



City of Philadelphia

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

BILL NO. 100553

Introduced September 16, 2010

Councilmember DiCicco

Referred to the
Committee on Rules

AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by adding a new Section 14-1642, entitled "I-95 Condemnation Corridor".

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.

* * *

§14-104. Non-Conforming Structures and Uses.

* * *

(6) Reconstruction of Demolished, Destroyed, or Condemned Structures.

* * *

(d) For the properties located within the I-95 Condemnation Corridor, the provisions of 14-1642 shall control.

* * *

§14-1642. *I-95 Condemnation Corridor.*

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(1) *Legislative Findings.*

(a) *The Pennsylvania Department of Transportation has announced that it has embarked upon a road-widening project with various upgrades encompassing portions of Interstate 95 that pass through the City of Philadelphia. Pennsylvania Department of Transportation's plans indicate that many properties abutting I-95 would be condemned, in whole or in part, in order to complete this portion of the project.*

(b) *According to these plans, numerous structures and/or uses within the I-95 project area will be affected. Collectively, hundreds of people may lose their jobs as a result of the project.*

(c) *The City of Philadelphia neither wants, nor can afford, to lose the revenues, including but not limited to real estate taxes, use and occupancy taxes, city wages taxes, net profits taxes, etc. generated within the above referenced I-95 project area.*

(d) *In enacting this Ordinance, the City of Philadelphia's objective is to encourage and aid in the continuation of business or other uses with minimal dislocation or interruption.*

(2) *District Boundaries.*

The I-95 Condemnation Corridor shall consist of all properties within the entire I-95 project limits which include both northbound and southbound directions of I-95 bounded by the North curb line of Bleigh Avenue South to the North curb line of Arch Street and all arterial streets, collector streets, ramps, etc. The width of the area shall be 200 feet from the Pennsylvania Department of Transportation's right-of-way lines as they exist at the time of the Application for Relocation as set forth in Section (4) below.

(3) *Condemnation.*

Where, at the time of the taking, a present legal and permitted structure and/or use is located on land of which all or any portion thereof is situated in the I-95 Condemnation Corridor as provided in Section 14-1642 (2) herein, the structure and/or use may be relocated within the I-95 Condemnation Corridor in accordance with the terms hereof and re-built in its entirety.

(4) *Application for Relocation.*

Existing structures and/or uses located within the I-95 Construction Corridor shall be permitted, notwithstanding any requirements to the contrary contained in this

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Title, to relocate and be rebuilt provided that: (i) the owner of the structure and/or use has received a Notice of Taking from the Pennsylvania Department of Transportation or its agent(s); (ii) the proposed relocation for the structure and/or use is within 200 feet of the Pennsylvania Department of Transportation's right-of-way lines as they exist at the time of the Application for Relocation and within 350' of the structure's existing location; (iii) the new use and/or structure does not exceed the old structure or use as of the date of the Application for Relocation only in terms of size, height, or square footage; and (iv) the distance between the relocated structure and/or use and a residential property located within a residentially zoned district will not be closer than as existed prior to the relocation, provided that the residential property is 400 or more feet away from the structure or use.

(5) *Construction.*

Except as specified herein, nothing in this Ordinance shall be used to restrict, alter or amend the existing provisions of the zoning districts in which the relevant structures or uses are located.

SECTION 2. This Ordinance shall become effective immediately.

Explanation:

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

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