

# City of Philadelphia



(Bill No. 210075)

## 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 is hereby amended to read as follows:

**Key:** In Tables and Table Notes, deletions shall be denoted by {curly brackets}, and not by [square brackets].

### TITLE 14. ZONING AND PLANNING

\* \* \*

### CHAPTER 14-200. DEFINITIONS

\* \* \*

#### **§ 14-202. Rules of Measurement.**

In the application of this Zoning Code the rules of measurement of this § 14-202 (Rules of Measurement) shall be observed and applied.

\* \* \*

#### (4) Gross Floor Area.

The sum of the gross horizontal areas of all the floors of a building, measured from the exterior faces of the exterior walls or center lines of walls separating two buildings.

##### (a) Measurement Includes

*(.10) Roof deck access structures*

\* \* \*

##### (b) Measurement Excludes.

\* \* \*

*(.12) Roof decks (notwithstanding any roof deck access structures)*

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## (5) Ground Floor.

\* \* \*

(b) In the case of buildings fronting on two *or more* streets, the ground floor is the story at the average of the ground level of the [two] street frontages.

\* \* \*

## (12) Occupied Area.

[The total of the areas of all buildings on the lot. The area of each building is the area of a horizontal section of such building on any floor at or above ground level taken at its greatest outside dimensions, including all structures, except fences and decks. Architectural recesses or other portions of a building wall at street level that are set back from the street line to create building wall articulation shall count as occupied area.] *The aggregate area of the greatest outside horizontal dimensions of all structures, except fences and decks, above grade plane on the lot, as would be depicted in a top view plan of the lot.*

\* \* \*

## (13.1) Off-Street Parking.

*Unless otherwise expressly stated, the following rules of measurement apply when calculating off-street parking requirements:*

(a) *No minimum number of sq. ft., units, beds, seats, or other criterion must be met for the required parking standard to be applied.*

(b) *Whenever the calculation of required off-street parking spaces results in a fraction of a parking space, and the fraction is equal to or greater than one-half, the number of required 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:*

(.1) *Accessible parking;*

(.2) *Vanpool and carpool parking;*

(.3) *Auto-share parking space;*

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

(.5) *Accessory parking spaces required for residential uses within mixed-use developments.*

(d) *Parking required for extensions or additions for nonresidential uses in Residential districts and for all uses in Industrial districts shall be computed for the floor area of the extended or added portion only.*

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\* \* \*

[(15.1) Second Floor Window Sill.

This measurement shall be based on the second story of a building that is fully above grade plane, not measured as including basement, cellar, or other space below grade plane.]

\* \* \*

(21.1) [Third Floor] Window Sill *in Calculating Sign Height*.

This measurement shall be based on the [third] floor of a building *with which the window is associated, which* [that] is fully above grade plane, not measured as including basement, cellar, or other space below grade plane.

\* \* \*

## § 14-203. Definitions.

\* \* \*

[(35.1) Bed and Breakfast.

See § 14-601(7)(n)(.1) (Bed and Breakfast).]

\* \* \*

(44) Building, Attached.

(a) For intermediate lots, a building with both side building walls located on or at the side lot line. *For the purposes of this definition, a side building wall shall be considered to be located on a side lot line if it abuts an alley, driveway, or other easement that abuts another building wall on an abutting property.* An attached building is commonly called a rowhouse.

(b) For corner lots, a building with a side building wall located on or at the side lot line and the opposite building wall located on or at the opposite front lot line. *For the purposes of this definition, a side building wall shall be considered to be located on a side lot line if it abuts an alley, driveway, or other easement that abuts another building wall on an abutting property.*

(c) For lots bounded by three or more streets, a building with a rear building wall located on or at the rear lot line and the opposite building wall located on or at the opposite front lot line. *For the purposes of this definition, a rear building wall shall be considered to be located on a rear lot line if it abuts an alley, driveway, or other easement that abuts another building wall on an abutting property.*

\* \* \*

(101) Driveway, Shared.

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A common right-of-way shared by three or more abutting [landowners,] *landowners or* building [owners, or condominium] owners that provides vehicular access to one or more lots or buildings.

\* \* \*

(148.1) *Home Occupation*

*See section 14-604(10) (Home Occupations).*

\* \* \*

(135) [Fresh Food Market.

See § 14-601(6)(d)(.1) (Fresh Food Market).] *Reserved*

\* \* \*

(160) [Infill.

Development on a lot that meets all of the following conditions: (1) the lot is served by existing infrastructure and (2) at least 75% of adjacent lots have existing buildings.]

*Reserved*

\* \* \*

(172.1) Lot, Through.

An intermediate lot bounded by two streets [which] *that* are opposite each other.

\* \* \*

(228) [Pent, Roof.

A small eaves-like projection from the facade of a house that may provide very limited shelter for a window or door directly below, but is usually merely decorative.] *Reserved*

\* \* \*

## CHAPTER 14-300. ADMINISTRATION AND PROCEDURES

### § 14-301. Reviewers and Decision Makers.

(3) City Planning Commission.

(a) General Authority.

The Commission is established by Sections 3-100 and [3-800] 3-908 of the Philadelphia Home Rule Charter and has those powers set forth in Article IV, Chapter 6 of the Philadelphia Home Rule Charter.

\* \* \*

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(c) Review and Prerequisite Approval Authority.

(.1) The Commission provides prerequisite approvals for:

\* \* \*

*(.p) Zoning permits regarding properties located within Subarea C of the Main Street/Manayunk and Venice Island /NCA, Neighborhood Commercial Area Overlay District that abut the Schuylkill River. See § 14-503(4)(c)(.2)(.e)*

*(.q) Building permits regarding developments earning a Public Space floor area or height bonus. See § 14-702(6) (Public Space).*

\* \* \*

(4) Zoning Board of Adjustment.

(a) General Authority.

The Zoning Board is established by § 3-911 of the Philadelphia Home Rule Charter and has those powers set forth in [§ 5-1006] § 4-607 of the Philadelphia Home Rule Charter and § 14-103(4) (Zoning Board of Adjustment)

\* \* \*

(7) Historical Commission.

(a) General Authority.

The Historical Commission is the City of Philadelphia's historic preservation regulatory agency. Its creation and duties are described in Chapter 14-1000 (Historic Preservation).

(b) Zoning Permit Review Authority.

*The Historical Commission shall certify to L&I whether a building or structure is designated historic or contributes to the character of a historic district wherever such certification is necessary for the purposes of L&I's review of zoning permits. See § 14-604(11)(d)(.1), § 14-602(8), and § 14-801(2)(d).*

\* \* \*

(8) Art Commission.

(a) General Authority.

The Art Commission is established by §§ 3-100 and 3-910 of the Philadelphia Home Rule Charter and has those powers set forth in [§ 5-903] § 4-606 of the Philadelphia Home Rule Charter.

\* \* \*

(11) Department of Planning and Development.

(a) General Authority.

*The Department of Planning and Development is established by § 3-100 of the Philadelphia Home Rule Charter.*

(b) Review Authority.

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*The Department of Planning and Development provides prerequisite approvals for zoning and building permits regarding developments earning the Mixed Income Housing bonus.*

\* \* \*

## § 14-303. Common Procedures and Requirements.

\* \* \*

### (6) Zoning Permits.

\* \* \*

#### (c) Optional Conditional Zoning Permit Process.

The following process shall be available for any project subject to Civic Design Review. At the applicant's option, the applicant may apply for a zoning permit through a two-stage process by submitting an application for a conditional zoning approval, subject to the provisions of this § 14-303(6)(c), before submitting a zoning permit application. Applications for special exception approval and applications requiring a variance from the terms of this Zoning Code are not eligible for the conditional zoning approval process.

(.1) A conditional zoning approval confirms that the application complies with all of the following:

\* \* \*

(.c) The floor [area] *area, height, and dwelling unit density* bonus provisions of § 14-702 (Floor [Area] *Area, Height, and Dwelling Unit Density Bonuses*), as applicable;

\* \* \*

### (8) Zoning Variances.

\* \* \*

#### (i) *Additional Criteria for Steep Slope Variances.*

*Where any earth disturbance will occur on a slope of 25% or greater, the Zoning Board shall approve a variance only if the applicant demonstrates that the application meets the following criteria, as certified by a Pennsylvania Licensed Professional Engineer, in addition to those in § 14-303(8)(e) (Criteria for Approval). Water Department prerequisite approvals shall not signify the evaluation or acceptance of the listed criteria herein.*

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*(.1) Any requested variance for the property will not result in any of the following:*

*(.a) An increase in stormwater runoff ;*

*(.b) The shifting of earth to adjacent existing buildings and structures down slope or immediately upslope; or*

*(.c) An increase in the likelihood of the loss of property.*

*(.2) The applicant submits an earth moving plan that meets the standards described in § 14-704(2)(c) (Earth Moving Plans) and that shows the extent of the proposed earth disturbance area.*

\* \* \*

## § 14-304. Specific Procedures.

\* \* \*

(4) Amendments to Master Plans.

\* \* \*

(d) Criteria for Commission Approval.

\* \* \*

(.4) The amendment only approves:

\* \* \*

*(.c) Additions to buildings or changes in building [footprints] footprints, including the footprints of new buildings, that do not increase impervious surface within the district by more than 5% or by more than 2,500 sq. ft., measured collectively from the date of the latest amendment to the Master Plan; or*

\* \* \*

## § 14-305. Nonconformities.

\* \* \*

(6) Nonconforming Structures.

Nonconforming structures may be expanded or extended, provided that the expanded or extended area (a) complies with all provisions of § 14-701 (Dimensional Standards) and

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§ 14-702 (Floor [Area] *Area, Height, and Dwelling Unit* Bonuses) applicable to the zoning district where the property is located, (b) complies with the provisions of this § 14-305(6) (Nonconforming Structures), and (c) does not increase any existing nonconformity.

\* \* \*

(e) Where a side wall does not meet a required side yard requirement: 1) a horizontal extension of that wall into a front [yard] *yard, rear yard*, or side yard is an increase of that specific nonconformity, and is not permitted, and 2) a horizontal extension of a side wall into a rear yard is permitted, provided the extension complies with applicable rear setback and open space requirements. (See figure "Horizontal Extension of a Nonconforming Side Wall.")

\* \* \*

## CHAPTER 14-400. BASE ZONING DISTRICTS

\* \* \*

### § 14-402. Commercial and Commercial Mixed-Use Districts.

(1) General.

(a) Districts.

(.1) List.

The City's Commercial and Commercial Mixed-Use zoning districts are listed in Table 14-402-1, below. When this Zoning Code refers to "Commercial" zoning districts, it is referring to all of these districts as of the effective date of this Zoning Code

**Table 14-402-1: Commercial and Commercial Mixed-Use Districts**

Map Symbol	District Name	Previously Known As
	* * *	
CMX-4	[Center City] <i>Core</i> Commercial Mixed-Use	C-4
	* * *	

(.2) Map Symbols.

(a) The alphanumeric map symbols are intended to provide a general, relative indication of the range of uses and activities allowed within the respective districts. "CMX" is used to indicate a mixed-use zoning district that is intended to accommodate both commercial and non-commercial development. "CA" is used to indicate zoning districts primarily intended to accommodate auto-oriented commercial development.



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\* \* \*

## (c) Descriptions.

\* \* \*

### (.5) CMX-4, [Center City] *Core* Commercial Mixed-Use District.

The CMX-4, [Center City] *Core* Commercial Mixed-Use district is primarily intended to accommodate mixed-use development, including a broad range of nonresidential uses in the *core of high-density commercial and mixed-use areas*. [Center City area.]

\* \* \*

## § 14-403. Industrial and Industrial Mixed-Use Districts.

### (1) General.

#### (a) Districts.

\* \* \*

#### (.2) Map Symbols.

(.a) The Industrial district map symbols are intended to provide a general, relative indication of the range of uses and activities allowed within the respective districts. "*I*" is used to indicate a zoning district primarily intended to accommodate industrial uses. "IRMX" is used to indicate a zoning district that mixes industrial and other nonresidential use as well as residential development. "ICMX" is used to indicate a zoning district that mixes commercial and industrial.

\* \* \*

## § 14-404. SP-INS, Institutional (Special Purpose) District.

\* \* \*

### (3) Area Regulations.

\* \* \*

#### (d) Yards.

[(.1) ] No front, side, or rear yards are required in this district, [except as provided in § 14-404(3)(d)(.2), below.

(.2) If] *provided that, if* an SP-INS-zoned lot is adjacent to a lot in a Residential district, the minimum required front setback for a building or portion of a building located on the SP-INS lot shall be the minimum front

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setback required in the most restrictive adjacent Residential *district*.  
[district, except in the area bounded by Belmont Avenue, Monument  
Avenue, Ford Road and Edgley Avenue (extended).]

\* \* \*

## § 14-406. SP-STA, Sports Stadium (Special Purpose) District.

\* \* \*

### (3) Area Regulations.

All buildings, structures, and parking facilities within the district must comply with the following setback requirements:

\* \* \*

(c) Security buildings or ticket booths of no more than 14 ft. in height and 150  
*sq. ft.* in area may be erected with a minimum setback of 25 ft. from the lot line;  
and

\* \* \*

## CHAPTER 14-500. OVERLAY ZONING DISTRICTS

\* \* \*

## § 14-502. /CTR, Center City Overlay.

\* \* \*

### (2) Applicability.

\* \* \*

### (d) /CTR Summary Table.

Table 14-502-1, below, summarizes the standards and regulations of this § 14-502  
(/CTR, Center City Overlay District). In the event of conflict between the provisions  
of Table 14-502-1 and the text of this Zoning Code, the text shall govern.

