

Legislation Details (With Text)

File #: 220358 **Version:** 1 **Name:**

Type: Bill **Status:** ENACTED

File created: 4/28/2022 **In control:** Committee on Rules

On agenda: **Final action:** 6/23/2022

Title: Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending certain provisions of Section 14-503, "/NCA, Neighborhood Commercial Area Overlay District," related to the Ridge Avenue /NCA district and by making related changes, all under certain terms and conditions.

Sponsors: Councilmember Jones

Indexes: OVERLAY ZONING DISTRICT

Code sections:

Attachments: 1. Bill No. 22035801, As Amended.pdf, 2. CertifiedCopy22035801

Date	Ver.	Action By	Action	Result	Tally
8/31/2022	1	MAYOR	SIGNED		
6/23/2022	1	CITY COUNCIL	READ AND PASSED	Pass	17:0
6/16/2022	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL		
6/16/2022	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
6/16/2022	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
6/15/2022	0	Committee on Rules	HEARING NOTICES SENT		
6/15/2022	0	Committee on Rules	HEARING HELD		
6/15/2022	0	Committee on Rules	AMENDED		
6/15/2022	1	Committee on Rules	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
6/13/2022	0	Committee on Rules	Cancellation of Scheduled Public Hearing		
4/28/2022	0	CITY COUNCIL	Introduced and Referred		

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending certain provisions of Section 14-503, "/NCA, Neighborhood Commercial Area Overlay District," related to the Ridge Avenue /NCA district and by making related changes, all 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 14-500. OVERLAY ZONING DISTRICTS

* * *

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

* * *

(6) 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) [on] 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.*

[within CMX-2, CMX-2.5, or CMX-3 zoning districts situated within the area bounded by Hermitage Street, Pechin Street, Fountain Street, Pechin Street, Paoli Avenue, Ridge Avenue, Livezey Street, Valley Avenue, Henry Avenue, Fountain Street (Extended), Hazelwood Street, Acorn Street, Lawnton Street, Green Lane, Jannette Street, Monastery Avenue, Houghton Street (extended), Barnes Street, Quentin Street, Salaignac Street, Righter Street, Osborn Street, Manayunk Avenue, Sumac Street (extended), Cresson Street (extended), Vassar Street, Terrace Street, Dawson Street, Manayunk Avenue, Salaignac Street, Pechin Street, Hermit Street, and Mitchell Street, as shown on the following map for illustrative purposes only.



(b) Limitations on Floor Area Used For Commercial Purposes.

The maximum amount of net leasable area used for commercial purposes in buildings erected after February 9, 2011 shall not exceed 8,000 sq. ft.

(c) Facade Controls.

L&I shall not issue a building permit until the Commission has reviewed plans of the facade and has determined that the proposed facade is in compliance with all of the following:

- (.1) At least sixty-five percent (65%) of ground floor building facades of commercial storefronts shall be clear glass. Reflective, frosted, or tinted glass does not count towards this percentage;
- (.2) The sill height of first floor commercial storefront windows on Ridge Avenue shall be no more than two ft. six in. above the ground floor level;
- (.3) Public entrance doors of commercial storefronts shall be at least fifty percent

(50%) glazed or transparent when fronting on a public right-of-way.

In the case of corner lots, this applies to any side fronting a public right-of-way;

(.4) Outdoor lighting shall not include flood lighting, high-pressure sodium lamps, or flashing lights;

(.5) Awnings shall not project more than 4 ft. into the public right-of-way, provided that nothing in this section shall relieve a property owner from the requirement of an encroachment ordinance; and

(.6) Mechanical systems shall be set back at least 10 ft. from the street line.

(d) 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.
- (.d) Freestanding signs.
- (.e) Non-accessory 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, only one window sign can 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.

(e) Height.

Buildings in the CMX-2.5 or CMX-3 district may not exceed 45 ft. in height.

(f)] (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.] *facilities*;
- (.b) Moving and storage [facilities.] *facilities*;
- (.c) Personal care [homes.] *homes*;

(.d) Non-accessory [parking.] *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)] Business and professional offices.

(b) Business support.]

[(c)](.a) Group child [care.] *care;*

[(d)](.b) Research and [development.] *development;*

[(e)](.c) Medical, dental, and health practitioner [offices.] *offices; and*

[(f)](.d) Take-out restaurants.

(.3) For buildings in the CMX-3 zoning 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 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.*

[(g)] (.d) [Parking.] *Parking And Loading.*

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

(.2) [All required parking shall be located either:

(.a) On-site; or

(.b) On another lot, provided that the applicant has entered into a signed agreement with that lot's owner and provided:

- (i) That lot shares at least one property line with the lot where the principal use is located, or
- (ii) That lot is within 1,000 ft. of the lot where the principal use is located.

(.3)] Parking for [residential] *dwelling* units in [the] *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, [meet the following standards,] notwithstanding any other parking requirements set forth in this Zoning Code*

[Table 14-503-6: Required Parking

	Minimum Required Parking Spaces (spaces per unit)
{Residential Use Category (as noted below)	
Household Living (as noted below)	
5 units or less	0
Greater than 5 units	3/10

(.4)](.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 Section 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.

* * *

CHAPTER 14-800. PARKING AND LOADING

* * *

§ 14-802. Motor Vehicle Parking Ratios.

* * *

(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 [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.

* * *

(f) Any parking provided pursuant to this section shall be reviewed under the standards for accessory parking in the zoning district and overlay districts of the lot on which it is provided.

SECTION 2: This Ordinance is effective immediately.