

City of Philadelphia



(Bill No. 120431)

AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by revising and clarifying certain provisions and making technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 14 of The Philadelphia Code, as amended by Bill No. 110845 (approved Dec. 22, 2011) and thereafter, is amended to read as follows:

Key:

1. Where an illustration has a horizontal line striking through through the center and is then followed by a new illustration, the horizontal line denotes deletion of the illustration and the immediately following illustration is a replacement therefor.
2. In Tables that contain bracketed table notes, and in the table notes, deletions are indicated by { } rather than [].

TITLE 14. ZONING AND PLANNING

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CHAPTER 14-200. DEFINITIONS.

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§14-203. Definitions.

For purposes of this Zoning Code, the following definitions shall apply; words, phrases, and terms not defined herein, but defined in Title 4 (The Philadelphia Building Construction and Occupancy Code), shall be construed as defined in Title 4.

* * *

(124) Flood, Base. A flood having a one percent chance of being [equalled] *equaled* or exceeded in any given year. “Base Flood” may also be referred to as “100-Year Flood” or “One Percent Annual Chance [Flood”.] *Flood.*”

(125) Flood Elevation, Regulatory. The Base Flood Elevation (BFE), determined by the U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA) or the estimated flood height as determined using simplified [methods] *methods;* plus a freeboard safety factor of one and one-half ft.

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(129) Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point. The floodway is identified as “Floodway” *in the Flood Insurance Study (FIS) and accompanying* [on the] Flood Insurance Rate Map (FIRM) *issued by the* [of the U.S. Department of Homeland Security] Federal Emergency Management Agency (FEMA) *or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study.* Where there is no floodway identified on the FIRM, the floodway shall be identified by other available studies or sources of information for the floodplain area.

* * *

(180.1) Manufactured Home (in a floodplain area). *As used in §14-704(4) (Flood Protection): A structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.*

* * *

(191.1) New Construction (in a floodplain area). *As used in §14-704(4) (Flood Protection): Structures for which the start of construction commenced on or after June 11, 1979 and includes any subsequent improvement to such structures. Any construction started before June 11, 1979 is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.*

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(234.1) Pier. *A structure supported by piles, posts, pillars, or fill extending from dry land over a waterway.*

* * *

(303) Special Flood Hazard Area (SFHA). An area in a floodplain subject to a one percent or greater chance of flooding in any given year. The SFHA is identified [on] *in the Flood Insurance Study (FIS) and accompanying* [the] Flood Insurance Rate Map (FIRM) *issued by the* [of the U.S. Department of Homeland Security] Federal Emergency Management Agency (FEMA) *or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study.* [, as Zones A, AO, A1-30, AE, A99 or AH.]

(304) Special Flood Hazard Area, Approximate Zone A. An area designated as a Special Flood Hazard by a [Flood Hazard Boundary Map (FHBM) or] *Flood Insurance*

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Study (FIS) and accompanying Flood Insurance Rate Map (FIRM) [of the U.S. Department of Homeland Security] issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study; and for which no one-percent annual change flood elevations have been provided. [but without identification of water surface elevation data or a floodway. The Approximate Zone A is identified on the FIRM as Zone A.]

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CHAPTER 14-300. ADMINISTRATION AND PROCEDURES.

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§14-301. Reviewers and Decision Makers.

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(3) City Planning Commission.

(a) General Authority. The Commission is established by §§ 3-100 and 3-800 of the Philadelphia Home Rule Charter and has those powers set forth in Article IV, Chapter 6 of the Philadelphia Home Rule Charter. *If in exercising its authority, the Commission prepares a written interpretation of the Zoning Code in order to resolve an ambiguity, such interpretation shall not be binding unless it is approved by ordinance. Any such interpretation shall be posted on the Commission's website within one week after approval by ordinance.*

* * *

§14-303. Common Procedures and Requirements.

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(5) Code Interpretations.

(a) Any person may request a written interpretation of the meaning of any provision of this Zoning Code as it applies to a specific property or circumstance, provided that the request does not relate to a pending application for a permit or approval before L&I, the Zoning Board, or the Commission.

(b) A request for a written interpretation shall be made in writing and be filed with L&I, and a response to the request shall be provided by L&I within 60 [days] *days*,

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except that the 60 day response time shall not apply to any interpretation requiring an ordinance under subsection (5)(c) of this Section.

