

	A	B	C	D	E
1	Praxis Recommendations (from "A Civic Vision for the Central Delaware" and "An Action Plan for the Central Delaware River: 2008-2018")	Bill No. 090170	CDAG Recommendation	Proposed Amendment	Explanation
2	Preserve a greenway that extends 100 feet from the water's edge or preserve a maximum of 20 percent of the land area within a parcel.	Creates a waterfront setback to be no less than 50 feet and no greater than 100 feet	Creates a waterfront setback of 100 feet	Creates a waterfront setback of 100 feet	
3		Setbacks on piers to be determined in conjunction with PA Dept of the Environment and the Army Corps of Engineers	No setback shall be more than 20% of any individual property	No setback shall be more than 10% of any individual property	Owners of small properties have some concerns about whether or not their parcels will be usable if more than 10% of said parcel is dedicated to public access.
4		Permits Planning Commission to waive setback requirement	Setbacks on piers to be determined in conjunction with PA Dept of the Environment and the Army Corps of Engineers	Permits Planning Commission to waive setback requirement	
5		Applies to all parcels	Permits Planning Commission to waive setback requirement	Applies only to commercially zoned parcels	Public safety concerns involving members of the public on active industrial property
6		Setback measured from high water mark as determined by survey	Applies to all parcels	Setback measured from bulkhead line	Bulkhead line is long-established. A survey must be completed on all parcels and would require significant resources.

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7			Setback measured from high water mark as determined by survey	Setbacks on piers to be determined in conjunction with PA Dept of the Environment and the Army Corps of Engineers	
8					
9	Allow a trail to be built within the greenway or another path over their property.	Mandates that waterfront setback is open to the public and that a public right-of-way is dedicated to pedestrian and bicycle traffic	Mandates that waterfront setback is open to the public and that a public right-of-way is dedicated to pedestrian and bicycle traffic	Mandates that waterfront setback is open to the public and that a public right-of-way is dedicated to pedestrian and bicycle traffic	
10		Permits a landowner to obtain pre-approval for waterfront trail	Permits a landowner to obtain pre-approval for waterfront trail	Permits a landowner to obtain pre-approval for waterfront trail	
11		Requires Commission to adopt regulations	Requires Commission to adopt regulations	Requires Commission to adopt regulations	
12		No comment on maintenance and liability	No comment on maintenance and liability	Following the dedication of the trail, maintenance and liability will be accepted by the City or another agency	
13					
14	Provide Access to greenway (every 500 feet)	Mandates each property have one or more access points from Delaware Ave to the River	Mandates each property have one or more access points from Delaware Ave to the River	Mandates each property have one or more access points from Delaware Ave to the River	
15		Access points to piers (where setback has been created) must be no smaller than 12 feet	Access points to other properties must cumulate no less than 25 feet	Access points to piers (where setback has been created) must be no smaller than 12 feet	This provision is seen by some as a public taking. In addition, there are relatively

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16		Access points to other properties must cumulate no less than 25 feet	Access must be open 24/7 unless the Commission determines such access is a public safety hazard	Access points to other properties must cumulate no less than 25 feet	few parcels that would be impacted by this provision. While we understand the importance of increased public access, we do not believe that a temporary overlay can adequately address the concern. The
17		Access must be open 24/7 unless the Commission determines such access is a public safety hazard	Allows a publicly open street to act as required access point if the street contains a 6 foot pedestrian/bike path	Access must be open 24/7 unless the Commission determines such access is a public safety hazard	Master Planning process should address this provision in detail.
18		Allows a publicly open street to act as required access point	Mandates a maximum distance of 500 feet between each access point	Allows a publicly open street to act as required access point if the street contains a pedestrian walkway	
19				Specifically mandates that the Commission include access in future regulations	While we do not feel comfortable including the provision at this time, we do recognize the importance of adequate access. The Commission is better equipped to make final determinations.
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21	Meet requirements for active ground floor uses.	Active Use requirement - mandates any commercially zoned new construction with street frontage shall include retail commercial, office commercial, multi-family lobbies, art related or entertainment related uses	Active Use requirement - mandates any commercially zoned new construction with street frontage shall include retail commercial, office commercial, multi-family lobbies, art related or entertainment related uses	Active Use Requirement - all commercially zoned buildings shall include active ground floor uses (retail stores/restaurants; office, hotel and/or theater lobbies; libraries, museums, galleries and exhibition space; places of worship; enclosed public space, gardens, public roomes; transit entrances	Many felt the previous version was vague and could be misinterpreted by plan examiners. The amended version mirros C-4/C-5 zoning and provides more guidance on permitted ground floor uses. Industrial and residential parcels are excluded because such ground floor uses would be inappropriate.
22					
23	meet requirement for urban street lines (buildings built to sidewalk line)	Prohibits any front setback of more than 15 feet	Prohibits all front setbacks	Prohibits any front setback of more than 25 feet	
24	Limit curb cuts and driveways	Requires 75% of the building line be occupied by the façade	East of Delaware Ave, requires 70% of the lot line be occupied by the façade	If a front yard is provided, it must be landscaped or publicly accessible.	The Vision calls for wide, pedestrian friendly sidewalks

