City of Philadelphia

(Bill No. 110845)

AN ORDINANCE

Repealing Title 14 of The Philadelphia Code, entitled "Zoning and Planning," and replacing it with a new Title 14 of The Philadelphia Code, entitled "Zoning and Planning"; and making conforming changes to the Zoning Maps of the City; 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 Title 14 of The Philadelphia Code is hereby repealed.

SECTION 2. Council hereby re-adopts the legislative findings set forth at § 14-1605(1) (Regulated Uses) and § 14-1604(1) (Outdoor Advertising and Non-Accessory Advertising Controls) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law.

SECTION 3. A new Title 14 of The Philadelphia Code, entitled "Zoning and Planning," is hereby adopted, to read as set forth in Exhibit "A" hereto.

SECTION 4. The Zoning Maps of the City of Philadelphia are hereby amended as follows:

(1) Except as provided in subsection (3), below, the zoning district for all lots for which the zoning district designation is currently as set forth in the column labeled "Previously Known As" in Tables 14-401-1, 14-402-1 or 14-403-1 of Chapter 14-400 of The Philadelphia Code, as amended by Section 3 of this Ordinance, is hereby designated as set forth in the corresponding row of the column labeled "District Name" in said Tables. The Zoning Maps shall reflect the foregoing designations by use of the corresponding map symbol set forth in the corresponding row of the column labeled "Map Symbol."

(2) Except as provided in subsection (3), below, the zoning district for all lots for which the zoning district designation is currently as set forth in the column labeled "Previously Known As" in the following Table, entitled Special Purpose District Conversion Table, is hereby designated as set forth in the corresponding row of the column labeled "District Name" in said Table. The Zoning Maps shall reflect the foregoing designations by use of

the corresponding map symbol set forth in the corresponding row of the column labeled "Map Symbol."

Special Purpose District Conversion Table

Map Symbol	**District Name**	**"Previously Known As"**
SP-INS	Institutional (Special Purpose) District	IDD
SP-ENT	Entertainment (Special Purpose) District	CED
SP-STA	Sports Stadium (Special Purpose) District	SS
SP-PO-A	Parks and Open Space (Special Purpose) District - Active	REC, REC-A
SP-PO-P	Parks and Open Space (Special Purpose) District - Passive	REC-P

(3) *Exceptions.*

(a) Overlay Areas. The zoning district for all lots situated in any of the Overlay Areas identified in Column "1" of the following Table, entitled CMX-2.5 Conversion Table, if the zoning district designation for the lot is currently as set forth in the corresponding row of Column "2" of the CMX-2.5 Conversion Table, is hereby designated as Neighborhood Commercial Mixed-use-2.5, and the Zoning Maps shall reflect such designation by use of the map symbol "CMX-2.5."

CMX-2.5 Conversion Table

Column "1": Overlay Areas	**Column "2"**
All lots formerly subject to the Germantown Avenue Special District Controls, as set forth in § 14-1613(3) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C2
All lots formerly subject to the Cecil B. Moore Ave Special District Controls, as set forth in §14-1614(3) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2
All lots formerly subject to the Main Street/Manayunk and Venice Island Special District Controls, as set forth in §14-1615(2) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2
All lots formerly subject to the East Falls Special District Controls, as set forth in §14-1616(2) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2

All lots formerly subject to the Fifth Street Special District Controls, as set forth in §14-1617(2) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2

Column "1": Overlay Areas	**Column "2"**
All lots formerly subject to the Passyunk Ave. Special District Controls, as set forth in §14-1621(2) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2
All lots formerly subject to the North Broad Street Special District Controls, as set forth in §14-1622(2) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2, C7
All lots formerly subject to the Fairmount Ave Special District Controls, as set forth in §14-1625(2) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2
All lots formerly subject to the Girard Ave Special District Controls, as set forth in §14-1630(3) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2
All lots formerly subject to the Lower and Central Germantown Special District Controls, as set forth in §14-1634(2) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2
All lots formerly subject to the City Avenue Village Center Special District, as set forth in §14-1637(2)(b) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2
All lots formerly subject to the North Central Front Street Special District Controls, as set forth in §14-1639(2) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	All districts except for Residential districts
All lots formerly subject to the Overbrook Farms Transit-Oriented Center Special District Controls, as set forth in §14-1641(2) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2
All lots with frontage on Frankford Avenue and that formerly were subject to the Tacony/Mayfair Special District Controls, as set forth in §14-1619(2) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2
All lots north of Poplar Street and that formerly were subject to the Avenue of the Arts North Special District Controls, as set forth in §14-1620(2) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	C1, C2, C7
All lots formerly subject to the Ridge Avenue Special District	C2

Controls, as set forth in §14-1644(2) of The Philadelphia Code, as it existed immediately prior to the date this Ordinance becomes law	

SECTION 5. The Commissioner of Licenses and Inspections, the Executive Director of the Philadelphia City Planning Commission, the Commerce Director, and the Chair of the Zoning Board of Adjustment are hereby directed to submit to Council a report, one year after this Ordinance becomes effective, setting forth their analysis of the City's experience with the requirements of the Zoning Code during the previous year, and their recommendations, if any, to further amend the Zoning Code.

SECTION 6. Effective date. This Ordinance shall take effect eight months after the bill becomes law; provided, however, that:

(1) With respect to any complete application for a zoning permit filed prior to this Ordinance taking effect, with respect to which a final decision by the Department of Licenses and Inspections, the Zoning Board of Adjustment or any other City agency is not issued until after this Ordinance takes effect, the application shall be reviewed and considered in its entirety by the Department, the Board or any other agency as if this Ordinance had not yet taken effect.

(2) Commencing on the date this bill becomes law, all departments, offices, boards and commissions of the City are authorized and directed to take such steps as may be necessary, including promulgation of regulations, to prepare for implementation, administration and enforcement of this Ordinance.

[Note: Exhibits to this Bill are on file in the Office of the Chief Clerk.]

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 15, 2011. The Bill was Signed by the Mayor on December 22, 2011.

Michael A. Decker
Chief Clerk of the City Council

ZONING Matters THE FINAL REPORT OF THE PHILADELPHIA ZONING CODE COMMISSION

November 17, 2011
As Submitted to City Council

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Chapter 14-100 General Provisions 1-i
§14-101 Purpose 1-1
§14-102 Citation and Title 1-2
§14-103 Authority 1-2
§14-104 Applicability and Jurisdiction 1-3
§14-105 Relationship to Plan Documents 1-4
§14-106 Zoning Districts and Official Map 1-4
§14-107 Determination of Boundaries 1-5
§14-108 Relationship to Other Regulations 1-6
§14-109 Relationship to Private Agreements 1-6
§14-110 Transition from Prior Regulations 1-6
§14-111 Text and Graphics 1-7
§14-112 Severability 1-7

Chapter 14-200 Definitions 2-i
§14-201 Rules of Interpretation 2-1
§14-202 Rules of Measurement 2-1
§14-203 Definitions 2-8

Chapter 14-300 Administration and Procedures 3-i
§14-301 Reviewers and Decision Makers 3-1
§14-302 Procedures Summary Table 3-6
§14-303 Common Procedures and Requirements 3-7
§14-304 Specific Procedures 3-29
§14-305 Nonconformities 3-45
§14-306 Enforcement 3-52

Chapter 14-400 Base Zoning Districts 4-i
§14-401 Residential Districts 4-1
§14-402 Commercial and Commercial Mixed-Use Districts 4-3
§14-403 I, Industrial and Industrial Mixed-Use Districts 4-6
§14-404 SP-INS, Institutional (Special Purpose) District 4-8
§14-405 SP-ENT, Entertainment (Special Purpose) District 4-12
§14-406 SP-STA, Sports Stadium (Special Purpose) District 4-20
§14-407 SP-PO, Parks and Open Space (Special Purpose) District 4-22
§14-408 SP-AIR, Airport (Special Purpose) District 4-23

Chapter 14-500 Overlay Zoning Districts 5-i
§14-501 General 5-1
§14-502 CTR, Center City Overlay 5-1
§14-503 NCA, Neighborhood Commercial Area Overlay 5-40
§14-504 NCO, Neighborhood Conservation Overlay District 5-57
§14-505 ENV, Environmental Preservation Overlay District 5-64
§14-506 NCP, North Central Philadelphia Overlay District 5-67
§14-507 CDO, Central Delaware Riverfront Overlay District 5-70
§14-508 DRC, Delaware River Conservation Overlay District 5-70
§14-509 CAO, City Avenue Overlay District 5-74
§14-510 WWO, Wissahickon Watershed Overlay District 5-86

§14-511 AHC, Airport Hazard Control Overlay District 5-89
§14-512 ANC, Airport Noise Compatibility Overlay District 5-91
§14-513 Transit-Oriented Development (TOD) 5-91

Chapter 14-600 Use Regulations 6-i
§14-601 Use Categories 6-1
§14-602 Use Tables 6-18
§14-603 Use-Specific Standards 6-28
§14-604 Accessory Uses and Structures 6-39

Chapter 14-700 Development Standards 7-i
§14-701 Dimensional Standards 7-1
§14-702 Floor Area Bonuses 7-16
§14-703 Form and Design 7-25
§14-704 Open Space and Natural Resources 7-28
§14-705 Landscape and Trees 7-38
§14-706 Fencing and Walls 7-44
§14-707 Outdoor Lighting 7-47
§14-708 Subdivision Standards 7-49

Chapter 14-800 Parking and Loading 8-i
§14-801 Purpose, Applicability, and General Standards 8-1
§14-802 Motor Vehicle Parking Ratios 8-2
§14-803 Motor Vehicle Parking Standards 8-15
§14-804 Bicycle Parking Ratios and Standards 8-25
§14-805 Drive-Throughs and Vehicle Stacking Areas 8-26
§14-806 Off-Street Loading 8-28

Chapter 14-900 Signs 9-i
§14-901 Intent 9-1
§14-902 Applicability 9-1
§14-903 When a Permit is Required 9-1
§14-904 Accessory Sign Controls 9-2
§14-905 Non-Accessory Signs 9-15
§14-906 Market Street East Advertising District 9-20

Chapter 14-1000 Historic Preservation 10-i
§14-1001 Public Policy and Purposes 10-1
§14-1002 Definitions 10-1
§14-1003 Historical Commission 10-2
§14-1004 Designation 10-3
§14-1005 Regulation 10-5
§14-1006 Performance of Work and Maintenance 10-9
§14-1007 Enforcement 10-10
§14-1008 Appeals 10-10

Chapter 14-100 General Provisions

§14-101 Purpose 1-1
(1) Promote sound planning principles by: 1-1
(2) Promote sustainable and environmentally responsible practices by: 1-1
(3) Promote growth and economic development by: 1-1
(4) Promote fair and consistent procedures for its use by: 1-1
§14-102 Citation and Title 1-2
§14-103 Authority 1-2
(1) Authority 1-2
(2) Construction of Authority 1-2
(3) Department of Licenses & Inspections 1-2
(4) Zoning Board of Adjustment 1-3
§14-104 Applicability and Jurisdiction 1-3
(1) Applicability 1-3
(2) Compliance Required 1-3
(3) Property Owned, Leased, or Operated by Public Agencies 1-4
§14-105 Relationship to Plan Documents 1-4
(1) The Comprehensive Plan 1-4
(2) Amendments to the Comprehensive Plan and Other Plans 1-4
(3) Adopted Plans Guide Discretionary Decisions 1-4
§14-106 Zoning Districts and Official Map 1-4
(1) Zoning Districts 1-4
(2) Official Zoning Map 1-4
§14-107 Determination of Boundaries 1-5
(1) Boundaries of Districts 1-5
(2) Multiple Districts or Provisions 1-5
§14-108 Relationship to Other Regulations 1-6
(1) Conflict 1-6
(2) Overlay Districts 1-6
§14-109 Relationship to Private Agreements 1-6
§14-110 Transition from Prior Regulations 1-6
(1) Violations Continue 1-6
(2) Approved Projects 1-6
§14-111 Text and Graphics 1-7
§14-112 Severability 1-7

§14-101 Purpose

This Zoning Code is the first comprehensive revision to Philadelphia's zoning laws in nearly 50 years. The earlier code, dating from 1963, was updated in 1988 when the zoning rules governing Center City were significantly reformulated. However, most modifications to the Zoning Code have occurred in small increments or through a myriad of individual ordinances and overlays, resulting in a very complicated document that was increasingly unable to meet the demands of an evolving city. In 2007, the voters of the City decided to create a Zoning Code Commission and charged this 31-member body with the task of writing a new Zoning Code. The result is this Zoning Code. It is enacted to guide the land use and development of the City and in so doing, promote the public health, safety, and general welfare of its citizens and visitors. The provisions of the Zoning Code are designed to achieve the following goals. With these goals in mind, the members of the Zoning Code Commission intend for this to be a living document that will propel the City of Philadelphia to a higher quality of life.

(1) Promote sound planning principles by:

- (a) Protecting the access of each property to adequate light, air, street frontage, and other public amenities;
- (b) Promoting adjacencies of appropriate uses and conversely, discouraging or disallowing adjacencies of uses that should be separated;
- (c) Protecting the desirable characteristics of the City's neighborhoods;
- (d) Preserving and enhancing the public realm, including the streetscape and the pedestrian environment;
- (e) Promoting and maintaining a balanced mix of housing choices; and
- (f) Encouraging development that is consistent with the goals and objectives of the City's Comprehensive Plan.

(2) Promote sustainable and environmentally responsible practices by:

- (a) Encouraging development around nodes of mass transit;
- (b) Supporting the City's sustainability goals to reduce vehicle miles traveled, encourage renewable energy and energy conservation, encourage water conservation, allow urban food production, promote walking and community health, and allow the City to operate more efficiently; and
- (c) Restoring and conserving the City's natural and historic resources.

(3) Promote growth and economic development by:

- (a) Encouraging revitalization of deteriorated and/or vacant properties;
- (b) Establishing opportunities to locate appropriate businesses near a base of employees and locate services with ready access to residents; and
- (c) Removing barriers to enable responsible development to proceed 'as of right.'

(4) Promote fair and consistent procedures for its use by:

- (a) Establishing a single city-wide process in which projects that require relief from the rules of this Zoning Code, or projects deemed to have high impact on their

surrounding community, benefit from organized community input offered in a timely manner;

(b) Presenting this code in well-organized hard copy and digital formats, with text written in plain English and easily read charts and illustrations; and

(c) Developing appropriate supporting regulations in the City agencies that administer this document.

§14-102 Citation and Title

Title 14 of The Philadelphia Code is known as the "Zoning Code."

§14-103 Authority

(1) Authority

This Zoning Code is enacted pursuant to the powers granted and limitations of the Philadelphia Home Rule Charter ("Charter").

(2) Construction of Authority

(a) Nothing in this Zoning Code shall be construed to confer or attempt to confer upon any officer, department, board, or commission of the City the power of eminent domain. All actions by any officer, department, board, or commission pursuant to this Zoning Code shall be deemed to be in the exercise of the police power.

(b) The provisions of this Zoning Code, insofar as they are the same as those of the prior Zoning Code, shall be construed as a continuation of those provisions, and not as new enactments.

(3) Department of Licenses & Inspections

(a) The Department of Licenses & Inspections ("L&I") has the power and duty of administering and enforcing the provisions of this Zoning Code, with the exception of those provisions relating to the approval of land subdivisions (see §14-304(7) (Subdivisions and Subdivision Plats)) and any powers specifically granted to another department, agency, board, or commission of the City under this Zoning Code.

(b) No permit, certificate, license, or document relating to the use of property which is subject to the provisions of this Zoning Code shall be issued by any other department, agency, board, or commission of the City until L&I shall have certified that the use to be made of the property is in full compliance with the provisions of this Zoning Code.

(c) L&I shall administer and enforce the requirement that a use registration permit be obtained for every new use commenced on any land or in any structure, except for a single-family use.

(d) L&I shall administer and enforce the requirement that a zoning permit shall be obtained for every new structure or alteration or addition to an existing structure that results in a change to gross floor area commenced on any land within the City.

(e) L&I shall issue a zoning permit or use registration permit for a special exception only after the Zoning Board has approved the application and when all the other applicable provisions of this Zoning Code have been met.

(f) L&I shall issue building permits and Certificates of Occupancy only after zoning permits and use registration permits required under this Zoning Code have been issued by L&I.

(g) Upon application, L&I shall issue a certification noting the zoning district classifications of any property and the current zoning status of that property as shown by the official zoning map and records of L&I.

(h) L&I is authorized to promulgate such regulations as are necessary and appropriate to implement the provisions of the Zoning Code. Any administrative manual or any other advisory publication prepared as a guide for this Zoning Code shall be posted on the City's website and shall not be binding, unless promulgated in accordance with the provisions of §8-407 of The Philadelphia Home Rule Charter.

(4) Zoning Board of Adjustment

(a) The Zoning Board may, after public notice and public hearing:

(.1) Hear and decide appeals in zoning matters where error is alleged in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Zoning Code or related regulation;

(.2) Grant special exceptions required under this Zoning Code;

(.3) Authorize variances from the terms of this Zoning Code; and

(.4) Hear and decide appeals in any matter where it has been given special jurisdiction by any ordinance or Pennsylvania Law.

(b) The Zoning Board shall have the power to adopt regulations as set forth in the Philadelphia Home Rule Charter.

§14-104 Applicability and Jurisdiction

(1) Applicability

All development and every principal and accessory use conducted within a structure or on a lot must conform with this Zoning Code.

(2) Compliance Required

No building or structure may be erected, converted, enlarged, reconstructed, or altered for use, nor may any land, building, or structure be used or changed; except in accordance with all of the applicable regulations established by this Zoning Code, unless otherwise expressly stated, and without first obtaining a use registration or zoning permit from L&I in accordance with the procedures set forth in §14-303(6) (Zoning Permits). No lot of record that did not exist on the effective date of this Zoning Code shall be created, by subdivision or otherwise, that does not conform to the applicable requirements of this Zoning Code, unless allowed by §14-110 (Transition from Prior Regulations).

(3) Property Owned, Leased, or Operated by Public Agencies

Property owned, leased, or operated by the Commonwealth of Pennsylvania or the United States, and property owned, leased, or operated by the City or any other public or governmental body or agency, shall be subject to the terms of this Zoning Code, as follows:

(a) Where public or governmental uses are specifically listed in this Zoning Code, they shall be subject to the regulations in this Zoning Code;

(b) Where public or governmental uses are not specifically listed, they shall be permitted only in districts permitting substantially similar private uses; and

(c) Property owned by the Commonwealth of Pennsylvania or the United States shall be exempt from the provisions of this Zoning Code only to the extent that the Pennsylvania or United States constitutions prohibit the regulation of those properties by the City.

§14-105 Relationship to Plan Documents

(1) The Comprehensive Plan

The Comprehensive Plan that is adopted by the Planning Commission ("the Commission") serves as the statement of goals, recommendations, and policies guiding the development of the physical environment of the City.

(2) Amendments to the Comprehensive Plan

If a plan other than the Comprehensive Plan containing additional recommendations, policies, and standards regarding development within the City is prepared by the City or a public or quasi-public agency and is adopted by the Commission it will be considered an amendment to the Comprehensive Plan and serve as an additional guide for the administration of this Zoning Code as described in §14-105(3) (Adopted Plans Guide Discretionary Decisions). In the case of a direct conflict between the provisions of the Comprehensive Plan and an amendment to the Comprehensive Plan adopted after the Comprehensive Plan, the provisions of the later amendment govern.

(3) Adopted Plans Guide Discretionary Decisions

Where a Comprehensive Plan or an amendment to the Comprehensive Plan has been adopted pursuant to §14-304(2) (Comprehensive and Other Plan Adoption), the recommendations of that plan shall be considered by the Commission and Zoning Board as a factor in making any decision on a zoning permit application on a topic or area covered by the adopted plan.

§14-106 Zoning Districts and Official Map

(1) Zoning Districts

The City is hereby divided into the classes of districts described in Chapter 14-400 (Base Zoning Districts) and Chapter 14-500 (Overlay Zoning Districts).

(2) Official Zoning Map

The base and overlay districts authorized by this Zoning Code are shown on a zoning map. The official zoning map shall be the version of those maps that includes the most recent amendment to zoning district boundaries approved by City Council. L&I shall keep the zoning map on file in its office in electronic form and make it available for

public inspection during normal business hours. The zoning map shall be the final authority as to the current zoning status of lands, water areas, buildings, and other structures in the City. The official zoning map is incorporated into and is part of this Zoning Code.

§14-107 Determination of Boundaries

(1) Boundaries of Districts

Where uncertainty exists with respect to the boundaries of the various districts, as shown on any zoning map, the following rules apply:

(a) The district boundaries are street lines unless otherwise shown; and where the designation on the zoning map indicates a boundary that approximately coincides with an existing street line, that street line shall be construed to be the boundary;

(b) Where a designation on the zoning map indicates a district boundary that approximately coincides with existing lot lines, those lot lines shall be construed to be the boundary;

(c) In undivided property, the district boundary lines on the zoning map shall be determined by measurement according to the scale of the maps;

(d) No district boundary shown on the zoning map shall be construed as extending the authority of L&I beyond the low water mark on any navigable stream; and

(e) Where a street is stricken from the City Plan or where a railroad right-of-way is abandoned, the zoning boundaries of the abutting land shall be extended to the centerline of the vacated street or right-of-way, unless otherwise provided by the City Council.

(2) Multiple Districts or Provisions

When the boundaries of various districts as shown on the zoning map are established so that a single property has more than one base zoning district designation, the following provisions apply. For purposes of this §14-107(2) (Multiple Districts or Provisions), L&I shall determine which district or provision is more restrictive.

(a) Splits Involving Residential Districts

(.1) If the district with the more restrictive requirements is classified as a residential district in Chapter 14-400 (Base Zoning Districts) and that district covers more than 20% of the parcel, the provisions of that district shall apply to the entire parcel.

(.2) If the district with the more restrictive requirements is classified as a residential district in Chapter 14-400 (Base Zoning Districts) and that district covers 20% or less of the parcel, the provisions of that district shall only apply to the part of the parcel indicated on the zoning map.

(b) Splits Involving Other Districts

If the district with the more restrictive requirements is not classified as a residential district in Chapter 14-400 (Base Zoning Districts) and that district covers more than 40% of the parcel, the provisions of that district shall apply to the entire parcel. If the district with the more restrictive requirements is not

classified as a residential district in Chapter 14-400 (Base Zoning Districts) and that district covers 40% or less of the parcel, the provisions of that district shall only apply to the part of the parcel indicated on the zoning map.

(c) Splits Involving Any District

The more restricted portion of the property may not be used for or to serve any purpose that is not allowed in the more restrictive zoning district, including street frontage or driveway access to the less restricted portion of the property.

§14-108 Relationship to Other Regulations

(1) Conflict

This Zoning Code is intended to complement other municipal, state, and federal regulations that affect land use, but is not intended to revoke or repeal any other public law, ordinance, regulation, or permit. Where conditions, standards, or requirements imposed by any provision of this Zoning Code are either more restrictive or less restrictive than comparable standards imposed by any other public law, ordinance, or regulation, or permit, the provisions that are more restrictive or that impose higher standards or requirements shall govern, except as described in §14-108(2) (Overlay Districts).

(2) Overlay Districts

If the provisions of an overlay district listed in Chapter 14-500 (Overlay Zoning Districts) conflict with other provisions of this Zoning Code, the overlay district provisions shall govern regardless of whether they are more restrictive or less restrictive than the conflicting provision.

§14-109 Relationship to Private Agreements

Where the provisions of this Zoning Code impose a greater restriction than that imposed by a private agreement, including but not limited to any easement, covenant, or deed restriction, the provisions of this Zoning Code will control. Where the provisions of a private agreement impose a greater restriction than this Zoning Code, the provisions of the private agreement may be enforced between private parties notwithstanding the provisions of this Zoning Code. The existence of a private agreement shall not excuse any failure to comply with this Zoning Code. The City shall not be responsible for monitoring or enforcing private agreements.

§14-110 Transition from Prior Regulations

(1) Violations Continue

Any violation of the previous zoning regulations will continue to be a violation under this Zoning Code and be subject to §14-306 (Enforcement) unless the use, development, construction, or other activity that violated the previous zoning regulations is no longer a violation of this Zoning Code. Nothing in this section, however, is intended to relieve any person of liability for any fines or penalties owing or claimed to be owing under the prior Zoning Code.

(2) Approved Projects

The following transitional provisions shall apply to projects approved prior to the effective date of this Zoning Code.

(a) Permits and approvals that are valid on the effective date of this Zoning Code shall remain valid until their expiration date. Projects with valid approvals or permits may be carried out in accordance with the development standards in effect at the time of approval, provided that the permit or approval is valid and has not lapsed;

(b) No provision of this Zoning Code shall require any change in the plans, construction, or designated use of any structure for which a building permit has been issued prior to the effective date of this Zoning Code; and

(c) Any re-application for an expired permit or approval, including special exception and regulated use approvals, shall meet the standards in effect at the time of re-application.

§14-111 Text and Graphics

Illustrations, graphics, pictures, and flowcharts are included in this Zoning Code to help illustrate the intent and requirement of the text. In the case of a conflict between the text of this Zoning Code and any illustration, graphic, picture, or flowchart, the text shall govern.

§14-112 Severability

If any section, subsection, sentence, or phrase of this Zoning Code is held to be invalid or unconstitutional by a court of competent jurisdiction, for any held reason, the remaining portions of this Zoning Code shall not be affected. It is expressly declared that this Zoning Code and each section, subsection, sentence, and phrase would have been adopted regardless of the fact that one or more other portions of this Zoning Code would be declared invalid or unconstitutional.

Chapter 14-200 Definitions

§14-201 Rules of Interpretation 2-1
§14-202 Rules of Measurement 2-1
§14-203 Definitions 2-8

§14-201 Rules of Interpretation

In the interpretation of this Zoning Code the rules and definitions of this §14-201 (Rules of Interpretation) shall be observed and applied.

(1) Words used or defined in one tense or form shall include other tenses and derivative forms.

(2) Words in the singular number include the plural number, and words in the plural number include the singular number.

(3) The masculine gender shall include the feminine, and the feminine gender shall include the masculine.

(4) The words "must," "shall," and "may not" are mandatory.

(5) The words "may" and "should" are permissive.

(6) The terms "standards," "regulations," and "requirements" are used to mandate a specific course of action that the applicant must incorporate in the project application. Compliance with standards, regulations, and requirements is mandatory. Statements of standards, regulations, and requirements are indicated by use of the terms "must," "shall," or "may not" in the rule or directive.

(7) The term "guideline" is used for actions that are strongly encouraged to fulfill the intent of subject provision. Guidelines are indicated by use of the terms "may" or "should." Failure to meet a voluntary guideline cannot be used as a basis for the City's denial of a project application.

(8) The words "Philadelphia Code" mean The Philadelphia Code of the City of Philadelphia.

(9) The word "person" includes individuals, firms, corporations, associations, and any other similar entities, including governmental agencies.

(10) The word "City" means the City of Philadelphia.

(11) The words "City Council" mean the City Council of Philadelphia, Pennsylvania.

(12) The word "Commonwealth" means the Commonwealth of Pennsylvania.

(13) In case of any difference of meaning or implication between the text of this Zoning Code and any caption or illustration, the text shall control.

(14) Where the meaning of a restriction in this Zoning Code is ambiguous and the intent cannot be discerned through the usual rules of statutory construction, the restriction shall be construed in favor of the landowner, provided that the resulting construction does not lead to irrationality in the Zoning Code.

§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.

(1) Average Ground Level

(a) Except as otherwise expressly stated in this Zoning Code, for the purpose of measuring the height of a structure, average ground level shall be calculated as the mean (average) ground level at the four principal corners of the subject

structure, or the three principal corners in case of a triangular shaped structure footprint.

(b) When a lot is located within a 100-year floodplain, any point located one foot above the regulatory flood level shall be considered to be at the average ground level of the lot.

(c) When a lot is located over an active railway right-of-way, any point located four ft. above the minimum clearance that is required to be maintained above the railway right-of-way and within 110 ft. of the outward edges of the right-of-way, shall be considered to be at the average ground level of the lot.

(2) Building Frontage, Width of

The width of the building frontage is the maximum width of a building, measured in a straight line parallel with the front lot line.

(3) Diameter Breast Height (DBH)

The standard measure of a tree's diameter at four and one-half ft. above ground level.

(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

(.1) Porches, whether enclosed or unenclosed.

(.2) Elevator shafts and stairwells on each floor.

(.3) Attic space, whether finished or unfinished, not dedicated to elevators or mechanical equipment.

(.4) Interior balconies.

(.5) Mezzanines.

(.6) Basements.

(.7) Penthouse space not used exclusively for elevators or mechanical equipment.

(.8) Mechanical equipment areas with a structural headroom of seven and one-half ft. or more.

(.9) Accessory off-street surface parking areas in the RMX-3, CMX-4, or CMX-5 districts.

(.10) All levels of an accessory or principal use parking garage located at or above the average ground level.

(b) Measurement Excludes

(.1) Terraces, overhangs, and uncovered steps.

(.2) Cellars.

(.3) Enclosed public space.

(.4) Attic space, basement bulkheads, and penthouse space used exclusively for elevators or mechanical equipment, and other mechanical equipment areas with a structural headroom of less than seven and one-half ft. See also §14-701(6) (Exceptions to Dimensional Standards).

(.5) Accessory off-street surface parking areas (except in RMX-3, CMX-4, and CMX-5 districts) or loading spaces.

(.6) Underground accessory parking and related structures such as stairs, lobbies, and mechanical spaces.

(.7) In all Residential and SP-INS districts (See also §14-701(6) (Exceptions to Dimensional Standards)):

(.a) Monuments, belfries, cupolas, minarets, pinnacles, gables, spires, or ornamental towers, not for human occupancy.

(.b) Towers of mechanical or structural necessity , except where the area of those towers exceed 20% of the ground floor level of the building of which they are a part, in which case they will be considered a part of the "gross floor area" of the building in the same manner as any other part.

(.8) Office, retail sales, commercial service, or public, civic, or institutional space located along the perimeter of a parking garage structure pursuant to §14-502(6)(c)(.2) (Residential Parking Control Area) or §14-803(4)(b) (Design Standards for Garage Structures in RMX-3 and Commercial Districts).

(.9) In the SP-INS district:

(.a) Any floor area in any building that is below ground level and that is used for nonresidential purposes .

(.b) Any floor area in any building, above or below ground level, used exclusively for off-street parking of automobiles.

(.10) In RMX-3, CMX-4, and CMX-5 districts, floor area used for retail sales, eating and drinking establishments, or financial services (except for personal credit establishments), provided that the floor area exclusion shall not exceed 25% of the total gross floor area of the building.

(5) Ground Floor

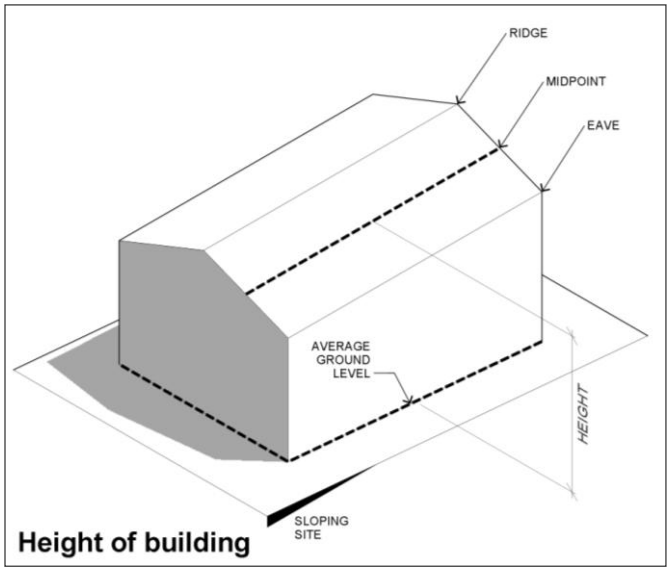
(a) Except as otherwise expressly stated in this Zoning Code, the ground floor is the story of a building at the average ground level at the front of the building.

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

(c) Within the floodplains of the Schuylkill River and Delaware River, the ground floor is the story measured one ft. above the 100-year flood elevation.

(6) Height, Building or Structure

Except as expressly provided elsewhere in this Zoning Code, the vertical distance from the average ground level at the base of the structure to the top of the structure, provided, that if height is measured on a gable wall of a building, the top of the building shall be considered to be the midpoint height between the eaves and the ridge.

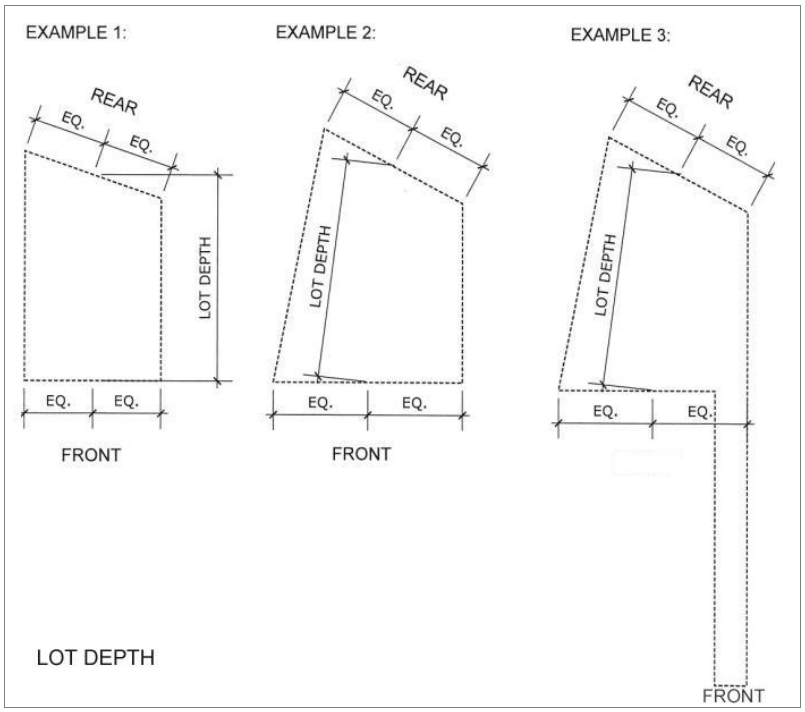


(7) Lot Area

The total area of the horizontal plane of a lot at ground level.

(8) Lot Depth

The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line of a lot. In the case of flag lots the width of the "pole" or portion of the lot only used for access to the remainder of the lot shall be ignored in determining the midpoint of both the front and rear lot lines.

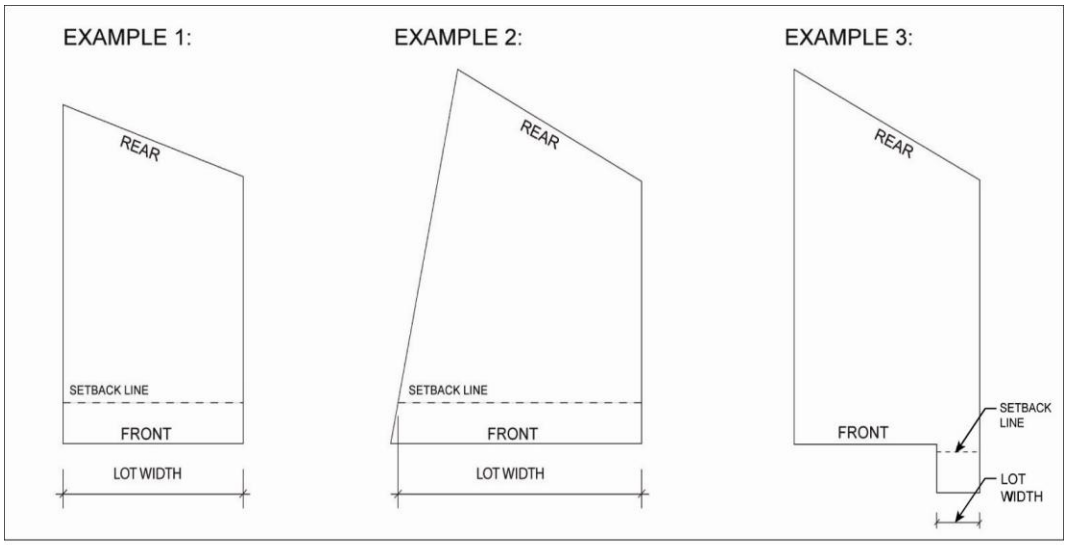


(9) Lot Frontage, Width of

See §14-202(20) (Street Frontage, Width of).

(10) Lot Width

The width of the lot, measured from one side line of the lot to the opposite side line of the lot along the setback line (See §14-202(17), (Setback Line, Front or Building)).



LOT WIDTH

(11) Net Leasable Area

The total of all gross floor area of a building within interior walls, excluding areas devoted to the following: rubbish rooms and custodian closets, vestibules, stairways, escalators, and elevators; areas used for electrical, telephone, computer, or mechanical equipment; loading docks and receiving areas; non-occupied areas devoted to building structure, support, or aesthetics; mall and concourse areas not occupied by retail kiosks or vendor stands; public seating areas (not including restaurant and café seating); public walkways; and public rest rooms.

(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.

(13) Open Area

The total areas of the lot that are not counted as occupied area, except alleys, easements, and shared driveways shall not be included as part of required open area.

(14) Public Plaza or Open Space

Public plaza and open spaces are defined in §14-203 (Definitions) and are measured as follows for purposes of calculating ground level open spaces eligible for bonus floor area:

(a) Areas At Ground Level

All areas at the average grade of the street, or no more than three ft. above or below the average grade of the street. When a lot is above or abuts a public transit concourse or station, "at ground level" shall include all areas that are at

the station or concourse level and that are connected to the sidewalk by stairs or ramps adequate for convenient public access.

(b) Measurement Includes

Public plazas and open space areas include:

(.1) Portions of the open spaces occupied by benches, planting boxes, public art, and other ornamental devices and structures that conform to all other sections of this Zoning Code relating to access to public space.

(.2) In Commercial districts, any areas occupied by devices for the display and sale of goods or merchandise that are accessory to the public space of a building and complies with other regulations set forth in this Zoning Code.

(.3) All areas for all means of pedestrian and handicapped access to public spaces or open spaces.

(.4) All areas for seating, landscape, and fine arts provided in order to qualify for additional gross floor area.

(c) Measurement Excludes

In Residential districts, public plazas and open space areas exclude: any areas occupied by devices or structures used for the advertising or display of goods or merchandise, or portions of ground level upon which a commercial use is conducted.

(15) Seating Space

A seating space in a place of public assembly shall be considered as a fixed permanent seat. In the case of bleachers, benches or the flat tops of walls, seating shall be 18 in. wide and 16 in. deep. Seating 30 in. or more in depth shall count double when access is provided to both sides. In the case of open floor area used for temporary seating purposes, seating area is calculated as one seat per nine sq. ft. of open floor area.

(16) Separation or Spacing of Uses

Unless otherwise expressly stated, when the provisions of this Zoning Code require that two or more uses be separated by some minimum distance, the separation distance shall be measured from lot line to lot line along the shortest imaginary line between the subject lots. Where uses are required to be separated by some minimum distance from a zoning district boundary, the separation distance shall be measured from the lot line to the zoning district boundary along the shortest imaginary line between the lot and the zoning boundary.

(17) Setback Line, Front or Building

A line parallel to the front lot line at a distance from the front lot line equal to the minimum distance required for building setbacks in each district in which setbacks are required.

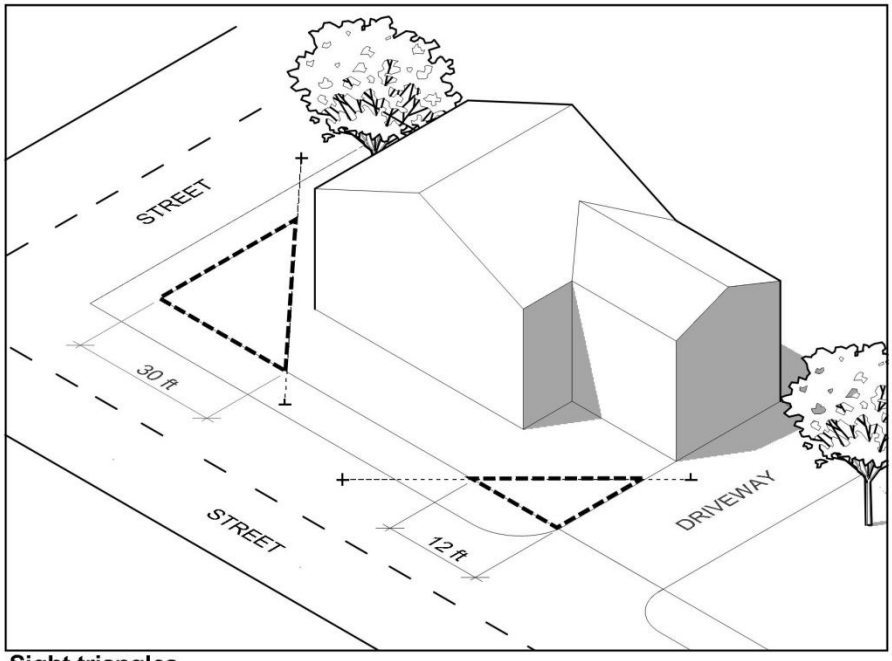
(18) Sight Triangle

Sight triangles include:

(a) A triangle formed by the intersection of one alley or driveway with a minimum width of 12 ft. and one street, measured 12 ft. from the

intersection along the edges of the street right-of-way and the alley or driveway; or

(b) A triangle formed by the intersection of two streets, measured 30 ft. from the intersection along the edges of the two streets.



Sight triangles

(19) Sign Area

The area of a sign shall include any lettering, copy, or illustrations and any background created so as to distinguish the sign or the message contained therein from the building or structure upon which the sign is located, provided that, the sign area of a free-standing sign shall include all elements of the sign structure, except any supporting columns, uprights, or braces.

(20) Street Frontage, Width of

A lot's street frontage is measured as the horizontal distance between side lot lines, as measured along the front lot line.

(21) Story

A horizontal level of a structure that is more than 50% above grade plane, as defined in the International Building Code.

(22) Yard, Front (Depth of)

The depth of the front yard is measured from the extreme front of the building to the closest point of the front lot line. See also §14-203(370) (Yard).

(23) Yard, Front (Width of)

The width of the front yard is measured from one side line of the lot to the opposite side line of the lot, located between the street line and the front of any building or structure (not including fences). See also §14-203(370) (Yard).

(24) Yard, Rear (Area of)

The total area of the rear yard, except alleys, easements, and shared driveways shall not be included as part of the rear yard area calculation. See also §14-203(370) (Yard).

(25) Yard, Rear (Depth of)

The depth of a rear yard is measured from the rear most portion of the building to the rear lot line or to the nearest line of a street, shared driveway, or alley. See also §14-203(370) (Yard).

(26) Yard, Side (Width of)

The width of a side yard is measured between any building or structure (not including fences) and the side line of the lot, or to the nearest line of a street, shared driveway, or alley extending from the front most point of the building to the rear most point of the building. See also §14-203(370) (Yard).

§14-203 Definitions

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

(1) Abut

To touch or share a contiguous boundary or border, or to be separated only by an alley or shared driveway.

(2) Accessory Use

A use, including all necessary public utility facilities, that is subordinate to and on the same lot as the principal use on a lot and customarily incidental to the principal use. This definition does not apply to signs. See Chapter 14-900 (Signs).

(3) Active Recreation

See §14-601(3)(c) (Active Recreation).

(4) Adjacent

To touch or share a contiguous boundary or border, or to be separated only by an alley, shared driveway, or street.

(5) Adult Cabaret

See §14-601(7)(a)(.1) (Adult Cabaret).

(6) Adult Massage Shop

See §14-601(7)(a)(.5) (Adult Massage Shop).

(7) Adult Modeling or Photography Studio

See §14-601(7)(a)(.2) (Adult Modeling or Photography Studio).

(8) Adult Motion Picture Theater

See §14-601(7)(a)(.3) (Adult Motion Picture Theater).

(9) Adult-Oriented Merchandise, Retail Sales of

See §14-601(6)(a) (Adult-Oriented Merchandise).

(10) Adult-Oriented Service

See §14-601(7)(a) (Adult-Oriented Service).

(11) Adult Spa or Health Club

See §14-601(7)(a)(.4) (Adult Spa or Health Club).

(12) Airport Imaginary Surface

A civil airport imaginary surface as defined in Title 14 of the Code of Federal Regulations (CFR) – Federal Aviation Regulations (FAR) Part 77.

(13) Airport-Related Facilities

See §14-601(4)(a) (Airport-Related Facilities).

(14) Alley

A common right-of-way shared by three or more abutting landowners that provides secondary access to lots.

(15) Alter or Alteration

(a) As used in Chapter 14-1000 (Historic Preservation): a change in the appearance of a building, structure, site, or object which is not otherwise covered by the definition of demolition, or any other change for which a permit is required under The Philadelphia Code of General Ordinances. "Alteration" includes the reroofing, cleaning, or pointing of a building, structure, or object.

(b) For all other purposes of this Zoning Code: a change in the appearance of a building, structure or site, including demolition.

(16) Amusement Arcade

See §14-601(7)(c)(.1) (Amusement Arcades).

(17) Animal Husbandry

See §14-601(11)(a) (Animal Husbandry).

(18) Animal Services

See §14-601(7)(b) (Animal Services).

(19) Antenna, Building or Tower-Mounted

See §14-601(4)(o)(.2) (Building or Tower-Mounted Antennas).

(20) Apparel and Accessories, Retail Sales of

See §14-601(6)(g) (Wearing Apparel and Accessories).

(21) Arbor

A shaded structure often covered with shrubs, vines, or branches.

(22) Arcade

An unobstructed covered passageway located at the ground level of a lot, and located either within a building or under a building (when a building is cantilevered so as to create a covered passage), and serving to connect public spaces and/or public sidewalks, provided that both sides of the arcade abut public space, or public sidewalks.

(23) Architectural Features

Features contributing to the general arrangement of the exterior of a structure, including but not limited to, the surface texture, building materials, roof shape, eaves, awnings, arcades, pilasters, cornices, wall offsets, and other building articulations.

(24) Architectural Recesses

Portions of a building wall at street level that are set back from the street line so as to create articulation of the building wall and/or to provide space for windows or doors.

(25) Area of a Building

See §14-202(12) (Occupied Area).

(26) Art Commission

The Philadelphia Art Commission.

(27) Artist

A practitioner in the visual arts or performing arts generally recognized by critics and peers as a professional possessing serious intent and ability, who is not a member of a project consultant's team or employed by a member of that team.

(28) Artist Studio and Artisan Industrial

See §14-601(10)(a) (Artist Studios and Artisan Industrial).

(29) Assembly and Entertainment

See §14-601(7)(c) (Assembly and Entertainment).

(30) Auto-Share Parking Space

A parking space reserved for vehicles owned by a membership entity that provides its members access to a fleet of automobiles on an hourly basis, or in smaller intervals, and maintains those automobiles, which are located at unstaffed, self-service locations (other than any incidental garage valet service), and generally available for pick-up by members 24 hours per day.

(31) Awning

A temporary or permanent non-loadbearing projection from a building, that is not supported from the ground, designed to provide shade or protection from elements, having a pitched surface that may or may not be used for any other purpose.

(32) Balustrade

A row of balusters or small posts topped by a rail, serving as an open parapet, as along the edge of a terrace, bridge, staircase, or the eaves of a building.

(33) Bank of a Surface Water Body

The land that contains a surface water body at its highest flow.

(34) Basement

A story, a portion of which is below grade plane, as defined in the International Building Code.

(35) Bay Window

A window structure that projects from the wall of a building.

(36) Bicycle Parking Space

A space provided for locking a single bicycle to a rack element or for the storage of a single bicycle in a bicycle storage facility. Bicycle parking spaces are classified as follows:

(a) Bicycle Parking Space, Class 1

Bicycle parking spaces that deter theft and protect against inclement weather. Class 1A are bicycle spaces located in bicycle storage facilities, and Class 1B are bicycle racks located under a permanent overhead building structure.

(b) Bicycle Parking Space, Class 2

Bicycle parking spaces that deter theft but are not protected against inclement weather.

(37) Bicycle Storage Facility

A shed, storage room, or locker designed to hold one or more bicycles.

(38) Block

The smallest possible area of land bounded by three or more legally open streets that are confirmed on the City Plan.

(39) Block Face

(a) In the case of a through street, the edge of a block of lots facing a publicly dedicated street and that is located between two intervening streets intersecting the street in front of the lots.

(b) In the case of a dead end street, the edge of a block of lots facing a publicly dedicated street, and that is located between the publicly dedicated intersecting street at one end and the dead end of the street.

(c) In the case of a cul-de-sac, the edge of a block of lots facing a publicly dedicated street, and that is located between the publicly dedicated intersecting street at one end and the beginning of the turning circle, bulb, or "T" turnaround at the other end, and not including any lots whose front lot lines are on the turning circle, bulb, or "T" turnaround.

(40) Block Frontage

The distance along any street line between the nearest streets intersecting it.

(41) Board of License and Inspection Review

The Philadelphia Board of License and Inspection Review.

(42) Body Art Service

See §14-601(7)(l)(.1) (Body Art Service).

(43) Building

(a) As used in Chapter 14-1000 (Historic Preservation): a structure, its site, and appurtenances created to shelter any form of human activity, including a public interior portion of a building.

(b) For all other purposes: a structure having a roof.

(44) Building, Attached

A building with both side walls located on or at the side lot line. An attached building is commonly called a rowhouse.

(45) Building, Completely Enclosed

A building having a roof and walls on all sides so that the space within is enclosed in all directions. Where there are pipes, tanks and other apparatus that are themselves completely enclosed, a use carried on within such enclosures shall be considered to be within a completely enclosed building.

(46) Building, Detached

A building with neither side wall located on or at the side lot line.

(47) Building, Semi-Detached

A building with one side wall located on or at one side lot line and the opposite side wall not located on or at the opposite side lot line. A semi-detached building is commonly called a twin.

(48) Building Services

See §14-601(7)(d) (Building Services).

(49) Building Supplies and Equipment, Retail Sales of

See §14-601(6)(b) (Building Supplies and Equipment).

(50) Business Support

See §14-601(7)(e) (Business Support).

(51) Canopy

A roof-like cover, supported from the ground or deck, floor, or walls of a structure, for protection from the sun or weather.

(52) Caretaker Quarters

See §14-601(2)(a)(.4) (Caretaker Quarters).

(53) Carpool

An arrangement in which two or more individuals commute together, typically to and from work, on a regular basis in a vehicle that is generally owned or leased by one of the participating individuals. Participants may share costs and take turns in providing a vehicle for the commute.

(54) Carport

A structure, or part of a structure for the parking, storage, or keeping of up to three vehicles by the owner or tenant of the premises as an accessory use to a permitted residential use, and that does not include a wall between the ground and the roof on at least one side that is not a vehicle entryway.

(55) Cartway

The portion of a street for vehicular use.

(56) Casino

See §14-601(7)(c)(.2) (Casino).

(57) Cellar
A horizontal level of a structure that is 50% or more below grade plane as defined by the International Building Code.

(58) Cell
An area of coverage that is a separate link in wireless communications.

(59) Cellular Service
A wireless telephone or telecommunications service.

(60) Cell Site
A facility that transmits and receives wireless telecommunications signals.

(61) Cemetery
See §14-601(4)(b) (Cemetery).

(62) Check Cashing Establishment
See §14-601(7)(g)(.1)(.a) (Check Cashing Establishment).

(63) Chimney
A vertical structure attached to a building that contains a flue for drawing off smoke from a furnace, waterheater, or fireplace.

(64) City Council
The Philadelphia City Council.

(65) City Datum
A measurement standard for establishing a ground level, based on tidal observations on the Delaware River at Chestnut Street. Philadelphia City Datum is 5.76 ft. below the US Coast and Geodetic Survey based on the 1929 datum.

(66) City Plan
The City Plan of streets as described in §11-400 of The Philadelphia Code.

(67) City Planning Commission
The Philadelphia City Planning Commission.

(68) City-Related Agency
Any authority, government agency, or quasi-public corporation that: (1) receives appropriations from the City, (2) has entered into continuing contractual or cooperative relationships with the City, including any agreement whereby the City funds an agency's debt service, or (3) operates under legal authority granted to it by City ordinance.

(69) Civic Design Review Committee
The Civic Design Review Committee of the City Planning Commission.

(70) Commercial Services
See §14-601(7) (Commercial Services Use Category).

(71) Commission
The City Planning Commission, unless the context clearly refers to another named commission.

(72) Community Garden
See §14-601(11)(b) (Community Garden).

(73) Comprehensive Plan
An official statement of goals, recommendations, and policies used to guide the physical development of the City, as formally adopted by the City Planning Commission.

(74) Connector Space
Public space within a lot that may be open or enclosed and that is designed and/or intended to be used by the public to pass from or through the lot to a public sidewalk, a public transit concourse, a transit station, other public space within the lot, the public space of another lot, an entrance to the building or to the retail spaces on a lot, or other public space as defined in this Zoning Code.

(75) Conservators
A person or persons appointed to be legally responsible for the management of property pursuant to Pennsylvania Act 135 of 2008, 68 P.S. §§1101 to 1111.

(76) Construct or Construction

(a) As used in Chapter 14-1000 (Historic Preservation): The erection of a new building, structure, or object upon an undeveloped site.

(b) For all other purposes: The erection of a new building or structure.

(77) Consumer Goods, Retail Sales of
See §14-601(6)(c) (Consumer Goods).

(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.

(79) Cornice
A horizontal decorative projection located at the top of a building.

(80) Council
The Philadelphia City Council.

(81) Cultural Programming
Programs that are permanently established by the endowment of a trust or other legally binding mechanism of permanent funding (i.e., lasting the life of the building). Eligible components for on-site cultural programs shall include: performing arts, literary arts, media arts, education, or special events.

(82) Day Care
See §14-601(4)(c) (Day Care).

(83) Day Care Center
See §14-601(4)(c)(.3) (Day Care Center).

(84) Day Care, Family
See §14-601(4)(c)(.1) (Family Day Care).

(85) Day Care, Group
See §14-601(4)(c)(.2) (Group Day Care).

(86) Deck
An open structure at least 12 in. above the ground that is located in the front yard, rear yard, or side yard of a property.

(87) Deck, Roof
An open structure located above the roof framing of a building.

(88) Demolition or Demolish
The razing or destruction, whether entirely or in significant part, of a building, structure, site, or object. Demolition includes the removal of a building, structure, site, or object from its site or the removal or destruction of the façade or surface.

(89) Department of Licenses and Inspections
The Philadelphia Department of Licenses and Inspections (also known as L&I)

(90) Department of Parks and Recreation
The Philadelphia Deparment of Parks and Recreation (also known as DPR).

(91) Department of Streets
The Philadelphia Department of Streets.

(92) Design
As used in Chapter 14-1000 (Historic Preservation) and §14-504(5) (Queen Village): Features including mass, height, appearance, volume, and the texture, color, nature, and composition of materials.

(93) Detention and Correctional Facility
See §14-601(4)(d) (Detention and Correctional Facilities).

(94) Development

(a) As used in §14-704(4) (Flood Protection) and §14-704(2) (Steep Slope Protection): Any construction, reconstruction, modification, extension, expansion, or substantial improvement of structures; filling; dredging; mining; grading; paving; excavation; drilling operations; or storage of equipment or materials; land excavation; land clearing; land improvement; or any construction thereof.

(b) For all other purposes: The erection or relocation of a structure, an alteration to an existing structure that results in a change in gross floor area, or a lot adjustment.

(95) Directly Connected Impervious Surface
As used in §14-704(5) (Stream Buffers): An impervious or impermeable surface, which is directly connected to the City's drainage system, as defined by the Philadelphia Water Department.

(96) Discharge

To dispose, deposit, spill, pour, inject, dump, leak, or place by any means, or any material that is disposed, deposited, spilled, poured, injected, dumped, leaded, or placed by any means.

(97) District

(a) As used in Chapter 14-1000 (Historic Preservation): A geographically definable area possessing a significant concentration, linkage, or continuity of buildings, structures, sites, or objects united by past events, plan, or physical development. A district may comprise an individual site or individual elements separated geographically but linked by association, plan, design, or history.

(b) For all other purposes: One of the base or overlay zoning districts identified in Chapter 14-400 (Base Zoning Districts) or Chapter 14-500 (Overlay Zoning Districts) and depicted on the Official Zoning Map.

(98) DPR

An abbreviation for the Philadelphia Department of Parks and Recreation.

(99) Drive-Through

A structure with a service window, automated device, or other facility that is designed and intended to be used to provide for sales and service to patrons who remain in their vehicles.

(100) Driveway

A paved or unpaved right-of-way strip providing access to a vehicle parking space, loading space, or maneuvering facility.

(101) Driveway, Shared

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

(102) Driveway, Parking Lot

Any area of a parking lot connecting an aisle to a public street that does not provide direct ingress and egress to any parking space.

(103) Drug Paraphernalia Stores

See §14-601(6)(c)(.1) (Drug Paraphernalia Stores).

(104) Dwelling Unit

A single unit within a building providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

(105) Earth Moving Activity

Any construction or other activity that disturbs the surface of land including but not limited to excavations, embankments, land development, subdivision development, and the moving, depositing, or storing of soil, rock, or earth.

(106) Easement

A right granted for the purpose of limited public or quasi-public access across private land.

(107) Eating and Drinking Establishments

See §14-601(7)(f) (Eating and Drinking Establishments).

(108) Educational Facilities

See §14-601(4)(e) (Educational Facilities).

(109) Enclosed Building

See §14-203(45) (Building, Completely Enclosed).

(110) Enclosed Public Space

Public space that is designed and intended to be used by the public and that may be totally enclosed by walls and a roof and that has no floor area above its roof.

(111) Entranceway

A portion of a lot in front of and leading to a pedestrian door to a building.

(112) Entranceway Cover

An open cantilevered or column-supported protective cover over an entranceway.

(113) Equipment and Materials Storage Yards and Buildings

See §14-601(9)(a) (Equipment and Materials Storage Yards and Buildings).

(114) Existing Structure

As used in §14-704(4) (Flood Protection): A structure for which the ''start of construction'' commenced before the effective date of the Flood Insurance Rate Map (FIRM) of the U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA); or before January 1, 1975, for FIRMs effective before that date.

(115) Family

A person living independently or a group of persons living as a single household unit using housekeeping facilities in common, but not to include more than three persons who are unrelated by blood, marriage, adoption, or foster-child status.

(116) Farm, Market or Community-Supported

See §14-601(11)(c) (Market or Community-Supported Farm).

(117) Farmer's Market

See §14-601(6)(d)(.2) (Farmer's Market).

(118) Fence or Retaining Wall

An unroofed barrier, including a retaining wall, forming a partially enclosed structure used to limit ingress or egress to a lot or portion of a lot and that is constructed of materials that are designed and intended to be used primarily for the construction of fences.

(119) Finally Denied Application

An application is "finally denied" on the date L&I denies the application, or, if L&I's denial is appealed, on the date of the last Zoning Board or court decision in the matter from which all appeals have been exhausted.

(120) Financial Services

See §14-601(7)(g) (Financial Services).

(121) Financial Services, Personal Credit Establishment

See §14-601(7)(g)(.1) (Personal Credit Establishment).

(122) Fire Escape

Any of the series of emergency doors, ladders, or stairs used to evacuate a building if a fire breaks out; the entire escape route viewed as a whole.

(123) Flood

A temporary inundation of normally dry land areas.

(124) Flood, Base

A flood having a one percent chance of being equalled or exceeded in any given year. "Base Flood" may also be referred to as "100-Year Flood" or "One Percent Annual Chance Flood".

(125) Flood Elevation, Regulatory

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

(126) Flood, Regulatory

The designated flood that has been selected to serve as the basis upon which the floodplain management provisions of this Zoning Code have been written.

(127) Floodproofing

Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

(128) Floodplain Area

A relatively flat or low land area, which is subject to partial or complete inundation from an adjoining or nearby stream, river, or watercourse; or any area subject to the unusual and rapid accumulation or run-off of surface waters from any source.

(129) Floodway

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point. The floodway is identified as "Floodway" on the Flood Insurance Rate Map (FIRM) of the U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA). Where there is no floodway identified on the FIRM, the floodway shall be identified by other available studies or sources of information for the floodplain area.

(130) Floor
See §14-202(21) (Story).

(131) Floor Area Ratio
A ratio expressed as a percentage of lot area that is determined by dividing the gross floor area of all buildings on a lot by the area of that lot times 100.

(132) Food, Beverages, and Groceries, Retail Sales of
See §14-601(6)(d) (Food, Beverages, and Groceries).

(133) Fortune Telling Service
See §14-601(7)(l)(.2) (Fortune Telling Service).

(134) Fraternal Organization
See §14-601(4)(f) (Fraternal Organization).

(135) Fresh Food Market
See §14-601(6)(d)(.1) (Fresh Food Market).

(136) Funeral and Mortuary Services
See §14-601(7)(h) (Funeral and Mortuary Services).

(137) Gable
A wall that comes to a point at its intersection with the ridge of two sloping roof planes.

(138) Gasoline Station
See §14-601(8)(c) (Gasoline Station).

(139) Gross Floor Area
See §14-202(4) (Gross Floor Area).

(140) Ground Floor
See §14-202(5) (Ground Floor).

(141) Group Living
See §14-601(2)(b) (Group Living).

(142) Group Medical, Dental, and Health Practitioner
See §14-601(5)(b)(.2) (Group Medical, Dental, and Health Practitioner).

(143) Gun Shop
See §14-601(6)(c)(.2) (Gun Shop).

(144) Height, Building or Structure
See §14-202(6) (Height, Building or Structure).

(145) Heritage Tree
Any tree that has a diameter breast height of 24 in. or more and is of a species listed on the Department of Parks and Recreation Heritage Tree Species List.

(146) Historical Commission
The Philadelphia Historical Commission.

(147) Historic Building

A building or complex of buildings and site, or the public interior portion of a building, which is designated pursuant to §14-1004 (Designation of a Historic Structure or District) or listed by the Historical Commission under §14-2007 of the prior zoning ordinance or the prior historic buildings ordinance approved December 7, 1955.

(148) Historic District, Object, Site, or Structure

A district, object, site, or structure, or a public interior portion of a structure, that is designated by the Historical Commission pursuant to §14-1004 (Designation of a Historic Structure or District) or designated under §14-2007 of the prior zoning code.

(149) Hospital

See §14-601(4)(g) (Hospital).

(150) Household Living

See §14-601(2)(a) (Household Living).

(151) Household Living, Single-Family

See §14-601(2)(a)(.1), (Single-Family).

(152) Household Living, Two-Family

See §14-601(2)(a)(.2) (Two-Family).

(153) Household Living, Multi-Family

See §14-601(2)(a)(.3) (Multi-Family).

(154) Impervious Ground Cover

Any building, pavement, or other material that impedes the natural infiltration of surface water into the soil. Impervious ground cover includes, but is not limited to, structures, swimming pools, paved and other non-permeable patios, walks, driveways, parking areas, streets, sidewalks, and any other non-permeable ground cover.

(155) Industrial

See §14-601(10) (Industrial Use Category).

(156) Industrial, Artisan and Artist Studio

See §14-601(10)(a) (Artist Studios and Artisan Industrial).

(157) Industrial, General

See §14-601(10)(c) (General Industrial).

(158) Industrial, Intensive

See §14-601(10)(d) (Intensive Industrial).

(159) Industrial, Limited

See §14-601(10)(b) (Limited Industrial).

(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.

(161) Interior Walk

A right-of-way for pedestrian use extending from a street into a block or across a block to another street.

(162) Junk and Salvage Yards and Buildings

See §14-601(10)(e) (Junk and Salvage Yards and Buildings).

(163) Kiosk

A structure that that does not have a foundation, that contains less than 150 sq. ft. of area, and that is designed and intended to be used primarily for retail sale, display, and accessory advertising of food or merchandise.

(164) L&I

An abbreviation for the Philadelphia Department of Licenses and Inspections.

(165) Leadership in Energy and Environmental Design (LEED)

The Leadership in Energy and Environmental Design rating system was established by the U.S. Green Building Council to encourage adoption of high performance building and development practices. Participating buildings are rated on categories including site sustainability, water and energy efficiency, materials and resources, indoor environmental quality, design innovation, and regional priority. Buildings may achieve certification at the Certified, Silver, Gold, or Platinum levels.

(166) Libraries and Cultural Exhibits

See §14-601(4)(h) (Libraries and Cultural Exhibits).

(167) Light Source

The surface of the bulb, tube, or diode that generates light. The filament, gas, or other material through which electric current is passed to generate light is located inside the light source, and a fixture, housing, or enclosure is located outside the light source.

(168) Loading Space, Off-Street

Off-street spaces within a lot for the parking of a vehicle while loading or unloading merchandise or materials.

(169) Lot

A parcel of land consisting of a horizontal plane bounded by vertical planes that comprise its front, side, and rear lot lines, and that is intended or designed to be used, developed, or built upon as a unit.

(170) Lot Adjustment

The creation of new lots that all have street frontage on an existing legally open street shown on the City Plan; or the relocation of existing lot lines, including the combination of existing lots into fewer or differently configured lots.

(171) Lot, Corner
Any lot bounded by streets on two or more adjoining sides.

(172) Lot, Intermediate
Any lot other than a corner lot.

(173) Lot, Reverse Frontage
A lot extending between and having frontage on a major street or highway, and a residential street, with vehicular access solely from the residential street.

(174) Lot Area
14-202(7) (Lot Area).

(175) Lot Depth
See §14-202(8) (Lot Depth).

(176) Lot Frontage
See §14-203(318) (Street Frontage).

(177) Lot Width
See §14-202(10) (Lot Width).

(178) Lot Line
A boundary line delineating one lot from another lot, street, or any public or private means of vehicular or pedestrian traffic.

(179) Low Occupancy Facility
As used in the context of bicycle parking requirements, a building with no customer contact and less than one employee per every 10,000 sq. ft. of gross floor area.

(180) Maintenance and Repair of Consumer Goods
See §14-601(7)(i) (Maintenance and Repair of Consumer Goods).

(181) Marina
See §14-601(7)(j) (Marina).

(182) Marine-Related Industrial
See §14-601(10)(f) (Marine-Related Industrial).

(183) Master Plan
A land use development plan in the form of maps, text, and graphics for a Master Plan District, as set forth in Table 14-304-1.

(184) Mean Sea Level
The average height of the surface of the sea for all stages of the tide over a 19-year period, usually determined from hourly height readings. The mean sea level is used to determine zero datum by The United States Coast and Geodetic Survey.

(185) Medical Center
See §14-601(4)(g) (Hospital).

(186) Mezzanine
An intermediate level between floor and ceiling occupying a partial area of the floor space.

(187) Mining/Quarrying
See §14-601(10)(g) (Mining/Quarrying).

(188) Moldings and Belt Courses
Horizontal ornamental projections that may be placed anywhere on a building.

(189) Moving and Storage Facilities
See §14-601(9)(b) (Moving and Storage Facilities).

(190) Multi-Family Building
See §14-601(2)(a)(.3) (Multi-Family).

(191) Natural Resources Preservation
See §14-601(3)(a) (Natural Resources Preservation).

(192) Nightclubs and Private Clubs
See §14-601(7)(c)(.3) (Nightclubs and Private Clubs).

(193) Nonconformity
A land use, building, parking area, lot, sign, or site improvement that does not conform with the requirements of this Zoning Code because it was established before the adoption of zoning in Philadelphia (in 1933) or because it was lawfully established before a Zoning Code amendment was passed. (See also §14-305 (Nonconformities)).

(194) Nurseries and Greenhouses, Horticulture
See §14-601(11)(d) (Horticulture Nurseries and Greenhouses).

(195) Object
As used in Chapter 14-1000 (Historic Preservation): A material thing of functional, aesthetic, cultural, historic, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

(196) Occupied Area
See §14-202(12) (Occupied Area).

(197) Office
See §14-601(5) (Office Use Category).

(198) Office, Business and Professional
See §14-601(5)(a) (Business and Professional).

(199) Office, Government
See §14-601(5)(c) (Government).

(200) Office, Medical, Dental, and Health Practitioner
See §14-601(5)(b) (Medical, Dental, and Health Practitioner).

(201) On-Site Cultural Programming
On-site cultural programming established and funded by the endowment of a trust or other legally binding mechanism (i.e., lasting the life of the building). Eligible components for on-site cultural programs include:

(a) Performing Arts: theater, dance, and music;

(b) Literary Arts: poetry readings and storytelling;

(c) Media Arts: film and video screening and installations;

(d) Education: lectures and presentations about the arts;

(e) Special Events: festivals and celebrations; and

(f) Visual Arts.

(202) On-Site Public Art

Art that will last the life of the building, is original, and created by an artist specifically for the site, with public access. It may include, but shall not be limited to the following separately or in combination:

(a) Sculpture that is free-standing, wall supported or suspended, kinetic, electronic, etc., in any material;

(b) Murals or paintings in any material or variety of materials, with or without collage or additional non-traditional materials, markings, and means;

(c) Earthworks, waterworks, fiberworks, functional elements, furnishings, neon, glass mosaics, photography, prints, calligraphy, in any combination of forms of media including sound, film, holographic, and video systems; hybrids of any media and new genres;

(d) Lighting in any combinations of forms, except as required by §14-707 (Outdoor Lighting);

(e) Water features; and

(f) Environments, installations, infrastructure, and public spaces.

(203) On-Premise Dry Cleaning

14-601(7)(i)(.1) (On-Premise Dry Cleaning).

(204) One Year Rule

See §14-303(6)(g) (The One Year Rule).

(205) Open Area

See §14-202(13) (Open Area).

(206) Open Space, Public

Open space maintained for the use and enjoyment of the general public. See also §14-202(14) (Public Plaza or Open Space).

(207) Openings and Entranceways

An unobstructed space in a wall or fence, located at street level, that is designed and intended to allow access to or through a building and/or public space by the tenants of the building or the general public.

(208) Open Storage

Storage in the open air or within a structure without a roof.

(209) Parapet

That portion of a wall that extends above the roof line.

(210) Parcel

See §14-203(169) (Lot).

(211) Parking, Aisle

As used in the context of surface parking areas or parking structures, any area of a parking lot abutting a parking space that is used to provide vehicular ingress and egress between a parking space and a driveway.

(212) Parking, Mechanical Access

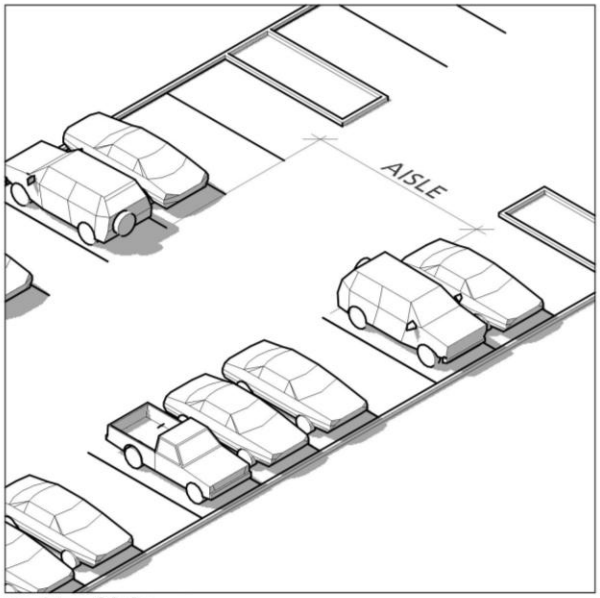
A parking lot or garage that employs parking machines, lifts, elevators, or other mechanical devices for vehicles moving from and to the street level, including the following:

(a) Automated Valet-Type Mechanical Access Parking

Mechanical parking lifts where the car is driven on to a pallet, and the pallet moves the car to a parking slot where the driver is not in the car and cannot access the space.

(b) Self Park-Type Mechanical Access Parking

Mechanical parking lifts where the parking space is accessed and operated directly by the driver, and no cars are removed from another space for access.



Parking Aisle

(c) Tandem Parking-Type Mechanical Access Parking

Mechanical parking lifts containing parking spaces used by two or more cars, where a car must be removed for ingress and egress of another car.

(213) Parking, Non-Accessory

See §14-601(7)(k) (Parking, Non-Accessory).

(214) Parking, Off-Street

An area or structure for the parking of motor vehicles.

(215) Parking Garage

A structure or part of a structure used primarily for the housing, parking, or storage of motor vehicles, but not including a carport.

(216) Parking Garage, Private Residence

A garage used for the parking, storage, housing, or keeping of up to three motor vehicles by the owner or tenant of the premises as an accessory use to a permitted residential use, and that includes a roof and walls on three sides and a vehicle entryway on the fourth side.

(217) Parking Garage, Private

A garage in which more than three motor vehicles may be parked, stored, housed, or kept and that is not used for transient public parking, but that is for the private use of the owners, tenants, customers, or visitors of a premises.

(218) Parking Garage, Public

A garage in which more than three motor vehicles may be parked, stored, housed, or kept for transient public parking, and where a fee is charged.

(219) Parking Lot

Any outdoor area or space for the parking of motor vehicles, including any spaces, aisles, and driveways appurtenant thereto.

(220) Parking Lot, Private

A parking lot where more than three motor vehicles may be parked or kept without any charge.

(221) Parking Lot, Public

A parking lot where more than three motor vehicles may be parked or kept for a charge, fee, or other consideration.

(222) Parks and Open Space

See §14-601(3) (Parks and Open Space Use Category).