(c) L&I may consult with the Commission, the Law Department, or any other department or agency of the City, as necessary, before it issues the written [interpretation.] *interpretation, provided that any written interpretation of the Zoning Code, prepared by L&I, upon request or otherwise, to resolve an ambiguity in the Zoning Code shall not be binding unless it is approved by ordinance.*

(d) The written interpretation of L&I shall be posted on L&I's web site within one week after its issuance *or approval by ordinance, whichever is applicable*, and shall be transmitted *in the case of a request for interpretation*, to the applicant at the street address or electronic address stated on the application.

(e) Following the issuance of a written interpretation, the decisions of L&I [and the Commission] shall be generally consistent with that interpretation unless and until a replacement or modifying written interpretation is issued by [L&I.] *L&I, provided that any modification of a written interpretation that was approved by ordinance shall likewise require approval by ordinance.* However, the issuance of a written interpretation shall not require that L&I [or the Commission] reach a particular decision on any application if the facts of the application, property, location, or character of the proposed use or structure in any application differ from those stated or assumed by L&I at the time the written interpretation was made.

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§14-304. Specific Procedures.

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(h) Pending Ordinance Doctrine.

(.1) Definitions.

(.a) A "pending ordinance" is any bill not yet enacted into law that would amend either the Zoning Code or the Zoning Maps, if [either:

(.i) the bill has been advertised for a public hearing before a Committee of Council and not more than 30 days have passed since the advertisement; or

(.ii)] a Committee of Council has voted to report the bill and the bill remains under active consideration.

* * *

(5) Civic Design Review.

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(a) Civic Design Review Committee

(.1) **Establishment.** Where this Zoning Code requires review by the Civic Design Review Committee, such review shall be performed by the Commission, which shall function as the Civic Design Review Committee, until such time as the Chair of the Commission certifies to the Council that the Mayor has established [a] *one or more* separate Civic Design Review [Committee,] Committees, composed of seven appointed members as set forth in § 14-304(5)(a)(.2) (Composition) below.

* * *

(e) Review by Civic Design Review Committee.

(.1) L&I shall notify the Commission and the applicant, *in writing*, when [they determine] *L&I determines* that an application for a permit is subject to civic design review.

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(.4) The Civic Design Review Committee shall review each proposal and make its recommendation as follows:

(.a) The applicant must submit application materials (in accordance with regulations of the Commission) to the Civic Design Review Committee at least 14 days before the scheduled date of the Civic Design Review meeting.

(.b) The Civic Design Review Committee may require a second review meeting if significant issues remain unresolved after the initial review meeting.

(.c) [Within 45 calendar days of the initial review meeting (see § [14-304\(5\)\(e\)\(.4\)\(a\)](#)), the] *The* Civic Design Review Committee must deliver a written recommendation to the Commission. The Civic Design Review Committee's recommendation may incorporate recommendations from other design entities, such as the Art Commission and Historical Commission. [If the Civic Design Review Committee fails to deliver a written recommendation within the 45-day limit, the project will be presumed to be recommended for approval as designed.] The Commission shall post the written recommendation of the Civic Design Review Committee on the Commission's website. *So long as the applicant has participated in good faith in Civic Design Review, the application shall be deemed to have completed Civic Design Review within 150 days of written notification from L&I to the applicant that Civic Design Review is required.*

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CHAPTER 14-500. OVERLAY ZONING DISTRICTS

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§ 14-507. /CDO, Central Delaware Riverfront Overlay District.

[[Reserved]]

(1) *Legislative Findings.*

(a) *In 2006, Mayor John Street issued an Executive Order creating the Central Delaware Advisory Group (CDAG), chaired by the Philadelphia City Planning Commission, comprised of neighborhood groups and interested parties. PennPraxis, the non-profit, clinical consulting arm of the School of Design of the University of Pennsylvania, performed as the primary consultant to the Group. CDAG's goal was to create a vision for the future development of the Central Delaware riverfront. Over the following year, CDAG, Philadelphia's citizens, state and city government leaders, property owners, and experts from across the country, developed a "Civic Vision for the Central Delaware - 2007" for the Central Delaware River waterfront.*

(b) *Along the Delaware Riverfront, there are a number of underutilized, vacant parcels that tend to contribute to the deterioration of the economics and aesthetics of the area.*

(c) *Over the past several years, the public has taken a large interest in riverfront development and public access. The City must take steps to consider and protect the long-term future of the riverfront in order to support a mix of housing, retail, commercial activity, industry, port-related uses, parks and recreational activities.*

