

Legislation Text

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Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by revising and clarifying certain provisions and making technical 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:

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TITLE 14. ZONING AND PLANNING

CHAPTER 14-100. GENERAL PROVISIONS

* * *

§ 14-107. Determination of Boundaries.

* * *

(2) Multiple Districts or Provisions

* * *

(b) If [any] *two or more* zoning [district] *districts each cover* [covers] a contiguous area on the lot that is greater than or equal to either of the following, the most restrictive provisions of all zoning districts that have a contiguous area that covers at least 10% the total lot area shall apply:

* * *

CHAPTER 14-300. ADMINISTRATION AND PROCEDURES

§ 14-301. Reviewers and Decision Makers.

* * *

(3) City Planning Commission

* * *

(c) Review and Prerequisite Approval Authority

(.1) The Commission provides prerequisite approvals for:

* * *

(r) Zoning permits regarding properties that are covered by two or more zoning districts and that meet the criteria of [§ 14-107(2)(c).] § 14-107(2)(d).

(.s) *Building permits regarding facades in the Mt. Airy Subarea of the Germantown Ave /NCA Neighborhood Commercial Area and the Ridge Avenue /NCA Neighborhood Commercial Area Overlay district. See 14-503(3)(c) (.1) (Facade Review).*

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CHAPTER 14-500. OVERLAY ZONING DISTRICTS

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§ 14-502. /CTR, Center City Overlay District

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(2) Applicability.

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(b) Area Boundaries.

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(.19) Parkway Buffer Area.

The Parkway Buffer area is:

(.a) Northwest: the area within the boundary lines of the Benjamin Franklin Parkway (*as indicated on the City Plan*) or Logan Square and within 200 ft. of the Benjamin Franklin Parkway (*as indicated on the City Plan*) or Logan Square, between Fairmount Park and 18th Street.

(.b) Southeast: the area within the boundary lines of the Benjamin Franklin Parkway (*as indicated on the City Plan*) and within 200 ft. of the Benjamin Franklin Parkway (*as indicated on the City Plan*) between Broad Street and 18th Street.

* * *

§ 14-504. /NCO, Neighborhood Conservation Overlay District

* * *

(1.1) Permits

* * *

(b) No *zoning permit* or building permit shall be issued for the demolition of a principal building located within an /NCO district unless a building permit has been issued for the construction, expansion, or alteration of a new or existing principal building on the same lot.

* * *

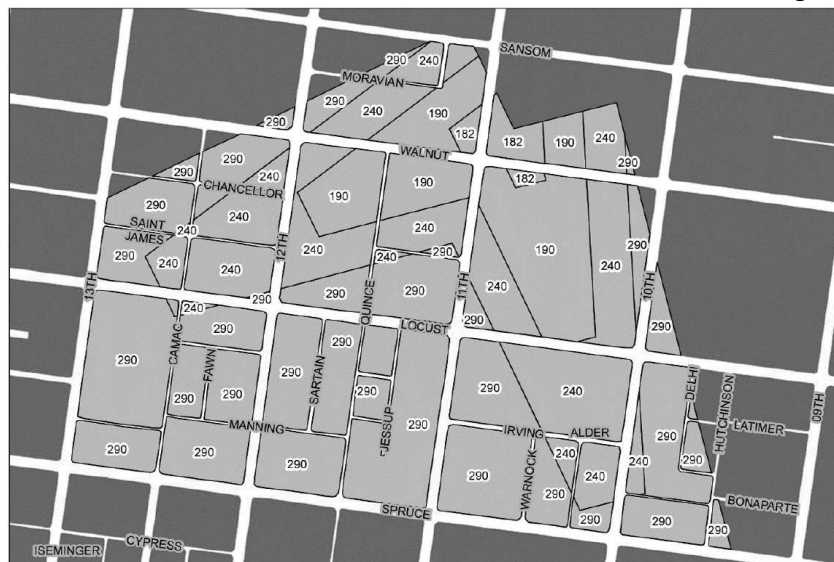
§ 14-531 /HHC, Heliport Hazard Control Overlay District.

* * *

(2) Heliport Areas.

(a) Thomas Jefferson University Hospital Heliport Area.

The Thomas Jefferson University Hospital Heliport Area shall be associated with Thomas Jefferson University Hospital Heliport (FAA location identifier 9PA8) and shall consist of the area bounded by Sansom Street, 10th Street, Walnut Street, 9th Street, Spruce Street, and 13th Street. [



Heliport Hazard Area Map - Thomas Jefferson University Hospital Heliport Area





* * *

§ 14-533. /MIN, Mixed Income Neighborhoods Overlay District

* * *

(2) Definition of Residential Housing Project.