(223) Passive Recreation

See §14-601(3)(b) (Passive Recreation).

(224) Patio

An open structure less than 12 in. above the ground that is located in the front yard, rear yard, or side yard of a property.

(225) Pawnshop

See §14-601(7)(g)(.1)(.b) (Pawnshop).

(226) Payday Loans

Short-term cash advances of $3,000 or less that are secured or facilitated by a consumer's personal check that is held for future deposit or by electronic access to the consumer's bank account. The term includes any form of such lending, notwithstanding the presence of some other element introduced to disguise the true nature of the transaction, such as the sale or provision of a good, service, or commodity incidental to the advance of funds, and notwithstanding the fact that the transaction is conducted in person, by mail, Internet, telephone, or through any other means. The term shall not include loans made by the customer's employer or an agent of that employer, a Licensed Gaming Facility, or by a federally- or Commonwealth-chartered bank, thrift, or credit union.

(227) Payday Lender

See §14-601(7)(g)(.1)(.c) (Payday Lender).

(228) Pent, Roof

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

(229) Performance Space

Space within a lot or building that is open and available to the public and that is designed and intended to be used for live presentations of performing arts or public presentations, speeches, debates, or discussions.

(230) Personal Care Home

See §14-601(2)(b)(.1) (Personal Care Home).

(231) Personal Communications System or PCS

Wireless telecommunications service providers that include voice, data, and video that occupy approximately the two Gigahertz spectrum.

(232) Personal Credit Establishment

14-601(7)(g)(.1) (Personal Credit Establishment).

(233) Personal Services

See §14-601(7)(l) (Personal Services).

(234) Pets and Pet Supplies, Retail Sales of

See §14-601(6)(e) (Pets and Pet Supplies).

(235) Pilaster

A rectangular, non-bearing decorative column attached to a building.

(236) Planning Commission

The Philadelphia City Planning Commission.

(237) Plat, Final

A complete and exact subdivision plan, prepared in form for official recording, to define property lines, proposed streets, and other improvements.

(238) Plat, Preliminary

A tentative subdivision layout, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a Final Plat.

(239) Plaza, Public

Space that is designed and intended to be used by the public, and that is open to the sky and directly accessible to the public street or public transit concourse. See also §14-202(14) (Public Plaza or Open Space).

(240) Plot Plan

A plan prepared primarily for development purposes that shows the location, dimensions, and bearings of parcels of ground, and that may also include dimensions of structures and distances between structures and lot lines.

(241) Pool or Billiards Room

See §14-601(7)(c)(.4) (Pool or Billiards Room).

(242) Porch

A covered but unenclosed projection from the main wall of a building that may or may not use columns or other ground supports for structural purposes.

(243) Premises

A lot including all buildings and structures erected on that lot.

(244) Prepared Food

Food that is assembled, but not cooked, on the premises. "Prepared food" includes such food items as sandwiches, wraps, sushi, ice cream, yogurt, smoothies, and coffee.

(245) Prepared Food Shop

See §14-601(7)(f)(.1) (Prepared Food Shop).

(246) Principal Building

A building in which the principal use of the lot on which the building is located is conducted.

(247) Principal Use

The main use and primary purpose of a lot or structure as distinguished from an accessory use.

(248) Property Data Map

A map showing all existing and planned conditions affecting the property to be subdivided that is required prior to the submission of an application for subdivision approval.

(249) Protected Use

Religious assemblies, monasteries, chapels, convents, rectories, religious article and religious apparel stores, residential uses, hotels, convention/civic centers, schools (up to and including the 12th grade, and their adjunct recreation areas/play fields), public playgrounds, public swimming pools, public parks, public recreation centers, and public libraries.

(250) Public Access

A means of physical approach available to the general public.

(251) Public, Civic, and Institutional

See §14-601(4) (Public, Civic, and Institutional Use Category).

(252) Public Interior Portion

As used in Chapter 14-1000 (Historic Preservation): An interior portion of a building or structure that is, or was designed to be, customarily open or accessible to the public, including by invitation. A public interior portion does not include an interior portion of a building or structure that was designed to be customarily open or accessible to the public, which interior portion has been significantly altered physically such that a substantial portion of the features reflecting design for public use no longer remain. Terminating use of an interior portion of a building or structure by the public shall not in and of itself constitute conversion of the design

of such interior portion. A public interior portion does not include the interior portions of a building which was designed to be and still is used exclusively as one or more private residences.

(253) Public Room
Public space that is totally within a building, but that allows for year-round, climate controlled use by the public, and that has direct access to the public street, transit concourses, and/or transit stations.

(254) Public Space
Space within a lot or building that is open and made available to the public and that is designed and intended to be used by the general public. The space may consist of open space, enclosed public space, public rooms, gardens, or connector public space.

(255) Public Transit Concourse
The network of interconnected spaces below the street level that provide ingress and egress to public transit or railway stations from street level or buildings.

(256) Radio, Television, and Recording Services
See §14-601(7)(m) (Radio, Television, and Recording Services).

(257) Rear Yard
See §14-202 (Yard, Rear (Depth of)).

(258) Re-Entry Facility
See §14-601(4)(i) (Re-Entry Facility).

(259) Registered Community Organization
A community organization that is registered with the City Planning Commission and maintains its registration in active status pursuant to rules established by the City Planning Commission.

(260) Religious Assembly
See §14-601(4)(j) (Religious Assembly).

(261) Research and Development
See §14-601(10)(h) (Research and Development).

(262) Residential Building
A building used for household living. See §14-601(2)(a) (Household Living).

(263) Restaurant, Sit Down
See §14-601(7)(f)(.3) (Sit-Down Restaurant).

(264) Restaurant, Take-Out
See §14-601(7)(f)(.2) (Take-Out Restaurant).

(265) Retail Sales
See §14-601(6) (Retail Sales Use Category).

(266) Retaining Wall
A structure designed to resist the lateral displacement of soil or other materials in order to protect property or prevent erosion.

(267) Right-of-Way
Land reserved for use as a street, interior walk, or for other public purpose.

(268) Safety Services
See §14-601(4)(k) (Safety Services).

(269) Setback, Front
The depth of the front yard.

(270) Setback, Rear
The depth of the rear yard.

(271) Setback, Side
The width of the side yard.

(272) Setback, Waterfront
The distance between the top-of-bank of a watercourse to the closest point of any structure.

(273) Setback Line, Front or Building
See §14-202(17) (Setback Line, Front or Building).

(274) Sight Distance
The maximum distance of unobstructed vision (in a horizontal or vertical plane) along a street from a vehicle located at any given point on the street.

(275) Sight Triangle
See §14-202(18) (Sight Triangle).

(276) Sign
A name, identification, description, emblem, device, or structure that is affixed to, printed on, or represented directly or indirectly upon a building, structure, or parcel of land; that is illuminated or non-illuminated; visible or intended to be visible from any public place; and that directs attention to a person, place, product, institution, business, organization, activity, or service. Signs shall also include any permanently installed or situated merchandise, including any banner, pennant, placard, or temporary sign, with the exception of window displays and national flags.

(277) Sign, Animated or Flashing
A sign with action or motion, flashing color changes, or upon which illumination is not maintained at a constant stationary intensity or color, not including wind activated elements such as flags and banners, nor a sign giving only time or temperature.

(278) Sign, Accessory
A sign containing copy that directs attention to information, identification, or advertisements strictly incidental to a lawful use of the premises on which the sign is located. This includes signs or devices indicating the business transacted, services rendered, goods sold or produced on the premises, and name or emblem of the person, firm, institution, organization, or activity occupying the premises.

(279) Sign, Awning

An accessory sign attached to or integrated into awning or canopy, but excluding a sign not exceeding one sq. ft. in size attached to or integrated into the underside of the awning or canopy identifying the manufacturer of the awning or canopy.

(280) Sign, Building Logo

An accessory sign containing copy limited to an identification of the building on which the sign is located, including corporate logos, building names, company names, or addresses.

(281) Sign, Commercial

A sign containing copy limited to a message that relates primarily to the economic interests of the publisher or its audience or directs attention to a business, industry, profession or commodity, product, or service offered for sale.

(282) Sign, Directional

A sign containing copy limited to a message that primarily directs pedestrian or vehicular traffic to a point of destination.

(283) Sign, Free-Standing

Any sign that is supported by a structure of one or more columns, uprights, or braces erected in or upon the ground.

(284) Sign, Highway Directional

An official highway directional sign or other official sign authorized by a city, state, or federal agency.

(285) Sign, Non-Accessory (Outdoor Advertising)

A commercial sign that is not an accessory sign.

(286) Sign, Non-Commercial

A sign other than a commercial sign.

(287) Sign, On-Premise

See §14-203(278) (Sign, Accessory).

(288) Sign, Portable

A sign designed, constructed, and intended to be moved from one location to another, on wheels or otherwise, and not affixed to a structure or the ground, but not including a sign affixed to an operating and currently registered motor vehicle.

(289) Sign, Projecting

A sign that extends more than 12 in. from the building or structure wall, that uses a building or structure wall as its main source of support, and whose copy is other than parallel to the building facing.

(290) Sign, Public Service

A sign that gives public service information such as time, date, temperature, weather, or similar information.

(291) Sign, Real Estate

A temporary sign that advertises the property upon which the sign is located as vacant, for sale, for rent, or otherwise available for disposition.

(292) Sign, Revolving

A sign, any portion of which rotates.

(293) Sign, Roof

A sign erected upon or above a roof or parapet wall of a building and that is supported by that building.

(294) Sign, Temporary

Any sign which is constructed of cloth, cardboard, or any materials other than glass, wood, or metal intended to be displayed for up to one year, including banners, pennants, advertising flags, and poster placards, but excluding political banners and banners informing the public of money-raising campaigns for charitable purposes.

(295) Sign, Wall

A sign that is in any manner affixed to, printed, or painted on any exterior wall of a building or structure, and that projects no more than 12 in. from the building or structure wall, and that does not extend above the parapet eaves or building facade; provided, the copy area of such signs remains parallel to the building facing on which it is located; and further provided, that signs erected upon and not extending more than three ft. above the roof or top of a marquee, canopy, or architectural projection shall be considered a wall sign.

(296) Sign Area

See §14-202(19) (Sign Area).

(297) Single-Room Residence

See §14-601(2)(b)(.2) (Single-Room Residence).

(298) Site

As used in Chapter 14-1000 (Historic Preservation): The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical, cultural, or archaeological value regardless of the value of any existing structure.

(299) Site Improvements

Physical features and improvements, other than buildings, structures, signs, and parking areas, that are required or regulated by this Zoning Code (e.g., landscape areas).

(300) Slope

The ratio of vertical to horizontal distance.

(301) Sole Medical, Dental, and Health Practitioner

See §14-601(5)(b)(.1) (Sole Medical, Dental, and Health Practitioner).

(302) Stables

See §14-601(7)(b)(.1) (Stables).

(303) Special Flood Hazard Area (SFHA)

An area in a floodplain subject to a one percent or greater chance of flooding in any given year. The SFHA is identified on the Flood Insurance Rate Map (FIRM) of the U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA) as Zones A, AO, A1-30, AE, A99 or AH.

(304) Special Flood Hazard Area, Approximate Zone A

An area designated as a Special Flood Hazard by a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM) of the U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA), but without identification of water surface elevation data or a floodway. The Approximate Zone A is identified on the FIRM as Zone A.

(305) Specified Anatomical Areas

Includes less than completely and opaquely covered: Human genitals, pubic region, buttocks, female breasts below a point immediately above the top of the areola, and human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(306) Specified Sexual Activities

Includes human genitals in a state of sexual stimulation or arousal, acts of human masturbation, sexual intercourse or sodomy, fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.

(307) Stormwater Management System

The designed features and facilities of a property that convey, store, or otherwise control stormwater runoff quality, rate, or quantity.

(308) Stormwater Runoff

The flow of water that results from, and that occurs during and immediately following, a rainfall, snow, or other form of precipitation.

(309) Story

See §14-202(21) (Story).

(310) Street

A strip of land, including the entire right-of-way, confirmed upon the City Plan, intended for use as a means of vehicular and/or pedestrian traffic, but not including limited access highways.

(311) Street, Cul-De-Sac

A street having but one vehicular access point to another street and terminated by a paved vehicular turn-around.

(312) Street, Major

A street that carries traffic, generally local, to or from the system of major highways or that serves as main circulation for a large area.

(313) Street, Major Highway

A street used primarily for traffic not local in destination.

(314) Street, Primary Residential

A street that serves the prime function of collecting or distributing residential traffic within a neighborhood or area.

(315) Street, Secondary Residential

A street that is used primarily for residential access.

(316) Street, Tertiary Residential

A street that provides access to homes on lots in excess of 20,000 sq. ft., having 100 ft. frontage at the building line, and having no house or garage located within 50 ft. of that right-of-way, or one that serves not more than six lots.

(317) Street, Marginal Access

A minor street, parallel and adjacent to a major street or major highway, providing access to abutting properties and controlling the location of intersections with that major street or highway.

(318) Street Frontage

The edge of a lot that is contiguous to any confirmed street.

(319) Street Line

The outward edge of a street confirmed on the City Plan.

(320) Streetscape

All elements that impact the character of streets and sidewalks, including, but not limited to, paving patterns, curbs and curb cuts, crosswalks, landscape plantings, and street furnishings, such as lighting and bicycle parking facilities.

(321) Streets Department

The Philadelphia Department of Streets.

(322) Structural Elements

The components of a building that are necessary to the stability of the building.

(323) Structure

(a) As used in Chapter 14-1000 (Historic Preservation): A work made up of interdependent and interrelated parts in a definite pattern of organization constructed by man and affixed to real property, including a public interior portion of a structure.

(b) For all other purposes: Any type or form of construction above the ground.

(324) Structured Parking, Non-Accessory

See §14-601(7)(k)(.2) (Structured Parking, Non-Accessory).

(325) Student

As used in §14-506 (/NCP, North Central Philadelphia Overlay District), the term "Student" shall have the meaning as defined under Chapter 10-1800 (Vicarious Liability for Student Conduct) of The Philadelphia Code.

(326) Studio

An enclosed space used by anyone engaged in artistic employment or instruction in painting, sculpture, photography, music, dancing, dramatics, literature, or the like.

(327) Subdivider

The owner or equitable owner, or authorized agent of the owner or equitable owner, of a property subdivided.

(328) Subdivision

A division of any part, lot, or area of land by the owner or his agent into three or more lots for the purpose of conveyance, transfer, improvement, or sale with or without appurtenant roads, streets, lanes, driveways, and ways dedicated or intended to be dedicated to public use, or the use of purchasers or owners of lots fronting on them. The term subdivision includes re-subdivision and, as appropriate, shall refer to the process of subdividing land or to the land so subdivided.

(329) Substantial Damage

As used in §14-704(4) (Flood Protection), damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

(330) Substantial Improvement

As used in §14-704(4) (Flood Protection), any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the ''start of construction'' of the improvement. This term includes structures which have incurred ''substantial damage'', regardless of the actual repair work performed.

(331) Sundries, Pharmaceuticals, and Convenience Sales

See §14-601(6)(f) (Sundries, Pharmaceuticals, and Convenience Sales).

(332) Surface Parking, Non-Accessory

See §14-601(7)(k)(.1) (Surface Parking, Non-Accessory).

(333) Tattoo Parlor

A body art service (See §14-601(7)(l)(.1) (Body Art Service)).

(334) Terrace

A patio (See §14-203(224) (Patio)).

(335) Through-Block Pedestrian Walkway

A walkway or corridor that is designed and intended to be used by the public, that provides public access through a building's public space. See also §14-702(6) (Public Space).

(336) Top-of-Bank

The first point at which the slope of the incline from the ordinary high water level of a water body changes by 10 degrees or more, as determined by a survey prepared by a licensed surveyor. If there is no major change within a distance of 50 ft. from

the ordinary high water level, then the top of bank will be the elevation two ft. above the ordinary high water level, as determined by a survey prepared by a licensed surveyor.

(337) Transit-Oriented Development (TOD) Area
An area designated as a transit-oriented development (TOD)

(338) Transit-Oriented Development (TOD) Primary Street
A primary public street of a commercial character that passes through the transit-oriented development node and is served by a fixed rail, elevated, or subway public transit route.

(339) Transit-Oriented Development (TOD) Secondary Street
A street that intersects a designated primary street.

(340) Transit-Oriented Development (TOD) Transit Station, Designated
A fixed rail, elevated, or subway public transit station that is located along a TOD Primary Street.

(341) Transit Station
See §14-601(4)(l) (Transit Station).

(342) Trash and Recycling Storage
An enclosure or container for the temporary storage of permitted waste, rubbish, and debris generated on site until those items can be transferred off site for recycling, reprocessing, or disposal.

(343) Trucking and Transportation Terminals
See §14-601(10)(i) (Trucking and Transportation Terminals).

(344) Undeveloped Land
Land having one or fewer dwelling units per acre or having structure(s) with an area of 5,000 or less sq. ft. per acre.

(345) Urban Agricultural
See §14-601(11) (Urban Agricultural Use Category).

(346) Utilities and Services, Basic
See §14-601(4)(m) (Utilities and Services, Basic).

(347) Utilities and Services, Major
See §14-601(4)(n) (Utilities and Services, Major).

(348) Vanpool
An arrangement in which two or more individuals commute together, typically to and from work, on a regular basis in a van that is owned or leased by one of the participating individuals or by a third party.

(349) Variance
A relief from the provisions of this Zoning Code that allows use or development of a lot outside the zoning provisions applicable to that lot.

(350) Vendor Stand

Any cart, table, trailer, equipment, or apparatus that is not a structure; that is designed and intended so as to not be a permanent fixture on a lot; that is used for the retail sale, display, and accessory advertising of merchandise or food; and that is not located on the right-of-way.

(351) Vehicle Equipment and Supplies Sales and Rentals

See §14-601(8)(f) (Vehicle Equipment and Supplies Sales and Rentals).

(352) Vehicle and Vehicular Equipment Sales and Services

See §14-601(8) (Vehicle and Vehicular Equipment Sales and Services Use Category).

(353) Vehicle Paint Finishing Shop

See §14-601(8)(g) (Finishing Shop).

(354) Vehicle Repair and Maintenance, Commercial

See §14-601(8)(a) (Commercial Vehicle Repair and Maintenance).

(355) Vehicle Repair and Maintenance, Personal

See §14-601(8)(d) (Personal Vehicle Repair and Maintenance).

(356) Vehicle Sales and Rentals, Commercial

See §14-601(8)(b) (Commercial Vehicle Sales and Rentals).

(357) Vehicle Sales and Rentals, Personal

See §14-601(8)(e) (Personal Vehicle Sales and Rentals).

(358) Visitor Accommodations

See §14-601(7)(n) (Visitor Accommodations).

(359) Visitable Dwelling Unit

A visitable dwelling unit is one that contains: (a) a step-free or accessible ground floor entrance on an accessible route that complies with ANSI A117.1 - 1998 section 4.8, and that has a maximum slope not to exceed 1:12; (b) all ground floor building entrance and ground floor interior doors, except those serving pantries and closets, with a minimum net clear opening of 32 in. when opened 90 degrees; (c) all ground floor interior doors equipped with levered hardware; and (d) all ground floor interior hallways with a minimum width of not less than 36 in., with ramped or beveled changes at door thresholds, and (e) at least one ground floor bathroom with toilet and sink designed and constructed so those using wheelchairs or walkers can enter and close the door behind them.

(360) Walkway

A clearly defined path for pedestrian movement between buildings, structures, destinations, and/or other walkways on or adjacent to a site.

(361) Warehouse

See §14-601(9)(c) (Warehouse).

(362) Water Department

The Water Department of the City of Philadelphia.

(363) Wearing Apparel and Accessories
See §14-601(6)(g) (Wearing Apparel and Accessories).

(364) Wholesale, Distribution, and Storage
See §14-601(9) (Wholesale, Distribution, and Storage Use Category).

(365) Wholesale Sales and Distribution
See §14-601(9)(d) (Wholesale Sales and Distribution).

(366) Wireless Antenna, Building or Tower-Mounted
See §14-601(4)(o)(.2) (Building or Tower-Mounted Antennas).

(367) Wireless Service Facility
See §14-601(4)(o) (Wireless Service Facility).

(368) Wireless Services
Any PCS, cellular service, paging service, or any other wireless telecommunications service, provided, however, that this definition shall not include satellite dishes or other service exempted from regulation under the federal Telecommunication Act of 1996.

(369) Wireless Tower, Freestanding
See §14-601(4)(o)(.1) (Freestanding Towers).

(370) Yard
An unoccupied area, open and unobstructed from the ground, on the same lot as a building.

(a) Front Yard
A yard located between the street line and the front of any structure (not including fences).

(b) Rear Yard
A yard located between the extreme rear line of any building or structure (not including fences) and the closer of: 1) the extreme rear line of the lot, or 2) the nearest side line of a street, shared driveway, or alley.

(c) Side Yard
A yard between any structure (not including fences) and the side line of the lot, or the nearest side line of a street, shared driveway, or alley, extending from the front yard to the rear yard.

(371) Zoning Board of Adjustment
The Philadelphia Zoning Board of Adjustment.

Chapter 14-300 Administration and Procedures

§14-301 Reviewers and Decision Makers 3-1
(1) Purpose 3-1
(2) City Council 3-1
(3) City Planning Commission 3-1
(4) Zoning Board of Adjustment 3-3
(5) Department of Licenses and Inspections 3-4
(6) Board of License and Inspection Review 3-4
(7) Historical Commission 3-4
(8) Art Commission 3-4
(9) Streets Department 3-5
(10) Water Department 3-5
§14-302 Procedures Summary Table 3-6
§14-303 Common Procedures and Requirements 3-7
(1) Authority to File Applications 3-7
(2) Application Materials 3-8
(3) Application Fees 3-8
(4) Consultations 3-8
(5) Code Interpretations 3-8
(6) Zoning Permits 3-9
(7) Special Exception Approval 3-13
(8) Zoning Variances 3-15
(9) Conditions on Approvals 3-19
(10) Lapse of Permits and Approvals 3-20
(11) Inactive Applications 3-20
(12) Neighborhood Notice and Meetings 3-20
(13) Public Notice 3-23
(14) Public Hearings of the Zoning Board of Adjustment 3-26
(15) Appeals 3-27
§14-304 Specific Procedures 3-29
(1) Authority to Prepare and Adopt the Comprehensive Plan 3-29
(2) Comprehensive and Other Plan Adoption 3-30
(3) Zoning Map and Text Amendments 3-31
(4) Amendments to Master Plans 3-36
(5) Civic Design Review 3-37
(6) Lot Adjustments 3-42
(7) Subdivisions and Subdivision Plats 3-43
(8) Designation of Historic Structure or District 3-45
(9) Construction, Alteration, or Demolition in a Historic Area 3-45
§14-305 Nonconformities 3-45
(1) Purpose 3-45
(2) Types of Nonconformities 3-45
(3) Exceptions 3-45
(4) General Requirements 3-46
(5) Nonconforming Uses 3-46
(6) Nonconforming Structures 3-48
(7) Nonconforming Lots 3-51

(8) Nonconforming Accessory Signs....3-51
(9) Nonconforming Parking or Site Improvements....3-52
(10) Reconstruction of Destroyed Structures....3-52
§14-306 Enforcement....3-52
(1) Enforcement....3-52
(2) Penalties....3-56

§14-301 Reviewers and Decision Makers

(1) Purpose

This section summarizes the roles and responsibilities of appointed and elected government officials and bodies primarily involved in the administration of this Zoning Code. Additional officials or agencies may be involved based on the character of the application or the size or type of development involved. No provision of this section adds to or detracts from a power, duty, or responsibility granted to any board, commission, department, committee, or agency of the City by a grant of power, duty, or responsibility in another section of the Philadelphia Home Rule Charter or The Philadelphia Code. In the case of any conflict between the provisions of this §14-301 (Reviewers and Decision Makers) and other provisions of the Philadelphia Home Rule Charter or The Philadelphia Code, including this Zoning Code, the latter shall govern.

(2) City Council

(a) General Authority

The City Council serves as the legislative body for the City of Philadelphia. The powers of the City Council relating to this Zoning Code are established in §§1-101 and 2-307 of the Philadelphia Home Rule Charter.

(b) Authority for Final Action

The City Council is responsible for final action regarding:

(.1) Amendments to the text of this Zoning Code or the official zoning map. See §14-304(3) (Zoning Map and Text Amendments).

(.2) Master plans and major amendments to master plans in master plan districts. See §14-304(3)(e) (Special Provisions for Master Plan Districts) and §14-304(4)(c) (Action by City Council on Major Amendments).

(3) City Planning Commission

(a) General Authority

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

(b) Authority for Final Action

The Commission is responsible for final action regarding:

(.1) A Comprehensive Plan for the City and amendments to that plan. See §14-304(2) (Comprehensive and Other Plan Adoption).

(.2) Other plans for specific areas, facilities, services, or aspects of development in the City, and amendments to those plans. See §14-304(2) (Comprehensive and Other Plan Adoption).

(.3) Minor Amendments to master plans in master plan districts. See §14-304(4)(b) (Action by the Commission on Minor Amendments).

(.4) Land subdivision plans. See §14-304(7) (Subdivisions and Subdivision Plats).

(c) Review and Prerequisite Approval Authority

(.1) The Commission provides prerequisite approvals for:

(.a) Zoning permits regarding lot adjustments. See §14-304(6) (Lot Adjustments).

(.b) Building permits and certificates of occupancy for new uses and changes of use in the SP-ENT, Entertainment (Special Purpose) District. See §14-405(9)(a) (Review Procedure).

(.c) Building permits regarding facades in certain subareas of the /CTR Overlay District. See §14-502(8)(a) (Planning Commission Review).

(.d) Building permits regarding facades in the Ridge Avenue /NCA Neighborhood Commercial Area Overlay district. See §14-503(6)(c) (Façade Controls).

(.e) Building permits in the /NCO Neighborhood Conservation Overlay district. See §14-504(3) (Planning Commission Review).

(.f) Zoning permits regarding certain uses in the /DRC, Delaware River Conservation Overlay district. See §14-508(2)(b) (Uses Requiring Planning Commission Approval).

(.g) Building permits regarding site layout and landscape plans in the /CAO, City Avenue Overlay district. See §14-509(3)(r) (Development Design Standards).

(.h) Zoning permits in the /WWO Wissahickon Watershed Overlay district. See §14-510 (/WWO, Wissahickon Watershed Overlay District).

(.i) Zoning permits regarding CMX-4 and CMX-5 lots subject to compliance with the sky plane controls of this Zoning Code. See §14-701(5)(b) (Option A: Sky Plane Controls).

(.j) Zoning permits regarding steep slopes. See §14-704(2) (Steep Slope Protection).

(.k) Zoning permits for construction and earth-moving activity along watercourses subject to flooding. See §14-704(4) (Flood Protection).

(.l) Zoning permits regarding parking garages in RMX-3, CMX-4 and CMX-5 districts. See §14-803(4)(b)(.4) (Parking Garages in RMX-3, CMX-4, and CMX-5 Districts).

(.m) Zoning permits regarding landscape and screening for parking lots and garages. See §14-803(5) (Parking Landscape and Screening).

(.n) Zoning permits regarding illuminated, flashing, or revolving signs in the Market Street East Advertising District. See §§14-906 (Market Street East Advertising District).

(.2) The Commission reviews and makes recommendations to the authority responsible for final action regarding:

(.a) Amendments to the text of this Zoning Code or the official zoning map. See §14-304(3) (Zoning Map and Text Amendments).

(.b) Master plans and major amendments to master plans in master plan districts. See §14-304(3)(e) (Special Provisions for Master Plan Districts) and §14-304(4)(c) (Action by City Council on Major Amendments).

(.c) Variances. See §14-303(8) (Zoning Variances).

(.d) Special exceptions. See §14-303(7) (Special Exception Approval).

(.3) The Commission may recommend, as appropriate, conditions consistent with §14-303(9) (Conditions on Approvals) on the items set forth in §14-301(3)(c)(.1) and §14-301(3)(c)(.2) above.

(d) Other Authority

Other responsibilities of the Commission related to this Zoning Code include:

(.1) Preparing proposed zoning ordinances and maps and amendments to zoning ordinances and maps for consideration by City Council. See §4-601 of the Philadelphia Home Rule Charter.

(.2) Preparing regulations governing the subdivision of land for consideration by City Council. See §4-603 of the Philadelphia Home Rule Charter.

(.3) Establishing and maintaining an annual registry of Registered Community Organizations. See §14-303(12)(a) (Registered Community Organizations).

(e) Civic Design Review Committee

(.1) General Authority

The Civic Design Review Committee is established pursuant to §14-304(5)(a) (Civic Design Review Committee).

(.2) Review Authority

The Civic Design Review Committee reviews and makes advisory recommendations on zoning applications regarding developments requiring Civic Design Review under §14-304(5) (Civic Design Review).

(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 of the Philadelphia Home Rule Charter and §14-103(4) (Zoning Board of Adjustment).

(b) Authority for Final Action

(.1) The Zoning Board is responsible for final action regarding:

(.a) Appeals pursuant to §14-303(15) (Appeals).

(.b) Variances. See §14-303(8) (Zoning Variances)).

(.c) Special exceptions. See §14-303(7) (Special Exception Approval).

(.2) The Zoning Board may impose conditions consistent with §14-303(9) (Conditions on Approvals) on items §14-301(4)(b)(.1)(.a) through §14-301(4)(b)(.1)(.c) above.

(5) Department of Licenses and Inspections

(a) General Authority

L&I is established by §3-100 of the Philadelphia Home Rule Charter and has those powers set forth in §14-103(3) (Department of Licenses & Inspections).

(b) Authority for Final Action

L&I is responsible for final action regarding zoning permits. See §14-303(6) (Zoning Permits).

(6) Board of License and Inspection Review

(a) General Authority

The Board of License and Inspection Review is established by §3-100 of the Philadelphia Home Rule Charter.

(b) Authority for Final Action

The Board of License and Inspection Review has responsibility for final action regarding appeals of decisions of the Historical Commission. See §14-1008 (Appeals).

(7) Historical Commission

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).

(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 of the Philadelphia Home Rule Charter.

(b) Prerequisite Approval Authority

The Art Commission provides prerequisite approvals for:

(.1) Building permits regarding the erection or alteration of any building or other construction, including open spaces, abutting the Benjamin Franklin Parkway Area or the Independence Hall Area of the /CTR overlay district as set forth in §14-502(8) (Special Review Areas).

(.2) Zoning permits regarding signs in the following areas:

(.a) The Convention Center Area, Center City Commercial Area, Parkway Buffer, South Street/Head House Square Area, Vine Street Area, Washington Square, and Independence Hall Area of

the /CTR overlay district, as set forth in §14-502(7) (Sign Regulations);

(.b) The Passyunk Avenue area of the /NCA overlay district set forth in §14-503(5) (Passyunk Avenue); and

(.c) The Cobbs Creek Parkway, Roosevelt Boulevard Area, and Fairmount Park Area set forth in §14-904(7) (Signs Requiring Special Review and Approval).

(.3) Zoning permits regarding public art submitted to meet the requirements of §14-405 (SP-ENT, Entertainment (Special Purpose) District).

(.4) Zoning permits regarding public art submitted to meet floor area bonus provisions of §14-702 (Floor Area Bonuses).

(9) Streets Department

(a) General Authority

The Streets Department is established by §3-100 of the Philadelphia Home Rule Charter and has those powers set forth in Title 11 and Title 12 of The Philadelphia Code.

(b) Prerequisite Approval Authority

The Streets Department provides prerequisite approvals for:

(.1) Zoning permits regarding open-air parking that provides spaces for more than three vehicles as required by §14-803(4)(a)(.3) (Approval by the Streets Department).

(.2) Parking elements of SP-ENT master plans. See §14-405 (SP-ENT, Entertainment (Special Purpose) District).

(.3) Parking elements of SP-STA master plans. See §14-406 (SP-STA, Sports Stadium (Special Purpose) District).

(.4) Zoning permits regarding parking garages in RMX-3, CMX-4 and CMX-5 districts. See §14-803(4)(b)(.4) (Parking Garages in RMX-3, CMX-4, and CMX-5 Districts).

(.5) Zoning permits regarding bicycle parking facilities in the public right-of-way that are proposed to satisfy the bicycle parking requirements of §14-804 (Bicycle Parking).

(10) Water Department

(a) General Authority

The Water Department is established by §3-100 of the Philadelphia Home Rule Charter.

(b) Review Authority

The Water Department provides prerequisite approvals for zoning and building permits regarding:

(.1) Stormwater runoff, erosion, and sedimentation impacts. See §14-704(3) (Stormwater Management).

(.2) Requests for additional impervious surfaces in the /WWO overlay district. See §14-510 (/WWO, Wissahickon Watershed Overlay District).

§14-302 Procedures Summary Table

Table 14-302-1 summarizes the roles of the recommending and decision bodies listed in §14-301 (Reviewers and Decision Makers) in specific types of Zoning Code applications. In the event of conflict between the provisions of that table and the text of this Zoning Code, the text shall govern.

(1) In Table 14-302-1 (Procedures Summary Table), the following abbreviations have the following meanings:

(a) The letter **"S"** indicates that sign notice of the application must be provided pursuant to §14-303(13)(c) (Sign Notice).

(b) The letter **"N"** indicates that newspaper notice of the application must be provided pursuant to §14-303(13)(d) (Newspaper Notice).

(c) The letter **"W"** indicates that web notice of the application must be provided pursuant to §14-303(13)(e) (Web Notice).

(d) The letter **"R"** indicates that the body has authority to make a recommendation to another body regarding the application, but does not have the power to make a decision on the application. Generally, recommendations are not final decisions subject to appeal under §14-303(15) (Appeals).

(e) The letter **"D"** indicates that the body has authority to make a decision regarding the application.

(f) The letter **"A"** indicates that the body is authorized by either the Philadelphia Home Rule Charter, The Philadelphia Code, or the laws of Pennsylvania to hear appeals of that type of decision.

(g) The letter "**P**" indicates that the body has the authority to provide prerequisite approval regarding the application.

(2) This table is not intended to create or grant legal rights different from those established by other sections of The Philadelphia Code, but to clarify how existing laws of the City and Commonwealth apply to these types of applications.

Table 14-302-1: Procedures Summary Table

Type of Application	Code Section	Notice Required §14-303(13) **N** = Newspaper **S** = Sign **W** = Web	Neighborhood Notice and Meeting Required? §14-303(12) **Y** = Yes	Recommendation, Decision, and Appeal Authority **R** = Recommendation **P** = Prerequisite approval **D** = Decision **A** = Appeal				
				L&I	Zoning Board	Civic Design Review Committee	Commission	Council
Zoning Permits	§14-303(6)			D	A			
Special Exception Approval	§14-303(7)	S	Y		D		R	

Type of Application	Code Section	Notice Required §14-303(13) **N** = Newspaper **S** = Sign **W** = Web	Neighborhood Notice and Meeting Required? §14-303(12) **Y** = Yes	Recommendation, Decision, and Appeal Authority **R** = Recommendation **P** = Prerequisite approval **D** = Decision **A** = Appeal				
				L&I	Zoning Board	Civic Design Review Committee	Commission	Council
Zoning Variance	§14-303(8)	S	Y		D		R	
Zoning Amendment								
Map Amendment	§14-304(3)	N					R	D
Text Amendment	§14-304(3)	N					R	D
Master Plan Amendments								
Minor Amendments	§14-304(4)	W					D	
Major Amendments	§14-304(4)	N					R	D
Civic Design Review	§14-304(5)	W	Y			R		
Lot Adjustments	§14-304(6)			D			P	
Subdivisions	§14-304(7)						D	

§14-303 Common Procedures and Requirements

Procedures that are common to several types of applications for permits, approvals, or variances are provided for in this section.

(1) Authority to File Applications

(a) Zoning Text or Map Amendment

Any person or entity, including the Commission or a department or agency of the City, may request that the City Council enact an amendment of the text of this Zoning Code or the official zoning map, pursuant to §14-304(3) (Zoning Map and Text Amendments).

(b) Other Applications

An application for any other approval listed in §14-304 (Specific Procedures) may only be filed by (a) a department or agency of the City or (b) the property owner, except as provided in §14-303(1)(c) (Equitable Owners, Authorized Agents, and Conservators). Applications for an interpretation of this Zoning Code are subject to the provisions of §14-303(5) (Code Interpretations).

(c) Equitable Owners, Authorized Agents, and Conservators

(.1) Notwithstanding the provisions of §14-303(1)(b) (Other Applications) above, whenever the legal owner of real property is authorized to file an application under this Zoning Code, that application may also be filed by:

(.a) Any person or entity with written documentation of equitable ownership of that real property.

(.b) A conservator of the property pursuant to Act 135 of 2008, 68 P.S. §§1101 to 1111.

(.c) Any person or entity, other than a real estate agent, but including a tenant or licensed contractor, with signed written authorization from the legal owner, equitable owner, or conservator of the property pursuant to 68 P.S. §§1101 to 1111 (2008).

(.2) Except as provided in §9-2202 of The Philadelphia Code, no person or entity other than a legal owner, equitable owner, conservator, or tenant of the property shall file an application under this Zoning Code without first obtaining an expediter's license from L&I pursuant to §9-2203 of The Philadelphia Code.

(.3) Each application filed pursuant to this §14-303(1)(c) (Equitable Owners, Authorized Agents, and Conservators) is hereby deemed an application filed on behalf of the legal owner of the property and on behalf of any equitable owner of the property with an interest in the application. All filings or statements submitted in support of such application are hereby attributed to the legal owner and to any equitable owner with an interest in the application.

(2) Application Materials

The applicant shall file, if appropriate, a plan in duplicate drawn to scale showing the actual lot dimensions, use or intended use, height or size, and location of the building or buildings on the lot, together with such other information and data as L&I may require. L&I shall state on the City's website the application materials required by L&I to review an application for compliance with this Zoning Code. If upon review of an application, L&I determines that the application does not contain all of the required materials, L&I shall inform the applicant of the additional materials necessary to demonstrate compliance with this Zoning Code.

(3) Application Fees

Each application for a permit or approval pursuant to this Zoning Code shall require the payment of a fee in accordance with the fee schedule set forth in Chapter 9 of the Philadelphia Administrative Code, Title 4, Subcode "A". The schedule of fees may be obtained from L&I or from the City's web site.

(4) Consultations

L&I, the Zoning Board, or the Commission may consult with any other department or agency of the City government to seek advice on any aspect of an application that is under the jurisdiction of that department or agency of the City government. Such consultations of the Zoning Board shall be on the record.

(5) Code Interpretations

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

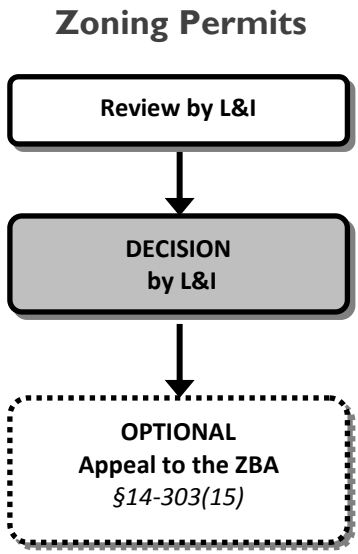
(b) A request for a written interpretation shall be made in writing and be filed with L&I, and a response to the request shall be provided by L&I within 60 days.

(c) L&I may consult with the Commission, the Law Department, or any other department or agency of the City, as necessary, before it issues the written interpretation.

(d) The written interpretation of L&I shall be posted on L&I's web site within one week after its issuance and shall be transmitted to the applicant at the street address or electronic address stated on the application.

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

(6) Zoning Permits



(a) Applicability

This section applies to all applications where the decision on a permit is to be made by L&I, including but not limited to those specific decisions listed in §14-303(6)(b) (Types of Zoning Permits). Zoning permits confirm that the application complies with all applicable provisions of this Zoning Code. L&I shall have authority to issue the permits and approvals listed in this §14-303(6) (Zoning Permits):

(.1) Regardless of whether the existing lot, structure, or use is currently in conformance with the provisions of this Zoning Code; and

(.2) Regardless of whether the existing lot, structure, or use is currently the subject of a variance, permit, certificate, special exception, or proviso issued by the Zoning Board, provided that the application shall be consistent with the terms of that variance, permit, certificate, special exception, or proviso. If the application is not consistent with or would require a modification of the terms of a variance, permit, certificate, special exception or proviso approved by the Zoning Board, or otherwise not consistent with this Zoning Code, the application shall be denied and referred to the Zoning Board for action pursuant to the applicable section.

(b) Types of Zoning Permits

Specific types of zoning permits issued by L&I include but are not limited to the following:

(.1) Zoning permits, which permit the proposed structure, site improvement, construction, or sign.

(.2) Use registration permits, which permit the proposed land use.

(c) Optional Conditional Zoning Approval Process

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:

(.a) The use regulations of Chapter 14-600 (Use Regulations), Chapter 14-500 (Overlay Zoning Districts), and §14-513(4) (Use Regulations);

(.b) The dimensional standards of §14-701 (Dimensional Standards) and Chapter 14-500 (Overlay Zoning Districts);

(.c) The floor area bonus provisions of §14-702 (Floor Area Bonuses), as applicable;

(.d) The open space and natural resource protection standards of §14-704(2) (Steep Slope Protection), §14-704(4) (Flood Protection), and §14-704(5) (Stream Buffers), as applicable;

(.e) The standards in §14-705 (Landscape and Trees) that regulate (a) required landscape areas (including the required number of trees and plants to be provided in the required landscape area) or (b) required number and caliper of trees to be planted, preserved and replaced, but excluding (c) required plant or tree species, irrigation system specifications, buffer heights, and buffer wall or fence materials;

(.f) The subdivision regulations of §14-708 (Subdivision Standards), as applicable;

(.g) The parking and loading regulations of §14-801 (Purpose, Applicability, and General Standards), §14-802 (Motor Vehicle Parking Ratios), §14-803 (Motor Vehicle Parking Standards), except for §14-803(4) (Parking Design Standards) and §14-803(5) (Parking Landscape and Screening), §14-804 (Bicycle Parking Ratios and Standards) §14-805 (Drive-Throughs and Vehicle Stacking Areas), and §14-806 (Off-Street Loading); and

(.h) Any approved master plan, as applicable.

(.2) The issuance of a conditional zoning approval does not imply that the application does or will be able to comply with the provisions of the Zoning Code that are not included in the conditional zoning approval

review nor does it obligate the City to approve a zoning permit or to grant any variance required to permit development consistent with the conditional zoning approval.

(.3) L&I's decision on an application for a conditional zoning approval is not a final decision that may be appealed to the Zoning Board.

(.4) Following the issuance of a conditional zoning approval, the applicant shall attach the conditional zoning approval to the subsequent zoning permit application. L&I shall issue a zoning permit if the application is consistent with the conditional zoning approval and complies with all provisions of this Zoning Code. L&I shall not issue a zoning permit if the application varies from the approved conditional zoning approval, but shall instead review the application through a one-stage process.

(.5) If a conditional zoning approval is subject to the Civic Design Review Process in §14-304(5) (Civic Design Review), that process (and the related neighborhood notice and meetings required under §14-303(12) (Neighborhood Notice and Meetings)) shall be completed prior to the issuance of the zoning permit. At the applicant's option, the applicant may initiate and complete Civic Design Review before or after the issuance of the conditional zoning permit. If the Civic Design Review Process is completed prior to the issuance of the conditional zoning approval, it need not be repeated as part of the subsequent zoning permit review.

(d) Criteria for Approval

(.1) Except as provided in §14-303(6)(d)(.2) below, L&I shall approve the application only if it determines that it complies with the following criteria.

(.a) The application complies with all provisions of the Zoning Code applicable to the conditional zoning approval or zoning permit included in the application and is consistent with the terms of all variances, permits, certificates, special exceptions, or provisos previously issued by the Zoning Board for the uses, structures, and property involved in the application.

(.b) If a variance, permit, certificate, special exception, or proviso previously issued by the Zoning Board conflicts with the provisions of this Zoning Code, the previously issued variance, permit, certificate, special exception, or proviso shall govern.

(.c) If the application is in a master plan district listed in Table 14-304-1 (Master Plan Districts), the Commission shall review the application and accompanying plans and determine that the proposed development is consistent with the approved master plan.

(.2) If the application is for (a) "reasonable accommodation" under the federal Fair Housing Act Amendments of 1988 (42 U.S.C.S. 3601 et. seq.)

or (b) a site or structure modification required to comply with the Americans with Disabilities Act of 1990 (42 U.S.C.A. 12101 et. seq.), approval of such application shall permit the least modification of this Zoning Code that will accommodate the proposed structure or facility, if required by federal law.

(e) Action by L&I

L&I shall review each application under this section and shall approve or deny the application pursuant to the criteria in §14-303(6)(d) (Criteria for Approval). L&I is authorized to list additional requirements not already stated on an application that are necessary to bring the application into compliance with this Zoning Code.

(f) Posting of Permits

Upon receipt of any permit under this Zoning Code, the permit holder shall post a true copy of the permit on the subject property, along each street frontage (unless impractical) in a place and manner conspicuous to the public, for no less than thirty (30) days.

(g) The One Year Rule

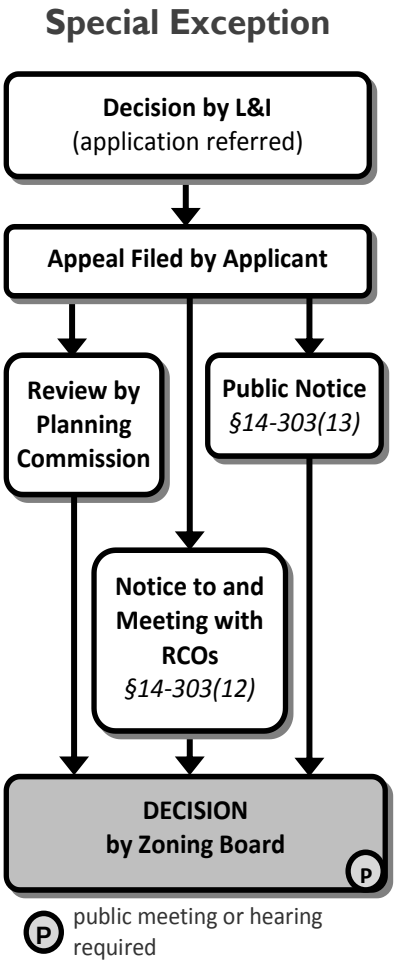
(.1) L&I shall determine whether a substantially similar application for the same property was finally denied within one year prior to the date of the application, or whether an appeal is pending (either before the Zoning Board or before a court) of the denial of a substantially similar application. If such a determination is made and if the application is not one that L&I may grant as of right under this Zoning Code, then L&I shall deny the application and note on the application "Denied - One Year Rule."

(.2) The issuance of a refusal or referral denoted, "Denied - One Year Rule," may be appealed to the Zoning Board. On such an appeal, the Zoning Board shall hold a hearing limited to two issues: (i) whether L&I properly applied the One Year Rule; and (ii) whether, because of materially changed circumstances, the application should be considered notwithstanding the One Year Rule. Following a public hearing pursuant to §14-303(14) (Public Hearings) the Zoning Board shall make a decision limited to those two issues.

(.3) If the Zoning Board's decision is that the application should not be denied on the basis of the One Year Rule, then the Zoning Board shall consider the appeal on the merits in accordance with its usual procedures, including the holding of an additional hearing in accordance with §14-303(14) (Public Hearings) for which posting notice of the additional hearing shall be required in accordance with §14-303(13)(c)(.3)(.b) (Continued Hearing) and applicable Zoning Board regulations, but for which no additional fee shall be imposed.

(.4) The failure of L&I to deny an application on the basis of the One Year Rule may be raised by any affected party in an appeal from L&I's issuance of a permit or in an appeal to the Zoning Board from L&I's refusal to issue a permit for reasons other than application of the One Year Rule.

(7) Special Exception Approval



(a) Applicability

The procedures of this subsection apply to all applications for uses authorized by special exception.

(b) Referral by L&I

Once a use application has been filed with L&I, and L&I confirms that the use is subject to the special exception approval procedures of this §14-303(7) (Special Exception Approval) and L&I provides a referral to the applicant, the applicant has 30 days to file an appeal to the Zoning Board for special exception approval.

(c) Review by the Commission

The Commission shall review each application for a special exception and shall make a recommendation to the Zoning Board as to whether the application meets the criteria for a special exception listed in §14-303(7)(e) (Criteria for Review and Action by the Zoning Board) and all applicable requirements for the proposed use, including any use-specific standards in §14-603 (Use-Specific Standards).

(d) Hearing and Action by the Zoning Board

Following the filing with the Zoning Board of an application for a special exception, the applicant shall provide public notice in accordance with §14-303(13) (Public Notice), and the Zoning Board shall hold a public hearing pursuant to §14-303(14) (Public Hearings). The applicant shall also notify any Registered Community Organization(s) of the application for a special exception and meet with such Registered Community Organization(s) in accordance with §14-303(12) (Neighborhood Notice and Meetings). The Zoning Board may approve, approve with conditions, consistent with §14-303(9) (Conditions on Approvals), or disapprove the application.

(e) Criteria for Review and Action by the Zoning Board

The Zoning Board must approve, or approve with conditions, the application for a special exception if it determines that the criteria in §14-303(7)(e)(.1) and §14-303(7)(e)(.2) below have been met, unless the Zoning Board finds that the objectors, if any, satisfied the criteria in §14-303(7)(e)(.3).

(.1) Specific Conditions of Use

The applicant shall have the initial duty of presenting evidence, and the burden of proof, that the proposed use meets the definition for a use permitted by special exception, that all dimensional standards are satisfied, and that the application complies with all the criteria and meets all the conditions applicable to the proposed use, including all applicable use-specific standards in §14-603 (Use-Specific Standards).

(.2) Specific Detrimental Impacts on the Neighborhood

The applicant shall have the initial duty of presenting objective evidence, and the burden of proof, that the grant of a special exception will not cause the following specific detrimental impacts to the neighborhood beyond that which normally might be expected from the proposed use:

(.a) Congestion in the public streets or transportation systems;

(.b) Overcrowding the land;

(.c) Impairing an adequate supply of light and air to adjacent property;

(.d) Burdening water, sewer, school, park, or other public facilities;

(.e) Impairing or permanently injuring the use of adjacent conforming properties;

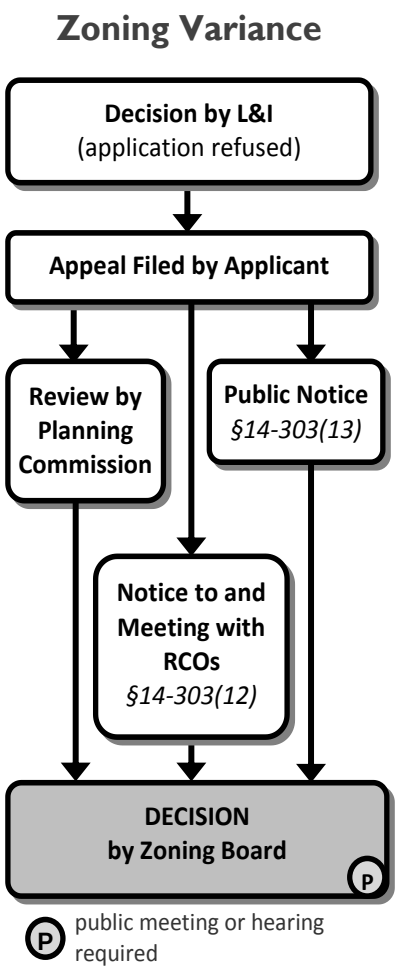
(.f) Endangering the public health or safety by fire or other means; or

(.g) Inconsistency with the Comprehensive Plan of the City.

(.3) General Detrimental Impacts on the Neighborhood

Once the applicant meets such initial duty and burden of proof, the objectors, if any, shall have the duty of presenting objective evidence, and the burden of proof, that the proposed use is substantially likely to cause a detrimental impact on the health, safety, and welfare of the neighborhood exceeding that which normally might be expected from the proposed use. The objectors also may present evidence, and have the burden of proof, that the proposed use fails to conform with the purpose, spirit, and intent of this Zoning Code.

(8) Zoning Variances



(a) Applicability

The procedures of this subsection apply to all applications for a variance from the terms of this Zoning Code as they affect a specific lot, but not including applications for (a) waivers from the subdivision standards, which are not subject to Zoning Board review and which are addressed in §14-304(7)(h) (Waiver of Subdivision Standards), and (b) variations from the historic preservation regulations, which are not subject to Zoning Board review and which are addressed in Chapter 14-1000 (Historic Preservation).

(b) Refusal by L&I

Once a zoning permit application has been filed with L&I, and L&I confirms that the application does not comply with one or more provisions of the Zoning Code and provides a refusal to the applicant, the applicant has 30 days to file an appeal to the Zoning Board for variance approval.

(c) Review by the Commission

The Commission shall review each application for a variance and shall make a recommendation to the Zoning Board as to whether the application meets the general criteria for a variance listed in subsection §14-303(8)(e) (Criteria for Approval) as well as any specific criteria in subsections §14-303(8)(f) (Additional Criteria for Floodplain Variances) through §14-303(8)(h) (Additional Criteria for Height Variances Near the Airport) applicable to the type of use or facility for which the variance request is made.

(d) Hearing Before the Zoning Board

Following the filing with the Zoning Board of an application for a variance, the applicant shall provide public notice in accordance with §14-303(13) (Public Notice), and the Zoning Board shall hold a public hearing pursuant to §14-303(14) (Public Hearings). The applicant shall also notify any Registered Community Organizations of the application for a variance and meet with such Registered Community Organization(s) in accordance with §14-303(12) (Neighborhood Notice and Meetings).

(e) Criteria for Approval

The Zoning Board shall grant a variance only if it determines that the applicant has demonstrated that the criteria of this §14-303(8)(e) (Criteria for Approval) have been met and that any applicable criteria in subsections §14-303(8)(f) (Additional Criteria for Floodplain Variances) through §14-303(8)(h)

(Additional Criteria for Height Variances Near the Airport) have been met. Otherwise, the Zoning Board shall deny the variance.

(.1) General Criteria

The Zoning Board may grant a lesser variance than requested, and may attach such reasonable conditions and safeguards as it may deem necessary to implement this Zoning Code, including without limitation a limitation on the size or duration of the variance, consistent with §14-303(9) (Conditions on Approvals). The Zoning Board shall, in writing, set forth each required finding for each variance that is granted, set forth each finding that is not satisfied for each variance that is denied, and to the extent that a specific finding is not relevant to the decision, shall so state. Each finding shall be supported by substantial evidence. If the Zoning Board chooses to view the subject property as part of the hearing, the Zoning Board must provide due process. Reports of other City agencies made as a result of inquiry by the Zoning Board shall not be considered hearsay. Upon request of any party, the Zoning Board may compel the attendance of the City agency. The Zoning Board shall grant a variance only if it finds each of the following criteria are satisfied:

(.a) The denial of the variance would result in an unnecessary hardship. The applicant shall demonstrate that the unnecessary hardship was not created by the applicant and that the criteria set forth in §14-303(8)(e)(.2) (Use Variances) below, in the case of use variances, or the criteria set forth in §14-303(8)(e)(.3) (Dimensional Variances) below, in the case of dimensional variances, have been satisfied;

(.b) The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue;

(.c) The grant of the variance will be in harmony with the purpose and spirit of this Zoning Code;

(.d) The grant of the variance will not substantially increase congestion in the public streets, increase the danger of fire, or otherwise endanger the public health, safety, or general welfare;

(.e) The variance will not substantially or permanently injure the appropriate use of adjacent conforming property or impair an adequate supply of light and air to adjacent conforming property;

(.f) The grant of the variance will not adversely affect transportation or unduly burden water, sewer, school, park, or other public facilities;

(.g) The grant of the variance will not adversely and substantially affect the implementation of any adopted plan for the area where the property is located; and

(.h) The grant of the variance will not create any significant environmental damage, pollution, erosion, or siltation, and will not significantly increase the danger of flooding either during or after construction, and the applicant will take measures to minimize environmental damage during any construction.

(.2) Use Variances

To find an unnecessary hardship in the case of a use variance, the Zoning Board must make all of the following findings:

(.a) That there are unique physical circumstances or conditions (such as irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions) peculiar to the property, and that the unnecessary hardship is due to such conditions and not to circumstances or conditions generally created by the provisions of this Zoning Code in the area or zoning district where the property is located;

(.b) That because of those physical circumstances or conditions, there is no possibility that the property can be used in strict conformity with the provisions of this Zoning Code and that the authorization of a variance is therefore necessary to enable the viable economic use of the property;

(.c) That the use variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and

(.d) That the hardship cannot be cured by the grant of a dimensional variance.

(.3) Dimensional Variances

To find an unnecessary hardship in the case of a dimensional variance, the Zoning Board may consider the economic detriment to the applicant if the variance is denied, the financial burden created by any work necessary to bring the building into strict compliance with the zoning requirements and the characteristics of the surrounding neighborhood.

(f) Additional Criteria for Floodplain Variances

Where all or part of the property is located in an area subject to flooding as provided in §14-704(4) (Flood Protection) the Zoning Board shall only approve a variance if it determines that the application meets the following criteria in addition to those in §14-303(8)(e) (Criteria for Approval).

(.1) Any requested variance for property located within the Floodway will not result in any increase in flood levels during the Regulatory Flood.

(.2) Any requested variance for property located within theSpecial Flood Hazard Area will not significantly increase the danger of flooding; and will not increase the likelihood of the loss of property.

(.3) Any variance in either the Floodway or Special Flood Hazard Area involves the least modification of floodplain controls necessary to allow the proposed development to proceed.

(.4) For any property located in the Floodway, no variance shall be granted that would allow construction or substantial improvement of any structure:

(.a) used for the production or storage of: acetone; ammonia; benzene; calcium carbide; carbon disulfide; celluloid; chlorine; hydrochloric acid; hydrocyanic acid; magnesium; nitric acid and oxides of nitrogen; petroleum products (gasoline, fuel oil, and the like); phosphorus; potassium; sodium; sulphur and sulphur products; pesticides (including insecticides, fungicides, and rodenticides);

(.b) used for any activity requiring the maintenance of a supply of any of the materials listed in §14-303(8)(f)(.4)(.a) in excess of 550 gallons or an equivalent volume; or

(.c) used for any purpose involving the production, storage, or use of any amount of radioactive substance.

(.5) Within the Special Flood Hazard Area, no variance shall be granted that would allow construction or substantial improvement of any of the following unless it is elevated or flood-proofed to remain completely dry to one and one-half ft. above the Regulatory Flood Elevation:

(.a) any structure used for the production or storage of: acetone; ammonia; benzene; calcium carbide; carbon disulfide; celluloid; chlorine; hydrochloric acid; hydrocyanic acid; magnesium; nitric acid and oxides of nitrogen; petroleum products (gasoline, fuel oil, and the like); phosphorus; potassium; sodium; sulphur and sulphur products; pesticides (including insecticides, fungicides, and rodenticides);

(.b) any structure used for any activity requiring the maintenance of a supply of any of the materials listed in §14-303(8)(f)(.5)(.a) in excess of 550 gallons or an equivalent volume; or

(.c) any structure used for any purpose involving the production, storage, or use of any amount of radioactive substance

(g) Additional Criteria for Wireless Service Towers

In granting a variance relating to the construction of wireless service towers, the Zoning Board shall consider all of the following criteria in addition to those in §14-303(8)(e) (Criteria for Approval).

(.1) Evidence of the lack of space on suitable existing towers, buildings, or other structures to co-locate the proposed antenna, cells, microcells and the lack of space on existing tower sites to construct a tower for the proposed antenna within the service area;

(.2) Whether the wireless service provider will be unable to provide wireless services without the tower site;

(.3) Whether the application represents a request for multiple use of a tower or site, or use on a site contiguous to an existing tower site;

(.4) Whether the application contains a report that other potential users of the site and tower have been contacted, and they have no current plans, to the best of their ability to determine, that could be fulfilled by joint use;

(.5) Whether the application shows how the tower or site will be designated or laid out to accommodate future multiple users. Specific design features evaluated shall include but not be limited to height, wind loading, and coaxial cable capacity; and

(.6) Whether the proposed tower is to be located in an area where it would be unobtrusive and would not substantially detract from aesthetic or neighborhood character or property values, due either to location, shape of the tower (such as an imitation pine tree tower) or to the nature of surrounding uses (such as industrial use), or to lack of visibility caused by natural growth, landscape area, or other factors.

(.7) Anything in this section §14-303(8) (Zoning Variances) to the contrary notwithstanding, for purposes of wireless service towers only, hardship sufficient for the granting of a variance shall include the effect upon the applicant's ability to provide wireless service.

(h) Additional Criteria for Height Variances Near the Airport

Where all or part of the property is located in the /AHC, Airport Hazard Control Overlay district, the Zoning Board shall only approve a variance from those height controls in the /AHC overlay district pursuant to the procedures and standards of §14-511(5) (Variances).

(9) Conditions on Approvals

(a) The Zoning Board is authorized to impose and the Commission is authorized to recommend conditions on approvals that they determine are necessary to:

(.1) Bring the application into compliance with the requirements of this Zoning Code or any previously adopted master plan for the property; or

(.2) Prevent or minimize adverse effects upon surrounding areas or upon public facilities and services that are caused by the proposed special exception, variance, or other approval required by this Zoning Code. All conditions imposed shall be reasonably related to the the anticipated adverse impacts of the proposed special exception, variance, or other approval required by this Zoning Code.

(b) Any conditions on a special exception, variance, or other approval required by this Zoning Code shall be listed in or attached to the approval document and expressly identified as a condition. Any violation of an approved condition shall be a violation of this Zoning Code.

(10) Lapse of Permits and Approvals

(a) Except as specifically stated in any other section of this Zoning Code, an approval or permit granted under this Zoning Code, including approvals by the Historical Commission pursuant to §14-1005 (Regulation), shall expire if construction or operation pursuant to the permit or approval has not begun within three years after the date the permit or approval was granted.

(b) As exceptions to §14-303(10)(a) above:

(.1) A conditional zoning approval (see §14-303(6)(c) (Optional Conditional Zoning Approval Process)) shall be valid for a period of one year after the date the Conditional Zoning Approval was granted; and

(.2) Use registration permits shall be valid for a period of six months unless an application for a Certificate of Occupancy is submitted for that use within such period.

(c) If a permit expires, an applicant may apply for a new permit, and the application will be subject to all provisions as if the original permit had never been issued.

(d) Unless otherwise required by state law, the agency or department that granted the original approval may renew or extend the effective time of a previous approval a maximum of one time for a maximum of up to one year if the required findings or criteria for that approval remain valid.

(11) Inactive Applications

If L&I requests additional information regarding any application, and the applicant does not respond, or if L&I issues a permit and the applicant does not pick up the permit, the application will be treated as inactive. The definition of inactive applications and specific timeframes and rules regarding their disposition are found in Title 4, Subcode "A" (The Philadelphia Administrative Code) at Section A-301.

(12) Neighborhood Notice and Meetings

(a) Registered Community Organizations

(.1) Organizations that desire to be recognized as a Registered Community Organization by the Commission shall register annually with the Commission by providing (1) the name of a contact person, (2) the name of a person designated to participate in the Civic Design Review process, if applicable, (3) the boundaries of its geographic area of concern, (4) whether the organization wishes to be notified of applications in its geographic area of concern electronically or by mail, and (5) such other information as may be required by the regulations of the Commission.

(.2) Organizations shall register as one of the following:

(.a) A Local Registered Community Organization whose geographic area of concern is a neighborhood. Its registered geographic boundaries shall meet the geographic area set forth in the group's articles of incorporation, bylaws, or other governing documents; or

(.b) An Issue-based Registered Community Organization whose geographic area of concern is greater than the maximum allowable size of a Local Registered Community Organization, as established by the regulations of the Commission.

(.3) The Commission shall establish, by regulation, the requirements for qualifying as a Registered Community Organization.

(b) Applicability

The procedures of this §14-303(12) (Neighborhood Notice and Meetings) shall apply to applications that pertain to a property within the boundaries of the Registered Community Organization and that:

(.1) Require Zoning Board approval of a special exception under §14-303(7) (Special Exception Approval);

(.2) Require Zoning Board approval of a zoning variance under §14-303(8), (Zoning Variances); or

(.3) Meet the requirements for Civic Design Review in §14-304(5) (Civic Design Review).

(c) Notice to Registered Community Organizations

(.1) Within seven days of (a) filing an appeal to the Zoning Board for approval of a special exception or variance or (b) being notified by L&I that an application will require review under the Civic Design Review Process, the applicant must provide notice to each Registered Community Organization whose registered boundaries include the applicant's property and provide a copy of such notice to the Commission, L&I, and, for a special exception or variance, to the Zoning Board. Where there is no Local Registered Community Organization whose boundaries include the applicant's property, the applicant shall provide notice to the district council member whose district includes the applicant's property, and such district council member shall serve as the local Registered Community Organization for all purposes with respect to the application or appeal.

(.2) L&I shall provide the applicant with names and contact information for the Registered Community Organization(s) to be contacted and shall require that the applicant provide notice in the preferred form stated in the organization's filing documents (i.e. electronically or by mail).

(.3) The notice shall contain the following content:

(.a) The name and address of the applicant;

(.b) The name and contact information of any other Registered Community Organizations whose registered geographical boundaries include the applicant's property;

(.c) The location where copies of the application and any related information submitted by the applicant can be obtained;

(.d) A description of the property involved by general vicinity, street address, size, and nearest cross street, and the zoning district in which the property is located;

(.e) A description of the nature, scope, and purpose of the application and the type of permit, approval, or variance being sought;

(.f) The time and place of any required public meeting or hearing regarding the application or a statement that such required public meeting or hearing has not yet been scheduled; and

(.g) Any additional information required by L&I, the Zoning Board, or the Commission for the proposed application.

(d) Neighborhood Meeting and Documentation Requirements

The procedures of this §14-303(12)(d) (Neighborhood Meeting and Documentation Requirements) shall only apply to Local Registered Community Organizations.

(.1) Within 45 days after the applicant has filed an appeal to the Zoning Board for approval of a special exception or variance or within 45 days after the applicant has been notified by L&I that an application will require review under the Civic Design Review Process, the noticed Local Registered Community Organization(s) and the applicant shall complete the actions required by this §14-303(12)(d) (Neighborhood Meeting and Documentation Requirements). The Zoning Board or Civic Design Review Committee shall not conduct any public meetings on the application until the applicant and the Local Registered Community Organization(s) have completed the actions required by this §14-303(12)(d) (Neighborhood Meeting and Documentation Requirements) or 45 days, whichever is less.

(.a) The noticed Local Registered Community Organization(s) shall:

(.i) Convene, organize, and conduct a meeting with the applicant to discuss the proposal. If there is more than one Local Registered Community Organization whose geographic area of concern includes the project site, those organizations shall coordinate to convene a single meeting with the applicant during such 45-day period; and

(.ii) Provide to the Zoning Board or Civic Design Review Committee, as applicable, written documentation of the meeting; or, if no meeting was held within the required 45-day timeframe, written documentation demonstrating that the Local Registered Community Organization has made a good faith effort, as set forth in §14-303(12)(d)(.1)(.c), to meet with the applicant.

(.b) The applicant shall provide to the Zoning Board or Civic Design Review Committee, as applicable, written documentation of the meeting; or, if no meeting was held within the required 45-day

timeframe, written documentation demonstrating that the applicant has made a good faith effort, as set forth in §14-303(12)(d)(.1)(.c), to meet with the Local Registered Community Organization(s).

(.c) An applicant or a Registered Community Organization shall establish a good faith effort to comply with this §14-303(12)(d) (Neighborhood Meeting and Documentation Requirements) by documenting an effort to: (1) review the application at the next regularly-scheduled meeting of the Local Registered Community Organization, or (2) establish an alternative meeting date that is within 30 days of the zoning permit or appeal filing date, as applicable.

(.2) If an application requires both Civic Design Review and Zoning Board approval, the applicant is required to comply with the requirements of this §14-303(12)(d) (Neighborhood Meeting and Documentation Requirements) only once. A second meeting with the Local Registered Community Organization(s) is not required following Civic Design Review and before action by the Zoning Board.

(13) Public Notice

(a) Required Notices and Responsibilities

(.1) Each applicant for a special exception or variance approval shall provide sign notice that satisfies the requirements of §14-303(13)(c) (Sign Notice) below.

(.2) The Commission shall provide web notice that satisfies the requirements of §14-303(13)(e) (Web Notice) for any Minor Amendment to a Master Plan or Civic Design Review meeting.

(.3) City Council shall provide newspaper notice that satisfies the requirements of §14-303(13)(d) (Newspaper Notice) below for any zoning map amendment, zoning text amendment, or major amendment to a master plan.

(b) Content

All notices required by this Zoning Code shall include the following information unless another provision of this §14-303(13) (Public Notice) indicates that different information is required:

(.1) The name and address of the applicant;

(.2) The location where copies of the application and any related information submitted by the applicant can be obtained;

(.3) A description of the property involved by general vicinity, street address, size, and nearest cross street, and the zoning district in which the property is located;

(.4) A description of the nature, scope, and purpose of the application or proposal being advertised and the type of permit, approval, or variance being sought;

(.5) The time and place of any required meeting or public hearing regarding the application;

(.6) A statement that interested parties may appear at the meeting or public hearing and speak on the matter or may file written comments, and the address to which written comments may be sent; and

(.7) Any additional information required by L&I, the Zoning Board, or the Commission for the type of application being proposed.

(c) Sign Notice

Where §14-303(13)(a) (Required Notices and Responsibilities) requires notice by sign, the notice shall contain the content listed in §14-303(13)(b) (Content) and shall meet the following requirements.

(.1) Provision and Posting of Signs

L&I shall provide each applicant with the required number of signs. In order to provide clear and adequate notice, all posting shall comply with the sign posting requirements of this §14-303(13)(c) (Sign Notice).

(.2) Number and Location of Signs

(.a) At least one sign shall be clearly posted by the applicant on each street frontage of the property that is the subject of the application and as close to the sidewalk as possible. On large lots, or when a property is in the interior of a block or tract of land, additional signs may be required to be posted adjacent to and facing the surrounding properties.

(.b) Signs shall be posted in plain view, not obstructed by bushes, tree limbs, fences, or gates, and at eye level so that passers-by may read the sign without coming onto the property.

(.c) Signs may not be posted on moveable gates, doors, or windows, or on trees or utility poles.

(.d) In the case of an appeal where the appellant does not control the property that is the subject of the appeal, L&I may waive the posting requirement and require alternative notice designed to provide effective notice to all interested parties.

(.3) Time of Posting

(.a) Original Hearing

Notification signs shall be posted and remain continuously in place for 21 or more days immediately preceding the date of the public hearing, including the day of the hearing. The applicant shall have the responsibility to see that each required sign remains posted during the entire period.

(.b) Continued Hearing

(.i) If a public hearing is continued to a date that is seven or fewer days from the originally noticed hearing date, the applicant is not required to post notice of the continued hearing.

(.ii) If a public hearing is continued to a date that is more than seven days from the originally noticed hearing date, then the applicant shall post notice of the continued hearing from a date seven days after the date of the original hearing until the date of the continued hearing.

(.4) Reposting

If signs are not posted in accordance with the requirements of §14-303(13)(c)(.3) (Time of Posting), the Zoning Board shall delay action on the matter and require reposting of the sign notices, unless the Zoning Board determines, based on information provided by the applicant, that (a) the required posting began on or before the required date and (b) the applicant made good faith efforts to keep the sign notices posted during the entire period. Any reposting of required sign notices will be treated as a new posting and a reposting fee shall be required in accordance with the fee schedule set forth in Chapter 9 of the Philadelphia Administrative Code.

(.5) Sign Removal

No person shall alter, deface, remove, or affect the visibility of any sign posted pursuant to this §14-303(13) (Public Notice), until after the public hearing has been held or the application has been withdrawn. Each required notice sign shall be removed by the applicant within five days after a decision has been made or a permit issued on the matter referenced on the sign or the application has been withdrawn.

(d) Newspaper Notice

Except with respect to ordinances of Council, where §14-303(13)(a) (Required Notices and Responsibilities) requires newspaper notice, that notice shall be in a newspaper of general circulation within Philadelphia, shall contain the content listed in subsection §14-303(13)(b) (Content), and shall be published once at least 15 days before the required public hearing. With respect to ordinances of Council, not less than 15 days' notice shall be given of public hearings, and such notice, in all other respects, shall comply with the provisions of §2-201(5) of the Philadelphia Home Rule Charter, or any ordinances adopted pursuant thereto. In either case, if a hearing is required, the notice shall also comply with all applicable requirements of Pennsylvania Statutes relating to notices of public hearings.

(e) Web Notice

Where §14-303(13)(a) (Required Notices and Responsibilities) requires web notice, that notice shall be posted on or linked to the City's official website at least 15 days before the required public hearing or meeting and shall contain the content listed in §14-303(13)(b) (Content).

(f) Other Forms of Notice

No provision of this §14-303(13) (Public Notice) shall restrict any department or agency of the City from providing additional notice in a different form, including, without limitation, notice through posting of information on the City's web site, links to other web sites, electronic mail, or mailing lists. Notices pursuant to this §14-303(13)(f) shall be provided at the City's option and shall not substitute for any required notices under §§14-303(13)(c) through 14-303(13)(e) above. Failure to provide any form of supplemental notice under this subsection §14-303(13)(f) shall not be cause to delay, reverse, or appeal any decision of the Zoning Board or any department or agency of the City.