(d) *The Delaware Riverfront is important to the economic vitality of the City. Encouraging a mixture of uses will drive new economic growth and bring life to the waterfront.*

(e) *Developing a continuous recreational experience along the riverfront, allowing continuous public access, will enhance public space and the economic vitality of the area. The creation of public space and access along the riverfront must balance the property rights and development goals of landowners, protect the public interest, incorporate community values and subscribe to high standards of ecologically-responsible urban development.*

(f) *The Delaware Riverfront is a resource available to development that will attract new families to the City, create permanent jobs and strengthen the tax base.*

(g) *Retail shops, building lobbies, theaters, restaurants, galleries, exhibitions, churches, etc., give vitality to streets which, in turn, will benefit all of the workers and visitors to the riverfront. It is in the interest of the City to create and enhance a pleasant and active ambiance, thereby creating a vital public asset for the*

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residents, users and visitors of the waterfront. It is important to require active street level usage of buildings and lots along these streets.

(h) This District is established to protect the existing characteristics of the built and natural environment that are essential to achieving the working guidelines of the Civic Vision, adopted by the Philadelphia City Planning Commission on April 21, 2009, while a Master Plan for the area is developed. This section of the City presents a diverse collection of uses, ranging from the working port and large retail establishments in the southern portion to high-rise residential communities in the north. Special land use controls and design guidelines will help promote long-term economic viability and to provide for a framework for future growth.

(2) Conflicting Provisions. The provisions of this Section apply in addition to any underlying zoning provisions or overlays applicable to any property in this District. When the provisions of this Section are in irreconcilable conflict with any other provision of this Title, the provision of this Section shall apply; provided, however, that, in the event of any development or use authorized by or any conflict with any provision of Section 14-405 (SP-ENT, Entertainment (Special Purpose) District), the provision of Section 14-405 shall apply; and provided further that the provisions of this Section shall not apply to any parking area permitted by Section 14-405(5)(a), relating to off-street parking for gaming facilities.

(3) District Boundaries. The Central Delaware Riverfront Overlay District shall consist of all properties located in the area bounded by the south curblineline of Allegheny Avenue on the north, the Delaware River on the east, the north curblineline of Oregon Avenue on the south and the east curblineline of Interstate 95 on the west. Unless otherwise specified, the provisions of this Section shall apply to all properties in the Central Delaware Riverfront Overlay District.

(4) Prohibited Uses. The following uses shall be prohibited in the Central Delaware Riverfront Overlay District:

(a) Non-Accessory Signs;

(b) Private bus terminals;

(c) Buildings or structures with gross floor area in excess of 40,000 square feet, with a single retail store as a principal or predominant use;

(d) East of Delaware Avenue or Columbus Boulevard: Parking garages as a main use, except for existing structures. West of Delaware Avenue or Columbus Boulevard: Parking Garages are prohibited except when approved by the Planning Commission as part of the approval of a Plan of Development as set forth in subsection (12) of this Section;

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- (e) *Parking lots as a main use;*
- (f) *Self-storage facilities;*
- (g) *Regulated uses as set forth in subsection 14-603(13)(a) (Regulated Uses).*
- (h) *Personal Credit Establishments;*
- (i) *Re-Entry Facilities.*

(5) *Active Use Requirements. For buildings in commercially zoned districts with street frontage on either Delaware Avenue or Columbus Boulevard, at least seventy five percent (75%) of every ground floor street frontage shall be constructed of glass or other transparent material. Such buildings shall include the following uses, either individually or in any combination, on the ground floor of the building:*

- (a) *Retail sales areas and restaurants;*
- (b) *Office, hotel, residential and/or theater lobbies;*
- (c) *Libraries, museums, galleries and exhibition space;*
- (d) *Religious Assembly;*
- (e) *Enclosed public space, enclosed gardens, public rooms, through block connections; and*
- (f) *Entrances to public transit stations and/or a public transit concourse.*

(6) *Waterfront Setback. An unencumbered setback shall be provided with the following conditions:*

- (a) *Such setback is determined from the western Bulkhead Line of the Delaware River as amended by the Secretary of War on September 10, 1940. If, due to erosion, accretion or human activity, the top of the west bank of the Delaware River has substantially moved away from the western Bulkhead Line, then an unencumbered setback shall be provided from the most easterly line of the property along the top of the west bank. Any discrepancies between the physical top of the bank and Bulkhead Line along the west bank of the Delaware River shall be surveyed by the District Surveyor, and the Board of Surveyors of the Department of Streets shall keep the survey on file and available for public inspection.*

