

Legislation Text

File #: 150505, **Version:** 1

Amending Section 14-200 of The Philadelphia Code, entitled “Definitions,” and Section 14-500, entitled “Overlay Zoning Districts,” by adding a new subsection entitled “/ECO, East Callowhill Overlay District;” amending Chapter 14-702, entitled “Floor Area and Height Bonuses;” by adding a new subsection entitled “Stormwater Open Space” and a new subsection entitled “Through-Block Connection;” and making related changes, all under certain terms and conditions. To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Spring Garden Street, 2nd Street, Callowhill Street, and 6th Street.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Pursuant to Section 14-106 of The Philadelphia Code, the Philadelphia Zoning Maps are hereby amended by changing the zoning designations of certain areas of land within an area bounded by Spring Garden Street, 2nd Street, Callowhill Street, and 6th Street, from the existing zoning designations indicated on Map “A” set forth below to the zoning designations indicated on Map “B” set forth below.

SECTION 2. Title 14 of The Philadelphia Code is hereby amended to read as follows:

TITLE 14. ZONING AND PLANNING

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CHAPTER 14-200. DEFINITIONS

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(47.1) *Building Line.*

The outermost portion of the exterior wall of a building.

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(317.1) *Street Drainage*

The stormwater runoff between the crown or centerline of a street and the street frontage of a lot.

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CHAPTER 14-500. OVERLAY ZONING DISTRICTS

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§ 14-518. /ECO, East Callowhill Overlay District.

(1) Purpose.

The East Callowhill Overlay District is intended to help guide appropriate economic development, support walkable neighborhoods, and promote environmentally sustainable practices.

(2) District Boundaries.

The East Callowhill Overlay District shall consist of all lots in the area bounded by 2nd Street, Spring Garden Street, 6th Street, and Callowhill Street as shown on the following map for illustrative purposes only:

(3) Uses.

On lots with frontage along Spring Garden Street, at least 75% of the length of ground floor frontage along Spring Garden Street must be occupied by an office, retail sales, commercial services, or public, civic, and institutional use; except that regulated uses, as set forth in § 14-603(13) (Regulated Uses), shall be prohibited from the ground floor frontage.

(4) Building Height.

(a) The minimum building height shall be 25 ft.

(b) Unless additional building height has been earned pursuant to § 14-702 (Floor Area and Height Bonuses), the maximum building height for base zoning districts that are regulated by a maximum floor area ratio in § 14-701 (Dimensional Standards) shall be:

(.1) 65 ft. for all lots in the area bounded by 2nd Street, Spring Garden Street, 6th Street, Willow Street, American Street, and Noble Street; and

(.2) 100 ft. for all lots in the area bounded by 2nd Street, Noble Street, American Street, Willow Street, 6th Street, and Callowhill Street.

(5) Parking and Loading.

(a) No more than one curb cut may be permitted along each street frontage of a property; provided, however, that:

(.1) A second curb cut may be permitted if either (A) there is a minimum of 200 linear ft. between each curb cut; or (B) one of the curb cuts will be used to create a through-block connection that meets the requirements of § 14-702(15) (Through-Block Connection).

(.2) Curb cuts are prohibited along Spring Garden Street.

(b) Off-street surface parking and loading shall not be located between the building line and the street

line along 2nd Street, 3rd Street, 4th Street, 5th Street, 6th Street, Callowhill Street, and Spring Garden Street.

(c) Drive-throughs are prohibited.

(d) Required accessory parking in an aboveground structure shall be excluded from the calculation of gross floor area; any parking provided in addition to the required accessory parking shall count towards the calculation of gross floor area.

(6) Open Area.

For lots that include the former right of way of Noble Street, the former right of way shall be utilized as open area. If this open area would exceed the minimum open area requirements of the zoning district, the open area required shall be the maximum contiguous portion of the former right of way, extending lot line to lot line, that meets the minimum open area requirements of the zoning district.

(7) Form and Design.