(14) Public Hearings of the Zoning Board of Adjustment

All Zoning Board hearings are subject to the following provisions:

(a) Hearings of the Zoning Board shall be held at the call of the Chairman and at such other times as the Zoning Board may determine.

(b) Three members of the Zoning Board shall constitute a quorum for any public hearing required under this Zoning Code.

(c) No action shall be taken by the Board unless at least three members of the Board, present at the time of the vote, concur.

(d) All hearings shall be open to the public.

(e) Any organization or member of the public who attends a public hearing before the Zoning Board shall be permitted to offer testimony individually regardless of whether the organization, individual or person on whose behalf they are offering testimony has standing to appeal the decision by the Zoning Board to the Court of Common Pleas.

(f) Except as provided in subsection §14-303(14)(g) below, any person may appear in person or by an attorney, and may be accompanied by a family member or translator. Statements by a person's attorney on his behalf shall not be considered as testimony, except where agreed upon by the parties.

(g) Any corporation, including an incorporated non-profit, that is the applicant in the matter before the Zoning Board shall be represented by an attorney at the public hearing on that matter before the Zoning Board.

(h) The Zoning Board may determine the order of testimony and may establish time limits on testimony in order to allow all interested parties to be heard and may, in its discretion, prevent duplicative testimony.

(i) The Zoning Board may administer oaths and compel the production of documents and the attendance of witnesses, and issue subpoenas for that purpose.

(j) Attorneys representing applicants or objectors, including but not limited to attorneys representing civic groups, will be permitted to cross-examine, present evidence, and request the issuance of subpoenas.

(k) In all public hearings before the Zoning Board, any agency of the City shall have the power to appear and to present facts and information to assist the Zoning Board in reaching a decision.

(l) Hearings on appeals relating to the One Year Rule set forth in §14-303(6)(g) (The One Year Rule) shall be conducted in accordance with the procedures set forth in that section.

(m) All decisions of the Zoning Board shall state in writing the reason(s) for the decision, and notice of the decision shall be mailed to the applicant, the applicant's attorney of record, and such other persons or attorneys who have properly entered an appearance in the case. The decision shall be a public record. Formal findings of fact are not required.

(n) The Zoning Board shall prepare an annual report to be sent to the Federal Emergency Management Agency of all variances granted during the previous calendar year within areas subject to flooding as provided in §14-704(4) (Flood Protection) describing the conditions under which the variances were granted.

(15) Appeals

(a) Appeals to Zoning Board of Adjustment

(.1) Any order, requirement, decision, or determination made by L&I pursuant to this Zoning Code may be appealed to the Zoning Board by any person or organization affected by the decision or by any department or agency of the City.

(.2) A recommendation by the Commission or by any agency or department of the City is not a final decision and may not be appealed.

(.3) Any appeal of an L&I decision must be filed with the Zoning Board within 30 days of the date of L&I's decision. Where the applicant fails to post the permit in compliance with §14-303(6)(f) (Posting of Permits), any person other than the applicant must file any appeal within 30 days of constructive notice of the L&I decision. All appeals must be filed through a written notice of appeal stating specifically how L&I's decision is inconsistent with the requirements of this Zoning Code or the basis for the requested variance or other relief.

(.4) After the filing of an appeal, L&I shall promptly transmit to the Zoning Board copies of the application materials, all documents related to L&I's decision, and a statement of the reasons for L&I's decision.

(.5) As established by §5-1006 of the Philadelphia Home Rule Charter, the Zoning Board may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from, and make such order, requirement, decision, or determination as ought to be made, and, to that end, it shall have all the powers of the officer from whom the appeal is taken.

(.6) The Zoning Board shall make a decision on the appeal within a reasonable time after receiving the appeal.

(.7) Notwithstanding Section A-805 of Subcode "A" of Title 4 of The Philadelphia Code, the filing of an appeal to the Zoning Board shall not stay proceedings by L&I or any other City agency to enforce or carry out the order or decision appealed from, except upon the following:

(.a) Appellant requests a stay by written application to the Zoning Board, with notice to the Law Department;

(.b) The Zoning Board conducts a public hearing on the request, with notice pursuant to §14-303(15)(a)(.8) below; and

(.c) A finding by the Zoning Board of good cause, irreparable harm and likelihood of success on the merits of the appeal.

(.8) The Zoning Board shall send written notice of each hearing, interim order, or final decision in a matter to the applicant, the Law Department, and any person who has entered an appearance in the matter.

(.9) No special exception, variance, or Zoning Board approval shall be granted unless the person who owns the property for which the application is made has provided documentation satisfactory to the Zoning Board verifying that all of the person's taxes due on the subject property pursuant to Title 19 of The Philadelphia Code are current or are subject to a payment agreement; or produces evidence that denial of the application will result in an unconstitutional taking of the property for which it is sought. The following exceptions shall apply:

(.a) If the application is made by a tenant non-owner of the property, the tenant shall provide documentation verifying that all of the tenant's taxes are current or are subject to a payment agreement, and any taxes due on the subject property are not delinquent, and the application may then proceed without further regard to the owner's tax status.

(.b) If the application is made by a nonprofit entity, including a for-profit limited partnership whose general partner is owned or controlled by a nonprofit entity, that acquired the subject property from the City or a public agency, and all prior tax liabilities on the property were not cleared as of the acquisition, the applicant only needs to provide documentation verifying that all taxes assessed after its acquisition of the subject property and all of the applicant's other taxes unrelated to properties so acquired, are current or subject to a payment agreement.

(.c) If the application is made by a homeowner who acquired the subject property either directly from the City or a public agency, or from a nonprofit entity that previously acquired the property from the City or a public agency, and all prior tax liabilities on the property were not cleared as of the date of the homeowner's acquisition, the applicant only needs to provide documentation verifying that all taxes assessed after his or her acquisition of the subject property and all of the applicant's other taxes unre-

lated to properties acquired in that manner are current or subject to a payment agreement.

(.d) If the applicant attaches a purchase and sale agreement providing that the sale of the subject property to the applicant is contingent upon approval of the application, together with an authorization for the application by the current owner of the subject property, the Zoning Board may conditionally approve the application if it otherwise meets the criteria for approval, with a condition that the special exception or variance will be finally approved when L&I is provided with a copy of the Zoning Board's decision and documentation verifying that all of the taxes due on the subject property are paid in full.

(b) Appeals to the Courts

(.1) A final decision made by the Zoning Board or the Commission pursuant to this Zoning Code may be appealed to a Pennsylvania Court of Common Pleas by any aggrieved party or by City Council pursuant to Act 193 of 2004 (Act of November 30, 2004, P.L. 1523, 53 P.S. §13131.1.) within 30 days of the decision or such other time as may be provided by law.

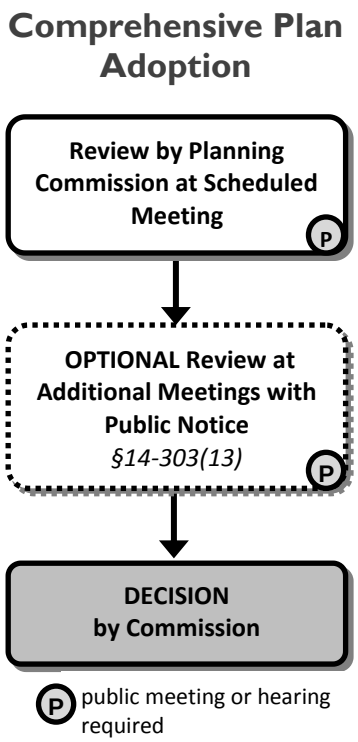
(.2) After the filing of a Notice of Appeal with the Court, a Registered Community Organization that participates in the appeal as an appellant, appellee or intervenor shall not be required to pay the costs of transcribing the proceedings before the Zoning Board that are the subject of the appeal. After the filing of a Notice of Appeal, the Registered Community Organization shall notify the City of its request that the City make payment of its transcript costs.

§14-304 Specific Procedures

(1) Authority to Prepare and Adopt the Comprehensive Plan

Only the Commission may prepare and adopt a Comprehensive Plan pursuant to the Philadelphia Home Rule Charter. The City or any public or quasi-public agency may submit a proposed amendment to the Comprehensive Plan for approval pursuant to §14-304(2) (Comprehensive and Other Plan Adoption).

(2) Comprehensive and Other Plan Adoption



(a) Applicability

This section applies whenever a Comprehensive Plan or other plan is intended to become the adopted policy of the City and to guide the approval of rezonings, permits, or approvals, including special exception approvals, in the area of the City covered by the plan.

(b) Review and Action by the Commission

(.1) No plan shall become the adopted policy of the City unless it is first approved by the Commission.

(.2) The Commission shall review the plan in at least one Commission meeting. The Commission may schedule additional public meetings to review the plan, and notice of those meetings shall be provided by the Commission as set forth for in §14-303(13) (Public Notice).

(.3) In the case of the Comprehensive Plan or other plan prepared by the City or any public or quasi-public entity, if the Commission determines that the plan will promote the best interests of the City and that it should become the policy of the City, it shall adopt the plan, or adopt it with changes, and the plan shall then be considered an amendment to the Comprehensive Plan. If the Commission determines that the plan will not promote the best interests of the City, or that it should not become the policy of the City, it shall not adopt the plan.

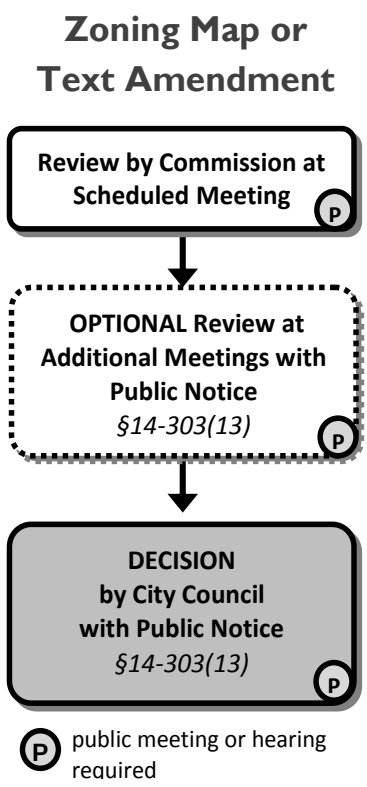
(c) Effect of Approval

Plans adopted by the Commission as amendments to the Comprehensive Plan shall be considered by the Commission or the Zoning Board as a factor in its decision to approve, approve with conditions, or deny a permit, special exception, variance, or other approval.

(d) Amendment

An adopted plan may be amended through the same process used for initial review and decision on the plan.

(3) Zoning Map and Text Amendments



(a) Applicability

The zoning map and text amendment procedures of this subsection apply to ordinances for amendments to the text of this Zoning Code and to amendments to the official zoning map.

(b) Review by the Commission

(.1) No ordinance amending the text of this Zoning Code or amending the official zoning map shall be adopted by City Council unless it is first reviewed by the Commission, except as provided in §2-307 of The Philadelphia Home Rule Charter.

(.2) Notice of any public meeting of the Commission on a zoning ordinance shall be provided by the Commission as set forth in §14-303(13) (Public Notice).

(.3) The Commission shall then forward to City Council, through the Mayor's office, a recommendation for approval, approval with changes, or disapproval of the ordinance based on whether it meets the criteria in §14-304(3)(d) (Criteria for Review) or §14-304(3)(e) (Special Provisions for Master Plan Districts).

(c) Action by City Council

The City Council shall consider the ordinance in the manner set forth in the Home Rule Charter. As established by §2-307 of the Philadelphia Home Rule Charter, the City Council shall not act until it has referred the proposed ordinance to the Commission for comment and waited at least 45 days following the introduction of any ordinance affecting land subdivision plans and at least 30 days following the introduction of any other zoning ordinance to receive the Commission's recommendation on the ordinance. Such periods may be extended by the Commission, as provided in §2-307 of The Philadelphia Home Rule Charter. City Council may approve, approve with changes, or disapprove the ordinance, regardless of the recommendation of the Commission.

(d) Criteria for Review

The Commission shall consider the following criteria when making its recommendation that the ordinance be approved or approved with changes:

(.1) Whether the ordinance is consistent with the Comprehensive Plan;

(.2) Whether the ordinance is consistent with other plans adopted by the City as amendments to the Comprehensive Plan for the area affected by the ordinance;

(.3) Whether the adoption of the ordinance is in the best interest of the City;

(.4) Whether the impacts of the ordinance on areas surrounding the land affected by the ordinance will be positive and whether any negative impacts are unavoidable or will be mitigated to the extent reasonable; and

(.5) If the ordinance proposes a new overlay district, whether the same result cannot be achieved more easily through amendments to an existing base or overlay district or the text of this Zoning Code.

(e) Special Provisions for Master Plan Districts

Table 14-304-1: Master Plan Districts

DistrictName	Previously Known As
Residential Mixed-Use -1 (RMX-1)	RC-6
Residential Mixed-Use -2 (RMX-2)	WRD, ITD
Institutional Development (SP-INS)	IDD
Entertainment (SP-ENT)	CED
Sports Stadium District (SP-STA)	SS

(.1) Master Plan Districts Generally

The procedures of this subsection §14-304(3)(e)(.1) apply to the master plan districts listed in Table 14-304-1, other than the SP-ENT, Entertainment (Special Purpose) District. See §14-304(3)(e)(.2) below for procedures relating to the SP-ENT, Entertainment (Special Purpose) District.

(.a) Before any rezoning of such land into that district and any change to the official zoning map may become effective:

(.i) The Civic Design Review procedures set forth in §14-304(5) (Civic Design Review) must be completed; and

(.ii) City Council shall approve by ordinance a master plan for the development of land.

(.b) Any ordinance proposing the designation of any lands into a master plan district shall be reviewed and approved as described in either subsection (.i) or (.ii), below

(.i) The ordinance may be accompanied by a master plan for the area to be rezoned that meets the requirements of this Zoning Code. In this case, the ordinance and master plan shall be reviewed concurrently, any recommendation by the Commission shall address both the ordinance and plan, any action by City Council shall address both the ordinance and the plan, and the rezoning and master plan shall become effective immediately upon City Council action.

(.ii) As an alternative to subsection (.i), above, City Council may approve the amendment without approving a master plan. In this case, the amendment shall not become

effective until a master plan for the property has been submitted, the Commission has reviewed that plan and made a recommendation to City Council, and City Council has approved a master plan pursuant to this Zoning Code.

(.c) Any master plan submitted for approval must contain the information required by the regulations of the Commission.

(.d) The Commission is authorized to consult with other City agencies in its consideration of and recommendations for Master Plan approval.

(.2) SP-ENT, Entertainment (Special Purpose) District

The procedures of this §14-304(3)(e)(.2) apply to the SP-ENT, Entertainment (Special Purpose) District.

(.a) The owner of any lot within a proposed or adopted SP-ENT district may submit to the Commission a proposed master plan for the Commission's review and recommendation. The master plan must contain the information required by the regulations of the Commission.

(.b) The Commission shall review and approve the proposed master plan if it finds that the master plan is (1) consistent with the purposes of the SP-ENT district, (2) otherwise in compliance with the provisions of this Zoning Code applicable to the SP-ENT district, and (3) otherwise appropriate in terms of scale, density, accessibility, and design for the neighborhood where it is located.

(.c) City Council shall designate, by ordinance, such SP-ENT districts in such areas as City Council deems appropriate. For each such district, such designations shall become effective upon the adoption of an ordinance designating the district boundaries; and the approval by the Commission of a master plan for the district pursuant to paragraph §14-304(3)(e)(.1)(.b) above. Upon the designation becoming effective, the underlying zoning classification for all lots within the district shall be superseded, and no permits shall be issued for any use within the district other than as permitted by the approved master plan and this Zoning Code.

(.d) In the event that the owner of a lot within an SP-ENT district submits a proposed master plan to the Commission and the Commission fails to approve, disapprove, or table consideration of it within 45 days after submission, it will be deemed approved by the Commission.

(f) Special Provisions for Neighborhood Conservation Overlay Districts

(.1) A petition requesting that the Commission initiate the process towards creating an /NCO district shall be filed with the Commission either (1)

by a Local Registered Community Organization located within the proposed /NCO district, or (2) containing the signatures of at least 30% of all property owners or at least 30% of all owners of owner-occupied housing units located within the proposed /NCO district. The petition shall include a draft map of /NCO district boundaries and draft design guidelines that would apply to the /NCO district.

(.2) The Commission shall review the petition and shall convene at least one public meeting within the /NCO district's proposed boundaries in order to seek public comment on the proposed /NCO district and design guidelines.

(.3) City Council shall not enact any ordinance creating an /NCO district if, by the date of the City Council public hearing, at least 51% of all property owners or 51% of all owners of owner-occupied housing units located within the proposed /NCO district have filed in writing with the Clerk of Council a statement of opposition to creation of the /NCO district. Those written statements may include petitions with multiple signatures opposing the creation of the /NCO district.

(.4) City Council shall consider the proposed /NCO district ordinance, design guidelines, and map in the same manner as other zoning ordinances, but shall not approve or approve with changes a proposed /NCO district unless it finds that the proposed /NCO district area has a consistent physical character as a result of a concentration of residential buildings of similar character or a continuity established by an overall plan. The City Council decision shall not include any areas within the /NCO district that were not included in the proposed boundaries of the /NCO district as set forth in the map attached to the proposed ordinance.

(.5) The boundaries or design guidelines of an /NCO district may be amended using the same procedures used to create the district.

(g) Special Provisions forTransit-Oriented Development Overlay Districts

Any ordinance proposing the designation of any lands into a /TOD overlay district shall be accompanied by a map designating the area to be rezoned and that designates each TOD primary and secondary street within the area to be rezoned. Any recommendation by the Commission shall address both the ordinance and the map, any action by City Council shall address both the ordinance and the map, and the rezoning and map shall become effective immediately upon City Council action.

(h) Pending Ordinance Doctrine

(.1) Definitions

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

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

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

(.b) A bill "remains under active consideration" if either:

(.i) not more than four meetings of Council have passed since the date of the Committee vote to report the bill;

(.ii) no later than the fourth meeting of Council after the date of the Committee vote to report the bill, Council has adopted a resolution declaring that the bill remains under active consideration, in which case the bill shall be considered under active consideration until such date as Council sets forth in the resolution or six months after the date of the Committee vote to report the bill, whichever date is earlier; or

(.iii) the bill has been passed by the Council and the time for the bill to become law under Section 2-202 of the Home Rule Charter has not yet passed.

(.2) L&I (in reviewing any application for a zoning permit) or the Zoning Board (on any appeal to the Board) shall apply any applicable provision of any bill that had become a pending ordinance at or before the time when the application was filed with L&I, as if the bill had become law, but only to the extent that such provision is more restrictive than the applicable provision of this Zoning Code or zoning maps, except that this §14-304(3)(h)(.2) shall not apply if either:

(.a) the bill has been withdrawn by a vote of the Council;

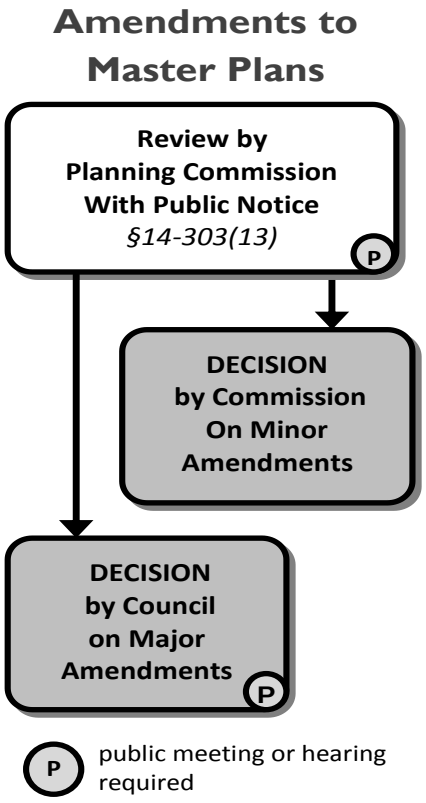
(.b) the bill has been defeated on a final passage vote;

(.c) the bill has been disapproved by the Mayor and the time for further consideration by Council has expired; or

(.d) the bill provides for an effective date subsequent to the date it becomes law or contingent upon an event that has not yet occurred.

(.3) In giving effect to a pending ordinance, L&I and the Board shall give effect to the bill as it may be amended from time to time by the Council or by a Committee of Council.

(4) Amendments to Master Plans



(a) Applicability

The procedures of this subsection apply to the amendment of any master plan required in a master plan district listed in Table 14-304-1 (Master Plan Districts).

(b) Action by the Commission on Minor Amendments

Proposed amendments that comply with the criteria in §14-304(4)(d) (Criteria for Commission Approval) below, as applicable, are "Minor Amendments" and amendments that do not comply with those standards are "Major Amendments." Amendments shall be submitted to the Commission for review, and the Commission shall provide public notice pursuant to §14-303(13) (Public Notice) and conduct a public meeting on the proposed amendment. Any minor amendment submitted for approval must contain the information required by the regulations of the Commission. If, after the public meeting, the Commission determines that the proposed amendment is a Minor Amendment, the Commission may approve the amendment, or approve it with modifications. If the Commission determines that the proposed amendment is a Major Amendment, the Commission shall refer the proposed amendment to City Council together with its recommendation based on the stated purposes of the district involved and the public health, safety, and general welfare of the City.

(c) Action by City Council on Major Amendments

City Council shall consider a Major Amendment to a Master Plan as a proposed new master plan for the district in the same manner required by the Home Rule Charter for zoning ordinances. Major Amendments to Master Plans require approval by ordinance pursuant to the procedures set forth in §14-304(3)(e) (Special Provisions for Master Plan Districts). Any major amendment submitted for approval must contain the information required by the regulations of the Commission.

(d) Criteria for Commission Approval

The Commission shall approve a proposed amendment as a Minor Amendment to a Master Plan only if it determines that the amendment complies with all of the following criteria:

(.1) The amendment is consistent with the stated purpose of the district, the stated purpose of the existing master plan, the sound development

needs of the district, and the requirements of any applicable overlay district.

(.2) The amendment only includes uses permitted by right in the district in which the land is located as set forth in Chapter 14-600 (Use Regulations).

(.3) The amendment complies with all dimensional requirements listed in Chapter 14-700 (Development Standards) for the district in which the land is located.

(.4) The amendment only approves:

(.a) Changes to the location or design of required parking, loading, or landscape areas that do not reduce the total amount of parking, loading, or landscape area shown in the approved master plan; or

(.b) Temporary facilities or structures that are consistent with the overall intent of the adopted master plan; or

(.c) Additions to buildings or changes in building footprints that do not increase impervious surface within the district by more than 5% or by more than 5,000 sq. ft., measured collectively from the date of the latest amendment to the Master Plan.

(5) Civic Design Review

(a) Civic Design Review Committee

(.1) Establishment

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

(.2) Composition

The Civic Design Committee shall be composed of two Pennsylvania-licensed architects, one Pennsylvania-licensed landscape architect, one urban design professional, one developer or builder, one person with experience reviewing projects on behalf of civic associations, including a person who previously served or currently serves on a zoning, land use, or similar committee of a Registered Community Organization, and one rotating seat for a representative of a Local Registered Community Organization located in the project area. A member of the Commission will be the Chair of the Civic Design Review Committee and will fill one of the designated positions. The Executive Director of the Commission (or appointed designee) will advise the Civic Design Review Committee but will have no vote.

(b) Applicability

(.1) Required Review

(.a) The civic design review procedures of this subsection apply to any development that meets the criteria in Table 14-304-2 (Civic Design Review Triggers), except for:

(i) development on lots located within the SP-ENT, SP-PO, and SP-STA districts;

(ii) A building with a primary use in the industrial use category in an Industrial district; and

(iii) Wireless service facilities.

(.b) L&I shall not issue or deny a final decision on an application for any development that meets the criteria in Table 14-304-2 until review by the Civic Design Review Committee has been completed pursuant to the procedures of this subsection.

(.2) Affected Properties

For purposes of Table 14-304-2 (Civic Design Review Triggers) only, a property is "affected" by the applicant's property if any of the following conditions exist:

(.a) it shares all or part of a side or rear property line with the applicant's property (see "A" on the Civic Design Review Triggers illustration);

(.b) it is separated from the applicant's property by only an alley or shared driveway (see "B" on the Civic Design Review Triggers illustration);

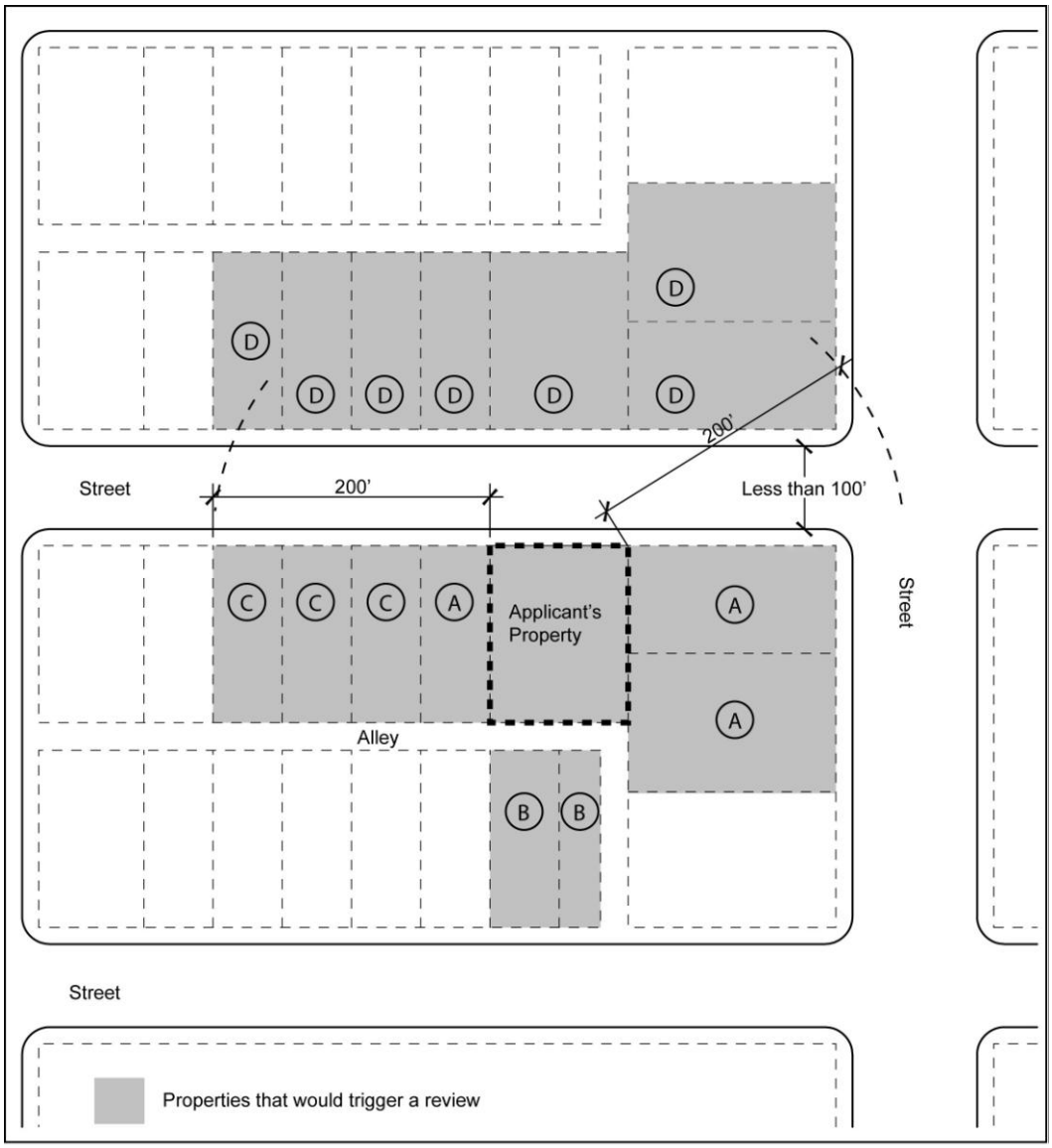
(.c) it is located on the same blockface and any portion of the property is within 200 ft. of the applicant's property (see "C" on the Civic Design Review Triggers illustration); or

(.d) it is located on the blockface located across a street from the front lot line of the applicant's property and (i) the cartway separating the two properties is less than 100 ft. wide, and (ii) the property or a portion of the property is within 200 ft. of the applicant's property (see "D" on the Civic Design Review Triggers illustration).

Table 14-304-2: Civic Design Review Triggers

Civic Design Review is required in the following three cases:		
Location of Applicant's Property	**Property Affected by the Application** (as defined by §14-304(5)(b)(.2) (Affected Properties))	**Covered Types of Applications**
Case 1: The applicant's property is located in <u>any district</u>	**AND** regardless whether there is any affected property	**AND** the application: 1. Includes more than 100,000 sq. ft. of new gross floor area or more than 100 new dwelling units; or 2. Proposes a rezoning of land from any other district into a Master Plan District as set forth in Table 14-304-1.

Civic Design Review is required in the following three cases:		
Location of Applicant's Property	**Property Affected by the Application** (as defined by §14-304(5)(b)(.2) (Affected Properties))	**Covered Types of Applications**
Case 2: The applicant's property is located in a Commercial, Industrial, or Special Purpose district	**AND** the property affects: property in any RM or RMX district	**AND** the application: 1. Includes more than 50,000 sq. ft. of new gross floor area; 2. Includes more than 50 new dwelling units; or 3. Includes buildings that are more than 20 ft. taller than maximum permitted height of an affected RM- or RMX-zoned lot.
Case 3: The applicant's property is located in an RM, RMX, Commercial, Industrial, or Special Purpose district	**AND** the property affects: property in any RSD, RSA, or RTA district	**AND** the application: 1. Includes more than 25,000 sq. ft. of new gross floor area; 2. Includes more than 25 new dwelling units; or 3. Includes buildings that are more than 20 ft. taller than maximum permitted height of an affected RSD-, RSA-, or RTA-zoned lot.



Civic Design Review Triggers

(.3) Optional Review

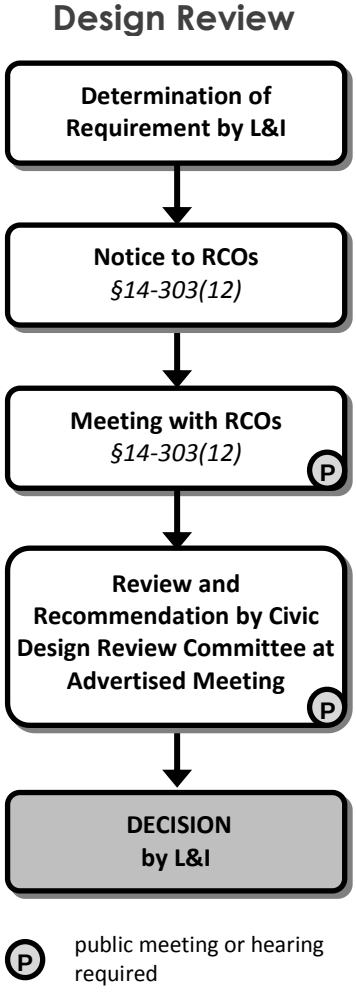
Applicants with development proposals that do not meet the criteria in §14-304(5)(b)(.1) (Applicability) may elect to submit their application for review under the civic design review procedures of this subsection. Optional reviews will be carried out by the Civic Design Review Committee if the applicant submits an application for optional review and the chair of the Civic Design Review Committee and the Executive Director of the Commission agree that Design Review would be in the best interests of the City.

(c) Determination of Requirement

L&I will determine whether the application is required to complete Civic Design Review. If Civic Design Review is required, the applicant is required to comply with the neighborhood notice and meeting requirement in §14-303(12) (Neighborhood Notice and Meetings).

(d) Advisory Review

Design review under this section shall be advisory. The applicant is encouraged to accept the results of design review and incorporate them into the design. Neither the Zoning Board nor the Commission is required to abide by the recommendations of the Civic Design Review Committee, but they may consider those recommendations in any review of any application that may come before them.



(e) Review by Civic Design Review Committee

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

(.2) The Civic Design Review Committee shall meet two weeks prior to each regularly scheduled Commission meeting, except if the Commission is functioning as the Civic Design Review Committee pursuant to §14-304(5)(a)(.1) (Establishment).

(.3) The Civic Design Review Committee's meetings must be open to the public and provide opportunity for public comment. Agendas must be posted online and distributed in advance of each meeting.

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

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

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

(.c) Within 45 calendar days of the initial review meeting (see §14-304(5)(e)(.4)(.a)), the Civic Design Review Committee must deliver a written recommendation to the Commission. The Civic Design Review Committee's recommendation may incorporate recommendations from other design entities, such as the Art Commission and Historical Commission. If the Civic Design Review Committee fails to deliver a written recommendation within the 45-day limit, the project will be presumed to be recommended for approval as designed. The Commission shall post the written recommendation of the Civic Design Review Committee on the Commission's website.

(f) Criteria for Review

Design review shall focus on the impact of building and site design on the public realm, particularly streets, sidewalks, trails, public parks, and open spaces. The Civic Design Review Committee's review is not intended to evaluate the architectural style or compositional aspects of a project outside of their clear impact on the public realm. Criteria for review shall include the following, and any recommendations for changes to the proposal shall be directed toward improving performance in the following areas:

(.1) Whether the design, including but not limited to the streetscape, curbside management, internal parking circulation, and vehicular and pedestrian access points, contributes to the walkability of adjacent streets;

(.2) Whether the ground level design of the proposal contributes to street activity on adjacent streets;

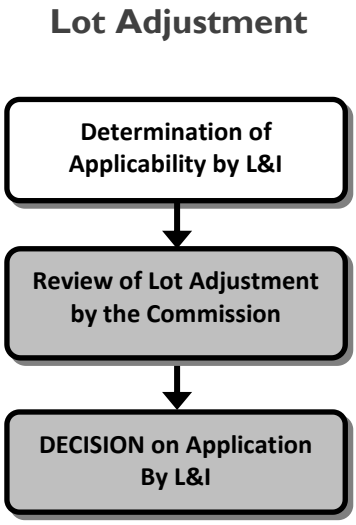
(.3) Whether the design of open spaces within the boundaries of the proposal are appropriate for their intended function and reinforce the importance, safety, and enjoyment of public use of those spaces;

(.4) Whether the design allows adequate light and air for nearby public streets, sidewalks, trails, parks, open spaces, and adjacent properties;

(.5) Whether the design reinforces and protects the desirable characteristics of the surrounding neighborhood through gradual transitions in bulk and scale and, if appropriate, buffers between the proposed building(s) and the adjacent area;

(.6) Whether the design is consistent with the intended character of streets, sidewalks, trails, parks, and open spaces indicated in the Comprehensive Plan and master plan, if applicable; and

(.7) Any additional criteria stated in the regulations of the Commission for the purposes of clarifying or implementing the criteria in this §14-304(5)(f) (Criteria for Review).



(6) Lot Adjustments

(a) Applicability

The procedures of this section apply to all lot adjustments.

(b) Procedure

(.1) L&I shall not issue any zoning permits for a lot adjustment unless the lot adjustment, as shown on a plot plan, has been first reviewed and approved by the Commission.

(.2) No activity described in §14-304(6)(a) above shall occur, and no street, driveway, sanitary sewer, stormwater sewer, water main, public service, or other facilities in connection with the lot adjustment shall be constructed, maintained, opened, or dedicated for public use or for the common use of occupants of buildings abutting on them, and no record of lot shall be created, until a plot plan has been approved and compliance with the procedures of this §14-304(6) has been established.

(.3) The procedure for review and decision on a lot adjustment is:

(.a) The Commission shall review and approve, approve with conditions, or deny the plot plan using the criteria in §14-304(6)(c) below. The Commission shall review and approve, approve with conditions, or deny the plot plan within 45 days of application submission or the plot plan shall be deemed approved.

(.b) If it disapproves the plot plan, the Commission shall notify the applicant in writing of its action and the reasons for the decision within seven days after the decision.

(.c) The applicant must record deeds and the approved survey plan at the Records Department.

(c) Criteria for Approval

The Commission shall approve a lot adjustment if it finds that:

(.1) It is not a subdivision subject to §14-304(7) (Subdivisions and Subdivision Plats); and

(.2) It complies with the lot dimension and street frontage requirements of this Zoning Code.

(7) Subdivisions and Subdivision Plats

(a) Applicability

The procedures of this subsection apply to subdivision (as defined in §14-203(328) (Subdivision)) where one or more proposed lots do not have street frontage on an existing legally open, physically improved street shown on the City Plan.

(b) Property Data Map

(.1) Every person who wishes to subdivide his or her property shall file with the Commission two copies of a Property Data Map meeting the requirements in the regulations of the Commission prior to preparing the Preliminary Plat.

(.2) Following the filing of the Property Data Map and prior to the preparation of the Preliminary Plat, the Commission shall refer the Property Data Map to the Streets Department to verify its accuracy. If the Streets Department has not responded within 30 days, the Commission may assume that the Property Data Map is accurate. The Commission shall also notify the subdivider of (a) any elements of adopted plans and (b) any planned or anticipated public works or public land acquisitions that should be taken into consideration in the design of the subdivision.

(c) Preliminary Plat

(.1) The applicant shall submit to the Commission the Preliminary Plat and supplementary data meeting the requirements of the regulations of the Commission.

(.2) The applicant shall submit the proposed Stormwater Management Plan to the Water Department. The Water Department shall approve the proposed method of control of stormwater run-off before the Commission may approve the Preliminary Plat.

(.3) The Commission shall act on the application for approval of the Preliminary Plat at its first regularly scheduled meeting held not less than 30 days following the date of filing of the Preliminary Plat. If it approves the Preliminary Plat, the Commission shall express its decision as a conditional approval and shall notify the subdivider and the Department of Streets of that decision. If it disapproves the Preliminary Plat, the Commission shall notify the subdivider in writing of its action and the reasons for the decision within seven days after the decision.

(.4) The Streets Department shall review and approve, approve with conditions, or deny the application.

(.5) Approval of a Preliminary Plat shall not constitute approval of the Final Plat, but shall be deemed an expression of approval of the layout submitted as a guide to the preparation of the Final Plat.

(d) Criteria for Approval of Preliminary Plat

The Commission shall approve a Preliminary Plat only if it finds that:

(.1) It complies with all technical requirements for the plat document in the regulations of the Commission;

(.2) It complies with the subdivision standards set forth in §14-708 (Subdivision Standards); and

(.3) The proposed street layout and design have been approved by the Streets Department.

(e) Final Plat

(.1) The subdivider shall submit a Final Plat to the Commission within 15 months after approval of the Preliminary Plat; otherwise the Preliminary Plat shall become null and void unless an extension of time is applied for and granted by the Commission.

(.2) At the subdivider's option, a Final Plat may consist of a portion of the approved Preliminary Plat.

(.3) The Commission shall act upon the application within 30 days of submission, or the subdivision shall be deemed approved.

(.4) If the Final Plat is approved, the approval of the Commission shall be noted on the Final Plat.

(.5) Upon the completion of an as-built survey, one copy of the portion of the Final Plat covered by the as-built survey shall be recorded by the subdivider in the Department of Records.

(.6) An approved Final Plat shall be valid for three years, but if no recording of any portion of the Final Plat occurs within three years, the Final Plat shall become null and void.

(.7) If it disapproves the Final Plat, the Commission shall notify the subdivider in writing of its action and the reasons for the decision within seven days after the decision.

(.8) When new streets are involved in any subdivision, the Commission may require, as a condition of its approval, confirmation by the Streets Department Board of Surveyors of the appropriate City Plan changes.

(f) Criteria for Approval of Final Plat

The Commission shall approve a Final Plat shall only if it finds that it:

(.1) Complies with all the technical requirements of the plat document in the regulations of the Commission; and

(.2) Is in substantial conformity with the approved Preliminary Plat.

(g) Compliance with Technical and Engineering Standards

Following approval of the Final Plat, all improvements such as streets, driveways, water mains, and sewers shall be constructed in accordance with the specifications established by the City departments having jurisdiction over those improvements.

(h) Waiver of Subdivision Standards

The Commission may authorize such waivers or partial waivers from the terms of this section as will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of the standards otherwise applicable to the subdivision will result in serious practical difficulty.

(i) Records and Review

The Commission shall keep a record of its findings, decisions, waivers and recommendations relative to all subdivision applications filed with it. All such records shall be public records.

(8) Designation of Historic Structure or District

See §14-1004 (Designation).

(9) Construction, Alteration, or Demolition in a Historic Area

See §14-1005 (Regulation).

§14-305 Nonconformities

(1) Purpose

This section recognizes that many land uses, buildings, parking areas, lots, signs, non-accessory signs, and site improvements in the City do not conform with the requirements of this Zoning Code either because (a) they were established before the adoption of zoning, or (b) they were legal when established but have become nonconforming due to later zoning amendments. It is the purpose of this section to regulate these nonconformities and to allow for the continued existence, use, modification, and expansion of these uses, buildings, parking areas, lots, signs, and site improvements subject to the limitations set forth in this section.

(2) Types of Nonconformities

Six different types of nonconformities exist and are subject to the requirements of this §14-305 (Nonconformities).

(a) Nonconforming Uses (including non-accessory signs)

(b) Nonconforming Structures

(c) Nonconforming Parking

(d) Nonconforming Site Improvements

(e) Nonconforming Lots

(f) Nonconforming Accessory Signs

(3) Exceptions

Notwithstanding the provisions of §14-305(2) (Types of Nonconformities), the following situations are not nonconformities. Properties in these categories are considered to comply with the Zoning Code.

(a) If this Zoning Code is or has been amended to increase minimum off-street parking requirements, or to lower the maximum amount of off-street parking that can be provided, no use in existence prior to those amendments shall be considered a nonconforming use simply because it no longer complies with the revised minimum or maximum parking requirements.

(b) A nonconformity that would not be permitted by this Zoning Code but that has been authorized through a variance or other action of the Zoning Board, or that has been authorized by court order, is not a nonconformity, so long as it complies with the terms of that authorization. This exception applies only to the portion of the property that was expressly approved by Zoning Board action or court order. If, for example, the Zoning Board granted a use variance on a lot that does not comply with applicable lot size requirements, the lot retains its nonconforming status despite the granting of the use variance.

(4) General Requirements

(a) A nonconformity may continue following any amendment to this or any prior Zoning Code that creates a condition in which a use, structure, parking area, site improvement, lot, or sign has been made nonconforming.

(b) Any rights conferred on a nonconformity run with the property. They are not affected by changes in tenancy or ownership.

(c) The operation, expansion, and replacement of a nonconformity shall be subject to the limitations in this §14-305 (Nonconformities).

(d) The burden of establishing the prior existence of a nonconformity is on the applicant. When applying for any permit or approval relating to a nonconformity, L&I may require the applicant to submit evidence of a prior permit or other documentation showing that the nonconformity existed before the date on which it became nonconforming.

(5) Nonconforming Uses

(a) Expansion

(.1) Expansion of nonconforming regulated uses that are listed in §14-603(13) (Regulated Uses) and nonconforming non-accessory signs is prohibited.

(.2) For uses other than those specified in §14-305(5)(a)(.1) above: A nonconforming use that is located in a conforming building may be expanded within that building, or within any expansion of that building that complies with §14-701 (Dimensional Standards), provided that the expansion shall not increase the area occupied by the nonconforming use by more than 10% more area than it occupied when it became nonconforming.

(b) Replacement

(.1) Abandoned Uses

(.a) A nonconforming use that has been discontinued (as determined by §14-305(5)(b)(.3) (Determination of Discontinued

Nonconforming Use)) for more than three consecutive years shall be considered abandoned and may not be resumed or replaced by another nonconforming use. Any subsequent use of the land or structure must comply with the use requirements of the district in which the land is located.

(.b) A successful zoning application for a permitted use or use approved by special exception in the district where the land is located shall not constitute abandonment of the nonconforming use until the permitted use or use approved by special exception is initiated on the property. If the applicant does not initiate the permitted use or use approved by special exception and a prior nonconforming use has been discontinued for less than three consecutive years, the prior nonconforming use may be continued pursuant to §14-305(5)(b) (Replacement).

(.2) Uses Discontinued for Three Years or Less

(.a) Replacement and discontinuance of nonconforming regulated uses that are listed in §14-603(13) (Regulated Uses) is governed by §14-603(13)(b)(.2) (Discontinuance of Operations).

(.b) For uses other than those specified in §14-305(5)(b)(.2)(.a) above: A nonconforming use that is currently in operation or has been discontinued (as determined by §14-305(5)(b)(.3) (Determination of Discontinued Nonconforming Use)) for three consecutive years or less may be replaced with another use not allowed by the base zoning and any applicable overlay zoning if the existing or discontinued use and the proposed replacement use are in the same use subcategory as shown in §14-601 (Use Categories), provided, however, that:

(.i) the existing or discontinued use shall not be replaced by a regulated use as set forth in §14-603(13) (Regulated Uses);

(.ii) if the existing or discontinued use is listed as a specific use type in §14-601 (Use Categories), then it may only be replaced by the same specific use type; and

(.iii) if the existing or discontinued use is not listed as a specific use type, then it may not be replaced by any specific use type listed in the same use subcategory.

(.3) Determination of Discontinued Nonconforming Use

(.a) A "discontinued use" is a nonconforming use that is no longer being actively operated on the property and for which there is evidence that the owner or lessee no longer intends to use the property for that purpose. Evidence of a discontinued nonconforming use may include, but shall not be limited to, (1) removal of improvements necessary to that use, (2) modifications to the

property that make it unsuitable for that use, (3) lapsing of permits or licenses necessary to operate that use, or (4) failure to pay property taxes or taxes related to the nonconforming use. L&I shall record such discontinuation of use in the file of the subject property.

(.b) Upon receipt of an application for a zoning permit relating to a property on which a nonconforming use is situated, L&I shall notify the applicant that a determination of discontinued use is under review and request any evidence that the use has not been discontinued. Evidence that a use has not been discontinued may include but is not limited to (1) improvements made to the property to accommodate that use during a time when the use was not actively operating, (2) efforts to market the property or improvements for that use during the time when the use was not actively operating, or (3) the maintenance of any licenses or permits necessary for the use or business during the time it was not actively operating. L&I's determination shall take into consideration any response received from the applicant, but that response shall not be determinative if other evidence suggests that the use has been discontinued.

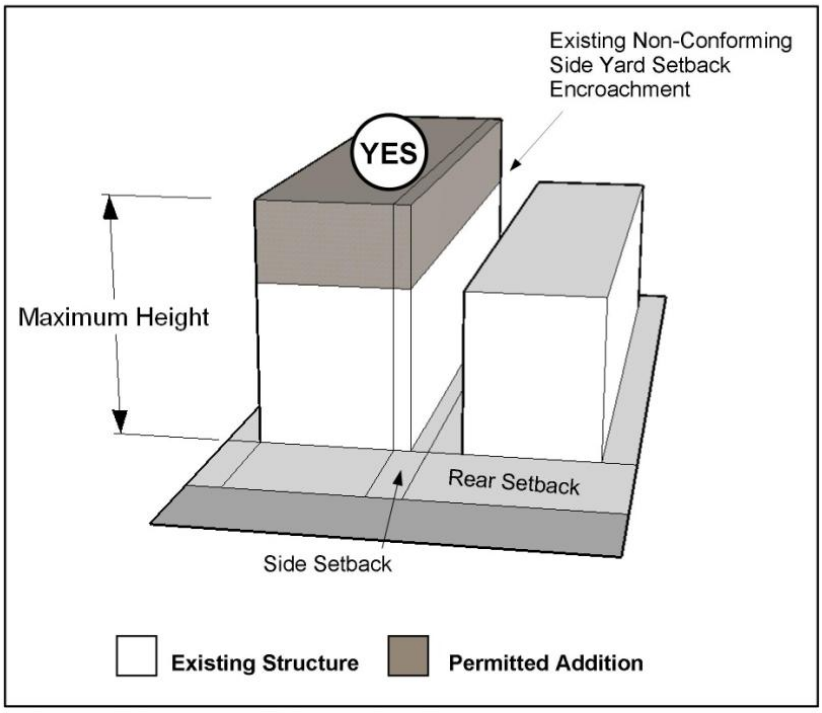
(6) Nonconforming Structures

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

(a) All expansions or extensions of nonconforming structures shall be limited to the lot occupied by the structure at the time it became nonconforming. Any purchase of adjacent lands or merger of adjacent lands into a single lot shall not permit the expansion or extension of a nonconforming structure in a way that increases any existing nonconformity.

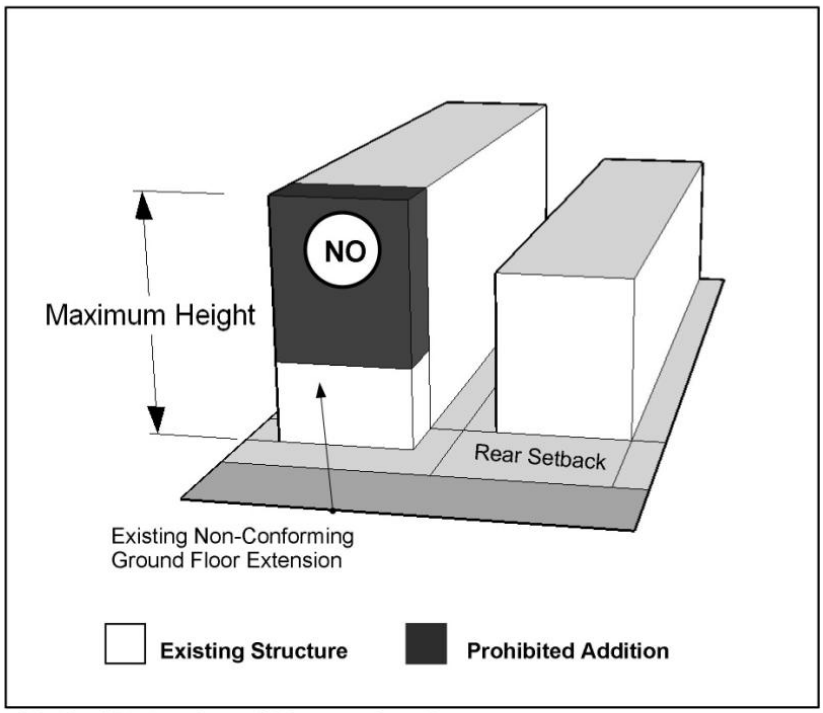
(b) In those zoning districts that limit maximum floor area, any nonconforming structure that contains more than the permitted amount of floor area may not be modified so as to create more floor area. Any nonconforming structure that contains less than the maximum permitted floor area may expand up to that limit provided that the addition complies with all other applicable requirements of this Zoning Code.

(c) Where a front or side wall does not meet a required setback or side yard requirement, a vertical extension of that wall that complies with the height limit and gross floor area ratio limit in Tables 14-701-1 through 14-701-3 is not an increase of that specific nonconformity, and is permitted. (See figure "Vertical Extension of a Non-conforming Side Wall.")



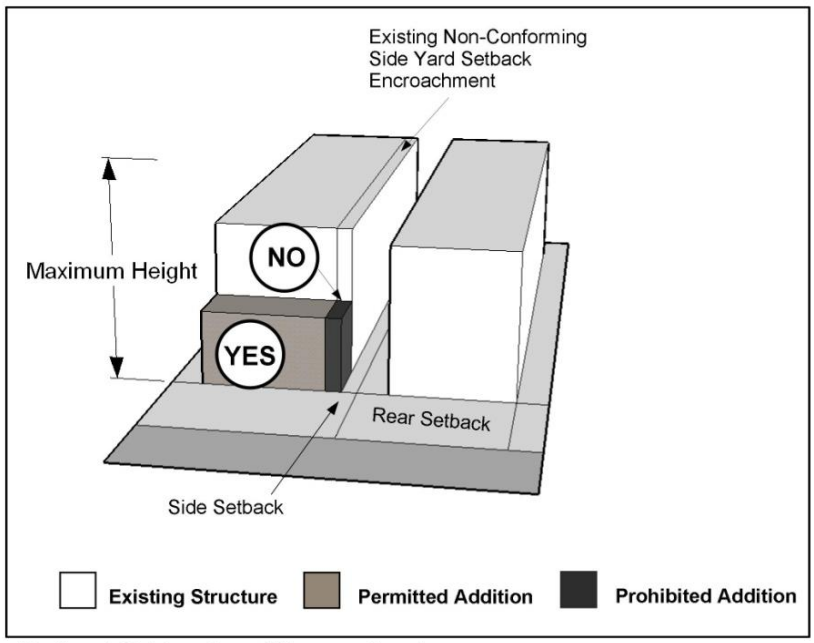
Vertical Extension of Non-conforming Side Wall

(d) Where a rear wall does not meet a rear yard minimum depth requirement, a vertical extension of that wall is an increase of that specific nonconformity, and is not permitted. Vertical extensions of a rear building wall that do not comply with minimum required rear yard minimum depth or yard areas must meet the requirements in Tables 14-701-1 through 14-701-3. (See figure "Vertical Extension of a Non-conforming Rear Wall.")



Vertical Extension of Non-conforming Rear Wall

(e) Where a side wall does not meet a required side yard requirement: 1) a horizontal extension of that wall into a 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 Non-conforming Side Wall.")



Horizontal Extension of Non-conforming Side Wall

(f) Elevator shafts or fire towers that existed at the time a structure became nonconforming may be extended in height without respect to the height regulations of the district in which such structures are located.

(g) Repairs to or renovation of a nonconforming structure or site improvement that bring the structure or site improvement into greater compliance with the building code are permitted.

(7) Nonconforming Lots

(a) If a lot is nonconforming because it does not meet the minimum lot requirements of §14-701 (Dimensional Standards), nothing in this Zoning Code shall prohibit (a) the use of that lot, or (b) the erection, construction, or alteration of structures upon that lot, or (c) in the case of a group of adjacent nonconforming lots, the erection or construction of an equal or lesser number of structures upon such lots, provided that such use, erection, construction, or alteration otherwise complies with the regulations of the district in which that lot is located.

(b) New subdivisions or re-subdivisions of land pursuant to §14-304(7) (Subdivisions and Subdivision Plats) after the effective date of this Zoning Code must meet the requirement of §14-701 (Dimensional Standards) as well as all other applicable provisions of this Zoning Code.

(8) Nonconforming Accessory Signs

(a) Except for accessory signs specifically prohibited by §14-904 (Accessory Sign Controls), a permit shall be granted for the continued maintenance of any accessory sign lawfully in existence on March 28, 1946, regardless of compliance with any of the other provisions of Chapter 14-900 (Signs).

(b) A nonconforming accessory sign may be maintained in the same location and position in any way that (1) does not increase the size, height, or degree of illumination of the accessory sign, (2) does not create a new nonconformity, and (3) does not increase an existing nonconformity. Without limiting the previous sentence, routine maintenance of the accessory sign face or accessory sign structure and changes to the accessory sign message are permitted as long as no new violation of this Zoning Code is created.

(9) Nonconforming Parking or Site Improvements

Where a conforming lot contains only conforming building and uses, but the amount or location of off-street parking or amount, location, or design of site improvements (for example, landscape area) does not meet the requirements of this Zoning Code, those nonconformities may remain and be used notwithstanding those nonconformities. However, all provisions of Chapter 14-800 (Parking and Loading) shall apply to any development or changes to structures or uses on the lot.

(10) Reconstruction of Destroyed Structures

(a) Applicability

Notwithstanding the provisions of §14-305(1) (Purpose) through §14-305(9) (Nonconforming Parking or Site Improvements) above, the provisions of this §14-305(10) (Reconstruction of Destroyed Structures) shall apply when nonconforming buildings, uses, lots, parking, site improvements, or accessory signs are destroyed or rendered unusable by fire or an act of God or a third party over which the owner has no control.

(b) Rights Following Destruction

Following destruction, as defined in §14-305(10)(a) (Applicability): (a) a replacement structure that does not reduce the nonconforming setbacks or exceed the nonconforming area or height of the destroyed structure may be constructed, and (b) the nonconforming use that existed prior to the destruction may be re-established, and (c) the property need not provide any more off-street parking spaces or loading areas than the property had before the destruction. These provisions shall apply only if reconstruction begins within three years after the destruction and is completed without interruption; otherwise the building, use, lot, parking, site improvement, or accessory sign may only be reconstructed in compliance with the Zoning Code for the zoning district where it is located.

(c) Voluntary Destruction

Any nonconforming structure, use, lot, parking area, site improvement, or accessory sign destroyed through means other than described in §14-305(10)(a) (Applicability) shall be reconstructed in compliance with the Zoning Code for the zoning district where it is located.

§14-306 Enforcement

(1) Enforcement

In order to administer and enforce the provisions of this Zoning Code, L&I and the Water Department shall have the power to take any of the following actions, individually

or in combination, and in any order. L&I's decision to take one of the listed actions shall not prevent it from taking additional listed actions in the future.

(a) Inspections

(.1) L&I may conduct inspections to determine compliance with the provisions of this Zoning Code.

(.2) L&I is authorized to administer the enforcement actions of this §14-306(1)(a) (Inspections) to remedy a violation resulting from a non-compliant stormwater system. The Water Department may conduct inspections of stormwater systems to determine compliance with the applicable provisions of this Zoning Code. The Water Department shall notify L&I of a violation of this Zoning Code that results from a non-compliant stormwater system.

(.3) In connection with the inspections of this §14-306(1)(a) (Inspections), an authorized representative of L&I or the Water Department may enter into and upon and may inspect any land or structure during normal daylight working hours. The owner and occupants of the land or structure shall grant access to L&I or the Water Department for inspection pursuant to Section A-401.2.2 of the Administrative Code.

(b) Compliance Order to Property Owner

L&I may make orders requiring an owner or occupant to comply with the provisions of this Zoning Code within 30 days of receipt of the violation notice or such other time as L&I shall prescribe in the violation notice. Such orders shall be served in accordance with the procedures established by Title 4, Subcode A (The Philadelphia Administrative Code). If the order is not complied with, L&I is authorized to take action to enforce compliance.

(c) Compliance Order to Permit Holder

L&I may serve a written notice of violation on the holder of a zoning permit or whenever L&I determines that any person has violated any condition of that zoning permit. The notice shall state the nature of the violation and shall require the holder of the zoning permit to comply with all the requirements of the zoning permit within 30 days of receipt of the notice of violation, or such other time as L&I may prescribe in the notice. If at the expiration of the time afforded for compliance the violation has not been corrected, L&I may revoke the zoning permit. L&I shall serve the notice of violation and revocation of any zoning permit in accordance with §14-306(1)(b) (Compliance Order to Property Owner) above.

(d) Suspension or Revocation of Permit or Approval

A zoning permit or approval under this Zoning Code may be suspended or revoked by L&I for the reasons listed below. A suspended permit shall be reinstated by L&I when it finds, after inspection, that the conditions or violations that resulted in permit suspension have been corrected. Reasons for suspension or revocation of a permit or approval are:

(.1) Non-compliance with or failure to implement any provision of the permit or approval (including any plan approved as part of the permit);

(.2) A violation of any provision of this Zoning Code, or any other applicable law or regulation relating to the activity for which the permit is required; or

(.3) The creation of any condition or the commission of any act during the activity for which the permit is required that constitutes or creates a hazard or nuisance, or that endangers the life or property of others.

(e) Cease Operations Order

(.1) Issuance of a Cease Operations Order

L&I may issue a cease operations order directing that occupancy, use, and other activities cease immediately, and that the premises be vacated pending compliance with the cease operations order whenever (1) any occupancy, use, or other activity is being performed in or on any building, structure, or land without one or more required permits or special exceptions, and either (2) the missing permits or special exceptions are required to protect public health or safety, or (3) the continued occupancy, use, or activity without the required permits or special exceptions is creating a public nuisance.

(.2) Requirements for Cease Operations Orders

When L&I issues a cease operations order:

(.a) The cease operations order must describe the occupancy, use, or other activity that is not in compliance, how the violation can be corrected, and the conditions under which the occupancy, use, or other activity can be resumed. If L&I observes a condition that creates an immediate risk to public health and safety, the order may be oral in the first instance.

(.b) L&I may serve the cease operations order on the person required to act or comply and on the owner of the premises. Upon notice of the cease operations order, all occupancy, use, or other activity subject to the cease operations order shall stop immediately and the premises shall be vacated and closed to the public until L&I determines there has been compliance.

(.c) The cease operations order shall be posted at the premises in conspicuous places clearly visible to the public, and shall remain posted on the premises until L&I determines that there has been compliance.

(.d) L&I shall promptly notify the Police of the issuance of each cease operations order. The Police, upon the request of L&I, shall render assistance in the enforcement of any cease operations order and shall have the right to enter the premises and shall have the right to arrest anyone violating any cease operations order.

(.e) L&I may, in addition to issuing a cease operations order, revoke any permits that may previously have been issued related to the occupancy, use, or activity that is the subject of the order. Re-

voked permits shall not be reinstated, except upon compliance with the terms of the cease operations order and payment of required fees.

(.f) No owner, occupant, or tenant and no person with knowledge of a Cease Operations Order shall:

(.i) Continue any occupancy, use, or other activity in or about any part of any building, structure, or land after a cease operations order has been issued, except to perform work required to comply with the cease operations order;

(.ii) Enter any part of any building, structure, or land, on which a cease operations order has been posted, except for the purpose of complying with the cease operations order;

(.iii) Permit any part of any building, structure, or land, to be occupied by the public until the cease operations order has been lifted by L&I;

(.iv) Remove, damage or deface any cease operations order; or

(.v) Resist or interfere with any inspector or other official in the performance of their duties or the enforcement of any provision of this section.

(f) Abatement of Signs

(.1) Whenever any sign is erected or maintained in violation of the provisions of Chapter 14-900 or related regulations issued by L&I, L&I shall serve a written notice requiring the violator to bring the sign into compliance within 30 days of receipt of that notice. If the violation has not been corrected within 30 days, L&I may by itself or by contract remove the violating sign or, if it may be done with less expense, bring the sign into compliance. A pending appeal shall not stay enforcement other than as provided in §14-303(15)(a)(.7). The costs incurred by L&I shall be charged against the sign owner and the Law Department may take any action to collect those costs from the owner authorized by law at the time of the violation. No permit for any similar sign at that place shall be granted until those costs have been paid to the City. Within 15 days after removal of any sign pursuant to these regulations, the owner may reclaim any materials salvaged by L&I after payment of the cost of removal incurred by L&I.

(.2) Notwithstanding the provisions of §14-306(1)(f)(.1), if any violation of Chapter 14-900 results in an immediate peril to persons or property, L&I may require immediate compliance. If the owner does not immediately comply with the provisions of Chapter 14-900 creating the risk of peril, L&I may without any additional notice, and in addition to

any other remedies available in this Zoning Code (a) correct the violation itself, or contract to have the violation corrected by a third party, and recover the costs and allow salvage of materials as described in §14-306(1)(f)(.1), or (b) apply with the approval of the Law Department to any Court of Common Pleas of Philadelphia for relief by injunction or restraining order.

(2) Penalties

Penalties for violations of this Zoning Code are provided for in Chapter 6 of Title 4, Subcode "A" (The Philadelphia Administrative Code).

Chapter 14-400 Base Zoning Districts

§14-401 Residential Districts 4-1
(1) General 4-1
(2) Allowed Uses 4-3
(3) Dimensional Standards 4-3
(4) Multiple Principal Uses and Buildings 4-3
(5) RMX-1 and RMX-2 Master Plans 4-3
§14-402 Commercial and Commercial Mixed-Use Districts 4-3
(1) General 4-3
(2) Allowed Uses 4-5
(3) Dimensional Standards 4-5
(4) Multiple Principal Uses and Buildings 4-5
§14-403 I, Industrial and Industrial Mixed-Use Districts 4-6
(1) General 4-6
(2) Allowed Uses 4-7
(3) Dimensional Standards 4-8
(4) Multiple Principal Uses and Buildings 4-8
§14-404 SP-INS, Institutional (Special Purpose) District 4-8
(1) Purpose 4-8
(2) Use Regulations 4-8
(3) Area Regulations 4-8
(4) Height and Massing Regulations 4-8
(5) Off-Street Parking 4-9
(6) Off-Street Loading 4-9
(7) Accessory Signs 4-9
(8) Fences and Retaining Walls 4-9
(9) Property Lines 4-10
(10) Regulations Applicable to Germantown Avenue 4-10
§14-405 SP-ENT, Entertainment (Special Purpose) District 4-12
(1) Purpose 4-12
(2) Use Regulations 4-12
(3) Area Regulations 4-12
(4) Height Regulations 4-13
(5) Off-Street Parking 4-13
(6) Parking Design 4-14
(7) Off-Street Loading 4-16
(8) Signs 4-16
(9) Design Standards 4-18
(10) Public Art 4-19
§14-406 SP-STA, Sports Stadium (Special Purpose) District 4-20
(1) Purpose 4-20
(2) Use Regulations 4-20
(3) Area Regulations 4-21
(4) Height Regulations 4-21
(5) Off-Street Parking 4-21
(6) Off-Street Parking, Layout, and Access Conditions 4-22
(7) Lighting 4-22
(8) Landscape Buffer 4-22

(9) Accessory Signs 4-22
§14-407 SP-PO, Parks and Open Space (Special Purpose) District 4-22
(1) Purpose 4-22
(2) Designations 4-23
(3) Use Regulations 4-23
(4) Area and Height Regulations 4-23
(5) Lighting 4-23
§14-408 SP-AIR, Airport (Special Purpose) District 4-23
(1) Purpose 4-23
(2) Use Regulations 4-23
(3) Area Regulations 4-24
(4) Height Regulations 4-24
(5) Parking and Loading 4-24
(6) Signs 4-24
(7) Fences 4-25

§14-401 Residential Districts

(1) General

(a) Districts

(.1) List

The City's residential zoning districts are listed in Table 14-401-1, below. When this Zoning Code refers to "Residential" zoning districts, it is referring to all of these districts as of the effective date of this Zoning Code.

Table 14-401-1: Residential Districts

Map Symbol	District Name	Previously Known As
RSD-1	Residential Single-Family Detached-1	R1
RSD-2	Residential Single-Family Detached-2	R1A
RSD-3	Residential Single-Family Detached-3	R2
RSA-1	Residential Single-Family Attached-1	R3
RSA-2	Residential Single-Family Attached-2	R4
RSA-3	Residential Single-Family Attached-3	R5
RSA-4	Residential Single-Family Attached-4	R6
		R7
RSA-5	Residential Single-Family Attached-5	R9A
		R10A
		R20
RTA-1	Residential Two-Family Attached-1	R5A
RM-1	Residential Multi-Family-1	R8
		R9
		R10
		R10B
		R18
		R19
RM-2	Residential Multi-Family-2	R11
		R11A
		R12
		R13
RM-3	Residential Multi-Family-3	R14
RM-4	Residential Multi-Family-4	R15
		R16
RMX-1	Residential Mixed-Use-1	RC-6
RMX-2	Residential Mixed-Use-2	WRD
		ITD
RMX-3	Residential (Center City) Mixed-Use-3	RC-4

(.2) Map Symbols

(.a) The alphanumeric map symbols are intended to provide a general indication of each district's primary intended character and the building types allowed. "RSD," for example, is a short-hand reference to a residential district that is primarily intended to accommodate a single detached house on a lot. "RSA" is used to refer to a residential district geared primarily toward attached and semi-detached houses on individual lots. "RTA" identifies a residential district that permits two-family houses. The RM res-

idential districts are oriented toward multi-family buildings. The RMX districts are residential mixed-use districts that allow a range of residential uses and some commercial uses.

(.b) The numeral following the dash in the RSD, RSA, RTA, RM, and RMX district map symbols is a relative indicator of the density and intensity of development allowed, with a "1" indicating the lowest density/intensity option within the range.

(b) Purposes

Philadelphia's Residential zoning districts are primarily intended to create, maintain, and promote a variety of housing opportunities for individual households and to maintain and promote the desired physical character of neighborhoods. While the district regulations primarily accommodate residential use types, some nonresidential uses are also allowed. The Residential district standards provide development flexibility, while at the same time helping to ensure that new development is compatible with the City's diverse neighborhoods. In addition, the regulations offer certainty for property owners, developers, and neighbors about the limits of what is allowed. In the event of a conflict between any provision of this §14-401 (Residential Districts) and any other provision of this Zoning Code, the latter shall govern.

(c) Descriptions

(.1) RSD, Residential Single-Family Detached Districts

The RSD, Residential Single-Family Detached districts are primarily intended to accommodate detached houses on individual lots. It is intended that RSD zoning be applied in areas where the land-use pattern is characterized predominately by detached houses on individual lots or where such a land use pattern is desired in the future. The Zoning Code includes three RSD districts that are differentiated primarily on the basis of minimum lot area requirements.

(.2) RSA, Residential Single-Family Attached Districts

The RSA, Residential Single-Family Attached districts are primarily intended to accommodate attached and semi-detached houses on individual lots, but may be applied in areas characterized by a mix of housing types, including detached houses. The districts are also intended to provide a density transition between RSD districts and RM districts. The Zoning Code includes five RSA districts that are differentiated primarily on the basis of minimum lot area requirements.

(.3) RTA, Residential Two-Family Attached Districts

The RTA, Residential Two-Family Attached districts are primarily intended to accommodate two-family, semi-detached houses on individual lots, but may be applied in areas with a mix of housing types , including detached and attached houses.

(.4) RM, Residential Multi-Family Districts

The RM, Residential Multi-Family districts are primarily intended to accommodate moderate- to high-density, multi-unit residential buildings in areas where such development already exists or where it is

desired in the future. The Zoning Code includes four RM districts. These districts are differentiated primarily on the basis of allowed minimum lot area per unit and allowed building heights.

(.5) RMX, Residential Mixed-Use Districts

The RMX, Residential Mixed-Use districts are intended to accommodate residential and mixed-use development. The RMX-1 district is further intended to promote conservation of existing topography, trees, natural waterways, and other natural resources, as well as preservation of historically significant buildings, structures, and property. The RMX-3 district is intended for application primarily in Center City.

(2) Allowed Uses

Principal uses that are allowed in Residential districts are set forth in Table 14-602-1. 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).

(3) Dimensional Standards

Dimensional standards that apply in Residential districts are set forth in §14-701 (Dimensional Standards).

(4) Multiple Principal Uses and Buildings

(a) No more than one principal use is allowed per lot in RSD, RSA, and RTA zoning districts, except as otherwise expressly stated in this Zoning Code. Multiple principal uses are allowed on a single lot in RM and RMX districts.

(b) No more than one principal building is allowed per lot in RSD, RSA, and RTA zoning districts. Multiple principal buildings may be placed on a single lot in RM and RMX districts. Dormitories and recreation-related buildings accessory to education facilities and residential dwelling units accessory to religious assembly uses are exempt from limitations on the number of buildings per lot.

(5) RMX-1 and RMX-2 Master Plans

Subsequent to the effective date of this Zoning Code, no rezoning to an RMX-1 or RMX-2 district shall be effective until a master plan for such district has been approved in accordance with §14-304(3)(e)(.1) (Master Plan 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-1	Neighborhood Commercial Mixed-Use-1	C-1
CMX-2	Neighborhood Commercial Mixed-Use-2	C-2
		RC-1
		RC-2
		OC
CMX-2.5	Neighborhood Commercial Mixed-Use-2.5	Various special district controls
CMX-3	Community Commercial Mixed-Use	C-3
		RC-3
CMX-4	Center City Commercial Mixed-Use	C-4
CMX-5	Center City Core Commercial Mixed-Use	C-5
CA-1	Auto-Oriented Commercial-1	C-7
		NSC
CA-2	Auto-Oriented Commercial-2	ASC
	Eliminated>>	C-6

(.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.

(.b) The numeral following the dash in the Commercial district map symbols is a relative indicator of the density/intensity or use, with a "1" indicating the lowest density/intensity/use option.

(b) Purposes

Philadelphia's commercial zoning districts are primarily intended to accommodate and promote neighborhood-, community- and region-serving commercial uses, as well as mixed-use development consisting of commercial and residential uses in the same building or on the same site. This type of mixed-use development is encouraged in many areas of the City because it reflects the City's traditional urban, pedestrian-oriented character. Encouraging residential development in Commercial zoning districts also provides increased housing choice and reduces motorized transportation demands. The Commercial districts are distinguished primarily on the basis of allowed uses and commercial floor area limits. In the event of a conflict between any provision of this §14-402 (Commercial and Commercial Mixed-Use Districts) and any other provision of this Zoning Code, the latter shall govern.

(c) Descriptions

(.1) CMX-1, Neighborhood Commercial Mixed-Use District

The CMX-1, Neighborhood Commercial Mixed-Use district is primarily intended to accommodate low-impact, small-scale, neighborhood-serving retail and service uses in storefront buildings, as well as the types of residential uses allowed in surrounding zoning districts.

(.2) CMX-2, Neighborhood Commercial Mixed-Use District-2

The CMX-2, Neighborhood Commercial Mixed-Use district is primarily intended to accommodate neighborhood-serving retail and service uses. The range of allowed uses is broader than the CMX-1 district.

(.3) CMX-2.5, Neighborhood Commercial Mixed-Use District-2.5

The CMX-2.5, Neighborhood Commercial Mixed-Use district is primarily intended to accommodate active, pedestrian-friendly retail and service uses in commercial nodes and along commercial corridors. The range of allowed uses is slightly narrower than the CMX-2 district and the development standards are intended to promote a pedestrian-oriented environment.