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(b) *Except where not feasible as determined by the Commission, such setback shall be no less than 100 feet or 10 percent of the lot, whichever is less, not to include submerged land. The Commission shall not grant an exception based on infeasibility other than pursuant to objective standards adopted by regulation, which regulations shall be adopted within one hundred eighty (180) days of the effective date of this Section.*

(c) *Such setback shall contribute to any open space, open area or yard requirements of the underlying zoning district.*

(d) *No setback shall be required on existing piers. Nothing in this Section shall relieve the applicant from any requirements of the Pennsylvania Department of Environmental Protection or the United States Army Corps of Engineers.*

(7) *Recreational Trail.*

(a) *In commercially zoned districts, no construction, improvement or major alterations shall be permitted unless, in conjunction with such activity, the owner or developer creates a recreational trail within the waterfront setback which the Planning Commission approves as consistent with the Civic Vision for the Central Delaware 2007, amendments to this Civic Vision or any subsequent plan adopted by the Planning Commission for this District.*

(b) *In lieu of developing a recreational trail, the owner of the waterfront setback may dedicate the waterfront setback to the City or the City's responsible agent. Upon dedication and acceptance, the City or its agent shall be responsible for maintaining the waterfront setback as well as constructing and maintaining a recreational trail. The City or its agent shall have care, custody and control of the waterfront setback and recreational trail. Dedication may be made in a deed of dedication, deed of easement or other similar transfer acceptable to the City. If the property owner does not dedicate the waterfront setback to the City or its agent, the property owner shall be responsible for maintaining the waterfront setback open to the public, constructing a recreational trail and maintaining the recreational trail.*

(c) *The recreational trail may include one or any combination of benches, picnic tables, pedestrian lighting, bikeways, parks, decks, observation towers, piers, boat-launching ramps, transient moorage, interpretive centers, displays of maritime history, or other areas serving as a means of view and/or physical approach to public waters for the public.*

(d) *The recreational trail shall be open twenty-four (24) hours a day, except where the Commission determines good cause exists for limited closures or limitations on the types of activities permitted.*

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(e) *Adjacent lots shall have access to said recreational trail. In instances where the trail has been dedicated to the City or the responsible agent of the City, adjacent lots shall continue to have access to such trail. In no instance shall the creation or dedication of the trail diminish the right of the adjacent owner(s) of access to, from and over the trail.*

(f) *In instances where the trail has been dedicated to the City or the responsible agent of the City, for purposes of calculating the allowable gross floor area of the site, the dedicated portion of the lot shall continue to be counted in the allowable gross floor area calculation for the retained portion of the lot.*

(8) *Regulated Public Access. In commercially zoned districts, no construction, improvement or major alterations shall be permitted unless, in conjunction with such activity, the owner or developer provides one or more open air access paths to the waterfront setback. The cumulative width of all such access paths for any lot must be no less than twenty-five (25) feet. Each individual public access path shall be no less than twelve (12) feet wide and shall include an improved walkway of no less than five (5) feet in width. Public access paths shall be open twenty-four (24) hours a day, except where the Commission determines good cause exists for limited closures or limitations on the types of activities permitted. Adjacent property owners whose properties all share a common boundary line may share access via an easement agreement between the parties. Evidence of such an easement must be submitted to the Department prior to the issuance of any zoning permits. A legally open street which provides direct access to the waterfront setback, if such street includes an improved walkway, may substitute for other access requirements.*

(9) *Front Yard. For all new construction on properties fronting on Delaware Avenue or Christopher Columbus Boulevard, front yards shall be permitted; provided, that such front yard is landscaped or accessible to pedestrians. However, in no case shall any building be constructed so that the front yard when combined with the width of the sidewalk exceeds 25 feet. Seventy-five (75) percent of the building line shall be occupied by the facade of the main building.*

(10) *Off-Street Parking. Open-air accessory parking lots with five or more parking spaces shall comply with the provisions of Section 14-803(4) (Parking Design Standards) and Section 14-803(5) (Parking Landscape and Screening) regardless of the underlying zoning classification.*

