File #: 230448, **Version:** 1

Amending Chapter 14-500 of The Philadelphia Code, entitled "Overlay Zoning Districts," by amending Section 14-514, entitled /FNE, Far Northeast Overlay District, Section 14-515, entitled /NE, Northeast Overlay District, and Section 14-524, entitled /FDO, Fourth District Overlay District by creating regulations for Medical Marijuana, 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

* * *

§ 14-514. /FNE, Far Northeast Overlay District.

* * *

(2) Use Regulations.

* * *

(d) Any Medical Marijuana Dispensary as defined in 14-601(6)(c)(.3) shall not include a person authorized to dispense marijuana for recreational or other non-medical purposes.

* * *

§ 14-515. /NE, Northeast Overlay District.

* * *

(2) *Use* Regulations.

* * *

(b) [The standards of this § 14-515(2)(b) apply to lots zoned I-1 and located in the area

described in § 14-515(1)(a).]

[(.1)] Equipment and materials storage yards and buildings uses are [prohibited.] prohibited *on lots zoned I-1.*

[(.2) The maximum occupied area shall be seventy-five percent (75%) of the lot.

(.3) The maximum floor area ratio shall be two hundred twenty-five percent (225%) of the lot area.

(.4) The minimum requirements for front yards, side yards, and rear yards shall be the larger of either those required for any abutting residential district on the abutting side of the lot or the following requirements.

(.a) The minimum front yard depth shall be 50 ft. if abutting a residential or SP-PO district, otherwise the minimum front yard depth shall be 20 ft.

(.b) Two side yards shall be provided with a minimum width of 50 ft. each if abutting a residential or SP-PO district, otherwise the minimum width of each side yard shall be 12 ft.

(.c) The minimum rear yard depth shall be 50 ft. if abutting a residential or SP-PO district, otherwise the minimum rear yard depth shall be at least 12 ft.]

[(3)] *(c)* Minimum Lot Area.

[(a)]*(.1)* In the RSA-5 district, the minimum lot area shall be 1,440 sq. ft., except that a lot containing at least 1,600 sq. ft. of land may be divided into lots with a minimum lot size of 800 sq. ft., provided that:

[(.1)] *(.a)* At least seventy-five percent (75%) of lots adjacent to the lot to be divided is 1,000 sq. ft. or less;

[(.2)] *(.b)* Each of the lots created is used for one single-family attached home; and

[(.3)] *(.c)* Each of the lots created meets the minimum lot width requirement of the zoning district.

[(b)] *(.2)* In the CMX-2 district, the number of permitted dwelling units is as follows, provided that, whenever the calculation of permitted number of dwelling units results in a fraction of a dwelling unit, then the number of permitted dwelling units shall be rounded down to the nearest whole number:

[(.1)] *(.a)* A maximum of two dwelling units are permitted for lots less than 1,440 sq. ft. in area;

[(.2)] *(.b)* A maximum of three dwelling units are permitted for lots that are 1,440 sq. ft. to 1,919 sq. ft. in area; and a minimum of 480 sq. ft. of lot area is

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required per dwelling unit for the lot area in excess of 1,919 sq. ft.

[(4) Accessory Dwelling Units.]

(d) Accessory dwelling units shall not be permitted.

(3) Dimensional Standards

On lots zoned I-1:

(a) The maximum occupied area shall be seventy-five percent (75%) of the lot.

(b) The maximum floor area ratio shall be two hundred twenty-five percent (225%) of the lot area.

(c) The minimum requirements for front yards, side yards, and rear yards shall be the largest of those required for abutting residential districts or the following requirements, whichever is greater:

(.1) The minimum front yard depth shall be 50 ft. if abutting a residential or SP-PO district, otherwise the minimum front yard depth shall be 20 ft.

(.2) Two side yards shall be provided with a minimum width of 50 ft. each if abutting a residential or SP-PO district, otherwise the minimum width of each side yard shall be 12 ft.

(.3) The minimum rear yard depth shall be 50 ft. if abutting a residential or SP-PO district, otherwise the minimum rear yard depth shall be at least 12 ft.

* * *

§ 14-524. /FDO, Fourth District Overlay District.

* * *

(2) Fourth District Area.

The following standards apply to the Fourth District Area, as defined in subsection (1) (Applicability) above:

* * *

(c) Any Medical Marijuana Dispensary as defined in 14-601(6)(c)(.3) shall not include a person authorized to dispense marijuana for recreational or other non-medical purposes.

SECTION 2. This Ordinance shall become effective immediately.

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Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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