

Legislation Details (With Text)

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Title:	Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14 -1600, entitled "Miscellaneous," by adopting a new Section, entitled "City Avenue Regional Center and City Avenue Village Center Special District Controls," under certain terms and conditions.				
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Date	Ver.	Action By	Action	Result	Tally
8/17/2009	1	MAYOR	SIGNED		
6/18/2009	1	CITY COUNCIL	PASSED	Pass	16:0
6/18/2009	1	CITY COUNCIL	READ		
6/11/2009	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
6/11/2009	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/11/2009	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
6/10/2009	1	Committee on Rules	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
6/10/2009	0	Committee on Rules	AMENDED		
6/10/2009	0	Committee on Rules	HEARING HELD		
6/10/2009	0	Committee on Rules	HEARING NOTICES SENT		
2/5/2009	0	CITY COUNCIL	Referred		
2/5/2009	0	CITY COUNCIL	Introduced	Pass	

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1600, entitled "Miscellaneous," by adopting a new Section, entitled "City Avenue Regional Center and City Avenue Village Center 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.

* * *

CHAPTER 14-1600. MISCELLANEOUS.

* * *

§ 14-1636. *City Avenue Regional Center and City Avenue Village Center Special District Controls.*

(1) *General Purpose.* This Chapter provides for special land use and zoning controls for two specially defined districts. These special land use and zoning controls address the following specific purposes:

- (a) *Support new pedestrian-compatible and transit-friendly high density commercial, institutional and residential uses, by requiring pedestrian-oriented access from a public street.*
- (b) *Encourage a mix of commercial, institutional and residential uses.*
- (c) *Enhance the physical context of the district, for both pedestrians and transit users, by minimizing pedestrian-vehicular conflicts, by limiting the number, width and location of driveways, and encouraging the renovation and erection of buildings that provide direct connections to the street and sidewalk.*
- (d) *Enhance the visual character and identity of the district through appropriate design standards relating to site layout, building scale and design, landscape design, and signage.*
- (e) *Discourage dependence on automobile use by promoting alternate modes of transportation, thereby reducing traffic congestion.*
- (f) *Encourage the development of shared parking and attractive and convenient off-street parking facilities, to reduce on-street congestion and facilitate vehicular and pedestrian circulation.*
- (g) *Protect existing residential neighborhoods that abut the district.*

(2) *District Boundaries.*

(a) *City Avenue Regional Center.* For the purposes of this Section, the City Avenue Regional Center Special District Controls shall apply to all parcels within the area designated on Map “1”.

(b) *City Avenue Village Center.* For the purposes of this Section, the City Avenue Village Center Special District Controls shall apply to all parcels within the area designated on Map “2”.

(3)

(3) *Use Regulations.* Within the area subject to the City Avenue Regional Center and City Avenue Village Center Special District Controls and notwithstanding any other Chapter of this Title, the following uses shall be permitted:

(a) Residential Uses:

(.1) Attached dwellings;

(.2) Multi-family dwellings;

(.3) *Upper story residential uses above non-residential/commercial uses as defined in subsection (b);*

(.4) *Accessory uses on the same lot with and customarily incidental to any of the above permitted uses, including above ground or below ground parking structures;*

(b) Non-residential/Commercial Uses:

- (.1) Bakery, confectionery or craft shop for the production of articles to be sold at retail on the premises;*
- (.2) Bank;*
- (.3) Educational use, including student residences directly relating to a university or college;*
- (.4) Grocery store;*
- (.5) Hand laundry, dry-cleaning or dyeing establishment operating on a retail sales level (excluding on-site cleaning and dyeing operations);*
- (.6) Hotel;*
- (.7) Indoor recreational facility;*
- (.8) Indoor storage use, as an accessory use to any permitted use on the same lot, provided the storage area does not occupy more than 10% of the total floor area;*
- (.9) Nursery school or daycare;*
- (.10) Personal service shop, including tailor, barber, beauty salon, shoe repair;*
- (.11) Professional office building, medical offices or medical clinic building;*
- (.12) Radio or television studio and broadcasting station;*
- (.13) Retail store;*
- (.14) Research laboratory, excluding animal testing and associated kennels, and hazardous material experimentation;*
- (.15) Restaurant or café, except as described in subsection (4)(i);*
- (.16) Theater;*
- (.17) Accessory uses on the same lot with, and customarily incidental to, any of the above permitted uses, including above ground or below ground parking structures.*