(11) *Auto-Share. Notwithstanding the provisions of Chapter 14-800 (Parking and Loading), the total number of required parking spaces for a property may be reduced through the addition of auto-share spaces. One auto-share space may replace four (4) required parking spaces. In no case may the number of auto-share spaces provided reduce the required number of parking spaces by more than forty (40) percent.*

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(12) *Plan of Development.*

(a) *For all properties east of Columbus Boulevard/Delaware Avenue or adjacent to the Delaware River and for all other commercially zoned properties, no zoning permits shall be issued unless (i) the applicant shall have first submitted to the City Planning Commission, and the City Planning Commission shall have approved, a Plan of Development, which shall be approved by the Commission only if the Commission, in its discretion, has determined that the Plan of Development provides for development appropriate in scale, density, character and use for the surrounding community, and (ii) the Planning Commission determines that the requested permits are in conformity with the approved Plan of Development. If the Commission fails to approve, disapprove, conditionally approve or table a proposed Plan of Development within seventy-five (75) days after submission of complete plans to the Commission, the approval of the Commission shall be presumed.*

(b) *The approval or disapproval of a Plan of Development by the Commission shall constitute the final decision of the City on the proposal, and may be challenged by direct appeal to the Court of Common Pleas; provided that any applicant may pursue a request to the Zoning Board of Adjustment for a variance, pursuant to Section 14-303(8)(Zoning Variances).*

(13) *The provisions of this Section shall expire upon Council's adoption of an Ordinance enacting land use and zoning controls that includes the boundaries of this District consistent with a Master Plan adopted by the Philadelphia City Planning Commission.*

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CHAPTER 14-700. DEVELOPMENT STANDARDS.

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§14-704. Open Space and Natural Resources.

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(4) Flood Protection.

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(c) Special Regulations.

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(.2) Within the Special Flood Hazard Area.

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(.a) For residential structures, any new construction or substantial improvement shall have the lowest floor elevation (including basement or cellar) elevated up to, or above, the regulatory flood elevation [of 18 inches above the Base Flood Elevation].

* * *

(.c) Fully enclosed space that is below the lowest floor of the building and that is used solely for the parking of a vehicle, building access, or incidental storage shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term “fully enclosed space” shall include crawl spaces. *For these spaces, a minimum of two openings having a total area of not less than one square inch for every square foot of enclosed space shall be included and shall be no higher than one foot above grade to provide that they permit the automatic entry and exit of flood waters.*

* * *

(.e) Construction or substantial improvement of any structure used for the following is prohibited unless it is elevated or flood-proofed to remain completely dry to [one and one-half ft. above] the Regulatory Flood Elevation:

* * *

(.f) *The following uses are prohibited within a Special Flood Hazard Area:*

- 1. Hospitals*
- 2. Group Living uses housing elderly or disabled persons or persons with limited mobility*
- 3. Detention or correctional facilities*
- 4. A new manufactured home park or manufactured home subdivision, or substantial improvement to an existing manufactured home park or manufactured home subdivision-*

(.3) Within the Special Flood Hazard Area, Approximate Zone A.

(.a) Within the Approximate Zone A[, as defined by the Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map (FHBM)], development shall be permitted on the same conditions applicable to the Special Flood Hazard Area in [§14-704(4)(c)] *subsection* (.2) above, except as noted in this subsection [§14-704(4)(c)](.3).

(.b) [The Commission shall determine the regulatory flood elevation in accordance with standard hydrologic and hydraulic engineering methods.] *For Approximate Zone A areas, elevation and floodway information from other Federal,*

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State, or other acceptable sources shall be used when available. Where other acceptable information is not available, the base flood elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site. In lieu of the above, the Commission may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Commission.

[(.c) The following uses are prohibited unless a special exception pursuant to § 14-303(7) (Special Exception Approval) is first obtained: Hospital; Medical, Dental, or Health Practitioner; Group Living uses housing elderly or disabled persons or persons with limited mobility; Day Care; or Detention or Correctional Facilities.

(.d) No special exception approval for a use listed in § 14-704(4)(c)(.3)(c) above may be issued unless (i) the application complies with the provisions of Act 166 of 1978, known as the “Pennsylvania Floodplain Management Act,” and the regulations adopted pursuant to that Act pertaining to the issuance of special permits, and (ii) the Department of Community and Economic Development has approved the application.]