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25			West of Delaware Ave, requires 80% of the lot be occupied by the façade	Requires 75% of the building line be occupied by the façade	(up to 24 feet). Without changing the curblines of Delaware Avenue and compensating adjacent property owners, the City can not provide this pedestrian friendly environment. This front set-back could provide this amenity while preserving an appropriate street line.
26					
27	meet requirements for parking	Prohibits parking structures as a primary use on any waterfront property;	Prohibits parking structures as a primary use on any waterfront property;	Prohibits parking structures as a primary use on any waterfront property;	Currently, the waterfront is autocentric. The Master Plan for the Waterfront must address this dependence on automobiles through parking guidelines, infrastructure and public transit. However, we can not deny that today's environment is autocentric and we can not allow the waterfront to remain stagnant because it can not be reached. This issue is better addressed by a Master Plan rather than an interim overlay.

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28	Limit visible surface-parking lots and structure garages	prohibits parking structures as a primary use without Commission approval on all other properties	prohibits parking structures as a primary use on all other properties if the front set back is less than 75 feet (**b/c no front setback is permitted under CDAG's recommendations, no parking structure would be permitted)	prohibits parking structures as a primary use without Commission approval on all other properties	
29		Creates incentives for auto-share in residential projects	Creates incentives for auto-share in residential projects	Creates incentives for auto-share in residential projects	
30					
31	No design review process	Mandates Planning Commission approval of all projects east of Delaware Avenue/Columbus Blvd	Mandates Planning Commission approval of all projects east of Delaware Avenue/Columbus Blvd	Mandates Planning Commission approval of all projects abutting the Delaware River	
32		Mandates Planning Commission approval of all commercially zoned projects	Mandates Planning Commission approval of all commercially zoned projects	Mandates Planning Commission approval of all commercially zoned projects	
33		45 deemed approval clause	90 day deemed approval clause	60 day deemed approval clause	CDAG was concerned that 45 days did not provide an adequate review period. A 90 day period, however, may be too lengthy.
34			Mandates that the Commission utilize the "Civic Vision" and the "Action Plan" in the review and approval process	Recognizes the Vision as the foundation for Commission approval.	
35					
36		Prohibits non-accessory signs	Prohibits non-accessory signs	Prohibits non-accessory signs	

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37		Prohibits private bus terminals	Prohibits private bus terminals	Prohibits private bus terminals	
38		Prohibits regulated uses	Prohibits regulated uses	Prohibits regulated uses	
39		Prohibits big box stores	Prohibits big box stores	Prohibits big box stores	
40		Prohibits Self-storage facilities	Prohibits Self-storage facilities	Prohibits Self-storage facilities	
41					
42	No sunset provision specified	No sunset provision specified	No sunset provision specified	Repeals overlay if and when Council adopts a resolution approving a Master Plan for the Delaware River	This overlay has always been intended to be a temporary measure. The sunset provision indicates Council's clear desire and expectation that a Master Plan will be complete in the coming years. However, with the advent of waterfront gaming, development pressure is likely to increase and an interim measure must be put in place.