(4) Prohibited Uses. Within the area subject to the City Avenue Regional Center and City Avenue District Center Special District Controls and notwithstanding any other Chapter of this Title, the following commercial uses shall be prohibited:

- (a) Automobile repair shop;*
- (b) Automobile sales lot;*
- (c) Automobile service station for the retail sale of automobile fuels, lubricants, radiator fluids and accessories;*
 - (d) Auto repair, car wash, automobile body work;*
 - (e) Industrial and manufacturing as defined in the Standard Industrial Classification Manual;*
 - (f) Installation of auto, motorcycles or truck parts;*
 - (g) Outdoor storage;*
 - (h) Regulated uses as defined in § 14-1605;*

- (i) Restaurant which serves patrons who remain in their automobiles; restaurant, café 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;*

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

(5) Occupied Area. Limited to 80% of the lot area.

(6) Building Setbacks.

(a) Setback Line. The setback line is situated parallel to the street frontage lot line, within the depth of the lot.

(.1) Regional Center. Buildings fronting City Avenue shall be located a minimum of 25 feet, and a maximum of 40 feet from the street curb edge. Buildings fronting other streets shall be located a minimum of 20 feet and a maximum of 30 feet from the street curb edge.

(.2) Village Center. Buildings shall be located a minimum of 20 feet and a maximum of 30 feet from the street curb edge.

(b) The primary pedestrian access point shall be located on street frontage.

(c) Parking lots, driveways, loading zones and other auto-related areas are prohibited at or in front of the setback line.

(d) Unless otherwise required by this Section, fencing, hedges and other continuous barriers are prohibited between the curblane and the setback line.

(e) In the Regional Center, the location of the face of the building may be extended up to twenty (20) feet further from the street curb if the additional area is used as a public gathering space or for outdoor dining.

(7) Side Yards.

(a) Minimum. There is no required minimum side yard setback. However, if a new or expanded structure is not built up to the side lot line, the new or expanded portion of the building must be setback a minimum of ten (10) feet from the side lot line.

(b) Maximum. Twenty-five (25) feet.

(c) For a corner lot immediately contiguous to a residential use in a Residential Zoning District, the side yard on the residential street shall be at least equal in depth to the side yard (or rear yard as applicable) requirement in such residential district.

(8) Rear Yards.

(a) Except as provided in subsection (b), for a building used for commercial purposes located on a lot that backs up to a commercially zoned lot, a rear yard is not required.

(b) Residential buildings shall have a minimum rear yard depth of fifteen (15) feet, except where residential uses are located over parking or commercial uses, in which case the residential portion of the building shall be setback a minimum fifteen (15) feet from the rear lot line.

(c) For a building located on a lot that backs up to a residentially zoned lot, a rear yard setback of fifteen (15) feet is required. The lot must also comply with the minimum buffer requirements set forth in subsection 13, as applicable.

(9) Lot Width.

(a) There is no minimum lot width.

(b) Where new development is proposed on any existing lot wider than six hundred feet (600'), the developer is encouraged to provide a public access vehicular and pedestrian way through the lot such that lot frontage between two streets

(including the public access way) does not exceed six hundred feet (600').

(10) Impervious Cover.

(a) Regional Center. Impervious cover is limited to 80% of the lot area.

(b) Village Center. Impervious cover is limited to 85% of the lot area.

(11) Building Height.

(a) The minimum height of any building shall be two (2) stories or twenty-five feet (25') above grade.

(b) Except as provided in subsection (d), the maximum height of any building in the Regional Center District shall be as follows:

(.1) The maximum height of any building not within the area identified on Map "3" shall be one hundred and twenty feet (120'), as measured from the average grade of the parcel.

(.2) The maximum height of any building within the area identified on Map "3" shall be three hundred feet (300'), as measured from the average grade of the parcel.

