City of Philadelphia

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Title: Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14 -200, entitled "Residential Districts," by adopting a new Section 14-217, entitled "Industrial Transformation District," under certain terms and conditions.

Sponsors: Councilmember Clarke

Indexes: ZONING AND PLANNING

Code sections: 14-200 - Residential Districts, Title 14 - ZONING AND PLANNING

Attachments: 1. Bill No. 06090201, As Amended.pdf, 2. Bill No. 060902-A02, As Amended on Floor.pdf, 3. Bill No. 060902-AA03, As Amended on Floor.pdf, 4. CertifiedCopy060902-AA03.pdf

Date	Ver.	Action By	Action	Result	Tally
4/12/2007	3	MAYOR	SIGNED		
3/22/2007	3	CITY COUNCIL	READ		
3/22/2007	3	CITY COUNCIL	PASSED	Pass	17:0
3/15/2007	2	CITY COUNCIL	READ		
3/15/2007	3	CITY COUNCIL	AMENDED		
3/15/2007	3	CITY COUNCIL	ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING.		
3/1/2007	1	CITY COUNCIL	READ		
3/1/2007	2	CITY COUNCIL	AMENDED		
3/1/2007	2	CITY COUNCIL	ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING.		
2/15/2007	0	CITY COUNCIL	READ		
2/15/2007	1	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK`S SECOND READING CALENDAR		
2/8/2007	0	CITY COUNCIL	ORDERED PRINTED AND PLACED ON NEXT FIRST READING CALENDAR		
2/7/2007	0	Committee on Rules	HEARING NOTICES SENT		
2/7/2007	1	Committee on Rules	REPORTED FAVORABLY		
2/7/2007	0	Committee on Rules	AMENDED		
2/7/2007	0	Committee on Rules	HEARING HELD		
11/30/2006	0	CITY COUNCIL	Referred		
11/30/2006	0	CITY COUNCIL	Introduced	Pass	

Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by amending Chapter 14-200, entitled “Residential Districts,” by adopting a new Section 14-217, entitled “Industrial Transformation

District," 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 14-200. RESIDENTIAL DISTRICTS.

* * *

§ 14-217. Industrial Transformation District

(1) **Statement of Purpose.**

This district is intended to encourage the redevelopment and revitalization of large parcels of land located in certain underutilized areas of the city, designated by ordinance, including excess former industrial sies and residential neighborhoods experiencing high rates of abandonment. Single and multiple family residences, and commercial and non-residential uses compatible with such residential development shall be permitted in the district in accordance with a master plan of development approved by and filed with the City Planning Commission. Development within the district shall, where possible, proceed in a manner intended to maximize the preservation and adaptive reuse of significant structures and the preservation of existing topography, trees and other natural amenities. Development shall also, to the extent possible, be compatible with surrounding neighborhoods so as to integrate existing and new communities.

(2) **Permitted Areas for the Establishment of the District.**

Notwithstanding any other provision of this Section, an Industrial Transformation District shall be permitted in an area only if such area is designated as an Industrial Transformation District by separate ordinance of City Council.

(3) **Procedures for Establishment and Amendment of District.**

A) Establishment of an Industrial Transformation District through amendment of the City's zoning maps shall require the approval by ordinance of a master plan narrative and illustrative site plan that have been reviewed by the City Planning Commission. The designation of an Industrial Transformation District shall not become effective until the master plan narrative and illustrative site plan have been approved by Council. The master plan narrative shall include the following information:

i. The maximum total gross floor area;

ii. The maximum total gross floor area of any proposed commercial and/or nonresidential uses;

iii. The total area of all proposed open space;

iv. The total number of proposed parking spaces and the parking ratios for all proposed residential, nonresidential and commercial space;

v. The number and size of any proposed loading spaces;

vi. The maximum proposed building heights;

vii. The maximum size of any proposed signs.

viii. The applicant's commitment to provide identified public benefits as part of the proposed development. The public

benefits shall be identified and may include affordable housing, the creation of a desirable commercial use in lieu of such housing, a public art component or additional open space, a public park or public access to a natural resource such as a waterway or hiking trail.

B) Prior to the establishment of an Industrial Transformation District, the Planning Commission and Commerce Department will report to Council regarding the viability of the proposed site for future industrial use .