**Table 14-502-1: /CTR Summary Table**

Area	Height Controls	Setback / Build-To Controls	Supple- mental Use Controls	Parking & Loading Controls	Sign Controls	Special Review Controls	Bulk and Massing Controls
Benjamin Franklin Parkway Area	§ 14-502(3)(d)			§ 14-502(6)(a)			§ 14-502(9)(e)
* * *							

\* \* \*

### (3) Height Regulations.

The following height regulations apply to the areas set forth in each subsection. To the  
extent a property is subject to a height maximum set forth in this § 14-502(3) (Height  
Regulations) and a height maximum set forth elsewhere in this Code, the smaller  
maximum shall [apply.] *apply, except the provisions of 14-502(3)(l) (Center City  
Commercial District Control Area) shall supersede any height maximums set forth*

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outside of this Chapter 14-500. Except for the City Hall area, the accompanying height control maps are for illustrative purposes only.

\* \* \*

(5) Supplemental Use Controls.

For the purposes of this § 14-502(5) (Supplemental Use Controls), the following supplemental use controls apply to the areas listed in Table 14-502-2 and Table 14-502-3.

(a) Use Table 14-502-2.

Principal uses are allowed within the Center City Overlay District in accordance with the use regulations of the underlying zoning district, except as provided in Table 14-502-2 (See accompanying Supplemental Use Controls Area Map for illustrative purposes only). Uses classified as accessory uses are not regulated by the use table. Accessory uses are permitted in conjunction with allowed principal uses, provided they comply with all applicable regulations of § 14-603 (Use-Specific Standards) and § 14-604 (Accessory Uses and Structures).

\* \* \*

(.6) Notes for Table 14-502-2.

\* \* \*

{[9]} Notwithstanding any other provision of the Center City Overlay District, the minimum lot area per dwelling unit shall be calculated according to the provisions of § 14-602 (Use Tables), except that the Green Roofs provisions set forth in Table Note [1] of Table 14-602-1 and Table Note [2] of Table 14-602-2 shall not apply.}

\* \* \*

**Table 14-502-2: Supplemental Use Controls in the Center City Overlay District**

	Center City Commercial District Control Area	Chestnut and Walnut Street Area, East	Chestnut and Walnut Street Area, West	Broad Street Area, South	Broad Street Area, North	Chinatown Area	Old City Residential Area	Society Hill Area	South Street/ Head House Square Area	Rittenhouse Square Residential Area	Use-Specific Standards
N = Not allowed (expressly prohibited)   S = Special exception approval required   <b>Blank</b> = No overlay-specific regulations apply See § 14-502(5)(a)(.6) (Notes for Table 14-502-2) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.											
* * *											
<b>Residential Use Category</b>											
Household Living	[6]						[10]	{[9]}		[8]	
* * *											

\* \* \*

(9) Bulk and Massing Controls.

The following bulk and massing regulations apply to the areas described in each subsection below.

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\* \* \*

(e) *Benjamin Franklin Parkway Area.*

*(.1) Notwithstanding the provisions of § 14-701(5)(b), within the area bounded by 20th Street, Arch Street, Cuthbert Street and a line parallel to and 213.958 feet west of 20th Street, an applicant electing to be subject to the sky plane standards of § 14-701(5)(b) may take the dimensional limitations necessary to comply with such standards on the 20th Street frontage and apply them instead to the entire west facade of its building in lieu of complying with sky plane as to the 20th Street frontage. This subsection (.1) shall expire on May 14, 2024, except as to any building permit then in effect.*

*(.2) Notwithstanding the provisions of §14-702(9), within the area bounded by 20th Street, Arch Street, Cuthbert Street, a line parallel to 20th Street that extends north 32 feet from a point located on Cuthbert Street 282.5 feet west from the northwest corner of 20th Street and Cuthbert Street, a line beginning at the foregoing point and extending 68.54 feet to the east parallel to Arch Street to a point and a line parallel to 20th Street beginning at the foregoing point and extending north 114.5 feet to the south side of Arch Street, a development shall be eligible to earn additional gross floor area in the amount permitted under § 14-702(9) (Underground Accessory Parking) through the construction of an underground public parking garage. This subsection (.2) shall expire on May 14, 2024, except as to any building permit then in effect.*

(10) Incentive Limitations.

[(a)] In the Society Hill Area, the provisions of §14-702(16) (“Green Roof”) [§ 14-603(7)(“Fresh Food Market”)] shall not apply.

## § 14-503. /NCA, Neighborhood Commercial Area Overlay District

\* \* \*

(2) East Falls.

\* \* \*

(b) Setback from Kelly Drive.

For lots with street frontage on Kelly Drive, buildings [erected on or after December 21, 1999,] shall *be* set back a minimum of 25 ft. from the street line of Kelly Drive. Such set back area shall include a landscape area along the entire Kelly Drive frontage that complies with all of the following requirements:

\* \* \*

(f) Use Regulations.

\* \* \*

(.5) In the CMX-2 [and CMX-2.5 districts] *district*, [the number of permitted dwelling units is as follows, provided that, whenever the calculation of permitted

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number of dwelling units results in a fraction of a dwelling unit, then the number of permitted dwelling units shall be rounded down to the nearest whole number.

(.a) A minimum of 480 sq. ft. of lot area is required per dwelling [unit for buildings less than or equal to 38 ft. in height,] *unit*, except if the [green roof] conditions set forth in [§ 14-602(7)] § 14-702(16)(a) (*Green Roof; Criteria*) are met, then a minimum of 360 sq. ft. of lot area is required per dwelling unit. *Whenever the calculation of permitted number of dwelling units results in a fraction of a dwelling unit, then the number of permitted dwelling units shall be rounded down to the nearest whole number.*

[(.b) A minimum of 360 sq. ft. of lot area is required per dwelling unit for buildings greater than 38 ft. in height, but less than or equal to 45 ft. in height. ]

\* \* \*

(3) Germantown Avenue.

\* \* \*

(d) Building Width.

The maximum width of a building frontage along Germantown Avenue for any newly erected building or existing building to which an addition is added [after December 28, 1995,] shall be 30 ft.

\* \* \*

(6) Ridge Avenue.

\* \* \*

(d) Signs.

(.1) *In addition to the requirements of § 14-900 (Signs),* the following signs shall be prohibited:

\* \* \*

## § 14-508. /DRC, Delaware River Conservation Overlay District.

\* \* \*

(1) [Purposes]*Purpose.*

The purpose of the /DRC, Delaware River Conservation Overlay district is to further enhance the quality of life in Philadelphia by promoting and protecting a system of parks and trails along the North Delaware River called the "Delaware River Greenway."

(a) Boundaries.

(.1) The boundaries of the district are the south side of Allegheny Avenue on the south; the Philadelphia/Bucks County line on the north; the western Bulkhead Line of the Delaware River as amended by the Secretary of War on September 10, 1940 on the east; and a line 50 ft. west of the eastern boundary on the [west, as shown on the map on the following page for illustrative purposes only.] *west.*

(.2) [(b)] 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 the most westerly line along the top of the west bank is the eastern boundary of this district. Any discrepancies between the physical top of the bank and Bulkhead Line along the west bank of the Delaware River will be surveyed by the District

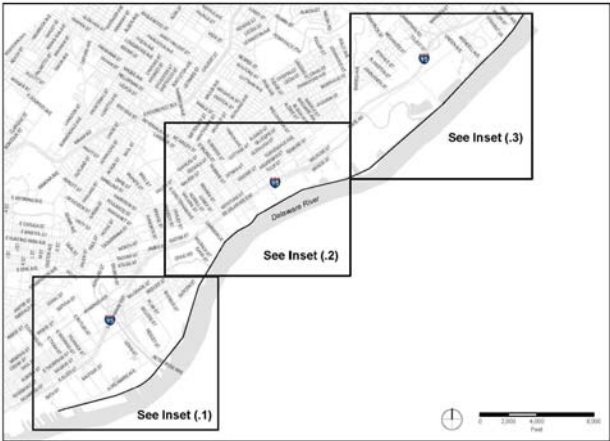
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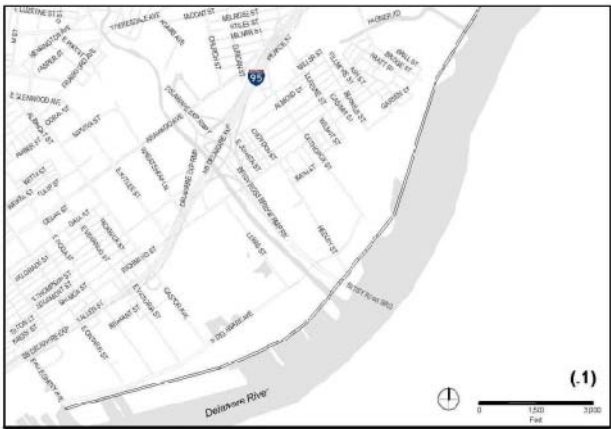
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Surveyor, and the Board of Surveyors of the Streets Department will keep the survey on file and available for public inspection.

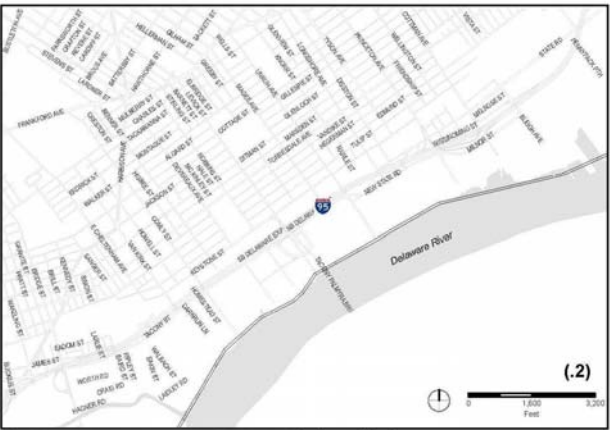
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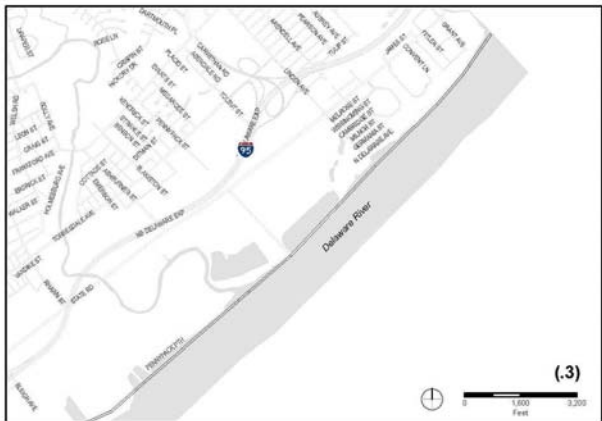
Delaware River Conservation Overlay District



Delaware River Conservation Overlay District (Applies to all lots)



Delaware River Conservation Overlay District (Applies to all lots)



Delaware River Conservation Overlay District (Applies to all lots)

]

\* \* \*

## § 14-513. /TOD, Transit-Oriented Development Overlay District.

\* \* \*

- (4) Use Regulations.
- Notwithstanding the provisions of this Zoning Code, lots located in any /TOD Overlay District shall comply with the following use regulations.
- \* \* \*

- (d) *Maximum Number of Dwelling Units.*
- For any lot within a CMX-1, CMX-2, CMX-2.5, or RM-1 district, the maximum number of dwelling units permitted is increased by 50%.
- \* \* \*

## § 14-516. /WST, West Overlay District

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(3) Subarea B. \* \* \*

(e) Optional Unified Development Plan.

\* \* \*

(.5) Area Regulations.

\* \* \*

(h) Signs. \* \* \*

(.3) Building identification signs shall be permitted in accordance with § 14-904(3) (Building Identification Signs in CMX-4, CMX-5, IRMX, ICMX, and I-1 Districts), except that one building within the area subject to the Unified Development Plan shall be exempt from the height requirements of [§ 14-903(3)(b).] § 14-904(3)(b).

**§ 14-523. /TMA, Industrial and Manufacturing Area Overlay District.**

(2) *Applicability.*

The requirements of IMA, Industrial and Manufacturing Area Overlay district apply to all properties zoned I-1, I-2, or I-3, within the following areas:

(a) North Delaware Areas.

[For the purpose of this Section designated properties in the North Delaware Areas shall include the properties identified on the documents attached as "Exhibit A," "Exhibit B," and "Exhibit C" to the ordinance that added this provision to the Code. The following maps are for illustrative purposes only.]