* * *

(.4) Special Requirements for Manufactured Homes. *Manufactured homes are prohibited in identified floodplain areas.*

(d) Designation of the Floodplain Administrator. *The Commissioner of Licenses and Inspections is hereby appointed to administer and enforce this §14-704(4) and is referred to herein as the Floodplain Administrator. The Floodplain Administrator may: (a) fulfill the duties and responsibilities set forth in these regulations, (b) delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees, or (c) enter into a written agreement or written contract with another agency or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the City of Philadelphia of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.*

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(e) **Changes in Identification of Area.** *The identified floodplain area may be revised or modified by the Floodplain Administrator where studies or information prepared by a qualified agency or person and provided by an applicant documents the need for such revision. However, prior to any such change to the Special Flood Hazard Area, approval must be obtained from FEMA. Additionally, as soon as practicable, but not later than six months after the date such information becomes available, the applicant shall notify the Floodplain Administrator and FEMA of the changes to the Special Flood Hazard Area by submitting technical or scientific data.*

(f) *No permit for construction within the Special Flood Hazard Area shall be issued unless the applicant has provided written confirmation that all other necessary government permits required by state and federal laws have been obtained, including but not limited to those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344.*

(g) *Subsection (c) (“Special Regulations”) shall expire October 31, 2012.*

* * *

(5) Stream Buffers.

(a) **Applicability.** The stream buffer requirement shall apply to all lots sharing a boundary with any water course that contributes to the City’s surface drinking water sources. [The Water Department shall establish, by regulation,] *These requirements shall not take effect until Council approves, by ordinance, a Hydrology Map that designates these water courses. The map below is for illustrative purposes only.*

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CHAPTER 14-800. PARKING AND LOADING.

§ 14-801. Purpose, Applicability, and General Standards.

(1) **Purpose.** This section establishes off-street parking requirements as a necessary part of the development and use of land, to ensure the safe and adequate flow of traffic in the public street system, and to ensure that parking areas are designed to perform in a safe, efficient manner. It is also the intent of this section to manage the adverse visual, environmental, and economic impacts of parking areas. Specific purposes include to:

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(c) [Encourage the efficient use of land by avoiding excessive amounts of land being devoted to parking and thus unavailable for other productive uses;

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(d) Improve the visual appearance of public street corridors by encouraging buildings and other attractive site features to become more prominent relative to parking areas;

[(e)] (d) * * *

[(f)] (e) * * *

[(g)] (f) * * *

* * *

(5) Rules of Parking Measurement.

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(b) Whenever the calculations of required [or maximum] off-street parking spaces pursuant to this Chapter 14-800 result in a fraction of a parking space, and the fraction is equal to or greater than one-half, the number of required [or maximum] spaces shall be rounded up to the next whole number. If the calculation results in a fraction less than one-half, the fractional portion of the requirement or maximum shall be ignored.

(c) The following types of parking spaces shall count towards the satisfaction of minimum off-street parking requirements[, but shall not count against the maximum parking requirement].

- (.1) Accessible parking;
- (.2) Vanpool and carpool parking;
- (.3) Auto-share parking space; and

(.4) Underground parking, and parking within, above, or beneath the building(s) it serves.

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§14-802. Motor Vehicle Parking Ratios.

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(3) Required Parking in Commercial Districts. Table 14-802-2 lists the parking requirements for Commercial districts, except CMX-1, CA-1, and CA-2. The CMX-1 parking requirements are set forth in §14-802(7)(a) (CMX-1 Parking). The CA-1 and CA-2 parking requirements are set forth in §14-802(7)(b) (CA-1 and CA-2 Parking).

Table 14-802-2: Required Parking in Commercial Districts (Except CMX-1, CA-1, and CA-2)

	Minimum Required Parking Spaces (spaces per unit/sq. ft. of gross floor area/beds/seats/room)			{Maximum Number of Parking Spaces ■ Denotes parking maximum not applicable. }
	CMX-2/2.5	CMX-3	CMX-4/5	
Residential Use Category (as noted below)				
Household Living (except as noted below)	[3/10 units] 0	3/10 units	0	■
Multi-Family	[3/10 units] 0	3/10 units	3/10 units	■
Caretaker Quarters	[1/unit] 0	0	0	■