Facade articulation is required for each building facade that is greater than 50 ft. wide and faces directly onto a public street, park, or trail. Between the average ground level and a height of 25 ft., a minimum of 50% of the wall area must include one or more of the following features:

(a) Ornamental and structural detail;

(b) Projections, recesses, or other variations in planes; or

(c) Transparent windows or other transparent glazed area.

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CHAPTER 14-700. DEVELOPMENT STANDARDS

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§ 14-702. Floor Area and Height Bonuses.

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(2) Eligibility for Floor Area Bonuses.

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(e) Property located in the /CDO overlay district or the /ECO overlay district shall be eligible for floor area bonuses, provided the subject property is a minimum of three acres and further provided that any bonus category used to earn additional floor area shall not be the same as any bonus category

used to earn additional height.

(2.1) Eligibility for Height Bonuses.

In order to be eligible for any height bonuses pursuant to this section, the property must be located in the /CDO overlay district and must be subject to the height restrictions of § 14-507(6)(b) *or the property must be located in the /ECO overlay district and must be subject to the height restrictions of § 14-518(4)(b).*

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(3.1) Building Height Bonus Options Summary Table.

The following table summarizes the building height bonus options in this section. In the event of conflict between the provisions of Table 14-702-2 and the text of this Zoning Code, the text shall govern.

Table 14-702-2: Building Height Bonus Summary

Bonus Category	Additional Building Height	
	/CDO	/ECO
Public Art (§ 14-702(5))	Up to 12 ft.	<i>Up to 12 ft.</i>
Public Space (§ 14-702(6))	Up to 24 ft.	<i>Up to 24 ft.</i>
Mixed Income Housing (§ 14-702(7))	Up to 48 ft.	<i>Up to 48 ft.</i>
Transit Improvements (§ 14-702(8))	Up to 72 ft.	<i>N/A</i>
Green Building (§ 14-702(10))	Up to 36 ft.	<i>Up to 36 ft.</i>
Trail (§ 14-702(11))	Up to 72 ft.	<i>N/A</i>
Street Extension (§ 14-702(12))	Up to 72 ft.	<i>N/A</i>
Retail Space (§ 14-702(13))	Up to 48 ft.	<i>Up to 48 ft.</i>
<i>Stormwater Open Space (14-702(14))</i>	<i>N/A</i>	<i>Up to 72 ft.</i>
<i>Through-Block Connection (14-702(15))</i>	<i>N/A</i>	<i>Up to 48 ft.</i>

(4) Maximum Floor Area and Height Bonus Amounts

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- (g) All bonus height earned pursuant to this section must be used so that the property (a) complies with all dimensional standards applicable to the property (other than maximum height) in § 14-701 (Dimensional Standards), including without limitation the maximum gross floor area or floor area ratio for the property established in that section, and (b) complies with all other provisions of this Zoning Code, unless a specific exception to one or more of those requirements is listed in this Zoning Code. [The height bonuses in this § 14-702 may be used in combination to earn up to 144 ft. of building height.]

(h) The height bonuses in this § 14-702 may be used in combination to earn up to:

(.1) 144 ft. of building height in the /CDO overlay;

(.2) 84 ft. of building height in the area of the /ECO overlay bounded by 2nd Street, Spring Garden Street, 6th Street, Willow Street, American Street, and Noble Street; and

(.3) 240 ft. of building height in the area of the /ECO overlay bounded by 2nd Street, Noble Street, American Street, Willow Street, 6th Street, and Callowhill Street.

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(5) Public Art.

The bonus for public art is a mechanism to expand and enrich the public's experience and enjoyment of buildings and public space and to create buildings and public space that is designed and executed with diverse and high quality materials, activities, and furnishings. In order to comply with this subsection, all of the following conditions must be met:

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(d) Bonus Floor Area or Building Height.

The additional gross floor area or building height earned for providing public art is:

Additional Gross Floor Area, as Percent of Lot Area		Additional Building Height	
CMX-4	CMX-5	/CDO	/ECO
50%	100%	12 ft.	12 ft.

(6) Public Space.

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(b) Bonus Floor Area or Building Height.

