(i) *Restaurants, take-out restaurants, cafes, coffee shops and other similar establishments for the sale and consumption of food and/or beverages, with drive-in or take-out service (sale of food and/or beverages to be consumed outside the confines of the premises);*

(j) *Retail sales of products or food through a window or aperture which opens directly onto the sidewalk, a public arcade, or public entranceway into a building;*

(k) *Tattoo and body piercing establishments;*

(l) *Trolley and bus terminals and car and bus barns; and*

(m) *Any accessory speaker or audio device that causes music or voices to reach the sidewalk area, public arcade, or public entranceway to a building, which is adjunct to any permitted retail use, used to advertise merchandise sold, and/or used to call public attention to the use of the premises.*

(4) *Prohibition of Building Set-Back. Any building upon any lot abutting Passyunk avenue shall not provide any front, side or rear yard that sets back from the street line of Passyunk avenue.*

(5) *Signs. Signs accessory to the use on the premises shall be permitted in this district only under the following conditions:*

(a) *All signs must be attached flat against the wall of the building;*

*(b) Lots facing one street line shall be permitted a total sign area of 3 square feet for each lineal foot of street line;*

*(c) Lots facing more than one street line shall be permitted a total sign area as follows:*

*(.1) For the shorter street line frontage there shall be permitted a sign area of 3 square feet for each lineal foot of street line;*

*(.2) For the longer street line frontage there shall be permitted a sign area of 2 square feet for each lineal foot of street line; provided, that in no case shall the total sign area on the longer street line frontage be less than the equivalent sign area permitted upon the shorter street line frontage;*

*(.3) Where a lot has 2 or more short and/or 2 or more long street line frontages, the provisions of (.1) and (.2) shall apply to each of said street frontages;*

*(.4) The total of the sign areas permitted in sub-paragraphs (.1) and (.2) may be cumulated; provided, such use is restricted to one street frontage.*

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

SECTION 2. This Ordinance shall take effect immediately.

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**Explanation:**

*Italics indicate new matter added.*