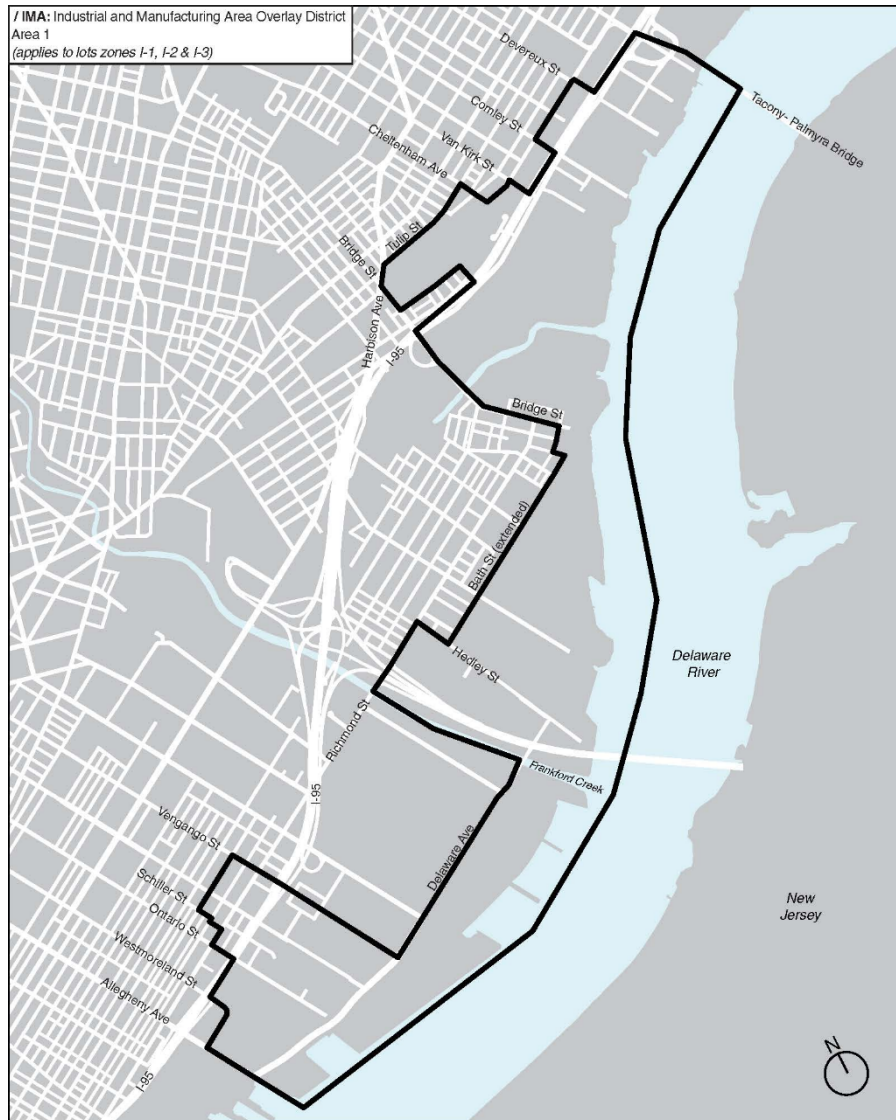
(.1) *Subarea A.*

*The area bounded by the Delaware Expressway, Devereaux Street (extended), Keystone Street, Comly Street, the Delaware Expressway, Van Kirk Street, Keystone Street, Cheltenham Avenue, Hegerman Street, Tulip Street, Harbison Avenue, Bridge Street, Eadom Street, Fraley Street, the Delaware Expressway, Bridge Street, Garden Street, Reynolds Street, Bath Street (extended), Hedley Street, Richmond Street, the Frankford Creek, Delaware Avenue, Venango Street, Edgemont Street, Schiller Street, Salmon Street, Schiller Street, Richmond Street, Ontario Street, the Delaware Expressway, Westmorland Street, Bath Street, Allegheny Avenue (extended), the Delaware River, the Tacony Palmyra Bridge, and Levick Street as shown on the following map for illustrative purposes only.*

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(.2) Subarea B.

*The area bounded by Tulip Street, Decatur Street, Edmund Street, Cottman Avenue (extended), the Delaware River, Pennypack Path (extended), the Delaware Expressway, and Rhawn Street as shown on the following map for illustrative purposes only.*



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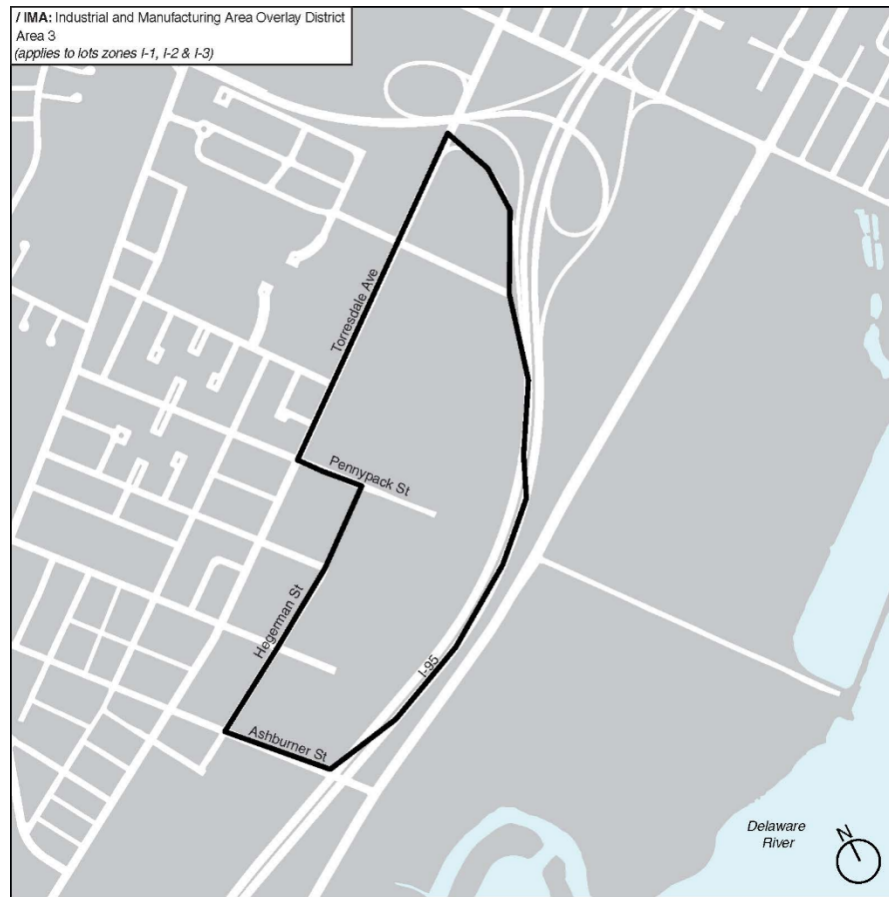
(.3) Subarea C.

*The area bounded by Torresdale Avenue, Pennypack Street, Hegerman Street (extended), Ashburner Street, the Delaware Expressway, and Delaware Expressway Ramp F as shown on the following map for illustrative purposes only.*

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(b) Reserved.

\* \* \*

## § 14-524. *Reserved* [/WOA, West Oregon Avenue Overlay District

(1) Boundaries.

This overlay shall apply to all lots zoned either CMX-3 or CA-1 within an area bounded by Passyunk Avenue, Ritner Street, 22nd Street, Oregon Avenue, Vare Avenue, and 24th Street.

(2) Signs.

The requirements of § 14-904(1) pertaining to accessory signs shall apply, except as follows:

(a) Accessory Sign Controls.

(.1) Wall sign area shall not exceed a short-side maximum of 12 sq. ft. per linear foot of building frontage, and shall not exceed a long-side maximum of 9 sq. ft. per linear foot of building frontage;

(.2) Three freestanding signs shall be permitted per building, with maximum heights of 70, 65, and 40 ft., respectively;

(3) Parking, Landscaping and Screening.

The requirements of § 14-803(5) pertaining to parking landscaping and screening shall apply, except as follows:

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- (a) Trees must be provided within the required landscaped area at a rate of at least one tree per 45 ft. of linear frontage. Such trees may be placed at regular or irregular intervals, provided that there is at least 15 ft. of space between tree trunks; and
- (b) Internal landscaped areas shall be dispersed on the site to break up the perception of large uninterrupted expanse of pavement. Landscaped areas shall be a minimum of 6 ft. wide. In surface parking lots containing more than 50 parking spaces, interior landscaped areas should be used to break up those spaces into groups of no more than 30 contiguous parking spaces.]

## § 14-525. [/S9thSt Market] /SNM, South Ninth Street Market Overlay District.

### CHAPTER 14-600. USE REGULATIONS

#### § 14-601. Use Categories.

##### (2) Residential Use Category.

This category includes uses that provide living accommodations for one or more persons. The residential subcategories are:

##### (4) Public, Civic, and Institutional Use Category.

##### (c) Child Care.

This category includes public, quasi-public, and private uses that provide unique services that are of benefit to the public as a whole. The public, civic, and institutional subcategories are:

##### (.2) Group Child Care.

The provision of care in a facility that is not the child care provider's primary residence for up to [13] 12 children who are not relatives of the provider. See also the group child care use-specific standards of § 14-603(5) (Child Care).

##### (.3) Child Care Center.

The provision of care in a facility that is not the child care provider's primary residence for [14] 13 or more children who are not relatives of the provider. See also the child care center use-specific standards of § 14-603(5) (Child Care).

##### (g) Hospital.

Uses providing medical or surgical care to patients and offering inpatient (overnight) care. *This subcategory includes nursing homes licensed by the Commonwealth of Pennsylvania.*

##### (6) Retail Sales Use Category.

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This category includes uses involving the sale, lease, or rental of new or used goods to the ultimate consumer within an enclosed structure, unless otherwise specified. The retail sales subcategories are:

\* \* \*

(d) Food, Beverages, and Groceries.

Uses that sell or otherwise provide food or beverages for off-premise consumption, including grocery stores and similar uses that provide incidental and accessory food and beverage service as part of their primary retail sales business. The following [are] *is a* food, beverage, and groceries specific use [types:] *type*:

(.1) [Fresh Food Market.

An establishment primarily engaged in the sale of grocery products and that provides all of the following:

(.a) at least 5,000 sq. ft. of customer-accessible floor area used for display and sales of a general line of food and nonfood grocery products such as dairy, canned and frozen foods, fresh fruits and vegetables, and fresh and prepared meats, fish, and poultry, intended for home preparation, consumption, and use;

(.b) at least twenty-five percent (25%) of retail inventory by volume is in the form of perishable goods, which must include dairy, fresh fruits and vegetables, and frozen foods and that may include fresh meats, poultry, and fish; and

(.c) at least 750 sq. ft. of such customer-accessible sales and display area is used for the sale of fresh fruits and vegetables.

(.2)] Farmer's Market.

\* \* \*

(7) Commercial Services Use Category.

This category includes uses that provide for consumer or business services, for the repair and maintenance of a wide variety of products, and for entertainment. The commercial services subcategories are:

\* \* \*

(c) Assembly and Entertainment.

Uses that provide gathering places for participant or spectator recreation, entertainment, or other assembly activities. Assembly and entertainment uses may provide incidental food or beverage service for on- or off-premise consumption. The following are assembly and entertainment specific use types:

\* \* \*

(.2) Casino.

A licensed gaming facility as authorized by the Commonwealth of Pennsylvania, pursuant to 4 Pa. C.S. Part II, the "Pennsylvania Race Horse Development and Gaming Act" [(the "Act")]. A "casino" may also be referred to as a "licensed gaming facility."

\* \* \*

(i) Maintenance and Repair of Consumer Goods.

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Uses that provide maintenance, cleaning, and repair services for consumer goods. Typical uses include dry cleaning shops, tailors, shoe repair, vacuum repair shops, electronics repair shops, and similar establishments. [The following are maintenance and repair of consumer goods specific use type.]

\* \* \*

(8) Vehicle and Vehicular Equipment Sales and Services Use Category.

This category includes uses that provide for the sale, rental, maintenance, or repair of new or used vehicles and equipment. The vehicle and vehicular equipment sales and services subcategories are:

(a) Commercial Vehicle Repair and Maintenance.

Uses, excluding vehicle paint finishing shops, that repair, install, or maintain the mechanical components or the bodies of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft, or commercial boats. Truck stops and *associated* fueling facilities are included in this commercial vehicle repair and maintenance use category.

\* \* \*

(e) Personal Vehicle Sales and Rentals.

Uses that provide for the sale or rental of new or used autos, small trucks or vans, trailers, motorcycles, motor homes, or recreational vehicles including recreational boats. Typical examples include automobile dealers, auto malls, car rental agencies, and moving equipment rental establishments [(e.g., U-haul)].

\* \* \*

(9) Wholesale, Distribution, and Storage Use Category.

\* \* \*

(d) Wholesale Sales and Distribution.

Uses engaged in the wholesale sales, bulk storage and distribution of goods. Such uses may also include incidental retail sales. Wholesale showrooms are also included in this use subcategory. [The following is a wholesale sales and distribution specific use type:

(.1) Distributor of Malt or Brewed Beverages.

An establishment engaged in the purchase and resale of malt or brewed beverages in originally-sealed containers, as prepared for the market by the manufacturer at the place of manufacture, in quantities of not less than a case or original containers containing 128 ounces or more (which may be sold separately) for off-premise consumption.]

\* \* \*

**§ 14-602. Use Tables.**

\* \* \*

(3) Residential Districts

Building types are permitted in Residential districts in accordance with Table 14-602-1.A. Principal uses are allowed in Residential districts in accordance with Table 14-602-1. Uses classified as accessory uses, such as home occupations, are not regulated by the use table. Accessory uses are permitted in conjunction with allowed principal uses,

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provided they comply with all applicable regulations of § 14-603 (Use-Specific Standards) and § 14-604 (Accessory Uses and Structures).

