

City of Philadelphia



(Bill No. 241054)

AN ORDINANCE

Amending Section 14-520 of The Philadelphia Code, entitled “/NDO, Ninth District Overlay District,” by reorganizing existing requirements and requiring Special Exceptions for certain uses in designated areas, 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:

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TITLE 14. ZONING AND PLANNING

* * *

CHAPTER 14-200. DEFINITIONS

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§ 14-203. Definitions.

(78) Contributing Building, Structure, Site, or Object.

As used in Chapter 14-1000 (Historic Preservation): A building, structure, site, or object within a historic district that reflects the historical or architectural character of the district, as defined in the Historical Commission's designation.

(78.1) Convenience Sales.

See § 14-601(6)(f)(.1) (Convenience Sales).

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CHAPTER 14-500. OVERLAY ZONING DISTRICTS

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§ 14-520. /NDO, Ninth District Overlay District.

(1) Purpose.

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(a) The buildings within this Overlay are predominantly characterized by a distinctive brick or stone facade.

(b) The Council wishes to preserve the historic character of the District and the buildings therein.

(c) New construction of buildings with visible facades covered by vinyl siding, horizontal aluminum siding, or stucco are inconsistent with the distinctive characteristics in the Overlay.

(d) Preservation of the historic brick and stone facades throughout the Overlay will maintain and enhance property values and the general attractiveness of the community.

(e) The commercial areas within this Overlay are characterized by their diversity and vibrancy.

(f) Preservation of the of commercial areas throughout the overlay will maintain and enhance property values and the general attractiveness of the community.

(2) [1] Applicability.

[The requirements of this /NDO, Ninth District Overlay apply to all residentially and commercially zoned properties in the Ninth Councilmanic District.]

(a) Area Boundaries

(.1) Ninth District Area.

All residentially and commercially zoned lots located within District No. 9, as defined in § 20-501 (Boundaries of Districts).

(.2) Commercial Review Area.

All commercially-zoned lots in the following areas:

(.a) Castor Avenue.

Applies to all commercially zoned properties with street frontage along both sides of Castor Avenue from Cottman Avenue to Unruh Avenue and all commercially zoned properties with street frontage on the west of Castor Avenue from Unruh Avenue to Robbins Street.

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(.b) Cottman Avenue.

Applies to all commercially zoned properties with street frontage along the south side of Cottman Avenue from Hasbrook Avenue to Kindred Street.

(.c) Fifth Street.

Applies to all commercially zoned properties with street frontage along both sides of Fifth Street from Spencer Avenue to Somerville Ave.

(.d) Ogontz Avenue.

Applies to all commercially zoned properties with street frontage along both sides of Ogontz Avenue from Cheltenham Avenue to 67th Avenue.

(.e) Rising Sun Avenue.

Applies to all commercially zoned properties with street frontage along both sides of Rising Sun Avenue from Fisher Avenue to Cottman Avenue.

(.f) Stenton Avenue North.

Applies to all commercially zoned properties with street frontage along the northeastern side of Stenton Avenue from Wadsworth Avenue to Sedgewick Street.

(.g) Stenton Avenue South.

Applies to all commercially zoned properties with street frontage along the northeastern side of Stenton Avenue from Barringer Street to Tulpehocken Street.

(.h) Wadsworth Avenue.

Applies to all commercially zoned properties with street frontage along both sides of Wadsworth Avenue from Cheltenham Avenue to Michener Avenue.

(.i) Washington Lane.

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Applies to all commercially zoned properties with street frontage along both sides of Washington Lane from Cheltenham Avenue to Thouron Avenue.

[(2) Legislative Findings.

- (a) The buildings within this Overlay are predominantly characterized by a distinctive brick or stone facade.
- (b) The Council wishes to preserve the historic character of the District and the buildings therein.
- (c) New construction of buildings with visible facades covered by vinyl siding, horizontal aluminum siding, or stucco are inconsistent with the distinctive characteristics of the Overlay.
- (d) Preservation of the historic brick and stone facades throughout the Overlay will maintain and enhance property values in the Overlay and the general attractiveness of the community.]

[(3) Area and Form Regulations: Materials

For new construction, the following materials shall not be used on more than fifty percent (50%) of the facade on any building frontage:

- (a) Vinyl siding.
- (b) Horizontal aluminum siding.
- (c) Stucco.]

(3) *Supplemental Use Regulations.*

(a) Accessory Dwelling Units

Accessory dwelling units shall not be permitted in the RSA-5 and CMX-1 zoning districts, except within buildings or structures that meet the conditions of § 14-604(11)(d)(.1) (Historic Structures).

(b) Commercial Review Areas.

Notwithstanding the principal uses allowed within Commercial Review Areas, the following uses shall require a Special Exception:

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(.1) Convenience Sales.

(.2) Vehicle and Vehicular Equipment Sales and Services.

(.3) Event Assembly Facility.

[(4) Minimum Lot Area.

In the RSA-5 district, the minimum lot area shall be 1,440 sq. ft., except that a lot containing at least 1,600 sq. ft. of land may be divided into lots with a minimum lot size of 800 sq. ft., provided that:

(a) At least seventy-five percent (75%) of lots adjacent to the lot to be divided is 1,000 sq. ft. or less;

(b) Each of the lots created is used for one single-family attached home; and

(c) Each of the lots created meets the minimum lot width requirement of the zoning district.]

(4) Development Standards.

(a) Minimum Lot Area.

In the RSA-5 district, the minimum lot area shall be 1,440 sq. ft., except that a lot containing at least 1,600 sq. ft. of land may be divided into lots with a minimum lot size of 800 sq. ft., provided that:

(.1) At least seventy-five percent (75%) of lots adjacent to the lot to be divided is 1,000 sq. ft. or less;

(.2) Each of the lots created is used for one single-family attached home; and

(.3) Each of the lots created meets the minimum lot width requirement of the zoning district.

[(5) Accessory Dwelling Units.

Accessory dwelling units shall not be permitted in the RSA-5 and CMX-1 zoning districts, except within buildings or structures that meet the conditions of § 14-604(11)(d)(.1) (Historic Structures).]

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(5) Parking.

Reserved.

(6) Signs.

Reserved.

(7) Design Standards.

(a) Materials.

For new construction, the following materials shall not be used on more than fifty percent (50%) of the facade on any building frontage:

(.1) Vinyl siding.

(.2) Horizontal aluminum siding.

(.3) Stucco.

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CHAPTER 14-600. USE REGULATIONS

§ 14-601. Use Categories.

* * *

(6) Retail Sales Use Category.

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, provided the sale, lease, or rental payment transaction may be conducted prior to receipt by the ultimate consumer at the retail sales establishment. The retail sales subcategories are

* * *

(f) Sundries, Pharmaceuticals, and Convenience Sales.

Uses that sell or otherwise provide goods for personal grooming and for the day-to-day maintenance of personal health and well-being.

(.1) Convenience Sales.

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Any uses that qualify as Sundries, Pharmaceuticals, and Convenience Sales, excluding those carried out on a premises with respect to which a permit to conduct a pharmacy has been issued by the State Board of Pharmacy.

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SECTION 2. This Ordinance shall become effective immediately.

Explanation:

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

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 12, 2024. The Bill was Signed by the Mayor on January 15, 2025.

A handwritten signature in black ink, reading "Elizabeth McCollum". The signature is written in a cursive style with a large, looping initial "E".

Elizabeth McCollum
Interim Chief Clerk of the City Council