(c) The maximum height of any building in the Village Center District shall be 65 feet, as measured from the average grade of the parcel, except as provided in subsection (d).

(d) Penthouses. A penthouse for elevators, stairways or mechanical equipment shall not be included in measuring the height of a building containing both commercial and either residential or hotel uses if the enclosed area occupies less than 50% of the floor area of the story below and is set back a minimum of twenty (20) feet from the exterior walls of the building.

(12) Building Bulk and Spacing.

(a) For buildings 65 feet or less, there are no building bulk or spacing requirements, except as limited by other provisions of this Section.

(b) For buildings over 65 feet, up to 120 feet in height, the maximum building diagonal dimension shall be 320 feet. Minimum spacing between buildings shall be 60 feet.

(c) For buildings over 120 feet high, up to 200 feet in height, the maximum building diagonal dimension shall be 250 feet. Minimum spacing between the building and another building between 65 feet and 120' high shall be 65'. Minimum spacing between the building and another building between 120' and 200' high shall be 200'.

(d) For buildings over 200 feet in height, up to 300 feet in height, the maximum building dimension in any direction shall be 200 feet. The maximum building diagonal dimension shall be 210 feet. Minimum spacing between the building and another building between 200 feet and 300' high shall be 300'. Minimum spacing between the building and another building between 120 feet and 200' high shall be 200'. Minimum spacing between the building and another building between 65 feet and 120 feet shall be 100'.

(e) For an "L"-shaped building, the diagonal dimension shall be measured between the two points of the "L" furthest from one another.

(f) Minimum spacing between buildings requirements shall not apply to college or university uses or Institutional Development Districts.

(13) Buffer Area. Where a development abuts a residential use in a residential zoning district (regardless whether a street separates the development from the residential use), there shall be a buffer area along the district boundary line within the District.

(a) *Regional Center. The depth of this buffer shall be at least twenty (20) feet.*

Where the district boundary line is the center of a street or at a street line, there shall be a twenty (20) foot wide planted landscape area along the setback line in the District between the building and street lot line.

(b) *Village Center. The depth of the buffer shall be at least ten (10) feet.*

(c) *The buffer area shall be planted with street trees and shrubs.*

(d) *There may not be more than one combined vehicular entrance and vehicular exit through the buffer area to any street, except for corner lots which may have one combined entrance and exit on each street.*

(14) *Parking and loading requirements.*

(a) *Parking Requirements. Parking for new and redeveloped structures within the District shall be calculated by using the values noted in TABLE 1. In the event of a conflict between the provisions of this subsection and Chapter 14-1400 (relating to Parking and Loading Facilities), the provision of this subsection shall control.*

TABLE 1: Parking

Land Use	Required Spaces
<i>Theater</i>	<i>Max. 1 per 5 seats</i>
<i>Hotel</i>	<i>Minimum 1 per 2 rooms (max. 1/room)</i>
<i>Residential</i>	<i>1 space per unit</i>
<i>All other permitted uses</i>	<i>Max. 4/1,000 sq. ft. of net leasable area</i>

(b) *On-site Parking and Loading.*

(.1) *At-grade, above- or below-ground parking and loading facilities shall be permitted as an accessory use.*

(.2) *Surface parking lots and exterior loading areas shall be placed between the structure and a rear lot line, but not located in the buffer zone:*

(.a) *On a corner lot, if the Planning Commission determines that it would be impractical to place surface parking or exterior loading behind the buildings, the Commission may authorize placement elsewhere, but not on City Avenue.*

(.b) *Off-street surface parking and loading shall not extend more than sixty (60) feet in width along any street frontage.*

(c) *Only one curb cut/driveway is permitted on each street frontage of each lot. Maximum curb cut/driveway width is 22 feet. Where a lot has frontage on two streets, principal access shall not be from City Avenue.*

(15) *Drive-Thru Windows.*

(a) *Regional Center. Drive-thru windows for commercial uses shall be prohibited.*

(b) *Village Center. Drive-thru windows for commercial uses shall be prohibited, except where the drive-*

thru is located at the rear of the building, and ingress/egress to the lot is limited to one curb cut.