(a) For the purposes of this § 14-533, a Residential Housing Project is any development which itself, or in combination with any closely related development, involves the [construction] *development* of ten or more dwelling units, twenty or more sleeping units, or both, and that is located in whole or in part within the Mixed Income Neighborhoods Overlay District, provided a Residential Housing Project is not:

* * *

CHAPTER 14-600. USE REGULATIONS

* * *

§ 14-604. Accessory Uses and Structures.

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(7) Solar Collectors.

(a) Roof-mounted solar collectors and associated solar collector support structures are permitted accessory structures in all zoning districts, subject to the following standards:

* * *

(.2) Solar collector support structures shall not exceed 9 ft. in height above the surface of the [roof.] *roof, unless the total height of the building including the solar collector does not exceed the maximum height permitted in Chapter 14-700 (Development Standards).*

(.3) In the RSD, RSA, RTA, RM-1, CMX-1, CMX-2, and CMX-2.5 districts, solar collector support structures and associated solar collectors shall be set back at least seven ft. from the extreme front building [line.] *line, unless the total height of the building including the solar collector does not exceed the maximum height permitted in Chapter 14-700 (Development Standards).*

* * *

CHAPTER 14-700. DEVELOPMENT STANDARDS

§ 14-701. Dimensional Standards

* * *

(5) CMX-4 and CMX-5 Bulk and Massing Controls.

* * *

Table 14-701-5: Sky Plane Requirements by Street

A. Regulated Street Frontage	B. Height Threshold (ft. above sidewalk)	C. Regulated Height Interval (ft. above sidewalk)	D. Allowed Blockage of Sky Plane
50-59 ft. wide streets {(including but not limited to Race and Locust)}	65	>575	0%
		285-575	60%
		150-285	70%
		90-150	80%
		65-90	85%
		<65	100%

60-69 ft. wide streets {(including but not limited to Chestnut and Walnut)}	80	>690	0%
		340-690	60%
		175-340	70%
		115-175	80%
		80-115	85%
		<80	100%
70-79 ft. wide streets {(including but not limited to Arch)}	100	>825	0%
		415-825	60%
		200-415	70%
		135-200	80%
		100-135	85%
		<100	100%
* * *			
100 ft. and wider streets {(including but not limited to Market and John F. Kennedy)}	125	>1145	0%
		570-1145	60%
		285-570	70%
		190-285	80%
		125-190	85%
		<125	100%

* * *

§ 14-704. Open Space and Natural Resources.

* * *

(2) Steep Slope Protection.

(a) Applicability.

(.1) These steep slope protection standards shall apply to all site clearing and earth moving in all zoning districts located within the "Steep Slope Protection Area", as shown on the City of Philadelphia Steep Slopes Map maintained by the Commission. The steep slopes map shown below is for illustrative purposes only. [Such lots must also contain the following:

(.a) A disturbance of lot area greater than 1,400 sq. ft. or on which the proposed activity will increase impervious ground cover on the lot by more than 1,400 sq.

ft.; and

(b) Slopes of fifteen percent (15%) or greater on any lot or portion(s) thereof.]

(2) [When an application] *Applications* for a permit under this Zoning Code [includes any land] that *meet all of the following conditions are subject to* [is located within the "Steep Slope Protection Area" of the City of Philadelphia Steep Slopes Map,] prerequisite approval from the Commission [is required] per § 14-301(3)(c)(1)(j):

(a) *The application includes any land that is located within the "Steep Slope Protection Area" of the City of Philadelphia Steep Slopes Map;*

(b) *The application proposes earth disturbance, site clearing, or additional impervious ground coverage that cumulatively affect more than 1,400 sq. ft. of land area; and*

(c) *The application includes any land containing slopes of fifteen percent (15%) or greater.*

(3) *In order to identify conditions described in (.a) through (.c) above,* [The] *the* City may require that the applicant submit a topographic survey, prepared by a licensed engineer or surveyor, confirming the locations of slopes of fifteen percent (15%) or greater, *but less than twenty-five percent (25%) and twenty-five percent (25%) or greater,* as well as a plan showing the limit of earth moving or site clearing activities.

* * *

CHAPTER 14-800. PARKING AND LOADING

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§ 14-802. Motor Vehicle Parking Ratios.

* * *

(9) Off-Site Parking

* * *

(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.*

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§ 14-803. Motor Vehicle Parking Standards

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(4) Parking Design Standards.

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(b) Design Standards for Garage Structures

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(.5) Parking Garage Review.

