



City of Philadelphia

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

BILL NO. 100678

Introduced October 21, 2010

Councilmembers DiCicco and Reynolds Brown

**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," to permit the relocation of certain structures and devices in connection with the PennDOT project to widen portions of I-95 that pass through the City, 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 14-1600. MISCELLANEOUS.

* * *

§14-1642. I-95 Condemnation Corridor.

(1) Legislative Findings.

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(a) *The Pennsylvania Department of Transportation (“PennDOT”) has announced a road-widening project for portions of I-95 that pass through the City of Philadelphia. PennDOT’s plans indicate that many of the premises contiguous to I-95 would be condemned, in whole or in part, in order to complete this road-widening project.*

(b) *According to the PennDOT plans, numerous premises within the I-95 project area will be affected. Collectively, hundreds of people may lose their jobs as a result of the road-widening.*

(c) *This Special District is established to preserve those premises that are located within the I-95 Condemnation Corridor and minimize the loss of jobs and the revenues generated from the premises, including, but not limited to, real estate, use and occupancy, wage and net profit taxes.*

(d) *The purpose of this Special District is to encourage and permit the continuation of business and uses within the Special District with minimal dislocation and interruption.*

(2) *District Boundaries.*

For purposes of this Section, the “I-95 Condemnation Corridor” shall include all areas within 200 feet of the PennDOT right-of-way (as that right-of-way may change from time to time) from Rhawn Street to Arch Street.

(3) *Permitted Uses.*

A structure or device that is a lawful use located within the I-95 Condemnation Corridor shall be permitted if relocated within the I-95 Condemnation Corridor, notwithstanding any contrary provisions of this Title, provided:

(a) *The owner or tenant of the structure or device has received a Notice of Acquisition from PennDOT or its agent with respect to such structure or device;*

(b) *The owner or tenant files an Application for Relocation, in a form required by the Department of Licenses and Inspections, within three years after receiving such Notice of Acquisition;*

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(c) The proposed new location of the structure or device is within the I-95 Condemnation Corridor and is within 350 feet of the existing location of the structure or device;

(d) The dimensions and height of the new structure or device do not exceed the dimensions and height of the existing structure or device at the time of the filing of the Application for Relocation;

(e) The distance between the relocated structure or device and any residential premises is not less than that required by any other applicable provision of this Title at the time of the filing of the Application for Relocation.

Exception: Where the distance between a legally existing structure or device and residential premises is less than the distance required by this Title and the proposed new location does not meet the required distance from residential, the relocated structure or device shall be at least the same distance from residential premises as the existing structure or device; and

(f) The owner or tenant has not previously relocated the structure pursuant to the provisions of this Section.

SECTION 2. This Ordinance shall become effective immediately.

Explanation:

Italics indicate new matter added.

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