(16) Off-Site Parking. Off-site parking as an accessory use is permitted in the District subject to the regulations set forth below.

(a) Shared parking. When land uses on adjacent lots within the District create shared parking areas with circulation paths and access points that are under common ownership or controlled by a reciprocal easement agreement, the collective parking requirements for development on those properties may comply with the required parking values listed in subsection (14)(a).

(.1) Documentation confirming the ownership and/or management arrangement shall be submitted to the Department of Licenses and Inspections at the time of zoning application. The agreement must demonstrate a long-term commitment for the use of the off-site shared parking, such as a legal easement included in the deed or lease, with a minimum length of 30 years.

(b) Code required parking may be provided off-site, provided:

(.1) Off site parking must be within 1,000 feet of the development using a sidewalk or other public pedestrian way continually accessible to the public, measured from lot line to lot line; and

(.2) Both the development and the parking facility comply with the District Development Design Standards within this Section; and

(.3) An easement agreement or other documentation that the private parking facility owner agrees to make the spaces available to the proposed off-site development shall be submitted to the Department of Licenses and Inspections with the zoning application. The off-site parking spaces may not be designated as required parking for some other use. The agreement must demonstrate a long-term commitment for the use of the off-site shared parking, such as a legal easement included in the deed or lease, with a minimum length of 30 years; and

(.4) The off-site parking must be otherwise permitted by this Code on the lot where it is located.

(17) Car Share Parking. Car Share parking spaces shall be provided for all new developments containing over 100 residential units or 100,000 sq. ft. of commercial space at the rate of at least one (1) space per 100 units or 1 space per 100,000 sq. ft. of commercial space. Such space may be included in the total parking requirements under subsection 14(a).

(a) For every car share space provided for a residential or hotel use, the total required parking under subsection (14)(a) may be reduced by 4 spaces, up to 40% of the total required spaces.

(18) Bicycle Parking. Convenient bicycle facilities shall be provided as follows:

(a) For residential uses, there shall be one bicycle space or bicycle locker for every three dwelling units or portion thereof;

(b) For commercial uses, there shall be one bicycle space or bicycle locker for every twenty (20) automobile parking spaces or fraction thereof.

(19) Loading.

(a) Areas used for loading or trash collection purposes shall either be

(.1) No closer than 50 feet from any residential zoning district and shall not be located in the buffer zone; or

(.2) shall be located indoors.

(b) Loading and trash collection areas shall be screened from public view.

(20) Floor Area Ratio (FAR). Council anticipates addressing the issue of Floor Area Ratio comprehensively in the upcoming rewrite of The Zoning Code, pursuant to Section 4-1300 of the Home Rule Charter. As an interim measure, Council imposes the following Floor Area Ratio requirements for properties zoned R-12, R-14, R-15 or C-3.

(a) Regional Center and Village Center. The maximum Floor Area Ratio ("FAR") in the District shall be 3.5 (350% of lot area), subject to available density bonuses. Maximum FAR with density bonuses shall be 4.5 (450% of lot area) subject to compliance with the following options. The gross floor area of above ground parking structures is included in FAR.

(b) FAR Bonus for Public Gathering Space. If an applicant commits to provide and maintain a public gathering space on at least ten percent (10%) of the lot area, the Department of Licenses and Inspections, upon the determination of the Planning Commission that the space provides a public benefit, shall authorize an increase in FAR of .25. Public gathering space may include ornamental fountains, stairways, waterfalls, sculptures, arbors, trellises, planted beds, drinking fountains, benches, awnings, canopies and similar structures. The Planning Commission shall provide its decision to L&I. The amount of bonus shall be noted on the plan and recorded in the deed.

(c) FAR Bonus for Mixed Use. The allowable density shall be increased by an FAR of .25 for a development that includes commercial and residential/hotel uses within the same development, upon a determination by the Commission that a public oriented and accessible commercial use will occupy a minimum of 75% of the ground floor level and be directly accessible from a public street or way. Such uses must occupy the ground floor level for a minimum depth of 60 feet, and must be different from uses that occupy the upper floors of the same building.