(a) Notes for Table 14-602-1.

[1] In the RM-1 district, the minimum lot area required per dwelling unit is as follows, provided that, whenever the calculation of permitted number of dwelling units results in a fraction of a dwelling unit, then the number of permitted dwelling units shall be rounded down to the nearest whole number:

(a) A minimum 360 sq. ft. of lot area is required per dwelling unit for the first 1,440 sq. ft. of lot area.

(b) A minimum of 480 sq. ft. of lot area is required per dwelling unit for the lot area in excess of 1,440 sq. ft. {; provided that, if the green roof conditions set forth at § 14-602(7) are met, the number of units allowed is 25% greater than indicated by the foregoing lot size requirements, applied prior to the inclusion of any other applicable increases in allowable unit}.

\* \* \*

Table 14-602-1.A: Building Types Allowed in Residential Districts

Previous District Name	R1	R1A	R2	R3	R4	R5	R6/7	R9A/10A/R20	RSA	R8/9/10/10B/18/19	R11/11A/12/13	R14	R15/16	RC-6	WRD/ITD	RC-4
District Name	RSD-1	RSD-2	RSD-3	RSA-1	RSA-2	RSA-3	RSA-4	RSA-5	RTA-1	RM-1	RM-2	RM-3	RM-4	RMX-1	RMX-2	RMX-3
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)																
Detached	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Semi-Detached	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Attached	N	N	N	N	N	N	Y	Y	N	Y	Y	N	Y	Y	Y	Y

\* \* \*

Table 14-602-1: Uses Allowed in Residential Districts

Previous District Name	R1	R1A	R2	R3	R4	R5	R6/7	R9A/10A/R20	RSA	R8/9/10/10B/18/19	R11/11A/12/13	R14	R15/16	RC-6	WRD/ITD	RC-4
------------------------	----	-----	----	----	----	----	------	-------------	-----	-------------------	---------------	-----	--------	------	---------	------

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District Name	RSD-1	RSD-2	RSD-3	RSA-1	RSA-2	RSA-3	RSA-4	RSA-5	RTA-1	RM-1	RM-2	RM-3	RM-4	RMX-1	RMX-2	RMX-3	Use-Specific Standards
<b>Y</b> = Yes permitted as of right   <b>S</b> = Special exception approval required <b>N</b> = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited See § 14-602(3)(a) (Notes for Table 14-602-1) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.																	
* * *																	
<b>Public, Civic, and Institutional Use Category</b>																	
Community Center	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	{N} Y	
* * *																	
<b>Retail Sales Use Category</b>																	
* * *																	
Food, Beverages, and Groceries	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[3]	Y[4]	Y[5]	{§ 14-603(7)}
* * *																	

\* \* \*

## (4) Commercial Districts.

Principal uses are allowed in Commercial districts in accordance with Table 14-602-2. Uses classified as accessory uses, such as home occupations, are not regulated by the use table. Accessory uses are permitted in conjunction with allowed principal uses, provided they comply with all applicable regulations of § 14-603 (Use-Specific Standards) and § 14-604 (Accessory Uses and Structures).

(a) Notes for Table 14-602-2.

[1] *In the CMX-1 district, household living use regulations are as follows:*

(.a) {When the proposed} *If the lot is adjacent to a residential district, the household living regulations of the most restrictive adjacent residential district apply, except if the household living use is in an attached or semi-detached building, the household living use regulations of the residential district to which it is attached apply. {Otherwise, the residential use regulations of the most restrictive adjacent residential district apply.}*

(.b) *If the lot is not {there is no} adjacent to a residential district, single-family household living shall be permitted and two-family and multi-family household living shall be prohibited.*

(.c) *Notwithstanding the provisions of subsections (.a) and (.b) above, {any of the foregoing, two-family and multi-family household living shall be permitted in the CMX-1 district} if the {dwelling} lot would otherwise qualify for, and an applicant chooses to earn, a {housing} dwelling unit density bonus for mixed-income housing, pursuant to § 14-702(7), the lot {. In such instances, the property} shall *instead* be subject to {the housing unit density provisions set forth in} Table Note [2], below, as if the {property} lot were located in a CMX-2 district, plus any applicable housing density bonus pursuant to § 14-702(7).*

[2] In the CMX-2 district, the number of permitted dwelling units is as follows, provided that, whenever the calculation of permitted number of dwelling

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units results in a fraction of a dwelling unit, then the number of permitted dwelling units shall be rounded down to the nearest whole number:

\* \* \*

{(.c) If the green roof conditions set forth at § 14-602(7) are met, the number of units allowed is 25% greater than indicated by the foregoing lot size requirements, applied prior to the inclusion of any other applicable increases in allowable units, and the provisions of subsections (.a) and (.b), above, shall not apply.}

\* \* \*

[6] In the CMX-4 and CMX-5 districts, underground parking garages are permitted; otherwise any portion of a parking garage located above ground level requires special exception approval *in accordance with the special exception procedures in § 14-303(7) (Special Exception Approval)*.

\* \* \*

[8] In the CMX-2.5 district, the minimum lot area required per dwelling unit is as follows, provided that, whenever the calculation of permitted number of dwelling units results in a fraction of a dwelling unit, then the number of permitted dwelling units shall be rounded down to the nearest whole number.

\* \* \*

{(.c) Provided that if the green roof conditions set forth at § 14-602(7) are met, the number of units allowed is 25% greater than indicated by the foregoing lot size requirements, applied prior to the inclusion of any other applicable increases in allowable units, and the provisions of subsections (.a) and (.b), above, shall not apply.}

\* \* \*

Table 14-602-2: Uses Allowed in Commercial Districts

Previous District Name	C-1	C-2/RC-2	(/NCC)	C-3/RC-3	C-4	C-5	C-7/NSC	ASC	
District Name	CMX-1	CMX-2	CMX-2.5	CMX-3	CMX-4	CMX-5	CA-1	CA-2	Use-Specific Standards
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited See § 14-602(4)(a) (Notes for Table 14-602-2) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.									
* * *									
<b>Retail Sales Use Category</b>									
* * *									
Food, Beverages, and Groceries	Y[5]	Y	Y	Y	Y	Y	Y	Y	{§ 14-603(7)}
* * *									
<b>Commercial Services Use Category</b>									
* * *									
Maintenance and Repair of Consumer Goods {(except as noted below)}	Y[5]	Y	Y	Y	Y	Y	Y	Y	
* * *									



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Previous District Name	C-1	C-2/RC-2	(/NCC)	C-3/RC-3	C-4	C-5	C-7/NSC	ASC	
District Name	CMX-1	CMX-2	CMX-2.5	CMX-3	CMX-4	CMX-5	CA-1	CA-2	Use-Specific Standards
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited See § 14-602(4)(a) (Notes for Table 14-602-2) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.									
<b>Vehicle and Vehicular Equipment Sales and Services Use Category</b>									
Commercial Vehicle Sales and Rental	N	N	N	N	N	N	N	S	
Personal Vehicle Repair and Maintenance	N	N	N	{Y}S	{Y}N	{Y}N	N	N	§ 14-603(7)
Personal Vehicle Sales and Rental	N	N	N	{Y}S	{Y}S	{Y}S	N	S	
Vehicle Fueling Station	N	N	N	S	N	N	S	Y	§ 14-603(8)
Vehicle Equipment and Supplies Sales and Rental	N	Y	N	Y	Y	Y	S	S	
<b>Wholesale, Distribution, and Storage Use Category</b>									
Moving and Storage Facilities	N	N	N	N	N	N	N	Y	
Wholesale Sales and Distribution	N	N	N	N	N	N	N	Y	{§ 14-603(1)}
* * *									

## (5) Industrial Districts.

\* \* \*

Table 14-602-3: Uses Allowed in Industrial Districts

Previous District Name	New	L4/L-5	L1/L2/L3	G1/G2	LR	PI	
District Name	IRMX [3]	ICMX	I-1	I-2	I-3	I-P	Use-Specific Standards
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited See § 14-602(5)(a) (Notes for Table 14-602-3) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.							
* * *							
<b>Retail Sales Use Category</b>							
* * *							
Food, Beverages, and Groceries {(except as noted below)}	Y	Y	N	N	N	N	
{Fresh Food Market}	{Y}	{Y}	{N}	{N}	{N}	{N}	{§ 14-603(7)}
* * *							
<b>Vehicle and Vehicular Equipment Sales and Services Use Category</b>							
Commercial Vehicle Repair and Maintenance	N	N	Y	Y	Y	Y	§ 14-603(7)
Commercial Vehicle Sales and Rental	N	S[1]	Y	Y	Y	Y	
Personal Vehicle Repair and Maintenance	N	S[2]	Y	Y	Y	N	§ 14-603(7)
* * *							
<b>Wholesale, Distribution, and Storage Use Category</b>							
* * *							
Wholesale Sales and Distribution {(except as noted below)}	S	Y	Y	Y	Y	Y	
{Distributor of Malt or Brewed Beverages}	{Y}	{Y}	{Y}	{Y}	{Y}	{Y}	{§ 14-603(1)}
* * *							

## (6) Special Purpose Districts.

Principal uses are allowed in special purpose zoning districts in accordance with Table 14-602-4. Uses classified as accessory uses, such as home occupations, are not regulated

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by the use table. Accessory uses are permitted in conjunction with allowed principal uses, provided they comply with all applicable regulations of § 14-603 (Use-Specific Standards) and § 14-604 (Accessory Uses and Structures).

\* \* \*

Table 14-602-4: Uses Allowed in Special Purpose Districts

Previous District Name	IDD	CED	SSD	REC-P	REC	New	
District Name	SP-INS	SP-ENT	SP-STA	SP-PO-P	SP-PO-A	SP-AIR	Standards
Y = Yes permitted as of right   S = Special exception approval required N = Not allowed (expressly prohibited)   Uses not listed in this table are prohibited See § 14-602(6)(a) (Notes for Table 14-602-4) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.							
*	*	*					
<b>Retail Sales Use Category</b>							
*	*	*					
Food, Beverages, and Groceries	Y	Y	N	N	N	Y	{§ 14-603(7)}
*	*	*					
<b>Wholesale, Distribution, and Storage Use Category</b>							
*	*	*					
Wholesale Sales and Distribution	N	N	N	N	N	Y	{§ 14-603(1)}
*	*	*					

## [(7) Exception to Use Tables for Green Roofs.

The green roof conditions necessary to satisfy the density exceptions for RM-1, CMX-2, and CMX-2.5 districts, set forth in Table Note [1] of Table 14-602-1, Table Note [2] of Table 14-602-2, Table Note [8], and for the East Falls /NCA overlay district, set forth at § 14-503(2)(f)(.5)(a), are as follows:

- (a) The dwelling units are located in a building with a green roof.
- (b) The building shall meet either of the following requirements:
  - (.1) For new buildings, the building’s construction requires a minimum of 5,000 sq. ft. of earth disturbance as determined by the Water Department; or
  - (.2) For existing buildings or expansions of existing buildings, the building requires a minimum building footprint of 5,000 sq. ft.
- (c) The roof must be partially or completely covered with a green roof that meets the Water Department’s design standards.
- (d) The applicant must execute and record a deed restriction in favor of the City, approved as to form by the Law Department, which requires the green roof to be constructed and maintained, at a minimum, in accordance with the manufacturer’s guidelines, where applicable, and with Water Department standards, for the life of the building; and which allows the City to inspect the green roof for, or demand proof of, continued compliance with those requirements.
- (e) The green roof must cover at least 60% of the rooftop.
- (f) The green roof must be safely accessible and made available for inspection with reasonable notice given by the City.
- (g) The green roof may not be used to qualify for reduced landscaping for parking lots pursuant to § 14-803(5)(e)(.2).

## [(8)] (7) Exception to Use Tables for certain Historic Structures.

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\* \* \*

## § 14-603. Use-Specific Standards.

- (1) [Distributor of Malt or Brewed Beverages.

Where the Pennsylvania Liquor Control Board so requires, beer distributors must be licensed.] *Reserved.*

- (2) *Retail Sales of Building Supplies and Equipment.*

[Outdoor] *For retail sales of building supplies and equipment, outdoor storage of supplies, equipment, or inventory is allowed in Commercial districts provided that:*

\* \* \*

- (7) [Fresh Food Market.

The incentives of this section are applicable to all new fresh food markets.

- (a) Requirements.

In order to receive the incentives of this section, the following requirements must be met:

(.1) The fresh food market must be located on the ground floor of the structure and accessible through a separate entrance that must be located along the primary street frontage.

(.2) At the time of application, no fresh food market that meets the definition set forth in § 14-601(6)(d)(.1) (Fresh Food Market) may be in operation within 1,000 feet of the proposed project. In making the determination as to whether the bonus is available, L&I may rely on an affidavit from the applicant as presumptive evidence, absent evidence to the contrary.

- (b) Exemption from District Floor Area Limits.

In zoning districts with maximum floor area limits for retail uses, fresh food markets may exceed such floor area limits by up to 50% of lot area.

- (c) Additional Floor Area.

For zoning districts that are regulated by a maximum floor area ratio in § 14-701 (Dimensional Standards): Buildings containing fresh food markets are allowed two additional square feet of floor area for each square foot of fresh food market floor area included within the building.

- (d) Additional Building Height.