* * *

Public, Civic, and Institutional Use Category (as noted below)				
Detention and Correctional Facilities	1/1,000 sq. ft.	1/1,000 sq. ft.	1/1,000 sq. ft.	{125% of min.}
Educational Facilities	1/1,000 sq. ft.	1/1,000 sq. ft.	1/1,000 sq. ft.	{125% of min.}
Fraternal Organization	1/300 sq. ft.	1/500 sq. ft.	1/1,000 sq. ft.	{125% of min.}
Hospital	1/4 bed design capacity	1/4 bed design capacity	1/4 bed design capacity	{125% of min.}
Libraries and Cultural Exhibits	1/1000 sq. ft.	None for the first 4,000 sq. ft., then 1/1,000 sq. ft.	None for the first 10,000 sq. ft., then 1/1,000 sq. ft.	{The greater of 1 or 125% of min.}

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Religious Assembly	1/10 seats or 1/1,000 sq. ft., whichever is greater	1/10 seats or 1/1,000 sq. ft., whichever is greater	The greater of (a) none for the first 400 seats then 1/10 seats or (b) none for the first 10,000 sq. ft. then 1/1,000 sq. ft.	{The greater of 1 or 125% of min.}
Safety Services	1/1,000 sq. ft.	1/1,000 sq. ft.	1/1,000 sq. ft.	{125% of min.}
Transit Station	0	0	0	
Utilities and Services, Basic	1/2,000 sq. ft.	1/2,000 sq. ft.	1/2,000 sq. ft.	
Utilities and Services, Major	1/2,000 sq. ft.	1/2,000 sq. ft.	1/2,000 sq. ft.	{125% of min.}
Wireless Service Facility	0	0	0	{2}
Office Use Category (as noted below)				
All Office Uses	0	0	0	{5/1,600 sq. ft.}
Retail Sales Use Category (as noted below)				
All Retail Sales Uses	0	0	0	{5/1,000 sq. ft.}
Commercial Services (as noted below)				
Adult-Oriented Service	0	0	0	{5/800 sq. ft.}
Animal Services	0	0	0	{5/800 sq. ft.}
Assembly and Entertainment	1/10 seats or 1/1,000 sq. ft., whichever is greater	1/10 seats or 1/1,000 sq. ft., whichever is greater	The greater of (a) none for the first 400 seats then 1/10 seats or (b) none for the first 10,000 sq. ft. then 1/1,000 sq. ft.	{The greater of 1 or 125% of min.}
Building Services	0	0	0	{3/1,000 sq. ft.}
Business Support	0	0	0	{3/1,000 sq. ft.}
Day Care	0	0	0	{5/1,600 sq. ft.}
Eating and Drinking Establishments	0	0	0	{5/1,000 sq. ft.}
Financial Services	0	0	0	{5/1,600 sq. ft.}

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Funeral and Mortuary Services	0	0	0	{5/1,000 sq. ft.}
Maintenance and Repair of Consumer Goods	0	0	0	{3/1,000 sq. ft.}
Personal Services	0	0	0	{5/1,000 sq. ft.}
Radio, Television, and Recording Services	0	0	0	{3/1,000 sq. ft.}
Visitor Accommodations	0	0	0	{1/room}
Vehicle and Vehicular Equipment Sales and Services Use Category (as noted below)				
Commercial Vehicle Repair and Maintenance	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	0	
Personal Vehicle Repair and Maintenance	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	0	
All Other Vehicle and Vehicular Equipment Sales and Services Uses	1/2,000 sq. ft.	1/2,000 sq. ft.	0	{3/5,000 sq. ft.}
Wholesale, Distribution, and Storage Use Category (as noted below)				
Moving and Storage Facilities	1/1,500 sq. ft.	1/2,000 sq. ft.	1/3,000 sq. ft.	{125% of min.}
Industrial Use Category (as noted below)				
Artist Studios and Artisan Manufacturing	1/300 sq. ft.	1/800 sq. ft.	None for the first 7,500 sq. ft. then 1/2,000 sq. ft.	{The greater of 1 or 125% of min.}
Research and Development	1/300 sq. ft.	1/800 sq. ft.	None for the first 7,500 sq. ft. then 1/2,000 sq. ft.	{The greater of 1 or 125% of min.}
Urban Agriculture Use Category (as noted below)				
Market and Community-Supported Farm	None if lot area is less than 5,000 sq. ft., otherwise 2	None if lot area is less than 5,000 sq. ft., otherwise 2	None if lot area is less than 5,000 sq. ft., otherwise 2	

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Table 14-802-3: Required Parking in Industrial Districts

