

City of Philadelphia



(Bill No. 100014)

AN ORDINANCE

Amending Section 14-1638, entitled "Central Delaware Riverfront Overlay District," by establishing no height limit and by making technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 14-1638 of The Philadelphia Code is hereby amended to read as follows:

§ 14-1638. Central Delaware Riverfront Overlay District.

* * *

(7) Recreational Trail.

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

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

* * *

(12) *Height Regulations. Except for parcels of land zoned residential or C-2 commercial, no height regulations shall apply to any parcel within the boundaries of this*

City of Philadelphia

BILL NO. 100014 continued

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District, including but not limited to the provisions of §14-1610 (“Old City Residential Area Special District Controls”).

[[12]13) Plan of Development.

(a) For all properties east of Columbus Boulevard/Delaware Avenue or adjacent to the Delaware River and for all other commercially zoned properties, no zoning permits shall be issued unless (i) the applicant shall have first submitted to the City Planning Commission, and the City Planning Commission shall have approved, a Plan of Development, which shall be approved by the Commission only if the Commission, in its discretion, has determined that the Plan of Development provides for development appropriate in scale, density, character and use for the surrounding community, and (ii) the Planning Commission determines that the requested permits are in conformity with the approved Plan of Development. If the Commission fails to approve, disapprove, conditionally approve or table a proposed Plan of Development within seventy-five (75) days after submission of complete plans to the Commission, the approval of the Commission shall be presumed. Within [one hundred eighty (180)] *two hundred forty (240)* days of the effective date of this Ordinance the Commission shall adopt regulations providing objective standards for such design review as may be necessary, prior to implementing the provisions of this subsection 12.

* * *

[[13]14) The provisions of this Section shall expire upon Council’s adoption of an Ordinance enacting land use and zoning controls that includes the boundaries of this District consistent with a Master Plan adopted by the Philadelphia City Planning Commission.

* * *

SECTION 2. This Ordinance shall become effective immediately.

Explanation:

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

City of Philadelphia

BILL NO. 100014 continued

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City of Philadelphia

BILL NO. 100014 continued

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on March 4, 2010. The Bill was Signed by the Mayor on March 17, 2010.



Michael A. Decker
Chief Clerk of the City Council