



Legislation Text

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Amending Section 11-301 of The Philadelphia Code, entitled “Street Improvements,” to revise the method by which the Board of Surveyors may approve supplemental plans relocating the curblines and changing the roadway widths of streets, and to expand the purposes for and circumstances under which such changes may be made, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 11-301 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 11-300. BOARD OF SURVEYORS.

§11-301. Street Improvements.

* * *

(2) No improvement of any kind, for which a location is shown upon such plans and cross-sections, or upon the plans filed as provided for in §§ 11-301(4) *and* 11-301(6), shall be made in any street except in the location so provided, and no persons shall place any such improvements in any street without first obtaining the location and the lines and grades from the district surveyor and regulator.

* * *

[(6) Whenever it is desirable to relocate the curblines and change the roadway width of a street for a distance of less than an entire block, in order to facilitate traffic or pedestrian movement or to improve stormwater management, the Department of Streets may submit to the Board of Surveyors for its approval a proposed plan setting forth such changes, provided the proposed changes will maintain traffic safety, provide sufficient sidewalk widths for pedestrian use, and will not affect the abutting houseline. Such proposed plan shall show the proposed widths and locations of the roadway, curbs, and other surface improvements in accordance with a standard plan for a street of such width on file with the Board of Surveyors. The plan, upon approval by the Board, shall be filed as a supplement to the confirmed plan and shall be followed in making all street improvements.]

(6) Whenever any existing, improved street is to be wholly or partly reconstructed and it is desirable to relocate the curbline(s) and change the roadway width of the street or to make minor adjustments to the grades of the street, in order to facilitate traffic or pedestrian movement, increase compliance with accessibility guidelines and/or the Complete Streets Policy (§ 11-900), or improve drainage and/or stormwater management, a plan showing the new widths, locations, and grades of the roadway, curbs, and other surface improvements shall be prepared and submitted to the Board of Surveyors for approval, provided the proposed changes

have been reviewed and approved by the Department of Streets and reviewed by the City Planning Commission and will maintain traffic safety, provide sufficient sidewalk widths for pedestrian use, and will not affect the abutting houseline(s). This plan, upon approval by the Board, shall be filed as a supplement to the confirmed plan, and the curblines and grades shown thereon shall not be altered by any subsequent construction or reconstruction unless the plans for such alterations have been submitted to and approved by the Department of Streets.

(a) [All applications made to the Department of Streets by private parties for the relocation of curblines and changes in roadway widths as provided in this Section shall] *Whenever any such proposed relocation of curblines and change in roadway widths and/or grades as provided for in this Subsection (6) is proposed by a private party or parties and reviewed by the Department of Streets, the Department may, as a condition of approval, require the filing of an agreement by the party in interest to provide that the party in interest shall be responsible, at his or her sole cost and expense, for maintaining the roadway and sidewalk paving within the affected area in good repair and shall indemnify the City from and against all damages or claims for damages which may arise directly or indirectly as a result of the requested curbline and roadway width changes.*

(b) *Whenever an application is made to the Department of Streets by a private party or parties for the relocation of curblines and changes in roadway widths and/or grades as provided in this Subsection (6) and the proposed curbline changes extend beyond the frontage of the property or properties owned or controlled by the party in interest, affecting the property of other owners, the party in interest shall provide evidence to the Department that the said other affected owner(s) have been informed of and are in support of the proposed changes.*

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SECTION 2. This Ordinance shall take effect immediately upon its adoption into law.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.