The additional gross floor area or building height earned by providing public space is:

Amount of Public Space as Percentage of Lot Area	Additional Gross Floor Area, as Percentage of Lot Area		Additional Building Height	
	CMX-4	CMX-5	/CDO	/ECO
5 - 10% of lot area	100%	200%	N/A	N/A
11 - 20% of lot area	150%	300%	12 ft.	12 ft.

21 - 30% of lot area	200%	400%	24 ft.	24 ft.
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(7) Mixed Income Housing.

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(b) Bonus Floor Area or Building Height.

The additional gross floor area or building height earned for providing mixed-income housing is:

Additional Gross Floor Area, as Percentage of Lot Area			Additional Building Height	
CMX-3 in /TOD Districts	CMX-4	CMX-5	/CDO	/ECO
150%	150%	300%	48 ft.	48 ft.

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(10) Green Building or Site.

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(b) Bonus Floor Area or Building Height.

The additional gross floor area or building height earned for a certified green building is:

Level of LEED Certification	Additional Gross Floor Area, as Percentage of Lot Area			Additional Building Height	
	CMX-3 within a /TOD District	CMX-4	CMX-5	/CDO	/ECO
Gold	50%	100%	200%	24 ft.	24 ft.
Platinum	100%	200%	400%	36 ft.	36 ft.

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(13) Retail Space**(a) Criteria.**

A building height bonus may be earned for constructing ground floor retail space, provided that all portions of each ground floor facade that abuts a sidewalk or public space and that is not occupied by entrances, exits, or waiting areas shall be designed and constructed to permit a finished ceiling height of at least 10.5 ft. in order to allow occupancy by a use in the retail sales, commercial

services, day care, or library and cultural exhibits use category. Retail space provided to satisfy the ground floor use requirements of § 14-507(4)(b) or 14-518(3) shall not apply towards the retail space bonus.

(b) Bonus Building Height.

The additional building height earned for construction of retail space is:

Additional Building Height	
/CDO	/ECO
12 ft. per each 5,000 sq. ft. of retail floor area provided, up to maximum of 48 ft.	12 ft. per each 5,000 sq. ft. of retail floor area provided, up to maximum of 48 ft.

(14) Stormwater Open Space.

For properties that contain least 15,000 sq. ft. of lot area, the stormwater open space bonus may be earned by (1) providing a stormwater open space, (2) managing street drainage, or (3) providing both stormwater open space and managing street drainage. Open space provided to earn a height bonus that meets the requirements of § 14-702(14)(a) (Criteria for Open Space) shall count towards the required open area, but shall not be used to satisfy the bonus requirements of § 14-702(6) (Public Space).

(a) Criteria for Open Space

A height bonus may be earned by providing open space that manages stormwater runoff, provided that the space meets the following minimum standards:

- (.1) The stormwater open space shall be located within 20 ft. of Willow Street, but may be contiguous to other integrated surface stormwater management systems.*
- (.2) The stormwater open space shall account for at least 75% of the lot area located within 20 ft. of Willow Street.*
- (.3) The stormwater open space shall be at least 75% vegetated or landscaped.*
- (.4) The stormwater open space shall not be more than 3 ft. above or 3 ft. below ground level.*
- (.5) The stormwater open space shall be open to the sky, except for arbors, trellises, trees, seating, and landscaped areas.*
- (.6) At least 15% of the stormwater open space shall be publically accessible. In order to qualify as publicly accessible, the space must:*
 - (.a) Include walkways, seating areas, water features, or other publicly accessible elements;*

(b) Be open to the public at least during the hours of 8:00 a.m. to 9:00 p.m., daily; and

(c) Have lighting with a maximum height of 15 ft. and a minimum illumination level of 2.0 maintained foot candles. One light shall be provided for every 500 sq. ft. of public space. Lighting design shall be subject to the requirements of § 14-707 (Outdoor Lighting).

(.7) The stormwater open space shall not be used for parking, loading, or vehicle movements, or for vehicles to access areas used for parking, loading, or other vehicle movements.