(.4) CMX-3, Community Commercial Mixed-Use District

The CMX-3, Community Commercial Mixed-Use district is primarily intended to accommodate community- and region-serving retail and service uses. The range of allowed uses is broader than the CMX-1 and CMX-2 districts.

(.5) CMX-4, Center City Commercial Mixed-Use District

The CMX-4, Center City Commercial Mixed-Use district is primarily intended to accommodate mixed-use development, including a broad range of nonresidential uses, in the Center City area.

(.6) CMX-5, Center City Core Commercial Mixed-Use District

The CMX-5, Center City Core Commercial Mixed-Use district is primarily intended to accommodate mixed-use development in the central core area of center City.

(.7) CA-1 and CA-2, Auto-Oriented Commercial Districts

The primary purpose of the CA-1 and CA-2, Auto-Oriented Commercial districts is to accommodate a very broad range of uses, often in the physical form of shopping centers and other destination-oriented uses in which a large percentage of customers will arrive by automobile.

(2) Allowed Uses

Principal uses are allowed in Commercial districts in accordance with Table 14-602-2. 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).

(3) Dimensional Standards

Dimensional standards that apply in Commercial districts are set forth in §14-701 (Dimensional Standards).

(4) Multiple Principal Uses and Buildings

(a) Multiple principal uses are allowed on a single lot in Commercial districts.

(b) Multiple principal buildings may be placed on a single lot in all Commercial districts, except CMX-1, CMX-2, and CMX-2.5, where multiple principal buildings

may be placed on a single lot only if approved as a special exception in accordance with the procedures of §14-303(7) (Special Exception Approval).

§14-403 I, Industrial and Industrial Mixed-Use Districts

(1) General

(a) Districts

(.1) List

The City's Industrial and Industrial Mixed-Use zoning districts are listed in Table 14-403-1, below. When this Zoning Code refers to "Industrial" zoning districts, it is referring to all of these districts as of the effective date of this Zoning Code.

Table 14-403-1: Industrial and Industrial Mixed-Use Districts

Map Symbol	District Name	Previously Known As
IRMX	Industrial Residential Mixed-Use	NA (new district)
ICMX	Industrial Commercial Mixed-Use	L-4
		L-5
I-1	Light Industrial	L-1
		L-2
		L-3
I-2	Medium Industrial	G-1
		G-2
		Food Distribution Center
I-3	Heavy Industrial	LR
I-P	Port Industrial	Port Industrial

(.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. "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.

(.b) The numeral following the dash in the Industrial district map symbols is a relative indicator of the density/intensity or use, with a "1" indicating the lowest intensity/use option.

(b) Purposes

(.1) Philadelphia's Industrial zoning districts are primarily intended to accommodate manufacturing, warehousing, wholesale, and industrial uses. The district regulations are intended to:

(.a) promote the economic viability of utilities, construction, manufacturing, goods movement and warehousing, resource production, research and development, equipment and facility services, and other industrial uses;

(.b) encourage employment growth; and

(.c) limit the encroachment of unplanned residential and other non-industrial development within active industrial areas.

(.2) In the event of a conflict between any provision of this §14-403 (I, Industrial and Industrial Mixed-Use Districts) and any other provision of this Zoning Code, the latter shall govern.

(c) Descriptions

(.1) IRMX, Industrial Residential Mixed-Use District

The IRMX, Industrial Residential Mixed-Use district is primarily intended to accommodate a mix of very low-impact industrial uses, including artists and artisan industrial, and residential and neighborhood-oriented commercial uses.

(.2) ICMX, Industrial Commercial Mixed-Use District

The ICMX, Industrial Commercial Mixed-Use district is primarily intended to accommodate commercial and industrial uses. The district is intended to serve as a buffer between Industrial districts and Commercial and Residential Districts.

(.3) I-1, Light Industrial District

The I-1, Light Industrial district is primarily intended to accommodate low-impact employment-generating land uses, such as light industrial, assembly, fabrication, offices, research and development, small-scale wholesaling, local distribution, and similar activities that generate few adverse operational impacts (e.g., noise, traffic).

(.4) I-2, Medium Industrial District

The I-2, Medium Industrial district is primarily intended to accommodate light industrial uses, moderate-impact uses, and employment activities such as manufacturing, distribution, processing, industrial parks, and other activities that may generate noise, odor, vibration, after hours activities, or traffic impacts well beyond the subject property lines.

(.5) I-3, Heavy Industrial District

The I-3, Heavy Industrial district is primarily intended to accommodate intensive, high-impact uses, including extractive industries, petroleum processing, storage, terminals, tanks, pipes, and other activities generating high levels of noise, odor, or vibration, and often requiring empty "slack" space within the site.

(.6) I-P, Port Industrial District

The I-P, Port Industrial district is primarily intended to accommodate marine-related industrial uses such as docks, wharves, piers, transit sheds, and related facilities used in connection with the transfer, storage-in-transit, and incidental processing of cargo from or to waterborne craft.

(2) Allowed Uses

Principal uses are allowed in Industrial districts in accordance with Table 14-602-3. 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).

(3) Dimensional Standards

Dimensional standards that apply in Industrial districts are set forth in §14-701 (Dimensional Standards).

(4) Multiple Principal Uses and Buildings

Multiple principal uses and buildings are allowed on a single lot in all Industrial districts.

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

(1) Purpose

The SP-INS, Institutional (Special Purpose) district is intended to encourage the development of institutional uses, commercially-related facilities to service the institutional complex and area, and certain other nonresidential uses in accordance with an approved master plan, subject to certain limitations on the type of use and certain requirements for total area, gross floor area, percentage of land coverage, setbacks, off-street parking, off-street loading spaces, and signs.

(2) Use Regulations

Uses are allowed in SP-INS districts in accordance with Table 14-602-4. Multiple principal uses and principal structures are allowed on a single lot in the SP-INS district.

(3) Area Regulations

(a) District Area and Boundaries

An SP-INS district must contain at least five acres of contiguous land area.

(b) Gross Floor Area

The gross floor area of all buildings may not exceed 400% of the total area of the SP-INS district, exclusive of streets.

(c) Occupied Area

Not more than 70% of the SP-INS district area, exclusive of streets, may be occupied by buildings.

(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 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 setback required in the most restrictive adjacent Residential district.

(4) Height and Massing Regulations

(a) There are no height or massing regulations in this district, except as provided in §14-404(4)(b) below.

(b) If an SP-INS-zoned lot is adjacent to a lot in a Residential district, the maximum permitted building height for a portion of a building in the SP-INS district

located with 50 ft. of that boundary shall be 20 ft. taller than the maximum permitted building height in the most restrictive adjacent Residential district.

(5) Off-Street Parking

(a) At least one off-street parking space must be provided for each 4,000 sq. ft. of cumulative gross floor area of buildings in the district.

(b) In SP-INS districts with a total contiguous land area of less than 40 acres, required off-street parking areas must be located within 1,000 ft. of the building or buildings that they are proposed to serve. In SP-INS districts with a total contiguous land area of 40 acres or more, required off-street parking areas must be located within 2,000 ft. of the building or buildings that they are proposed to serve.

(6) Off-Street Loading

Off-street loading must be provided, in accordance with the commercial district loading requirements of §14-806 (Off-Street Loading), for the cumulative gross floor area of the buildings within the SP-INS district area established after March 1, 1978.

(7) Accessory Signs

Accessory signs are permitted in accordance with the following limitations and conditions:

(a) For all permitted uses:

(.1) Permitted signs may be illuminated by interior lighting or lighting directed toward the signs that does not create glare upon the adjacent district. Flashing signs, animated signs, and signs with intermittent illumination are prohibited.

(.2) Signs that revolve are prohibited. Any revolving device that causes intermittent flashes of light to be projected is prohibited.

(.3) Signs may be attached flat against the wall of the building or marquee, but may not project above the roof or wall coping, nor extend beyond the building or marquee walls.

(b) For uses in the office, retail sales, or commercial services use categories: Freestanding accessory signs are not permitted. Signs for such uses are subject to the sign area limitations that apply in the CMX-2 district.

(c) For uses other than those in the office, retail, and commercial services categories: each building is allowed to have one accessory sign, including a freestanding sign. Signs are not subject to sign area limitations.

(8) Fences and Retaining Walls

Fences are permitted in this district in accordance with the following limitations and conditions:

(a) If an SP-INS zoned lot is not adjacent to a lot in a Residential district, fences may not exceed six ft. in height, except that fences surrounding athletic fields may be up to 15 ft. in height.

(b) If an SP-INS-zoned lot is adjacent to a lot in a Residential district, fences may not exceed a height equal to 125% of the maximum fence height permitted by the most restrictive adjacent Residential district.

(c) Any portion of a retaining wall that exists above the higher level grade shall comply with the requirements for fences. Where a fence is located on top of a retaining wall, the combined height of the retaining wall that exists above the higher level grade and fence shall not exceed the maximum height permitted for a fence. This paragraph shall not apply to any retaining wall required to meet alternative standards by any provision of The Philadelphia Code, any provision of state or federal law, or any regulations adopted to implement the code or those laws.

(9) Property Lines

Applications within the SP-INS district may propose development that crosses over lot lines between individual abutting lots and without regard to individual lot setbacks, provided that (a) all of the lots on which the development is to occur are in common ownership, and (b) the proposed development is consistent with the approved master plan for the district.

(10) Regulations Applicable to Germantown Avenue

The following additional regulations are applicable to SP-INS-zoned lots located adjacent to an RSD-1 zoning district and with street frontage on Germantown Avenue between Northwestern Avenue and Bells Mills Road. When the regulations of this §14-404(10) (Regulations Applicable to Germantown Avenue) conflict with any other subsection of §14-404 (SP-INS, Institutional (Special Purpose) District), the requirements of this §14-404(10) (Regulations Applicable to Germantown Avenue) shall control.

(a) The following uses shall be prohibited:

(.1) Pool or billiards rooms;

(.2) Bowling alleys;

(.3) Fraternity and sorority houses;

(.4) Hospitals;

(.5) Post offices;

(.6) Repair of household appliances and fixtures;

(.7) Personal vehicle sales and rentals;

(.8) Retail sales of department store merchandise, electric appliances and fixtures, floor coverings, furniture, household appliances, meat, packaged paints, seafood, or variety store merchandise;

(.9) Animal services; and

(.10) Basic utilities and services, limited to telephone exchange buildings.

(b) The minimum area of the SP-INS district shall be 30 acres of contiguous land area.

(c) Solely within the buildable area of the approved Master Plan and the internal road system, construction and earth moving activity on previously disturbed slopes in excess of 25% may be permitted when such construction is in accordance with applicable regulations of and plans approved by the Water Department, the Commission, the Pennsylvania Department of Environmental Protection, and any other agencies having jurisdiction.

(d) Portions of the SP-INS district located on the north side of Germantown Avenue between Northwestern Avenue and Hillcrest Avenue shall comply with the following:

(.1) The gross floor area of all buildings shall not exceed 48.5% of the total area of the SP-INS district nor 925,000 sq. ft., exclusive of streets.

(.2) Solely within the buildable area of the approved Master Plan and the internal road system, new impervious ground cover may be constructed as part of the relocation and widening of existing internal roads when the internal road improvements result in a net decrease in impervious surface within the floodplain and floodway and when such construction is in accordance with applicable regulations of and plans approved by the Water Department, the Commission, the Pennsylvania Department of Environmental Protection, and any other agencies having jurisdiction.

(e) Portions of the SP-INS district located on the south side of Germantown Avenue between Northwestern Avenue and Bells Mills Road shall comply with the following:

(.1) The gross floor area of all buildings shall not exceed 38% of the total area of the SP-INS district nor 500,000 sq. ft., exclusive of streets.

(.2) Solely within the buildable area of the approved Master Plan and the internal road system, ground coverage may not exceed 20% in Category 1 areas of the /WWO Wissahickon Watershed overlay district when accompanied by mitigation measures such as green roofs, stormwater cisterns and bioswales, or other engineering countermeasures which reduce the volume and rate of stormwater runoff to the Wissahickon Creek in accordance with applicable regulations of and plans approved by the Water Department, the Commission, the Pennsylvania Department of Environmental Protection, and any other agencies having jurisdiction.

(f) The exceptions authorized by the provisions of §14-404(10)(c), §14-404(10)(d)(.2), and §14-404(10)(e)(.2), above shall be applicable only to those improvements authorized through the enactment of SP-INS district rezoning legislation and the accompanying approved Master Plan for the Chestnut Hill College campuses and which are consistent with the allowances provided in §14-404(10)(d)(.1) and §14-404(10)(e)(.1), above.

(g) Notwithstanding the provisions of §14-404(10)(c), §14-404(10)(d)(.2), and §14-404(10)(e)(.2), above, all rights of appeal under §14-303(15)(a) (Appeals to Zoning Board of Adjustment) from any decision of L&I, including, without

limitation the issuance of any zoning permit under §14-303(6) (Zoning Permits), shall be preserved.

§14-405 SP-ENT, Entertainment (Special Purpose) District

(1) Purpose

The SP-ENT, Entertainment (Special Purpose) district is intended to encourage the orderly development of major entertainment facilities and certain other uses in accordance with an approved master plan. The master plan must be approved, and may be amended as necessary, and is subject to restrictions on the type of use and certain other development controls.

(2) Use Regulations

(a) Uses are allowed in SP-ENT districts in accordance with Table 14-602-4. Regulated uses (See §14-603(13) (Regulated Uses)) are not allowed unless otherwise expressly stated.

(b) These regulations are not intended to limit the authority of the Pennsylvania Gaming Control Board under the Pennsylvania Gaming Control Board Act to identify the property on which it will permit a Category 2 licensed gaming facility within the City.

(c) These regulations should not be construed to prohibit any use that is exclusively regulated and permitted by the Commonwealth under the Pennsylvania Gaming Control Board Act.

(d) Multiple principal uses and principal structures are allowed on a single lot in the SP-ENT district.

(3) Area Regulations

(a) District Area and Boundaries

Boundaries should be so designated to afford a reasonable line of division between the district and adjacent uses consistent to carry out the purposes and scope of this Zoning Code. The master plan should also provide for reasonable, compatible spatial relationships between buildings that are situated on the periphery of the district and abutting non-SP-ENT district areas.

(b) Gross Floor Area

The total gross floor area of all buildings may not exceed 400% of the SP-ENT district. Underground parking will not be included in this calculation.

(c) Open Area

For sites that consist of four acres or more, at least 30% of the site must be open area. For sites of less than four acres, at least 10% must be open area. At least 50% of this required open area must be constructed of a permeable surface. The total open area calculation may not include open-air parking lots.

(d) Open Area Above Ground Level

Up to 30% of the required open area may be located above the ground level, provided that the open area above ground level is accessible by building occupants.

(e) Yards

Front, side, and rear yards will be required in this district as follows and as may be required as part of the approval of an SP-ENT master plan:

(.1) Parking location

Surface parking areas, and any access to parking, aisles, loading, or other servicing will not be permitted within 25 ft. of any residential district.

(.2) Waterfront Setback

(.a) When located along the Schuylkill or Delaware Rivers, all lots must provide or allow for an unencumbered waterfront setback from the top of the bank of any river to allow for unrestricted public access to the river's edge. Any land located within this setback that is dedicated to the City of Philadelphia, the Commonwealth of Pennsylvania, or any public entity will be included in the determination of conformance with the area regulations of the SP-ENT district. This waterfront setback must include open space that is accessible to the public, either privately or publicly owned, at a width of at least 30 ft. and must include a publicly or privately owned right-of-way dedicated for pedestrian and bicycle traffic at a width of at least 20 ft.

(.b) The Commission may reduce this waterfront setback requirement for all or part of a site if site-specific conditions warrant such reduction, but in no case will the waterfront setback at any spot be less than 30 ft. total, including the pedestrian and bicycle right-of-way.

(4) Height Regulations

The maximum height of any building shall not exceed 300 ft. or 30 stories.

(5) Off-Street Parking

Plans for all off-street parking areas must comply with the provisions of this section and with any prerequisite approvals of this Zoning Code. Within any SP-ENT district, off-street parking spaces must be provided for the following uses as listed below:

(a) Licensed Gaming Facilities

(.1) Four parking spaces for every five slot machine or gaming positions provided for patrons and guests.

(.2) Some or all of the parking required by this subsection may be provided on immediately adjacent lots, regardless of the lot's underlying zoning.

(.3) During any period of time when any parking spaces required by this Section are rendered unavailable because of ongoing construction of a parking garage to meet the requirements of §14-405(6)(a)(.1) below, replacement parking spaces may be provided within one mile of the boundary of the SP-ENT district in which the gaming facility is located, regardless of the lot's underlying zoning, but only on a lot or lots immediately adjacent to and accessible from Delaware Avenue.

(b) Hotels

One parking space for every two units.

(6) Parking Design

(a) Layout and Access Conditions

Parking provided in this district must be adequately served by high-capacity roads or driveways approved by the Streets Department as being adequate to safely serve the ingress and egress of patrons and guests using the facility, further provided:

(.1) Except for interim facilities with 1,700 or fewer gaming positions, up to 10% of all parking spaces in an SP-ENT district may be provided in parking lots. This includes required handicapped spaces, bus parking, limousine parking, cabstands, loading spaces and delivery spaces; and

(.2) All entrances to parking areas or facilities must be provided with adequate vehicle reservoir spaces approved by the Streets Department.

(b) Surface Parking Areas

Where parking spaces are in an open-air area, the area must:

(.1) Be situated on ground that does not contain any grades in excess of 10%, namely, changes of grade of one foot for each 10 ft.;

(.2) Be paved with a hard top surface of cement concrete, bituminous concrete, or pervious pavers, including all accessways or driveways from the street;

(.3) In cases where more than three motor vehicles are to be parked, comply with the applicable provisions of §9-601 of The Philadelphia Code that regulates garages, parking lots, sales lots, and showrooms;

(.4) Be provided with adequate lighting facilities for use at night. Lights must be focused so as to prevent glare on surrounding lots; and

(.5) For the protection of surrounding buildings and pedestrians, contain permanent, substantial barriers constructed of metal or masonry around the area. If constructed of masonry, the wall must be at least two ft. above the ground, and if constructed of metal or masonry posts, the posts must be at least four in. but no more than six in. in diameter, placed no more than five ft. apart, nor less than 30 in. above the ground, and connected by metal pipes, rods, fencing, or chains.

(c) Walkways

Where an off-street parking lot containing more than 25 spaces or a portion of an off-street parking lot that contains over 25 spaces is located between a building and a public street, a pedestrian walkway at least five ft. in width must be provided in accordance with the following requirements:

(.1) The walkway must be located within or along the edge of the parking lot;

(.2) The walkway must connect the street and the building;

(.3) One such walkway must be provided for each 300 ft. of street frontage; and

(.4) Where a walkway crosses a driveway or aisle, the driveway or aisle must be clearly marked and signed so as to indicate the location of the walkway and to require vehicles to stop for individuals using the walkway.

(d) Screening Abutting Residential Districts

Where an off-street parking lot, parking garage, driveway, or aisle is located between a building and a residential district, or is located so that there is not a building or portion of a building between the parking lot, parking garage, driveway, or aisle and a residential district, a planted buffer at least six ft. wide and six ft. high must be installed and maintained between the parking lot, parking garage, driveway, or aisle and the residential district in accordance with the following requirements:

(.1) The planted buffer must be installed along the entire edge of the abutting residential lot line;

(.2) Where an off-street parking lot, parking garage, driveway, or aisle is located between a building and a residential district along two or more lot lines, a planted buffer must be installed along the entire edge of both abutting residential lot lines;

(.3) The planted buffer may be located within the required side and rear yards; and

(.4) The required screening must be maintained in a manner to ensure its survival. In the event that any plants die, they must be replaced at the required ratio.

(e) Screening Along Street Frontage

Along all public streets, whether or not a setback is required, a landscaped area must be installed along the outer edge of the parking lot in accordance with the following requirements:

(.1) A landscaped area at least four ft. wide and two ft. high must be installed along the entire street frontage of all streets, except where walkways and driveways connect to the public street; and

(.2) The landscaped area may be located within any required setback.

(f) Landscape Within Parking Lots

Within all off-street parking lots additional area must be provided for the installation and maintenance of landscaped areas. The total landscaped area must be at least 10% of the area of the parking lot, including all spaces, aisles, and driveways, but excluding all walkways and screening required by this Zoning Code.

(g) Plants

All required landscaped areas must meet the following requirements:

(.1) Plants must be installed at a size and number to ensure adequate screening from the time the material is installed;

(.2) The type of plant must be selected from a list of types, sizes, species, and numbers of plants that are appropriate to the environment in which they are to be installed and appropriate for the location of the parking facility as such list is maintained by the Commission; and

(.3) The required landscape area may be located anywhere within or along the parking lot, provided it must be maintained in a manner to insure its survival. In the event that any plants die, they must be replaced at the required ratio.

(h) Lighting

All parking lots must include lighting in accordance with the following requirements:

(.1) The lighting must illuminate the entire parking lot and walkways with an overall minimum average level of illumination of at least two horizontal foot-candles;

(.2) The illumination must be maintained throughout the hours of darkness; and

(.3) The illumination must be directed to the surface of the parking lot in a manner that will prevent glare upon the surrounding areas.

(i) Maintenance

The master plan must include a plan that addresses the long-term maintenance of all facilities and improvements required by the SP-ENT district regulations.

(7) Off-Street Loading

(a) Off-street loading must be provided in accordance with residential district loading requirements of Table 14-806-1 in §14-806(Off-Street Loading).

(b) The off-street loading areas must be used for all waste collection. Storage of waste must be fully contained within an enclosed structure, except at times of collection.

(8) Signs

Signs are permitted in accordance with the following limitations and conditions:

(a) Each building in the SP-ENT district will be permitted to have signs identifying the name, use, or purpose of said building;

(b) Lots facing one street line will be permitted a total sign area of five sq. ft. for each lineal foot of street line;

(c) Lots facing more than one street line will be permitted a total sign area as follows:

(.1) For a shorter street line frontage a sign area of two sq. ft. for each lineal foot of street line;

(.2) For a longer street line frontage a sign area of five sq. ft. for each lineal foot of street line. The total sign area on the longer street line frontage must be greater than the equivalent sign area permitted upon the shorter street line frontage;

(.3) Where a lot has two or more short or two or more long street line frontages, the provisions of §14-405(8)(c)(.1) and §14-405(8)(c)(.2) will apply to each street frontage;

(.a) The total sign area permitted in sub-paragraphs §14-405(8)(b) and §14-405(8)(c) may be cumulated;

(.b) Freestanding signs may not exceed 40 ft. in height, measured from the average level of ground of the lot to the top of said structure;

(.c) Signs may be animated or illuminated. Illumination must be focused upon the sign itself so as to prevent glare upon the surrounding area;

(.d) Signs with flashing or intermittent illumination may not be erected within 150 ft. of any Residential district, and they may not be oriented to face any Residential district within 300 ft. of the sign;

(.e) Any revolving device that causes intermittent flashes of light to be projected will be prohibited; and

(.f) Non-accessory or outdoor advertising signs are not permitted.

(.4) In addition to the permitted signs as set forth above, the following signs may also be permitted, provided the Art Commission has approved them:

(.a) One free-standing accessory sign, up to 40 ft. in height above the average street level on which it fronts, with no more than two sign faces of 1,200 sq. ft. each may be erected for each street frontage of the district. More than one sign may be erected along a single street frontage as long as the total number of signs does not exceed the number of signs permitted in the district;

(.b) Up to two roof signs, with a maximum of two sign faces of 300 sq. ft. or less in area are permitted. Such signs must be building identification and logo signs only. Within 2,000 ft. of the Delaware River, the top of each such sign may not extend more than 20 ft. above the roof level upon which it sits;

(.c) One additional freestanding sign is permitted for each 80,000 sq. ft. of District Area, provided such sign does not contain more than two sign faces with a total area of 300 sq. ft., exclusive of supporting structures, nor exceed 40 ft. in total height from grade level to the top of the sign; and

(.d) Signs permitted pursuant to the provisions of this subsection must comply with the following requirements:

(.i) The applicant shall provide the Art Commission with a copy of its application for a Zoning Permit, and all information that the Art Commission may deem necessary to carry out the review of the proposed sign, including but not limited to, architectural renderings or elevations; and

(.ii) Upon receipt of an application and all other pertinent information for the erection of a sign, the Art Commission will review the sign application at its next scheduled meeting, after which the Art Commission will have 45 days to notify the applicant and the Commission, in writing, of its approval, disapproval, or tabling for additional information. If after 45 days the Art Commission has not transmitted notice of its action, its approval of the proposed sign will be presumed.

(9) Design Standards

The significant physical scale and extraordinary activity level of the uses permitted in this district create major impacts on the areas in which they are located. To ensure that these facilities are constructed in the most appropriate manner, design, scale, and density, the following requirements are imposed.

(a) Review Procedure

(.1) No permitted use may be constructed or opened for occupancy unless the Commission certifies, based on a review of the architectural plans, that the proposed design is in compliance with the SP-ENT district regulations.

(.2) The Commission shall act to accept or reject the submission within 30 days or the submission will be considered approved. No construction drawings will be reviewed for purposes of building permits until the master plan has received final approval.

(b) Building Design

(.1) All buildings in an SP-ENT district must be designed by a registered architect.

(.2) Recognizing the intended use of the facility, economic feasibility, and potential conflicts with codes of relevant jurisdiction, the applicant for any building or zoning permit in an SP-ENT district must use reasonable efforts to employ the technologies and strategies that promote energy efficiency and environmental sustainability, as recommended by City-recognized organizations (e.g., the United States Green Building Council) that promote sustainable building and development practices. Applicants shall document actions taken to comply with this requirement and shall submit such documentation to the Commission at the time of any building or zoning permit application.

(c) Siting and Access

(.1) If a permitted use faces a public street, a significant pedestrian entrance must be on and front that street.

(.2) A permitted use developed on a waterfront site must provide dedicated public access to the waterfront, open to and connected from a public street. Public access will be provided along the site's waterfront length at a width of at least 12 ft.

(.3) A permitted use must provide for adequate public transit access to the site.

(d) Lighting

A lighting plan prepared by a qualified lighting engineer or designer must be submitted. No use will be approved unless it provides appropriate lighting levels throughout the site to support pedestrian safety.

(10) Public Art

Each application for a zoning permit must include public art meeting the requirements of this section, which is intended to allow for the broadest definition of public art and encourage imaginative interpretation of media.

(a) On-Site Public Art

Public art may include, but need not be limited to the following, separately or in combination:

(.1) Sculpture;

(.2) Murals or paintings;

(.3) Earthworks, waterworks, fiber works, functional elements, furnishings, neon, glass mosaics, photography, prints, or calligraphy, in any combination of forms of media including sound, film, holographic, and video systems; hybrids of any media and new genres; and

(.4) Lighting in any combination or form.

(b) Location

Public art must be located within the building, upon the building, or within public spaces on the site. Public art may be provided within the public sidewalk, if authorization, by ordinance, is obtained.

(c) Approval Criteria

The proposed public art must be approved by the Art Commission and must include a long-term maintenance plan for the public art. The Art Commission may, upon request, assist in the selection of an artist or artists for the project or the selection of an arts coordinator for the project.

(d) Elements Not Qualified as Public Art

(.1) Decorative, ornamental, or functional elements of the building or public space that are not designed by an artist and created specifically for the site and landscaped area or other furnishings or elements required by this Zoning Code, may not be counted toward meeting public art

requirements, unless the Art Commission determines such elements comply with the intent of the public art requirement.

(.2) Items, functions, and events that are basically commercial in nature, such as commercial art galleries or exhibits of items for sale, will not satisfy requirements of this section of the code.

(e) Cost

Public art as required in this section must be provided at an individual or combined minimum cost in accordance with the following:

(.1) For development on a lot, with construction costs of $20 million or less, an amount equal to 1% of the construction costs;

(.2) For development on a lot, with construction costs of up to $40 million, 1% of the first $20 million of construction costs and 0.5% of the construction costs in excess of $20 million but less than $40 million; and

(.3) For construction costs greater than $40 million, 1% for the first $20 million of construction costs, 0.5% of the amount of construction costs in excess of $20 million but less than $40 million and 0.25% of any construction costs in excess of $40 million.

(f) Exceptions

Public Art will not be required under this section for interior alterations in existing structures if the alterations apply directly to retail establishments or eating and drinking establishments not accessory to a licensed gaming facility.

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

(1) Purpose

The purpose of the SP-STA, Sports Stadium (Special Purpose) district is to accommodate large scale specialized sporting facilities, associated large capacity automobile parking areas, and related uses and facilities, while promoting high quality design of those facilities and mitigating any related adverse impacts on surrounding areas of the City.

(2) Use Regulations

(a) Principal uses are allowed in SP-STA districts in accordance with Table 14-602-4.

(b) The following accessory uses are permitted in SP-STA districts, except that regulated uses, as set forth in §14-603(13) (Regulated Uses), shall be prohibited:

(.1) Grandstands, clubhouses, fieldhouses, stables;

(.2) Accessory parking;

(.3) Training areas;

(.4) Day care;

(.5) Offices;

(.6) Retail sales of consumer goods; sundries, pharmaceuticals, and convenience sales; and wearing apparel and accessories;

(.7) Sit-down restaurants and prepared food shops;

(.8) Financial services;

(.9) Personal services; and

(.10) Visitor accommodations.

(c) Multiple principal uses and principal structures are allowed on a single lot in the SP-STA district.

(3) Area Regulations

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

(a) No building may be erected within 300 ft. of any residential district;

(b) No building may be erected within 200 ft. of any lot line fronting on a street that is opposite to a residential district, provided that this will apply only to the opposite sides of the same block;

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

(d) Surface parking areas must be at least 150 ft. from any residential district.

(4) Height Regulations

No building on the lot, except as provided below, may exceed 38 ft. in height. This height restriction shall not apply to the following:

(a) Grandstands, stadia, commercial recreation buildings, judges stands;

(b) Chimneys, stacks, tanks, tank towers, flagpoles, aerials, beacons, lighting poles, camera towers;

(c) Parking garages or facilities; or

(d) Hotels, motels, or office buildings, which may be up to a maximum of 150 ft. in height.

(5) Off-Street Parking

Off-street parking spaces must be provided in accordance with the following schedule and requirements within the SP-STA district, on any lot abutting the district, or on a lot on the opposite side of any street bounding the district:

(a) Stadia or buildings used for commercial recreation and exhibition facilities where patrons or guests are customarily seated as spectators: one space for every 10 seats;

(b) Commercial recreation and exhibition facilities where patrons or guests are not customarily seated as spectators or participants: one space for every 200 sq. ft. of floor space or ground area used for commercial recreation, exhibition, and related accessory and support facilities, but not including parking facilities;

(c) Office, retail sales, or commercial services uses: one space for every 1,000 sq. ft. of net leasable area; and

(d) Housing accommodations exclusively for employees and hotels or motels: one space for every two living units.

(6) Off-Street Parking, Layout, and Access Conditions

The district or any lot in the district must be adequately served by high capacity roads or driveways approved by the Streets Department as being adequate to safely serve the ingress and egress of patrons and guests using the facility, further provided:

(a) All entrances to parking areas or facilities must be provided with adequate vehicle reservoir spaces, as approved by the Streets Department;

(b) All proposed plans for off-street parking lots must be approved by the Streets Department; and

(c) The Streets Department will have 45 days to approve or disapprove all plans and take all actions required by this section. This time will begin at the time complete plans are submitted to the Streets Department. After 45 days the approval of the Streets Department will be presumed.

(7) Lighting

All stadium and grandstand lighting must be oriented to prevent glare on surrounding residential areas.

(8) Landscape Buffer

Where the district or a lot within the district abuts a residential district, a landscaped buffer must be provided along the entire length of the common lot line, the plan for which must be approved by the Commission.

(9) Accessory Signs

(a) A freestanding accessory advertising and/or public service sign of up to 35 ft. in height with no more than two sign faces of 250 sq. ft. each in area will be permitted for each building in the district;

(b) A freestanding accessory advertising and/or public service sign of up to 35 ft. in height, with up to two sign faces of 1,200 sq. ft. each may be erected for each street frontage of the district. More than one sign may be erected along a single street frontage as long as the total number of signs does not exceed the number of signs permitted in the district;

(c) Free-standing traffic directional signs will be permitted;

(d) Accessory advertising and/or public service wall signs will be permitted for each building provided the sign area does not exceed two sq. ft. for each linear foot of building width along a street frontage; and

(e) In the case of multiple street frontages, this sign area must be computed and based on only one street frontage.

§14-407 SP-PO, Parks and Open Space (Special Purpose) District

(1) Purpose

The SP-PO Parks and Open Space (Special Purpose) district is intended to help preserve and protect lands set aside for park and open space use. Such areas and facilities provide many benefits to City residents and visitors. They provide cultural and

recreation opportunities; preserve natural and scenic areas; protect sensitive natural resource areas; and offer refuge from the built, urban environment. The SP-PO district is intended to be applied to public parks and open space lands under the jurisdiction of City, state or federal government agencies. The district may be applied to privately owned lands only with the private property owner's consent.

(2) Designations

Lots in the SP-PO district will be designated on the zoning maps as SP-PO-A (Active Parks and Open Space) or SP-PO-P (Passive Parks and Open Space).

(3) Use Regulations

(a) Principal uses are allowed in SP-PO districts in accordance with Table 14-602-4. Notwithstanding Table 14-602-4, subject to Pennsylvania law, any use expressly authorized by City Council ordinance is permitted as of right.

(b) The following accessory uses are permitted in the SP-PO districts:

(.1) Accessory parking;

(.2) Day care in recreational buildings; and

(.3) Underground basic utilities and services.

(c) Multiple principal uses and principal structures are allowed on a single lot in the SP-PO district.

(4) Area and Height Regulations

The size, location, and design of all buildings, structures, activity areas, and other improvements must comply with the dimensional regulations of the most restrictive abutting zoning district that is not separated by a waterway, except fences surrounding athletic fields may be up to 15 ft. in height.

(5) Lighting

All lighting must prevent glare onto surrounding Residentially-zoned properties.

§14-408 SP-AIR, Airport (Special Purpose) District

(1) Purpose

The SP-AIR, Airport (Special Purpose) district regulations are intended to recognize the unique character of airports and the impact they have on the surrounding community. To best serve the public health and welfare, the SP-AIR district supports the development of airport uses and a customary and complementary mix of uses, while minimizing adverse impacts on surrounding areas.

(2) Use Regulations

(a) Uses are allowed in SP-AIR districts in accordance with Table 14-602-4.

(b) Multiple principal uses and principal structures are allowed on a single lot in the SP-AIR district.

(3) Area Regulations

(a) District Area and Boundaries

Boundaries shall be so designated to afford a reasonable line of division between the district and adjacent uses consistent to carry out the purposes of this Zoning Code.

(b) Gross Floor Area

The gross floor area of all buildings shall not exceed 500% of the total area of the lot.

(c) Occupied Area

Not more than 70% of the lot area may be occupied by buildings.

(d) Setbacks

(.1) Front

No front setback is required.

(.2) Side Setbacks

No side setbacks are required. When side yards are provided, they must have the following minimum widths:

(.a) Buildings up to four stories in height: six ft.

(.b) Buildings over four stories in height: eight ft.

(.3) Rear

No rear setback is required.

(4) Height Regulations

There are no height restrictions in the SP-AIR district, except as height may be limited by the other provisions of this Zoning Code.

(5) Parking and Loading

(a) There shall be no minimum parking requirements, provided that, where parking is provided, it shall conform to the other requirements of Chapter 14-800, as if those provisions applied directly.

(b) Off-street loading spaces must be provided in accordance with the regulations of §14-806 (Off-Street Loading).

(6) Signs

(a) Accessory and non-accessory must be in compliance with applicable regulations issued by the Director of Commerce, which regulations shall ensure that all signs are compatible with the safety of airport users and are compatible in terms of size, density, location, and aesthetics with the surrounding area.

(b) Non-accessory signs must be in compliance with §14-905 (Non-Accessory Signs).

(c) Signs may be freestanding or attached to a building or marquee, but may not project above the roof or wall coping.

(d) Allowed signs may be illuminated by interior lighting or lighting directed toward the signs, provided that they do not create glare upon adjacent lots.

(e) Any revolving devices which cause intermittent flashes of light to be projected shall be prohibited, unless approved by the Director of Aviation for navigational purposes.

(f) Revolving signs require special exception approval in accordance with §14-303(7) (Special Exception Approval).

(7) Fences

(a) Fences shall be permitted in the SP-AIR district, provided they shall not exceed 30 ft. in height.

(b) Fences within 10 ft. of the property line shall be no more than 50% opaque.

Chapter 14-500 Overlay Zoning Districts

§14-501 General 5-1
(1) Establishment 5-1
(2) Interpretation 5-1
§14-502 CTR, Center City Overlay 5-1
(1) Purpose 5-1
(2) Applicability 5-1
(3) Height Regulations 5-9
(4) Setback/Build-To Regulations 5-20
(5) Supplemental Use Controls 5-22
(6) Parking and Loading Regulations 5-25
(7) Sign Regulations 5-31
(8) Special Review Areas 5-37
§14-503 NCA, Neighborhood Commercial Area Overlay 5-40
(1) Purpose 5-40
(2) East Falls Neighborhood 5-40
(3) Germantown Avenue 5-42
(4) Main Street/Manayunk and Venice Island 5-44
(5) Passyunk Avenue 5-47
(6) Ridge Avenue 5-49
(7) Lower and Central Germantown 5-53
(8) North Delaware Avenue 5-54
(9) Hunting Park 5-55
§14-504 NCO, Neighborhood Conservation Overlay District 5-57
(1) Purposes 5-57
(2) Design Guidelines 5-57
(3) Planning Commission Review 5-57
(4) Historic District Designation 5-58
(5) Queen Village 5-58
(6) Overbrook Farms 5-62
§14-505 ENV, Environmental Preservation Overlay District 5-64
(1) Purpose 5-64
(2) Roxborough 5-64
(3) Fox Chase 5-66
§14-506 NCP, North Central Philadelphia Overlay District 5-67
(1) Subarea A 5-67
(2) Subarea B 5-69
§14-507 CDO, Central Delaware Riverfront Overlay District 5-70
§14-508 DRC, Delaware River Conservation Overlay District 5-70
(1) Purposes 5-70
(2) Use Regulations 5-70
(3) Zoning Permit Procedures 5-74
§14-509 CAO, City Avenue Overlay District 5-74
(1) Purpose 5-74
(2) Boundaries 5-75
(3) Regulations 5-78
§14-510 WWO, Wissahickon Watershed Overlay District 5-86

(1) Purpose....5-86
(2) Applicability....5-86
(3) District Boundaries....5-86
(4) Wissahickon Watershed Overlay Map....5-86
(5) Setbacks from Watercourses....5-87
(6) Impervious Coverage Regulations....5-88
(7) Earth Moving Plans....5-89
(8) Certification and Enforcement....5-89
§14-511 AHC, Airport Hazard Control Overlay District....5-89
(1) Purpose....5-89
(2) Applicability....5-90
(3) Height Restrictions....5-90
(4) Nonconforming Uses....5-90
(5) Variances....5-90
(6) Conflicts....5-91
§14-512 ANC, Airport Noise Compatibility Overlay District....5-91

§14-501 General

(1) Establishment

(a) Overlay district regulations may be established or amended only in accordance with the Zoning Code text amendment procedures of §14-304(3) (Zoning Map and Text Amendments).

(b) Overlay zoning district boundaries may be established, amended, or removed only in accordance with the zoning map amendment procedures of §14-304(3) (Zoning Map and Text Amendments).

(c) Overlay zoning districts shall be identified in this Zoning Code by appending a forward slash (/) to the overlay district map designation.

(2) Interpretation

(a) Overlay zoning district regulations apply in combination with underlying base zoning district regulations and all other applicable regulations of this Zoning Code. All applicable zoning code regulations apply in overlay districts, except that when overlay district standards conflict with standards that would otherwise apply under this Zoning Code, the regulations of the overlay zoning district govern. When two or more overlay district provisions conflict, the stricter provision shall govern.

(b) All development within an overlay district must also comply with the requirements of Chapter 14-1000 (Historic Preservation), as applicable.

§14-502 /CTR, Center City Overlay

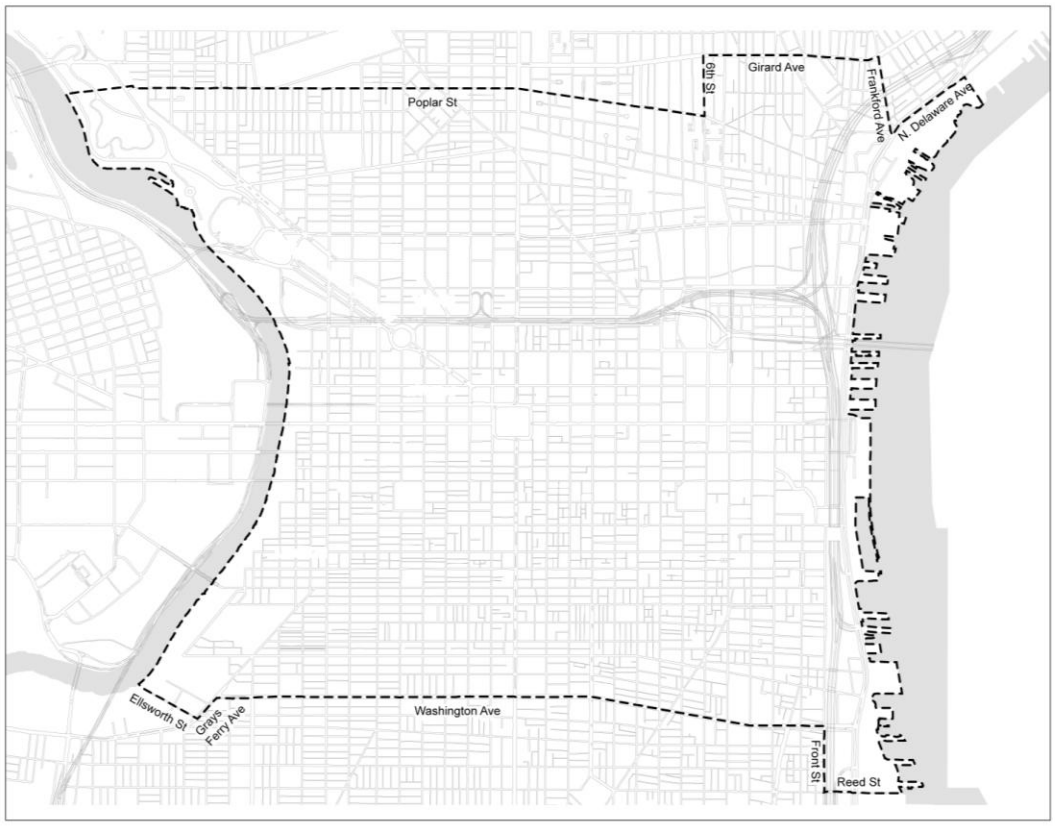
(1) Purpose

The /CTR, Center City Overlay district is established in order to preserve the existing character and encourage the revitalization of the Center City area.

(2) Applicability

(a) District Boundaries

The /CTR Overlay district, beginning at its northwest boundary and proceeding east, is the area bounded by Poplar Street, 6th Street, West Girard Avenue, Frankford Avenue, North Delaware Avenue, Beach Street, East Columbia Avenue, the Delaware River, Reed Street, Front Street, Washington Avenue, Grays Ferry Avenue, Ellsworth Street, and the Schuylkill River, as shown on the /CTR Overlay district map for illustrative purposes only.



/CTR Overlay District Map

(b) Area Boundaries

The standards and regulations of this section apply to the areas within the /CTR Overlay district set forth as follows:

(.1) Benjamin Franklin Parkway Area

The Benjamin Franklin Parkway Area, beginning at its southwest boundary and proceeding east, is bounded by the Schuylkill River, John F. Kennedy Boulevard, North 23rd Street, Arch Street, North 22nd Street, Walden Street, North 21st Street, Cuthbert Street, North 18th Street, Vine Street, Franklin Town Boulevard, North 17th Street, Brandywine Street, North 21st Street, Fairmount Avenue, North 22nd Street, and Aspen Street, following a line extending from the center line of Aspen Street west to the Schuylkill River.

(.2) Broad Street Area

The Broad Street Area consists of:

(.a) South: Lots fronting on Broad Street between South Penn Square and Washington Avenue.

(.b) North: Lots fronting on Broad Street between John F. Kennedy Boulevard and Poplar Street.

(.c) Mid-North: Lots fronting on Broad Street between John F. Kennedy Boulevard and Spring Garden Street.

(.d) Central: Lots fronting on Broad Street between South Street and Spring Garden Street.

(.3) Center City Commercial Area

The Center City Commercial Area consists of any lot fronting on or located within 200 ft. of any of the following streets:

(.a) Chestnut Street between Front Street and the Schuylkill River.

(.b) Walnut Street between Front Street and the Schuylkill River.

(.c) Broad Street between South Penn Square and Washington Avenue.

(.d) Market Street between Front Street and Fifth Street.

(.4) City Hall Area

The City Hall area is the area bounded by Arch Street, 16th Street, Chestnut Street, and 13th Street.

(.5) City Hall Sign Area

The City Hall sign area consists of City Hall, lots fronting on any street bounding City Hall, and lots fronting on Broad Street from Arch Street to Chestnut Street.

(.6) City Hall View Corridor, Northeast

City Hall View Corridor, Northeast is the area not more than 260 ft. on either side of the line bearing north 59 degrees 51 minutes 20 seconds east, beginning at City Hall Tower, and within the area bounded by the south side of Spring Garden street to the north and the west side of 4th street to the east.

(.a) Northeast 1: The portion of the City Hall View Corridor, Northeast within 100 ft. on either side of the line bearing north 59 degrees 51 minutes 20 seconds east as measured through the center line of City Hall Tower.

(.b) Northeast 2: The portion of the City Hall View Corridor, Northeast that is greater than 100 ft. from the line bearing north 59 degrees 51 minutes 20 seconds east as measured through the center line of City Hall Tower, but no more than 260 ft. from said line.

(.7) City Hall View Corridor, Southeast

City Hall View Corridor, Southeast is:

(.a) Southeast 1: The area which lies between the line bearing south 54 degrees 45 minutes 29 seconds east and the line bearing south 53 degrees nine minutes 45 seconds east, and which is at least 7,165 ft. from that point on the Philadelphia Museum of Art steps designated as N240740, E2719920 on the Pennsylvania State Plane Coordinate South Zone Map.

(.b) Southeast 2: The area which lies between the line bearing south 53 degrees nine minutes 45 seconds east and the line bearing south 48 degrees 49 minutes 59 seconds east, and which is at least 7,165 ft. from that point on the Philadelphia Museum of Art steps designated as N240740, E2719920 on the Pennsylvania State Plane Coordinate South Zone Map.

(.8) Chestnut and Walnut Street Area

The Chestnut and Walnut Street Area consists of lots fronting on Chestnut or Walnut Street between Front Street and the Schuylkill River and is further subdelineated as follows:

(.a) East: The portion of the Chestnut and Walnut Street Area that is east of 7th Street.

(.b) West: The portion of the Chestnut and Walnut Street Area that is west of 7th Street.

(.9) Chinatown Area

The Chinatown area is the area bounded by Vine Street, the west edge of the Center City Commuter Connection Tunnel east of Ninth Street, Arch Street, and 11th Street; and lots with frontage on Camac Street between Vine Street and Race Street. The Chinatown area is further subdelineated as follows:

(.a) North: The portion of the Chinatown Area that is north of the rear lot lines of lots fronting on the north side of Arch Street between 9th Street and 10th Street, and north of Appletree Street between 10th Street and 11th Street.

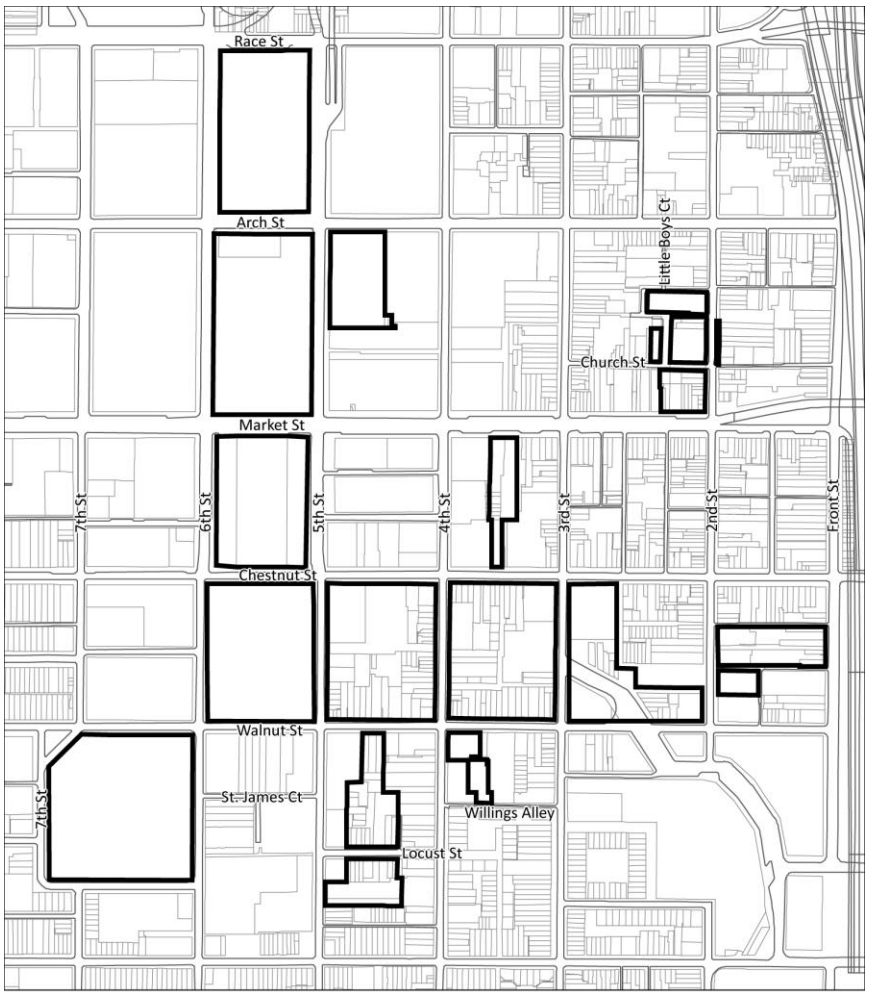
(.b) South: The portion of the Chinatown Area that is bounded by Race Street, the westerly edge of the Center City Commuter Connection Tunnel east of 9th Street, Arch Street, and 11th Street.

(.10) Convention Center Area

The Convention Center Area consists of lots fronting on Broad Street between Race Street and Arch Street.

(.11) Independence Hall Area

The Independence Hall Area consists of Independence Mall and Independence National Historic Park, as defined by the U.S. National Park Service and shown on the following map for illustrative purposes only, and lots adjacent to the boundaries of the Independence Mall and Independence National Historic Park.



Independence Mall and Independence National Historic Park

(.12) John F. Kennedy Boulevard Area

The John F. Kennedy Boulevard Area consists of lots fronting on John F. Kennedy Boulevard between 15th Street and the Schuylkill River.

(.13) Locust Street Area

The Locust Street Area consists of lots fronting on Locust Street between Front Street and the Schuylkill River.

(.14) Logan Square Area

The Logan Square area consists of Logan Square and lots fronting on any street bounding Logan Square.

(.15) Market Street Area

The Market Street Area consists of lots fronting on Market Street between Front Street and the Schuylkill River and is further subdelineated as follows:

(.a) East: The portion of the Market Street Area between Front Street and 5th Street.

(.b) West: The portion of the Market Street Area on Market Street between 15th Street and the Schuylkill River.

(.16) Minimum Building Height Area

The Minimum Building Height Area consists of lots on the south side of any of the following streets:

(.a) John F. Kennedy Boulevard between 15th Street and the Schuylkill River.

(.b) Market Street between Front Street and the Schuylkill River.

(.c) Sansom Street between Front Street and the Schuylkill River, except within 130 ft. east of the east side of Broad Street or within 130 ft. west of the west side of Broad Street.

(.d) Locust Street between Front Street and the Schuylkill River, except within 100 ft. east of the east side Broad Street or within 230 ft. west of the west side of Broad Street.

(.e) Spruce Street between Front Street and the Schuylkill River, except within 100 ft. east of the east side of Broad Street or within 230 ft. west of the west side of Broad Street.

(.17) Old City Residential Area

The Old City Residential area is bounded by Spring Garden Street, 7th Street, Wood Street, 6th Street, Vine Street, 5th street, Walnut Street, Front Street, a line extending from the north street line of Market Street to the Delaware Expressway, the Delaware Expressway, Wood Street and Christopher Columbus Boulevard. The Old City Residential area is further subdelineated as follows:

(.a) Central: the area bounded by Wood Street, 6th Street, Vine Street, the east street line of 5th Street, the north property line of all properties fronting on the north side of Market Street, and the Delaware Expressway.

(.18) Parking Garage Ground Floor Use Control Area

The Parking Garage Ground Floor Use Control Area consists of (a) any lot with frontage on Arch Street, John F. Kennedy Boulevard, Market Street, Chestnut Street, Sansom Street, Walnut Street, Locust Street, Spruce Street, Pine Street, Lombard Street, or South Street between Front Street and the Schuylkill River; and (b) any lot with frontage on Broad Street between South Penn Square and Washington Avenue.

(.19) Parkway Buffer Area

The Parkway Buffer area is:

(.a) Northwest: the area within the boundary lines of the Benjamin Franklin Parkway or Logan Square and within 200 ft. of the Benjamin Franklin Parkway or Logan Square, between Fairmount Park and 18th Street.

(.b) Southeast: the area within the boundary lines of the Benjamin Franklin Parkway and within 200 ft. of the Benjamin Franklin Parkway between Broad Street and 18th Street.

(.20) Residential Parking Control Area

The Residential Parking Control Area is the portion of the /CTR Overlay district that is south of Chestnut Street.

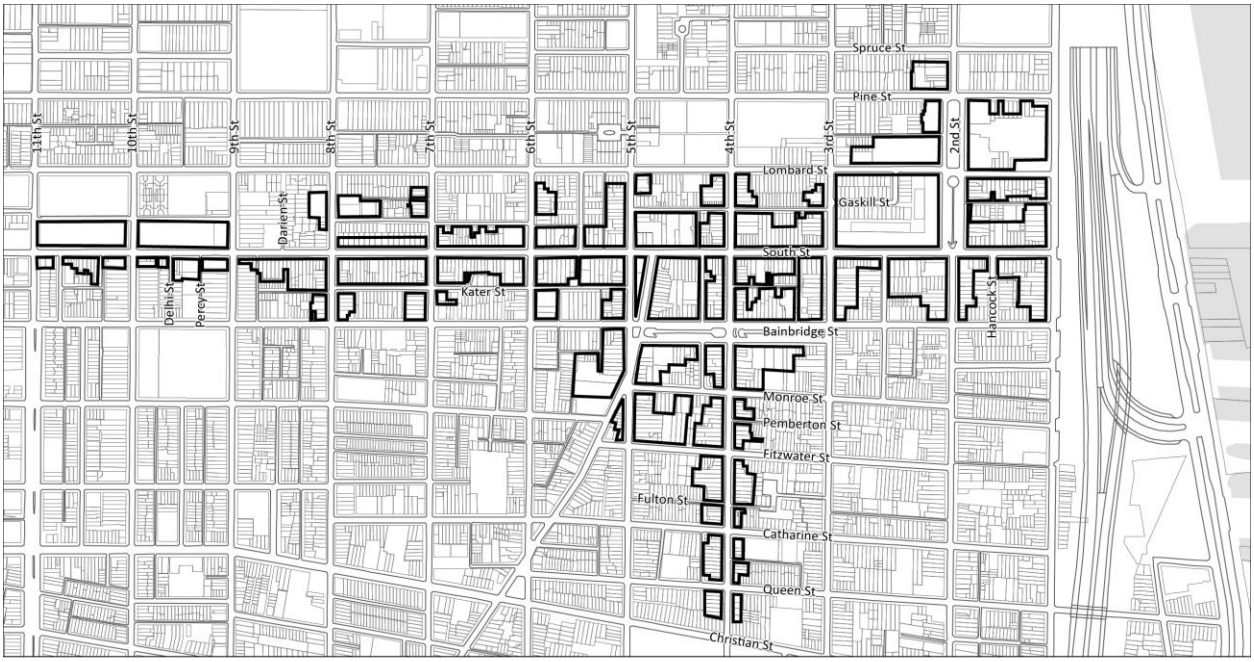
(.21) Rittenhouse Square

The Rittenhouse Square area is the area within 150 ft. of the street frontages of Rittenhouse Square.

(.22) South Street/Head House Square Area

The South Street/Head House Square Area consists of all lots within the area depicted on the South Street/Head House Square Area map and is further subdelineated as follows:

(.a) Central: The portion of South Street/Head House Square Area that fronts on South Street.



South Street/Head House Square Area

(.23) Southwark National Historic District

The Southwark National Historic District boundaries are: beginning at the southwest corner of Front and Lombard Streets and continuing south along the west side of Front Street to Catherine Street; then east on Catherine Street to the rear property lines of the houses on the east side of Front Street (from Catherine Street to Queen Street); then south along these property lines to the rear property lines of the houses on the north side of Queen Street; then extending along these lines east to Delaware Avenue; then south along Delaware Avenue to Washington Avenue; then west along Washington Avenue to the Northwest corner of 5th Street and Washington Avenue; then north along the west side of

5th Street (including all those buildings located on the west side of 5th Street) to the southwest corner of 5th Street and Lombard Street; then east along the south of Lombard Street (including all those buildings or the south side of Lombard Street) to the southwest corner of Front and Lombard Streets, the place of beginning, being that area which is designated as a historical area on the National Register of Historic Places on the 19th of May, 1972.

(.24) Spruce Street Area

The Spruce Street Area consists of lots fronting on Spruce Street between Front Street and the Schuylkill River and is further subdelineated as follows:

(.a) East: The portion of the Spruce Street Area between Front Street and Broad Street.

(.25) Vine Street Area

The Vine Street Area is bounded by Spring Garden Street (extended); the Schuylkill River; Race Street (extended); and the Delaware River.

(.26) Washington Square

The Washington Square area is the area within 150 ft. of the street frontages of Washington Square.

(c) Additional Regulations Elsewhere

The bulk and massing controls of §14-701(5) (CMX-4 and CMX-5 Bulk and Massing Controls) may apply to certain CMX-4 and CMX-5-zoned lots located in the /CTR Overlay district.

(d) /CTR Summary Table

Table 14-502-1, below, summarizes the standards and regulations of this §14-502 (/CTR, Center City Overlay). 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	Supplemental Use Controls	Parking & Loading Controls	Sign Controls	Special Review Controls
Benjamin Franklin Parkway Area	§14-502(3)(d)			§14-502(6)(a)		
Broad Street Area						
South			§14-502(5)	§14-502(6)(a); §14-502(6)(f)		§14-502(8)(a)
North			§14-502(5)			
Mid-North	§14-502(3)(k)			§14-502(6)(b)		
Central		§14-502(4)(a)		§14-502(6)(e)		
Center City Commercial Area					§14-502(7)(b)	
City Hall Area	§14-502(3)(a)					
City Hall Sign Area					§14-502(7)(k)	
City Hall View Corridor, Northeast	§14-502(3)(b)					
City Hall View Corridor, Southeast	§14-502(3)(c)					
Chestnut and Walnut Street Area	§14-502(3)(k)	§14-502(4)(a)		14-502(6)(a); §14-502(6)(f)		§14-502(8)(a)
East			§14-502(5)			
West			§14-502(5)			

Area	Height Controls	Setback / Build-To Controls	Supple-mental Use Controls	Parking & Loading Controls	Sign Controls	Special Review Controls
Chinatown Area			§14-502(5)	§14-502(6)(f)		
North	§14-502(3)(i)					
South					§14-502(7)(i)	
Convention Center Area					§14-502(7)(a)	
Independence Hall Area	§14-502(3)(g)	§14-502(4)(b)			§14-502(7)(g)	§14-502(8)(b)
John F. Kennedy Boulevard Area		§14-502(4)(a)				
Locust Street Area		§14-502(4)(a)		§14-502(6)(a)		
Logan Square Area					§14-502(7)(l)	
Market Street Area				§14-502(6)(a); §14-502(6)(e)		
East			§14-502(5)			§14-502(8)(a)
West		§14-502(4)(a)				
Minimum Building Height Area	§14-502(3)(j)					
Old City Residential			§14-502(5)	§14-502(6)(f)		
Central	§14-502(3)(h)					
Parking Garage Ground Floor Use Control Area				§14-502(6)(d)		
Parkway Buffer				§14-502(6)(f)	§14-502(7)(c)	§14-502(8)(b)
Northwest	§14-502(3)(e)					
Southeast	§14-502(3)(f)					
Residential Parking Control Area				§14-502(6)(c)		
Rittenhouse Square					§14-502(7)(j)	
South Street/Head House Square			§14-502(5)		§14-502(7)(d)	
Central		§14-502(4)(a)		§14-502(6)(a)		
Southwark National Historic District					§14-502(7)(h)	
Spruce Street Area		§14-502(4)(a)				
East				§14-502(6)(a)		
Vine Street Area					§14-502(7)(e)	
Washington Square					§14-502(7)(f)	

(3) Height Regulations

The following height regulations apply to the areas set forth in each subsection. Except for the City Hall area, the accompanying height control maps are for illustrative purposes only.

(a) City Hall

The maximum height within the City Hall area is identified on Height Control Area Map 1.A.

(b) City Hall View Corridor Northeast

(See Height Control Area Map 1.B). The maximum height (measured from zero ft. City Datum) within the City Hall View Corridor Northeast area is as follows:

(.1) Northeast 1: 330 ft.

(.2) Northeast 2: The maximum height increases from 330 ft. along a 45 degree recession plane from the outer edge of Northeast View Corridor

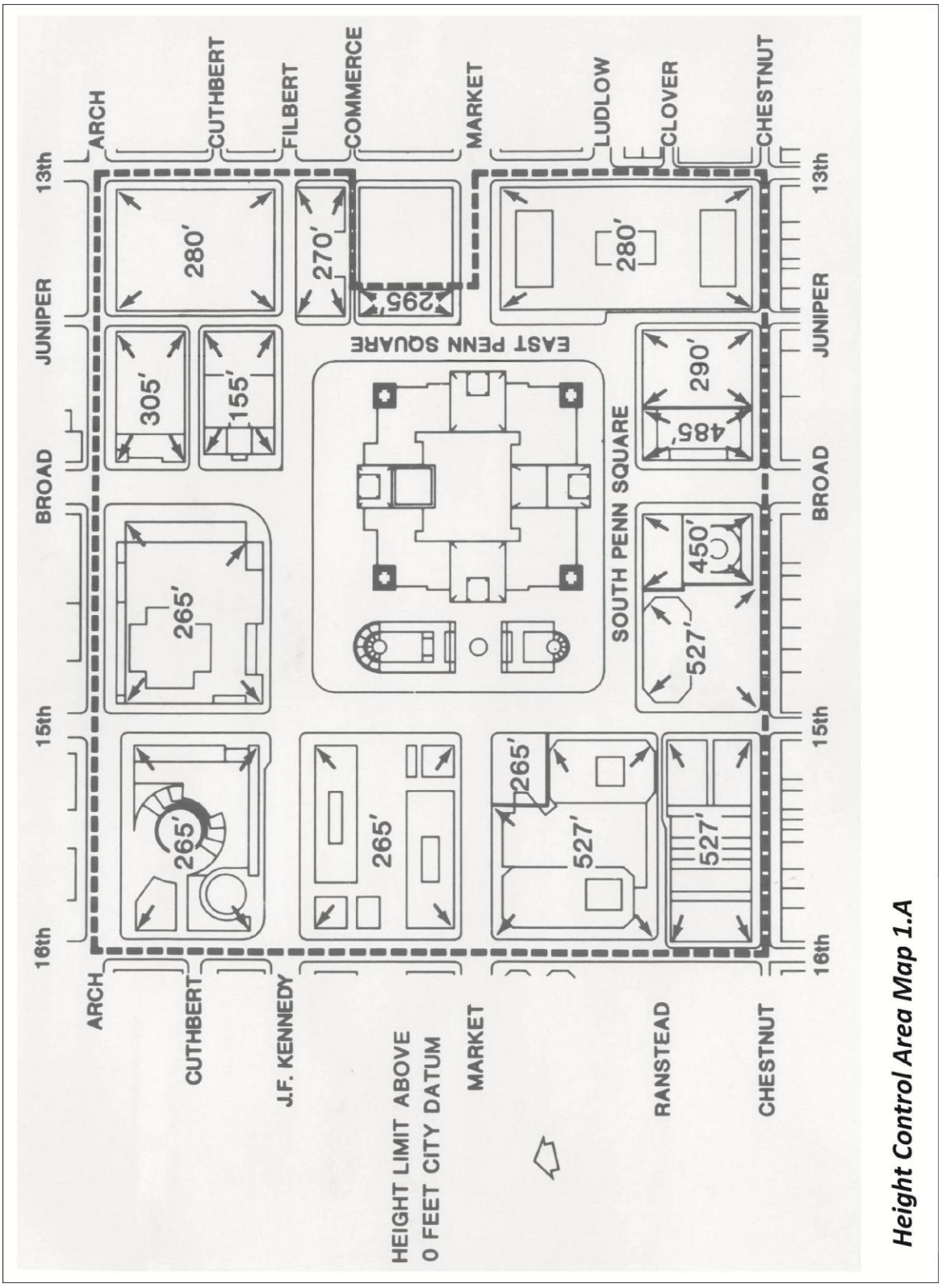
1 to the outer edge of Northeast View Corridor 2, such that the maximum height at the outer edge of Northeast View Corridor 2 is 490 ft.

(c) City Hall View Corridor Southeast

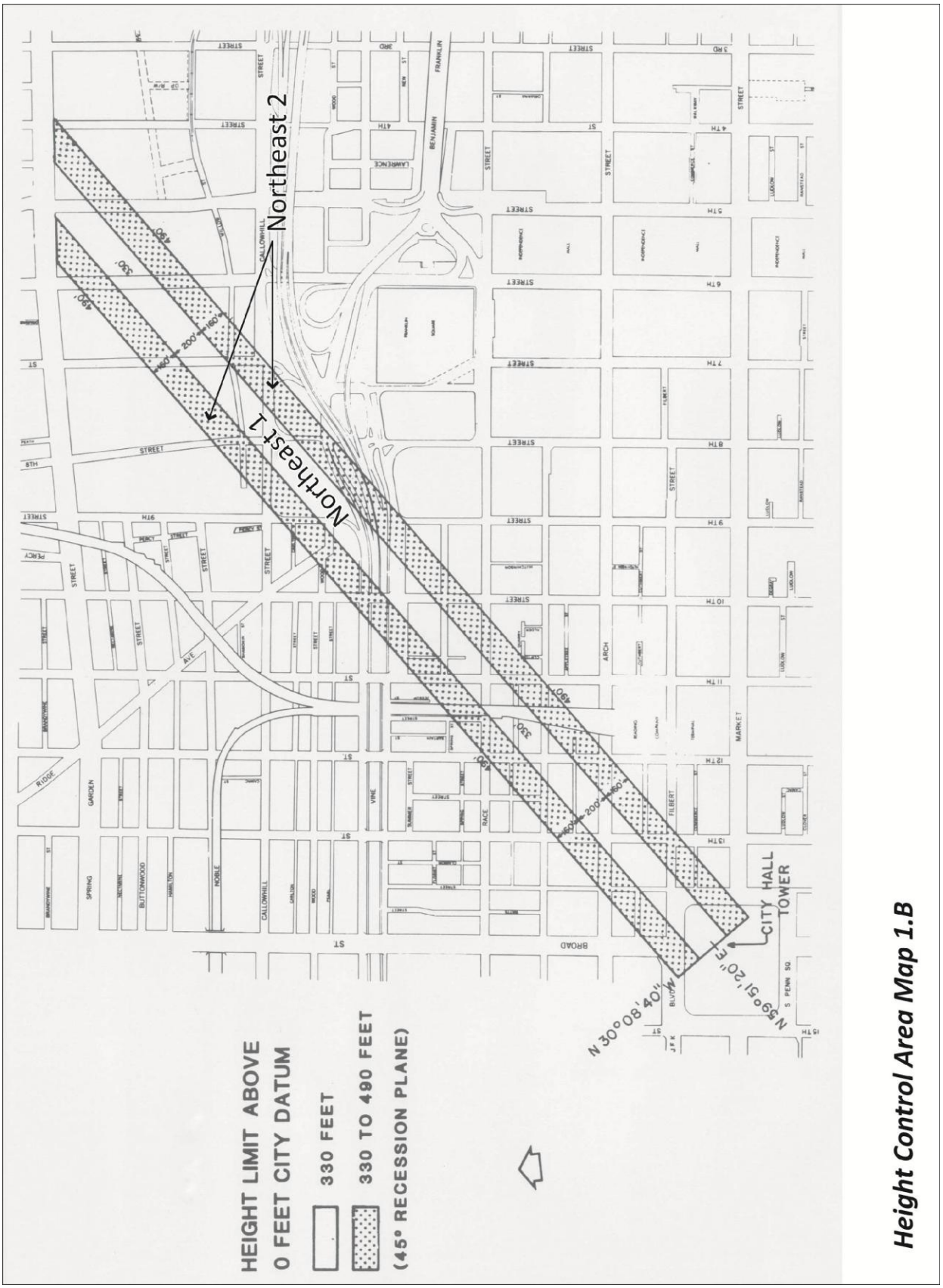
(See Height Control Area Map 1.C). The maximum height (measured from zero ft. City Datum) within the City Hall View Corridor Southeast area shall be determined by the following formulas, where "d" is the horizontal distance in feet from the closest point of the building to the point on the Philadelphia Museum of Art steps designated as N240740, E2719920 on the Pennsylvania State Plane Coordinates South Zone Map, to the point of the building closest to such point on the steps.

(.a) Southeast 1: (d x 0.05705) + 90 ft.

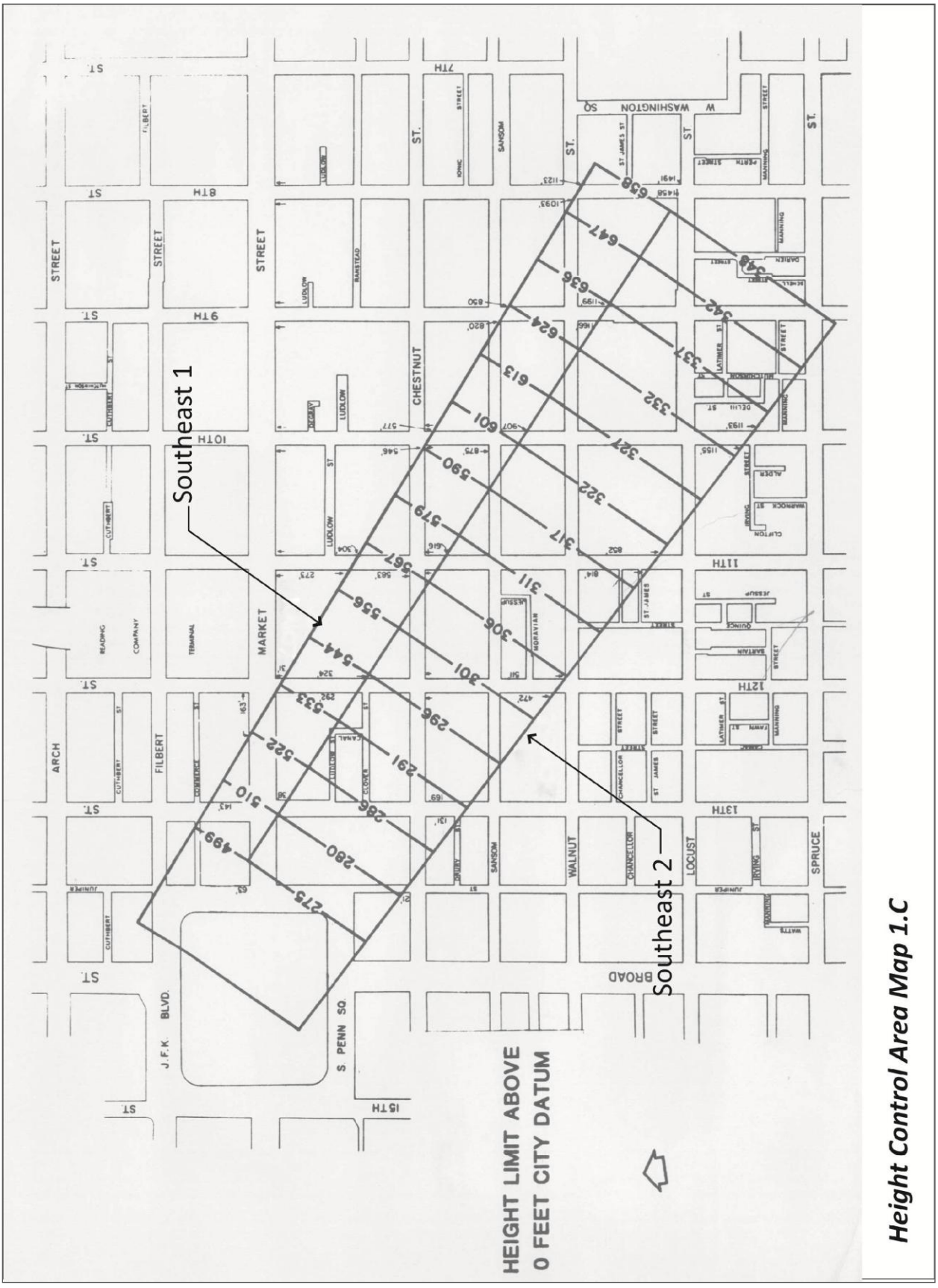
(.b) Southeast 2: (d x 0.02586) + 90 ft.