(d) FAR Bonus for Underground and/or Wrapped Parking. The allowable density may be increased by an FAR of .50 for a development where the Commission determines that a minimum of 50% of parking is underground, or all parking is wrapped at all levels with active uses such as residential, office or retail occupancy, on street facing facades. Wrapped parking shall be defined as fully enclosed on street facing facades by active uses, with a minimum depth of 25 feet. Active uses may be an integral part of the garage structure, or in a separate building.

(21) Development Design Standards.

(a) No building shall be erected, nor any facade altered unless the site layouts and landscaping plans of the building and facades have been reviewed and approved by the Planning Commission for conformance with the Development Design Standards set forth in subsections 22 through 27. The Planning Commission may

grant exceptions from a strict interpretation of the Design Standards, where the Commission finds that the proposed design meets the overall design principles and overall design intent of the standards through alternative means. The Planning Commission shall have 60 days to take action, after which its approval shall be presumed. The Planning Commission shall not issue any approval under this subsection unless the Art Commissioner has first issued any approvals required under applicable law.

(b) All new, expanded and rehabilitated buildings (where such expansion or rehabilitation is equal to or exceeds 50% of the existing area of the building) shall comply with the Design Standards.

(22) Site Planning Design Standards.

(a) Building Access.

(.1) Buildings shall be designed with windows, pedestrian entrances and signage facing the street and sidewalk.

(.2) Primary building entrances shall be clearly defined and located on the main street frontage or at the intersection of two streets.

(.3) If a single lot is redeveloped, any new vehicular access point should, where feasible, be located on a side lot line. Shared use of the driveway with adjacent lots is encouraged.

(.4) Driveways, parking areas and traffic circulation patterns shall be designed as shared facilities whenever feasible. The design of these elements shall create a unified site plan between the lots. The goal is to gain parking efficiencies, reduce the number of access points crossing pedestrian pathways and improve internal vehicular circulation patterns and external access into the site.

(.5) When one or more lot(s) is redeveloped such that two-hundred (200) feet or more of new building facade is constructed along the primary front facade, a pedestrian accessway shall be provided through the building between the street frontage and any parking facilities behind the building.

(b) Public Walkways. Public walkways may be both within the street right-of-way and within the lot line. Public walkways shall be provided between the curb and building setback line along both public and private streets. Provision of space for outdoor seating for food and drink establishments and pedestrian-oriented accessory uses, such as sales display for flowers, and food or drink stands, is encouraged; provided the minimum unobstructed walkway set forth below is maintained. Public walkways shall:

(.1) Have a minimum unobstructed width of ten (10) feet not including a minimum four (4) feet planting/street furniture zone to be maintained on street frontage;

(.2) Contribute to a linked network of sidewalks connecting transit stops, commercial centers, institutional facilities and residential uses, including open space areas, and parking;

(.3) Extend on both sides of public and private vehicular cartways;

(.4) Include adequate space for installation of protected transit waiting areas by the City at transit stops on public sidewalks.

(23) *Building Design Standards.* The architectural design standards have been incorporated into this district to ensure that the size and proportions and design of new buildings create a pedestrian-friendly environment. Council anticipates addressing the issue of Building Design Standards comprehensively in the upcoming rewrite of The Zoning Code, pursuant to Section 4-1300 of the Home Rule Charter. As an interim measure, Council imposes the following:

(a) *The massing of all buildings shall be designed at a pedestrian scale, including the use of architectural and landscape elements including form, structure and materials, to reduce their apparent bulk and volume, to enhance visual quality, as described below.*

(.1) Vertical Articulation. The massing of all buildings shall be de-emphasized through vertical articulation, including the use of projecting and recessed elements such as, but not limited to, bays, changes in roof line, recessed entries, or balconies, to reduce overall bulk and volume, enhance visual quality and contribute to human-scale development. Articulation of the wall surface is defined as changes in the wall plane such as setbacks and projections, changes in materials, or details. Such vertical articulation shall occur at a minimum spacing of 50 feet.

(.2) Horizontal Articulation. The massing of all buildings shall be de-emphasized through the use of horizontal articulation, including articulation of the line between the ground floor and upper levels, with an element such as, but not limited to, a cornice or arcade. Horizontal articulation may be achieved through changes in wall plane, changes in materials, or details.