For zoning districts that are regulated by height in § 14-701 (Dimensional Standards): Buildings containing fresh food markets may exceed the maximum building height of the subject zoning district by up to 15 ft.

- (e) Reduced Parking.

The first 10,000 sq. ft. of floor area in a fresh food market is exempt from minimum off-street parking requirements.

- (f) Additional Unit Density.

For CMX-1, CMX-2, and CMX-2.5 zoning districts: the number of units allowed is 25% greater than otherwise indicated in § 14-602 (Use Tables), applied prior to the inclusion of any other applicable increases in allowable units. This provision does not

# City of Philadelphia

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apply to developments for which the number of units allowed is increased as a consequence of meeting the green roof conditions set forth at § 14-602(7).]

## *Vehicle Repair and Maintenance.*

*The following regulations apply to personal vehicle repair and maintenance uses and commercial vehicle repair and maintenance uses:*

(a) *Vehicles being repaired or undergoing maintenance shall be stored on the lot and completely within the property lines.*

(b) *Vehicles shall not be parked or stored for more than 14 consecutive days, except if:*

*(.1) A vehicle is abandoned by its lawful owner prior to or during the repair process and the owner or operator of the establishment can demonstrate that steps have been taken to obtain legal title to the vehicle, provided the vehicle is removed from the site no later than three days after the legal process is complete; and*

*(.2) The vehicle repair and maintenance use complies with the fencing requirements of Philadelphia Code Section 9-612, as though it were a junk and salvage yard.*

(c) *Areas of the lot used for vehicle repair and maintenance, storage of vehicles being repaired or undergoing maintenance, and all accessways and driveways from the street shall be covered with a hard-top surface of cement concrete, bituminous concrete, or asphalt.*

\* \* \*

## (20) Medical Marijuana Dispensary.

### (a) Regulations and Standards.

#### (.1) Separation Requirements.

*For the purposes of this subsection (.1), “public” shall be defined as owned, leased, or operated by the Commonwealth of Pennsylvania, the United States, the City, or any other public or quasi-public governmental body or agency. No medical marijuana dispensary use may be located:*

\* \* \*

## § 14-604. Accessory Uses and Structures.

\* \* \*

### (5) Roof Decks.

\* \* \*

#### (c) Roof Deck Access Structures.

\* \* \*

#### (.5) [ Zoning permits not required.

Existing permits for roof deck access structures may be modified by the Department to allow for a different location on the roof, before building permits are obtained, as long as the roof deck access structure complies with the provisions of this § 14-604(5). Such modifications will not require new zoning

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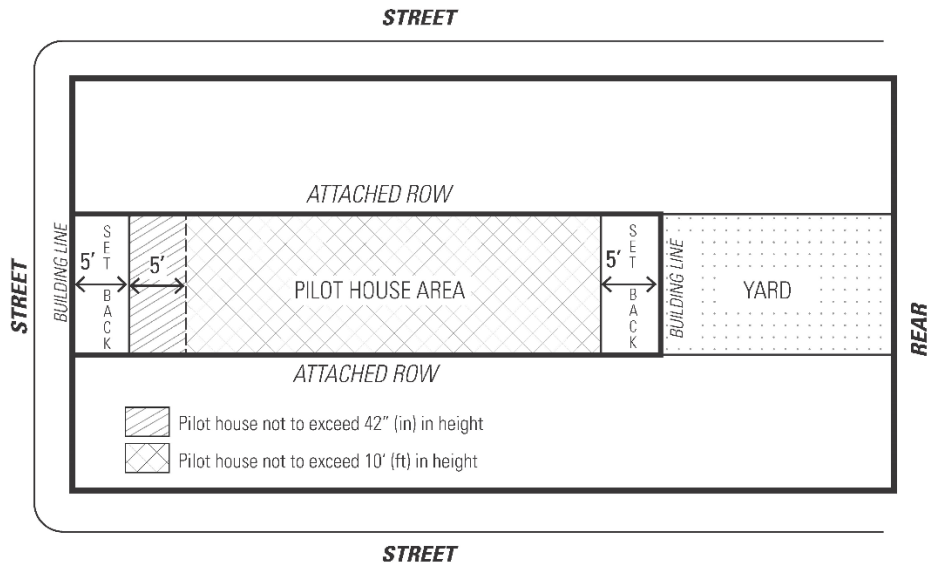
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permits or Zoning Board of Adjustment hearings. This provision does not apply to any other modifications to a zoning permit.]

[(.6)] For illustrative purposes only, the following diagrams show the permissible area for a [pilot house.] *roof deck access structure*.

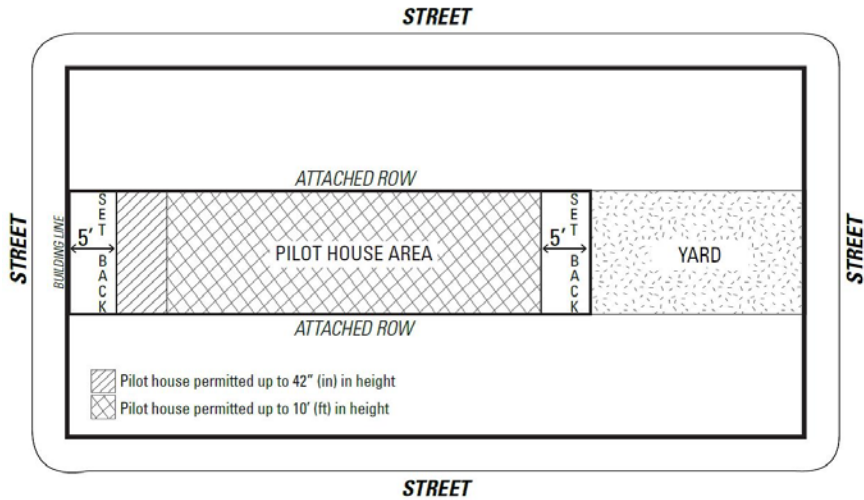
Permitted [Pilot House] *Roof Deck Access Structure* Area, Attached Dwelling:

PERMITTED PILOT HOUSE AREA\*



\*Pilot house not to exceed 10'(ft) in height or 125 sq. ft in area (165 sq. ft. with elevator)

[ PERMITTED PILOT HOUSE AREA



\* Pilot house not to exceed 10' in height, or 125 sq. ft. (165 sq. ft. with elevator)

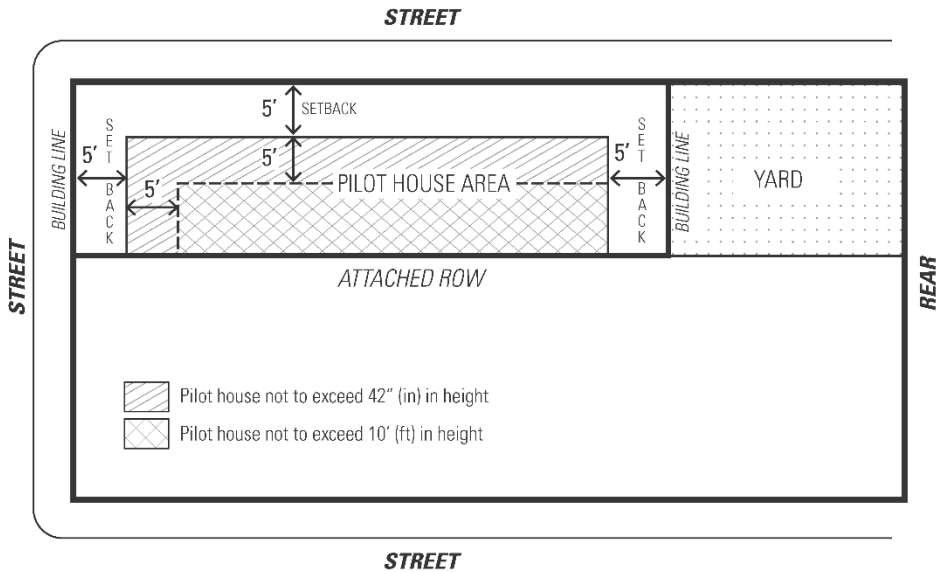
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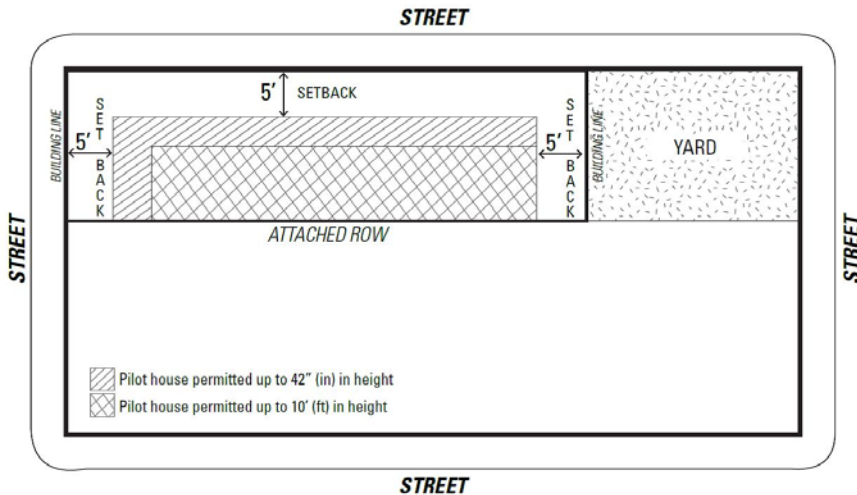
\* \* \*  
]   
\* \* \*  
Permitted [Pilot House] *Roof Deck Access Structure* Area, Corner Lot:

PERMITTED PILOT HOUSE AREA\*



\*Pilot house not to exceed 10'(ft) in height or 125 sq. ft in area (165 sq. ft. with elevator)

[ PERMITTED PILOT HOUSE AREA



\* Pilot house not to exceed 10' in height, or 125 sq. ft. (165 sq. ft. with elevator)

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\* \* \*

(e) *Zoning Permits Not Required.*

(.1) *Existing permits for roof decks and roof deck access structures may be modified by L&I prior to the issuance of a building permit to allow for one or more of the following modifications, provided the roof deck and the roof deck access structure remain in compliance with the provisions of this § 14-604(5):*

(.a) *A relocation of the roof deck or roof deck access structure to a different location on the roof;*

(.b) *A reduction in the area of the roof deck or the roof deck access structure; or*

(.c) *A reduction in the height of the roof deck access structure.*

(.2) *Modifications allowed under this subsection (e) will not require new zoning permits or Zoning Board of Adjustment hearings. This subsection (e) does not apply to any other modifications to a zoning permit.*

\* \* \*

(11) *Accessory Dwelling Units.*

\* \* \*

(h) *Location of Entrances.*

Only one entrance to a [detached or semi-detached house] *building* containing an accessory dwelling unit may be located on the front facade that faces a street, unless the [house] *building* contained an additional street-facing entrance before the accessory dwelling unit was created.

\* \* \*

## CHAPTER 14-700. DEVELOPMENT STANDARDS

### § 14-701. Dimensional Standards.

(1) *General Provisions.*

\* \* \*

(c) [Setbacks] *Front Yard Depths* for Zone Blocks with More than One Zone.

Where any block frontage on one side of a street is divided into two or more districts, no structure shall be erected nearer to the street line than is permitted under the regulations for the district that covers the largest percentage of the street frontage on that block face; provided, however, [that] *that*, when residential districts are [included] *included*, the [setback] *front yard depth* shall be the highest required of the applicable residential districts.

\* \* \*

(2) *Residential District Dimensional Tables.*

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\* \* \*

(b) Notes for Table 14-701-1.

\* \* \*

[3] In the RSA-5 district, buildings on lots equal to or less than 45 ft. in depth are exempt from the {minimum open} *maximum occupied* area requirement.

[4] If abutting lots on both sides of an attached building contain only two stories of enclosed area, the stories above the second story of the attached house shall be set back an additional eight ft. from the minimum {setback} *distance between the front facades and the front lot line required by § 14-701(2)(b)[5] below*; {shown in this table;} except this requirement shall not apply to corner lots.

[5] In the RSA-5 district, front [setbacks] *facades* shall comply with the following:

(.a) On any given street, the *distance between the front* {setback} *facade and the front lot line* shall be no {deeper} *greater* than the *distance between the front* {setback} *facade and the front lot line* of the principal building on the immediately adjacent lot on such street with the {deepest} *greater distance between its front [setback] facade and its front lot line*; and shall be no {shallower} *less* than the *distance between the front* {setback} *facade and the front lot line* of the principal building on the immediately adjacent lot on such street with the {shallowest} *lesser distance between its front* {setback.} *facade and its front lot line*.

(.b) On any given street, if there is no principal building on an immediately adjacent lot, then the *distance between the front* {setback} *facade and the front lot line* shall match the *distance between the front* {setback} *facade and the front lot line* on the closest building to the subject property that is on the same blockface. If there is no such building, the minimum *distance between the front* {setback} *facade and the front lot line* shall be zero.

(.c) If the property is bounded by two or more streets, only the primary frontages as designated in § 14-701(1)(d)(.4) (Primary Frontage) shall be subject to the front {setback} *facade* requirements of (.a) and (.b) above.

\* \* \*

[8] In the RSA-1, RSA-2, and RSA-3 districts, side yards {for} shall comply with the following:



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(a) For lots bounded on only one side by the side or rear yard of a semi-detached or detached structure, any structure must be constructed with a side yard that adjoins that side and that meets this minimum size.