Height Control Area Map 1.A



Height Control Area Map 1.B



Height Control Area Map 1.C

(d) Benjamin Franklin Parkway Area

The maximum height within the Benjamin Franklin Parkway Area is 125 ft. (See Height Control Area Map 2 for illustrative purposes only). This 125-foot height limit does not apply to monuments, belfries, cupolas, minarets, pinnacles, gables, spires, or ornamental towers not intended for human occupancy, provided that the total height of the structure and excepted items does not exceed a maximum height of 209 ft.

(e) Parkway Buffer Area, Northwest

This §14-502(3)(e) applies to the Northwest Parkway Buffer Area (See Height Control Area Map 2 for illustrative purposes only).

(.1) Religious Assembly

Buildings used for religious assembly (e.g., churches and temples) fronting on or facing toward the Benjamin Franklin Parkway are exempt from this §14-502(3)(e) (Parkway Buffer Area, Northwest).

(.2) Main Cornice Line

The maximum height of the main cornice line from the sidewalk level may not exceed the width of the building facade fronting on the Parkway Drive or facing the Benjamin Franklin Parkway or Logan Square. In no case may the height of the main cornice line exceed the following:

(.a) Properties with street frontage on Parkway Drive or Logan Square: 80 ft.

(.b) Properties within 200 ft. of the outside boundary line of the Benjamin Franklin Parkway between 20th Street and Fairmount Park, but without frontage on Parkway Drive: A height above the street level equal to the width of the subject building's Parkway-facing façade or 160 ft., whichever is less.

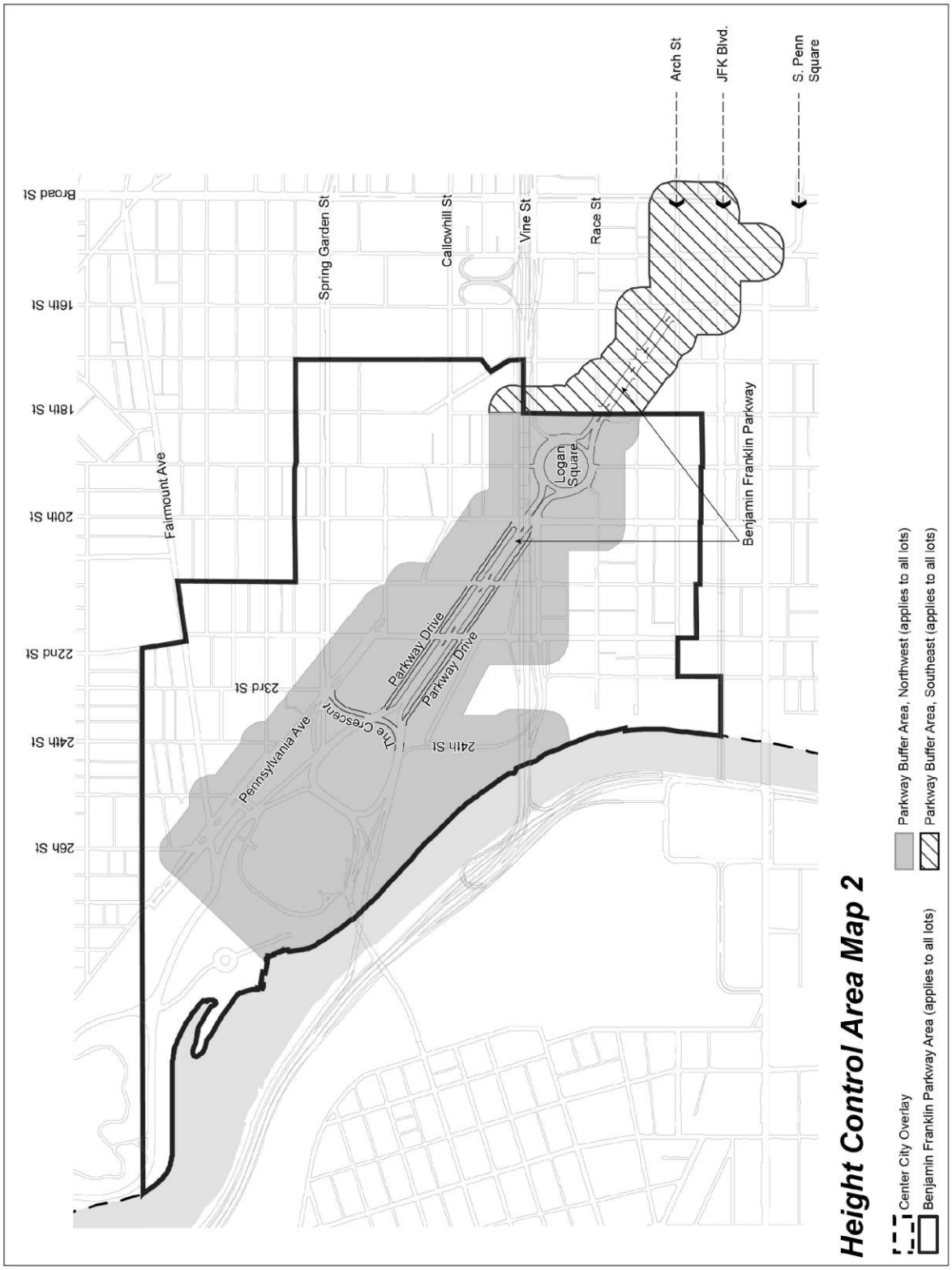
(.3) Above the Cornice Line

No portion of the building, except pediment or attic wall, may exceed the height of the cornice, unless the portion above the cornice recedes from the plane of each building wall face at least as far as said portion extends above the cornice line. In no case may the height of any portion of a building exceed the following:

(.a) Properties between Fairmount Park and the Crescent: 100 ft.

(.b) Properties between the Crescent and 18th Street: 160 ft.

(.c) Properties within 200 ft. of the boundary line of the Benjamin Franklin Parkway between 20th Street and Fairmount Park: 180 ft.


Height Control Area Map 2
Center City Overlay
Benjamin Franklin Parkway Area (applies to all lots)
Parkway Buffer Area, Northwest (applies to all lots)
Parkway Buffer Area, Southeast (applies to all lots)
Arch St
JFK Blvd.
S. Penn Square
Broad St
16th St
18th St
20th St
22nd St
24th St
26th St
Spring Garden St
Callowhill St
Vine St
Race St
Fairmount Ave
Logan Square
Benjamin Franklin Parkway
Parkway Drive
Parkway Drive
23rd St
The Crescent
Pennsylvania Ave
24th St

(f) Parkway Buffer Area, Southeast

This §14-502(3)(f) applies to the Southeast Parkway Buffer Area (See Height Control Area Map 2 for illustrative purposes only).

(.1) Religious Assembly

Buildings used for religious assembly (e.g., churches and temples) fronting on or facing toward the Parkway are exempt from this §14-502(3)(f) (Parkway Buffer Area, Southeast).

(.2) Main Cornice Line

The maximum height of the main cornice line shall be three times the width of the building facade fronting on or visible at ground level within the boundaries of the Benjamin Franklin Parkway. In no case may the height of the main cornice line exceed the following:

(.a) Between Broad and 17th Streets: 230 ft.

(.b) Between 17th and 18th Streets: 200 ft.

(.3) Above the Cornice Line

No portion of the building, except pediment or attic wall, may exceed the height of the cornice, unless the portion above the cornice recedes from the plane of each building wall face at least as far as said portion extends above the cornice line. In no case may any portion of a building exceed the following.

(.a) Between Broad and 17th Streets: 268 ft.

(.b) Between 17th and 18th Streets: 245 ft.

(g) Independence Hall Area

This §14-502(3)(g) applies to the Independence Hall Area (See Height Control Area Map 3 for illustrative purposes only).

(.1) The building height limitations of this subsection shall not apply to the following portions of Independence National Historical Park:

(.a) Old Christ Church;

(.b) Franklin Court; or

(.c) South of Walnut Street, between Fourth and Fifth Streets, except for any building with street frontage on Walnut Street.

(.2) No building or portion of the exterior of a building in the Independence Hall Area shall be constructed, reconstructed, erected, or altered if the proposed construction, reconstruction, erection, or alteration will exceed 45 ft. in height, measured from the sidewalk level to any cornice line within 25 ft. of the established building line. Any chimney, penthouse, or other structure, whether attached to a building by its own weight or otherwise, shall be considered to be part of that building, and, within 25 ft. of the established building line, shall not exceed in height above the cornice line of the building the amount of its setback from the established building line.

(h) Old City Residential Area, Central

The maximum height within the Central Old City Residential Area shall be 65 ft.(See Height Control Area Map 3 for illustrative purposes only).

(i) Chinatown Area, North

The maximum height within the North Chinatown Area shall be 65 ft. Additions to buildings in existence on August 8, 1989 that do not increase the gross floor area of the building by more than 100% may be built to a height not to exceed the existing building. (See Height Control Area Map 3 for illustrative purposes only).

(j) Minimum Building Height Areas

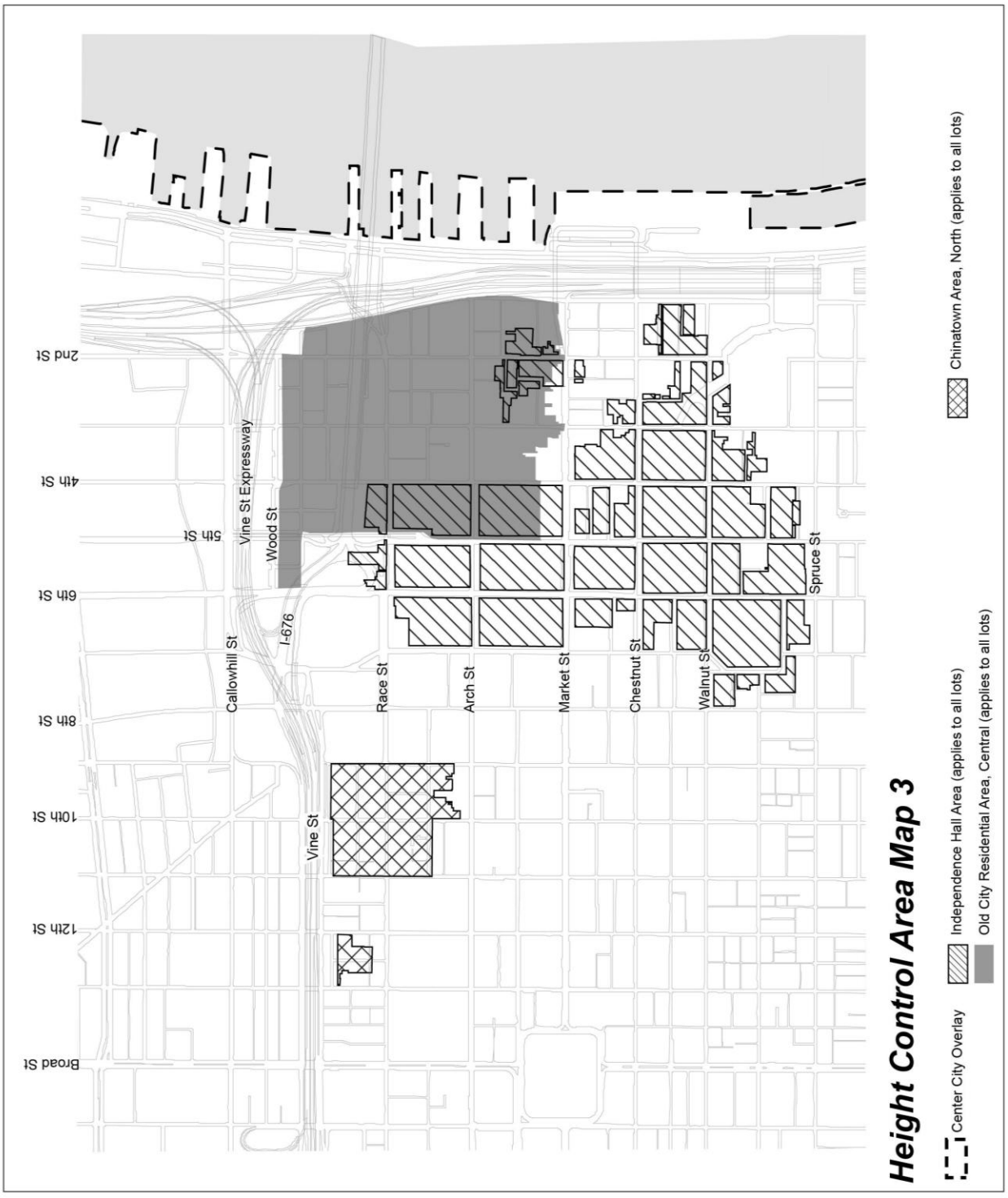
Buildings located on lots that are zoned RMX-3, CMX-4, or CMX-5 in the Minimum Building Height Area shall have a minimum height of 25 ft. (See Height Control Area Map 4 for illustrative purposes only).

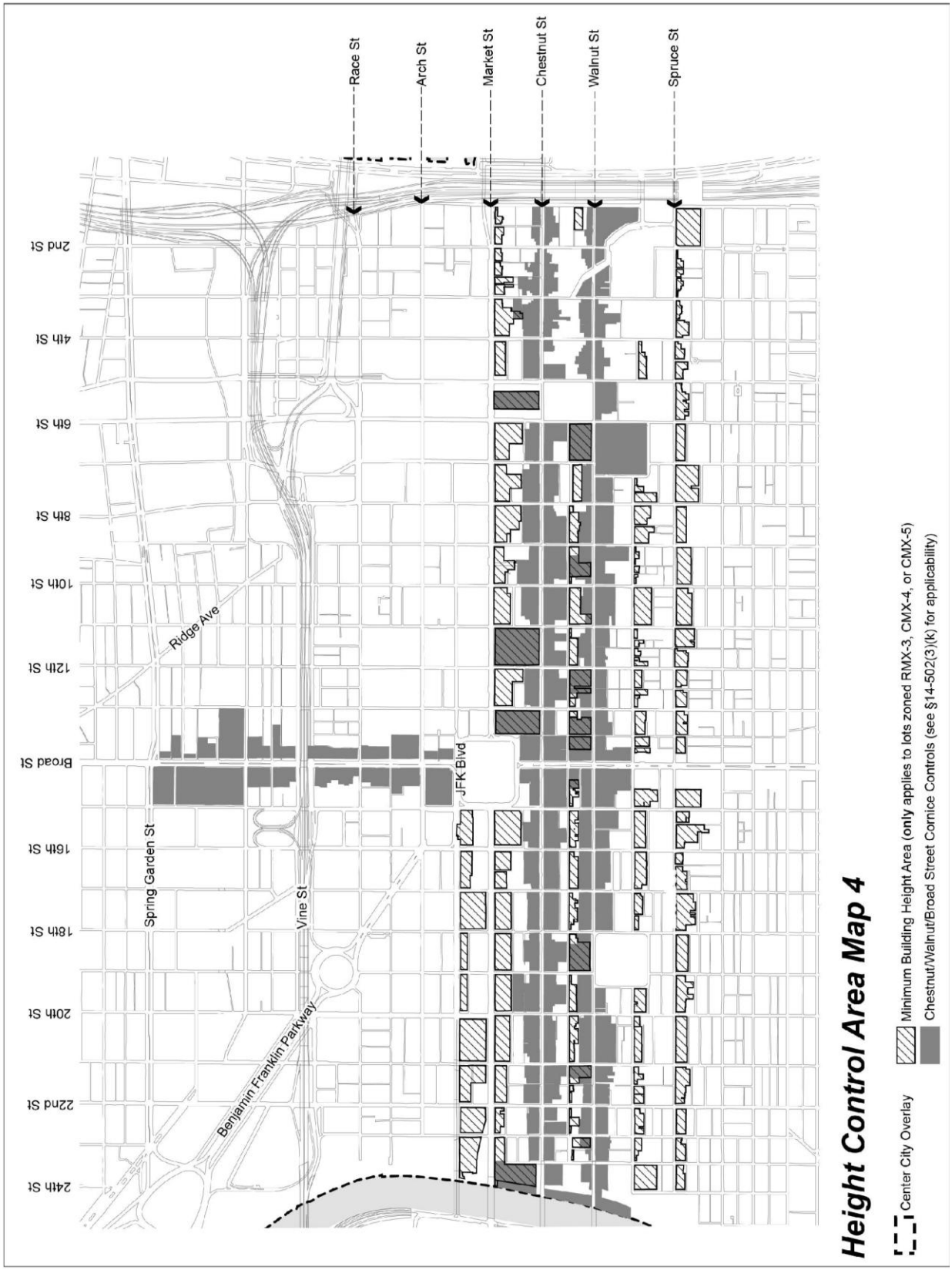
(k) Chestnut/Walnut/Broad Street Cornice Controls

The main cornice line on any building in any of the following areas may not be less than 25 ft. above the sidewalk level (See Height Control Area Map 4 for illustrative purposes only).

(.1) Chestnut and Walnut Street Area.

(.2) Commercially-zoned lots located in the Mid-North Broad Street Area.


Height Control Area Map 3
Center City Overlay
Independence Hall Area (applies to all lots)
Old City Residential Area, Central (applies to all lots)
Chinatown Area, North (applies to all lots)
2nd St
4th St
5th St
6th St
8th St
10th St
12th St
Broad St
Vine St Expressway
Wood St
I-676
Callowhill St
Race St
Arch St
Market St
Chestnut St
Walnut St
Spruce St
Vine St


Race St
Arch St
Market St
Chestnut St
Walnut St
Spruce St
2nd St
4th St
6th St
8th St
10th St
12th St
Broad St
16th St
18th St
20th St
22nd St
24th St
Ridge Ave
JFK Blvd
Spring Garden St
Vine St
Benjamin Franklin Parkway
Height Control Area Map 4
Center City Overlay
Minimum Building Height Area (only applies to lots zoned RMX-3, CMX-4, or CMX-5)
Chestnut/Walnut/Broad Street Cornice Controls (see §14-502(3)(k) for applicability)

(4) Setback/Build-To Regulations

The following setback/build-to regulations apply to the areas described in each subsection (See Setback/Build-to Regulations Area map for illustrative purposes only.)

(a) Build-To Area

Buildings must extend to the street line for at least 65% of the lot frontage in the following areas:

(.1) RMX-3, CMX-4, and CMX-5 lots in the:

(.a) Chestnut and Walnut Street Area;

(.b) Locust Street Area;

(.c) Spruce Street Area;

(.d) John F. Kennedy Boulevard Area;

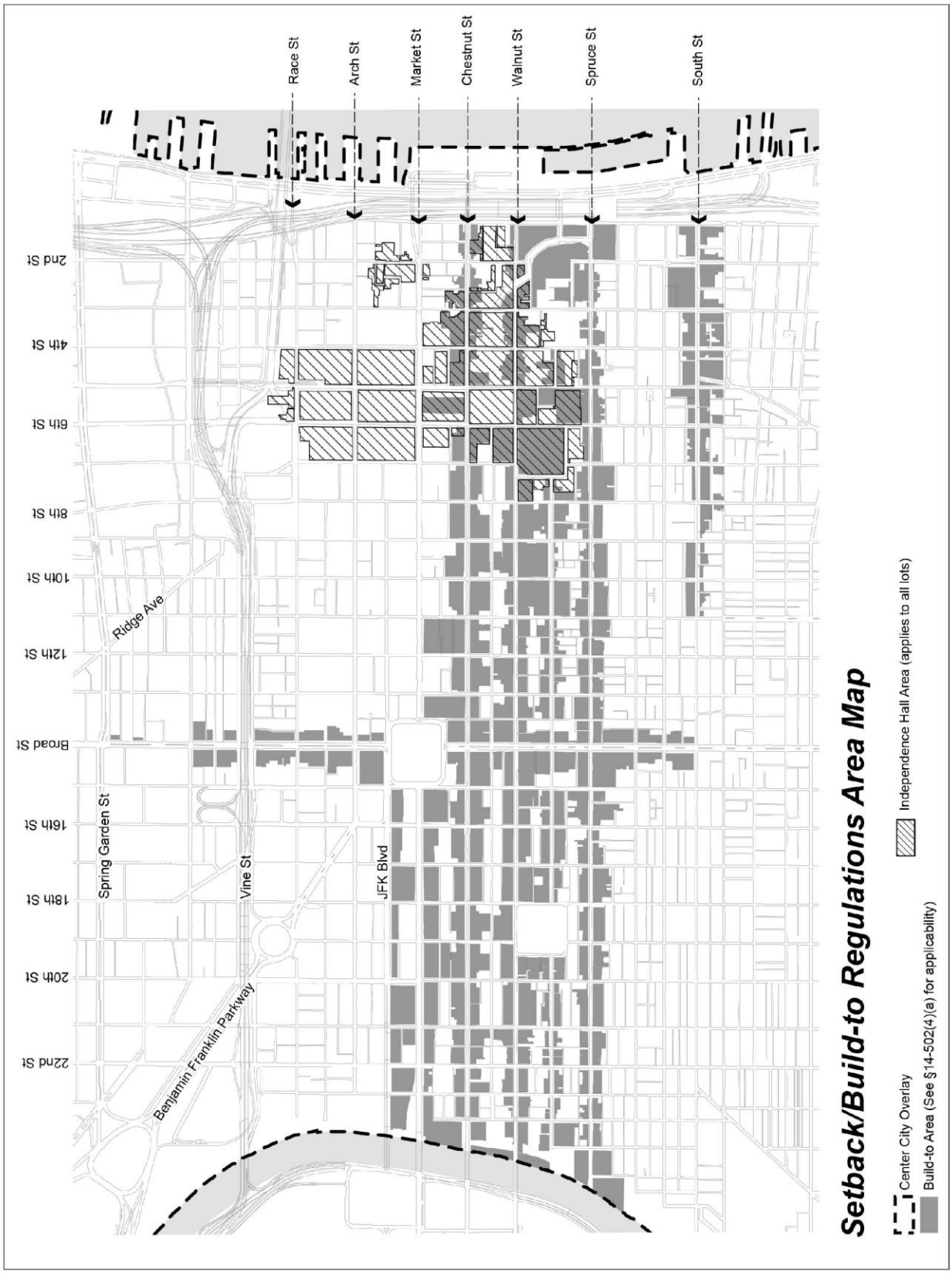
(.e) West Market Street Area.

(.2) Commercially-zoned lots in the Central Broad Street Area.

(.3) All lots in the Central South Street/Head House Square Area.

(b) Independence Hall Area

No building or portion of the exterior of a building in the Independence Hall Area shall be constructed, reconstructed, erected, or altered if the proposed construction, reconstruction, erection, or alteration will extend beyond any building line established as of July 29, 1954 or thereafter.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18th St
20th St
22nd St
Ridge Ave
Spring Garden St
Vine St
JFK Blvd
Benjamin Franklin Parkway
Setback/Build-to Regulations Area Map
Independence Hall Area (applies to all lots)
Center City Overlay
Build-to Area (See §14-502(4)(a) for applicability)

(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 City Center 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).

(.1) Use Classification System

For the purpose of this zoning code, uses are classified into use categories and subcategories. These are described and defined in §14-601. Use categories and subcategories are identified in the first column of the use tables.

(.2) Special Exceptions

Uses identified with an "S" in Table 14-502-2 may be allowed if reviewed and approved in accordance with the special exception procedures in §14-303(7) (Special Exception Approval). Uses approved by special exception are subject to compliance with any use-specific standards identified in the final column of the use table and all other applicable standards of this zoning code.

(.3) Prohibited Uses

Uses identified with an "N" are expressly prohibited.

(.4) Use-Specific Standards

The "use-specific standards" column of the use table identifies use-specific standards that apply to some uses. Unless otherwise expressly stated, compliance with such standards is required regardless of whether the use is permitted as-of-right or requires special exception approval. Numbers in brackets [#] also refer to use-specific standards that apply to some uses. These standards are listed as table notes immediately preceding the table.

(.5) No Overlay-Specific Regulations

A blank cell indicates that no overlay specific regulations apply to a use and the use is subject only to the use regulations of the underlying zoning district.

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

[1] Utilities and services, basic uses require special exception approval on lots fronting on Chestnut or Walnut Street between Broad Street and 20th Street.

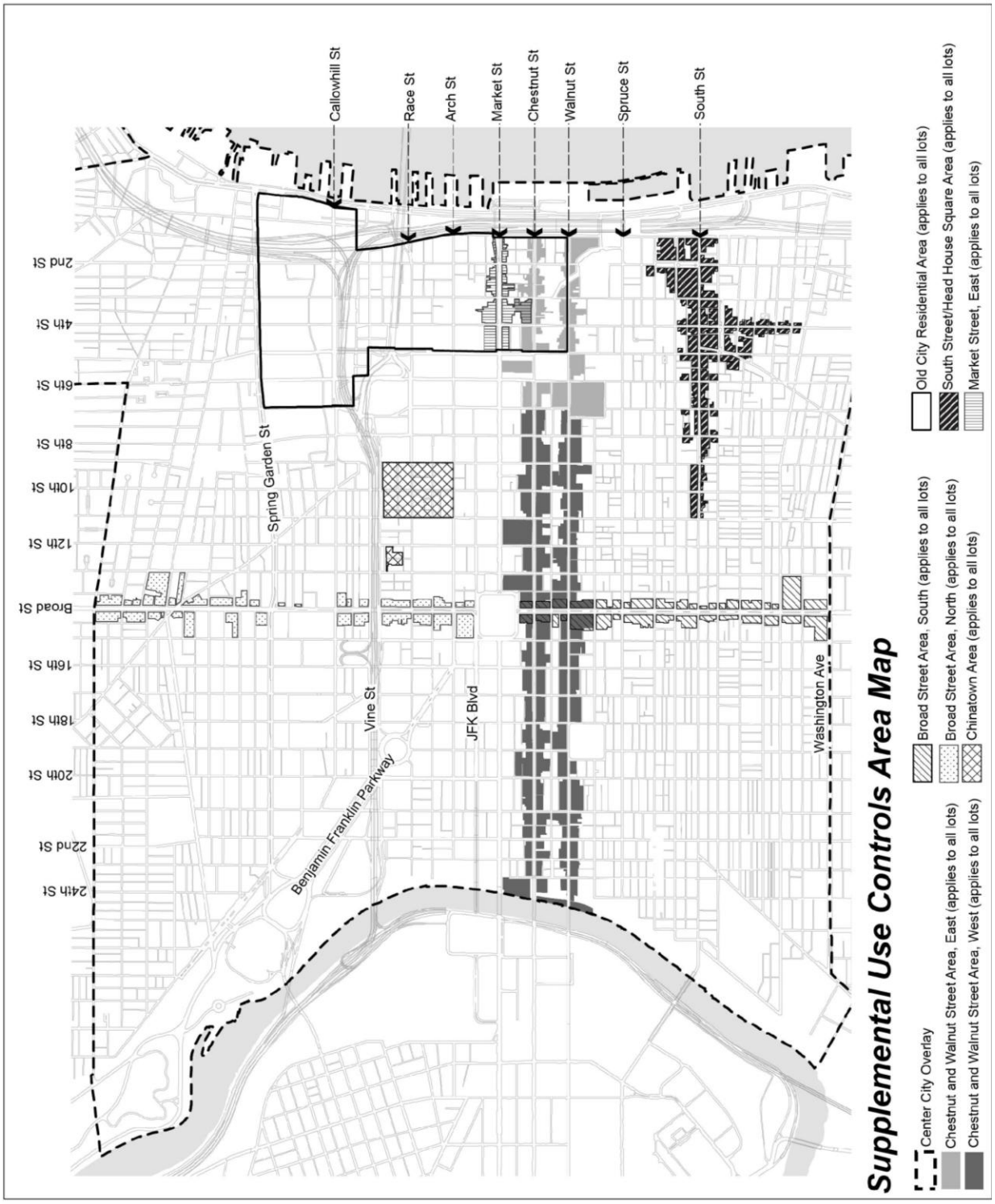
[2] Permitted on the ground floor, provided it is an active use; otherwise prohibited.

[3] Prohibited on the ground floor.

[4] Does not apply to Residentially-zoned lots.

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

	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	South Street/ Head House Square Area	Use-Specific Standards
N = Not allowed (expressly prohibited) | **S** = Special exception approval required | **Blank** = 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.								
Public, Civic, and Institutional Use Category								
Utilities and Services, Basic		[1]	N			N		
Retail Sales Use Category								
Adult-oriented Merchandise	N	N	N	N		N		
Retail Sales of Consumer Goods, Furniture, Appliances, and Equipment (as noted below)								
Drug Paraphernalia Sales	N	N	N	N		N		§14-603(13)
Gun Shop	N	N	N	N		N		§14-603(13)
Commercial Services Use Category								
Adult-Oriented Service	N	N	N	N		N		§14-603(13)
Assembly and Entertainment					N	N	N	§14-603(13)
Eating and Drinking Establishments (except as noted below)		S[4]	S[4]			S[4]		§14-603(6)
Take-Out Restaurant	N	N	N	N		S[4]	N	§14-603(6)
Financial Services (except as noted below)		[2]						
Personal Credit Establishment	N	N	N	N		N		§14-603(13)
Parking	N	N	N		N	N		
Personal Services (except as noted below)				N				
Body Art Service	N	N	N	N		N	N	§14-603(2); §14-603(13)
Fortune Telling Service	[3]	[3]	[3]	[3]		[3]	[3]	
Vehicle and Vehicular Equipment Sales and Services Use Category								
All Uses	N	N	N	N	N	N	N	
Wholesale, Distribution, Storage Use Category								
All Uses	N	N	N	N	N	N		


Supplemental Use Controls Area Map
Center City Overlay
Chestnut and Walnut Street Area, East (applies to all lots)
Chestnut and Walnut Street Area, West (applies to all lots)
Broad Street Area, South (applies to all lots)
Broad Street Area, North (applies to all lots)
Chinatown Area (applies to all lots)
Old City Residential Area (applies to all lots)
South Street/Head House Square Area (applies to all lots)
Market Street, East (applies to all lots)
Callowhill St
Race St
Arch St
Market St
Chestnut St
Walnut St
Spruce St
South St
2nd St
4th St
6th St
8th St
10th St
12th St
Broad St
16th St
18th St
20th St
22nd St
24th St
Spring Garden St
Vine St
JFK Blvd
Benjamin Franklin Parkway
Washington Ave

(b) Prohibited Accessory Uses and Structures

Accessory uses and structures identified with an "N" in Table 14-502-3 are expressly prohibited (See accompanying Supplemental Use Controls Area Map for illustrative purposes only).

Table 14-502-3: Prohibited Accessory Uses and Structures in the /CTR Overlay District

Accessory Use or Structure	Chestnut and Walnut Street Area, East	Chestnut and Walnut Street Area, West	Broad Street Area, South	Chinatown Area	Old City Residential Area	South Street/ Head House Square Area	Market Street Area, East
Kiosks	N	N	N	N	N		N
Outdoor sales and storage, including outdoor use of coin-operated machines that dispense food or drink	N	N	N	N	N		N
Any accessory speaker or audio device that causes music or voices to reach the sidewalk area, public arcade, or public entranceway to a building, that is adjunct to any permitted retail use, used to advertise merchandise sold, and/or used to call public attention to the uses of the premises.	N	N				N	N

(6) Parking and Loading Regulations

The following parking regulations apply to the areas described in each subsection.

(a) Motor Vehicle Ingress and Egress Restrictions

Vehicular ingress and egress is prohibited to and from the following: (See Parking and Loading Regulations Area Map 1 for illustrative purposes only):

(.1) Parking garages in the Market Street Area.

(.2) Parking garages and loading and trash storage areas or structures in any of the following areas:

(.a) Chestnut and Walnut Street Area;

(.b) Locust Street Area, except the portion between the west side of Juniper Street and the east side of 15th Street;

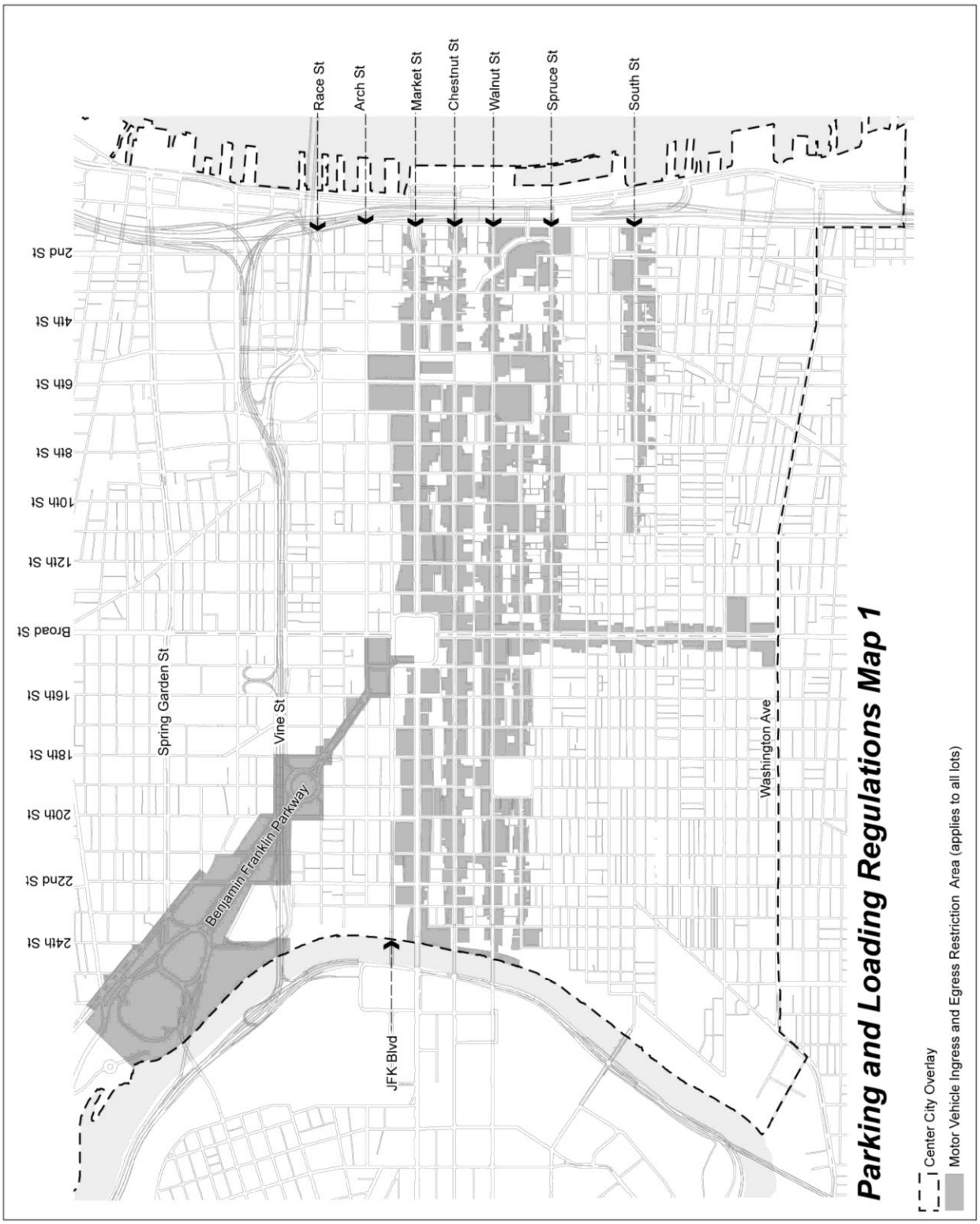
(.c) Spruce Street Area, East; and

(.d) Benjamin Franklin Parkway Area.

(.3) Accessory parking and loading and trash storage areas or structures in any of the following areas:

(.a) South Street/Head House Square Area, Central; and

(.b) Broad Street Area, South.


Race St
Arch St
Market St
Chestnut St
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South St
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10th St
12th St
Broad St
16th St
18th St
20th St
22nd St
24th St
Spring Garden St
Vine St
Benjamin Franklin Parkway
JFK Blvd
Washington Ave
Parking and Loading Regulations Map 1
Center City Overlay
Motor Vehicle Ingress and Egress Restriction Area (applies to all lots)

(b) Broad Street Area, Mid-North

(See Parking and Loading Regulations Area Map 2). Parking on all commercially-zoned properties in the Mid-North Broad Street Area must be located either on the same lot or on a lot (where non-accessory parking is a permitted use) within 1,000 ft.

(c) Residential Parking Control Area

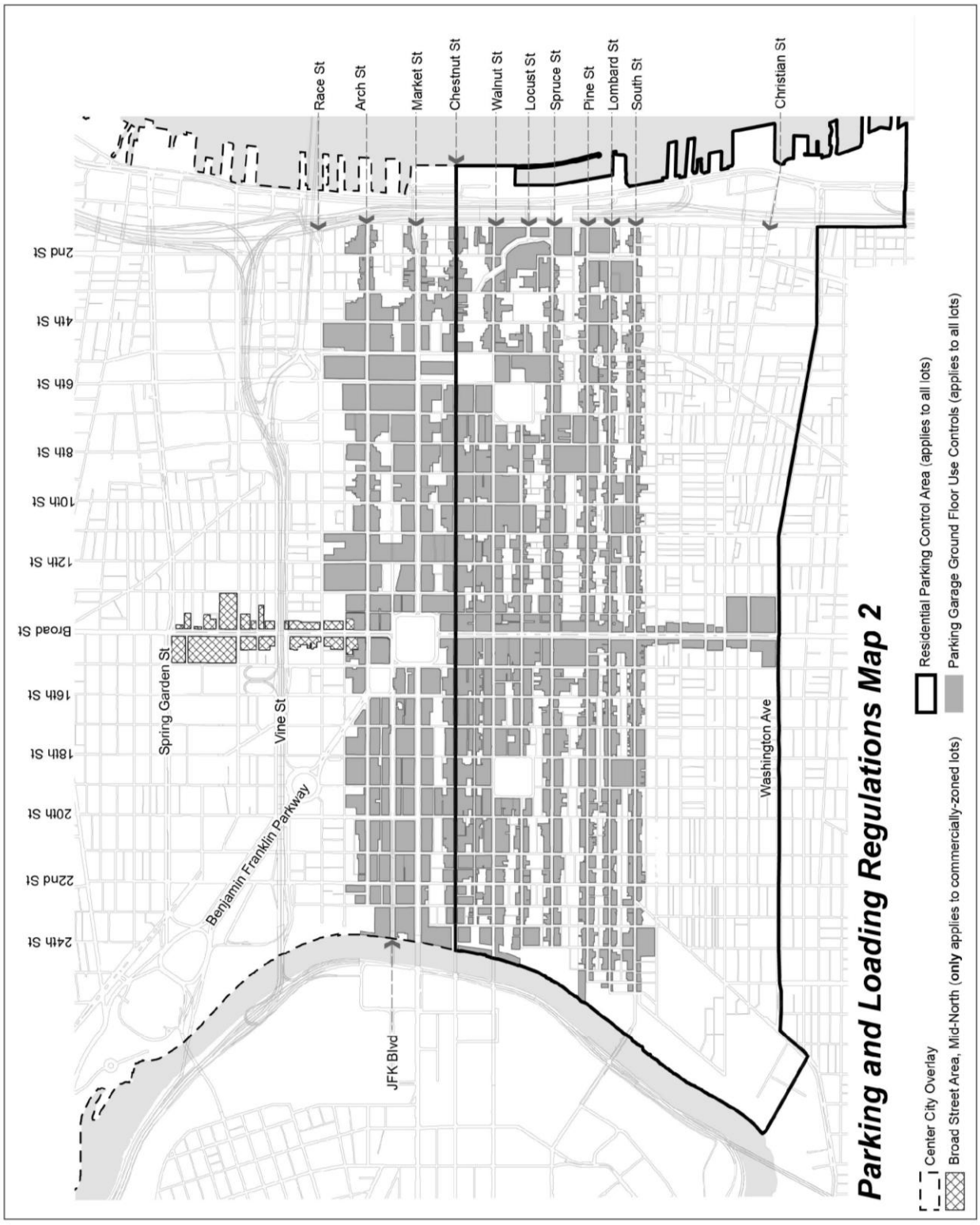
(See Parking and Loading Regulations Area Map 2 for illustrative purposes only).

(.1) Off-street parking shall not be provided for any one-family or two-family use located in the Residential Parking Control Area, except for parking accessed by a shared driveway or rear alley, which is permitted but not required. Common parking areas may be located on one or more of the properties for which parking is provided, or on a property that is separated from those properties by an alley, shared driveway, or similar kinds of passageways.

(.2) Parking garages with a capacity over 500 vehicles are prohibited on all lots except those fronting on Broad Street.

(d) Parking Garage Ground Floor Use Controls

(See Parking and Loading Regulations Area Map 2 for illustrative purposes only). The ground floor of any parking garage in the Parking Garage Ground Floor Use Control Area must be occupied by an office, retail sales, commercial services, or public, civic, and institutional use; except that regulated uses, as set forth in §14-603(13) (Regulated Uses), shall be prohibited. This requirement applies only along these designated street frontages and does not apply to areas occupied by entrances, exits, or waiting areas.


Parking and Loading Regulations Map 2
Race St
Arch St
Market St
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Walnut St
Locust St
Spruce St
Pine St
Lombard St
South St
Christian St
2nd St
4th St
6th St
8th St
10th St
12th St
Broad St
16th St
18th St
20th St
22nd St
24th St
Spring Garden St
Vine St
Benjamin Franklin Parkway
JFK Blvd
Washington Ave
Residential Parking Control Area (applies to all lots)
Parking Garage Ground Floor Use Controls (applies to all lots)
Center City Overlay
Broad Street Area, Mid-North (only applies to commercially-zoned lots)

(e) Loading and Trash Storage Area Restrictions

Loading and trash storage areas that are located in the Central Broad Street Area or in Market Street Area and that have vehicular ingress and/or egress on Broad Street or Market Street, are prohibited unless a special exception permit is obtained pursuant to §14-303(7) (Special Exception Approval). (See Parking and Loading Regulations Area Map 3 for illustrative purposes only).

(f) Accessory Parking Lot Restrictions

(.1) Accessory parking lots are prohibited in the following areas (See Parking and Loading Regulations Area Map 3 for illustrative purposes only):

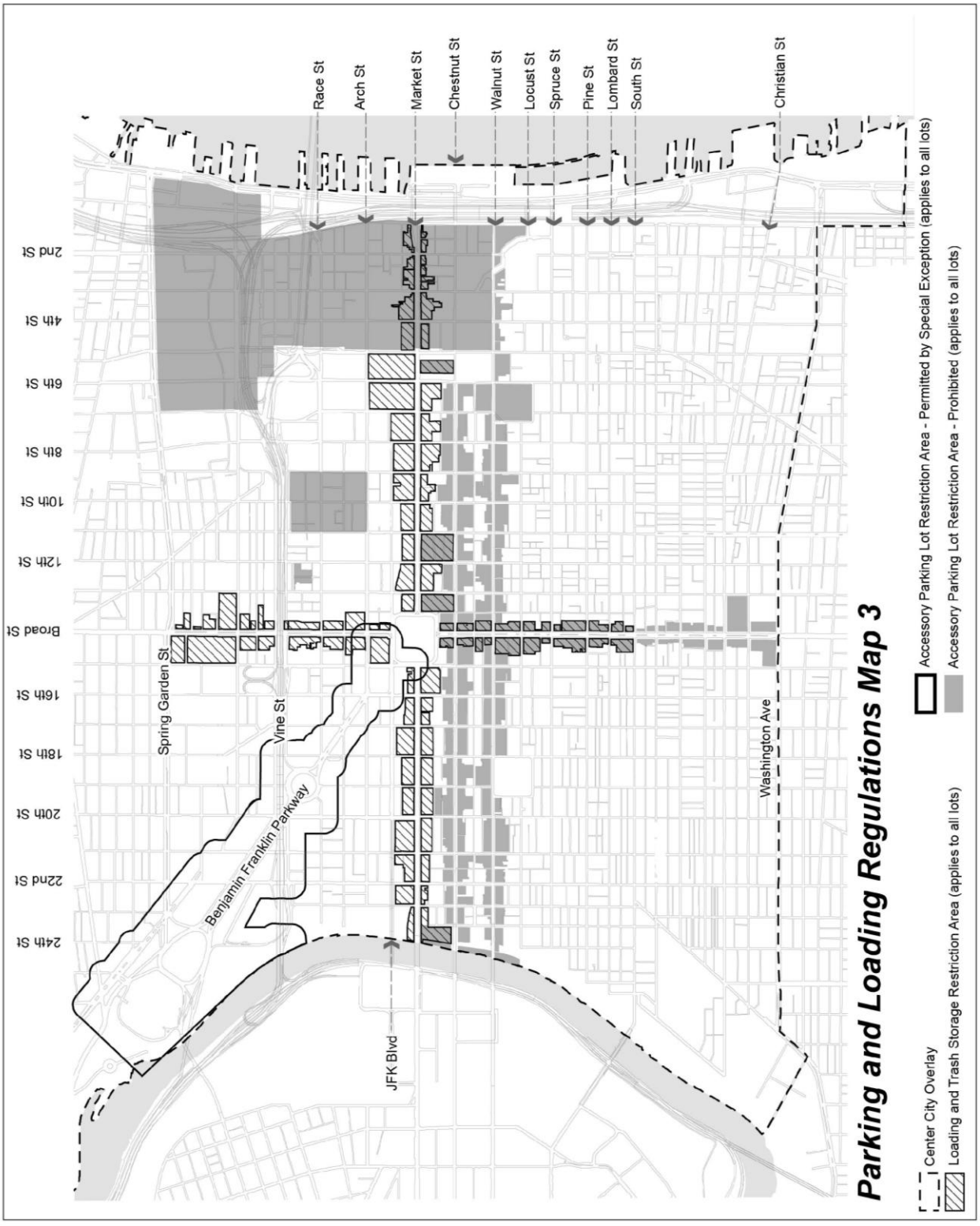
(.a) Chestnut and Walnut Street Area;

(.b) Broad Street, South;

(.c) Chinatown Area;

(.d) Old City Residential Area;

(.2) Accessory parking lots are prohibited in the Parkway Buffer Area unless a special exception permit is obtained pursuant to §14-303(7) (Special Exception Approval). (See Parking and Loading Regulations Area Map 3 for illustrative purposes only).


Parking and Loading Regulations Map 3
Race St
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2nd St
4th St
6th St
8th St
10th St
12th St
Broad St
16th St
18th St
20th St
22nd St
24th St
Spring Garden St
Vine St
Benjamin Franklin Parkway
JFK Blvd
Washington Ave
Center City Overlay
Loading and Trash Storage Restriction Area (applies to all lots)
Accessory Parking Lot Restriction Area - Permitted by Special Exception (applies to all lots)
Accessory Parking Lot Restriction Area - Prohibited (applies to all lots)

(7) Sign Regulations

The following sign regulations apply to the areas described in each subsection.

(a) Convention Center Area

(See Sign Regulations Area Map 1 for illustrative purposes only).

(.1) Art Commission Approval

No person may erect or maintain any sign within this area unless approved by the Art Commission. The Art Commission has 60 days to approve or disapprove the application, after which its approval will be presumed.

(.2) Regulations

Buildings occupying 50% or more of the total area of the block and having 50% or more of their frontage Broad Street are, notwithstanding any other provisions of this Zoning Code, permitted to erect a system of accessory signs, including building logo signs, directional signs, freestanding signs, and temporary signs, not to exceed a combined total of 15 sq. ft. of sign area for each lineal foot of frontage along a public street line.

(b) Center City Commercial Area

(.1) Art Commission Approval

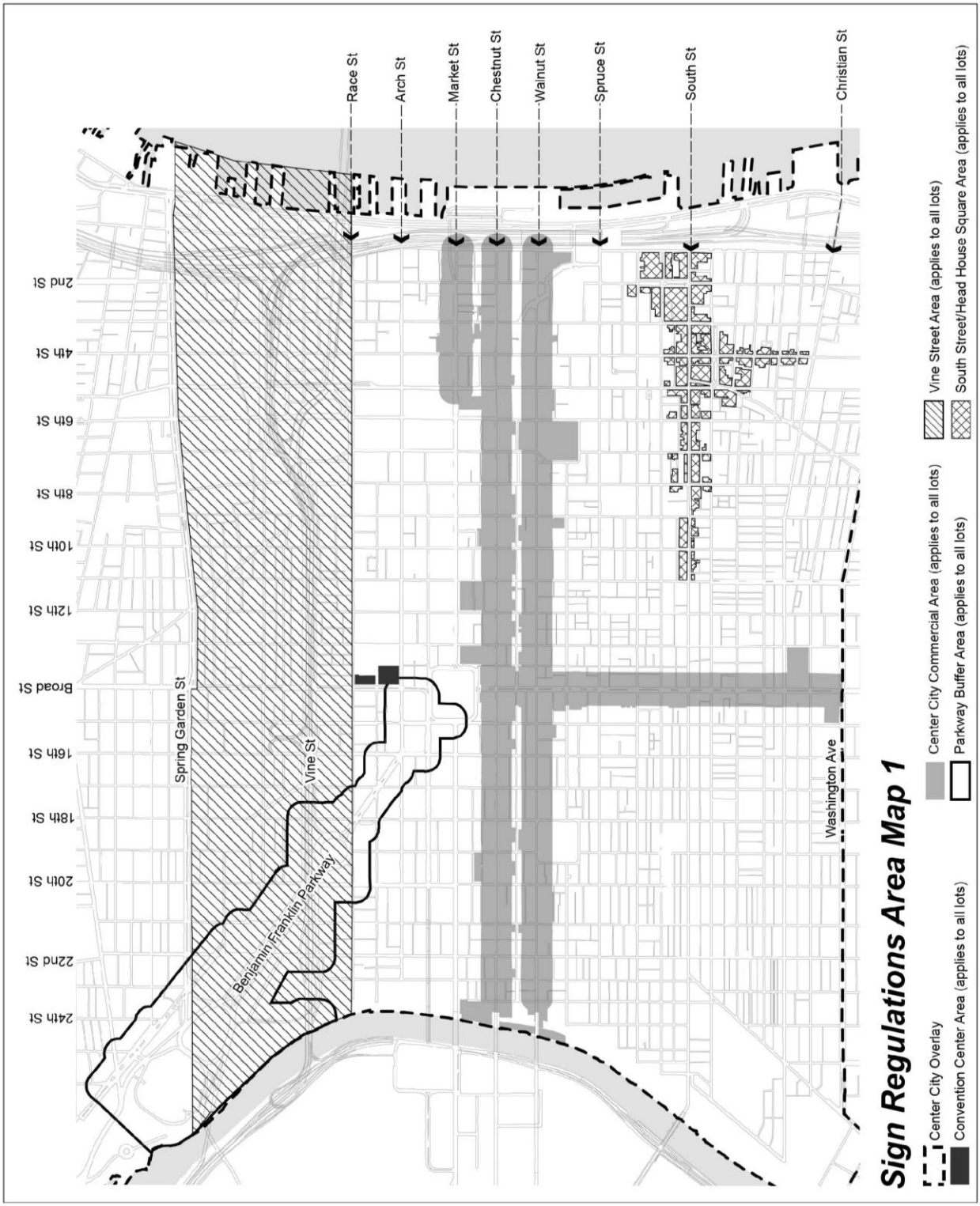
No sign may be erected or maintained in the Center City Commercial Area (See Sign Regulations Area Map 1 for illustrative purposes only) unless approved by the Art Commission. The Art Commission has 60 days to approve or disapprove the application, after which its approval will be presumed.

(.2) Prohibited Signs

(.a) Non-accessory signs are prohibited.

(.b) Flashing signs, intermittent or flashing light sources, revolving signs, animated signs, and roof signs (excluding signs identifying the name or address of a building) are prohibited.

(.c) Projecting signs are prohibited except on properties fronting Market Street between Front Street and 5th Street.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18th St
20th St
22nd St
24th St
Spring Garden St
Vine St
Benjamin Franklin Parkway
Washington Ave
Sign Regulations Area Map 1
Center City Overlay
Convention Center Area (applies to all lots)
Center City Commercial Area (applies to all lots)
Parkway Buffer Area (applies to all lots)
Vine Street Area (applies to all lots)
South Street/Head House Square Area (applies to all lots)

(c) Parkway Buffer Area

(.1) Review

No person may erect or maintain any sign in the Parkway Buffer Area (See Sign Regulations Area Map 1 for illustrative purposes only) unless the sign complies with all applicable requirements of this Zoning Code and any applicable regulations of the Philadelphia Department of Parks and Recreation (DPR) and has been approved by the Art Commission. The Art Commission has 60 days to approve or disapprove the application, after which its approval will be presumed.

(.2) Repair and Maintenance

No sign may be altered or moved in any substantial manner unless it is made to comply with all the requirements of this §14-502(7)(c) (Parkway Buffer Area)

(d) South Street/Head House Square Area

No person may erect or maintain any sign in the South Street/Head House Square Area other than an accessory wall sign (See Sign Regulations Area Map 1 for illustrative purposes only). Lots facing one street line are permitted a total sign area of three sq. ft. for each lineal foot of street line. Lots facing more than one street line are permitted a total sign area as follows:

(.1) For the shorter street line frontage, a maximum sign area of three sq. ft. for each lineal foot of street line;

(.2) For the longer street line frontage, a maximum sign area of two sq. ft. for each lineal foot of street line or the equivalent sign area permitted upon the shorter street line frontage, whichever is greater;

(.3) Where a lot has two or more short and/or two or more long street line frontages, the provisions of §14-502(7)(d)(.1) and §14-502(7)(d)(.2) apply to each of the street frontages; and

(.4) The total of the sign areas permitted in §14-502(7)(d)(.1) and §14-502(7)(d)(.2) may be combined on one street frontage.

(e) Vine Street Area

Allowable signs in the Vine Street Area are limited to the following (See Sign Regulations Area Map 1):

(.1) Wall Signs

Accessory and non-commercial wall signs are permitted at a ratio of two sq. ft. of sign area per lineal foot of street frontage. The top of such wall signs may not extend above the bottom of the second floor of the building on which it is located.

(.2) Freestanding Signs

Accessory and non-commercial signs that are freestanding structures on the ground are permitted at a height not to exceed 15 ft., measured from the average level of the ground to the top of said structure. Freestanding signs are permitted a maximum of two sign facings and a maximum of 16 sq. ft. for each sign facing.

(.3) Building Logo Signs

Building logo signs and non-commercial signs that are located above the bottom of the second floor are permitted upon approval by the Art Commission. The Art Commission has 60 days to approve or disapprove the application, after which its approval will be presumed. The approval of the Art Commission must take into account the impact of the proposed signage on the skyline and view corridors of Center City and the visual aesthetics of the area. Any sign contrary to the goals and objectives of this Zoning Code must be disapproved.

(.4) Projecting Signs

Within the area bounded by 9th Street, Winter Street, 11th Street, and Race Street projecting accessory and projecting non-commercial signs are permitted at a ratio of two sq. ft. of sign area per lineal foot of street frontage. Such signs are in addition to the signs permitted in §§14-402(8)(e)(.1) through §14-402(8)(e)(.3) and are subject to Art Commission approval. The Art Commission has 60 days to approve or disapprove the application, after which its approval will be presumed.

(.5) Highway Directional Signs

Highway directional signs are permitted, provided that such signs contain no commercial message and do not exceed 20 sq. ft. in area or 10 ft. in height.

(.6) Temporary Signs

Temporary non-commercial signs and temporary signs providing notice to the public that a property is for sale or for rent are permitted, so long as such signs do not exceed a total gross area of 25 sq. ft.

(f) Washington Square Area

No sign may be erected or maintained in the Washington Square Area unless approved by the Art Commission (See Sign Regulations Area Map 2 for illustrative purposes only). The Art Commission has 60 days to approve or disapprove the application, after which its approval will be presumed. This provision does not apply to signs lawfully and permanently in place before January 1, 1992.

(g) Independence Hall Area

(.1) No sign or other advertising structure or device may be erected or maintained on or extending over any portion of a street that is contiguous to a lot located in the Independence Hall Area (See Sign Regulations Area Map 2 for illustrative purposes only). This provision does not apply to any sign placed on the front of any building giving in words and/or numerals the name and brief description of the nature of the business or businesses transacted in the building, provided that:

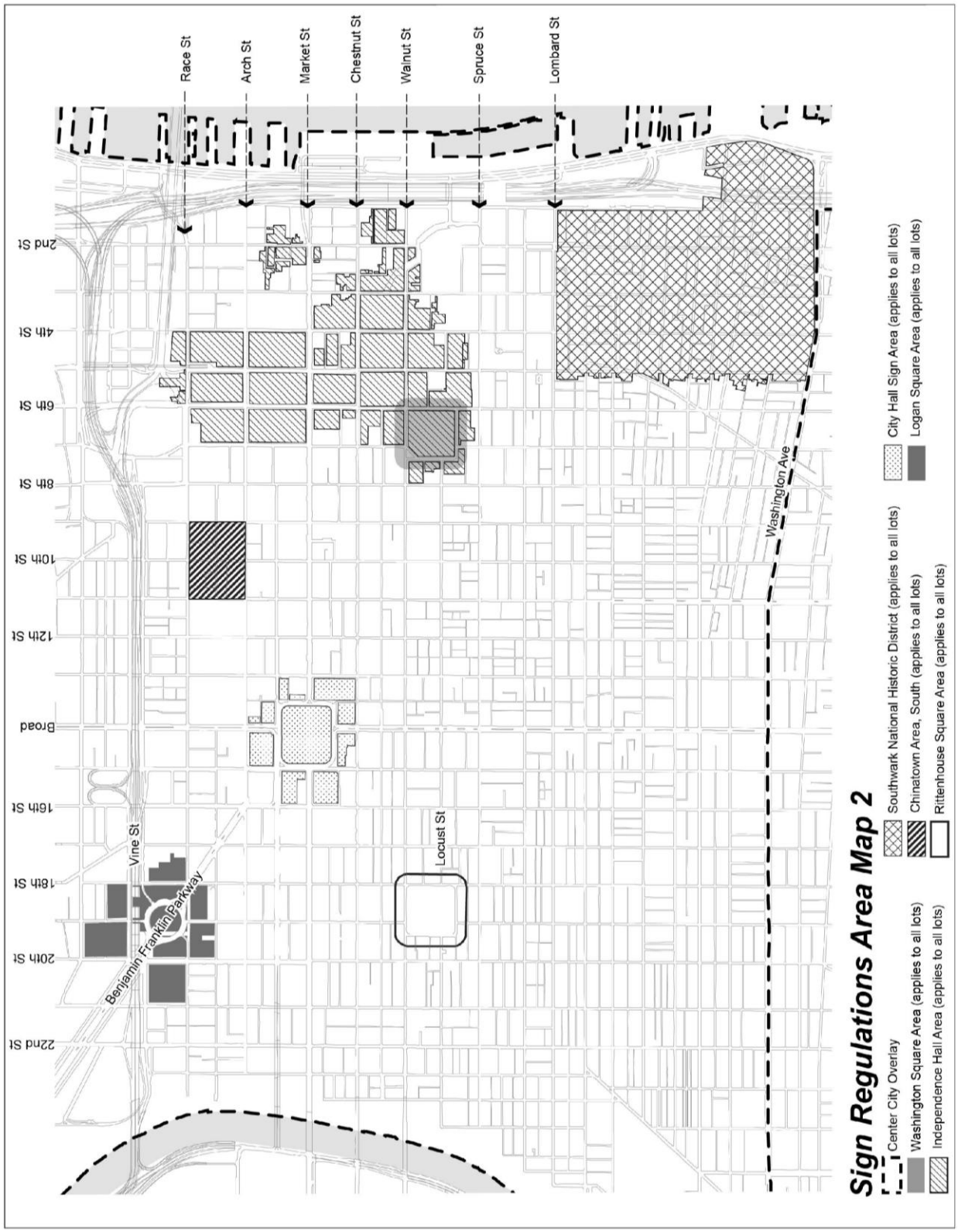
(.a) The sign does not exceed 10 sq. ft. in area and does not project more than 12 in. from the face of the building, or

(.b) It is expressly authorized by the Art Commission as not being inconsistent with the harmony, style, and architectural/historical character of the area.

(.2) No billboard, roof sign, or other advertising structure or device may be erected or maintained within 150 ft. of any portion of a street that is contiguous to a lot located in the Independence Hall Area unless L&I determines that the proposed sign:

(.a) Complies with all other applicable requirements of this Zoning Code, and

(.b) Has been approved by the Art Commission as complying with the intent of this subsection of insuring the preservation of the historical character of and spirit of this national shrine and a style in harmony with its buildings.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12th St
Broad
16th St
18th St
20th St
22nd St
Vine St
Benjamin Franklin Parkway
Locust St
Washington Ave
Sign Regulations Area Map 2
Center City Overlay
Washington Square Area (applies to all lots)
Independence Hall Area (applies to all lots)
Southwark National Historic District (applies to all lots)
Chinatown Area, South (applies to all lots)
Rittenhouse Square Area (applies to all lots)
City Hall Sign Area (applies to all lots)
Logan Square Area (applies to all lots)

(h) Southwark National Historic District

No animated, flashing, freestanding, portable, revolving, or roof signs may be erected or maintained within the Southwark National Historic District (See Sign Regulations Area Map 2).

(i) Chinatown Area, South

Non-accessory signs are prohibited in the South Chinatown Area (See Sign Regulations Area Map 2 for illustrative purposes only).

(j) Rittenhouse Square

No signs may be erected or maintained within the Rittenhouse Square Area (See Sign Regulations Area Map 2 for illustrative purposes only). This prohibition does not apply to signs in place before 1950.

(k) City Hall Sign Area

No person shall erect or maintain any sign extending beyond the building line within the City Hall Sign Area (See Sign Regulations Area Map 2 for illustrative purposes only).

(l) Logan Square Area

No person shall erect or maintain any sign extending beyond the building line within the Logan Square Area (See Sign Regulations Area Map 2 for illustrative purposes only).

(8) Special Review Areas

The following special review requirements apply to the areas described in each subsection below are shown on the Special Review Areas map for illustrative purposes only.

(a) Planning Commission Review

L&I shall not issue a building permit for the erection of a building or alteration of a façade in the Chestnut and Walnut Street Area, South Broad Street Area, or East Market Street Area until the Commission has reviewed plans of the facade and determined that the proposed facade, in the opinion of the Commission, is in harmony with Center City's historic commercial area and pedestrian-oriented environment. The Commission has 60 days to approve or disapprove the application, after which its approval will be presumed.

(b) Art Commission Approval Area

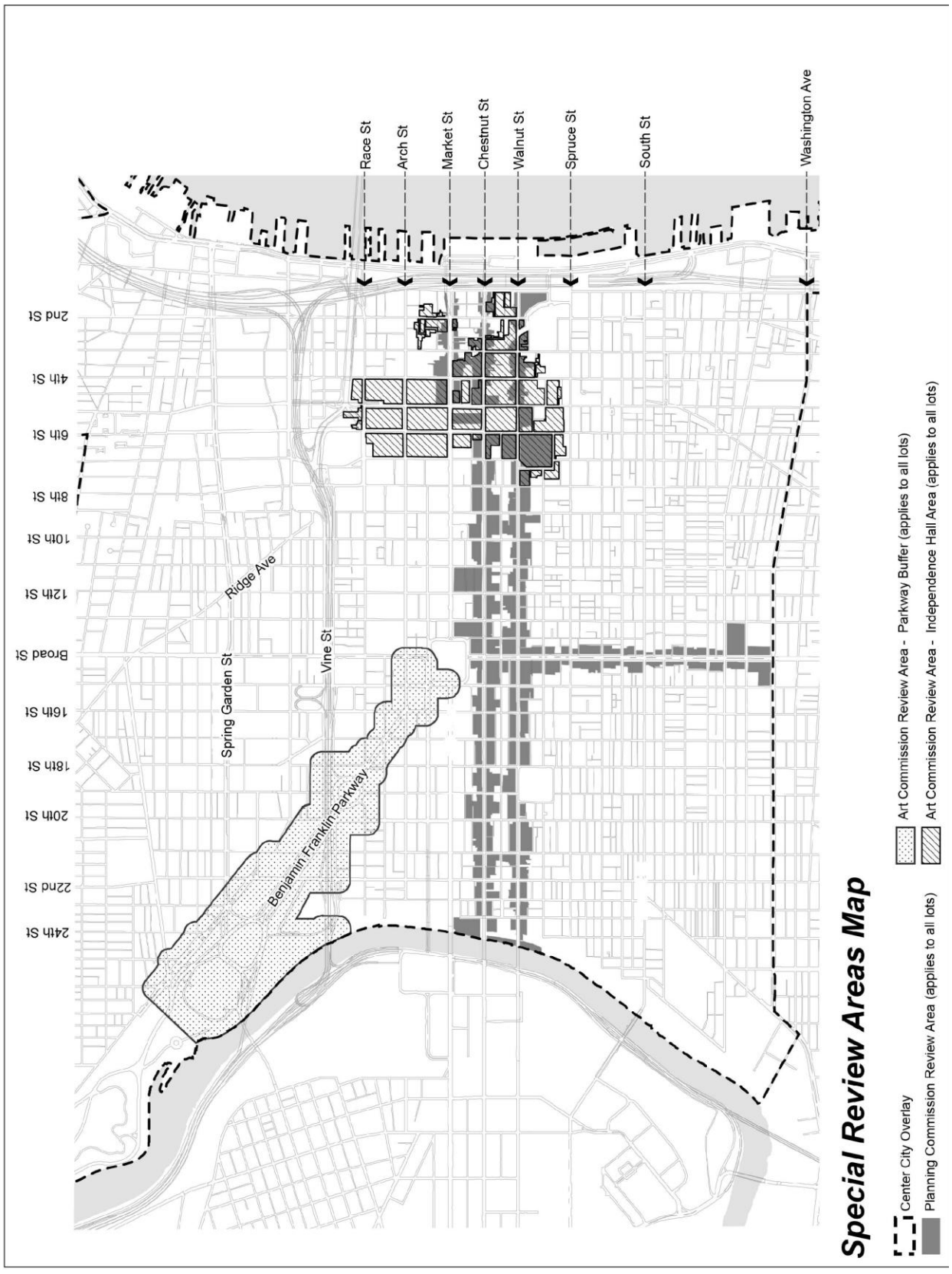
(.1) Parkway Buffer

L&I shall not issue a building permit for the erection or alteration of any building or other construction, including open spaces, in the Parkway Buffer Area until the Art Commission has approved the application. The Art Commission has 60 days to approve or disapprove the application, after which its approval will be presumed.

(.2) Independence Hall Area

L&I shall not issue a building permit for the erection or alteration of any building or other construction, including open spaces, in the Independence Hall Area until the Art Commission has reviewed the application and determined that the proposed building would, in the opinion of the Art Commission, not be contrary to the preservation of

the historical character of and conformity to the style and spirit of this national shrine with respect to appearance, color, and materials and the architectural style and design of the exterior of the proposed building. The Art Commission has 60 days to approve or disapprove the application, after which its approval will be presumed.


Special Review Areas Map
Center City Overlay
Planning Commission Review Area (applies to all lots)
Art Commission Review Area - Parkway Buffer (applies to all lots)
Art Commission Review Area - Independence Hall Area (applies to all lots)
Race St
Arch St
Market St
Chestnut St
Walnut St
Spruce St
South St
Washington Ave
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10th St
12th St
Broad St
16th St
18th St
20th St
22nd St
24th St
Ridge Ave
Vine St
Spring Garden St
Benjamin Franklin Parkway

§14-503 /NCA, Neighborhood Commercial Area Overlay

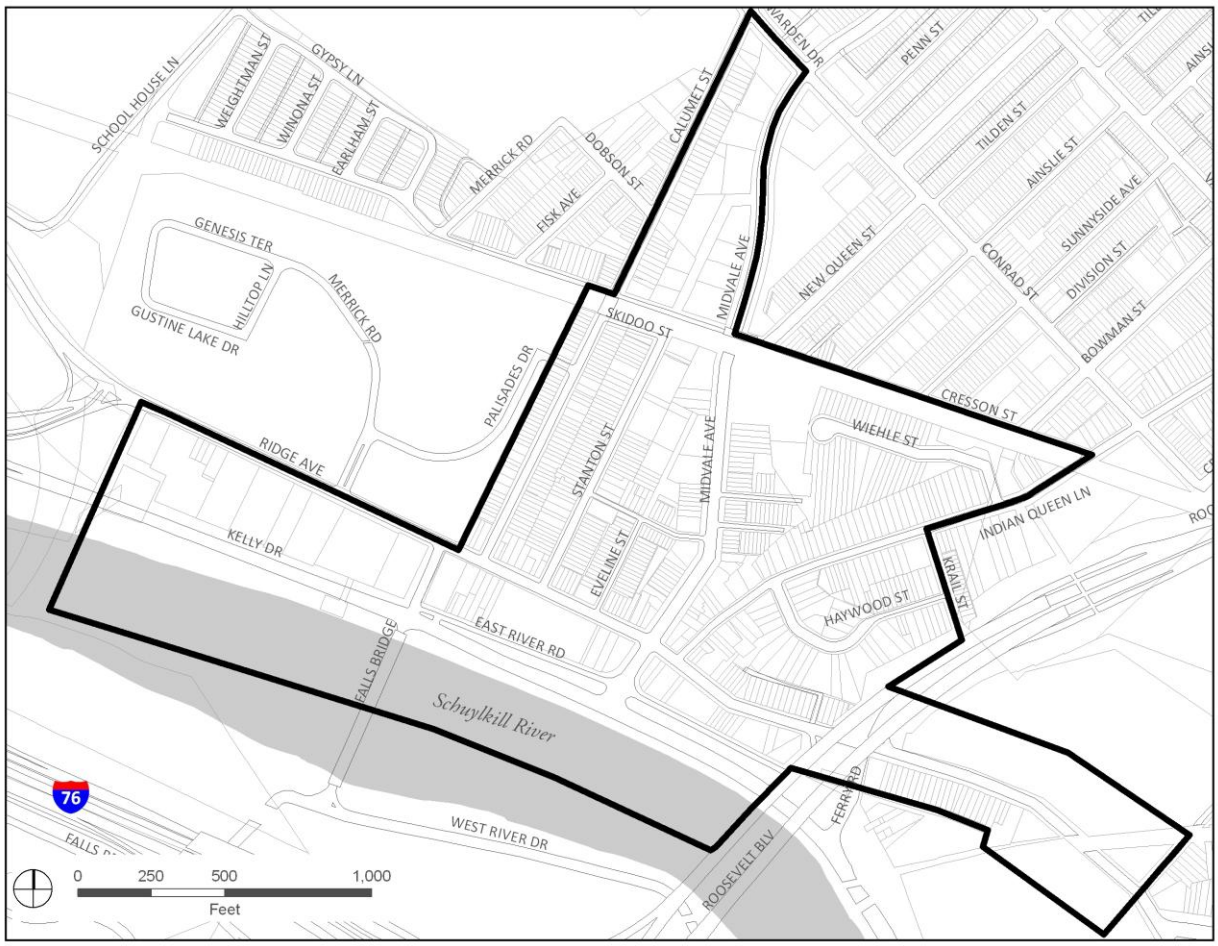
(1) Purpose

/NCA, Neighborhood Commercial Area Overlay districts are intended to preserve the integrity of neighborhood commercial areas and to promote and help guide appropriate commercial development.

(2) East Falls Neighborhood

(a) Applicability

The requirements of this East Falls /NCA overlay district apply to all commercially-zoned properties, beginning at its southwest boundary and proceeding north, within the area bounded by the former Weightman Street, Ridge Avenue, a line approximately 77 ft. northwest of Calumet Street, Cresson Street, Calumet Street, Warden Drive, Midvale Avenue, Cresson Street, Indian Queen Lane, Krail Street, the Roosevelt Boulevard Extension, and the Schuylkill River; and properties with frontage on Ridge Avenue between the Roosevelt Boulevard Extension and Scotts Lane, as shown on the following map for illustrative purposes only.



East Falls Neighborhood (Only applies to commercially-zoned lots)

(b) Setback from Kelly Drive

For lots with street frontage on Kelly Drive, buildings erected on or after December 21, 1999, shall 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:

(.1) The landscape area must be at least 18 ft. wide;

(.2) Plants installed in the landscape area shall be at least three ft. tall at the time of planting and shall be spaced no more than six ft. apart, measured between the centers of plantings;

(.3) The type of plant material shall be selected from a list of types, sizes of species of plants, and number of plants that are appropriate to achieve adequate screening and appropriate for the location. This list shall be prepared and maintained by the Commission in conjunction with DPR; and

(.4) The required screening shall be maintained in a manner to ensure its survival. In the event that any plant dies, it shall be replaced at the required ratio.

(c) Parking

(.1) At the time of the erection of any new building or structure, the extension of any building or structure, or for a change of use that requires more parking spaces than the existing use, off-street parking spaces must be provided in accordance with the following requirements:

(.a) The number of required parking spaces for any eating and drinking establishment must be determined by the legal occupancy of the use (as calculated in accordance with Building Code occupancy requirements) at the minimum rate of one space for every four persons.