(b) *The ground floor of a primary front facade with ground floor commercial uses shall contain a minimum 65% clear windows and doors. Reflective, heavily tinted or black glass in windows is prohibited. Glazing shall have a minimum Visible Transmittance of 0.75 (i.e., shall transmit 75% of visible light).*

(c) *To provide visual interest, any ground floor walls on a non-primary front facade with less than 25% clear windows shall be articulated by the following:*

(.1) Articulation of facade plane, materials, and/or details;

(.2) If the building is occupied by a commercial use, recessed or projecting display window cases;

(.3) For above ground parking structures, by landscaping.

(d) *The primary front facades of all floors above the first floor shall contain a minimum of twenty percent (20%) of the facade as clear windows. Glazing shall have a Minimum Visible Transmittance of 0.75 (i.e., shall transmit 75% of visible light).*

(e) *Corners. Building corners at intersections of public streets shall be visually emphasized through design features, such as changes in plane, fenestration patterns, balconies, building entries, bays, or similar features.*

(f) *Exterior Walls. Exterior walls shall be of durable high-quality materials and may include brick, stone, stucco, metal and glass. Vinyl siding, aluminum siding or concrete block is prohibited.*

(g) *Roof-top Equipment. All roof-top mechanical equipment, including antennas, shall be screened visually and acoustically. Such screening shall be integral to the architectural design of the building.*

(24) Parking Design Standards.

(a) If surface parking and exterior loading areas are located on a street frontage, then plantings and either an ornamental metal fence or masonry wall, shall be provided to screen views of parked cars or loading areas:

(.1) Parking and exterior loading areas shall be buffered from any adjacent street on sidewalk by providing street trees at a minimum 20 feet on center and providing a six (6) feet wide landscaped area within the lot line.

(b) The primary front facade of a parking structure, or parking levels of a building with other uses above, shall comply with the architectural design standards for vertical and horizontal articulation as defined in this Section. Pedestrian customer-oriented uses, such as retail commercial or other active commercial uses shall occupy at least eighty percent (80%) of the ground floor facade, where the parking structure abuts City Avenue.

(c) A ten-feet (10 ft.) minimum landscaped buffer shall abut other parking structure facades visible to public view. Such buffer shall include street trees at a minimum of 25' on center, or other landscape device, such as a screen of vines mounted to the parking structure facade, that will minimize views of parked cars.

(d) Sloping floors and bare slabs shall not be visible from any public access right-of-way.

(25) Signs.

(a) The following signage standards for non-residential uses shall apply:

(.1) Maximum Signage Square Footage

(.a) The total area of all flush mounted and awning signage for each building tenant shall not exceed two (2) square foot for each foot of lineal building frontage. In all cases, individual signs are limited in square footage, as described in the following guidelines. For corner buildings, building frontage for calculation of sign area is that facing the principal street front.

(.b) Any lot with a lot width of less than 25 feet at the street line may use the lot width at the building line for calculating the maximum signage permitted under this Section.

(b) Prohibited Signs and Conditions. The following signs are not permitted:

(.1) Backlit or internally illuminated awnings;

(.2) Translucent internally illuminated sign faces with a backlit-background;

(.3) Non-Accessory outdoor advertising signs.

(c) Flush-mounted Signage. With respect to letters, numerals or logos mounted parallel to the building's facade that are either mounted as individual letters, or contained in a signed panel, the following standards shall apply:

(.1) Number of signs: One per tenant per street front. For a corner property, one sign

is permitted for each street front;

(.2) Mounting height: 20-foot maximum, provided it is below the sill line of the second floor windows or the lowest point of the roof, whichever is less. All signs must be located below the cornice line, or in the case of a flat roof, below the roof parapet.

(.3) Depth of sign: Wall signs must not project more than twelve (12) inches from the building wall.

(.4) Maximum total area of signs: 30 sq. ft. for ground floor retail establishment.

