



City of Philadelphia

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

BILL NO. 110275

Introduced April 14, 2011

Councilmember DiCicco

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Section 14-1402 of The Philadelphia Code, entitled "Parking in Residential Districts," and Section 14-1607 of The Philadelphia Code, entitled "Special Controls for the Center City Commercial Area," by adding to both Sections special provisions relating to the area bounded by Walnut Street, Twelfth Street, Thirteenth Street, and Sansom Street, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 14-1402 of The Philadelphia Code is hereby amended to read as follows:

§14-1402. Parking in Residential Districts.

* * *

(2) Number of Spaces Required. For all dwellings one space for each family, except as follows:

(a) For dwellings containing twenty-five or more families:

(.1) Within the area bounded by Seventh street, Spruce street, Twentieth street and Vine street: One space for two families, *except that within the area bounded by Walnut street, Twelfth street, Thirteenth street and Sansom street, no spaces shall be required on-site, provided that the owner of the property maintains, at all times, a valid agreement with the operator of one or more public parking lots or garages, that provides for a total of not less than three spaces per ten families within 1,000 feet of the property;*

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* * *

SECTION 2. Section 14-1607 of The Philadelphia Code is hereby amended to read as follows:

§14-1607. Special Controls for the Center City Commercial Area.

* * *

(3) Prohibited Uses. In any building or upon any land abutting Chestnut street or Walnut street between Front street and the Schuylkill River and Broad street between South Penn square and Washington avenue and Market street between Front street and Fifth street, the following uses shall be prohibited:

* * *

(j) Restaurants, cafés, coffee shops and other similar establishments for the sale and consumption of food and/or beverages, with drive-in or take-out service (sale of food and/or beverages to be consumed outside the confines of the premises); provided that take-out restaurants with a minimum of 20 seats for indoor dining of patrons shall not be prohibited along Market street between Front street and Fifth street *or along the north side of Walnut street or the south side of Sansom Street between Twelfth and Thirteenth streets;*

* * *

(7) Conditional Uses. In any building or upon any land abutting Chestnut street and Walnut street between Seventh street and the Schuylkill River and Broad street between South Penn Square and Washington avenue (except as noted in §14-1607(6) above), the following uses shall require a Zoning Board of Adjustment certificate:

* * *

(b) Restaurants, cafes, coffee shops and other similar establishments for the sale and consumption of food and/or beverages, without drive-in or take-out service (service at tables or sit down counter facilities only); *except for restaurants along the north side of Walnut Street or the south side of Sansom street between Twelfth street and Thirteenth street that are located on the ground floor of a building which has as the principal use a multi-family residence, a hotel, or both;* except for restaurants on Broad street between South Penn Square and Washington avenue and, except for restaurants located within hotels and, except for restaurants accessory to an office building (intended principally to serve the occupants of the building) provided that there shall be no ingress

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or egress directly from any street (accessible solely from the interior of the building) and there shall be no signage visible from the street;

* * *

(22) *Additional Special Controls. In recognition of special development considerations, unique property characteristics and unparalleled access to various modes of public transportation, and to encourage the highest and best use and development of this area, the following special controls shall apply to the area bounded by Walnut Street, Twelfth Street, Thirteenth Street, and Sansom Street:*

(a) *The total frontage on any building along Walnut street (measured on a line parallel to Walnut Street) shall not exceed sixty feet, except that if the building provides a through-block pedestrian walkway between Walnut street and Sansom street, the total frontage of the building along Walnut street may not exceed one hundred ten feet;*

(b) *Any wall with one (1) or more legally required windows shall be located so that every legally required window on that wall shall be a minimum horizontal distance from the opposite side of any street the wall faces, any facing lot line which is not a street line, or any opposing wall on the same lot, as provided by the Building Code.*

(c) *The minimum dimensions for the first and second required off-street loading and trash storage spaces, if located on Sansom street, shall be as follows: ten feet wide, forty feet long, fourteen feet high.*

(d) *In addition to the Basic Floor Area permitted under Section 14-305(8)(a)(2) of this Title, any new building shall be permitted bonus gross floor area for committing to green building construction practices, as follows:*

(.1) *Criteria.*

(.a) *The applicant has submitted documentation sealed by a LEED-AP professional confirming that the building has been designed for certification at the LEED Platinum or Gold levels, and that preliminary review of the building design and elements confirm that it will earn enough points to be certified at that level.*

(.b) *The applicant has signed an agreement with the City confirming that it will complete the LEED certification and commissioning process at the Platinum or Gold level, and that if the building fails to be commissioned at the level for which the bonus has been awarded, the applicant will either:*

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(i) *Make improvements to the building design, equipment or operation until commissioning at that level, or*

(ii) *Be in violation of this Title and subject to applicable penalties.*

(.2) *Bonus Floor Area.*

(.a) *33% of the sum of the Basic Floor Area permitted under Section 14-305(8)(a)(2) of this Title if the applicant is applying for certification at the LEED Platinum level.*

(.b) *13% of the sum of the Basic Floor Area permitted under Section 14-305(8)(a)(2) of this Title if the applicant is applying for certification at the LEED Gold level.*

(.3) *For purposes of this Section, “LEED” refers to the Leadership in Energy and Environmental Design process.*

(e) *When the provisions of this subsection 14-1607(22) conflict with other provisions of this Title, the provisions of this subsection shall control.*

* * *

SECTION 3. This Ordinance shall be effective immediately.

Explanation:

Italics indicate new matter added.