(.b) For uses other than eating and drinking establishments, the number of parking spaces must be provided in accordance with the following schedule:

Building's Gross Floor Area	Spaces required per 1,000 sq. ft. of gross floor area
Up to 2,999 sq. ft.	0
3,000 sq. ft. and over	4

(.2) All required parking must be located either on:

(.a) the same lot as the principal use;

(.b) on a lot abutting the principal use, regardless of whether parking is a permitted use on the abutting lot; or

(.c) on a non-abutting lot that is within 1,000 ft. and upon which parking is a permitted use, provided that a special exception approval is obtained from the Zoning Board pursuant to §14-303(7) (Special Exception Approval).

(.3) Off-street parking is not allowed between any building line and the street line on lots fronting Ridge Avenue or Midvale Avenue.

(d) Curb Cuts

(.1) Curb cuts are prohibited on Kelly Drive; and

(.2) Permitted curb cuts are limited to one curb cut per 100 lineal ft. of lot frontage with a maximum width of 20 ft. for any curb cut.

(e) Building Width

After January 23, 2001, for any newly erected building or existing building to which an addition is added with street frontage on Ridge Avenue or Midvale Avenue, the width of each building frontage along Ridge Avenue and Midvale Avenue shall not exceed 100 ft.

(f) Signs

Signs shall be permitted at a ratio of three sq. ft. per lineal foot of street frontage, subject to any exceptions or limitations imposed below:

(.1) Only the following types of signs shall be permitted:

(.a) Flat wall signs;

(.b) Projecting signs, provided that such signs do not exceed one projecting sign per lot and are limited to nine sq. ft. per face; and

(.c) Freestanding signs, provided that such signs do not exceed a maximum of six ft. in height, and further provided that such freestanding signs are attached directly to the ground and are not supported by any columns, poles or uprights. Free standing signs must be located in a landscaped area the least dimension of which shall be no less than six ft. and the size of which shall be no less than twice the area of the faces of the free standing sign;

(.2) Internally illuminated signs shall be limited to neon tubing, individual letters affixed to the building or in the windows of the building, or internally illuminated signs with an opaque background.

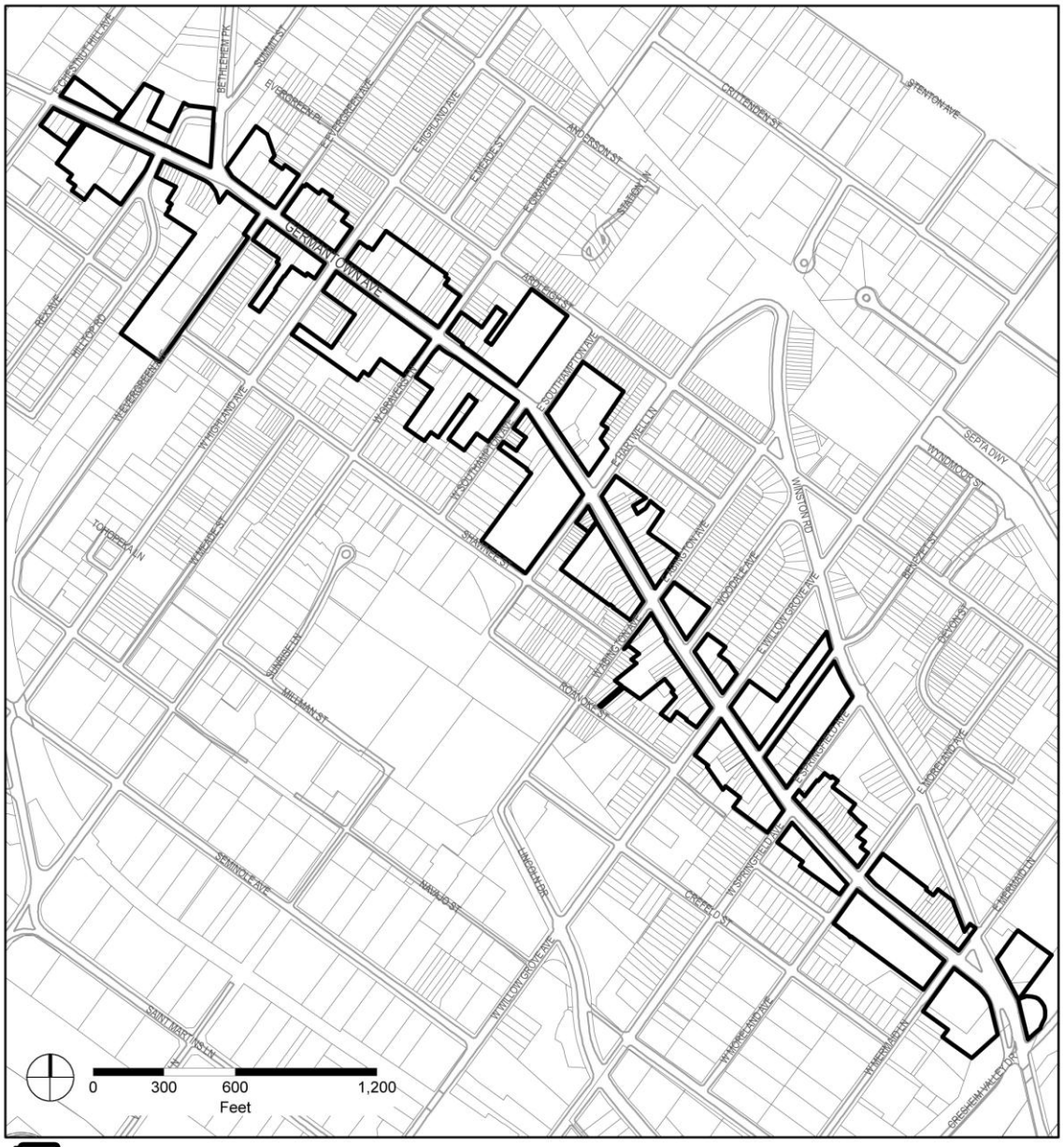
(.3) Signs with flashing or intermittent illumination shall be prohibited.

(.4) Signs that revolve or are mechanically moved shall be prohibited.

(3) Germantown Avenue

(a) Applicability

The requirements of this Germantown Avenue /NCA overlay district apply to all commercially-zoned properties (except for properties zoned CMX-1) fronting on Germantown Avenue between Chestnut Hill Avenue and Cresheim Valley Drive, as shown on the following map for illustrative purposes only.



Germantown Avenue (Only applies to commercially-zoned lots, except for lots zoned CMX-1)

(b) Height

Buildings in the Germantown Avenue /NCA Overlay district may not exceed 38 ft. in height, except that buildings on corner lots with frontage on two or more streets may be up to 45 ft. in height.

(c) Limitations on Floor Area Used For Commercial Purposes

The maximum amount of net leasable area for uses other than residential, parks and open space, and public, civic, and institutional uses shall be:

(.1) In buildings erected after December 28, 1995: 4,000 sq. ft.

(.2) In buildings erected on or before December 28, 1995: The greater of 4,000 sq. ft. and the amount of net leasable area existing on December

28, 1995. Any net leasable area used for commercial purposes in excess of 4,000 sq. ft. shall be considered nonconforming.

(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.

(4) Main Street/Manayunk and Venice Island

(a) Applicability

The Main Street/Manayunk and Venice Island /NCA district applies to the three subareas set forth below, as shown on the following map for illustrative purposes only.

(.1) Subarea A

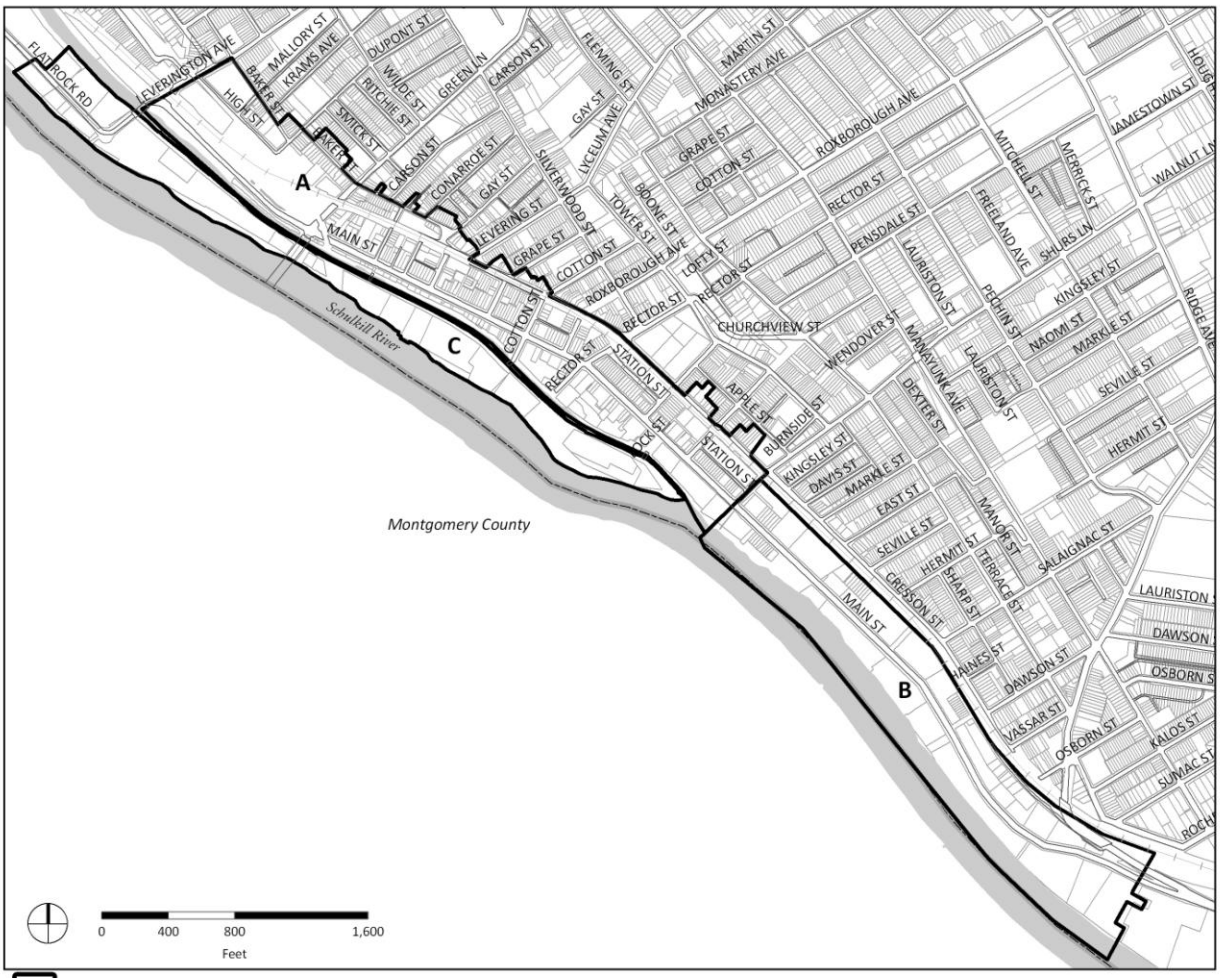
All lots located in the area bounded by Shurs Lane, the rear property line of the properties fronting on the northeast side of Cresson Street, Gay Street, the rear property line of the properties fronting on the northeast side of Baker Street, Leverington Avenue, and the Manayunk Canal.

(.2) Subarea B

All lots located in the area bounded by the SEPTA Norristown Railroad, Shurs Lane, the Schuylkill River, and a line described as follows: beginning at a point on easterly side of the Schuylkill River; then extending from said point north 29 degrees 47 minutes 19 seconds east, the distance of 105 ft. 3½ in. to a point, then extending north 60 degrees 12 minutes 41 seconds west, the distance of 46 ft. 7¾ in. to a point, then extending north 29 degrees 47 minutes 19 seconds east, the distance of 140 ft. 10 in. to a point, then extending south 60 degrees 12 minutes 41 seconds east, the distance of 92 ft. 0 in. to a point, then extending north 29 degrees 47 minutes 19 seconds east, the distance of 60 ft. 0 in. to a point, then extending north 29 degrees 47 minutes 19 seconds east, the distance of 92 ft. zero in. to a point, then extending north 60 degrees 12 minutes 41 seconds east, the distance of 57 ft. 0 in. to a point located on the westerly side of Main Street, then extending north 60 degrees 12 minutes 41 seconds east and crossing the bed of Main Street to a point on the SEPTA Norristown Railroad.

(.3) Subarea C

All lots located southeast of a line beginning at a point located along the southeasterly side of the Manayunk Canal measuring approximately 540 ft. northwest of the northwesterly side of Leverington Street then extending the following bearings and distances: south 44 degrees 12 minutes 50 seconds east 107 and seven-tenths ft. and south 49 degrees 25 minutes 50 seconds west 57 and three-tenths ft. to the northeasterly side of Flat Rock Road; then along that side of Flat Rock Road approximately 88 ft.; then south 59 degrees 7 minutes 50 seconds west to the northeasterly bank of the Schuylkill River; and bounded by the Schuylkill River and the Manayunk Canal.



Main Street/Manayunk & Venice Island (Applies to all lots)

(b) Height

The following standards apply in Subareas A and B:

(.1) The maximum height of a building may not exceed 38 ft.

(.2) Additions to buildings in existence on July 1, 1997 that do not increase the gross floor area of the building by more than 10% may be built to a height not to exceed the existing building.

(c) Setbacks

(.1) Any building erected on or after July 1, 1997 on Main Street or Ridge Avenue within Subarea B shall have no building setback, but when a retaining wall already exists, a setback for the purpose of preserving such a wall is allowed.

(.2) The following setback requirements apply within Subarea C:

(.a) All structures less than 25 ft. in height must set back from the railroad right-of-way a distance at least equal to the height of the structure but in no case less than 10 ft.

(.b) All structures 25 ft. or more in height must set back from the Manayunk Canal no less than 25 ft. and from the railroad right-of-way no less than 10 ft.

(.c) All open air parking, loading or driveways must set back from the railroad right-of-way no less than 10 ft.

(.d) All lots must provide an unencumbered waterfront setback with a minimum average width of eight ft. but in no case less than five ft. in width from the top of the bank of the Schuylkill River to allow for unrestricted public access to the river's edge.

(.e) Within the required setback from the top of the bank of the Schuylkill River, all newly erected buildings must provide a public access trail for the entire river frontage of the lot. L&I shall not issue a zoning permit until the Planning Commission has reviewed the plans of the trail and determined that the proposed trail is consistent with the character of the adjacent area and promotes pedestrian safety and accessibility. Upon completion of construction, the trail must be dedicated to the City, which will be responsible for its ownership and maintenance as a public pedestrian right-of-way.

(d) Parking in Subareas A and B

Parking for eating and drinking establishments and nightclubs and private clubs in Commercial districts located in Subareas A and B shall meet the following standards notwithstanding any other parking requirements set forth in this Zoning Code.

(.1) The number of required parking spaces shall be determined by the legal occupancy (pursuant to the Philadelphia Building Construction and Occupancy Code) of the use as follows:

Use	Spaces Required
Eating and Drinking establishments	1 space per 4 occupants
Nightclubs and Private Clubs	1 space per 2 occupants

(.2) All required parking shall be located either on:

(.a) the same lot as the eating and drinking establishment or nightclub and private club;

(.b) on an abutting lot that is located within the geographic boundaries of Subarea A or Subarea B, regardless of whether parking is a permitted use on the abutting lot; or

(.c) on a non-abutting lot (where parking is a permitted principal use) that is within 1,000 ft. of the eating and drinking establishment or nightclub and private club and located within the geographic boundaries of Subarea A or Subarea B, provided that a special exception approval is obtained from the Zoning Board pursuant to §14-303(7) (Special Exception Approval).

(e) Parking in Subarea C

For every dwelling unit created in Subarea C after December 30, 1999, there must be provided one off-street parking space in accordance with the following schedule:

Unit	Spaces Required
Efficiency and 1-bedroom Units	1 space per unit
Additional Bedrooms	1 space per bedroom

(f) Additional Regulations

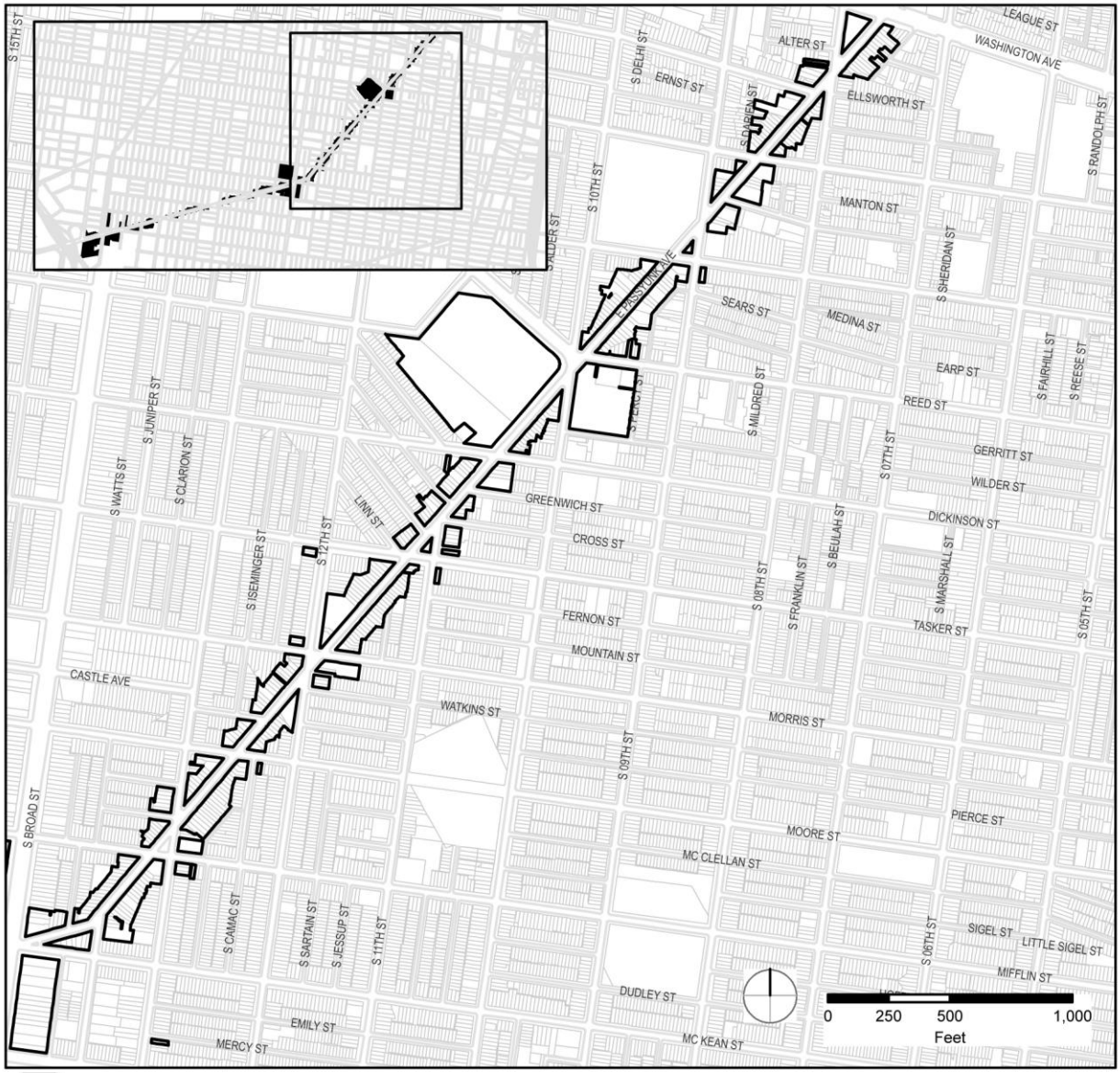
Section PM-704.2 of the Property Maintenance Code sets forth historic area standards for substantial portions of the Main Street/Manayunk and Venice Island /NCA district, as delineated by section PM-703.1.2 of the Property Maintenance Code.

(5) Passyunk Avenue

(a) Applicability

The requirements of this Passyunk Avenue /NCA Overlay district apply to all commercially-zoned lots with frontage on Passyunk Avenue between Washington Avenue and 25th Street and to all other properties located in the East Passyunk Avenue Business Improvement District as delineated in Bill No. 020431 (approved December 17, 2002), as shown on the following Passyunk Avenue maps for illustrative purposes only.

Passyunk Avenue (Only applies to commercially-zoned lots with frontage on Passyunk Ave and to all other lots delineated in Bill No. 020431)



Passyunk Ave (Only applies to commercially-zoned lots with frontage on Passyunk Ave and all other lots delineated in Bill No. 020431)

(b) Signs

Accessory signs are subject to the following regulations:

(.1) Lots facing one street line shall be permitted a total sign area of three sq. ft. for each lineal foot of street line.

(.2) Lots facing more than one street line shall be permitted a total sign area as follows:

(.a) For the shorter street line frontage there shall be permitted a sign area of three sq. ft. for each lineal foot of street line;

(.b) For the longer street line frontage there shall be permitted a sign area of two sq. ft. for each lineal foot of street line, pro-

vided, that in no case shall the total sign area permitted on the longer street line frontage be less than the equivalent sign area permitted upon the shorter street line frontage;

(.c) Where a lot has two or more short and/or two or more long street line frontages, the provisions of (.a) and (.b) shall apply to each of said street frontages; and

(.d) The total of the sign areas permitted in sub-paragraphs (.a) and (.b) may be cumulated on one street frontage.

(.3) Wall signs shall be permitted, provided that for each building the aggregate square foot coverage shall be limited to a maximum area of one square foot for each lineal foot of store frontage, such signs shall project no more than 12 in. from the principal face of the building, and the top of such signs shall extend no higher than the bottom of the window sills or projecting bay located on the second story of the building face or 14 ft. above the street line, whichever is lower. In no case shall any sign exceed 20 sq. ft. in area. The copy on such signs shall not be less than six in. high. Internally illuminated box type signs and plastic faced signs shall not be permitted.

(.4) One projecting sign shall be permitted for each store front business subject to the prior written approval of the Art Commission. Such sign shall occupy a maximum area of nine sq. ft. per face, and the top of such sign shall extend no higher than the window sill or projecting bay located on the second story of the building face, or 14 ft. above the sidewalk, whichever is lower. Such signs shall be non-illuminated, and constructed of traditional materials. Plastic faced signs shall be prohibited.

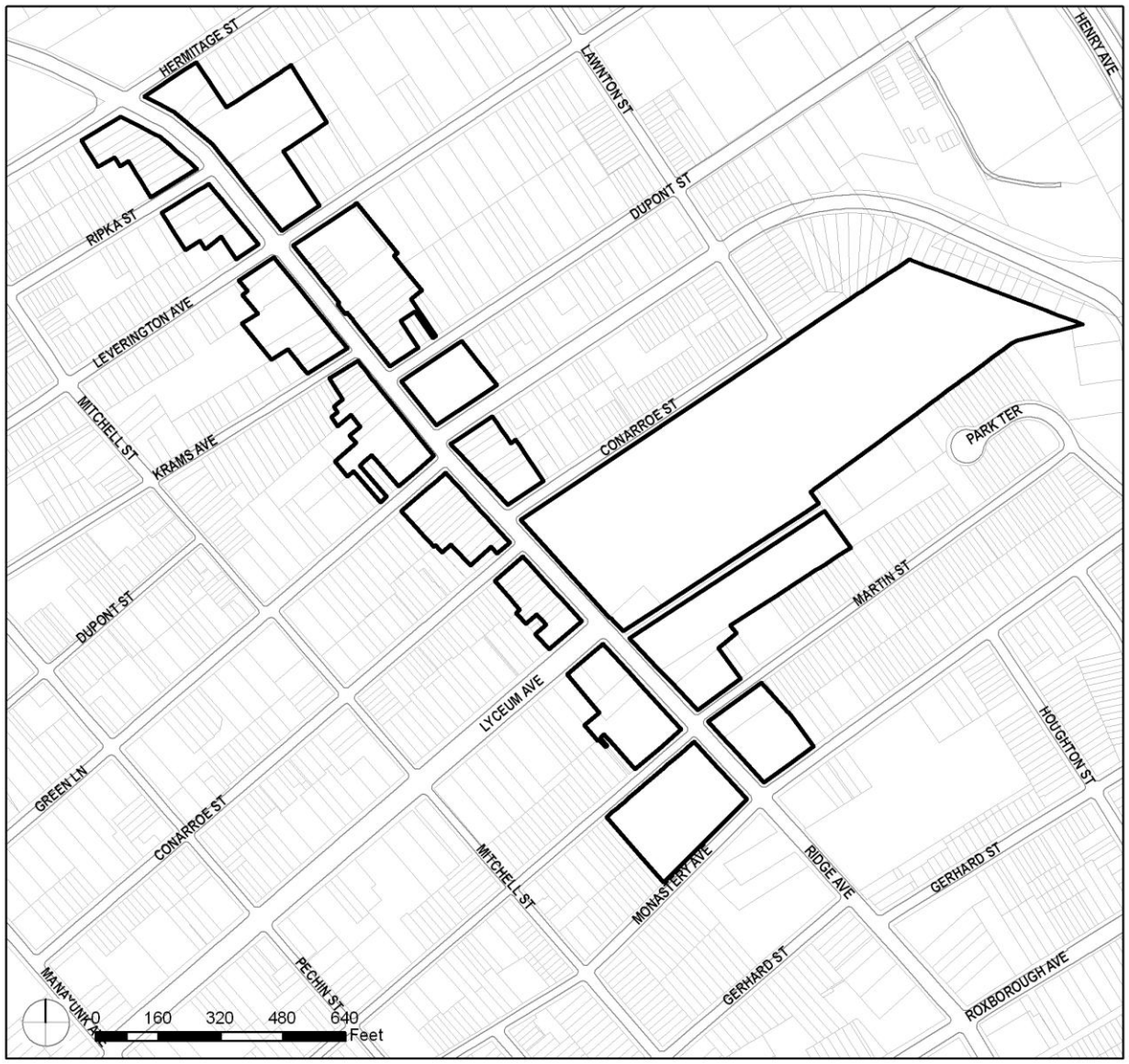
(.5) One storefront window sign shall be permitted, provided that it is limited to a maximum area of eight sq. ft. Such signs shall not be illuminated.

(.6) Flashing, animated, or roof mounted signs shall not be permitted.

(6) Ridge Avenue

(a) Applicability

The requirements of this Ridge Avenue /NCA district apply to lots zoned CMX-2 with frontage on Ridge Avenue between Hermitage Street and Monastery Avenue, as shown on the following map for illustrative purposes only.



Ridge Avenue (Only applies to lots zoned CMX-2)

(b) Limitations on Floor Area Used For Commercial Purposes

The maximum amount of net leasable area used for commercial purposes in buildings erected after February 9, 2011 shall not exceed 8,000 sq. ft.

(c) Façade Controls

L&I shall not issue a building permit until the Commission has reviewed plans of the façade and has determined that the proposed façade is in compliance with all of the following:

(.1) At least 65% of ground floor building facades shall be clear glass. Reflective, frosted, or tinted glass does not count towards this percentage;

(.2) The sill height for first floor windows on Ridge Avenue shall be no more than two ft. six in. above the ground floor level; and

(.3) Public entrance doors should be at least 50% glazed or transparent when fronting on a public right-of-way. In the case of corner lots, this applies to any side fronting a public right-of-way.

(d) Signs

(.1) Prohibited Signs

(.a) Non-accessory signs.

(.b) Internally-illuminated box signs.

(.c) Internally-illuminated awning signs.

(.d) Freestanding pole signs and monument signs.

(.e) Signs mounted to rooftops or that project above the main cornice line.

(.f) Signs with flashing or intermittent illumination.

(.g) Signs with digital electronic messages.

(.2) General Sign Standards

(.a) Only business signs relating to current building use shall be permitted.

(.b) Projecting signs shall be permitted subject to prior written approval of the Art Commission.

(.3) Wall Sign Standards

(.a) Wall signs are permitted, provided that they consist of a single panel or consist of individual letterforms mounted onto the face of a building or a supporting framework. The individual letterforms may be internally-illuminated.

(.b) One wall sign is permitted for each ground floor business address.

(.c) Corner properties are permitted one wall sign for each building face facing a public street.

(.d) The area of a wall sign shall not exceed one and one-half sq. ft. per linear foot of street frontage, with a maximum area of 40 sq. ft. Letters shall not be taller than 18 in. in height and not shorter than eight in. in height. Wall signs shall not protrude more than 10 in. from the building face.

(.4) Projecting Sign Standards

(.a) One projecting sign is permitted for each ground floor business address.

(.b) Corner properties are permitted one projecting sign for each building face facing a public street.

(.c) Projecting signs shall not project more than three ft. from the face of the building. The vertical dimension of projecting signs on a single-story building shall not exceed four ft. The vertical dimension of projecting signs on multi-story buildings shall not exceed eight ft.

(.d) The top of any projecting sign shall not be higher than the main cornice line. The lowest part of any projecting sign shall be at least nine ft. above the sidewalk.

(.5) Awnings and Awning Sign Standards

(.a) Letterform and logo images are permitted only on the sloped surface or on the vertical front panel of an awning.

(.b) Awnings with signs shall not project more than four ft. over the sidewalk. Letters applied to awnings shall not exceed eight ft. in height.

(.c) The top of an awning sign shall extend no higher than the bottom of the window sills or projected bay located on the second story of the building face or 14 ft. above the street line, whichever is lower.

(.6) Window Sign Standards

(.a) Window signs are permitted, provided that they consist of letterforms or logo art applied to the interior surface of the glass shopfront or entry door.

(.b) Neon signs consisting of letterforms or logo art are permitted behind windows.

(.c) Second floor businesses are permitted one window sign.

(.d) The total area of window signs shall not exceed 15% of the area of the glass panel to which they are attached. The total area of signs on clear glass door panels shall not exceed 10% of the area of the glass panel to which they are attached.

(.7) Temporary Sign Standards

(.a) Temporary signs, such as "grand opening" promotional signs, are permitted, provided that they are removed after a period of not longer than 14 days.

(.b) The total area of all temporary signs shall not exceed nine sq. ft.

(.8) Merchandise Sign Standards

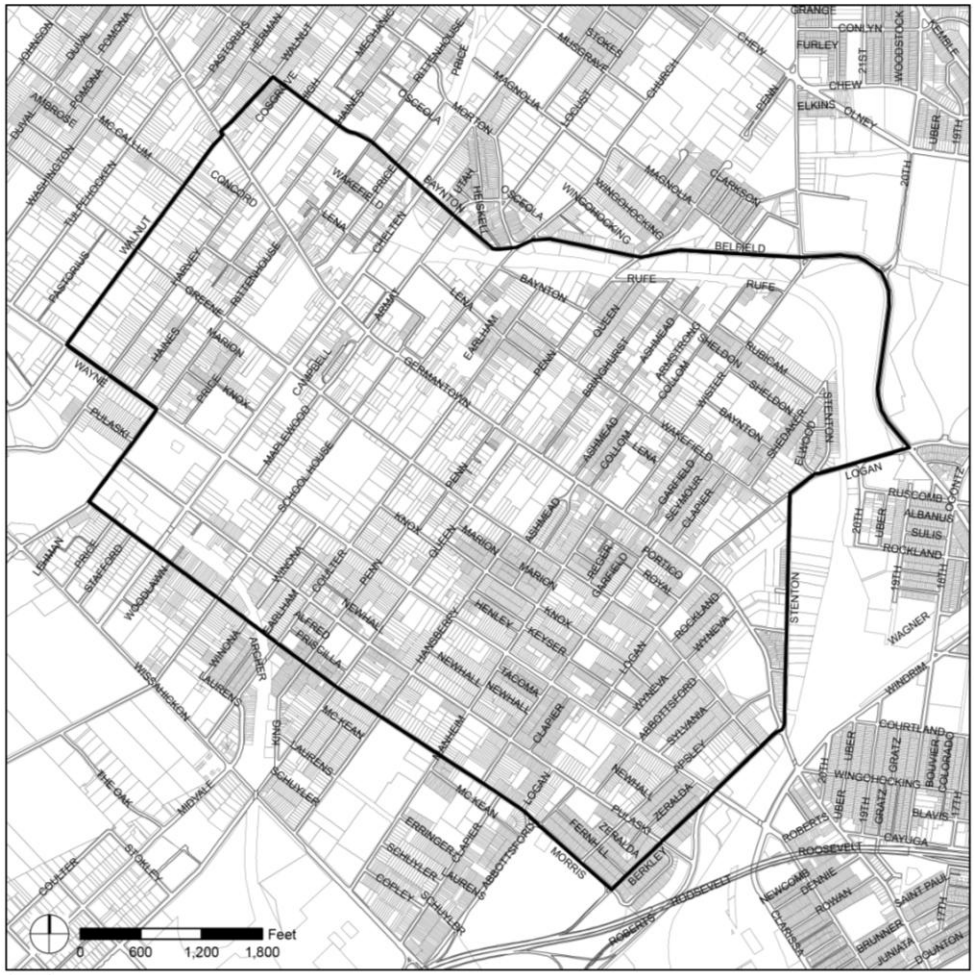
(.a) Any number of merchandise signs that advertise specific brands or products sold are permitted.

(.b) The total area of all merchandise signs shall not exceed nine sq. ft.

(7) Lower and Central Germantown

(a) Applicability

The requirements of this Lower and Central Germantown /NCA Overlay district apply to the area bounded by Old Stenton Avenue, Logan Street, Belfield Avenue, Baynton Street, Walnut Lane, Wayne Avenue, Rittenhouse Street, Morris Street, and Berkley Street, as shown on the following Lower and Central Germantown map for illustrative purposes only.



Lower and Central Germantown (See §14-503(7)(b) for applicability)

(b) Prohibited Uses

(.1) The following uses shall be prohibited in Commercial districts:

(.a) Barber and/or beauty shops;

(.b) Manicure/nail salons;

(.c) Retail sales of beauty products and/or wigs;

(.d) Retail sales of telecommunications equipment as a principal use, including, but not limited to, retail sales of cellular phones and pagers;

(.e) Retail sales of variety/general store merchandise in a store less than 7,500 sq. ft. in size; and

(.f) Furniture stores.

(.2) The following uses shall be prohibited as a principal use in any Residential district and as a home occupation in any zoning district:

(.a) Barber and/or beauty shops;

(.b) Manicure/nail salons.

(8) North Delaware Avenue

(a) Applicability

The requirements of this North Delaware Avenue /NCA Overlay district apply to the area bounded by Spring Garden Street, the Delaware River, Lehigh Avenue, Frankford Avenue, Girard Avenue, and 5th Street, as shown on the following North Delaware Avenue map for illustrative purposes only.

North Delaware Avenue (applies to all lots)

(b) Use Regulations

(.1) Assembly and entertainment uses and the expansion or extension of assembly and entertainment uses shall be prohibited.

(.2) Eating and drinking establishments shall be permitted by special exception.

(9) Hunting Park

(a) District Boundaries

The requirements of this Hunting Park /NCA Overlay district apply to CA-2-zoned lots located in the area bounded by Hunting Park Avenue, Henry Avenue, Roberts Avenue, and Fox Street, as shown on the following Hunting Park map for illustrative purposes only.

Hunting Park (applies to CA-2 lots only)

(b) Use Regulations

(.1) Take-out restaurants shall be permitted; provided that no more than four take-out restaurants shall be permitted within the Hunting Park /NCA Overlay district.

(.2) Visitor accommodations shall be permitted; provided that any visitor accommodation shall be full service, including interior corridor access to guest rooms. No guest room shall be accessed from the street, parking lot, or other outside area.

(.3) Detention and correctional facilities shall be prohibited, including holding facilities or facilities to which any person may be sent by a Court as a result of a criminal charge, or because the person may pose a danger to himself or the community. For the purposes of this §14-503(9) (Hunting Park), this prohibition shall include juvenile facilities to which persons considered juveniles under Pennsylvania law are sent or committed, such as but not limited to the Philadelphia Youth Study Center.

(.4) Casinos shall be prohibited as a principal or accessory use.

(c) Sunset Provision

The provisions of this §14-503(9) (Hunting Park) shall expire six months after the effective date of this Zoning Code.

§14-504 /NCO, Neighborhood Conservation Overlay District

(1) Purposes

The /NCO, Neighborhood Conservation Overlay district is intended to:

(a) Promote the public welfare of the City by encouraging conservation and preservation through the revitalization of the physical environment that is unique to a specific neighborhood;

(b) Provide a reasonable degree of control over the alteration and improvement of the exterior facades of existing buildings and the design of new construction to preserve the aesthetic fabric of these areas, without modifying the availability of permitted and special exception uses in the neighborhood pursuant to Chapter 14-600 (Use Regulations);

(c) Enhance the City's attractiveness as a place to live, work, and enjoy its cultural, social, and historical opportunities and also to foster a renewed feeling of pride in one's neighborhood;

(d) Complement the goals of the Commission and the Historical Commission as they seek to develop, revitalize, preserve, and conserve the many diverse and historic neighborhoods of the City; and

(e) Promote building improvements and maximize the economic, social, and educational value of neighborhood transformation.

(2) Design Guidelines

The design guidelines adopted as part of each /NCO district may address building and site design, but may not address the availability of permitted and special exception uses pursuant to Chapter 14-600 (Use Regulations), related to any of the following:

(a) Alterations to architectural features of existing buildings that are visible from a public street;

(b) The new construction or expansion of a building; and

(c) Construction of a new building or use of a vacant property after substantial demolition of an existing building on a property.

(3) Planning Commission Review

(a) No building permit shall be issued to construct a building, demolish a building, or alter the exterior of a building that is visible from a public street until the Commission has reviewed the application and confirmed that it complies with all regulations applicable to the applicable /NCO district area.

(b) If the Commission does not make a written decision to approve or deny the building permit application within 30 days of the date that it receives an application, the Commission will be deemed to have approved the application without conditions.

(c) The Commission's decision shall not be subject to appeal separately from an appeal to the Board of License and Inspection Review of L&I's decision on the building permit application.

(4) Historic District Designation

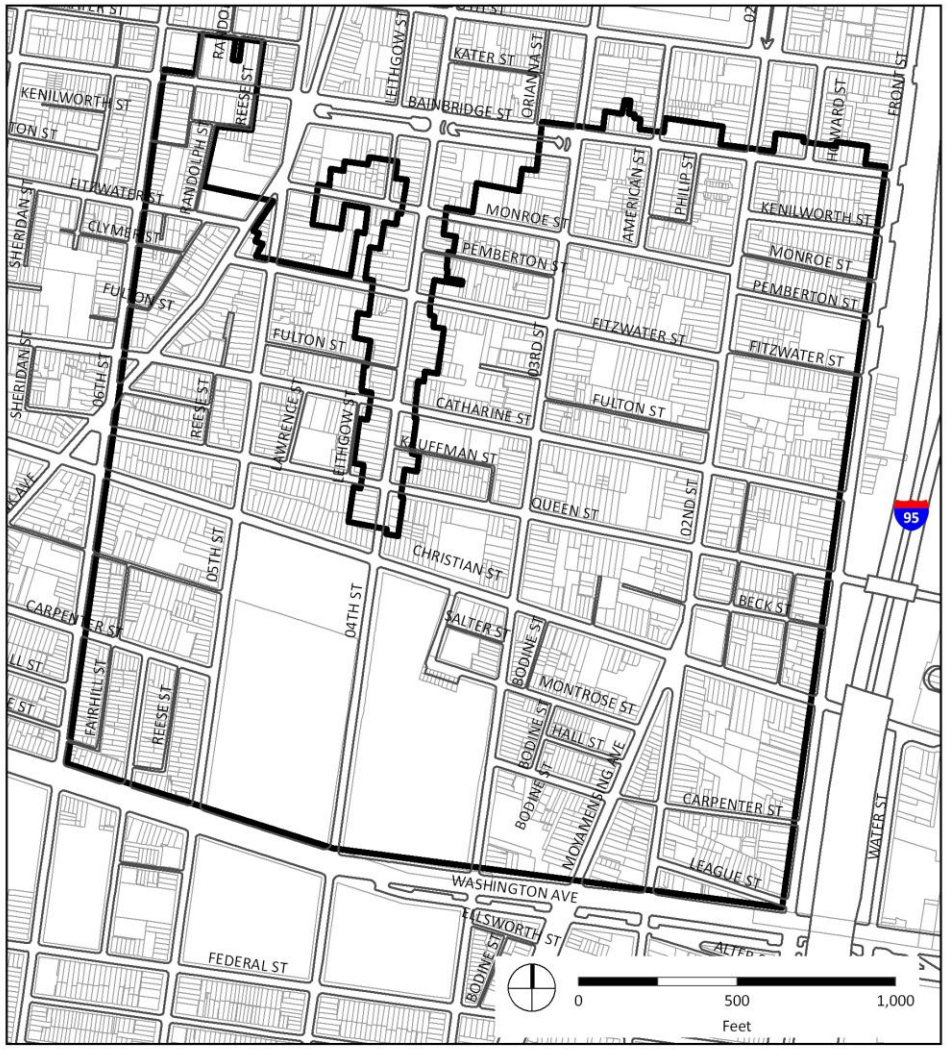
(a) In the event any portion of an approved /NCO district is included in a historic district designated by the Historical Commission pursuant to Chapter 14-1000 (Historic Preservation), all design or development standards and all review and approval procedures listed in this §14-504 (/NCO, Neighborhood Conservation Overlay District) shall be of no further force or effect for the portion of the /NCO included within the historic district, except as indicated in §14-504(4)(b) below.

(b) §14-504(4)(a) above shall not apply to any property within the historic district that is not individually designated in the Philadelphia Register of Historic Places and upon which no building or structure (not including foundations, parking kiosks, storage sheds, fences, walls, and gates) exists at the time of designation of the historic district.

(5) Queen Village

(a) District Boundaries

The Queen Village /NCO district contains the area bounded by the north side of Washington Avenue, the properties on the north side of Bainbridge Street (inclusive), the east side of 6th Street and the west side of Front Street, except for any property within the South Street/Head House Square area set forth in §14-502(2)(b)(.22), as shown on the following map for illustrative purposes only.



Queen Village (Applies to all lots)

(b) Area Regulations for Residential Structures

These regulations will apply to residentially-zoned properties, regardless of use, and to properties that are permitted by L&I for exclusive residential use.

(.1) Building Setback Line

Buildings with legal street frontage must have no front setback, except buildings with one street frontage of 20 ft. or more and buildings on corner lots may have front setbacks from all street frontages only if a fence wall is constructed upon the property line where the setback is used, and the space between the fence wall and the building contains at least one tree as approved in the DPR plantings list.

(.2) Height Regulations

On streets with a width of 21 ft. or less, including the cartway and legal sidewalks, new construction may not exceed 22 ft. in height to a cornice line, before either:

(.a) Recessing on a plane, a minimum of 45 degrees, to the maximum height allowable in the underlying zoning district or any applicable zoning overlay district; or

(.b) Stepping back from the front property line eight ft. to a vertical wall that may extend to the maximum height allowable in the underlying zoning district or any applicable zoning overlay district.

(c) Design Guidelines for Residential Structures

These regulations will apply to residentially-zoned properties, regardless of use, and to properties that are permitted by L&I for exclusive residential use.

(.1) Requirements for Both New Construction and Alterations

(.a) Where street frontage of a new building exceeds 20 ft. on a single street or where an existing building is extended to exceed 20 ft. on a single street, the façade facing that street must be broken up by offset planes, roofline variations, or other architectural features including, but not limited to, bay windows or setbacks.

(.b) Residential buildings must have a habitable room on the front of the first floor. A habitable room shall be defined as in the Property Maintenance Code, Section PM-202.0.

(.c) New utility meters must be hidden from view from the street frontage.

(.2) Windows

Windows along the street front of first floor habitable rooms must comply with the following:

(.a) Have a maximum height of four ft. six in. from the bottom windowsill to the sidewalk;

(.b) The overall window height must be at least four ft. from sill to head; and

(.c) The minimum aggregate width of the window, in lineal ft., must be at least 33% of the total lineal frontage of the first floor.

(.3) Parking

(.a) Front garages will only be permitted where there is a habitable room on the first floor and the window requirements for that habitable room are met.

(.b) Open-air parking spaces may not be visible from the street frontage.

(.c) New curb cuts may not exceed 10 ft. in width for a single space, and 20 ft. for a double space.

(.d) For new construction of two or more units within a row, parking spaces or garages must be placed directly adjacent to one

another, except where the Commission determines it impracticable.

(.4) Roof Decks

Roof decks must be setback at least eight ft. from the front property line, or a parapet at least 42 in. high may be used to enclose the front of the deck.

(.5) Materials

(.a) Vinyl, stucco, or cement board siding may not be used on the front façade of a building, with the exception of garage doors, main doors, and fenestration.

(.b) Projecting bay windows that face a street may not be constructed of stucco.

(.c) Parking lots may not be constructed of asphalt or slab concrete paving materials.

(.d) Rear walls of buildings must be faced with masonry materials, including stucco, but if the rear of a structure is visible from a street, the material used must be consistent with the front façade of the building.

(.e) Railings for roof decks may be up to 50% opaque and may not be constructed of unfinished wood.

(.f) Fences may not be constructed of unfinished wood or chain link fencing materials.

(.g) A light illuminating the sidewalk must be installed adjacent to the front door of all newly constructed front facades. The illumination must be controlled via a timer.

(d) Design Guidelines for Commercially-Zoned and Industrially-Zoned Structures

The regulations of this §14-504(5)(d) will apply to commercially- or industrially-zoned properties other than properties permitted by L&I for exclusive residential use. They apply to new construction and alterations.

(.1) Building Setback Line

Buildings with legal street frontage may not have front setbacks.

(.2) Parking and Loading

New off-street parking and loading areas must not be visible from the main street frontage.

(.3) Materials

The materials used in the construction of a new structure or façade must be of similar material to that used on the nearest residential structures fronting on the same street as the property under review.

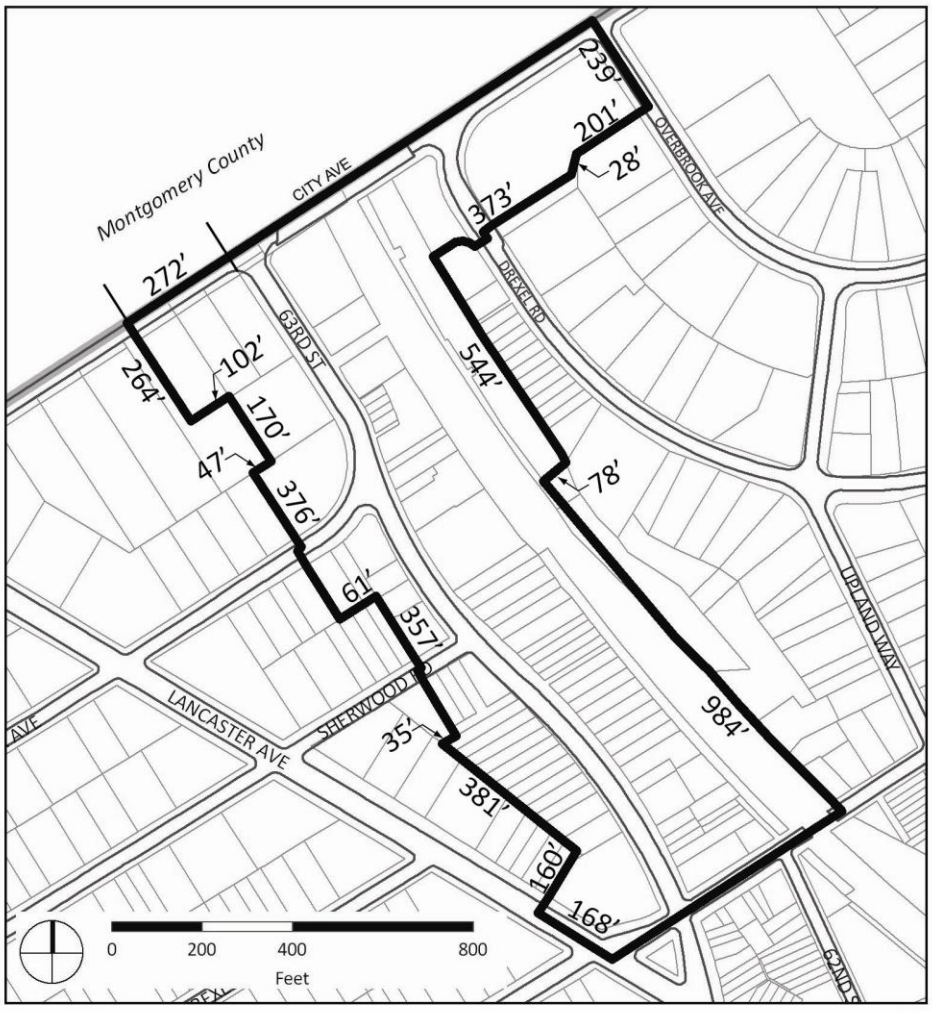
(6) Overbrook Farms

(a) Purpose

The Overbrook Farms /NCO district is established in order to preserve and protect this area of the city. It is recognized that this section of the city, located primarily within the Overbrook Farms National Historic District, is a unique mixed-use, neighborhood-oriented retail district containing residential uses and retail uses interspersed at street level and upper floor residential uses. There is a need to establish special sign and building controls to protect the unique character of the district, foster the preservation of buildings in accordance with its special character, and encourage new compatible development.

(b) Applicability

The requirements of this Overbrook Farms /NCO district apply to all lots within the boundaries shown on the following map.



(c) Additional Permitted Uses

On RSA-3-zoned lots fronting on 63rd Street, office and financial services uses, except for personal credit establishments, are permitted in addition to uses allowed by the underlying zoning.

(d) Design Standards

The Overbrook Farms design standards of this subsection apply to all properties within Overbrook Farms /NCA Overlay district except for those properties fronting on City Avenue between Drexel Road and Overbrook Avenue.

(.1) Building Standards

(.a) Original materials, including storefronts, windows, walls, cornices, bays, and roofs of buildings, shall be repaired or replaced with materials or details similar to the original materials.

(.b) The design of new buildings shall be consistent with the character defining features of the Overbrook Farms National Historic District, in terms of massing, vertical and horizontal articulation, proportion of window openings to wall area, and building materials.

(.2) Signs

The requirements of this §14-504(6)(d)(.2) (Signs) shall apply only to properties containing the additional permitted uses identified in §14-504(6)(c) (Additional Permitted Uses).

(.a) Non-accessory signs are prohibited.

(.b) Signs shall not be erected nor project above the roof line or wall coping.

(.c) Signs shall be permitted at a ratio of one sq. ft., per lineal foot of street frontage. For corner buildings with one side on 63rd Street, building frontage for calculation of sign area is that facing 63rd Street only.

(.d) Only the following types of signs shall be permitted. A total of three signs shall be permitted for each property, from the following:

(.i) One flat wall sign per street front. The top of such sign shall extend no higher than the bottom of the window sill, the bottom of projecting bay located at the second story of the building, or 14 ft. above the street line, whichever is lowest. No sign shall obscure or extend across a glazed transom or other window opening. In no case shall any sign exceed 40 sq. ft. in area. The copy of such signs shall not be less than six in. in height;

(.ii) One projecting sign, provided that it is limited to a maximum surface area of 12 sq. ft. per face, and the top of such sign shall extend no higher than the bottom of the window sill or projected bay located on the second sto-

ry of the building facade or 14 ft. above the sidewalk, whichever is lowest. The bottom of the sign shall be no lower than eight ft. above the sidewalk. The copy of such sign shall not be less than six in. in height;

(.iii) One storefront window sign provided that it is limited to a maximum area of 10% of the window area. Such sign shall be limited to individual letters or numerals on the window glass itself. Poster signs are prohibited;

(.iv) One awning sign per street front, as an alternative to a flat wall sign. The bottom of any awning or canopy shall be at least eight ft. above grade or sidewalk. The sign copy shall be limited to the front plane of the canopy. The top of the awning or canopy may not extend above the sill line of the second floor windows, or 14 ft. above grade. Backlit awnings are not permitted.

(.e) Signs may be externally illuminated; provided the illumination shall be focused upon the sign itself, so as to prevent glare upon surrounding areas;

(.f) Box type internally illuminated signs (except for backlit "halo" signs, neon tubing and individual letters affixed to the building or windows of the building) shall be prohibited;

(.g) All signs, including support hardware, shall be removed at the end of their useful life;

(.h) Sign lettering and other graphic information shall be neatly and evenly formed, surfaces shall be true and properly prepared and finished and joints shall be neatly formed; and

(.i) Nonconforming signs shall not be repaired, altered or moved in any substantial manner, and shall be removed at the termination of their useful life.

§14-505 /ENV, Environmental Preservation Overlay District

(1) Purpose

The /ENV, Environmental Preservation Overlay District is intended to preserve certain natural and scenic areas of the City for the benefits they provide to residents, visitors, and wildlife.

(2) Roxborough

(a) Applicability

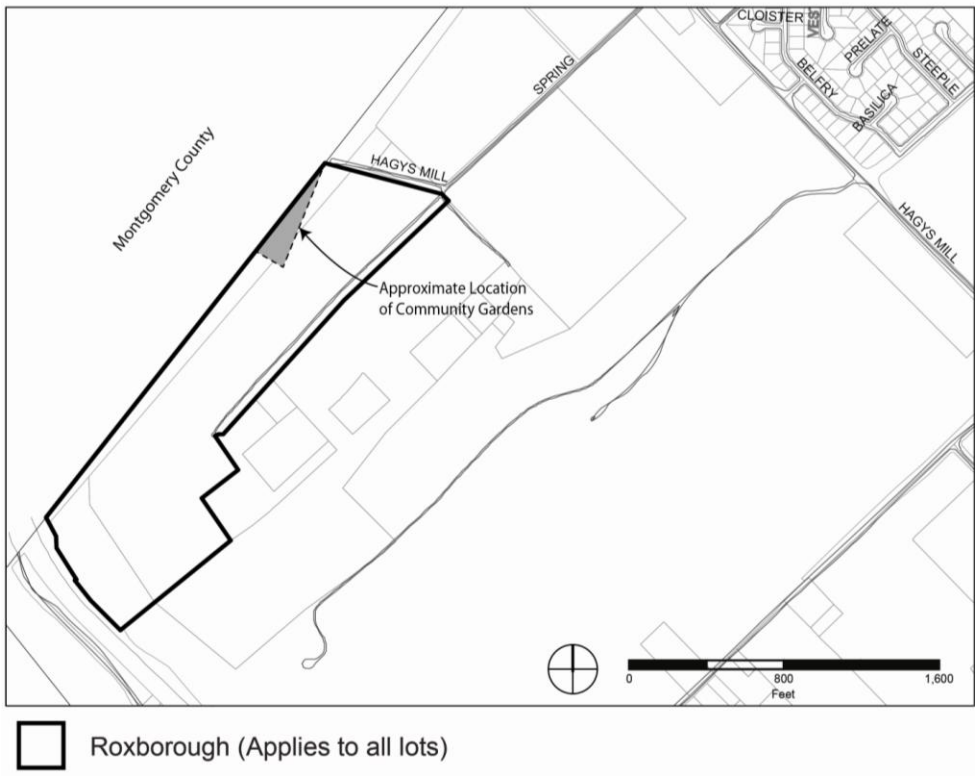
The boundaries of the Roxborough /ENV overlay district, as shown on the following map for illustrative purposes only, are as follows: beginning at the intersection of the Philadelphia-Montgomery County Line and Hagy's Mill Road (extended); then south 72 degrees 37 minutes one second east, the distance of 561 ft. and five and one-half in. to a point on Spring Lane; then south 39 degrees 28 minutes one second east, the distance of 66 ft. and four and three-eighths in.

to a point on the northwesterly side of a 20 ft.-wide easement; then south 49 degrees 22 minutes 59 seconds west, along said easement, the distance of 845 ft. one and three-quarter in. to a point; then south 46 degrees 32 minutes 10 seconds west, the distance of 691 ft. and eight and three-eighths in. to a point; then south 44 degrees 41 minutes 14 seconds west, the distance of 432 ft. and four and one-third in. to a point; then north 76 degrees 46 minutes 23 seconds west, the distance of 29 ft. and five inches to a point; then south 50 degrees 11 minutes 30 seconds west the distance of 24 ft. eight and one-eighth in. to a point; then south 32 degrees 28 minutes 46 seconds east, the distance of 250 ft. and eight and one-eighth in. to a point; then south 57 degrees 31 minutes 14 seconds west, the distance of 278 ft. and three and five-eighths in. to a point; then south 32 degrees 28 minutes 46 seconds east, the distance of 313 ft. and one-half in. to a point; then south 52 degrees 30 minutes zero seconds west, the distance of 857 ft. and seven and seven-eighths in. to a point; then northwestwardly on an arc of a circle curving to the right with a radius of 15,547 ft. and two and three-quarters in., the distance of 145 ft. and nine and five-eighths in. to a point; then continuing northwestwardly on an arc of a circle curving to the right with a radius of 1,585 ft. and seven and three-quarters in., the arc distance of 256 ft. and 11 and one-half in. to a point; then north 57 degrees 21 minutes seven seconds east, the radial distance of nine ft. and 11 and three-quarters in. to a point; then continuing northwestwardly on an arc of a circle curving to the right with a radius of 1,575 ft. and eight in., the arc distance of 227 ft. and five in. to a point; then north zero degrees 51 minutes 33 seconds west, the distance of 51 ft. nine and three-quarters in. to a point; then continuing northwestwardly on an arc of a circle curving to the right with a radius of 1,555 ft. and eight and five-eighths in., the arc distance of 102 ft. and 11 and seven-eighths in. to a point on the Philadelphia-Montgomery County Line; then north 43 degrees 13 minutes 47 seconds east, along the Philadelphia-Montgomery County Line, the distance of 2,805 ft. and zero in. to the place of beginning.

(b) Regulations

(.1) The uses permitted in the Roxborough /ENV overlay district shall be restricted to natural resources preservation; except non-commercial urban agriculture shall be permitted within the boundaries of the community gardens existing on November 10, 2010 which are approximately located along the Philadephia-Montgomery County Line beginning at Hagy's Mill Road and which are depicted for illustrative purposes only on the following map.

(.2) Any increase in size of non-commercial urban agriculture uses beyond the boundaries of community gardens existing on November 10, 2010, depicted for illustrative purposes only on the following map, shall be prohibited.



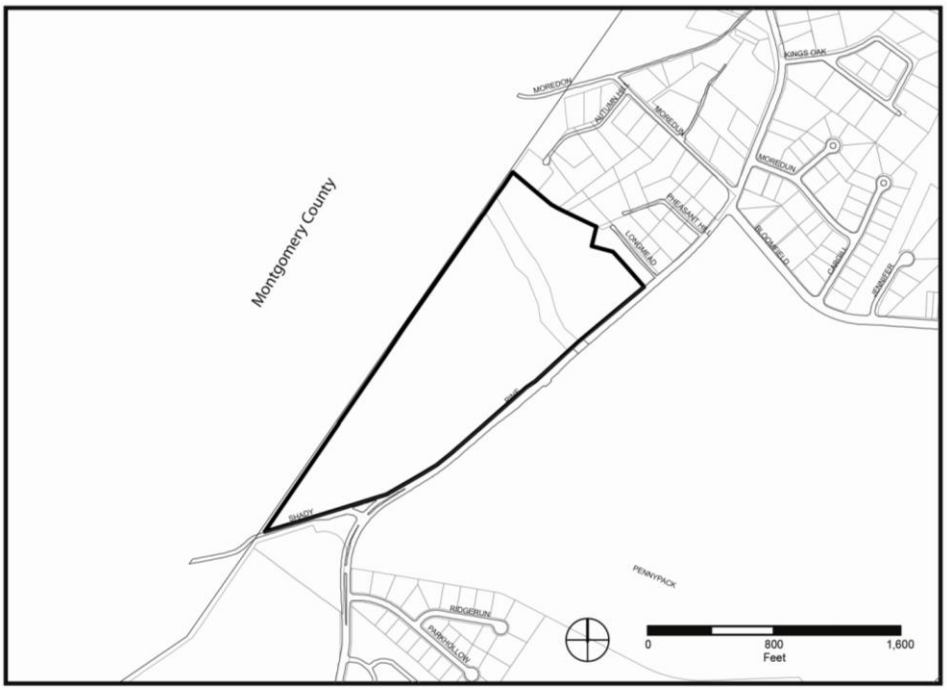
(3) Fox Chase

(a) Applicability

The Fox Chase /ENV overlay district shall include the area bounded by Pennypack Creek, Pine Road, Shady Lane, and the Philadelphia-Montgomery County Line, generally known as Fox Chase Farm and shown on the following map for illustrative purposes only.

(b) Regulations

The uses permitted in the Fox Chase /ENV overlay district shall be restricted to uses in the parks and open space use category, educational facilities and non-commercial urban agriculture uses.



§14-506 /NCP, North Central Philadelphia Overlay District

(1) Subarea A

(a) Purposes

The /NCP, North Central Philadelphia Overlay district is established to help:

(.1) preserve and protect the area from the conversion of houses into multi-family buildings that have the potential to destabilize the area;

(.2) sustain and promote single-family residential uses;

(.3) prevent declining property values;

(.4) discourage nonresidential parking as a main use; and

(.5) foster the preservation and development of this section of the City in accordance with its special character.

(b) District Boundaries

The Subarea A /NCP district regulations apply to all residentially-zoned properties within the following areas, as shown on the following map for illustrative purposes only:

(.1) Beginning at its northwest boundary and proceeding east, the area bounded by Cecil B. Moore Avenue, 12th Street, Oxford Street, 11th Street, Cecil B. Moore Avenue, 9th Street, Master Street, 11th Street, Stiles Street, 12th Street, Flora Street, and 13th Street.

(.2) All properties fronting on the west side of 13th Street between Jefferson Street and Oxford Street.

(.3) The area bounded by the east side of 13th Street, the south side of Susquehanna Avenue, the west side of 11th Street, and the north side of Diamond Street.

/NCP Overlay, Subarea A (only applies to residentially-zoned lots)

(c) Use Regulations

The following uses are prohibited in the /NCP district:

(.1) Multi-family buildings;

(.2) Rooming houses;

(.3) Boarding houses;

(.4) Housing, not owner-occupied, for students (as defined by §14-203(325) (Student)); and

(.5) Fraternity and sorority houses.

(2) Subarea B

(a) District Boundaries

The Subarea B /NCP district regulations apply to all CMX-4-zoned properties in the area bounded by Cecil B. Moore Avenue, 11th Street, Montgomery Avenue, and 12th Street, as shown on the following map for illustrative purposes only.

(b) Regulations

(.1) Individual dwelling units in multi-family residential buildings may house up to four persons unrelated by blood, marriage, adoption, or foster-child status.

(.2) The maximum floor area ratio shall be 650% of lot area.

(.3) Additional gross floor area, as set forth in §14-702 (Floor Area Bonuses), shall be prohibited.

(.4) Residential buildings containing 25 or more dwelling units shall provide at least one parking space for every three dwelling units.

(.5) Accessory parking lots shall be permitted by right.

(c) Sunset Provision

The provisions of this §14-506(2) (Subarea B) shall expire on December 31, 2013.

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

{RESERVED}

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

(1) Purposes

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

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.

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

(2) Use Regulations

(a) Permitted Uses

In addition to any uses permitted by a property's underlying zoning, the following uses and accessory structures are permitted in the district:

(.1) Recreational trails, which must conform to any design regulations adopted by the Commission.

(.2) Parks or open space for recreational purposes.

(.3) Outdoor furniture and fixtures typically appurtenant to recreational trails, parks, and outdoor public recreation space, including but not limited to benches, fencing, guide rails, lighting, and informational signs.

(b) Uses Requiring Planning Commission Approval

The following additional uses may be allowed in the /DRC district only if the Commission determines that they are compatible with the open space uses listed above:

(.1) Dock or port related activities, including docking or wharfing of ships for transfer of goods and related commercial trade activities;

(.2) Private marina and boat storage in areas designated by the City for launching watercraft into the Delaware River;

(.3) Pipelines and conveyors that transfer material from shipping on the Delaware River across the west Bulkhead Line of the river to a point inland, over or under the recreation path, park, or other open space, and that allow sufficient clearance for safe recreational use, maintenance, and repair thereof; and

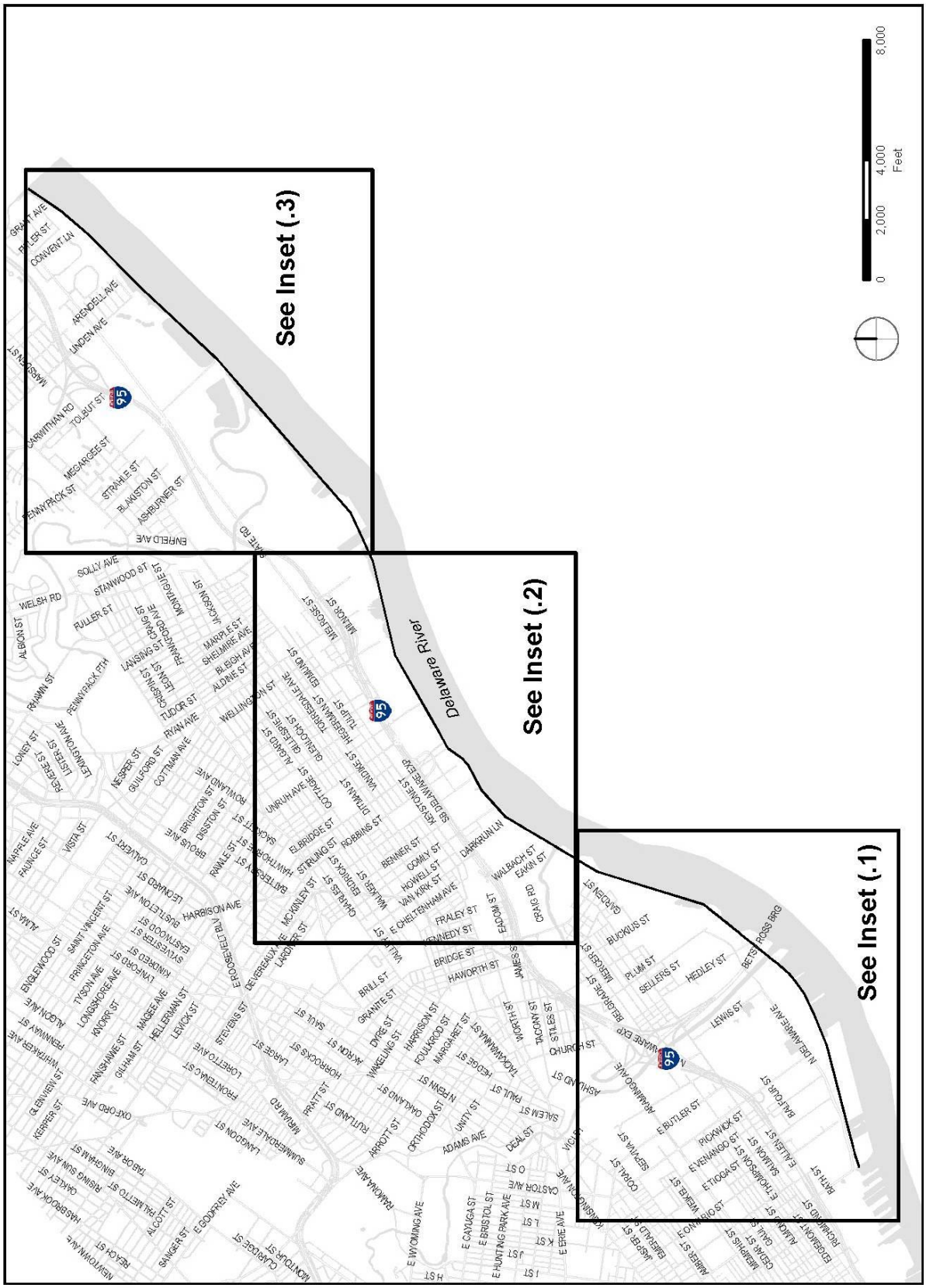
(.4) City-owned facilities of any type.

(c) Procedure for Issuance of Zoning Permits

Before L&I may issue a zoning permit for any development in the /DRC overlay district:

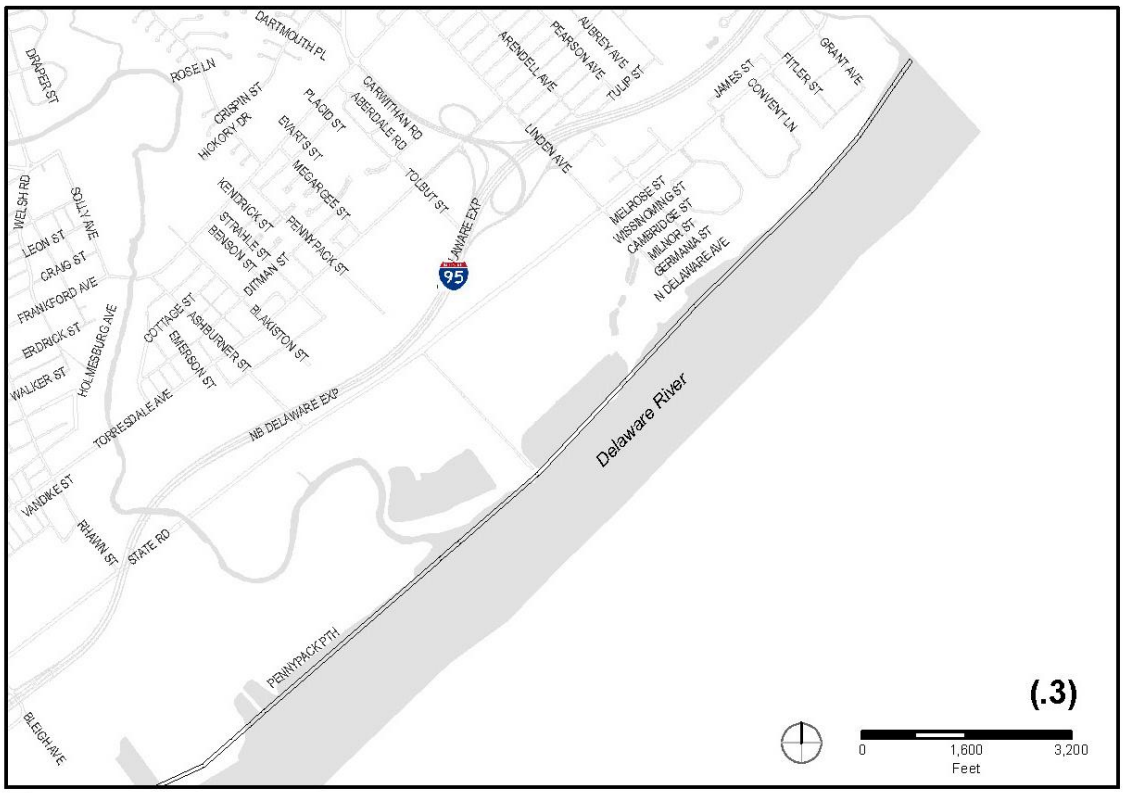
(.1) The Commission shall review the application and accompanying plans to determine if the proposed uses are in compliance with this §14-508 (/DRC, Delaware River Conservation Overlay District); and

(.2) If the Commission determines that a proposed use should be permitted under §14-508(2)(b) (Uses Requiring Planning Commission Approval), above, the Commission shall lodge such determination with the Chief Clerk of Council, with notice to the applicant, whereupon the determination shall become final if Council fails to adopt an ordinance to override such determination within 45 days after the recommendation is lodged.



Delaware River Conservation Overlay District

Delaware River Conservation Overlay District (Applies to all lots)



☐ **Delaware River Conservation Overlay District** (Applies to all lots)

(d) Prohibited Uses

The following uses are prohibited within the /DRC Overlay district:

(.1) Freestanding accessory advertising signs.

(.2) Non-accessory advertising signs.

(.3) Any new structures, other than as necessary to support a use permitted by §14-508(2) (Use Regulations).

(3) Zoning Permit Procedures

Before a zoning permit may be issued for any development in the district, the Commission shall review the application and accompanying plans. If the Commission determines that all proposed uses in the application are permitted as of right by this section and the application otherwise is in compliance with this section, the Commission shall approve the application and forward it to L&I for any further zoning review or issuance of the permit.