(d) Projecting Signage. The following standards shall apply with respect to projecting signs:

(.1) Maximum area of sign: Twenty (20) square feet for ground floor retail establishment. Twelve (12) square feet for all other signs;

(.2) Number of signs: One (1) per ground floor establishment, plus one (1) for any public building entrance not serving a ground floor establishment;

(.3) Mounting height: 20 foot maximum provided it is below the sill line of the second floor windows or the lowest point of the roof, whichever is less, and does not have less than 8 feet of vertical clearance above grade or sidewalk;

(.4) Maximum projection: Five (5) feet.

(e) Banner Signage. Fabric or rigid material mounted with use of poles, typically oriented perpendicular to structure facade.

(.1) Area of banner: Less than or equal to 25 square feet.

(.2) Banners shall be spaced no closer than 20 feet apart, and centered within architectural elements.

(.3) Projection: Banners shall not project more than three (3) feet into the public right-of-way.

(.4) Mounting height: Bottom of banners shall be mounted at least 14 feet above grade or sidewalk to avoid intrusion into Projecting Sign or Awning Zone, and not to extend beyond the third story of the structure.

(.5) Only one banner sign is permitted per property.

(f) Freestanding Signs.

(.1) Freestanding signs shall only be permitted for existing non-conforming buildings setback from street line such that the building facade is not readily visible from passing traffic. Freestanding signs existing as of (the adoption date) may be replaced.

(.2) The replacement sign must be a monument sign with a maximum height of eight feet unless it can be demonstrated that a higher sign is required to avoid a site obstruction that

would create an unsafe condition.

(.3) Area of sign may not exceed fifty (50) square feet.

(g) Canopies. Awnings and canopies are roof-like structures, above storefront windows or entries, sometimes containing a mark or signature of a tenant. The following standards shall apply:

(.1) Length: Awnings and canopies shall not exceed 20 feet in horizontal length and be centered within architectural elements, such as doors or columns.

(.2) Projection: Awnings and canopies shall not project more than 3'-6" into the public right-of-way. All awnings and canopies must be a minimum of three (3) feet from the curb line.

(.3) Mounting Height: The bottom of awnings and canopies shall be at least eight (8) feet above grade or sidewalk.

(.4) Illumination: Natural lighting only; backlit awnings are not permitted.

(.5) Design: On multi-tenant facades, awning heights, projections and style of awning shall be similar. Logo or tenant mark shall be limited to the valance of an awning, or the front plane of the canopy.

(h) Wall Plaques. Wall plaques are small, pedestrian-oriented informative signs that may convey information such as hours of operation or take the form of directories, menu cases, or convey historical building information. The following standards shall apply:

(.1) Area of Sign: Up to six (6) square feet in area, not projecting more than three (3) inches from a building wall;

(.2) Number of Signs: Two (2) per usable entry;

(.3) Mounting Height: Five (5) feet on center above grade or sidewalk;

(.4) Illumination. Natural lighting only is permitted, except for halo lit or backlit letters.

(i) Permanent Storefront Window Graphics. These are permanent window graphics with the tenant's mark or hours of operation. The following standards shall apply:

(.1) Area. Window signs shall not obscure the interior view of a retail establishment, and shall be no greater than 10% of the available window space.

(26) Street Trees.

(a) Street trees shall be planted by the developer along all public and private streets within the District in compliance with any requirements of the Department of Parks and Recreation. In locations where healthy and mature trees exist that comply with the street tree requirements, additional plantings are not required.

(b) Street trees shall be at least two and one-half (2½) inches in diameter, measured at chest height, when planted and shall be located in compliance with any location restrictions of the Department of Parks and

Recreation, and shall be of a species included in any Recommended Street Tree Planting List of the Department of Parks and Recreation.

(c) Mature street trees shall be limbed up from the sidewalk to six (6) feet to enhance pedestrian safety.

(d) Trees located under utility lines shall not be of a species that is expected to grow into the utility lines, pursuant to any guidelines of the Department of Parks and Recreation.

(27) Utilities. For all new developments, electric, cable, and telephone service connections from the main utility line shall be installed underground, from the nearest existing utility pole.

(28) Conflicting Regulations. Where the requirements of this Section are in conflict with the underlying zoning requirements, the requirements of this Section shall apply.

Explanation:

Italics indicate new matter added.