(4) **Procedure For Issuance of Permits In An Industrial Transformation District.**

A. Prior to the issuance of a zoning permit in an Industrial Transformation District, the City Planning Commission shall review the application and accompanying plans to determine if the proposed development meets the intent and requirements of this Section of the Zoning Code and is consistent with the approved master plan narrative and the general provisions for review of subdivisions under Section 14-2100. The submitted plans shall include the following information:

i. Plans for development of the entire district, or for a separate lot, parcel, or block within the district;

ii. The height and proposed use of all proposed buildings and structures;

iii. All proposed set backs, open space, and recreational areas;

iv. The gross floor area of all proposed buildings;

v. Any proposed change to the existing confirmed street layout within or adjacent to the district's boundaries;

vi. The total occupied area of the district, expressed in square feet and percentages;

vii. A landscaping plan;

viii. A parking plan, including the size and location of all parking spaces, driveways and public and private streets;

ix. The size and location of all off street loading spaces;

x. The size and location of any proposed signs.

xi. The public benefit to be provided pursuant to 14-217(3)(A)(viii)

B. If the Commission determines that the proposed development meets the requirements of the district and is in accord with the master plan narrative, it shall approve the submitted plans and refer them to the Department of Licenses and Inspections for issuance of a zoning permit.

C. If the Commission determines that the proposed development meets the requirements of the district but differs from the master plan narrative, it may nonetheless approve the plans and refer them to the Department of Licenses and Inspections, if the proposed changes:

(i) Reduce the proposed gross floor area, building height, or percentage of commercial space;

(ii) Reduce the number of residential units;

(iii) Replace one type of dwelling structure with another provided that no increase in the total number of units results;

(iv) Substitute one type of permitted commercial use for another, provided that no increase in the total gross floor area of commercial uses in the district results;

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(v) Reduce or increase the number of proposed parking or loading spaces, provided that no reduction in overall parking or loading ratios results; or

(vi) Relate only to signage or permitted temporary uses.

Provided, that any changes permitted under this paragraph shall not significantly alter the character of the development, the public benefit commitment and shall not conflict with the purposes or requirements of this section.

D. If the Commission determines that the proposed development is not in accord with the approved master plan narrative and does not meet the requirements of subsection (C) above, it shall treat the proposal as a request for amendment of the master plan narrative and forward it to City Council with a written recommendation. The Commission shall recommend approval where it determines that the proposed amendment meets the requirements of this section 14-217 and is consistent with the development needs of the district. Within 45 days of receiving the Commission's written recommendation, or after four meetings of Council subsequent to Council's receipt of the Commission's written recommendation, whichever is later, City Council shall adopt an ordinance setting forth its decision to approve or disapprove the proposed master plan amendment. If Council does not adopt an ordinance within the permitted period, its adoption of the Commission's recommendation shall be presumed.

E. The Commission's determination of compliance or noncompliance with the district's requirements shall be conclusive and not subject to further review by the Department of Licenses and Inspections.

F. If the Commission fails to approve, disapprove, or refer the submitted plans to City Council within 45 days after submission of complete plans, the Commission's approval shall be presumed.

G. If construction does not commence within one year of the issuance of a zoning permit, the zoning permit shall expire unless an extension is granted by the Commission, for good cause shown.

(5) **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, two family, and/or multiple family dwellings;

B. Places of worship;

C. Hotels;

D. Private garages and/or parking lots;

E. Medical and surgical hospitals, medical or health centers or offices, and any adjunct residential dwellings;

F. Nursing, rest or convalescent homes, including homes for the aged or infirm;

G. Schools, colleges, universities, and other institutions of learning, including adjunct play and recreational grounds and facilities;

H. Fire station, police station and post offices;

I. Child care facilities and preschools;

J. Art galleries, museums, community centers, recreation centers, gymnasiums and indoor or outdoor swimming

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pools, whether publicly or privately owned or operated;

K. Public utility facilities;

L. Waiting rooms or shelters for public transportation passengers;

M. The following home occupations, subject to the stated conditions:

(i) Family day care, as provided under Section 14-203(1)(f);

(ii) Home offices for financial, tax investment, legal, consulting and accounting services where customers and associates do not come to the premises;

(iii) Home offices using personal computers, software, modems, telephones and computer hardware where customers and associates do not come to the premises;

(iv) Sales of products using the internet or telephones where customers do not come to the premises;

(v) Instruction or tutoring of individuals or pupils in music, art, and academic subjects;

(vi) Sewing, tailoring, dressmaking and alterations;

(vii) Artist or writer;

(viii) Any use of the same general character as those listed above.

(ix) Permitted home occupations shall be subject to all of the following limitations and restrictions:

(a) It shall be conducted in a dwelling as an incidental use;

(b) It shall be conducted solely by members of the family residing in the same dwelling without additional on-site employees;

(c) No sign or public advertising, exterior storage of materials or exterior indication of the home occupation shall be permitted;

(d) Use of equipment other than hand tools, computer software and peripheral hardware, fax and photocopying equipment and related office equipment shall not be permitted; provided, any equipment producing offensive noise, vibration, smoke, dust, odors, heat or glare shall be prohibited, regardless of the nature or use of such equipment;

(e) A home occupation (or any combination of home occupations) shall not occupy more than 25% of the total floor area, including basements, of the dwelling unit in which it is located;

(f) No storage of a stock in trade or sale of on site products shall be permitted on the premises.