Parking garages in the RMX-3, CMX-3, CMX-4, and CMX-5 [districts] *districts, in the /CDO, Central Delaware Riverfront Overlay District*, and parking garages of at least 250 parking spaces on lots in or adjacent to any other residential or commercial district, shall be subject to the following review

* * *

CHAPTER 14-900. SIGNS

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§ 14-904. Accessory Sign Controls.

* * *

(4) Special Controls for Cobbs Creek, Roosevelt Boulevard, and Department of Parks and Recreation Land.

(a) Applicability.

The standards of this subsection (4) shall apply to any signs:

* * *

(.2) Within the boundary lines of Fairmount Park (*as defined in § 15-201. (Jurisdictional Areas)*) or Cobbs Creek Park;

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CHAPTER 14-1000. HISTORIC PRESERVATION

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§ 14-1003. Historical Commission.

(1) Appointment.

The Mayor shall appoint a Philadelphia Historical Commission consisting of

(a) the following individuals:

(.1) President of City Council or [his or her] designee;

(.2) [the] Director of Commerce *or designee*;

(.3) Commissioner of Public Property *or designee*;

(.4) [the] Commissioner of Licenses and Inspections *or designee*;

(.5) [the Chairman] *Chair* of the City Planning Commission or [his or her] designee;

(.6) [the] Director of Housing or [his or her] designee; and

(b) [eight] *seven* other persons learned in the historic traditions of the City and interested in the preservation of the historic character of the City. At least one of the appointees shall be:

* * *

(2) Powers and Duties.

(d) Prepare and maintain or cause to be prepared and maintained a comprehensive inventory of *designated* historic buildings, structures, sites, objects, and districts;

§ 14-1004. Designation.

(2) Notice.

(a) At least 30 days before holding a public meeting to consider the proposed designation of a building, structure, site, or object as historic, the Historical Commission shall send notice to the owner of the property proposed for designation. Such notice shall indicate the date, time, and place of the public meeting at which the Historical Commission will consider the proposed designation. Notice shall be sent to the registered owner's last known address as the same appears in the real estate tax records of the Department of Revenue and sent to ["Owner"] *"Current Resident" or other occupant address permitted by the United States Postal Service* at the street address of the property in question.

(c) The Historical Commission shall send written notice of the designation as historic of a building, structure, site, object, or district to the owners of each separately designated building, structure, site, or object and to the owners of each building, structure, site, or object within a district designated historic, which shall include reason for the designation. Notice shall be sent to the registered owner's last known address as the same appears in the real estate tax records of the Department of Revenue and sent to [Owner] *"Current Resident" or other occupant address*

permitted by the United States Postal Service at the street and address of the property in question. The Historical Commission shall send written notice of historic designation to any person appearing at the public hearing who requests notification.

§ 14-1005. Regulation.

(6) Building Permit Application Review.

(f) Jurisdiction During Consideration of Designation.

Where a building permit application is filed on or after the date that notices of proposed designation have been mailed, L&I shall not issue any building permit for the demolition, alteration, or construction of any building, structure, site, or object that is being considered by the Historical Commission for designation as historic or that is located within a district being considered by the Historical Commission for designation as [historic where the building permit application is filed on or after the date that notices of proposed designation have been mailed,] historic, subject to the following conditions:

(.1) The date that the building permit application fee has been paid shall be the date the permit application is filed for purposes of this provision.

(.2) A building permit may be issued by L&I if the permit application has been approved by the Historical Commission or where a proposed designation has been denied by the Historical Commission.

(.3) If the Historical Commission denies its approval for a building permit application prior to taking action on a proposed designation, such denial shall not be considered a final decision subject to an appeal pursuant to Section 14-1008 of this Chapter, unless and until the Historical Commission approves the proposed designation within 90 days of the filing date of the permit application; in such instances, the date that the designation is approved shall be deemed the date of the final decision to deny the permit application.

(.4) If the Historical Commission has not taken final action on the proposed designation within 90 days of the filing date of a permit application, any permit application that has not received a final decision by the Historical Commission shall be deemed approved as of the 90th day after the date of the filing of the permit application.

[except that L&I may issue a building permit if the Historical Commission has approved the application or has not taken final action on designation and more than 90 days have elapsed from the date the permit application was filed with the Historical Commission. Where the Historical Commission takes final action on designation within the time allotted herein, any building permit application on file with L&I shall be deemed to have been filed after the date of the Historical Commission's action for

purposes of this Chapter 14-1000.]

SECTION 2. This Ordinance shall become effective immediately.