



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 110670

Introduced October 6, 2011

Councilmember DiCicco

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Rodman Street, Juniper Street, South Street and Broad Street; and amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending various provisions exclusively with regard to the area bounded by Rodman Street, Juniper Street, South Street and Broad Street, in particular, Section 14-305, entitled "C-4" Commercial and "C-5" Commercial District, Section 14-1402, regarding Parking in Residential Districts, and Section 14-1607, regarding Special Controls for the Center City Commercial Area; 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.

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CHAPTER 14-300. COMMERCIAL DISTRICTS.

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§14-305. "C-4" Commercial and "C-5" Commercial Districts.

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(2) Use Regulations. It is the intention of this Section of the Code to allow for types of uses that are commonly found in and compatible with, a high-density business core. The uses permitted in these districts are those which minimize negative impact upon and which are compatible with the use and enjoyment of the public sidewalks and public space by large numbers of people and which enliven and enhance the public use, experience and enjoyment of these spaces. Therefore, the specific uses permitted in these districts shall be the erection, construction, alteration or use of buildings and/or land for:

(a) Parking garages, whether above or below ground level when the lot on which it is located has frontage on any of the following streets:

* * *

(.8) The area bounded by Rodman Street, Juniper Street, South Street and Broad Street, provided that the garage is limited to below grade, required accessory parking.

* * *

(4) Area Regulations. These regulations are intended to encourage mixed-use development that is sympathetic to and compatible with the existing pattern of development. Their goal is to protect and reinforce the historic scale of certain areas and to ensure the continuity of use and architectural scale in other areas. These regulations recognize that some areas of Center City are more appropriate than other areas for the erection of tall, dense buildings and, therefore, encourage such development in some areas while discouraging it in others. These regulations are intended to ensure that new development creates lively, well lit, attractive and useable sidewalks and public spaces and to encourage the creation of unique and exciting new areas of public enjoyment.

* * *

(g) Yards and Courts. For buildings of five (5) stories or greater with more than three (3) families the following requirements shall apply:

(.1) Side Yards and Courts With Legally Required Windows. Except as provided in subsection (.2) and (.4) below, any wall with one (1) or more legally required window shall be located so that every point of the wall shall be a minimum horizontal distance which is not less than the following:

* * *

(.4) Rear Yards, Side Yards and Open Courts With or Without Legally Required Windows. In the area bounded by Rodman Street, Juniper Street, South Street and Broad Street, rear yards, side yards and courts are not required and a minimum horizontal distance from any point of the wall need not be maintained.

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(8) Floor Area Regulations. No building in these districts shall have a gross floor area (as defined in §14-102(57)) greater than that permitted under the provisions herein set forth.

(a) Basic Floor Area. Every building in these districts shall be permitted a gross floor area as follows:

* * *

(.6) *Lots designated "C-4" Commercial within an area bounded by Rodman Street, Juniper Street, South Street and Broad Street. Five hundred and seventy-five percent (575%) of the area of the lot. Within this area, no additional gross floor area as defined in § 14-305(9) is permitted.*

* * *

(14) Off-street Loading and Trash Storage. Off-street loading and trash storage shall be permitted subject to the following use conditions imposed herein and in §14-1405(3):

* * *

(e) *The provisions of Section 14-305(14)(a)(.1) shall not be applicable to the area bounded by Rodman Street, Juniper Street, South Street and Broad Street. The minimum dimensions for any off-street loading space shall be fifteen (15) feet wide and thirty (30) feet long.*

* * *

§ 14-1402. Parking in Residential Districts.

* * *

(2) Number of Spaces Required. For all dwellings one space for each family, except as follows:

(a) For dwellings containing twenty-five or more families:

* * *

(.8) *Within the area bounded by Rodman Street, Juniper Street, South Street and Broad Street: Three (3) parking spaces for every ten (10) units.*

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§ 14-1607. Special Controls for the Center City Commercial Area.