	Minimum Required Parking Spaces (spaces per unit/sq. ft. of gross floor area/beds/seats/room)		{Maximum Number of Parking Spaces}
	IRMX ICMX I-1	I-2/3 I-P	{Denotes maximum applicable parking not}
Residential Use Category (as noted below)			
Household Living (except as noted below)	1/2 units	1/2 units	
Multi-Family Building	1/2 units	1/2 units	
Caretaker Quarters	1/unit	0	
Group Living (as noted below)	1/10 permanent beds	1/10 permanent beds	
Single-Room Residence	1/20 units + 1; min.2	1/20 units + 1; min.2	
Public, Civic, and Institutional Use Category (as noted below)			
Detention and Correctional Facilities	1/1,000 sq. ft.	1/1,000 sq. ft.	{200% of min.}
Educational Facilities	1/1,000 sq. ft.	1/1,000 sq. ft.	{200% of min.}
Fraternal Organization	1/300 sq. ft.	1/500 sq. ft.	{200% of min.}
Hospital	1/4 bed design capacity	1/4 bed design capacity	{200% of min.}
Libraries and Cultural Exhibits	1/1000 sq. ft.	None for the first 4,000 sq. ft., then 1/1,000 sq. ft.	{The greater of 2 or 200% of min.}
Religious Assembly	1/10 seats or 1/1,000 sq. ft., whichever is greater	The greater of (a) none for the first 400 seats then 1/10 seats or (b) none for the first 10,000 sq. ft. then 1/1,000 sq. ft.	{The greater of 2 or 200% of min.}
Safety Services	1/1,000 sq. ft.	1/1,000 sq. ft.	{200% of min.}

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Transit Station	0	0	
Utilities and Services, Basic	1/2,000 sq. ft.	1/2,000 sq. ft.	
Utilities and Services, Major	1/2,000 sq. ft.	1/2,000 sq. ft.	{200% of min.}
Wireless Service Facility	0	0	{2}
Office Use Category (as noted below)			
All Office Uses	1/1,000 sq. ft.	1/1,000 sq. ft.	{200% of min.}
Retail Sales Use Category (as noted below)			
Adult-Oriented Merchandise	1/1,000 sq. ft.	1/1,000 sq. ft.	{200% of min.}
Building Supplies and Equipment	3/2,000 sq. ft.	3/2,000 sq. ft.	{200% of min.}
All Other Retail Sales Uses	1/1,000 sq. ft.	None for first 2,500 sq. ft., then 1/1,000 sq. ft.	{The greater of 2 or 200% of min.}

Commercial Services Use Category (as noted below)			
Assembly and Entertainment	1/10 seats or 1/1,000 sq. ft., whichever is greater	The greater of (a) none for the first 200 seats then 1/10 seats or (b) none for the first 4,000 sq. ft. then 1/1,000 sq. ft.	{The greater of 2 or 200% of min.}
Eating and Drinking Establishments	5/1,000 sq. ft.	5/2,000 sq. ft.	{200% of min.}
Parking, Non-Accessory	0	0	
Personal Services	1/1,000 sq. ft.	None for first 2,500 sq. ft., then 1/1,000 sq. ft.	{The greater of 2 or 200% of min.}
Visitor Accommodations	1/3 rooms	1/3 rooms	{200% of min.}
All other Commercial Services Uses	1/1,000 sq. ft.	1/1,000 sq. ft.	{200% of min.}
Vehicle and Vehicular Equipment Sales Services Use Category (as noted below)			

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Commercial Vehicle Repair and Maintenance	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	
Personal Vehicle Repair and Maintenance	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	
All Other Vehicle and Vehicular Equipment Sales and Services	1/2,000 sq. ft.	1/2,000 sq. ft.	{200% of min.}
Wholesale, Distribution, and Storage Use Category (as noted below)			
All Wholesale, Distribution, and Storage Uses	1/1,500 sq. ft.	1/2,000 sq. ft.	
Industrial Use Category (as noted below)			
All Industrial Uses	1/300 sq. ft.	1/800 sq. ft.	
Urban Agriculture Use Category (as noted below)			
Horticulture Nurseries and Greenhouses	1/ 4,000 sq. ft.	None for the first 2,000 sq. ft. then 1/4,000 sq. ft.	

* * *

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

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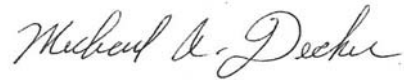
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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 21, 2012. The Bill was Signed by the Mayor on June 27, 2012.



Michael A. Decker
Chief Clerk of the City Council