(.8) Stormwater runoff shall be managed with an integrated surface stormwater management system that includes surface features for stormwater management, promotes infiltration of stormwater runoff to the maximum degree feasible, and provides for stormwater runoff storage when infiltration is not feasible. Any on-site stormwater runoff that cannot be managed in the stormwater open space shall be managed in additional on-site stormwater management systems.

(.9) The Water Department shall confirm that all on-site stormwater management systems meet the applicable stormwater management requirements of this § 14-702(14) and all other applicable stormwater management requirements.

(b) Criteria for Managing Street Drainage

A height bonus may be earned by managing the street drainage in the stormwater open space or through other stormwater management systems on the property, provided that the Water Department confirms that the stormwater management system meets the applicable stormwater management requirements of this § 14-702(14) and all other applicable stormwater management requirements.

(c) Bonus Building Height.

The additional building height earned by providing certain stormwater management systems is:

Open Space Management Requirements	Additional Building Height
	/ECO
The stormwater open space meets the requirements of § 14-702 (14)(a).	24 ft.
Street Drainage Management Requirements	Additional Building Height
	/ECO
The stormwater open space meets the requirements of § 14-702 (14)(b).	12 ft. for every 20% of street drainage area managed, up to a maximum of 48 ft.

(15) Through-Block Connection.

(a) Criteria.

A height bonus may be earned by creating a through-block connection within 15 ft. of the former right-of-way of Noble Street between 2nd Street and 6th Street provided that a through-block connection meets the following minimum standards. Open space provided to earn a height bonus that meets the requirements of this § 14-702(15)(a) shall count towards the required open area, but shall not be used to satisfy the bonus requirements of § 14-702(6) (Public Space).

- (.1) The through-block connection shall extend between two or more public streets and shall, to the greatest extent possible, be aligned to meet existing through-block connections or public streets that exist within 15 ft. of the current or former Noble Street right-of-way.*
- (.2) In the event that the former right-of-way of Noble Street is not under the same ownership between two public streets, a written agreement between the record owners of the respective lots and any associated plans shall be submitted to L&I with the zoning permit application, confirming that a through-block connection will be constructed by one or more of the owners in conformance with this § 15-702(15), provided that the bonus shall apply only to a single applicant's zoning permit.*
- (.3) The through-block connection shall be at least 24 ft. in width and unobstructed and open to the sky, not including arbors, trellises, trees, seating, and landscaped areas.*
- (.4) The through-block connection shall have pedestrian access and meet all public access design and engineering requirements for areas required to be accessible to those with physical impairments under the Americans with Disabilities Act and any implementing regulations adopted by the City.*
- (.5) Vehicular traffic and loading are allowed only if the through-block connection meets all applicable vehicular standards or regulations adopted by the City.*
- (.6) The through-block connection shall be open to the public at least during the hours of 8:00 a.m. to 9:00 p.m., daily.*
- (.7) A minimum of 50% of each building facade that borders the through-block connection, up to a height of at least 8 ft. above ground level, shall be improved with an active retail use or with landscaped areas, murals, or architectural details, including but not limited to windows and entrances.*
- (.8) Any portion of the through-block connection that abuts a surface parking area shall meet the requirements of § 14-802(5) (Parking Landscape and Screening) as though the through-block connection was a public street.*
- (.9) The through-block connections shall have lighting. The maximum height of the lighting shall be 15 ft. with a minimum illumination level of 2.0 maintained foot-candles. At least one light shall be provided for each 100 ft. of the through-block connection. Lighting design shall be subject to the requirements of § 14-707 (Outdoor Lighting).*

(b) Bonus Building Height.

The additional building height earned by providing a through-block connection is:

<i>Through-Block Connection Linear Footage</i>	<i>Additional Building Height</i>
	<i>/ECO</i>
<i>200 linear ft. or less</i>	<i>24 ft.</i>
<i>201 linear ft. to 350 linear ft.</i>	<i>36 ft.</i>
<i>Greater than 350 linear ft.</i>	<i>48 ft.</i>

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SECTION 3. This Ordinance shall become effective immediately.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.