§14-509 /CAO, City Avenue Overlay District

(1) Purpose

The special land use and zoning controls of the /CAO, City Avenue Overlay district address the following specific purposes:

(a) Support new pedestrian-active and transit-friendly high density commercial, institutional, and residential uses, by requiring pedestrian-oriented access from a public street;

(b) Encourage a mix of commercial, institutional, and residential uses;

(c) Enhance the physical context of the district, for both pedestrians and transit users, by minimizing pedestrian-vehicular conflicts, by limiting the number, width, and location of driveways, and encouraging the renovation and erection of buildings that provide direct connections to the street and sidewalk;

(d) Enhance the visual character and identity of the district through appropriate design standards relating to site layout, building scale and design, landscape design, and signage;

(e) Discourage dependence on automobile use by promoting alternate modes of transportation, thereby reducing traffic congestion;

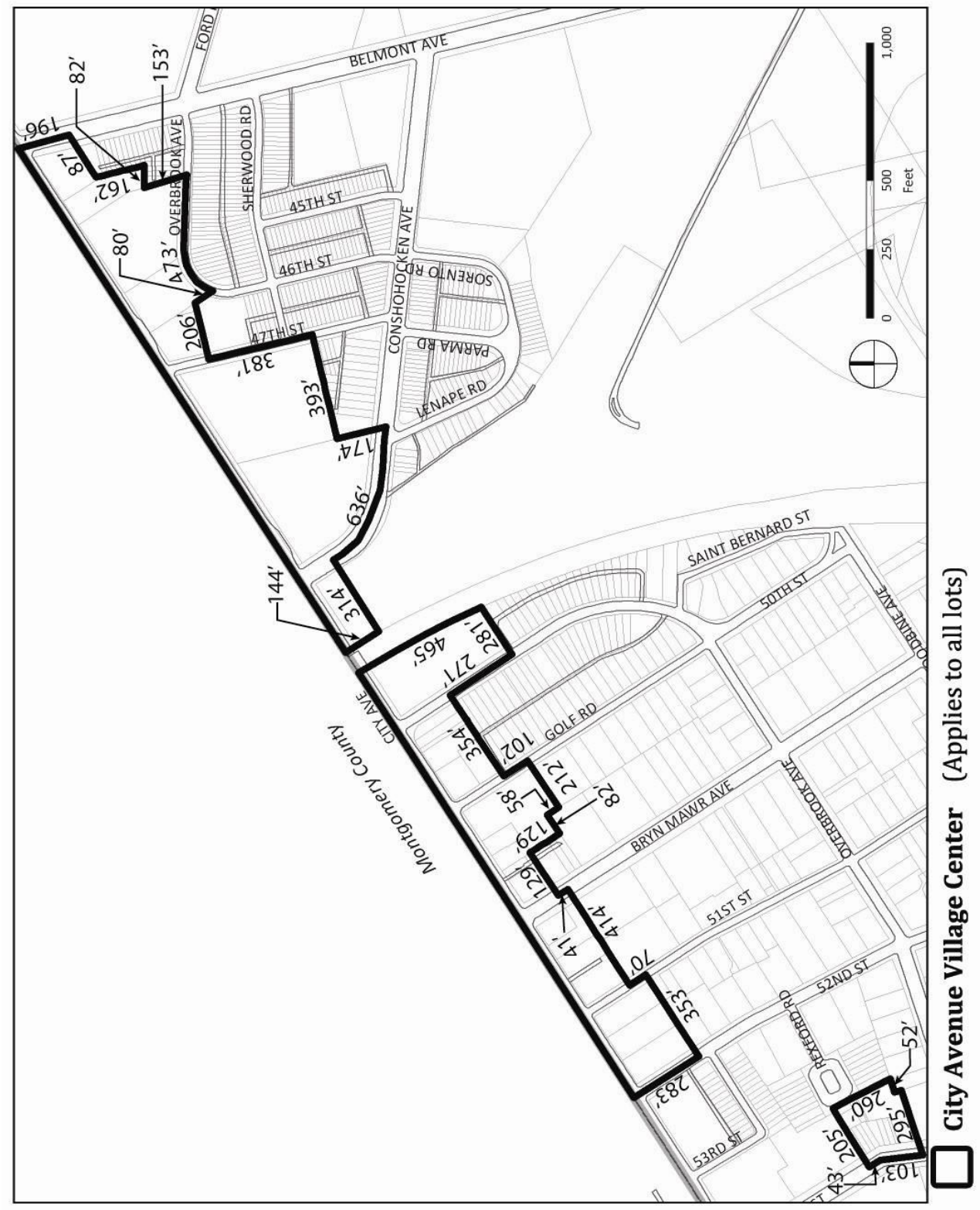
(f) Encourage the development of shared parking and attractive and convenient off-street parking facilities, to reduce on-street congestion and facilitate vehicular and pedestrian circulation; and

(g) Protect existing residential neighborhoods that abut the district.

(2) Boundaries

The City Avenue Overlay district applies to all lots within the boundaries shown on the following two maps in §14-509(2) (Boundaries).

(a) Village Center Area



(b) Regional Center Area

(3) Regulations

(a) Occupied Area and Impervious Cover

(.1) The occupied area shall be limited to 80% of the lot area.

(.2) In the Regional Center, impervious cover shall be limited to 80% of the lot area.

(.3) In the Village Center, impervious cover shall be limited to 85% of the lot area.

(b) Front Setback

The following front setback requirements apply:

(.1) The front setback line shall be situated parallel to the street frontage lot line, within the depth of the lot.

(.2) For a corner lot, the required front setback on each lot frontage that is immediately adjacent to a residential use in a Residential district shall be at least equal in depth to the required front setback on the immediately adjacent residential lot.

(.3) In the Regional Center, buildings fronting City Avenue shall be located a minimum of 25 ft. and a maximum of 40 ft. from the street curb edge. Buildings fronting other streets shall be located a minimum of 20 ft. and a maximum of 30 ft. from the street curb edge.

(.4) In the Village Center, buildings shall be located a minimum of 20 ft. and a maximum of 30 ft. from the street curb edge.

(.5) The primary pedestrian access point shall be located on street frontage.

(.6) Surface parking areas, parking structures, and driveways are prohibited between the building and the front lot line. Driveways giving access to surface parking areas or structures elsewhere on the lot may cross portions of the front setback area on either side of the front façade of the building.

(.7) Unless otherwise required by this section, fencing, hedges, and other continuous barriers are prohibited between the curbline and the front setback line.

(.8) In the Regional Center, the location of the face of the building may be extended up to 20 ft. further from the street curb if the additional area is used as a public gathering space or for outdoor dining.

(c) Side Yards

There is no required minimum side yard. If a side yard is provided, it must be a minimum width of 10 ft..

(d) Rear Yards

(.1) Except as provided in §14-509(3)(d)(.2) below, for a building used for commercial purposes located on a lot that backs up to a commercially zoned lot, a rear yard is not required.

(.2) Residential buildings shall have a minimum rear yard depth of 15 ft., except where residential uses are located above parking or commercial uses, in which case the residential portion of the building shall be setback a minimum 15 ft. from the rear lot line.

(.3) For a building located on a lot that backs up to a residentially zoned lot, a rear yard setback of 15 ft. is required. The lot must also comply with the minimum buffer requirements set forth in §14-509(3)(i) (Buffer Area) as applicable.

(e) Lot Width

(.1) There is no minimum lot width.

(.2) Where new development is proposed on any existing lot wider than 600 ft., the developer is encouraged to provide a public access vehicular and pedestrian way through the lot such that the lot frontage between two streets (including the public access way) does not exceed 600 ft.

(f) Floor Area Ratio

(.1) Basic Floor Area Ratio

Notwithstanding the provisions of §14-701 (Dimensional Standards) applicable to the base zoning district, the maximum floor area ratio of a building in the /CAO overlay district shall not exceed:

(.a) 375% of the lot area for a building that contains a residential use and a retail sales, office, or commercial services use, provided that the retail sales, office, or commercial services use occupies a minimum 75% of the ground floor area of the building; or

(.b) 350% of the lot area for all other buildings.

(.2) Additional Floor Area Ratio

(.a) An additional gross floor area of up to 50% of the lot area may be earned for the provision of public open space that meets the criteria described in §14-702(6)(a) (Criteria for Open Space, Public Parks, and Public Plazas).

(.b) An additional gross floor area of up to 50% of the lot area may be earned for the provision of underground parking and loading that meets the criteria described in §14-702(9)(a) (Criteria).

(g) Building Height

(.1) The minimum height of any building shall be 25 ft. above grade.

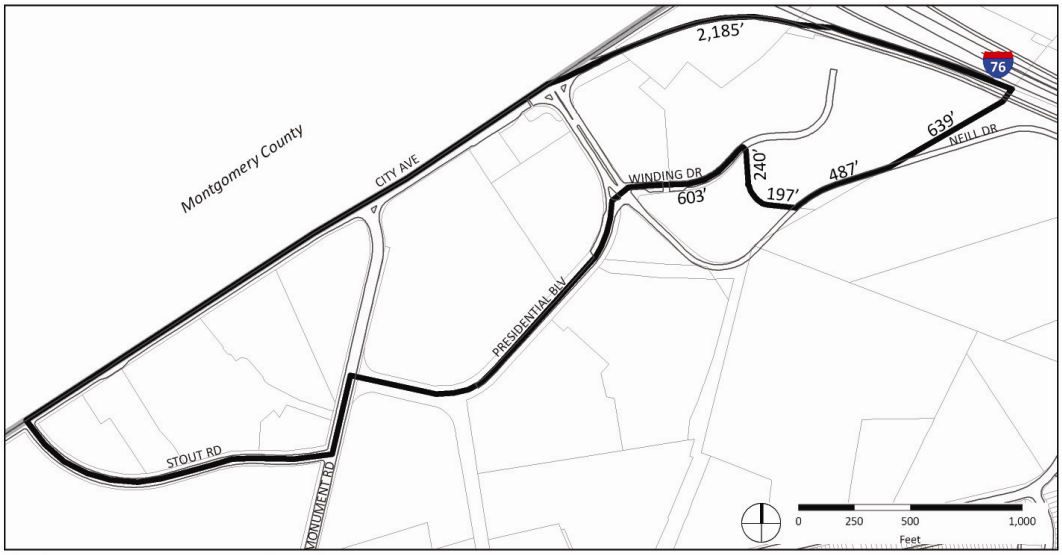
(.2) Except as provided in §14-509(3)(g)(.2)(.d) below, the maximum height of any building in the Regional Center shall be as follows:

(.a) The maximum height of any building not within the area identified on the Maximum Height Map shall be 120 ft.

(.b) The maximum height of any building within the area identified on the Maximum Height Map shall be 300 ft.

(.c) The maximum height of any building in the Village Center shall be 65 ft., as measured from the average grade of the parcel, except as provided in §14-509(3)(g)(.2)(.d) below.

(.d) A penthouse for elevators, stairways, or mechanical equipment shall not be included in measuring the height of a building containing both commercial and either residential or hotel uses if the enclosed area occupies less than 50% of the floor area of the story below and is set back a minimum of 20 ft. from the exterior walls of the building.



City Avenue Area of 300 ft. Maximum Building Height (Applies to all lots)

(h) Building Bulk and Spacing

(.1) Buildings that incorporate portions of varying height are encouraged.

(.2) For buildings 45 ft. or less in height, the maximum diagonal dimension of the building footprint shall be 420 ft. The minimum spacing between the building and another building that is 45 ft. or less in height shall be 30 ft.

(.3) For buildings over 45 ft. and up to 65 ft. in height, the maximum diagonal dimension of the building footprint shall be 375 ft. The spacing between the building and another building that is 65 ft. in height or less shall be no less than the height of the lower building, but in no case less than 30 ft.

(.4) For buildings over 65 ft. and up to 120 ft. in height, the maximum diagonal dimension of the building footprint shall be 320 ft. The spacing between the building and another building that is 120 ft. in height or less shall be no less than the height of the lower building, but in no case less than 60 ft.

(.5) For buildings over 120 ft. and up to 200 ft. in height, the maximum diagonal dimension of the building footprint shall be 250 ft. The spacing

between the building and another building that is 200 ft. in height or less shall be no less than the height of the lower building, but in no case less than 60 ft.

(.6) For buildings over 200 ft. and up to 300 ft. in height, the maximum diagonal dimension of the building footprint shall be 210 ft. The maximum gross floor area shall be no greater than 15,000 sq. ft. The spacing between the building and another building that is 200 ft. in height or less shall be 200 ft. Minimum spacing between the building and another building that is greater than 200 ft. shall be no less than the height of the lower building, but in no case less than 60 ft.

(.7) For an "L"-shaped building, the diagonal dimension shall be measured between the two points of the "L" furthest from one another.

(.8) Minimum spacing between buildings requirements shall not apply when the two adjacent buildings are any of the following: college or university uses or in SP-INS districts.

(i) Buffer Area

(.1) Where a development is adjacent to a residential use in a residential zoning district, there shall be a buffer area between the development and the residential use. The minimum depth of the buffer, measured between the building and the lot line, shall be as follows:

(.a) In the Regional Center, 20 ft.

(.b) In the Village Center, 10 ft.

(.2) The buffer area shall be planted with trees and shrubs.

(.3) There may not be more than one combined vehicular entrance and vehicular exit through the buffer area to any street, except for corner lots which may have one combined entrance and exit on each street.

(j) Required Amount of Parking

Parking for new and altered structures within the City Avenue Overlay district shall be calculated by using the values noted below.

Land Use	Minimum Required Parking	Maximum Allowed Parking
Theater	0	1/5 seats
Hotel	1 /2 rooms	1 /1 room
Residential	1/unit	N/A
All Other Permitted Uses	0	4/1,000 sq. ft. of net leasable area

(k) On-Site Parking Standards

(.1) Surface parking and loading shall not extend more than 60 ft. in width along any street frontage.

(.2) Only one curb cut/driveway is permitted on each street frontage of each lot. Maximum curb cut/driveway width is 24 ft. Where a lot has frontage on two streets, principal access shall not be from City Avenue.

(.3) Surface parking lots and exterior loading areas shall be placed between the structure and a rear lot line, but not located in the buffer zone. On a

corner lot, if the Commission determines that it would be impractical to place surface parking or exterior loading behind the buildings, the Commission may authorize placement elsewhere, but not on City Avenue.

(.4) Where a parking garage is constructed on a lot adjacent to City Avenue and there is no primary structure between that parking garage and the City Avenue frontage, the full height of the parking garage façade facing City Avenue shall be occupied by uses in the residential, office, retail sales, commercial services or public, civic, or institutional use categories.

(l) Drive-Throughs

(.1) In the Regional Center, drive-throughs for commercial uses shall be prohibited.

(.2) In the Village Center, drive-throughs for commercial uses shall be prohibited, except where the drive-through is located at the rear of the building, and ingress/egress to the lot is limited to one curb cut.

(m) Off-Site Parking

Off-site parking as an accessory use is permitted in the City Avenue Overlay district subject to the regulations set forth below.

(.1) When land uses on adjacent lots within the district create shared parking areas with circulation paths and access points that are under common ownership or controlled by a reciprocal easement agreement, the collective parking requirements for development on those properties may comply with the required parking values listed in §14-509(3)(j) (Required Amount of Parking). Documentation confirming the ownership and/or management arrangement shall be submitted to L&I at the time of zoning application. The documentation must demonstrate a commitment for the use of the off-site shared parking and the zoning permit or other City approval may be limited to the duration of that commitment.

(.2) Required parking may be provided off-site, provided:

(.a) Off-site parking must be within 1,000 ft. of the development using a sidewalk or other public pedestrian way continually accessible to the public, measured from lot line to lot line;

(.b) Both the development and the parking facility comply with the design standards within this section;

(.c) An easement agreement or other documentation that the private parking facility owner agrees to make the spaces available to the proposed off-site development shall be submitted to L&I with the zoning application. The off-site parking spaces may not be designated as required parking for some other use. The documentation must demonstrate a commitment for the use of the off-site shared parking; and

(.d) The off-site parking must be otherwise permitted as a principal use by this Code on the lot where it is located.

(n) Auto-Share Parking Spaces

Auto-share parking spaces shall be provided for all new developments containing over 100 residential units or 100,000 sq. ft. of commercial space at the rate of at least one auto-share space per 100 units or one auto-share space per 100,000 sq. ft. of commercial space. Such auto-share space may be counted toward meeting total parking requirements under §14-509(3)(j) (Required Amount of Parking). For every auto-share space provided for a residential or hotel use, the total required parking under §14-509(3)(j) (Required Amount of Parking) may be reduced by four spaces, up to 40% of the total required spaces.

(o) Loading

Areas used for loading or trash collection purposes shall either be:

(.1) located indoors; or

(.2) located no closer than 50 ft. from any residential zoning district and located outside of the buffer zone, provided that the area shall be screened from public view.

(p) Awnings

These standards apply to awnings.

(.1) Length: Awnings shall not exceed 20 ft. in horizontal length and be centered within architectural elements, such as doors or columns.

(.2) Projection: Awnings shall not project more than three to six ft. into the public right-of-way. All awnings must be a minimum of three ft. from the curb line.

(.3) Mounting Height: The bottom of awnings shall be at least eight ft. above grade or sidewalk.

(.4) Design. On multi-tenant facades, awning heights, projections, and style of awning shall be similar.

(q) Signs

For all nonresidential uses, the total area of all flush mounted and awning signage for each building tenant shall not exceed two sq. ft. for each foot of lineal building frontage. In all cases, individual signs are limited in square footage, as described in the following guidelines. For corner buildings, building frontage for calculation of sign area is that facing the principal street front. Any lot with a lot width of less than 25 ft. at the street line may use the lot width at the building line for calculating the maximum signage permitted under this section.

(.1) Prohibited Signs

The following signs are not permitted:

(.a) Non-accessory signs.

(.b) Backlit or internally illuminated awnings.

(.c) Translucent internally illuminated sign faces with a backlit background.

(.2) Flush-Mounted Signage

The following standards shall apply to letters, numerals, or logos mounted parallel to the building as individual letters or contained in a sign panel:

(.a) Number of signs: One per tenant per street front. For a corner property, one sign is permitted for each street front.

(.b) Mounting height: 20 ft. maximum, provided it is below the sill line of the second floor windows or the lowest point of the roof, whichever is less. All signs must be located below the cornice line, or in the case of a flat roof, below the roof parapet.

(.c) Depth of sign: Wall signs must not project more than 12 in. from the building wall.

(.d) Maximum total area of signs: 30 sq. ft. for ground floor retail establishment.

(.3) Projecting Signage

(.a) Projecting signs shall have a maximum sign area of 20 sq. ft. for ground floor retail establishment and 12 sq. ft. for all other signs.

(.b) Number of signs: one per ground floor establishment, plus one for any public building entrance not serving a ground floor establishment.

(.c) Mounting height: 20-foot maximum provided it is below the sill line of the second floor windows or the lowest point of the roof, whichever is less, and does not have less than eight ft. of vertical clearance above grade or sidewalk.

(.d) Maximum projection: five ft.

(.4) Banner Signage

These standards apply to fabric or rigid material mounted with use of poles, typically oriented perpendicular to structure facade.

(.a) Area of banner: Less than or equal to 25 sq. ft.

(.b) Banners shall be spaced no closer than 20 ft. apart, and centered within architectural elements.

(.c) Projection: Banners shall not project more than three ft. into the public right-of-way.

(.d) Mounting height: Bottom of banners shall be mounted at least 14 ft. above grade or sidewalk and shall not extend above the third story of the structure.

(.e) Only one banner sign is permitted per property.

(.5) Freestanding Signs

(.a) Freestanding signs shall only be permitted for existing nonconforming buildings and buildings approved by variance that are setback from the street line such that the building facade is not readily visible from passing traffic. Freestanding signs existing as of August 17, 2009 may be replaced. The replacement sign must be a monument sign with a maximum height of eight ft.

(.b) The area of a freestanding sign may not exceed 50 sq. ft.

(.6) Signs on Awnings

Logo or tenant marks shall be limited to the valance of an awning or the front plane of the awning.

(.7) Wall Plaques

These standards apply to small, pedestrian-oriented informative signs that may convey information such as hours of operation or take the form of directories, menu cases, or convey historical building information:

(.a) Area of Sign: Up to six sq. ft. in area, not projecting more than three in. from a building wall.

(.b) Number of Signs: two per usable entry.

(.c) Mounting Height: five ft. on center above grade or sidewalk.

(.d) Illumination. Only halo lit or backlit letters are permitted.

(.8) Storefront Window Graphics

Painted, etched, or similarly affixed window graphics with the tenant's mark or hours of operation shall not obscure the interior view of a retail establishment and shall be no greater than 10% of the available window space.

(r) Development Design Standards

No building permit shall be issued unless the site layouts and landscape plans have been reviewed and approved by the Commission for conformance with the development design standards set forth in this §14-509(3)(r) (Development Design Standards). The Commission may grant exceptions from a strict interpretation of the design standards, where the Commission finds that conformance with the design standards is impractical. The Commission shall have 60 days to approve or disapprove the application, after which its approval shall be presumed. The Commission shall not issue any approval under this subsection unless the Art Commission has first issued any approvals required under applicable law.

(.1) Applicability

All new, expanded and rehabilitated buildings (where such expansion or rehabilitation is equal to or exceeds 50% of the existing area of the building) shall comply with the design standards.

(.2) Public Walkways

Public walkways shall have a minimum width of 14 ft. and may be provided both within the street right-of-way and within the lot line.

(.3) Street Trees

All development in the /CAO overlay district shall satisfy the street tree requirements of §14-705(2) (Street Tree Requirements), if applicable.

(.4) Utilities

For all new developments, electric, cable, and telephone service connections from the main utility line shall be installed underground, from the nearest existing utility pole, unless the Commission determines that underground service would be impractical.

§14-510 /WWO, Wissahickon Watershed Overlay District

(1) Purpose

Development within the Wissahickon Watershed has led to increased flooding of the Wissahickon Creek and its tributaries and has increased the hazards of erosion, siltation, and channel enlargement within the Wissahickon Watershed. To prevent such adverse conditions and the degradation of the environment, it is necessary to impose environmental regulations to protect the health, safety, and general welfare, to improve water quality, and to achieve environmentally sound land development within the Wissahickon Watershed.

(2) Applicability

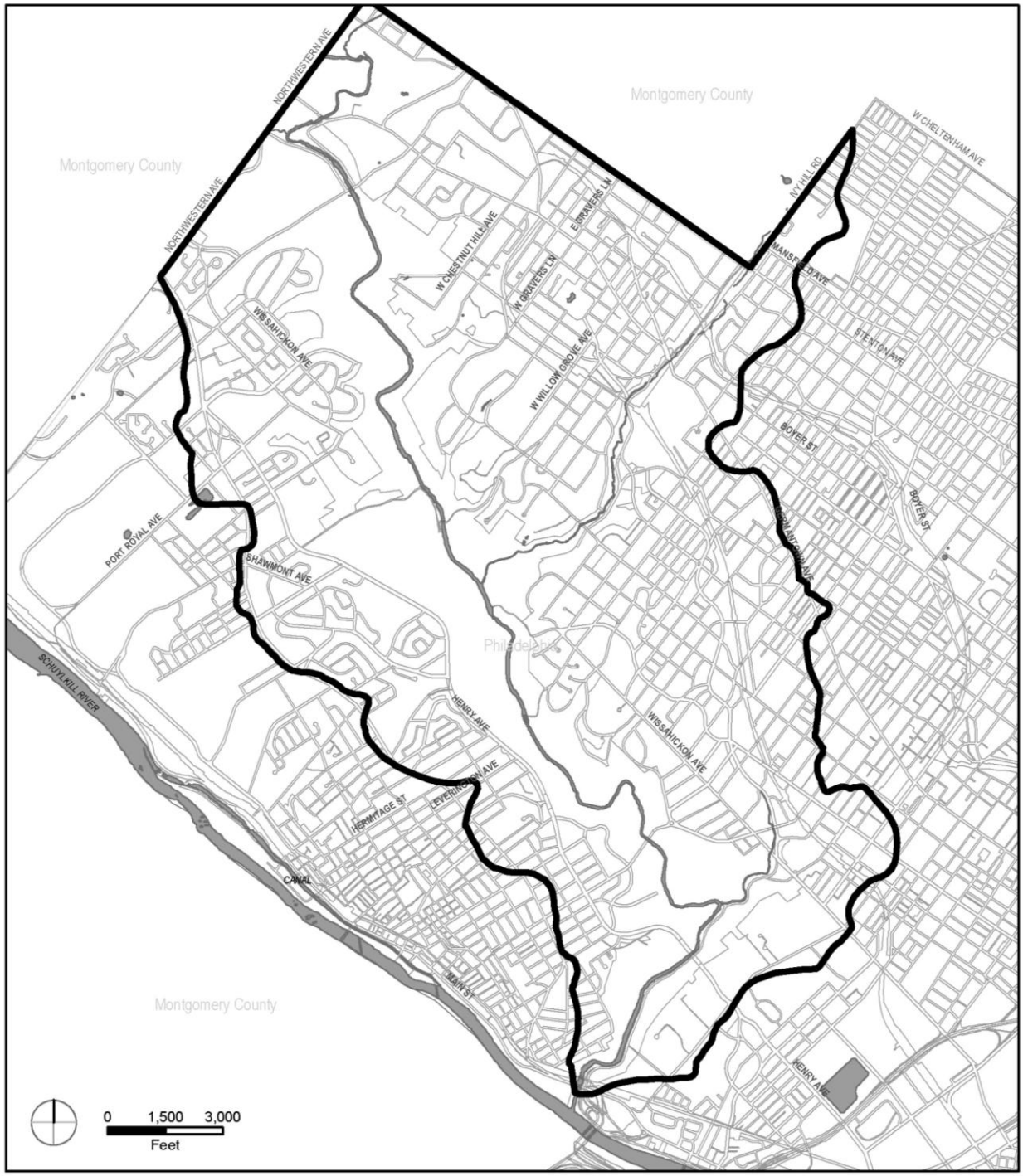
The /WWO district regulations apply during and after construction and to all construction site clearing and earth moving within the Wissahickon Watershed and will promote a regional approach to the protection of the Wissahickon Watershed.

(3) District Boundaries

These special environmental regulations apply within the boundaries of the /WWO, Wissahickon Watershed Overlay district, encompassing the area generally bounded by Ridge Avenue, Schoolhouse lane, Germantown Avenue, Mount Airy Avenue, and the Montgomery County Line, as shown on Wissahickon Watershed Overlay Map of §14-510(4) (Wissahickon Watershed Overlay Map).

(4) Wissahickon Watershed Overlay Map

The Commission shall maintain the official Wissahickon Watershed Overlay map and make the map available to the public for inspection during normal business hours. The following map is provided for illustrative purposes only.



Wissahickon Watershed (Applies to all lots)

(5) Setbacks from Watercourses

There shall be no new impervious ground cover constructed or erected within 200 ft. of the bank of a surface water body or within 50 ft. of the center line of a swale within the /WWO overlay district.

(6) Impervious Coverage Regulations

(a) Basic Impervious Coverage

The Commission shall establish, by regulation, an Impervious Coverage Map designating land areas within the /WWO overlay district as one of five categories of impervious coverage in order to prevent and control floods of the Wissahickon Creek. No building, paving, street, or other impervious ground cover may be constructed or placed on any property within the watershed in excess of the requirements of the following table:

Category	Limit of impervious ground coverage
1	20%
2	27%
3	35%
4	45%
5	No limit , see §14-510(6)(b)

(b) Category 5 Requirements

There is no percentage limitation of impervious ground coverage on land deemed to be developed or otherwise disturbed from its natural state, provided that lots larger than one-half acre may be further developed only as follows:

(.1) The increased surface water runoff leaving the site must not adversely affect adjacent property.

(.2) The method of handling runoff on the site must be in accord with sound engineering practices and must not significantly accelerate on-site erosion.

(.3) Such development must not significantly diminish the infiltration capacity of the site.

(c) Additional Impervious Coverage

Additional impervious coverage in excess of the coverage permitted by §14-510(6)(a) (Basic Impervious Coverage), above, shall be permitted by the Commission, after review and comment by the Water Department and other appropriate City agencies according to the following criteria:

(.1) Stormwater leaving the property shall be substantially similar in effect to that under the basic impervious coverage limitation under §14-510(6)(a) (Basic Impervious Coverage).

(.2) Stormwater countermeasures shall not require excessive or significant maintenance.

(.3) Design of stormwater countermeasures must take account of stormwater runoff that enters the property from adjacent land.

(.4) The method of handling runoff on the site must be in accord with sound engineering practices and must not significantly accelerate on-site erosion.

(.5) Such development must not significantly diminish the infiltration capacity of the site.

(d) Aggregate of Impervious Coverage in Subdivisions

Coverage may be aggregated to any section of a subdivision provided that an equal amount is withdrawn from remaining sections and provided further that such aggregation will not cause any significant additional erosion or channel enlargement to any portion of a surface water body greater than that allowed prior to aggregation. Any such aggregation provisions must be included within the approved plan of subdivision (see §14-304(7) (Subdivisions and Subdivision Plats).

(7) Earth Moving Plans

(a) No earth moving activity will be permitted within the watershed unless done in accordance with approved earth moving plans. These plans must be prepared by a licensed professional engineer in accordance with regulations approved by the Commission and must set forth the measures by which erosion and sedimentation are controlled. Such plans must be filed with and approved by the Commission except as follows:

(.1) Where the site is designated as being within Category 5 on the Impervious Coverage Map;

(.2) Where the site is one-half acre or less in area; or

(.3) Where the earth moving or additional impervious coverage will be less than 500 sq. ft.

(b) 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 as deemed necessary by the Commission.

(c) Where the Commission finds earth moving plans are not in accordance with its regulations, it may require the filing and approval of revised plans.

(8) Certification and Enforcement

L&I shall not issue any zoning or building permits unless the Commission has certified to L&I that the proposed development conforms to the requirements of this section. The Commission has a maximum of 45 days after all required documents are received to approve or disapprove the application, after which its approval will be presumed.

§14-511 /AHC, Airport Hazard Control Overlay District

(1) Purpose

This §14-511 is intended to recognize the importance of preventing hazards to aircraft navigation that may result from the height of structures in areas surrounding airports within the City. The regulations create the appropriate zones and applicable boundaries where height restrictions for structures or uses of land will be limited so as not to obstruct the airspace required for aircraft landing or taking off from runways, or would otherwise be hazardous to aviation operations during landing or take-off. The limitations intended to mitigate such obstructions are established in order to protect the safety and general welfare of the traveling public, as well as to protect the safety and general welfare of property and occupants of land in the vicinity of the airports and to continue to foster economic growth for the region.

(2) Applicability

The provisions of this §14-511 shall apply throughout the City.

(3) Height Restrictions

No building, structure, or other object shall exceed the height limitations as provided by Title 14 of the Code of Federal Regulations (CFR) – Federal Aviation Regulations (FAR) Part 77: Objects Affecting Navigable Airspace (14 CFR §77.1 to 77.75) and all of its referenced standards and Advisory Circulars, as they may be amended or added from time to time. Runways referenced in the foregoing shall include all of the following:

(a) At Philadelphia International Airport, Runway Nos. 8, 17, 26, 27L, 27R, 35.

(b) At Northeast Philadelphia Airport, Runway Nos. 6, 15, 24, 33.

(4) Nonconforming Uses

(a) Marking and Lighting: Upon notice from L&I, the owner of any nonconforming structure that has an adverse effect on air navigational safety as determined by the Federal Aviation Administration shall install obstruction markers or lights as deemed necessary by the FAA, so that the structures become more visible to pilots. All costs to maintain and operate such markers or lights shall be borne by the owner of the nonconforming structure.

(b) No person shall rebuild, replace, or substantially alter any non-conforming structure or other object if, in doing so, the new or altered structure or object would present a greater hazard to air navigation, as determined by the Director of Commerce or his designee, than the prior, unaltered structure or object presented at the time of adoption of this §14-511.

(5) Variances

(a) No variance from the provisions of this §14-511 shall be issued unless, in addition to satisfying the requirements of §14-303(8) (Zoning Variances):

(.1) The applicant submits with the application for a variance:

(.a) A map or drawing showing the location of the property in relation to the airport imaginary surfaces. L&I shall provide the applicant with appropriate base maps upon which to locate the property;

(.b) Elevation profiles and a site plan, both drawn to scale, including the location and height of all existing and proposed structures, measured in feet above mean sea level;

(.c) Documentation that a completed FAA Form 7460-1 has been filed with the FAA, along with either a copy of the Form or a print-out documenting the relevant information;

(.d) A determination from the Federal Aviation Administration as to the effect of the proposal on the operation of aircraft navigation facilities and the safe, efficient use of navigable airspace. In no instance shall a variance issue if it would allow for a development in violation of any applicable federal regulation; and

(.e) Notice to the Philadelphia Division of Aviation at least fifteen days prior to the public hearing on the variance request, in a form satisfactory to the Philadelphia Division of Aviation. The Zoning Board shall give substantial weight to any concerns expressed by the Philadelphia Division of Aviation regarding interference with aviation safety.

(.2) Prior to issuing any variance, the Zoning Board, through L&I, shall give the Pennsylvania Department of Transportation 30 days notice of the Zoning Board's intent to issue the variance, in such form as the Department of Transportation shall require. The Zoning Board may require further documentation from the applicant, if required by the Department of Transportation.

(6) Conflicts

In the event of a conflict between any provision of this §14-511 and any other provision of this Title, the more restrictive provision shall control.

§14-512 /ANC, Airport Noise Compatibility Overlay District

{RESERVED}

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

(1) Purpose

The Transit-oriented Development (TOD) standards of this section are intended to encourage compact urban growth patterns, opportunities for increased transportation mode choice, reduced reliance on the automobile, and a safe and pleasant pedestrian environment. The regulations help ensure an attractive streetscape, a functional mix of complementary uses and provision of amenities that support the use of transit, bicycles, and pedestrian facilities.

(2) Applicability

The TOD standards of this section shall apply to new construction and expansions of more than 30% of gross floor area on lots located within the transit nodes listed in §14-513(3) (Designation), as summarized in Table 14-513-1, below. In the event of conflict between the provisions of Table 14-513-1 and the text of this Zoning Code, the text shall govern.

Table 14-513-1: Transit-Oriented Development Applicability

Applicability Chart	Use §14-513(4)	Form and Design §14-513(5)	/TOD-1 and /TOD-2 Additional Requirements §14-513(6)	/TOD-3 Additional Requirements §14-513(7)
/TOD-1	X	X	X	
/TOD-2	X	X	X	
/TOD-3	X	X		X

(3) Designation

Lots in the /TOD overlay district will be designated on the zoning maps as /TOD-1 (Regional Center), /TOD-2 (Neighborhood Center), or /TOD-3 (Park and Ride), as described in §14-513(3)(a) through §14-513(3)(c), below. In the event of a conflict

between any provision of §14-513(3)(a) through §14-513(3)(c) and any other provision of this §14-513, the latter shall govern. At least one TOD Primary Street and one TOD Secondary Street shall be designated for any /TOD district.

(a) /TOD-1 (Regional Center)

/TOD-1 districts are intended to accommodate medium-density residential, office, institutional, and mixed-use development with enhanced pedestrian and transit amenities. The /TOD-1 district service area is greater than the immediate neighborhood.

(b) /TOD-2 (Neighborhood Center)

/TOD-2 districts are intended to accommodate neighborhood-serving commercial nodes and corridors with enhanced pedestrian and transit amenities.

(c) /TOD-3 (Park and Ride)

/TOD-3 districts are intended to accommodate high-quality parking facilities that provide limited convenience and personal service retail uses for commuters.

(4) Use Regulations

Notwithstanding the provisions of this Zoning Code, lots located in any /TOD district shall comply with the following use regulations.

(a) Non-Accessory Parking Garages

Non-accessory parking garages shall be permitted.

(b) Active Ground-Floor Uses

If permitted under the base zoning district, at least one of the following uses is required on the ground floor frontage of any building that fronts on a TOD Primary Street:

(.1) Retail sales;

(.2) Commercial services;

(.3) Eating and drinking establishments;

(.4) Lobbies of hotels, live theaters or cinemas;

(.5) Libraries, museums, galleries, or exhibition space;

(.6) Post offices;

(.7) Enclosed public space, enclosed gardens, public rooms, through-block connections; or

(.8) Entrances to public transit stations or transit concourses.

(c) Prohibited Uses and Development

The following uses are prohibited:

(.1) Commercial vehicle repair and maintenance;

(.2) Commercial vehicle sales and rental;

(.3) Personal vehicle repair and maintenance;

(.4) Vending machines, vendor stands and/or retail kiosks as the principal use of a lot or as a use accessory to a parking lot; and

(.5) Drive-throughs.

(5) TOD Form and Design Standards

(a) Site and Building Design

The following standards apply to buildings abutting a TOD Primary Street in any /TOD district:

(.1) The main building entry must face and be located along the TOD Primary Street.

(.2) The ground floor façade must have transparent windows or other transparent glazed area covering 65% or more of the ground floor façade area. Reflective, heavily tinted, or black glass windows are prohibited.

(b) Parking

The following standards apply in all TOD Nodes:

(.1) Accessory parking shall be required as follows: the lesser of what is required for the proposed use, or the number of accessory parking spaces in existence prior to the proposed use.

(.2) Non-accessory parking garages and non-accessory surface parking lots may not front on a TOD Primary Street. Vehicle ingress and egress shall be prohibited to and from the TOD Primary Street.

(.3) Accessory surface parking lots and accessory parking garages on a TOD Primary Street are prohibited between the principal structure and the TOD Primary Street. Vehicle ingress and egress shall be prohibited to and from the TOD Primary Street; if access from a street other than the TOD Primary Street cannot be provided due to site or topography constraints, no parking is required notwithstanding the provisions of this Zoning Code.

(.4) Accessory and non-accessory parking garages must have active ground floor uses as listed in §14-513(4)(b), above.

(6) Additional Standards for /TOD-1 and /TOD-2 Districts

(a) Additional Standards for /TOD-1 Districts Only

Notwithstanding the provisions of this Zoning Code, the following provisions shall apply in any /TOD-1 district.

(.1) Properties zoned CMX-3 are eligible to earn additional floor area pursuant to §14-702(7) (Mixed Income Housing) and §14-702(10) (Green Building).

(.2) Buildings on Commercially- and Industrially-zoned lots may occupy up to 100% of the lot area.

(b) Parking and Off-Street Loading Standards

Notwithstanding the provisions of this Zoning Code, the following provisions shall apply in any /TOD-1 and /TOD-2 district.

(.1) Minimum parking requirements otherwise applicable under Chapter 14-800 are reduced by 50%.

(.2) No off-street parking is required for buildings that have a gross floor area of 10,000 sq. ft. or less.

(.3) Each off-street loading space shall be located within a totally enclosed structure within the building it serves, or in the case of multiple buildings, within an enclosed structure with direct access to each building the loading space serves.

(c) Dimensional Standards - Frontage on a TOD Primary Street

Notwithstanding the provisions of this Zoning Code, the following provisions shall apply in any /TOD-1 and /TOD-2 district to any lot fronting on a TOD Primary Street.

(.1) Properties in a residentially-zoned district where Tables 14-701-1 or 14-701-2 allow a maximum height of 38 ft. are subject to a maximum height limit of 45 ft.

(.2) Properties in a CMX-1, CMX-2, CA-1, or CA-2 district are subject to a maximum height limit of 55 ft.

(.3) The minimum building height shall be 25 ft.

(.4) New buildings must be built to the street line at ground level, along at least 80% of the street frontage, excluding curb cuts.

(7) Additional Standards for /TOD-3 Districts

All new parking garages shall have a lobby area.

Chapter 14-600 Use Regulations

§14-601 Use Categories 6-1
(1) General 6-1
(2) Residential Use Category 6-3
(3) Parks and Open Space Use Category 6-3
(4) Public, Civic, and Institutional Use Category 6-4
(5) Office Use Category 6-7
(6) Retail Sales Use Category 6-8
(7) Commercial Services Use Category 6-9
(8) Vehicle and Vehicular Equipment Sales and Services Use Category 6-14
(9) Wholesale, Distribution, and Storage Use Category 6-15
(10) Industrial Use Category 6-16
(11) Urban Agricultural Use Category 6-17
§14-602 Use Tables 6-18
(1) General 6-18
(2) Understanding the Use Tables 6-18
(3) Residential Districts 6-19
(4) Commercial Districts 6-21
(5) Industrial Districts 6-24
(6) Special Purpose Districts 6-26
§14-603 Use-Specific Standards 6-28
(1) Distributor of Malt or Brewed Beverages 6-28
(2) Body Art Service 6-28
(3) Building Supplies and Equipment 6-28
(4) Cemetery 6-28
(5) Day Care 6-29
(6) Take-Out Restaurants 6-31
(7) Fresh Food Market 6-32
(8) Gasoline Station 6-32
(9) Junk and Salvage Yards and Buildings 6-33
(10) Parking, Non-Accessory 6-34
(11) Personal Care Home 6-34
(12) Re-Entry Facility 6-34
(13) Regulated Uses 6-35
(14) Stables 6-35
(15) Urban Agriculture 6-36
(16) Wireless Service Facilities (Freestanding Towers) 6-36
(17) Wireless Service Facilities (Building or Tower-Mounted Antenna) 6-39
(18) Nightclubs and Private Clubs 6-39
§14-604 Accessory Uses and Structures 6-39
(1) General 6-39
(2) Private Residence Garages 6-40
(3) Accessory Parking 6-40
(4) Decks other than Roof Decks 6-40
(5) Roof Decks 6-41
(6) Small Wind Energy Conversion Systems 6-42
(7) Solar Collectors 6-43

(8) Satellite Dish Antennas 6-43
(9) Accessory Agricultural Structures 6-44
(10) Home Occupations 6-44
(11) Accessory Dwelling Units 6-46
(12) Trash and Recycling Storage Areas 6-47

§14-601 Use Categories

(1) General

This section contains a description of the use categorization system used to classify principal uses in this Zoning Code.

(a) Use Categories

This Zoning Code classifies principal land uses into 10 major groupings (described in §14-601(2) through §14-601(11)), which are referred to as use categories:

(.1) Residential. See §14-601(2).

(.2) Parks and Open Space. See §14-601(3).

(.3) Public, Civic, and Institutional. See §14-601(4).

(.4) Office. See §14-601(5).

(.5) Retail Sales. See §14-601(6).

(.6) Commercial Services. See §14-601(7).

(.7) Vehicle and Vehicular Equipment Sales and Services. See §14-601(8).

(.8) Wholesale, Distribution, and Storage. See §14-601(9).

(.9) Industrial. See §14-601(10).

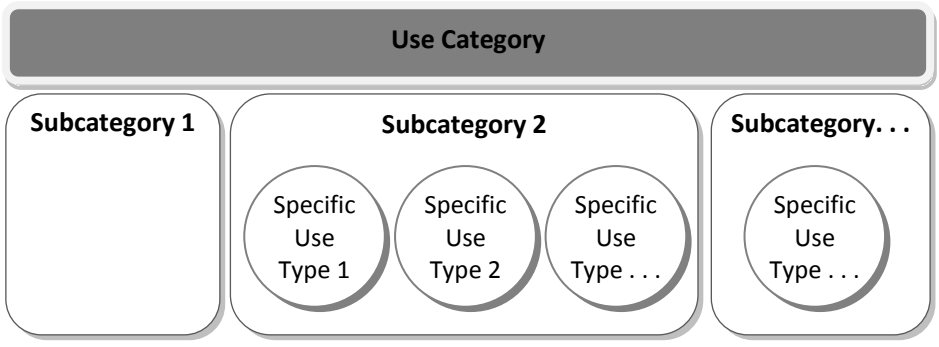
(.10) Urban Agricultural. See §14-601(11).

(b) Use Subcategories

Each use category is further divided into more specific "subcategories." Use subcategories classify principal land uses and activities based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions.

(c) Specific Use Types

Some use subcategories are further broken down to identify specific use types that are regulated differently than the subcategory.



(d) Use Tables

A series of use tables identify allowed land uses in Residential, Commercial, Industrial, and Special Purpose districts. See §14-602(3) (Residential Districts);

§14-602(4) (Commercial Districts); §14-602(5) (Industrial Districts); and §14-602(6) (Special Purpose Districts) respectively. The structure of the use tables (see Sample Use Table below) reflects the hierarchical nature of the use categorization described in this section. See §14-602(2) (Understanding the Use Tables) for a further explanation of the use table structure.

Sample Use Table

	District	District	District	District	District	District	Use-Specific Standards
Y = Yes, use is permitted as of right | **S** = Special exception approval required **| N** = Not allowed (use expressly prohibited) Uses not listed are also prohibited | Bracketed numbers refer to notes immediately preceding the table							
Use Category							
Use Subcategory							
Specific Use Type	Y[1]	Y[1]	Y	Y	Y	Y	Use-specific standards column contains cross-reference to any applicable regulation that applies to use in all districts
Specific Use Type	N	N	N	Y	Y	Y	
Specific Use Type	N	N	N	N	Y	Y	

(e) Determination of Use Categories and Subcategories

(.1) L&I is authorized to classify uses on the basis of the use category, subcategory, and specific use type descriptions of this section §14-601 (Use Categories).

(.2) When a use cannot be readily classified into a use category, subcategory, or specific use type, or appears to fit into multiple categories, subcategories, or specific use types, L&I is authorized to determine the most similar, and thus most appropriate, use category, subcategory, or specific use type based on the actual or projected characteristics of the principal use or activity in relationship to the use category, subcategory, and specific use type descriptions provided in this section. In making such determinations, L&I may consider:

(.a) the types of activities that will occur in conjunction with the use;

(.b) the types of equipment and processes to be used;

(.c) the existence, number, and frequency of residents, customers, or employees;

(.d) parking demands associated with the use; and

(.e) other factors deemed relevant to a use determination.

(.3) If a use can reasonably be classified in multiple categories, subcategories, or specific use types, L&I shall categorize the use in the category, subcategory, or specific use type that provides the most exact, narrowest, and appropriate "fit."

(.4) If L&I is unable to determine the appropriate use category for a proposed use, L&I shall deny the zoning permit request. This decision may be appealed to the Zoning Board in accordance with §14-303(15) (Appeals).

(2) Residential Use Category

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

(a) Household Living

Residential occupancy of a building or any portion thereof by one or more families. When a household living use is rented, tenancy is arranged on a month-to-month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered a form of lodging. The following are household living specific use types:

(.1) Single-Family

The use of a lot as a residence for one family.

(.2) Two-Family

The use of a lot as a residence for two families with each family occupying a single dwelling unit.

(.3) Multi-Family

The use of a lot as a residence for three or more families with each family occupying a single dwelling unit.

(.4) Caretaker Quarters

A single dwelling unit that is accessory to an allowed industrial use in an Industrial zoning district and that is occupied by an individual who is responsible for maintenance or security in association with the principal industrial use of the property.

(b) Group Living

Residential occupancy of a building or any portion thereof that is not categorized as a household living use (see §14-601(2)(a)) and that typically provides communal kitchen/dining facilities. Examples of group living uses include, but are not limited to, fraternities, sororities, group homes, and temporary overnight shelters. The following are group living specific use types:

(.1) Personal Care Home

Any premises in which food, shelter, and personal assistance or supervision are provided for a period exceeding 24 hours for four or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in such matters as dressing, bathing, diet, financial management, evacuation from the residence in the event of an emergency, or medication prescribed for self-administration.

(.2) Single-Room Residence

A building containing rooms rented as living quarters without private bathrooms. Examples include dormitories, rooming houses, and supported independent living.

(3) Parks and Open Space Use Category

This category includes uses that may occur on land that has been identified for parks and recreation uses open to the public or to be left in a generally natural state. The parks and open space subcategories are:

(a) Natural Resources Preservation
Undeveloped land left in a natural state for specific use as visual open space or environmental purposes.

(b) Passive Recreation
Recreational facilities associated with pastimes that are incidental to natural open space. These facilities require minor land development, require minimal maintenance, and have little impact on natural open space.

(c) Active Recreation
Recreational facilities that require major land development, structure construction, and a moderate- to high-level of maintenance and can accommodate large groups of people.

(4) Public, Civic, and Institutional Use Category

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:

(a) Airport-Related Facilities
Any of the following:

(.1) Air terminals;

(.2) Airport administration buildings, including airline offices, and related uses;

(.3) Ancillary retail sales and commercial services uses located within an airport;

(.4) Fixed base operators;

(.5) Air hangars;

(.6) General aviation operations;

(.7) Airport maintenance, rescue and firefighting buildings, and public safety uses, including security and immigration processing;

(.8) Airport operational facilities including, but not limited to, air traffic control towers, communication facilities, weather service offices, equipment and instrument landing systems, and other related navigational equipment;

(.9) Air cargo and related ground transportation facilities;

(.10) Flight schools, flying clubs, and other schools or training facilities relating to aviation or air-related transportation;

(.11) Fuel and fuel waste containment storage systems and pumps;

(.12) Aircraft related sales, manufacturing, assembly testing, and repair of aircraft, aircraft parts, avionics, instruments, or other aircraft equipment;

(.13) Runways;

(.14) Taxiways;

(.15) Glycol and related aircraft deicing fluid storage and processing systems;

(.16) Emergency (outpatient) medical facilities;

(.17) Ground transportation facilities commonly associated with airports, such as rail, car rental facilities, taxi cabs, buses and limousines, including associated maintenance, fueling, storage and administration;

(.18) Accessory uses customarily incidental to any of the above permitted uses, including, where appropriate, security barriers, boat launches, storage facilities, including outdoor storage of vehicles and equipment, airport-related lighting, and chapels; and

(.19) Other uses determined to be airport-related by the regulations of the Department of Commerce.

(b) Cemetery

Land used for burial of dead bodies or cremated remains. Cemeteries are allowed only if approved by ordinance. See §14-603(4) (Cemetery).

(c) Day Care

Uses providing care, protection, and supervision for children or adults for a fee on a regular basis away from their primary residence for less than 24 hours per day. Examples include preschools, nursery schools, Head Start programs, latch key programs, and adult daycare programs. The following are not regulated as day care uses: (i) care given by guardians or relatives of the children or adults, or (ii) care given away from the primary residence of the children or adults by babysitters or caregivers for fewer than 10 hours per week. For the purposes of the day care use subcategory, the term "relative" shall mean a spouse, parent, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half brother, half sister, aunt, uncle, niece, or nephew. The following are day care specific use types:

(.1) Family Day Care

The provision of care within the day care provider's primary residence for children who are not relatives of the provider. See also the family day care use-specific standards of §14-603(5) (Day Care).

(.2) Group Day Care

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

(.3) Day Care Center

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

(d) Detention and Correctional Facilities

An institution operated by the City, the Commonwealth, the federal government, or a private party under contract with the City, the Commonwealth, or the

federal government for the confinement and punishment and treatment or rehabilitation of offenders under the jurisdiction of a court.

(e) Educational Facilities

(.1) Public and private schools at the primary, elementary, junior high, or high school level that provide basic education.

(.2) Colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree.

(f) Fraternal Organization

The use of a building or lot by a not-for-profit organization that restricts access to its facility to bona fide, annual dues-paying members and their occasional guests. Banquet rooms and the preparation and serving of food and beverages and occasional live entertainment are uses and activities in association with fraternal organizations.

(g) Hospital

Uses providing medical or surgical care to patients and offering inpatient (overnight) care.

(h) Libraries and Cultural Exhibits

Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art, or library collection of books, manuscripts, and similar materials for study and reading.

(i) Re-Entry Facility

A facility used for the rehabilitation and overnight accommodations of 25 or more individuals, including staff, who are (a) under the jurisdiction of a court, but not under confinement, or (b) individuals recently released from the jurisdiction of a court. Such facility shall be operated by the City, the Commonwealth, the federal government, or a private party under contract with the City, the Commonwealth, or the federal government for the purpose of providing treatment or rehabilitation intended to assist such individuals with their re-entry into the community.

(j) Religious Assembly

Religious services involving public assembly that customarily occur in synagogues, temples, mosques, churches, and other facilities used for religious worship.

(k) Safety Services

Establishments that provide fire, police or life protection, together with the incidental storage and maintenance of necessary vehicles.

(l) Transit Station

Stations, off-street passenger waiting areas, and loading/unloading areas for local and regional transit service. Street-side boarding locations, such as bus and trolley stops, are not regulated as transit station uses.

(m) Utilities and Services, Basic

Public and quasi-public facilities and services that need to be located in the area where the service is to be provided, such as water and sewer pump stations;

electrical transforming substations; wind energy conversion systems; solar collector systems; water conveyance systems; gas regulating stations; stormwater facilities and conveyance systems; telephone switching equipment; emergency communication warning/broadcast facilities; and central heating facilities.

(n) Utilities and Services, Major

Infrastructure services that have substantial land use impacts on surrounding areas. Typical uses include but are not limited to water and wastewater treatment facilities, major water storage facilities and electric generation plants.

(o) Wireless Service Facility

Towers, antennas, equipment, equipment buildings, and other facilities used in the provision of wireless communication services. The following are wireless service facility specific use types:

(.1) Freestanding Towers

A structure intended to support equipment that is used to transmit and/or receive telecommunications signals including monopoles and guyed and lattice construction steel structures.

(.2) Building or Tower-Mounted Antennas

The physical device that is attached to a freestanding tower, building, or other structure, through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received.

(5) Office Use Category

This category includes uses in an enclosed building, customarily performed in an office, that focus on providing executive, management, administrative, government, professional, or medical services. The office subcategories are:

(a) Business and Professional

Office uses for companies and non-governmental organizations. Examples include corporate office, law offices, architectural firms, insurance companies, and other executive, management, or administrative offices for businesses and corporations.

(b) Medical, Dental, and Health Practitioner

Office uses related to diagnosis and treatment of human patients' illnesses, injuries, and physical malfunctions that can be performed in an office setting with no overnight care. Surgical, rehabilitation, and other medical centers that do not involve overnight patient stays are included in this subcategory, as are medical and dental laboratories, unless otherwise indicated. The following are medical, dental, and health practitioner specific use types:

(.1) Sole Medical, Dental, and Health Practitioner

An office exclusively operated by one medical, dental, or health practitioner and having no more than one assistant regularly-employed therein.

(.2) Group Medical, Dental, and Health Practitioner

A medical, dental, or health practitioner office that does not meet the definition of a sole medical, dental, and health practitioner.

(c) Government

Office uses related to the administration of local, state, or federal government services or functions.

(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. The retail sales subcategories are:

(a) Adult-Oriented Merchandise

Any retail sales use or establishment having as 20% or more of its floor area or its stock-in-trade:

(.1) Books, magazines, videos, CD-ROMs, or other periodicals or visual production materials that are distinguished or characterized by their emphasis on matter depicting, describing, or related to "specified sexual activities," or "specified anatomical areas;" or

(.2) Any devices, commonly known as sex toys, designed or marketed as useful primarily for the stimulation of human genital organs.

(b) Building Supplies and Equipment

Uses that sell or otherwise provide goods to repair, maintain, or visually enhance a structure or premises, including, but not limited to, hardware stores, paint and wallpaper supply stores, and garden supply stores.

(c) Consumer Goods

Uses that sell or otherwise provide furniture, appliances, equipment, and similar consumer goods, large and small, functional and decorative, for use, entertainment, comfort, or aesthetics. The following are consumer goods specific use types:

(.1) Drug Paraphernalia Stores

Any retail store selling paraphernalia commonly related to the use of any drug or narcotic of which the sale, use or possession is subject to the provisions of "The Controlled Substance, Drug, Device and Cosmetic Act," 1972, April 14, P.L. 233, No. 64, 51 et seq., 35 P.S. Section 780-101 et seq., including, but not limited to, water pipes, pipe "screens," hashish pipes, "roach" clips, "coke" spoons, "bongs," and cigarette rolling paper, except that this term does not include the sale of cigarette rolling paper by a store that also sells loose tobacco or the sale by prescription of implements needed for the use of prescribed drugs or narcotics.

(.2) Gun Shop

Any retail sales business engaged in selling, leasing, purchasing, or lending of guns, firearms, or ammunition.

(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 food, beverage, and groceries specific use types:

(.1) Fresh Food Market

Either of the following:

(.a) An establishment in which the sale of fresh fruits and vegetables to the general public occupies at least 50% of the display area; or

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

(.i) 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;

(.ii) at least 50% of such customer-accessible sales and display area is used for the sale of a general line of food products intended for home preparation and consumption;

(.iii) at least 25% of such customer-accessible sales and display area is used for the sale of perishable goods, which must include dairy, fresh fruits and vegetables, and frozen foods and that may include fresh meats, poultry, and fish; and

(.iv) 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

An area for the sale of food crops and non-food crops (e.g., flowers) directly to consumers within an enclosed structure or outdoors on a lot.

(e) Pets and Pet Supplies

Uses that sell or otherwise provide household pets and pet supplies.

(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.

(g) Wearing Apparel and Accessories

Uses that sell or otherwise provide goods to cover, protect, or visually enhance the human form.

(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:

(a) Adult-Oriented Service

Any of the following:

(.1) Adult Cabaret. An adult club, eating and drinking establishment, theater, hall or similar place that may or may not serve alcoholic beverages and features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators or similar entertainers exhibiting specified anatomical areas or performing specified sexual activities, or dancing, performing or acting in a lewd, sexually erotic, exciting, or stimulating manner for patrons or viewers.

(.2) Adult Modeling or Photography Studio. An establishment having 20% or more of its floor area or business distinguished or characterized by its emphasis on the drawing or photographing of persons exhibiting "specified anatomical areas" or performing "specified sexual activities".

(.3) Adult Motion Picture Theater. An enclosed building primarily used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

(.4) Adult Spa or Health Club. A spa or health club having 20% or more of its floor area or business distinguished or characterized by its emphasis on persons exhibiting "specified anatomical areas" or performing "specified sexual activities".

(.5) Adult Massage Shop. An establishment having a source of income or compensation derived from the practice of any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulation of, external parts of the human body with the hands or with the aid of any mechanical, electric apparatus or appliances with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotion, ointment, or other similar preparations commonly used in the practice of massage, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or gratuity. The term "massage shop" does not include any establishment operated by a medical practitioner, professional physical therapist, or massage therapist licensed by the state.

(b) Animal Services

Any of the following: (1) grooming of dogs, cats, and similar small animals, including dog bathing and clipping salons and pet grooming shops; (2) animal shelters, care services, and kennel services for dogs, cats and small animals, including boarding kennels, pet resorts/hotels, dog training centers, and animal rescue shelters; (3) animal hospitals or veterinary services; (4) household pet crematory services; or (5) taxidermy services. The following is an animal services specific use type:

(.1) Stables

Boarding facilities for horses and similar animals, including public and commercial stables as defined by §10-100 of The Philadelphia Code (Animals).

(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:

(.1) Amusement Arcades

An establishment that offers to patrons four or more mechanical or electrical devices or games, such as pinball machines, ping pong, darts, shooting galleries or similar devices or games, excluding juke boxes and amusement devices in the establishments regulated by the Liquor Control Board of the Commonwealth and vending machines for the dispensing of goods.

(.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.”

(.3) Nightclubs and Private Clubs

An establishment where 50 or more people regularly congregate primarily for entertainment purposes in the form of dancing or live or recorded music. The establishment may serve food or beverages to patrons for on- or off-premise consumption or may have one or more temporary or permanent area(s) set aside for the purpose of dancing by the patrons of the establishment. Such establishments may include, but are not limited to, discotheques, cabarets, private clubs, banquet halls, and similar places of assembly.

(.4) Pool or Billiards Room

An establishment that provides three or more tables for the playing of pool or billiards.

(d) Building Services

Uses that provide maintenance and repair services for all structural and mechanical elements of structures, as well as the exterior spaces of a premise. Typical uses include janitorial, landscape maintenance, exterminator, plumbing, electrical, HVAC, window cleaning, and similar services.

(e) Business Support

Uses that provide personnel services, printing, copying, photographic services, or communication services to businesses or consumers. Typical uses include employment agencies, copy and print shops, telephone answering services, and photo developing labs.

(f) Eating and Drinking Establishments

Uses that prepare or serve food or beverages for on- or off-premise consumption. Establishments that meet the definition of a use classified in the eating and drinking establishments use subcategory and that also include occasional live entertainment may be classified as eating and drinking establishment uses, provided that any establishment that meets the definition of a nightclub and private club use must be classified and regulated as a nightclub and private club (See §14-601(7)(c)(.3) (Nightclubs and Private Clubs)). The following are eating and drinking establishment specific use types:

(.1) Prepared Food Shop

An establishment that does not meet the definition of a take-out restaurant (see §14-601(7)(f)(.2)), that offers seating or carry out food and beverage service or both, and that is primarily engaged in the sale of prepared food, non-alcoholic beverages, cold refreshments, or frozen desserts. Prepared food shops include establishments known as sandwich shops, delis, coffee shops, and ice cream shops. A prepared food shop has all of the following characteristics:

(.a) Includes customer seating on the lot. The number of seats shall not exceed 20 seats; and

(.b) Does not utilize commercial cooking appliances that have requirements for exhausting air contaminants.

(.2) Take-Out Restaurant

An eating and drinking establishment that has any one or more of the following characteristics:

(.a) a drive-through or walk-up window;

(.b) a service counter where all customers pay for their ordered items before consumption and all food and beverages are served on disposable ware for consumption, except that cafeterias primarily engaged in serving food and beverages for on-premise consumption are considered sit-down restaurants if take-out service is clearly incidental to the principal use;

(.c) no interior customer seating; or

(.d) no public restrooms.

(.3) Sit-Down Restaurant

An eating and drinking establishment that does not meet the definition of a take-out restaurant (see §14-601(7)(f)(.2)) or prepared food shop (see §14-601(7)(f)(.1)), including establishments that primarily engage in cooking food on the premises and selling it to customers primarily for on-premise consumption.

(g) Financial Services

Uses related to the exchange, lending, borrowing, and safe-keeping of money. The following specific use type is sometimes regulated differently than the financial services use subcategory:

(.1) Personal Credit Establishment

Any one or more of the following:

(.a) Check Cashing Establishment. An establishment that (1) is not a bank or financial institution subject to federal or state regulation; and (2) that charges either a flat fee or a fee based on a percentage of the face value of a check to be cashed or processed by such establishment; and (3) provides such services to the public.

(.b) Pawnshop. An establishment that is engaged to any extent in any of the following business or activities:

(.i) the lending of money on the deposit or pledge of personal property, other than chosen in action, securities or written evidence of indebtedness;

(.ii) the purchase of personal property either from an individual, another pawn business or any other business with an expressed or implied agreement or understanding to offer the property for sale to the public, and if that sale is unsuccessful, then to sell it back to the previous owner at a subsequent time at a stipulated price or negotiated price;

(.iii) the purchase of precious metals with the intent to melt down, provided that such activity is not clearly incidental to the principal use of the establishment; or

(.iv) the lending of money upon personal property, goods, wares, or merchandise pledge, stored or deposited as collateral security.

(.c) Payday Lender. Any person or entity that is substantially in the business of negotiating, arranging, aiding, or assisting a consumer in procuring payday loans.

(h) Funeral and Mortuary Services

Uses that provide services related to the death of a human, including funeral homes, mortuaries, crematoriums, and similar uses.

(i) Maintenance and Repair of Consumer Goods

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 types:

(.1) On-Premise Dry Cleaning

A maintenance and repair of consumer goods use where consumers drop-off and pick-up clothing and household items to be dry cleaned and where the dry cleaning service is conducted on the same site.

(j) Marina

Facilities that provide moorage, launching, storage, supplies, and a variety of services for recreational and commercial watercraft. Marinas are differentiated from docks and moorages by their larger scale, the provision of significant landside services, or the use of a solid breakwater.

(k) Parking, Non-Accessory

Parking that is not provided to comply with minimum off-street parking requirements and that is not provided exclusively to serve occupants of or visitors to a particular use, but rather is available to the public at-large. A parking facility that provides both accessory and non-accessory parking shall be classified as non-accessory parking if it leases 25% or more of its spaces to non-occupants of or persons other than visitors to a particular use. The following are non-accessory parking specific use types:

(.1) Surface Parking, Non-Accessory

A non-accessory parking lot.

(.2) Structured Parking, Non-Accessory

A non-accessory parking garage.

(l) Personal Services

Uses that provide a variety of services associated with personal grooming, personal instruction, and the maintenance of fitness, health, and well-being. The following are personal services specific use types:

(.1) Body Art Service

Provision of any of the following procedures: body piercing, tattooing, cosmetic tattooing, branding, or scarification. This definition does not include practices that are considered medical procedures by the Pennsylvania Medical Board.

(.2) Fortune Telling Service

An establishment engaged in or that professes to foretell future or past events or that is engaged in the practice of palmistry (the art or practice of reading a person's character or future from the lines on the palms of hands).

(m) Radio, Television, and Recording Services

Uses that provide for audio or video production, recording, or broadcasting.

(n) Visitor Accommodations

Uses that provide temporary lodging for less than 30 days where rents are charged by the day or by the week or portion thereof and may also provide food or entertainment primarily to visitors and tourists.

(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 fueling facilities are included in this commercial vehicle repair and maintenance use category.

(b) Commercial Vehicle Sales and Rentals
Uses that provide for the sale or rental of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft, commercial boats, or other similar vehicles.

(c) Gasoline Station
Uses engaged in retail sales of personal or commercial vehicle fuels.

(d) Personal Vehicle Repair and Maintenance
Uses, excluding vehicle paint finishing shops, that repair, install, or maintain the mechanical components or the bodies of autos, small trucks or vans, motorcycles, motor homes, or recreational vehicles including recreational boats or that wash, clean, or otherwise protect the exterior or interior surfaces of these vehicles.

(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).

(f) Vehicle Equipment and Supplies Sales and Rentals
Uses related to the sale, lease, or rental of new or used parts, tools, or supplies for the purpose of repairing or maintaining vehicles, including distribution of products from the same premises that sells, leases, or rents vehicles.

(g) Vehicle Paint Finishing Shop
Uses that apply paint to the exterior or interior surfaces of vehicles by spraying, dipping, flow-coating, or other similar means.

(9) Wholesale, Distribution, and Storage Use Category
This category includes uses that provide and distribute goods in large quantities, principally to retail sales, commercial services, or industrial establishments. Long-term and short-term storage of supplies, equipment, commercial goods and personal items is included. The wholesale, distribution, storage subcategories are:

(a) Equipment and Materials Storage Yards and Buildings
Uses related to outdoor or indoor bulk storage of equipment, products, or materials, whether or not stored in containers.

(b) Moving and Storage Facilities
Uses engaged in the moving of household or office furniture, appliances, and equipment from one location to another, including the temporary storage of those same items. Typical uses include moving companies and self-service and mini-storage warehouses.

(c) Warehouse
Uses that do not meet the definition of a moving and storage facility but that are engaged in long-term and short-term storage of goods, typically in containers such as boxes, barrels, or drums, within a completely-enclosed building.

(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.

(10) Industrial Use Category

This category includes uses that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage, and handling of these products and the materials from which they are produced. The industrial subcategories are:

(a) Artist Studios and Artisan Industrial

Spaces used by artists for the creation of art or the practice of their artistic endeavors, as well as uses that produce consumer goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations, storage or regular commercial truck parking/loading.

(b) Limited Industrial

Uses that process, fabricate, assemble, treat, or package finished parts or products without the use of explosive or petroleum materials. This subcategory does not include the assembly of large equipment and machinery and has very limited external impacts in terms of noise, vibration, odor, hours of operation, and traffic.

(c) General Industrial

Uses that process, fabricate, assemble, or treat materials for the production of large equipment and machines as well as industrial uses that because of their scale or method of operation regularly produce odors, dust, noise, vibration, truck traffic or other external impacts that are detectable beyond the property lines of the subject property.

(d) Intensive Industrial

Industrial uses that regularly use hazardous chemicals or procedures or produce hazardous byproducts, including the following: manufacturing of acetylene, cement, lime, gypsum or plaster-of-paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, and radioactive materials. This subcategory also includes petrochemical tank farms, gasification plants, smelting, animal slaughtering, oil refining, asphalt and concrete plants, and tanneries. Intensive industrial uses have high potential for external impacts on the surrounding area in terms of noise, vibration, odor, hours of operation, and traffic.

(e) Junk and Salvage Yards and Buildings

An area or building where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled for reclamation, disposal or other like purposes, including but not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. A junk or salvage yard or building includes an auto wrecking yard or building.

(f) Marine-Related Industrial

Uses such as docks, wharves, piers, and related facilities, used in connection with the transfer, storage-in-transit and incidental processing of commercial cargo from or to waterborne craft.

(g) Mining/Quarrying

The extraction of mineral or aggregate resources from the ground for off-site use. Examples include quarrying or dredging for sand, gravel or other aggregate materials; and mining.

(h) Research and Development

Uses engaged in scientific research and testing leading to the development of new products and processes.

(i) Trucking and Transportation Terminals

Uses engaged in the dispatching and long-term or short-term storage of large vehicles. Minor repair and maintenance of vehicles stored on the premises is also included.

(11) Urban Agricultural Use Category

This category includes uses such as gardens, farms, and orchards that involve the raising and harvesting of food and non-food crops and the raising of farm animals. The urban agriculture subcategories are:

(a) Animal Husbandry

Uses that involve the feeding, housing, and care of farm animals for private or commercial purposes, subject to applicable Philadelphia Code regulations on farm animals (§10-101(8) and §10-112).

(b) Community Garden

An area managed and maintained by a group of individuals to grow and harvest food crops or non-food crops (e.g., flowers) for personal or group consumption, for donation, or for sale that is incidental in nature. A community garden area may be divided into separate garden plots or orchard areas for cultivation by one or more individuals or may be farmed collectively by members of the group. A community garden may include common areas (e.g., hand tool storage sheds) maintained and used by the group. Community gardens may be principal or accessory uses and may be located on a roof or within a building.

(c) Market or Community-Supported Farm

An area managed and maintained by an individual or group of individuals to grow and harvest food crops or non-food crops (e.g., flowers) for sale or distribution that is not incidental in nature. Market farms may be principal or accessory uses and may be located on a roof or within a building.

(d) Horticulture Nurseries and Greenhouses

A principal use involving propagation and growth of plants in containers or in the ground for wholesale or retail sales and distribution.

§14-602 Use Tables

(1) General

This section contains a series of tables identifying the uses allowed in Residential, Commercial, Industrial and Special Purpose districts. See §14-602(3) (Residential Districts); §14-602(4) (Commercial Districts); §14-602(5) (Industrial Districts); and §14-602(6) (Special Purpose Districts) respectively.

(2) Understanding the Use Tables

(a) Use Classification System

For the purpose of this Zoning Code, uses are classified into use categories and subcategories. These are described and defined in §14-601 (Use Categories). Use categories and subcategories are identified in the first column of the use tables. In some cases, specific use types are listed in addition to the use subcategories.

(b) Permitted Uses

Uses identified with a "Y" in the use tables are permitted as-of-right in the subject zoning district, subject to compliance with any use-specific standards identified in the final column of the use tables and all other applicable standards of this Zoning Code.

(c) Special Exceptions

Uses identified with an "S" in the use tables are allowed if reviewed and approved in accordance with the special exception procedures in §14-303(7) (Special Exception Approval). Uses approved by special exception are subject to compliance with any use-specific standards identified in the final column of the use tables and all other applicable standards of this zoning code.

(d) Prohibited Uses

Uses identified with an "N" are expressly prohibited. Where use categories and subcategories are not listed in a use table, they are also prohibited.

(e) Use-Specific Standards

The "Use-Specific Standards" column of use tables identifies use-specific standards that apply to some uses. Unless otherwise expressly stated, compliance with such standards is required regardless of whether the use is permitted as-of-right or requires special exception approval. Additional use regulations and standards may also be imposed through overlay zoning districts (See Chapter 14-500 (Overlay Zoning Districts)) or elsewhere in this Zoning Code.

(3) Residential Districts

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

[2] Must be in a completely enclosed detached building.

[3] In the RMX-1 district, a cumulative total of up to 50 sq. ft. of office, retail and commercial service floor area is allowed per dwelling unit that is included in the approved master plan. Space occupied by visitor accommodation uses is not counted as part of the total.

[4] In the RMX-2 district, a cumulative total of up to 100 sq. ft. of office, retail, and commercial service floor area is allowed per dwelling unit that is included in the approved master plan. Space occupied by visitor accommodation uses is not counted as part of the total.

[5] In the RMX-3 district, retail sales and commercial service uses may not exceed 25% of the total gross floor area. Retail sales uses must be located on the ground floor of a building. Commercial service uses may be located on any floor of a building.