(b) For lots bounded on both sides by the side or rear yards of semi-detached or detached structures, a semi-detached structure is not permitted. {A} Any detached structure {may} *must* be constructed as stated in § 14-701(2)(b)[9].

(c) For lots that are not bounded on any side by the side or rear yard of a semi-detached or detached structure, any structure must be constructed with a side yard that fully meets this minimum size on either side.

[9] *In the RSA-1, RSA-2, and RSA-3 districts, for {For} lots bounded on both sides by the side yard of a semi-detached structure, {a} any detached structure {may} *must* be constructed with a side yard on both sides, each with at least 50% of the minimum semi-detached side yard width required for permitted residential uses.*

**Table 14-701-1: Dimensional Standards for Lower Density Residential Districts**

Previous District Name	R1	R1A	R2	R3	R4	R5	R6/7	R9A/10A	R5A
District Name	RSD-1	RSD-2	RSD-3	RSA-1	RSA-2	RSA-3	RSA-4	RSA-5	RTA-1
See § 14-701(2)(b) (Notes for Table 14-701-1) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.									
		Denotes building type not permitted or zoning requirements not applicable.							
Lot Dimensions									
Min. Lot Width (ft.)	75	65	50	50	35	25	18 [1]	16	25
Min. Street Frontage as taken from the front lot line (ft.)									
Min. District Area (acres)									
Min. Lot Area (sq. ft.)	10,000	7,800	5,000	5,000	3,150	2,250	1,620 [1]	1,440 [2]	2,250
{Min. Open} Max. Occupied Area (% of lot)	{65}35	{65}35	{70}30	{70}30	{60}40	50	50	Intermediate: {25}75; Corner: {20}80 [3]	50
Front {Setback} Yard Depth									
Minimum (ft)	35	35	25	25	15	8	15	[4][5]	8
Minimum Side Yard Width [6], Permitted Residential Uses as set forth in § 14-602									
Detached, Intermediate Lot (ft.)	2/15 each	2/10 each	2/10 each, 25 total	2/10 each, 25 total [8][9]	2/8 each [8][9]	2/8 each [8][9]	2/8 each	2/5 each	2/8 each
* * *									

(c) Notes for Table 14-701-2.

\* \* \*

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[2] In the RM-1 district, buildings on lots less than 45 ft. in depth are exempt from the {minimum open} *maximum occupied* area requirement.

[3] The {open} *occupied* area shall {consist of at least} *constitute no more than 50%* of the master plan {area} *area*, {that is unoccupied by structures or parking. For} *except that for* land containing historically significant structures, {or amenities, open} *occupied* area shall {consist of at least 25%} *constitute no more than 75%* of the master plan {area} *area*. {that is unoccupied by either structures or parking.}

[4] Open air parking shall be {excluded from} *included in* the {required open} *maximum occupied* area measurement in the *RMX-1 and RMX-2* district.

[5] If abutting lots on both sides of an attached building contain only two stories of enclosed area, stories above the second story of the attached house shall be set back an additional eight ft. from the minimum [setback] *distance between the front facade and the front lot line described in § 14-701(2)(b)[6] below*; {shown in this table;} except this requirement shall not apply to corner lots.

[6] In the RM-1 district, front {setbacks} *facades* shall comply with the following:

(a) On any given street, the *distance between the front [setback] facade and the front lot line* shall be no {deeper} *greater* than the *distance between the front {setback} facade and the front lot line* of the principal building on the immediately adjacent lot on such street with the [deepest] *greater distance between its front {setback} facade and its front lot line*; and shall be no {shallower} *less* than the *distance between the front {setback} facade and the front lot line* of the principal building on the immediately adjacent lot on such street with the {shallowest} *lesser distance between its front {setback.} facade and its front lot line*.

(b) On any given street, if there is no principal building on an immediately adjacent lot, then the *distance between the front {setback} facade and the front lot line* shall match the *distance between the front {setback} facade* on the closest building to the subject property that is on the same blockface. If there is no such building, the minimum *distance between the front {setback} facade and the front lot line* shall be zero.

(c) If the property is bounded by two or more streets, only the primary frontages as designated in § 14-701(1)(d)(4) (Primary Frontage) shall be subject to the front {setback} *facade* requirements of (.a) and (.b) above.

\* \* \*

**Table 14-701-2: Dimensional Standards for Higher Density Residential Districts**

Previous District Name	R8/9/10/10B/ 18/19	R11/11A/ 12/13	R14	R15/R16	RC-6	WRD /ITD	RC-4
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District Name	RM-1	RM-2	RM-3	RM-4	RMX-1	RMX-2	RMX-3
See § 14-701(2)(c) (Notes for Table 14-701-2) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.							
		Denotes building type not permitted or zoning requirements not applicable.					
District and Lot Dimensions							
* * *							
{Min. Open} <i>Max. Occupied</i> Area (% lot area, except as otherwise provided)	Intermediate: {25}75; Corner: {20}80 [2]		50	Intermediate: {25}75; Corner: {20}80	[3]/[4]	{25%} 75% of district area [4]	Buildings ≤ 5 stories with 1 or more dwelling units: 10; Others: 0
Front {Setback} <i>Yard Depth</i>							
* * *							
Minimum Side Yard Width [8], Permitted Nonresidential Uses as set forth in § 14-602							
Intermediate Lot (ft.)	2/12 each	[7]	2/8 each	{5}2/5 <i>each</i>			If used: Buildings ≤ 4 stories with three or fewer dwelling units = 5; Others = 8
Corner Lot (ft.) [1]	12	[7]	8	5			
Rear Yard							
Min. Depth (ft.)	9 [9]	[7]	20	5 if used			
Min. Area (sq. ft.)	144 [9]	{[7]}					
Height							
Maximum (ft.)	38 [5]						
Floor Area Ratio {FAR}							
Maximum {FAR} <i>Floor Area</i> (% of lot area, except as otherwise provided)	No Limit	70	150	350	150 of district area, excluding streets	250 of district area, excluding streets	500

## (3) Commercial Districts Dimensional Table.

### (a) Notes for Table 14-701-3

[1] Except with respect to front {setbacks} yard depths, as provided in Table Note [3], below, all buildings in any CMX-1 district shall be governed by the dimensional standards of the most restrictive adjacent district; provided, however, that when that building is attached to another building that is in another district, the dimensional standards (other than front setback requirements) of the other district shall apply.

\* \* \*

[3] In the CMX-1 district, front {setbacks} yard depths shall comply with the following:

(a) On any given street, the front {setback} yard depth shall be no deeper than the front {setback} yard depth of the principal building on the immediately adjacent lot on such street with the deepest front {setback} yard depth; and shall be no shallower than the front {setback} yard depth of the principal building on the immediately adjacent lot on such street with the shallowest front {setback} yard depth.

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(.b) On any given street, if there is no principal building on an immediately adjacent lot, then the front {setback} *yard depth* shall match the front {setback} *yard depth* on the closest building to the subject property that is on the same blockface. If there is no such building, the minimum front {setback} *yard depth* shall be zero.

(.c) If the property is bounded by two or more streets, only the primary frontages as designated in § 14-701(1)(d)(4) (Primary Frontage) shall be subject to the front {setback} *yard depth* requirements of (.a) and (.b) above.

**Table 14-701-3: Dimensional Standards for Commercial Districts**

Previous District Name	C1	C2/RC2	Commercial Corridor Overlays	C3/RC3	C4 C5	C7/NSC	ASC
District Name	CMX-1	CMX-2	CMX-2.5	CMX-3	CMX-4/CMX-5	CA-1	CA-2
See § 14-701(3)(a) (Notes for Table 14-701-3) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.							
		Denotes zoning requirements not applicable					
District and Lot Dimensions							
Min. District Area (sq. ft.)							80,000
Min. Street Frontage as taken from the front lot line (ft.)	[1]					50	100
Min. Lot Width (ft.)	[1]						
Min. Lot Area (sq. ft.)	[1]					5,000	15,000
Max. Occupied Area (% of lot)	[1]	Intermediate: 75 Corner: 80	Intermediate: 75 Corner: 80	Intermediate: 75 Corner: 80	Buildings ≤ 5 stories with 1 or more dwelling units: 90; Others: 100	60	100
* * *							

## (4) Industrial District Dimensional Table.

### (a) Notes for Table 14-701-4.

\* \* \*

[2] {Where any space is left open between structures, and between structures and lot lines other than street lines, the open space shall have a minimum dimension of 12 ft.} *Reserved.*

\* \* \*

**14-701-4: Dimensional Standards for Industrial Districts**

Previous District Name	New District	L4/L5	L1/L2/L3	G1/G2	LR	PI
District Name	IRMX	ICMX	I-1	I-2	I-3	I-P [2]
See § 14-701(4)(a) (Notes for Table 14-701-4) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.						
		Denotes zoning requirements not applicable				
	*		*		*	
<b>Floor Area Ratio {(FAR)}</b>						
Max. Floor Area {Ratio (FAR)} (% of lot area)	500	500	500	500	500	

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## (5) CMX-4 and CMX-5 Bulk and Massing Controls.

\* \* \*

### (b) Option A: Sky Plane Controls.

The bulk and massing provisions of this § 14-701(5)(b) apply to any lot frontage facing a street 50 ft. or more in width, except for lots that are located across a street from a public park and where the distance from the lot frontage to the furthest boundary of the public park is greater than 200 ft. The street width shall be the width of the right-of-way as confirmed on the City Plan of streets.

### (.1) Sky Plane Standards.

\* \* \*

[(.h) In the area bounded by 20th Street, Arch Street, Cuthbert Street and a line parallel to and 213.958 feet west of 20th Street, an applicant electing to be subject to these sky plane controls may take the dimensional limitations necessary to comply with sky plane on the 20th Street frontage and apply them instead to the entire west facade of its building in lieu of complying with sky plane as to the 20th Street frontage. ]

[(.i)](.h) L&I shall not issue a zoning permit unless the Commission has determined compliance with this § 14-701(5)(b) (Option A: Sky Plane Controls).

\* \* \*

## (6) Exceptions to Dimensional Standards.

The items listed in Table 14-701-6 are exceptions to the dimensional standards otherwise applicable under this § 14-701 (Dimensional Standards). In the case of exceptions to yard, setback, and open space requirements, the areas occupied by the encroachments will not be considered to reduce the amount of open space provided.

Exceptions to Height Limits	
Type of District	Permitted Encroachment
All Districts	Balustrades and parapet walls may extend above the height limits up to 42 in. Solar collectors and related support structures may extend above the height limits up to 9 {ft.} ft; see § 14-604(7) (Solar Collectors).
Residential Districts	Monuments, belfries, cupolas, minarets, pinnacles, gables, spires, chimneys, radio or television antennas, fire walls, or ornamental towers not for human occupancy. Towers of mechanical or structural necessity where the cross-section area of the tower at no point exceeds 20% of the gross floor area of the ground floor of the building. {Solar energy collectors: see § 14-604(7) (Solar Collectors).} Vegetated roof structures (e.g. containers and other permanent infrastructure) that do not extend more than 30 in. above the height limit. Wind energy conversion systems: see § 14-604(6) (Small Wind Energy Conversion Systems). A roof deck and associated railings, fencing, and access structures: see § 14-604(5) (Roof Decks).
Commercial, Industrial, and Special Purpose districts, when	Chimneys. Fire escape towers.

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attached to principal building	Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, heating and cooling towers, or similar equipment required to operate and maintain the building.
	Fire walls.
	Radio, wireless, and television aerials.
	Flagpoles.
	Airplane beacons.
	{Solar energy collectors: see § 14-604(7) (Solar Collectors).}
	Wind energy conversion systems; see § 14-604(6) (Small Wind Energy Conversion Systems).
	Vegetated roofs structures (e.g. containers and other permanent infrastructure) that do not extend more than 5 ft. above the height limit.
	* * *

\* \* \*

## § 14-702. Floor Area, Height, and [Housing] *Dwelling* Unit Density Bonuses

\* \* \*

### (2.1) Eligibility for Height Bonuses.

In order to be eligible for any height bonuses pursuant to this section,

- (a) The property must be located in the /ECO overlay district and be subject to the height restrictions of § 14-519(4)(b);
- (b) The property must be located in the /CDO overlay district and be subject to the height restrictions of § 14-507(6)(b); [or]
- (c) The development [project] must result in the construction of at least three residential dwelling units and *the property must* be located:
  - (.1) in an RM-1, CMX-2, or CMX-2.5 zoning district; or
  - (.2) in a CMX-1 zoning district and be subject to a base height limit of 38 feet or less.

### (2.2) Eligibility for [Housing] *Dwelling* Unit Density Bonuses.

In order to be eligible for any [housing] *dwelling* unit density bonuses pursuant to this section, the property must be in an RM-1, CMX-1, CMX-2, or CMX-2.5 zoning district.

\* \* \*

### (6) Public Space.

The public space bonus may be earned by providing (1) open space, public parks, or public plazas or (2) a public room. Public open space, public parks or public plazas provided to earn a floor area or height bonus shall count towards the required open area. Public space provided to earn a floor area or height bonus under this subsection shall not be counted toward a public art requirement unless it is designed by an artist and is approved through the public art process in § 14-702(5) (Public Art).

- (a) Qualifying Criteria for Open Space, Public Parks, and Public Plazas.

