

Legislation Text

File #: 130894, Version: 0

The Honorable Michael A. Nutter
Mayor, City of Philadelphia
City Hall, Room 215
Philadelphia, PA 19107

Re: Bill No. 130770- Amending Title 14 of the Philadelphia Code, entitled "Zoning and Planning," by revising use regulations relating to medical, dental, and health practitioners in certain areas of the City, under certain terms and conditions.

Dear Mayor Nutter:

Pursuant to Section 4-604 of the Philadelphia Home Rule Charter, the City Planning Commission reviewed Bill No. 130770, introduced by Councilmembers O'Neill and Henon on October 24, 2013.

Bill No. 130770 will create a new Section 14-515 "/NE Northeast Overlay District," comprised of all divisions of the 41st Ward; divisions 1-6, 12, 15, 20, 23 and 25 of the 45th Ward; divisions 7-22 of the 54th Ward; all divisions of the 55th Ward; all divisions of the 57th Ward; divisions 17, 21-22, and 24-26 of the 62nd Ward; all divisions of the 64th Ward; all divisions of the 65th Ward, and all divisions of the 56th, 58th, 63rd, and 66th Wards. These wards coincide with the boundaries of City Council Districts 6 and 10 following post-2010 Census redistricting.

In this new "/NE Northeast Overlay District," medical, dental and health practitioner uses (both solo and group practitioners) are prohibited in commercial zoning districts, as well as the "IRMX" and "ICMX" mixed-use districts, and the "1-1" and "1-2" Industrial zoning districts. Given that these are the only zoning classifications in the area that permit such uses, Bill No. 130770 effectively prohibits any new medical office uses from being located in these areas.

The City Planning Commission believes that this bill is exclusionary in nature, and would unduly restrict access to healthcare in these areas. This would be a burden to new medical and dental practices that would be required to prove "hardship" at the Zoning Board of Adjustment in order to locate in the overlay district. It would also place an undue burden on residents and others seeking health care, since it would limit care and provider choice in this section of the City. Both the Philadelphia County Medical Society and the Philadelphia County Dental Society oppose these new restrictions.

At its meeting of November 19, 2013, the City Planning Commission recommended that Bill No. 130770 not be approved.

Sincerely,
Gary J. Jaastrzab
Executive Director