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(3) Prohibited Uses. In any building or upon any land abutting Chestnut Street or Walnut Street between Front Street and the Schuylkill River and Broad Street between South Penn Square and Washington Avenue and Market Street between Front Street and Fifth Street, the following uses shall be prohibited:

* * *

(j) Restaurants, cafés, coffee shops and other similar establishments for the sale and consumption of food and/or beverages, with drive-in or take-out service (sale of food and/or beverages to be consumed outside the confines of the premises); provided that take-out restaurants with a minimum of 20 seats for indoor dining of patrons shall not be prohibited along Market Street between Front Street and Fifth street *or along Broad Street between Rodman Street and South Street*;

* * *

(6) Uses Prohibited on Broad Street between South Penn Square and Washington Avenue. In addition to the uses prohibited as set forth in §14-1607(3) and §14-1607(4), the following uses shall be prohibited on Broad Street between South Penn Square and Washington Avenue:

* * *

(b) Retail sale of groceries *except along Broad Street between Rodman Street and South Street*;

* * *

(d) Retail sale of delicatessen goods as a main use *except along Broad Street between Rodman Street and South Street*;

(e) Retail sale and/or preparation of bakery items as a main use *except along Broad Street between Rodman Street and South Street*;

* * *

(7) Conditional Uses. In any building or upon any land abutting Chestnut Street and Walnut Street between Seventh Street and the Schuylkill River and Broad Street between South Penn Square and Washington Avenue (except as noted in §14-1607(6) above), the following uses shall require a Zoning Board of Adjustment certificate:

* * *

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(d) Retail sale of delicatessen goods as a main use *except along Broad Street between Rodman Street and South Street;*

* * *

(f) Retail sale and/or preparation of bakery items as a main use *except along Broad Street between Rodman Street and South Street;* and

* * *

SECTION 2. No zoning permits shall issue with respect to any property rezoned by this Ordinance unless:

(1) The City Planning Commission shall have approved a plan of development which shall be approved by the Commission if the Commission, in its discretion, has determined that the plan of development is appropriate in scale, density, character and use within the surrounding community.

SECTION 3. Sunset provision.

(1) This Ordinance, including the change to the zoning maps described in Section 4, shall lapse on December 15, 2016, unless, on or before such date, either:

(a) A building permit has been issued pursuant to a plan of development approved pursuant to Section 2 hereof; or

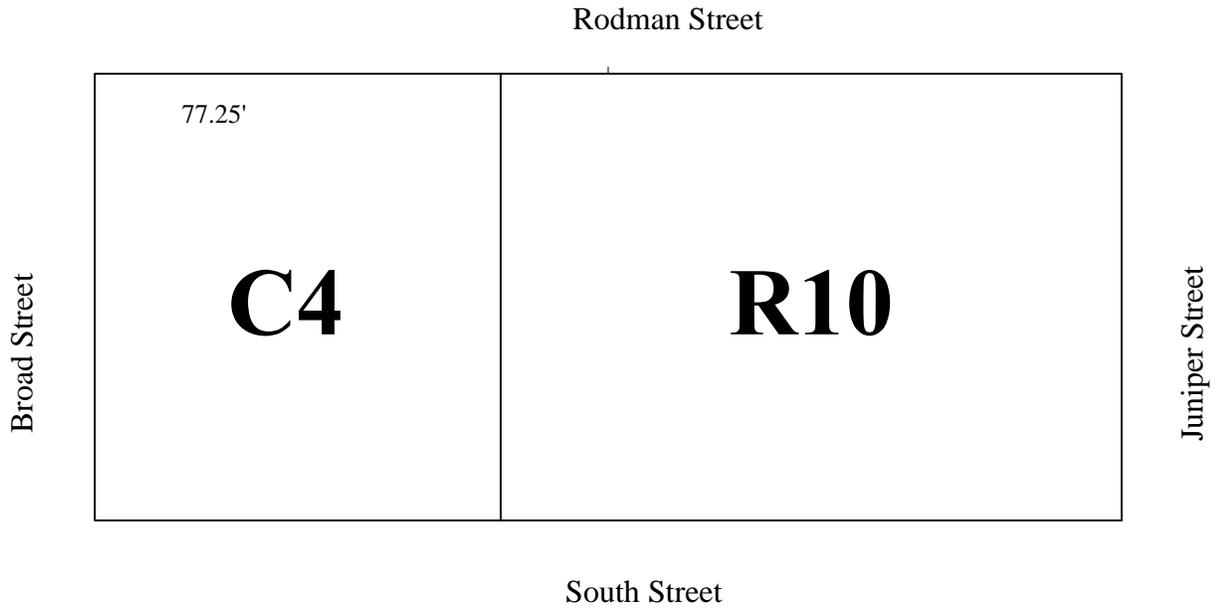
(b) The City Planning Commission has granted an extension of up to one (1) year upon a determination by the Commission that the applicant is making substantial progress toward the implementation of an approved plan of development.