\* \* \*

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(.9) Lighting shall be provided in the space. The maximum height of the lighting shall be 15 ft. with [an] *a maximum* illumination level of 2.0 maintained foot-candles. At least one light shall be provided for every 500 sq. ft. of public space and lighting shall be provided along walkways at 100 ft. intervals. Lighting design shall be subject to the requirements of § 14-707 (Outdoor Lighting).

\* \* \*

## (7) Mixed Income Housing.

\* \* \*

### (b) Criteria.

A floor area, height, or housing unit density bonus, as applicable, may be earned for developments where at least fifty percent (50%) of the gross floor area will be in residential use (i) by providing affordable housing, provided that the project meets the standards set forth in subsections (.1) through (.5), below; or (ii) if the owner of the property enters into a payment-in-lieu agreement that meets the standards set forth in subsection (.6), below, *except that a development on a lot within both an RM-1 zoning district and the 19146 zip code may not earn a bonus via payment-in-lieu agreement.* For developments where less than fifty percent (50%) of gross floor area will be in residential use, these bonuses may be earned, as applicable, if the owner of the property enters into a payment-in-lieu agreement that meets the standards set forth in subsection (.6), below. This bonus provided for in this subsection (7) ("Mixed Income Housing") is not available for developments of subsidized housing where fifty-one percent (51%) or more of the dwelling units will be affordable under any of the definitions set forth in subsection (a) ("Affordability"), above.

\* \* \*

### (c) Bonus Floor Area, Building Height, and [Housing] *Dwelling* Unit Density.

(.1) The additional gross floor area or building height earned for compliance with subsection (a), above, is as set forth in the tables, below. A property may take advantage of a height bonus, a gross floor area bonus, and a [housing] *dwelling* unit density bonus, either alone or in combination, if so provided by the tables in subparagraph (.3), below. A property may not take advantage of any one of these bonuses multiple times and may not earn bonuses under both the low-income and moderate-income standards.

(.2) [Housing] *Dwelling* Unit Density Bonuses in this § 14-702 shall be calculated and applied after any other bonuses are applied and rounded as indicated in the applicable sections. Whenever the calculation of permitted number of dwelling units, following the application of a bonus described in this § 14-702, results in a fraction of a dwelling unit, then the number of

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permitted dwelling units shall be rounded down to the nearest whole number.

\* \* \*

(d) Compliance Check.

(.1) No zoning permit shall be issued pursuant to section § 14-303(6) for any project, or any portion thereof, that has been awarded bonus floor [area or] *area*, building [height] *height*, or *dwelling units* pursuant to this § 14-702(7) unless the Department of Planning and Development certifies to the Department of Licenses and Inspections that the applicant has acknowledged, in form satisfactory to the Department of Planning and Development, an understanding of the requirements of this § 14-702(7).

(.2) No building permit shall be issued pursuant to Section A-301 of Title 4 for any project, or any portion thereof, that has been awarded bonus floor [area or] *area*, building [height] *height*, or *dwelling units* pursuant to this § 14-702(7) unless the Department of Planning and Development has certified to the Department of Licenses and Inspections that the applicant has made all required payments pursuant to an agreement provided for by subsection (b)(.6) or is in compliance with all of the following:

\* \* \*

(9) Underground Accessory Parking

(a) Criteria.

A floor area bonus may be earned by providing underground accessory parking, regardless of whether that accessory parking is required by Chapter 14-800 (Parking Design Standards). The intent of this section is not to expand the supply of parking in the RMX-3, CMX-4, or CMX-5 districts, but to encourage parking permitted by this Zoning Code to be constructed underground rather than at surface level or above ground. The bonus is available if the project meets the following standards:

\* \* \*

[(.5) Notwithstanding any other provision of this § 14-702(9) the floor area bonus provided in this section may be earned by the construction of an underground public parking garage in the area bounded by 20th Street, Arch Street, Cuthbert Street, a line parallel to 20th Street that extends north 32 feet from a point located on Cuthbert Street 282.5 feet from the northwest corner of 20th Street and Cuthbert Street, a line beginning at the foregoing point and extending 68.54 feet to the east parallel to Arch Street to a point and a line parallel to 20th Street beginning at the foregoing point and extending north 114.5 feet to the south side of Arch Street.]



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## (10) Green Building or Site.

### (a) Criteria.

\* \* \*

(.2) The [applicant] *property owner* has signed an agreement with the City confirming that the building or site will complete the [LEED] certification and commissioning process at the *LEED* Platinum or Gold level, *or through an equivalent green building or neighborhood development rating system as approved by the Commission*, and that if the building or site fails to be commissioned at the level for which the bonus has been awarded, the applicant will either:

\* \* \*

(.b) Be in violation of this Zoning Code and subject to those penalties provided in § 14-306 [(Enforcement).] (*Enforcement*) and the agreement.

\* \* \*

## (16) Green Roof.

*A dwelling unit density bonus, described in § 14-702(16)(b), below, may be earned by providing a green roof on a property that meets the conditions of section (a) (Criteria), below.*

### (a) Criteria

(.1) *The building shall meet either of the following requirements:*

(.a) *For new buildings, the building's construction requires a minimum of 5,000 sq. ft. of earth disturbance as determined by the Water Department; or*

(.b) *For existing buildings or expansions of existing buildings, the building requires a minimum building footprint of 5,000 sq. ft.*

(.2) *The roof must be partially or completely covered with a green roof that meets the Water Department's design standards.*

(.3) *The applicant must execute and record a deed restriction in favor of the City, approved as to form by the Law Department, which requires the green roof to be constructed and maintained, at a minimum, in accordance with the manufacturer's guidelines, where applicable, and with Water Department standards, for the life of the building; and which allows the City to inspect the green roof for, or demand proof of, continued compliance with those requirements.*

(.4) *The green roof must cover at least 60% of the rooftop of the building wherein dwelling units are provided*

(.5) *The green roof must be safely accessible and made available for inspection with reasonable notice given by the City.*

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(.6) *The green roof may not be used to qualify for reduced landscaping for parking lots pursuant to § 14-803(5)(e)(.2).*

(.7) *The property is within an RM-1, CMX-1, CMX-2, or CMX-2.5 zoning district.*

(b) *Dwelling Unit Density Bonus.*

*If the conditions set forth in section (a), above, are met, the number of units allowed is 25% greater than would otherwise be permitted rounded down to the nearest whole number and applied prior to the inclusion of any other applicable increases in allowable units.*

\* \* \*

## § 14-704. Open Space and Natural Resources.

\* \* \*

(2) Steep Slope Protection.

\* \* \*

(c) Earth Moving Plans.

Where an earth moving plan is required pursuant to [§ 14-704(2)(b) above,] *any provision of this Zoning Code*, that plan must be prepared by a professional engineer who is licensed in the state of Pennsylvania, in accordance with regulations approved by the Commission, and must set forth the measures by which erosion and sedimentation are to be controlled during the earth moving and construction process. Such plans shall be filed with and approved by the Commission before the Department may issue a zoning permit. A professionally-sealed earth moving plan must be maintained on site for the duration of earth moving and construction, and must be available for inspection by the City during normal business hours.

\* \* \*

## § 14-705. Landscape and Trees.

(1) On-Site Landscape and Tree Requirements.

\* \* \*

(d) Landscape Buffering Between Different Land Uses.

Landscape buffers are required when specific types of different land uses abut each other, as listed in § 14-705(1)(d)(.1) (When Buffering Is Required), below. These requirements only apply at the time a lot subject to these requirements is developed, and no existing development shall be required to install buffer landscape because of a change in the zoning district classification of an abutting lot.

(.1) When Buffering Is Required.

A landscape buffer satisfying the requirements of § 14-705(1)(d)(.2) (Two Buffering Options) shall be provided along side and rear lot lines for the following:

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\* \* \*

(b) Industrial.

A building *or lot* containing a principal use in the wholesale, distribution, and storage, or industrial use categories that abuts a lot in a Residential district.

\* \* \*

(3) Installation and Maintenance of Landscape and Trees.

\* \* \*

(c) Failure to install, replace, or maintain landscape or trees as required by this section is a violation of this Zoning {Code.} *Code and subject to those penalties in § 14-306 (Enforcement).*

## § 14-706. Fencing and Walls.

\* \* \*

(3) Residential District Standards.

Fences shall be permitted in residential districts pursuant to this § 14-706(3) (Residential District Standards).

(a) Intermediate Lots.

\* \* \*

(.2) Side and Rear.

Fences in the rear or at the side that are located *at a distance equal to or* further from the front lot line than the required building setback or the actual distance to the building from the front lot line (whichever is greater) may be no more than six ft. in height.

\* \* \*

## CHAPTER 14-800. PARKING AND LOADING

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

\* \* \*

(5) Rules of Parking Measurement.

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See § 14-202 (Rules of Measurement).

[(a) Unless otherwise expressly stated, all area-based parking standards must be computed on the basis of gross floor area and all parking standards must be computed by using the given parking standard as a ratio. No minimum number of sq. ft., unit, beds, seats, or other criterion must be met for the required parking standard to be applied.

(b) Whenever the calculations of required 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 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:

- (.1) Accessible parking;
- (.2) Vanpool and carpool parking;
- (.3) Auto-share parking space;
- (.4) Underground parking, and parking within, above, or beneath the building(s) it serves; and
- (.5) Accessory parking spaces required for residential uses within mixed-use developments.

(d) Parking required for extensions or additions for nonresidential uses in Residential districts and for all uses in Industrial districts shall be computed for the floor area of the extended or added portion only.]

## § 14-802. Motor Vehicle Parking Ratios.

\* \* \*

### (2) Required Parking in Residential Districts

Table 14-802-1 lists the parking requirements for Commercial districts

	Minimum Required Parking Spaces (spaces per unit/sq. ft. of gross floor area/beds/seats/room)		
	RSD-1/2/3 RSA-1/2/3 RTA-1 RMX-1	RSA-4/5 RM-1	RM-2/3/4 RMX-2/3
<b>Residential Use Category (as noted below)</b>			
*	*	*	*
Single-Room Residence	1/20 sleeping units + 1; min. 2	1/20 sleeping units + 1; min. 2	1/20 sleeping units + 1; min. 2
*	*	*	*

### (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).

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**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)		
	CMX-2/2.5	CMX-3	CMX-4/5
<b>Residential Use Category (as noted below)</b>			
Single-Room Residence	1/20 sleeping units + 1; min. 2	1/20 sleeping units + 1; min. 2	0
*	*	*	
<b>Public, Civic, and Institutional Use Category (as noted below)</b>			
*	*	*	
Educational Facilities	1/1,000 sq. ft.	1/1,000 sq. ft.	0{1/1,000 sq. ft.}
*	*	*	
<b>Commercial Services (as noted below)</b>			
{Adult Care}	{0}	{0}	{0}
{Adult-Oriented Service}	{0}	{0}	{0}
{Animal Services}	{0}	{0}	{0}
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.
{Building Services}All Other Commercial Services Uses	0	0	0
{Business Support}	{0}	{0}	{0}
{Child Care}	{0}	{0}	{0}
{Eating and Drinking Establishments}	{0}	{0}	{0}
{Financial Services}	{0}	{0}	{0}
{Funeral and Mortuary Services}	{0}	{0}	{0}
{Maintenance and Repair of Consumer Goods}	{0}	{0}	{0}
{Personal Services}	{0}	{0}	{0}
{Radio, Television, and Recording Services}	{0}	{0}	{0}
{Visitor Accommodations}	{0}	{0}	{0}
*	*	*	

\* \* \*

(4) Required Parking in Industrial Districts.

Table 14-802-3 lists the parking requirements for Industrial districts.

**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)		
	IRMX	ICMX I-1	I-2/3 I-P
<b>Residential Use Category (as noted below)</b>			
Single-Room Residence	1/20 sleeping units + 1; min. 2	1/20 sleeping units + 1; min. 2	1/20 sleeping units + 1; min. 2
*	*	*	
<b>Public, Civic, and Institutional Use Category (as noted below)</b>			

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	Minimum Required Parking Spaces (spaces per unit/sq. ft. of gross floor area/beds/seats/room)		
	IRMX	ICMX I-1	I-2/3 I-P
*	*	*	*
Libraries and Cultural Exhibits	None for the first 4,000 sq. ft., then 1/1,000 sq. ft.	None for the first 4,000 sq. ft., then 1/1000 sq. ft.	None for the first 4,000 sq. ft., then 1/1,000 sq. ft.
*	*	*	*
<b>Retail Sales Use Category</b> (as noted below)			
*	*	*	*
All Other Retail Sales Uses	0	None for first 2,500 sq. ft., then 1/1,000 sq. ft.	None for first 2,500 sq. ft., then 1/1,000 sq. ft.
*	*	*	*

\* \* \*

## (8) Adjustments and Alternatives.

The minimum parking requirements listed in this Chapter 14-800 may be adjusted as follows:

\* \* \*

### (c) Reduced Need Populations.

(.1) The required minimum number of off-street parking spaces may be reduced by 33% for any group living use or multi-family use in which occupancy of at least 80% of the units is restricted for use by those 60 years of age or older. *In making the determination as to whether this reduction is available, L&I may rely on an affidavit from the applicant as presumptive evidence, absent evidence to the contrary.*

\* \* \*

## (9) Off-Site Parking.

Required accessory parking in an RMX-1, RMX-2, RMX-3, CMX-3, CMX-4, or CMX-5 zoning district may be provided on a lot separate from the lot on which the principal use is located; provided that the parking complies with all of the following standards.