N. The following commercial uses, provided that the total square footage of all such uses shall not exceed a total of 100 square feet for each dwelling unit approved in the master plan narrative for the district:

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(i) Business or professional offices or agencies;

(ii) Sales at retail, separately or in any combination, in completely enclosed stores or shops: apparel, confections, drugs, flowers, food, gift shop goods and greeting cards, stationery, jewelry, reading material, tobacco goods, variety store goods, beauty shop, barber shop, custom tailoring or dressmaking, laundry and dry cleaning establishment (providing that no laundering or dry cleaning shall be done on the premises), restaurant, bakery, and soda or ice cream fountain.

O. Temporary Uses. The following temporary uses shall be permitted during construction of the proposed development:

(i) Sales and/or construction trailers;

(ii) Signs, including freestanding signs, advertising the sale or rental of real estate within the Industrial Transformation District, under the following conditions:

(a) Total sign area for all temporary signs shall not exceed two square feet for each lineal foot of street frontage within the district;
(b) No individual sign shall exceed a total of 150 square feet per sign face, nor have more than two sides; and
(c) Temporary signage permitted under this paragraph shall not be included in the maximums permitted under section 6 below.

P. Accessory uses customarily incidental to any of the above permitted uses, including accessory garages or open air parking;

Q. All limitations on multiple uses on a lot shall not apply;

(6) **Area Regulations.**

A. District Area and Boundaries. The minimum district size shall be two acres of contiguous property under the control of one entity. Boundaries shall be designated so as to afford a reasonable division between the district and adjacent uses and properties. The Master Plan for the district shall additionally provide for reasonable, compatible spatial relationships both between buildings within the district and between buildings located inside the district and those located on abutting areas outside the district.

B. Gross Floor Area. The gross floor area of all buildings shall not exceed 250% of the total area of the Industrial Transformation District area, exclusive of streets.

C. Occupied Area. Buildings shall occupy not more than 80% of the total Industrial Transformation District area, exclusive of streets.

D. Open Area. Not less than 25% of the total Industrial Transformation District area shall be open area. This Open Area shall not include open air parking areas. The type and location of open space will be reviewed by the Planning Commission to ensure that the location of the open area allows for sufficient light and air for the residents, contributes to a circulation pattern that reinforces the surrounding street network and provides sufficient public open space such as parks or recreation areas.

E. Yards. No individual minimum front, side or rear yards shall be required;

F. Height. New structures shall not exceed 65 feet in height. Existing structures are not subject to this restriction.

G. Multiple Structures. All limitations on multiple structures on a lot shall not apply.

(7) **Signs.** Signs shall be permitted subject to the following limitations and conditions:

(i) For permitted uses other than single or two family residences, each building in the Industrial Transformation District shall be permitted to have an attached or freestanding sign identifying the name, use or purpose of said building, which sign shall not exceed 10 square feet in area;

(ii) For uses permitted under Section 14-217(5)(N), each building in which such use is located shall be permitted additional signage accessory to the use which signage shall not exceed 2 square feet for each lineal foot of building frontage width;

(iii) Limitations on size stated at subsections (i) and (ii) above shall not apply to directional or traffic signs or to temporary signs permitted under section 14-217(5)(O)(ii);

(iv) Signs within the district, including temporary signs and signs permitted under subsections (i) and (ii) above, shall be subject to the following conditions:

(a) Signs may be illuminated by interior lighting or lighting directed toward the sign; provided, that such lighting does not create glare upon adjacent lots located outside of the Industrial Transformation District; (b) Revolving signs and/or signs with flashing or intermittent illumination shall be prohibited.

(8) **Off Street Parking.**

A. Every residential use shall provide for off-street parking, as follows: At a minimum, one parking space for the first two bedrooms in any dwelling unit and one additional parking space for each additional two bedrooms in any dwelling unit.

B. Auditoriums, churches, and other places of public assembly: one parking space per 10 seating spaces;

C. For uses other than those listed in paragraphs (A) and (B) above, excluding parking and loading spaces, one parking space shall be provided for every 3,000 square feet of the cumulative gross floor area of the buildings within the Industrial Transformation District;

D. Location. Off-street parking spaces shall be located within 1,000 feet of the building or use to which they are accessory and shall not include parking located on any public or private street.

(9) **Off-Street Loading.**

Non-residential uses, other than commercial uses, shall provide off-street loading spaces in accordance with §14-1405(1) of this Title. Commercial uses shall provide off-street loading spaces in accordance with §14-1405(2) of this Title. Other provisions of § 14-1405 (5), (6) and (7) shall apply.

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