SECTION 4. Pursuant to Section 14-103 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 Rodman Street, Juniper Street, South Street and Broad Street, from the existing zoning designations indicated on Map "A" set forth below to the zoning designations indicated on Map "B" set forth below.

Explanation:

Italics indicate new matter added.

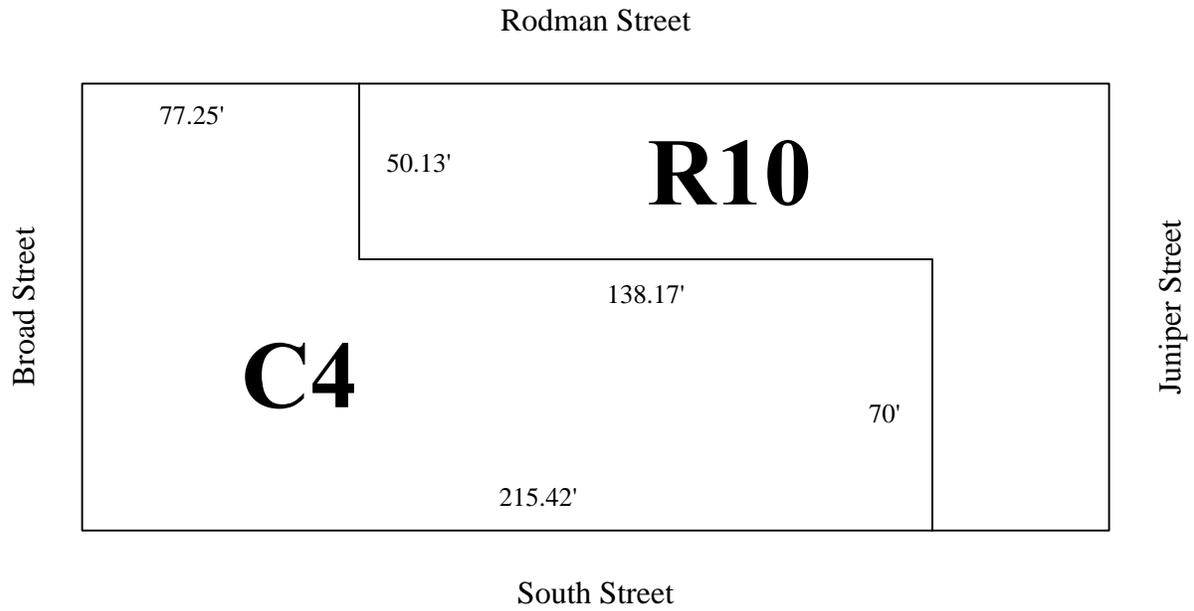
MAP A – EXISTING ZONING



Legend

- 10** Residential
- 4** Commercial

MAP B – PROPOSED ZONING



Legend

10

Residential

4

Commercial

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