

## Legislation Text

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**File #: 150285, Version: 1**

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Amending Section 14-517 of The Philadelphia Code, entitled “/UED Urban Experiential Display Overlay Control District,” to provide for further regulations regarding urban experiential displays, under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Section 14-517 of The Philadelphia Code is hereby amended to read as follows:

***§ 14-517. UED, Urban Experiential Display Overlay Control District.***

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**(5) Approval Process.**

No zoning permits for Urban Experiential Displays shall be issued unless the applicant shall have first submitted to the City Planning Commission, and the City Planning Commission, after receipt of a recommendation from the Civic Design Review Committee, shall [have reviewed and provided technical assistance and input that are intended to facilitate development of the UED in promoting the UED’s purpose and goals.] *have:*

(a) *Submitted to the Art Commission a recommendation regarding the proposed design and placement of the UED. The City Planning Commission’s recommendation shall reflect the Commission’s judgment as to whether the particular proposal is appropriate in its scale, density, and character for the surrounding community.*

(b) *Approved an executed agreement between the Applicant and a governmental entity (e.g., the Philadelphia Authority for Industrial Development), which agreement provides for a financial contribution by the Applicant to the governmental entity in the amount of at least \$125,000 per UED per annum in the Base Year, which shall increase in amount not less than four percent (4%) per annum, for so long as the UED remains in operation. The governmental entity may charge the Applicant such reasonable initial and annual administrative fees as may be necessary to administer this subsection (b). The Base Year shall be calendar year 2015. Compliance by the Applicant with the agreement shall be a continuing condition of maintaining the UED at the permitted location. The agreement shall provide to the Commission’s satisfaction that:*

(.1) *The money is to be used exclusively to fund grants to community organizations to be used by such organizations exclusively for public improvements in the vicinity of the UED and for reasonable operating and maintenance expenses associated with such public improvements.*

(.2) *The grant agreements between the government entity and the community organizations shall provide for financial auditing and any other oversight of the use of the grant funds deemed necessary by the City and the government entity.*

(6) Art Commission.

No UED may be erected or maintained unless approved by the Art Commission.

\* \* \*

**(8) Pennsylvania Department of Transportation.** No UED may be erected or maintained unless the applicant first files with the Department [a] *either:*

(a) A ruling from the Pennsylvania Department of Transportation stating that [either:

(a) The proposed location is not within the jurisdiction of the Department of Transportation;

(b) The erection and maintenance of UEDs is not within the jurisdiction of the Department of Transportation; or

(c) The] *the* erection and maintenance of the proposed UED is [approved by the Department of Transportation.] *approved; or*

(b) *Only in the event the Department of Transportation concludes that it does not have jurisdiction over the proposed location or that it does not have jurisdiction over the erection and maintenance of UEDs, a ruling from the Department of Streets that the design and placement of the UED does not pose an unreasonable hazard for vehicle or pedestrian safety. The Department of Streets may require the submission of a traffic safety study and, to the extent necessary, a mitigation plan, to facilitate the Department's review.*

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SECTION 2. This Ordinance shall take effect immediately.

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**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.