\* \* \*

(e) If any parking is provided on-site, it shall include required accessory parking for persons with [disabilities] *disabilities, in accordance with § 14-802(5)*, before providing other parking spaces.

## § 14-803. Motor Vehicle Parking Standards.

### (1) Accessory Parking Standards.

\* \* \*

#### (b) Location of Accessory Parking.

##### (.1) Residential and Commercial Districts.

\* \* \*

##### (.b) Exceptions.

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(i) Residential parking shall be permitted in the required rear yard of an attached building where the [lot is served] *parking is accessed* by a rear alley or shared driveway with a minimum width of 12 ft.

\* \* \*

(2) Parking Space, Drive Aisle, and Reservoir Space Standards.

The standards of this section apply to all accessory and non-accessory parking areas, regardless of whether such parking is provided to meet minimum off-street parking requirements.

\* \* \*

(b) Parking Space and Drive Aisle Dimensions.

Off-street parking spaces shall comply with the dimensional standards shown in Table 14-803-1 based on the angle of parking and/or parking space type.

**Table 14-803-1: Dimensional Standards for Parking Spaces and Aisles**

Parking Angle/Type	Min. Stall Width (ft.) [1]	Min. Stall Depth (ft.) [2]	Minimum Aisle Width (ft.) [5]/[6]
Regular Space – Parallel	8.5	20 for end spaces, 22 for interior spaces	10 ft. for one way traffic {24} 20 ft. for two way traffic
Regular Space – 45 degrees	8.5	18	{15} 12 ft. [3]
Regular Space – 60 degrees	8.5	18	{18} 15 ft.
Regular Space – 90 degrees	8.5	18	{24} 18 ft.
Compact Parking Spaces [4]	8	16	Same as for regular spaces
Spaces for Buildings where occupancy is age- restricted to those 60 years of age or older	10	Same as for regular spaces	Same as for regular spaces
Handicapped Spaces	Shall comply with the Americans with Disabilities Act (42 U.S.C. §§ 12101 et seq.)		
Table Notes:			
* * *			
[4] Limited to 25% of all parking spaces in lots <i>and garages</i> with more than 25 spaces. All compact spaces must be clearly identified.			
* * *			

\* \* \*

(4) Parking Design Standards.

(a) Design Requirements for Surface Parking Lots.

Surface parking lots, except those accessory to single-family and two-family uses, shall comply with the requirements of this § 14-803(4)(a) (Design Requirements for Surface Parking Lots).

\* \* \*

(.6) *Delineation.*

*Parking spaces shall be clearly delineated on the lot.*

(b) Design Standards for Garage Structures.

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Accessory and non-accessory parking in garage structures on lots in or adjacent to any Residential district or any Commercial district, except private residence parking garages or those accessory to single-family and two-family uses, shall meet the following standards.

\* \* \*

(.3) Ground Floor Use.

(.a) In *the* RMX-3 district and commercial districts any portion of the ground floor facade that abuts a sidewalk or a public space and that is not occupied by entrances, exits, or waiting areas shall be designed and constructed to permit a finished ceiling height of at least 10.5 ft. in order to allow occupancy by a use in the office, retail sales, commercial services, or public, civic, and institutional use category.

\* \* \*

(.4) *Delineation.*

*Parking spaces shall be clearly delineated in the garage.*

[(.4)](.5) Parking Garage Review.

Parking garages in the RMX-3, CMX-3, CMX-4, and CMX-5 districts and parking garages of at least 250 parking spaces on lots in or adjacent to any other residential or commercial district, shall be subject to the following review:

\* \* \*

## § 14-806. Off-Street Loading.

All development shall comply with the off-street loading standards in this section. Uses that are not permitted in a particular zoning district shall provide off-street loading in accordance with the zoning district in Table 14-806-1 that has the strictest requirements for that use at the gross floor area occupied by that use. In the case of mixed-use buildings or developments, off-street loading requirements shall be calculated by determining the required loading spaces for the cumulative gross floor area occupied by each group of uses listed in each row of Table 14-806-1 or Table 14-806-2, as applicable, and then taking the highest result of these calculations.

\* \* \*

(2) RMX-3, CMX-4, and CMX-5 Districts.

(a) Required Spaces.

Off-street loading in RMX-3, CMX-4, and CMX-5 districts shall be provided in accordance with Table 14-806-2. [14-806-2, except for:

(.1) Properties in an area bounded by Chancellor Street, 16th Street, St James Street, and 17th Street, where no loading shall be required, provided that the provisions of this § 14-806(2)(a)(.1) shall expire on December 31, 2017.]



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\* \* \*

(d) Ingress and Egress.

\* \* \*

(.2) As an exception to § 14-806(2)(d)(.1), when the loading spaces or their access drives have direct access to a street of less than 40 ft. wide, there shall not be a limit imposed on the size of the curb cut(s) to that street.

(.3) Driveways that cross the public sidewalk must be at the same level as the sidewalk. The driveway material must change at the building line to demarcate the transition to the sidewalk. Sidewalks should be visually continuous across driveways to indicate pedestrians have the right-of-way.

## CHAPTER 14-900. SIGNS

\* \* \*

### § 14-904. Accessory Sign Controls

No accessory sign shall be erected anywhere in the City except in conformity with the applicable provisions of this § 14-904 and all applicable sections of this Zoning Code, except where the provisions of this § 14-904 or other applicable provision of this Zoning Code is expressly superseded. Any accessory sign that does not conform to the requirements of this Zoning Code is declared a public nuisance. No reference to a particular type of use in this § 14-904 shall be construed to imply that the use is allowed under circumstances different from those allowed under Chapter 14-600 (Use Regulations).

#### (1) Controls That Apply in All Zoning Districts.

These controls apply to specific types of signs in all zoning districts in addition to any other controls imposed by this Zoning Code.

\* \* \*

#### (d) Extension of Signs over Public Rights-of-Way.

\* \* \*

(.2) Pursuant to [§ 5-903] § 4-606 of The Philadelphia Home Rule Charter, Art Commission approval is required.

\* \* \*

#### (2) Controls Applicable to Specific Zoning Districts.

\* \* \*

##### (a) Sign Controls Table 14-904-1.

Additional sign regulations applicable to specific zoning districts are shown in the following tables, collectively labeled Table 14-904-1.

\* \* \*

#### (.4) [Special Provisions relating to CMX-2.5.

Notwithstanding the provisions of Table 14-904-1, in the CMX-2.5, Neighborhood Commercial Mixed-Use district, located within the area bounded by Juniper Street, East Passyunk Avenue, and Mifflin Street, one accessory, single-facing cabinet sign, with static internal illumination, shall be permitted to extend above the roofline of a building and contain a maximum area of 220 sq. ft.,

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provided that the property upon which the building is located has at least two street frontages, the sign does not extend more than 9 feet above the roofline of the building and the applicant provides L&I with documentation showing that the sign was installed prior to November 30, 2018. However, if such accessory sign is altered or moved, after this subsection becomes effective, the sign shall comply with the requirements of Table 14-904-1.

If the provisions of this subsection (2)(a)(4) conflict with any other provisions of this Zoning Code, the provisions of this subsection shall govern.] *Reserved.*

\* \* \*

- (4) Special Controls for Cobbs Creek, Roosevelt Boulevard, and Department of Parks and Recreation Land.

- (a) Applicability.

The standards of this subsection (4) shall apply to any signs:

- (.1) Within the boundary lines of Roosevelt Boulevard or the Cobbs Creek Parkway, as those boundary lines are determined by the Streets Department *as shown on the following maps for illustrative purposes only*;

\* \* \*

## § 14-905. Non-Accessory Signs.

\* \* \*

- (8) Digital [Billboards] Signs.

\* \* \*

- (13) Signs and Their Supporting Structures.

\* \* \*

- (b) Non-accessory signs shall be considered as the [main] *principal* use of a property and as a main structure and not as an accessory or ancillary use; provided that, in the Market Street East Advertising District, as defined in § 14-906, non-accessory signs, where permitted, shall be allowed as an additional [main] *principal* use.

\* \* \*

- (14) Nuisance, Unlawful, and [Prohibited] *Nonconforming* Signs.

\* \* \*

- (b) A [prohibited] *nonconforming* sign shall be maintained in good condition, but it shall not be structurally altered so as to enlarge or extend the area or height of the sign. However, a [prohibited] *nonconforming* sign shall not be reconstructed if for any reason it becomes necessary to replace the entire sign, including the sign face, the frame and any supporting mechanism, but excluding the foundation.

\* \* \*

## § 14-907. [1900 Market Street Digital Display Sign Regulations.

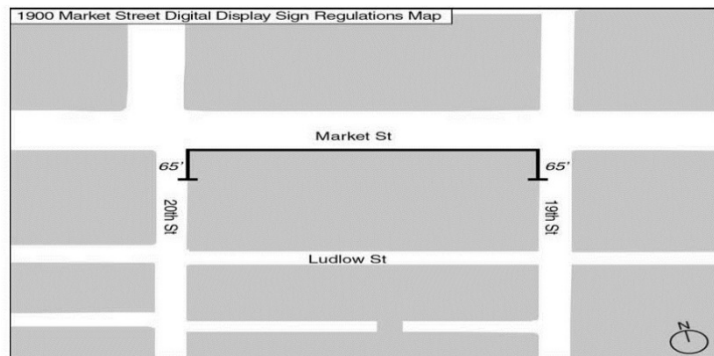
- (1) Applicability.

The provisions of this Section 14-907 (1900 Market Street Digital Display Sign Regulations) apply to the west side of 19th Street from a point 65 feet south the south side of Market Street to Market Street, the south side of Market Street between 19th Street and 20th Street, and the east side of 20th Street from Market Street to a point 65 feet south of the south side Market Street, as shown in the following map for illustrative purposes.

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(2) Exempt Provisions.

Digital display accessory signs that comply with the provisions of subsection (3) below shall be permitted and shall not be required to comply with the following provisions of this Zoning Code:

- (a) Any sign controls set forth in Chapter 14-400 (applicable to base zoning districts) or Chapter 14-500 (applicable to overlay zoning districts).
- (b) § 14-904 (Accessory Sign Controls).

(3) Sign Regulations.

The exemptions set forth at subsection (2), above, shall apply to digital display accessory wall signs that comply with the following:

- (a) The top edge of the sign shall be no higher than 50 feet above street level.
- (b) Vertical dimension of any digital display accessory sign shall not exceed 3.5 feet of active display area.
- (c) Total digital display accessory sign area on each applicable street frontage shall not exceed 3.5 square feet for each 1 lineal foot of lot line street frontage.
- (d) Hours of display are limited to 7:00 AM to 8:00 PM, during Eastern Standard Time, and 7:00 AM to 9:00 PM during Eastern Daylight Time.
- (e) Primary illumination of the digital display accessory signs shall be internal and shall use ambient light sensors to automatically reduce the intensity of the illumination during periods of darkness.
- (f) The intensity of the luminance of a digital display accessory sign shall not exceed a maximum of 7,500 nits and shall not exceed 0.3-foot candles of light above the ambient light levels.
- (g) Digital display accessory signs shall be made available to display public service announcements, upon request of the City Representative, or National Amber Alert System displays and messages as the National Amber Alert System provides such alerts that are applicable to the locations of each digital display accessory sign.
- (h) The applicant shall submit documentation prepared by a licensed professional traffic engineer demonstrating to the satisfaction of the Streets Department that the digital display accessory sign will not create a material distraction to drivers of motor vehicles or otherwise present a safety hazard or substantially interfere with the peaceful enjoyment of the neighborhood.] *Reserved.*

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\* \* \*

## CHAPTER 14-1000. HISTORIC PRESERVATION

\* \* \*

**[§ 14-1009. Demolition Moratorium Along Ridge Avenue.**

- (1) Definition. For purposes of this Section:
  - (a) "designated properties in the Ridge Avenue area" shall include the properties identified on the document attached as "Exhibit A" to the ordinance that added this provision to the Code.
  - (b) "total demolition" means removal or partial removal of structural elements for the purpose of removal of an entire structure.
- (2) No total demolition of any building or other structure among the designated properties in the Ridge Avenue area shall be permitted, unless either: (a) such demolition is necessary to abate an imminently dangerous condition as determined by the Department of Licenses and Inspections; or (b) a permit for such demolition is obtained in accordance with the provisions of § 14-1005 ("Regulation"), applying those provisions as if the designated properties in the Ridge Avenue area constituted, collectively, a designated historic district.
- (3) The Section 14-1009 shall expire at the earlier of: (a) 12 months after it became law; or (b) certification by the Historical Commission to the Chief Clerk of Council that it has mailed notice of the proposed historic designation of more than 25% of the properties among the designated properties in the Ridge Avenue area to the owners of such properties pursuant to Section 14-1004 ("Designation").]

SECTION 2. This Ordinance shall take effect immediately.

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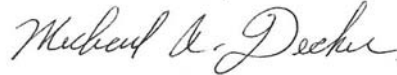
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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on March 18, 2021. The Bill was Signed by the Mayor on March 29, 2021.

A handwritten signature in cursive script, reading "Michael A. Decker".

Michael A. Decker  
Chief Clerk of the City Council