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

Previous District Name	R1	R1A	R2	R3	R4	R5	R6/7	R9A/10A/R20	R5A	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**	**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(3)(a) (Notes for Table 14-602-1) for information pertaining to bracketed numbers (e.g., "[2]") in table cells.																	
Residential Use Category																	
Household Living (as noted below)																	
Single-Family	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Two-Family	N	N	N	N	N	N	N	N	Y	Y[1]	Y	Y	Y	Y	Y	Y	
Multi-Family	N	N	N	N	N	N	N	N	N	Y[1]	Y	Y	Y	Y	Y	Y	

Previous District Name	R1	R1A	R2	R3	R4	R5	R6/7	R9A/10A/R20	R5A	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**	**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(3)(a) (Notes for Table 14-602-1) for information pertaining to bracketed numbers (e.g., "[2]") in table cells.																	
Group Living (except as noted below)	N	N	N	S	S	S	S	S	S	S	S	S	S	S	S	S	
Personal Care Home	N	N	N	S	S	S	S	S	S	S	S	S	S	S	S	S	§14-603(11)
Single-Room Residence	N	N	N	N	N	N	N	N	N	S	S	S	S	S	S	S	
Parks and Open Space Use Category																	
Passive Recreation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Active Recreation	N	N	N	S	S	S	S	S	S	S	S	S	S	S	S	S	
Public, Civic, and Institutional Use Category																	
Day Care (as noted below)																	
Family Day Care	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	§14-603(5)
Group Day Care	N	N	N	S	S	S	S	S	S	S	S	S	S	Y	Y	Y	§14-603(5)
Day Care Center	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	§14-603(5)
Educational Facilities	N	N	N	S	S	S	S	S	S	S	S	S	S	S	S	S	
Fraternal Organization	N	N	N	S	S	S	S	S	S	S	S	S	S	S	S	S	
Hospital	N	N	N	S	S	S	S	S	S	S	S	S	S	S	S	S	
Libraries and Cultural Exhibits	N	N	N	S	S	S	S	S	S	S	S	S	S	S	S	S	
Religious Assembly	N	N	N	Y[2]	Y[2]	Y[2]	Y[2]	Y[2]	Y[2]	Y[2]	Y[2]	Y[2]	Y[2]	Y[2]	Y[2]	Y[2]	
Safety Services	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Transit Station	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Utilities and Services, Basic	N	N	N	S	S	S	S	S	S	S	S	S	S	S	S	S	
Wireless Service Facility	N	N	N	S	S	S	S	S	S	S	S	S	S	S	S	S	§14-603(16); §14-603(17)
Office Use Category																	
Business and Professional	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[3]	Y[4]	Y	
Medical, Dental, Health Practitioner (as noted below)																	
Sole Practitioner	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[3]	Y[4]	Y	
Group Practitioner	N	N	N	N	N	N	N	N	N	N	N	N	N	S[3]	S[4]	Y	
Retail Sales Use Category																	
Consumer Goods (except as noted below)	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[3]	Y[4]	Y[5]	
Drug Paraphernalia Stores	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	§14-603(13)
Gun Shop	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	§14-603(13)
Food, Beverages, and Groceries (except as noted below)	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[3]	Y[4]	Y[5]	
Fresh Food Market	N	N	N	N	N	N	N	N	N	N	N	N	S	Y[3]	Y[4]	Y[5]	§14-603(7)
Sundries, Pharmaceuticals, Convenience Sales	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[3]	Y[4]	Y[5]	
Wearing Apparel and Accessories	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[3]	Y[4]	Y[5]	
Commercial Services Use Category																	
Business Support	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[3]	Y[4]	Y[5]	
Eating and Drinking Establishment	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[3]	Y[4]	Y[5]	§§14-603(6)
Personal Services	N	N	N	N	N	N	N	N	N	N	N	N	N	Y[3]	Y[4]	Y[5]	

Previous District Name	R1	R1A	R2	R3	R4	R5	R6/7	R9A/10A/R20	R5A	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**	**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(3)(a) (Notes for Table 14-602-1) for information pertaining to bracketed numbers (e.g., "[2]") in table cells.																	
Visitor Accommodations	N	N	N	N	N	N	N	N	N	N	N	N	S	N	Y[4]	Y[5]	
Urban Agriculture Use Category																	
Community Garden	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	§14-603(15)
Market or Community-Supported Farm	S	S	S	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	§14-603(15)

(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] When the proposed use is in an attached or semi-detached building, the household living use regulations of the district to which it is attached apply. Otherwise, the residential use regulations of the most restrictive adjacent district apply.

[2] A minimum 360 sq. ft. of lot area is required per dwelling unit for the first 1,440 sq. ft. of lot area. 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. 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.

[3] In order to promote active uses at the street level, an attached building in the CMX-2 district that is occupied by a household living use must also contain an office, retail sales, or commercial services use along the ground floor frontage of the building.

[4] Residential uses are prohibited along the ground floor frontage of buildings within the CMX-2.5 district.

[5] Office, retail, and commercial service uses must be located only on the ground floor and may not occupy more than 2,000 sq. ft. of gross floor area.

[6] In 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.

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.									
Residential Use Category									
Household Living	[1][2]	Y[2][3]	Y[2][4]	Y	Y	Y	N	N	
Group Living (except as noted below)	N	S	Y[4]	Y	Y	Y	N	N	
Personal Care Home	N	Y	Y[4]	Y	Y	Y	Y	N	§14-603(11)
Single-Room Residence	N	S	S[4]	Y	Y	Y	N	N	
Parks and Open Space Use Category									
Passive Recreation	Y	Y	Y	Y	Y	Y	Y	Y	
Active Recreation	S	S	S	Y	Y	Y	Y	Y	
Public, Civic, and Institutional Use Category									
Day Care (as noted below)									
Family Day Care	Y	Y	Y	Y	Y	Y	N	N	§14-603(5)
Group Day Care	Y	Y	Y	Y	Y	Y	Y	Y	§14-603(5)
Day Care Center	S	Y	Y	Y	Y	Y	Y	Y	§14-603(5)
Educational Facilities	N	Y	N	Y	Y	Y	N	Y	
Fraternal Organization	N	Y	S	Y	Y	Y	N	Y	
Hospital	N	Y	Y	Y	Y	Y	N	Y	
Libraries and Cultural Exhibits	Y	Y	Y	Y	Y	Y	Y	Y	
Religious Assembly	Y	Y	S	Y	Y	Y	N	Y	
Safety Services	Y	Y	Y	Y	Y	Y	Y	Y	
Transit Station	Y	Y	Y	Y	Y	Y	S	Y	
Utilities and Services, Basic	Y	Y	N	Y	Y	Y	Y	Y	
Wireless Service Facility (as noted below)									
Freestanding Tower	S	S	S	Y	Y	Y	S	Y	§14-603(16)
Building or Tower-Mounted Antenna	Y	Y	Y	Y	Y	Y	Y	Y	§14-603(17)
Office Use Category									
Business and Professional	Y[5]	Y	Y	Y	Y	Y	Y	Y	
Medical, Dental, Health Practitioner (as noted below)									
Sole Practitioner	Y[5]	Y	Y	Y	Y	Y	Y	Y	
Group Practitioner	S[5]	S	S	Y	Y	Y	Y	Y	
Government	Y[5]	Y	Y	Y	Y	Y	Y	Y	
Retail Sales Use Category									
Building Supplies and Equipment	Y[5]	Y	Y	Y	Y	Y	Y	Y	§14-603(3)
Consumer Goods (except as noted below)	Y[5]	Y	Y	Y	Y	Y	Y	Y	
Drug Paraphernalia Sales	N	N	N	N	N	N	N	N	§14-603(13)
Gun Shop	N	N	N	N	N	N	N	N	§14-603(13)
Food, Beverages, and Groceries	Y[5]	Y	Y	Y	Y	Y	Y	Y	§14-603(7)
Pets and Pet Supplies	Y[5]	Y	Y	Y	Y	Y	Y	Y	
Sundries, Pharmaceuticals, and Convenience Sales	Y[5]	Y	Y	Y	Y	Y	Y	Y	
Wearing Apparel and Accessories	Y[5]	Y	Y	Y	Y	Y	Y	Y	

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.									
Commercial Services Use Category									
Animal Services (except as noted below)	Y[5]	Y	Y	Y	Y	Y	Y	Y	
Stables	N	N	N	N	N	N	N	N	§14-603(14)
Assembly and Entertainment (except as noted below)	N	S	S	Y	Y	Y	S	Y	
Amusement Arcade	N	N	N	N	N	N	N	N	§14-603(13)
Casino	N	N	N	N	N	N	N	N	
Nightclubs and Private Clubs	N	S	N	Y	Y	Y	N	Y	§14-603(18)
Pool or Billiards Room	N	N	N	N	N	N	N	N	§14-603(13)
Building Services	N	N	N	Y	Y	Y	N	Y	
Business Support	Y[5]	Y	Y	Y	Y	Y	Y	Y	
Eating and Drinking Establishments (as noted below)									
Prepared Food Shop	S[5]	Y	Y	Y	Y	Y	Y	Y	
Take-Out Restaurant	N	S	N	Y	Y	Y	S	Y	§14-603(6)
Sit Down Restaurant	N	Y	Y	Y	Y	Y	Y	Y	
Financial Services (except as noted below)	Y[5]	Y	Y	Y	Y	Y	Y	Y	
Personal Credit Establishment	N	N	N	N	N	N	N	N	§14-603(13)
Funeral and Mortuary Services	S[5]	Y	N	Y	Y	Y	Y	Y	
Maintenance and Repair of Consumer Goods (except as noted below)	Y[5]	Y	Y	Y	Y	Y	Y	Y	
On-Premise Dry Cleaning	Y[5]	Y	S	Y	Y	Y	Y	Y	
Parking, Non-Accessory (as noted below)									
Surface Parking	N	S	S	S	N	N	S	Y	§14-603(10)
Structured Parking	N	Y	Y	Y	[6]	[6]	S	Y	§14-603(10)
Personal Services (except as noted below)	Y[5]	Y	Y	Y	Y	Y	Y	Y	
Body Art Service	N	N	N	N	N	N	N	N	§14-603(2) §14-603(13)
Fortune Telling Service	N	N	N	Y	Y	Y	Y	Y	
Radio, Television, and Recording Services	N	Y	Y	Y	Y	Y	Y	Y	
Visitor Accommodations	N	Y	Y	Y	Y	Y	N	Y	
Vehicle and Vehicular Equipment Sales and Services Use Category									
Commercial Vehicle Sales and Rental	N	N	N	N	N	N	N	Y	
Personal Vehicle Repair and Maintenance	N	Y	N	Y	Y	Y	S	Y	
Personal Vehicle Sales and Rental	N	Y	N	Y	Y	Y	N	Y	
Gasoline Station	N	Y	N	Y	Y	Y	S	Y	§14-603(8)
Vehicle Equipment and Supplies Sales and Rental	N	Y	N	Y	Y	Y	S	Y	
Wholesale, Distribution, and Storage Use Category									
Moving and Storage Facilities	N	Y	N	Y	Y	Y	N	Y	
Wholesale Sales and Distribution	N	N	N	N	N	N	N	Y	§14-603(1)
Industrial Use Category									
Artist Studios and Artisan Industrial	N	Y	Y	Y	Y	Y	N	Y	
Research and Development	N	Y	Y	Y	Y	Y	Y	Y	
Urban Agriculture Use Category									
Community Garden	Y	Y	Y	Y	Y	Y	Y	Y	§14-603(15)
Market or Community-Supported Farm	Y	Y	Y	Y	N	N	Y	Y	§14-603(15)

(5) Industrial Districts

Principal uses are allowed in Industrial districts in accordance with Table 14-602-3. 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 14-602-3

{RESERVED FOR FUTURE TABLE NOTES}

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**	**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.							
Residential Use Category							
Household Living (as noted below)							
Multi-Family	Y	N	N	N	N	N	
Caretaker Quarters	Y	Y	Y	Y	Y	Y	
Group Living	Y	N	N	N	N	N	§14-603(11)
Parks and Open Space Use Category							
Passive Recreation	Y	Y	Y	Y	Y	Y	
Active Recreation	Y	Y	N	N	N	N	
Public, Civic, and Institutional Use Category							
Day Care	Y	Y	N	N	N	N	§14-603(5)
Detention and Correctional Facilities	N	S	N	S	Y	N	§14-603(13)
Educational Facilities	Y	Y	Y	Y	N	N	
Fraternal Organization	Y	Y	N	N	N	N	
Libraries and Cultural Exhibits	Y	N	N	N	N	N	
Re-Entry Facility	N	S	S	S	Y	S	§14-603(12)
Religious Assembly	Y	Y	Y	N	N	N	
Safety Services	Y	Y	Y	Y	Y	Y	
Transit Station	Y	Y	Y	Y	Y	Y	
Utilities and Services, Basic	Y	Y	Y	Y	Y	Y	
Utilities and Services, Major	N	N	N	Y	Y	Y	
Wireless Service Facility	Y	Y	Y	Y	Y	Y	§14-603(16); §14-603(17)
Office Use Category							
Business and Professional	Y	Y	Y	Y	N	N	
Medical, Dental, Health Practitioner (as noted below)							
Sole Practitioner	Y	Y	Y	N	N	N	
Group Practitioner	Y	Y	Y	Y	Y	N	
Government	Y	Y	Y	Y	N	N	
Retail Sales Use Category							
Adult-Oriented Merchandise	N	S	N	S	Y	N	§14-603(13)
Building Supplies and Equipment	Y	Y	Y	Y	Y	Y	§14-603(3)
Consumer Goods (except as noted below)	Y	Y	N	N	N	N	
Drug Paraphernalia Sales	N	S	N	S	Y	N	§14-603(13)

Previous District Name	New	L4/L-5	L1/L2/L3	G1/G2	LR	PI	
District Name	**IRMX**	**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.							
Gun Shop	N	S	N	S	Y	N	§14-603(13)
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)
Pets and Pet Supplies	N	Y	N	N	N	N	
Sundries, Pharmaceuticals, and Convenience Sales	Y	Y	N	N	N	N	
Wearing Apparel and Accessories	Y	Y	N	N	N	N	
Commercial Services Use Category							
Adult-Oriented Service	N	S	N	S	Y	N	§14-603(13)
Animal Services (except as noted below)	Y	Y	Y	Y	Y	N	
Stables	N	N	S	S	N	N	§14-603(14)
Assembly and Entertainment (except as noted below)	S	Y	Y	N	N	N	§14-603(18)
Amusement Arcade	N	S	N	S	Y	N	§14-603(13)
Casino	N	N	N	N	N	N	
Pool or Billiards Room	N	S	N	S	Y	N	§14-603(13)
Building Services	Y	Y	Y	Y	Y	N	
Business Support	Y	Y	Y	Y	Y	N	
Eating and Drinking Establishments	Y	Y	N	N	N	N	§14-603(6)
Financial Services (except as noted below)	Y	Y	Y	Y	Y	Y	
Personal Credit Establishment	N	S	N	S	Y	N	§14-603(13)
Funeral and Mortuary Services	Y	Y	N	N	N	N	
Maintenance and Repair of Consumer Goods	Y	Y	Y	Y	Y	Y	
Parking, Non-Accessory	N	S	Y	Y	Y	Y	§14-603(10)
Personal Services (except as noted below)	Y	Y	N	N	N	N	
Body Art Service	N	S	N	S	Y	N	§14-603(2); §14-603(13)
Radio, Television, and Recording Services	Y	Y	Y	Y	Y	N	
Visitor Accommodations	Y	N	N	N	N	N	
Vehicle and Vehicular Equipment Sales and Services Use Category							
Commercial Vehicle Repair and Maintenance	N	Y	Y	Y	Y	Y	
Commercial Vehicle Sales and Rental	Y	Y	Y	Y	Y	Y	
Personal Vehicle Repair and Maintenance	N	Y	Y	Y	Y	N	
Personal Vehicle Sales and Rental	N	Y	N	Y	Y	N	
Gasoline Station	N	Y	Y	Y	Y	N	§14-603(8)
Vehicle Equipment and Supplies Sales and Rental	N	Y	N	N	N	N	
Vehicle Paint Finishing Shop	N	Y	Y	Y	Y	N	
Wholesale, Distribution, and Storage Use Category							
Equipment and Materials Storage Yards and Buildings	N	Y	N	Y	Y	Y	
Moving and Storage Facilities	N	Y	Y	Y	Y	Y	
Warehouse	Y	Y	Y	Y	Y	Y	
Wholesale Sales and Distribution	N	Y	Y	Y	Y	Y	
Distributor of Malt or Brewed Beverages	Y	Y	Y	Y	Y	Y	§14-603(1)
Industrial Use Category							
Artists Studios and Artisan Industrial	Y	Y	Y	Y	Y	N	
Limited Industrial	S	Y	Y	Y	Y	N	
General Industrial	N	N	N	Y	Y	N	
Intensive Industrial	N	N	N	N	Y	N	
Junk and Salvage Yards and Buildings	N	N	N	S	Y	N	§14-603(9)
Marine-Related Industrial	N	N	N	N	Y	Y	

Previous District Name	New	L4/L-5	L1/L2/L3	G1/G2	LR	PI	
District Name	**IRMX**	**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.							
Mining/Quarrying	N	N	N	N	Y	N	
Research and Development	Y	Y	Y	Y	Y	N	
Trucking and Transportation Terminals	N	N	Y	Y	Y	Y	
Urban Agriculture Use Category							
Community Garden	Y	Y	Y	Y	Y	N	§14-603(15)
Market or Community-Supported Farm	Y	Y	Y	Y	N	N	§14-603(15)
Animal Husbandry	N	Y	Y	Y	Y	N	§14-603(15)
Horticulture Nurseries and Greenhouses	Y	Y	Y	Y	Y	N	

(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 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 14-602-4

[1] In addition to the regulations of this Zoning Code, uses in the SP-PO district are subject to Pennsylvania law. Uses on City-owned park and open land are also subject to approval by DPR.

[2] Day care uses shall be enclosed within a building and may be located within the terminal complex. Day care services may not be located within buildings containing uses listed in §14-601(4)(a)(.4) to §14-601(4)(a)(.17).

[3] Adjunct residential dwellings (including dormitories), amusement arcades, and pool or billiards rooms are permitted.

[4] Adjunct residential dwellings (including dormitories) are permitted.

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.							
Residential Use Category							
Household Living	N	Y	N	N	N	N	
Group Living	Y	N	N	N	N	N	§14-603(11)
Parks and Open Space Use Category							
Natural Resource Preservation	N	N	N	Y[1]	Y[1]	Y	
Passive Recreation	Y	Y	Y	Y[1]	Y[1]	Y	
Active Recreation	Y	Y	Y	N	Y[1]	Y	
Public, Civic, and Institutional Use Category							
Airport-Related Facilities	N	N	N	N	N	Y	
Day Care	Y	N	Y	N	N	S[2]	§14-603(5)
Educational Facilities	Y[3]	N	N	N	N	N	
Fraternal Organization	Y	N	N	N	N	N	
Hospital	Y[4]	N	N	N	N	N	
Libraries and Cultural Exhibits	Y	N	N	N	Y[1]	Y	
Religious Assembly	Y	N	N	N	N	N	
Safety Services	Y	N	N	N	N	Y	
Transit Station	Y	N	Y	N	N	Y	
Utilities and Services, Basic	Y	N	N	N	N	Y	
Wireless Service Facility	Y	Y	Y	N	N	Y	§14-603(16); §14-603(17)
Office Use Category							
Business and Professional	Y	Y	Y	N	N	Y	
Medical, Dental, Health Practitioner	Y	Y	Y	N	N	Y	
Government	Y	Y	Y	N	N	Y	
Retail Sales Use Category							
Building Supplies and Equipment	Y	Y	N	N	N	Y	§14-603(3)
Consumer Goods (except as noted below)	Y	Y	Y	N	N	Y	
Drug Paraphernalia Sales	N	N	N	N	N	N	§14-603(13)
Gun Shop	N	N	N	N	N	N	§14-603(13)
Food, Beverages, and Groceries (except as noted below)	Y	Y	N	N	N	Y	§14-603(7)
Pets and Pet Supplies	Y	Y	N	N	N	Y	
Sundries, Pharmaceuticals, and Convenience Sales	Y	Y	Y	N	N	Y	
Wearing Apparel and Accessories	Y	Y	Y	N	N	Y	
Commercial Services Use Category							
Animal Services (except as noted below)	N	N	N	N	N	N	
Stables	N	N	N	N	N	N	§14-603(14)
Assembly and Entertainment (except as noted below)	Y	Y	Y	N	N	Y	§14-603(18)
Amusement Arcade	N	Y	N	N	N	Y	§14-603(13)
Casino	N	Y	N	N	N	N	
Pool or Billiards Room	N	Y	N	N	N	N	§14-603(13)
Building Services	Y	N	N	N	N	Y	
Business Support	Y	N	N	N	N	Y	
Eating and Drinking Establishments (except as noted below)	Y	Y	Y	N	N	Y	
Take-Out Restaurant	Y	Y	N	N	N	Y	§14-603(6)
Financial Services (except as noted below)	Y	N	Y	N	N	Y	
Personal Credit Establishment	N	N	N	N	N	N	§14-603(13)

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
Funeral and Mortuary Services	Y	N	N	N	N	Y	
Marina	N	Y	N	N	N	Y	
Maintenance and Repair of Consumer Goods	Y	N	N	N	N	Y	
Parking, Non-Accessory	Y	Y	Y	N	N	Y	§14-603(10)
Personal Services	Y	Y	Y	N	N	Y	§14-603(2)
Radio, Television, and Recording Services	Y	N	Y	N	N	Y	
Visitor Accommodations	Y	Y	Y	N	N	Y	
Wholesale, Distribution, and Storage Use Category							
Wholesale Sales and Distribution	N	N	N	N	N	Y	§14-603(1)
Industrial Use Category							
Artists Studios and Artisan Industrial	Y	N	N	N	N	Y	
Research and Development	Y	N	N	N	N	Y	
Urban Agriculture Use Category							
Community Garden	Y	Y	Y	N	N	Y	§14-603(15)
Market or Community-Supported Farm	S	N	N	N	N	Y	§14-603(15)

§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.

(2) Body Art Service

A body art services establishment is subject to applicable regulations set forth in §6-402(11) of The Philadelphia Code (The Health Code).

(3) Building Supplies and Equipment

Outdoor storage of supplies, equipment, or inventory is allowed in Commercial districts provided that:

(a) outdoor storage areas may not be located in any required front setback area; and

(b) outdoor storage areas are screened from view from all public streets and from any abutting properties in residential use through the use of opaque materials, except chain link fencing with inserts, that are at least as tall as the materials being screened.

(4) Cemetery

No cemetery or place for burial may be erected, kept, maintained, or established within the City unless:

(a) It was established and in use for such purpose on May 25, 1866; or

(b) It was specifically authorized by prior ordinance.

(5) Day Care

(a) Family Day Care

(.1) A family day care use must be located in a residential dwelling unit and is permitted to occupy the same lot as the residential dwelling unit as another principal use. The family day care use must be operated by the resident owner of the dwelling unit or a tenant authorized by the owner. The operator (either the owner or authorized tenant) must reside in the dwelling unit.

(.2) Family day care uses are limited to providing care to six or fewer children, except within "Area 1" and "Area 2," as defined below and shown on the following two maps for illustrative purposes only, family day care uses are limited to providing care to four or fewer children.

(.a) Area 1: all divisions of the 41st Ward; divisions one through six, 12, 15, 20 23, 25 of the 45th Ward; all divisions of the 44th Ward; divisions 26 and 29 of the 56th Ward; divisions four through nine, 20, 23, 26, and 27 of the 57th Ward; divisions three, six , seven, eight, 10, 11, 12, and 14 through 26 of the 62nd Ward; all divi-sions of the 64th Ward; and divisions one through nine and 11 through 23 of the 65th Ward.

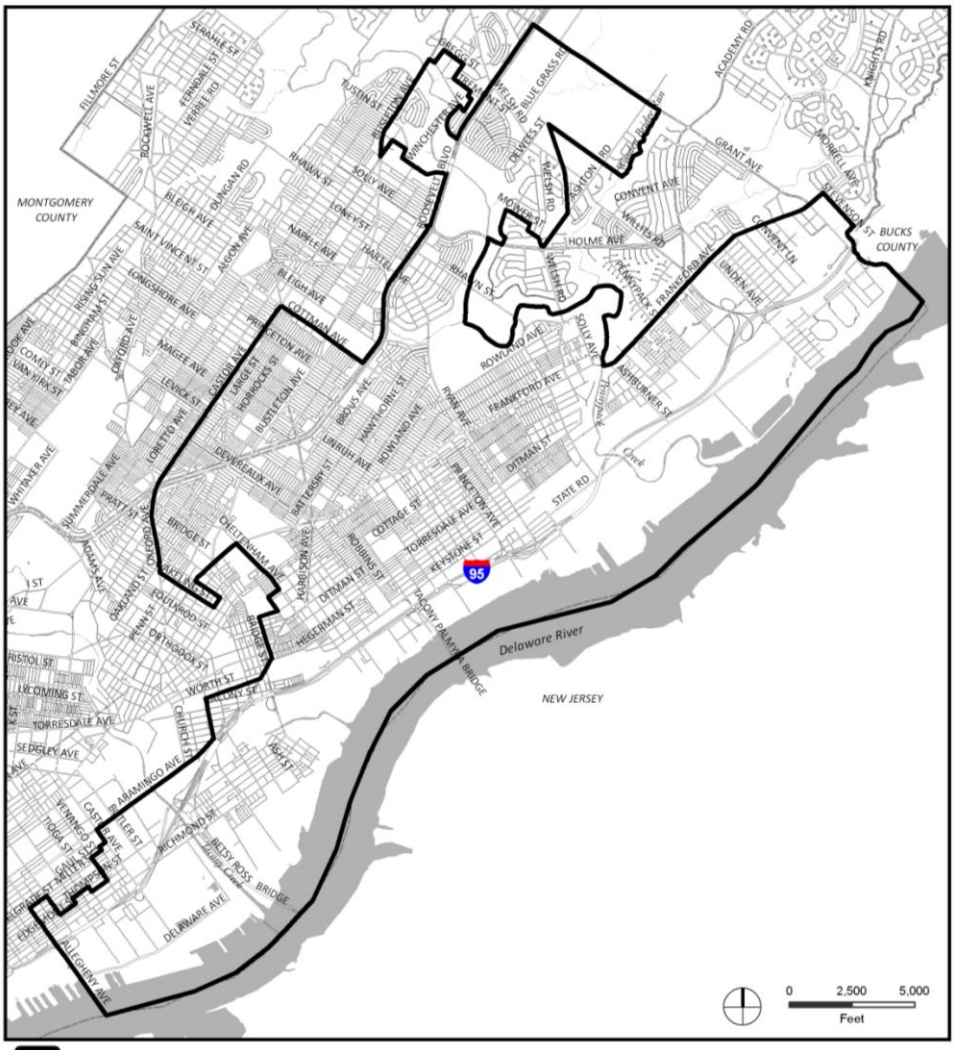
(.b) Area 2: divisions three and five of the 35th Ward; divisions 12, 15, 20, 21, and 22 of the 53rd Ward; divisions two, three, four, seven through 12, 14, 17, 18, 19, and 33 of the 56th Ward; divi-sions one, two, three, 10 through 19, 21, 22, 24, 25, and 28 of the 57th Ward; all divisions of the 58th Ward; divisions one through 21, 23, 24, and 25 of the 63rd Ward; division 10 of the 65th Ward; and all divisions of the 66th Ward.

(b) Group Day Care

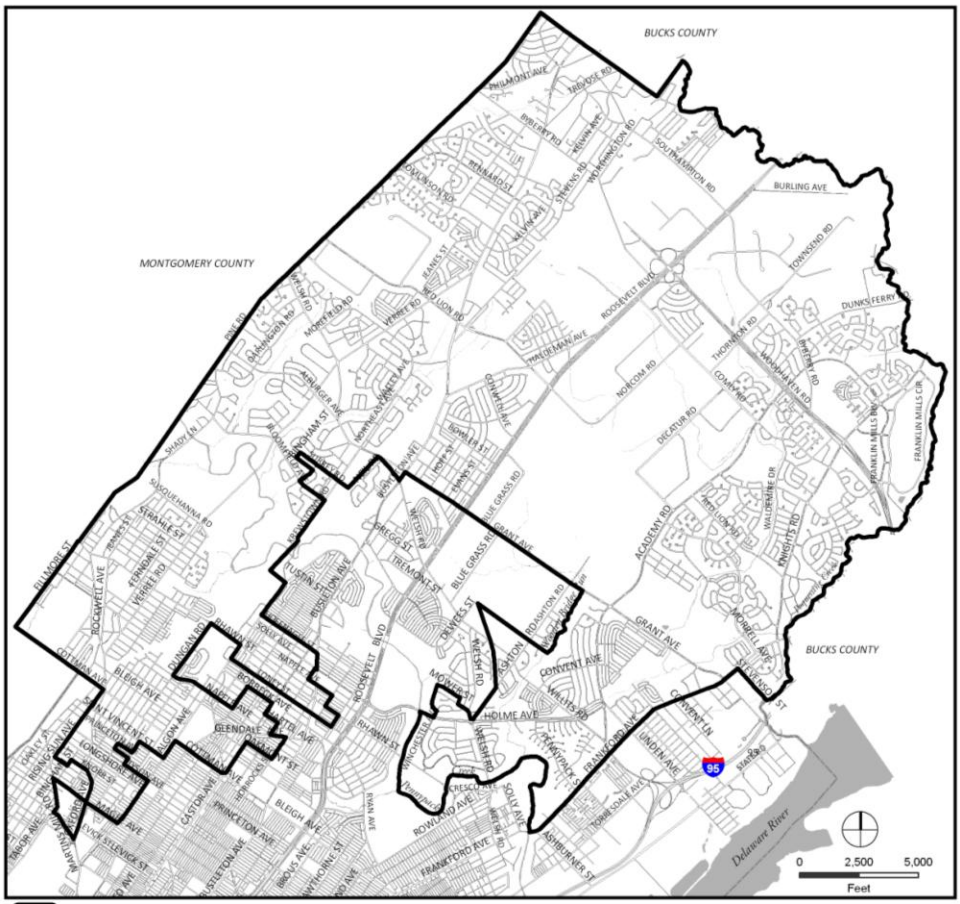
Group day cares in RSD districts shall be permitted only if accessory to a prin-cipal or accessory building used as an educational facility, hospital, library and cultural exhibit, religious assembly, or recreation building, provided that within "Area 1" and Area 2," as defined in §14-603(5)(a)(.2), above, the building must be publicly-owned or operated.

(c) Day Care Center

Day care centers in RSD, RSA, RTA, and RM districts shall be permitted only if accessory to a principal or accessory building used as an educational facility, hospital, library and cultural exhibit, religious assembly, or recreation building, provided that within "Area 1" and Area 2," as defined in §14-603(5)(a)(.2), above, the building must be publicly-owned or operated.



Family Day Care Area 1 (Applies to all lots)



(6) Take-Out Restaurants

The following regulations apply to all take-out restaurants that require special exception approval:

(a) In addition to any otherwise required application materials, applicants for take-out restaurants must submit a litter clean-up plan that addresses on- and off-site litter clean up, the location of trash and recycling containers, a litter clean-up schedule and a map of the off-site clean-up area.

(b) In acting on special exception applications for take-out restaurants, the Zoning Board must, in addition to the normally required special exception procedures of §14-303(7) (Special Exception Approval), find that the proposed location of the take-out restaurant will not result in adverse impacts upon the vicinity after giving consideration to a litter clean-up plan, the hours of operation, and the site plan.

(c) In acting to approve special exception applications for take-out restaurants, the Zoning Board is expressly authorized to require that the premises be posted with signs stating that the consumption of foods or beverages on the lot must occur inside the principal building. The Zoning Board is also authorized to require that the name and address of the establishment be printed on all disposable food and beverage containers.

(7) Fresh Food Market

(a) Incentives

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

(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 one additional square foot of floor area for each square foot of fresh food market floor area included within the building, up to a maximum of 25,000 sq. ft. of additional floor area.

(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.

(8) Gasoline Station

The use-specific standards of this subsection apply to all new service stations and to all additions to existing service stations that result in the addition of two or more gas pumps or the addition of more than 1,500 sq. ft. of floor area or paved area.

(a) The minimum required lot area is 10,000 sq. ft., with a minimum street frontage of 100 ft.. These lot size requirements do not apply to remodeling or expansion of existing service stations.

(b) The following activities are permitted in association with gasoline station uses:

(.1) sale and dispensing of engine fuels and lubricants;

(.2) sale and installation of tires, batteries, automotive accessories, and replacement items;

(.3) minor automotive maintenance and repair of personal vehicles that are conducted entirely indoors and do not include any body repair or painting services;

(.4) other incidental customer services and products;

(.5) sale of groceries and sundries;

(.6) automatic or manual automobile washing, waxing, interior cleaning, and detailing services if such activities are conducted entirely indoors;

(.7) sale of liquefied or pressurized butane, propane, or natural gas; and

(.8) other accessory uses similar in nature to those listed.

(c) Merchandise, material, and products for sale must be stored and displayed within an enclosed building, except that motor oil, tires, batteries, and other automotive supplies may be displayed at pump islands or within five ft. of the main building if the display or storage racks and containers are designed to appear as an integral part of the pump island or building exterior.

(d) Outdoor storage of inoperable or unlicensed vehicles is prohibited.

(e) Canopy and other outdoor lighting must comply with the regulations of §14-707 (Outdoor Lighting).

(f) Service stations are subject to the parking lot landscape screening requirements of §14-803(5)(d) (Perimeter Screening from Public Streets) and §14-803(5)(c), (Perimeter Screening From Abutting Residential District) as if the service station is a parking lot.

(g) All driveways must be located and designed to ensure that they will not adversely affect motorized or nonmotorized traffic safety. Driveway spacing and circulation must comply with all applicable regulations of the Department of Streets.

(h) Along any street frontage, a lot occupied by a service station shall have no more than one curb cut for both ingress and egress, the width of which shall not exceed 24 ft., or two one-way curb cuts, the width of which shall not exceed 12 ft., providing that the curb cuts shall not occupy more than 50% of the service station lot's street frontage.

(9) Junk and Salvage Yards and Buildings

(a) The minimum required lot size for junk and salvage yards and buildings is two acres.

(b) Junk and salvage yards and buildings may not be located within 150 ft. of any Residential district.

(c) If the junk and salvage yard/building is located in any district other than the I-3 or I-P, a masonry wall, not less than eight ft. in height and not more than 12 ft. in height, shall be constructed and maintained in good condition around all property boundaries abutting a zoning district other than I-3 or I-P. All activities and stored materials must be confined to the walled-in area. There may be no stacking of material above the height of the masonry wall, but moveable equipment used in the conduct of junk or salvage activities may exceed that height.

(d) All buildings, screening, and junk or salvage materials must be set back at least 20 ft. from any public street, and that setback area shall be landscaped in accordance with §14-705(2) (Street Tree Requirements).

(e) Open burning is prohibited.

(f) No outdoor industrial processes involving the use of equipment for cutting, shredding, compressing, or packaging may be conducted within 300 ft. of a Residential district.

(g) All roads, driveways, parking lots, and loading and unloading areas within any junk or salvage yard or building must be surfaced with a material to prevent wind-born dust from being carried outside the walled area.

(h) All fluids must be drained from junk and salvage motor vehicles or motor vehicle parts within seven days after those vehicles or parts are brought onto the site, and those fluids must be disposed of in compliance with all applicable laws.

(i) Junk and salvage yards and buildings are subject to the fencing requirements of Philadelphia Code §9-612.

(10) Parking, Non-Accessory

The following regulations apply to all non-accessory parking uses that require special exception approval.

(a) The applicant shall submit a pedestrian and vehicular traffic impact study that has been prepared by a licensed professional engineer, specializing in transportation, that demonstrates that the proposed parking facility:

(.1) will not materially degrade the level of service at any signalized intersection within 400 ft. of the lot during any 15-minute period between the hours of 7:30 a.m. and 9:30 a.m. and 4:00 p.m. and 6:00 p.m. to an unacceptable level of congestion as determined by professional traffic engineering standards; or

(.2) if the proposed parking facility will degrade the existing level of service to an unacceptable level, an abatement and/or mitigation plan demonstrating how any degradation in service will be mitigated has been approved by the Streets Department. The mitigation plan shall indicate any off-site public or private actions necessary for implementation.

(b) The applicant shall submit a plan and/or evidence prepared by a licensed architect or licensed professional engineer indicating that the sight lines for the driver of any vehicle exiting the parking facility are such that a proper sight triangle across both sides of the sidewalk will exist so that the driver of any vehicle will be able to see pedestrians on the sidewalk adjacent to the driveway, before any part of the vehicle exits the lot.

(11) Personal Care Home

Where the Pennsylvania Department of Public Welfare requires, personal care homes must comply with all applicable regulations of 55 Pa. Code Chapter 2600.

(12) Re-Entry Facility

Re-entry facilities shall not be located:

(a) Within 500 ft. of any Residential district, SP-INS district, or any protected use (See §14-203(249) (Protected Use));

(b) Within 1,000 ft. of any SP-ENT district.

(13) Regulated Uses

(a) Designation of Regulated Uses

The following uses are designated as regulated uses:

(.1) Adult-oriented merchandise;

(.2) Adult-oriented service;

(.3) Drug paraphernalia stores;

(.4) Gun shops;

(.5) Detention and correctional facilities;

(.6) Personal credit establishments;

(.7) Amusement arcades;

(.8) Pool or billiards rooms, except as provided in §14-603(13)(a)(.10), below.

(.9) Body art services.

(.10) In the area bounded by Chestnut Street, 12th Street, 13th Street, and Sansom Street, a pool or billiards room establishment regulated by the Pennsylvania Liquor Control Board shall not be considered a regulated use if the pool and billiard tables are not coin-operated. This provision shall expire six months after the effective date of this Zoning Code.

(b) Regulations and Standards

(.1) Separation Requirements

No regulated use may be located:

(.a) Within a zoning district where such use is not expressly allowed;

(.b) Within 1,000 ft. of any other existing regulated use;

(.c) Within 500 ft. of any Residential district or SP-INS district;

(.d) Within 1,000 ft. of any SP-ENT zoning district; or

(.e) Within 500 ft. of the nearest lot line of a lot containing any protected use (see §14-203(249) (Protected Use)).

(.2) Discontinuance of Operations

If a regulated use ceases or discontinues operation for a continuous period of 90 days or more, the regulated use may not resume, or be replaced by any other regulated use unless it complies with the regulated use requirements of this section.

(14) Stables

(a) Each stable structure (excluding fences) shall be located at least 500 ft. from each property line abutting a Residential district, and 50 ft. from the front lot line.

(b) Each stable shall be subject to all other applicable ordinances and regulations of the City, including applicable regulations on stables set forth at §10-100 of The Philadelphia Code.

(15) Urban Agriculture

(a) General

All urban agriculture uses are subject to the following standards:

(.1) Sales are permitted on the same lot as the urban agriculture use or in locations where retail sales are an allowed use.

(.2) The site must be designed and maintained so that water and fertilizer will not drain onto adjacent property.

(b) Community Gardens, Market and Community-Supported Farms

The following standards apply to community gardens, and market and community-supported farms:

(.1) For market and community-supported farm uses only: A fence or dense vegetative screen shall be provided along front, side, and rear lot lines that are adjacent to a Residential zoning district. The fence or dense vegetative screen must comply with the requirements §14-706 (Fencing and Walls). If a fence is used, the fence shall be at least as finished in appearance as the side facing the applicant's use. Fencing shall be constructed of wood, welded wire, or ornamental metal; chain-link and barbed wire are prohibited as fencing material.

(.2) Refuse and compost bins must be rodent-resistant and located as far as practicable from abutting residential uses. Refuse must be removed from the site at least once a week.

(.3) Storage areas for tools and equipment must be enclosed and located as far as practicable from abutting residential uses.

(.4) No outdoor work activity that involves power equipment or generators may occur between sunset and sunrise.

(c) Animal Husbandry

Animal husbandry is subject to applicable regulations on farm animals set forth at §§10-101(8) and 10-112 of The Philadelphia Code. Where §10-112 of The Philadelphia Code permits the keeping of farm animals, they must be fenced or enclosed as far as practicable from abutting residential uses.

(16) Wireless Service Facilities (Freestanding Towers)

Freestanding towers shall meet the following requirements:

(a) Distance from Residential Dwelling Units

(.1) Towers in all Residential and CMX-1 districts shall not be located within 500 ft. of a lot line of any residential dwelling unit, provided that where a fall zone of greater than 500 feet is required, the greater fall zone distance shall apply.

(.2) Towers in all Commercial districts other than CMX-1 and in all Industrial districts shall not be located within 250 feet of a lot line of any residential dwelling unit, provided that where a fall zone of greater than 250 ft. is required, the greater fall zone distance shall apply.

(b) Minimum Lot Size

New towers may be erected only on lots with a minimum area of 2,000 sq. ft.

(c) Setback and Height Requirements

Buildings and structures associated with a newly erected tower (excluding antennas and antenna towers or support structures) must comply with the setback and height requirements of the zoning district in which they are located.

(d) Screening

(.1) A continuous evergreen screen must be provided around all newly erected towers. The screen may consist of a hedge or a row of evergreen trees. The evergreen screen must be a minimum of six ft. in width with a minimum height of six ft. at time of planting, with a minimum 15-foot height at maturity.

(.2) All structures, buildings and equipment accessory to antennas placed on an existing structure that is not located within the existing structure must be screened with materials compatible with the existing structures, buildings, or equipment at the time of planting.

(.3) The vegetative species to be used for required screening must be selected from a list of trees recommended by the Commission. If the Commission determines that existing structures, buildings, vegetation, topography, or other natural features achieve the same level of screening as required above and informs L&I in writing of this finding, the requirements of this paragraph may be modified or waived.

(e) Height Limit

Ground- and building-mounted towers may not exceed the greater of 60 ft. in height above the average ground level at the base of the tower or building or the maximum building height allowed in the subject zoning district.

(f) Fall Zone

Within the lot where the facility is located, there shall be a fall zone around the entire tower whose radius is equal to the height of the tower at its highest point.

(g) Fencing

Unless located on an existing building, towers must be completely enclosed by a six-foot tall chain link or similar fence. The entire fence must be located behind the required landscape screen and the required setback.

(h) Guy Wires

All guy wires and guyed towers must be clearly marked so as to be visible at all times. All guy wires shall be a minimum of 10 ft. from a property line of the facility.

(i) Lighting

All lighting, other than required by the FAA, must be shielded and reflected away from abutting properties.

(j) Special Exception Decision-Making Criteria

In all locations in which freestanding towers require special exception approval, the applicant must:

(.1) submit a definition of the area of service needed for coverage or capacity;

(.2) submit information showing that the proposed facility would provide the needed coverage or capacity;

(.3) submit a map showing all alternate sites from which the needed coverage could also be provided, indicating the zoning for all such sites;

(.4) show why alternate sites that would not require special exception approval have not been proposed;

(.5) demonstrate that existing facilities cannot accommodate the proposed antennas within the service area and that an existing public, community, or institutional facility cannot accommodate the proposed antennas within the service area;

(.6) demonstrate that they cannot co-locate the antenna within the service area;

(.7) demonstrate, by presenting technological evidence, that the tower must be located at the proposed site in order to satisfy the needs of the applicant's wireless grid system;

(.8) allow other wireless service providers using similar technology to co-locate on the tower;

(.9) demonstrate how the site will be designed to accommodate future multiple users; and

(.10) demonstrate that the proposed tower will preserve the preexisting character of the surrounding buildings and land use as much as possible. All components of the proposed tower must be integrated through location and design to be compatible with the existing characteristics of the site to the extent practical. Existing on-site vegetation must be preserved or improved, and the disturbance of the existing topography must be minimized, unless such disturbance would result in less visual impact on the surrounding area; and

(.11) demonstrate that the applicant has advertised in a newspaper of general circulation, at least 21 days prior to the public hearing, notice of the application, which shall, in addition to the information included on the posting notice, give notice of the pending hearing and of individuals rights to appear at the hearing to apprise the Zoning Board of their concerns regarding the proposed facility. This provision shall be

satisfied by presenting to the Zoning Board, at the time of the public hearing, a copy of the newspaper containing the advertisement.

(17) Wireless Service Facilities (Building or Tower-Mounted Antenna)

Building- or tower-mounted antennas and supporting electrical and mechanical equipment are subject to the following requirements:

(a) They are prohibited on a lot containing a single-family or two-family use.

(b) They must be painted or screened in a way to match the colors or simulate the materials of the building or tower on which they are mounted.

(c) They may not be artificially illuminated, unless required by the FAA. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding uses.

(d) They must comply with the height restrictions otherwise applicable to the building or tower on which they are mounted.

(e) They may not have signs attached to them unless required by the FAA, FCC, or other applicable authority.

(f) Building-mounted antennas must be flush-mounted to the structure and may not extend above the wall to which they are attached.

(g) Modification of any tower to accommodate an additional antenna may not cause the height of the tower to be increased more than 10 ft. beyond the tower height originally approved.

(18) Nightclubs and Private Clubs

Nightclubs and private clubs are subject to the applicable regulations set forth in §9-703 (Special Assembly Occupancies) of The Philadelphia Code.

§14-604 Accessory Uses and Structures

(1) General

(a) Unless otherwise expressly stated in this Zoning Code, accessory uses and structures are permitted in conjunction with allowed principal uses and structures. Limitations on the number of principal buildings permitted per lot are not to be construed as applying to accessory buildings and structures.

(b) Unless otherwise expressly stated, accessory uses and structures are subject to the same regulations that apply to principal uses and structures.

(c) Accessory uses and structures must:

(.1) be subordinate to the principal use and principal structure in terms of area and function;

(.2) contribute to the comfort, convenience, or necessity of occupants of the principal structure or principal use served; and

(.3) be customarily found in association with the principal use or principal structure.

(d) Accessory structures must be constructed in conjunction with or after the principal structure. They may not be constructed before the principal structure.

(e) Accessory uses and structures must be located on the same lot as the principal use and structure, except as otherwise expressly stated.

(f) An accessory structure located in a historic district or located on a lot that is listed on the Philadelphia Register of Historic Places is subject to review by the Historical Commission, pursuant to Chapter 14-1000 (Historic Preservation).

(g) A regulated use, as defined in §14-603(13) (Regulated Uses), shall not be permitted as an accessory use to a principal use on a lot.

(2) Private Residence Garages

Private residence garages shall comply with the applicable location and design standards in §14-803 (Motor Vehicle Parking Standards).

(3) Accessory Parking

See §14-803(1) (Accessory Parking Standards.

(4) Decks other than Roof Decks

All decks, except for decks in CMX-4 and CMX-5 districts, are subject to the following requirements:

(a) Fences, Guard Rails, and Privacy Screens

Fences or guard rails used to enclose decks may not exceed 42 in. in height, except that privacy screens up to 60 in. in height may be installed on the sides of decks that are parallel to side lot lines and located within 18 in. of a side lot line that is not also a street line.

(b) Front Yard

Decks are prohibited in required front yards.

(c) Side Yard

Decks are prohibited in required side yards.

(d) Rear Yard

Decks are permitted between the rear wall of the building and the rear property line, provided the following conditions are met:

(.1) Roof, Walls, Stairs

A deck may not be enclosed by walls or a roof above the usable surface of the deck, nor may it be enclosed by walls below the usable surface of the deck. Decks and similar attached structures with covers or walls are considered part of the principal building and must comply with all yard and other requirements that apply to the principal building. Stairs from the ground level to the deck are permitted except in the case of attached buildings, where steps from the ground to the deck are prohibited.

(.2) Access to Garage

Decks may not be constructed or located to prevent vehicular access to any existing garage whether or not the garage is providing required off street parking.

(.3) Minimum Distance from Driveway, Rear Lot Line, and Required

Rear Yard

A deck may not encroach into the required rear yard unless it complies with the following:

(.a) It is constructed such that the floor level of the deck is at or below the floor level of the first story which is fully above grade; and

(.b) It is not, at any point, closer than three ft. from a rear lot line serving two or more lots or the edge of any common driveway.

(.4) Minimum Distance from Lot Lines

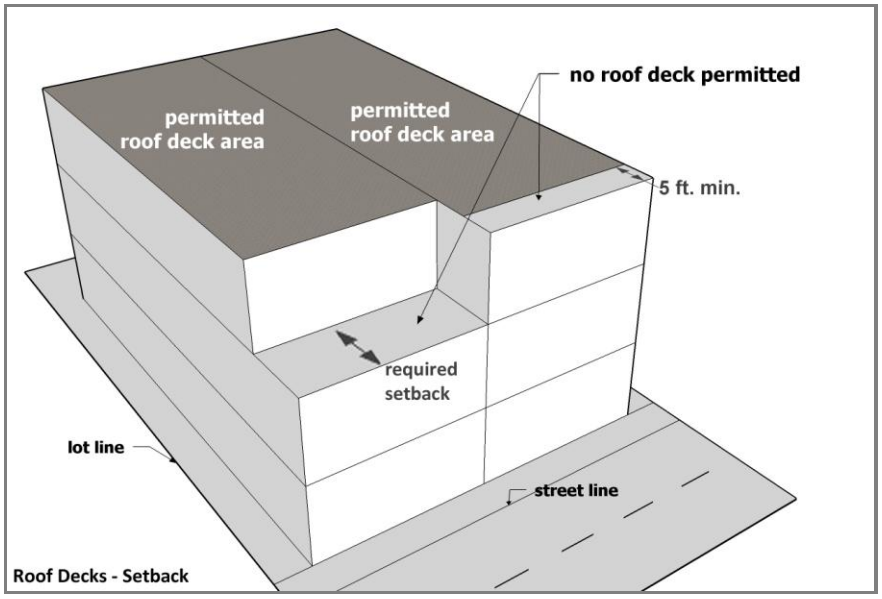
Decks must be constructed so that all vertical support elements are located a minimum distance of 18 in. from all lot lines.

(5) Roof Decks

Roof decks in Residential, CMX-1, CMX-2, or CMX-2.5 districts are subject to compliance with §§14-604(5)(a) through 14-604(5)(c), below. Roof decks for non-residential uses in the CMX-2 or CMX-2.5 district require special exception approval in accordance with the procedures of §14-303(7).

(a) Setbacks

Roof decks must be set back at least five ft. from the extreme front building line (closest to the front lot line). In cases where the top story is already set back at least five ft. from the extreme front line of the building, the roof deck does not require an additional setback. A roof deck may not be constructed in the front setback required by §14-701(2)(b) (Notes for Table 14-701-1) or §14-701(2)(c) (Notes for Table 14-701-2) for stories above the second story in RSA-5 and RM-1 districts.



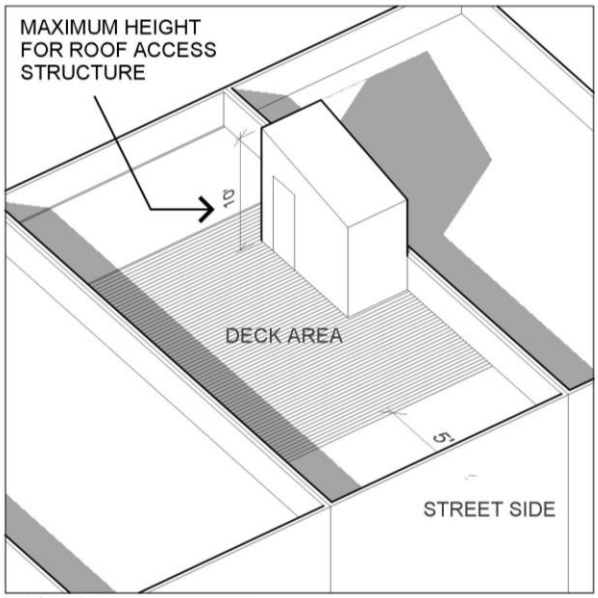
(b) Height

A roof deck and associated railings and fencing is considered a permitted appurtenance and is not subject to the building height limitations of the subject zoning district, provided that no part of the deck surface extends more than 48

in. above a plane that is midway between the lowest and the highest points of the roof surface supporting the rooftop deck.

(c) Access Structures

Roof deck access structures, such as pilot houses, may not exceed 10 ft. in height and may only serve to enclose the access stairs. Roof deck access structures meeting these requirements are considered building appurtenances and are not subject to the building height limitations of the subject zoning district.



Roof Decks - Access Structures

(6) Small Wind Energy Conversion Systems

(a) Roof- and building-mounted small wind energy conversion systems are permitted accessory structures within all zoning districts subject to compliance with the following regulations:

(.1) Turbines must be set back at least 20 ft. from the front building line and, on corner lots, at least 15 ft. from the street side building line.

(.2) Turbines and associated equipment are limited to a height of no more than 15 ft. above the roof or top of the parapet, whichever is greater.

(.3) Small wind energy conversion systems must comply with all noise limitations of The Philadelphia Code.

(.4) Small wind energy conversion systems must be safely and securely attached to the rooftop in compliance with the building code.

(.5) When storage batteries are included as part of the wind energy conversion system, they must be placed in a secure container or enclosure meeting the requirements of the building code.

(.6) If a wind energy conversion system ceases to perform its originally intended function for more than 12 consecutive months, the property

owner shall remove the system within 90 days after the end of the 12-month period.

(b) Ground-mounted wind energy structures must be located in side or rear yards and comply with the following:

(.1) In Residential districts, ground-mounted wind energy structures are permitted to encroach into required side yards that are at least eight ft. wide and into required rear yards, but not within two ft. of any side or rear lot line.

(.2) In Commercial, Industrial, and Special Purpose districts, ground-mounted wind energy structures are permitted to encroach into required side and rear yards, but not within two ft. of any side or rear lot line.

(7) Solar Collectors

(a) Roof-mounted solar collectors are permitted accessory structures in all zoning districts.

(b) Ground-mounted and freestanding solar collectors are permitted as accessory structures in all zoning districts, subject to compliance with the following.

(.1) Ground-mounted and freestanding solar collectors must be located in side or rear yards and comply with the following:

(.a) In Residential districts, ground-mounted and freestanding solar energy structures are permitted to encroach into required side yards that are at least eight ft. wide and into required rear yards, but not within two ft. of any side or rear lot line.

(.b) In Commercial, Industrial, and Special Purpose districts, freestanding solar structures are permitted to encroach into required side and rear yards, but not within two ft. of any side or rear lot line.

(.2) The height of ground-mounted and freestanding solar collectors and any mounts may not exceed 20 ft. when oriented at maximum tilt.

(.3) In Residential districts, the total surface area of all ground-mounted and freestanding solar collectors on the lot may not exceed 1,000 sq. ft.

(8) Satellite Dish Antennas

(a) Satellite dish antennas up to one meter in diameter are permitted as accessory uses in all Residential, CMX-1, CMX-2, and CMX-2.5 zoning districts.

(b) Satellite dish antennas up to three meters in diameter, are permitted as accessory uses in all CMX-3, CMX-4, CMX-5, CA-1, CA-2, Industrial, SP-INS, SP-ENT, and SP-STA zoning districts.

(c) Any satellite dish antenna not expressly permitted by §14-604(8)(a) or §14-604(8)(b) requires special exception approval in accordance with the procedures of §14-303(7).

(9) Accessory Agricultural Structures

For the purposes of this §14-604(9), an agricultural structure shall mean a structure used to grow food or non-food crops, including, but not limited to, high tunnels, cold frames, hoop houses, and green houses. L&I shall not require a zoning permit for an accessory agricultural structure erected for 180 or fewer days. All accessory agricultural structures are subject to compliance with the following:

(a) An accessory agricultural structure erected for 180 or fewer days (1) is permitted only in a side or rear yard, provided that the structure is set back at least 20 ft. from side and rear lot lines and (2) shall not exceed 18 ft. in height.

(b) An accessory agricultural structure erected for more than 180 days must comply with the requirements of this Zoning Code.

(10) Home Occupations

(a) General

A home occupation is conducted as an accessory use in a residential dwelling unit. The standards of this section are intended to ensure that home occupations will not be a detriment to the character and livability of the surrounding neighborhood. The regulations recognize that many types of work can be done in a home with little or no effect on the surrounding neighborhood.

(b) Categories of Home Occupations

Three categories of home occupations are recognized and are set forth in §14-604(10)(b)(.1) through §14-604(10)(b)(.3), below. Each category of home occupation is permitted in accordance with Table 14-604-1. Where a home occupation does not meet one of the categories provided in §14-604(10)(b)(.1) through §14-604(10)(b)(.3), below, it is prohibited by this Zoning Code in all zoning districts. All permitted home occupations shall comply with the standards provided in §14-604(10)(d) (Standards).

(.1) Home office

A home occupation conducted solely by the residents of the dwelling unit without the employment of other persons. All sales, services or work that requires the presence of a partner, employee, or customer shall take place off the premises.

(.2) Home business, Professional

A home occupation for a doctor of medicine, osteopathy, dentistry, chiropractic, optometry or podiatry; minister; lawyer; licensed psychologist; or architect. Each professional home business is permitted one regularly-employed assistant on the premises. Nonresident partners and colleagues shall not visit the premises to engage in the occupation.

(.3) Home business, General

A home occupation, other than professional home businesses, where nonresident partners, employees, or customers visit the premises to engage in the occupation. Up to three persons (including one permitted employee) who are not residents of the dwelling unit in which the home business is conducted may be present on the premises at any one time in connection with the home business.

Table 14-604-1: Home Occupations Table

Home Occupation Category	RSD Districts	RSA Districts	RTA Districts	RM Districts	RMX Districts	All other districts
Y = Yes permitted as of right | **S** = Special exception approval required **N** = Not allowed (expressly prohibited)						
Home office	Y	Y	Y	Y	Y	Y
Home business, professional	N	Y	Y	Y	Y	Y
Home business, general	N	S	S	S	S	Y

(c) Permitted Uses

(.1) Permitted home occupations are restricted to the following uses:

(.a) Business and professional offices;

(.b) Sole medical, dental, and health practitioners

(.c) Business support services;

(.d) Financial services;

(.e) Personal services, limited to personal instruction and maintenance of fitness, health, and well-being; and

(.f) Artist studios and artisan industrial.

(.2) Regulated uses, as set forth in §14-603(13) (Regulated Uses), are expressly prohibited as home occupations.

(.3) Family day cares are not regulated as home occupations and are not subject to the regulations of this section. See §14-603(5) (Day Care).

(d) Standards

A dwelling unit may be used for one home occupation subject to compliance with all of the following minimum requirements:

(.1) The owner of the home occupation shall reside in the dwelling unit in which the home occupation is located.

(.2) Home occupations must be accessory and secondary to the use of a dwelling unit for residential purposes.

(.3) No more than one off-street parking space shall be permitted for the home occupation.

(.4) Home occupations may not result in changes to the residential character of the residential building in which it is located. No separate building entrance that is visible from the street may be added to the residential building for the sole use of the home occupation.

(.5) Home occupations may not adversely affect the residential character of the neighborhood. Home occupations may not, for example, produce noise, vibration, glare, odors, parking/loading demands, traffic, or other effects that unreasonably interfere with any person's enjoyment of their residence.

(.6) The home occupation and all related activities must be conducted within a completely enclosed principal or accessory building.

(.7) Truck deliveries or pick-ups of supplies or products associated with a home occupation are allowed only between the hours of 8:00 a.m. and 7:00 p.m. Deliveries and pick-ups shall be limited to parcel and small freight carriers.

(11) Accessory Dwelling Units

(a) Purpose

(.1) Accessory dwelling units help advance City policies by:

(.a) accommodating new housing units while preserving the character of existing neighborhoods;

(.b) allowing efficient use of the City's existing housing stock and infrastructure;

(.c) providing housing options and choices that respond to varying income levels, changing household sizes and lifestyle needs;

(.d) providing a means for residents—particularly seniors, single parents, and empty-nesters—to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and assistance; and

(.e) accommodating a broader range of accessible and more affordable housing.

(.2) The accessory dwelling unit regulations of this section are intended to help promote the benefits of accessory dwelling units, while also preserving neighborhood character and promoting predictability and certainty for established neighborhoods.

(b) General

Accessory dwelling units are subject to all applicable regulations of the zoning district in which they are located, except as otherwise expressly stated in this section.

(c) Where Allowed

Accessory dwelling units are allowed only on lots occupied by a single-family use contained in a detached or semi-detached building in the permitted areas described in §14-604(11)(d) (Permitted Areas). Accessory dwelling units must be located within the interior of the principal building or within the interior of a detached accessory building, such as detached garages, that are in existence as of the effective date of this Zoning Code.

(d) Permitted Areas

{RESERVED}

(e) Owner Occupancy

The principal dwelling unit or the accessory dwelling unit must be occupied by the owner of the subject lot. Before final occupancy of the accessory dwelling unit, the property owner shall record an affidavit and deed restriction, stating that the property owner will reside on the property, in either the principal or

accessory dwelling unit. Once recorded, the deed restriction (requiring owner occupancy) may not be removed or modified without Zoning Board approval.

(f) Number

No more than one accessory dwelling unit is allowed per lot.

(g) Density (Minimum Lot Area per Unit)

No additional land area is required for the accessory dwelling unit beyond the minimum lot size required in the subject zoning district.

(h) Location of Entrances

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

(i) Size

The floor area of an accessory dwelling unit may not exceed 800 sq. ft.

(12) Trash and Recycling Storage Areas

The following standards apply to accessory trash and recycling storage areas in all Commercial districts:

(a) The total area of trash and recycling storage areas may not exceed 25% of the gross floor area in the principal structure.

(b) The maximum height regulations of the subject zoning district apply to accessory trash and recycling storage areas.

Chapter 14-700 Development Standards

§14-701 Dimensional Standards 7-1
(1) General Provisions 7-1
(2) Residential District Dimensional Tables 7-1
(3) Commercial Districts Dimensional Table 7-7
(4) Industrial District Dimensional Table 7-8
(5) CMX-4 and CMX-5 Bulk and Massing Controls 7-9
(6) Exceptions to Dimensional Standards 7-14
§14-702 Floor Area Bonuses 7-16
(1) Purpose 7-16
(2) Eligibility 7-16
(3) Floor Area Bonus Options Summary Table 7-16
(4) Maximum Floor Area Bonus Amounts 7-17
(5) Public Art 7-17
(6) Public Space 7-19
(7) Mixed Income Housing 7-22
(8) Transit Improvements 7-23
(9) Underground Accessory Parking and Loading 7-24
(10) Green Building 7-24
§14-703 Form and Design 7-25
(1) General Purpose 7-25
(2) Applicability 7-25
(3) Certification 7-26
(4) Attached Building Design Standards 7-26
(5) Multi-Family Residential, Commercial, and Institutional 7-27
§14-704 Open Space and Natural Resources 7-28
(1) Intent 7-28
(2) Steep Slope Protection 7-28
(3) Stormwater Management 7-33
(4) Flood Protection 7-33
(5) Stream Buffers 7-37
§14-705 Landscape and Trees 7-38
(1) On-Site Landscape and Tree Requirements 7-38
(2) Street Tree Requirements 7-43
§14-706 Fencing and Walls 7-44
(1) Applicability 7-44
(2) Sight Triangles 7-45
(3) Residential District Standards 7-45
(4) Commercial District Standards 7-47
§14-707 Outdoor Lighting 7-47
(1) Intent 7-47
(2) Applicability 7-47
(3) Certification 7-48
(4) General Standards 7-48
(5) Parking Area Lighting 7-48
(6) Canopy Lighting 7-49
§14-708 Subdivision Standards 7-49
(1) Intent 7-49

(2) Applicability 7-49
(3) Subdivision General Design Standards 7-49
(4) Subdivision Block and Lot Standards 7-50
(5) Subdivision Street Standards 7-51
(6) Subdivision Driveways and Easements 7-53

§14-701 Dimensional Standards

(1) General Provisions

(a) Applicability

All primary and accessory structures must comply with the dimensional standards in this (§14-701). These dimensional standards may be further limited or modified by other applicable sections of this Zoning Code. General rules for measurement are in §14-202 (Rules of Measurement).

(b) Dimensional Tables

Basic dimensional standards for Residential, Commercial, and Industrial districts are listed in Tables 14-701-1 through 14-701-4. Dimensional standards for special purpose districts are included in §14-404 (SP-INS, Institutional (Special Purpose) District) through §14-408 (SP-AIR, Airport (Special Purpose) District).

(c) Setbacks 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 when residential districts are included the setback shall be the highest required of the applicable residential districts.

(d) Using the Dimensional Tables

All primary and accessory structures are subject to the dimensional standards set forth in the following tables.

(.1) "Y" indicates that the building type is permitted, subject to compliance with the dimensional standards set forth in the table.

(.2) "N" indicates that the building type is prohibited.

(.3) "S" indicates that the building type may be allowed if reviewed and approved in accordance with the special exception procedures of §14-303(7) (Special Exception Approval).

(.4) A number in brackets (e.g., "[2]") is a reference to a table note that contains supplemental standards or other explanatory information. Table notes are found in §14-701(2)(b) (Notes for Table 14-701-1); §14-701(2)(c) (Notes for Table 14-701-2); §14-701(3)(a) (Notes for Table 14-701-3); and §14-701(4)(a) (Notes for Table 14-701-4).

(.5) Cross-references to other sections of this Zoning Code are indicated by the word "see" and a specific section number.

(2) Residential District Dimensional Tables

(a) Street Frontage Requirements for all Residential Districts

A lot in a Residential zoning district shall have a minimum street frontage as follows:

(.1) For Residential zoning districts with a minimum lot width requirement, the lot shall have a street frontage not less than two-thirds of the minimum lot width required for the subject zoning district.

(.2) For all other Residential zoning districts, the lot shall have a street frontage not less than two-thirds of the width of the lot at its widest point.

(b) Notes for Table 14-701-1

[1] In the RSA-4 district, a group of attached buildings shall contain a maximum of four buildings, including the semi-detached buildings at either end of the group. Each semi-detached building at the end of a group shall comply with the following:

(.a) The minimum lot width shall be 30 ft.

(.b) The minimum lot area shall be 2,700 sq. ft.

(.c) The minimum required side yard width shall be a minimum average of 12 ft., not less than 8 ft. at any point.

[2] In the RSA-5 district, 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 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.

[3] In the RSA-5 district, buildings on lots less than 45 ft. in depth are exempt from the minimum open area requirement for the first 12 ft. of building height. Portions of buildings above 12 ft. shall comply with the minimum open area requirement as set forth in Table 14-701-1.

[4] If abutting lots on both sides of an attached house contain only two stories of habitable space, the stories above the second story of the attached house shall be set back an additional eight ft. from the minimum setback shown in this table; except this requirement shall not apply to corner lots.

[5] The front setback shall be no further from the street than the furthest front façade of the principal building on either of the two immediately abutting lots, and shall be located no closer to the primary street than the closest front façade of the principal building on either of the two abutting lots. If both of the immediately abutting lots are vacant, then the setback range shall be based on the building that is: (1) closest to the subject property and (2) on the same blockface. Where there are not a sufficient number of lots that meet these criteria to establish a front setback, the front setback shall be set at 8 ft.

[6] Number of required yards / required width (ft). "Each" identifies that each yard must meet the required minimum size. Where each yard size is not identified, table identifies total required yard.

[7] In the RSA-5 district, the minimum rear yard depth for lots less than 45 ft. in depth shall be 5 ft. for the first 12 ft. of building height. Portions of buildings above 12 ft. shall comply with the minimum rear yard depth as set forth in Table 14-701-1.

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.									
Building Type									
Detached	Y	Y	Y	Y	Y	Y	Y	Y	Y
Semi-Detached	N	N	N	Y	Y	Y	Y	Y	Y
Attached	N	N	N	N	N	N	Y [1]	Y	N
Multiple Buildings on a Lot	N	N	N	N	N	N	N	N	N
Lot Dimensions									
Min. Lot Width (ft.)	75	65	50	50	35	25	18 [1]	16	25
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 Area (% of lot)	65	65	70	70	60	50	50	Intermediate: 30; Corner: 20 [3]	50
Front Setback									
Minimum (ft)	35	35	25	25	15	8 [4]	[4][5]	[4][5]	8 [4]
Minimum Side Yard Width, Residential [6]									
Detached, Intermediate Lot (ft.)	2/15 each	2/10 each	2/10, each, 25 total	2/10 each, 25 total	2/8 each	2/8 each	2/8 each	2/5 each	2/8 each
Detached, Corner Lot (ft.)	15	10	7	7	6	8	6	5	8
Semi-Detached (ft.)				25	16	8	8 [1]	5	8
Attached (ft.)							[1]		
Minimum Side Yard Width, Nonresidential [6]									
Intermediate Lot (ft.)			2/15 each	2/15 each	2/10 each	2/8 each	2/8 each	2/8 each	2/8 each
Corner Lot (ft.)			15	15	10	8	6	8	8
Rear Yard									
Min. Depth (ft.)	30	30	25	25	20	Single-Family 15; other 20	Single-Family 20; other 25	The greater of 9 ft. or 20% of the lot depth [7]	Single-Family 15; Other 20
Height									
Maximum (ft.)	38	38	38	38	38	38	38	38	38

(c) Notes for Table 14-701-2

[1] In the RM-1 district, a lot containing at least 1,920 sq. ft. of land may be divided into lots with a minimum lot size of 960 sq. ft., provided that:

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

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

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

[2] In the RM-1 district, buildings on lots less than 45 ft. in depth are exempt from the minimum open area requirement for the first 12 ft. of building height. Portions of buildings above 12 ft. shall comply with the minimum open area requirement as set forth in Table 14-701-2.

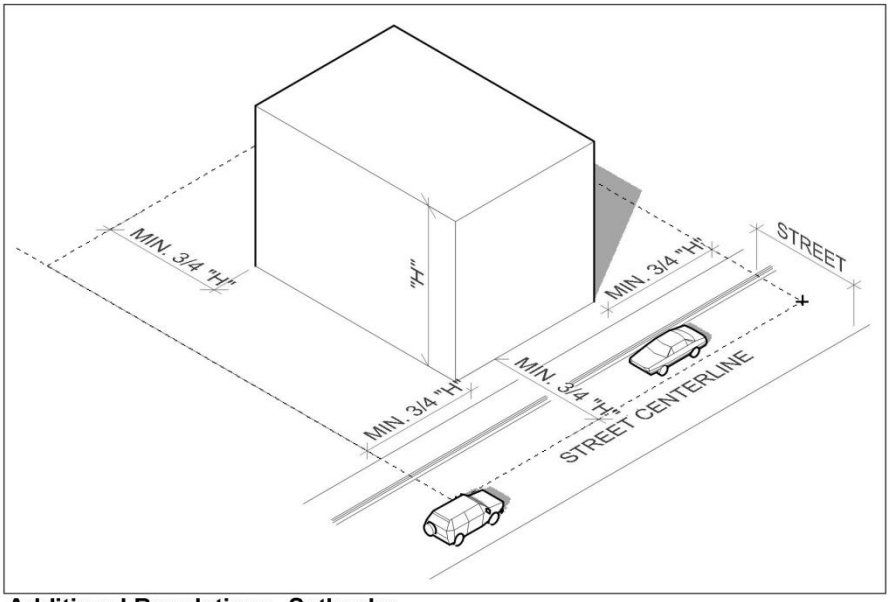
[3] The open area shall consist of at least 50% of the master plan area that is unoccupied by structures or parking. For land containing historically significant structures, or amenities, open area shall consist of at least 25% of the master plan area that is unoccupied by either structures, or parking.

[4] Open air parking shall be excluded from the required open area measurement in the RMX-2 district.

[5] If abutting lots on both sides of an attached house contain only two stories of habitable space, stories above the second story of the attached house shall be set back an additional eight ft. from the minimum setback shown in this table; except this requirement shall not apply to corner lots.

[6] The front setback shall be no further from the street than the furthest front façade of the principal building on either of the two immediately abutting lots, and shall be located no closer to the primary street than the closest front façade of the principal building on either of the two abutting lots. If both of the immediately abutting lots are vacant, then the setback range shall be based on the building that is: (1) closest to the subject property and (2) on the same blockface. Where there are not a sufficient number of lots that meet these criteria to establish a front setback, the front setback shall be set at 8 ft.

[7] For lot lines other than street lines, the minimum setback for structures from each lot line shall be equal to ¾ of the height of the structure. For lot lines that are street lines, the minimum setback for structures, for the purposes of this subsection, shall be measured from the centerline of that street and shall be equal to ¾ of the height of the structure.



Additional Regulations- Setbacks

[8] Number of required yards / required width (ft). "Each" identifies that each yard must meet the required minimum size. Where each yard size is not identified, table identifies total required yard.

[9] In the RM-1 district, the minimum rear yard depth for lots less than 45 ft. in depth shall be 5 ft. for the first 12 ft. of building height. Portions of buildings above 12 ft. shall comply with the minimum rear yard depth as set forth in Table 14-701-2.

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
District Name	**RM-1**	**RM-2**	**RM-3**	**RM-4**	**RMX-1**	**RMX-2**	**RMX-3**
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.							
Building Type							
Detached	Y	Y	Y	Y	Y	Y	Y
Semi-Detached	Y	Y	Y	Y	Y	Y	Y
Attached	Y	Y	N	Y	Y	Y	Y
Multiple Buildings on a Lot	N	Y	Y	Y	Y	Y	Y
District and Lot Dimensions							
Min. Lot Width (ft.)	16	50	50	50	■	■	■
Min. Street Frontage (ft.)	■	■	■	■	50	■	■
Min. District Area (acres)	■	■	■	■	2	1	■
Min. Lot Area (sq. ft.)	1,440 [1]	15,000	10,000	5,000	■	■	■
Min. Open Area (% lot area, except as otherwise provided)	Intermediate: 30; Corner: 20 [2]	■	50	Intermediate: 30; Corner: 20	[3]	25% of district area [4]	Buildings ≤ 5 stories with 1 or more dwelling units: 10; Others: 0
Front Setback							
Minimum (ft.)	[5][6]	[7]	20	20	■	■	■
Minimum Side Yard Width [8], Residential							
Single- or Two-family Detached, Intermediate Lot (ft.)	2/5 each	[7]	2/8 each	2/5 each	■	■	
Single- or Two-Family Detached, Corner Lot (ft.)	5	[7]	6	5	■	■	If used:
Single- or Two-Family Semi-Detached (ft.)	5	[7]	10	5	■	■	Buildings ≤ 4 stories with three or fewer dwelling units=5; Others = 8
Multi-Family, Detached (ft.)	2/5 each	[7]	2/8 each	2/5 each	■	■	
Multi-Family, Detached Corner Lot (ft.)	8	[7]	8	5	■	■	
Multi-Family, Semi-Detached (ft.)	12	[7]	16	5	■	■	
Minimum Side Yard Width [8], Nonresidential							
Intermediate Lot (ft.)	2/12 each	[7]	2/8 each	5 if used	■	■	If used:
Corner Lot (ft.) [1]	12	[7]	2/8 each	5 if used	■	■	Buildings ≤ 4 stories with three or fewer dwelling units=5; Others = 8
Rear Yard							
Min. Depth (ft.)	The greater of 9 ft. or 20% of lot depth [9]	[7]	20	5 if used	■	■	■
Min. Area (sq. ft.)	144	[7]	■	■	■	■	■
Height							
Maximum (ft.)	38	■	■	■	■	■	■
Floor Area Ratio (FAR)							
Maximum FAR (% 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] 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 of the other district shall apply.

[2] The maximum floor area ratio for lots zoned CMX-5 located within the boundaries of the Center City/University City Floor Area Ratio Map is increased to 1600% of lot area.

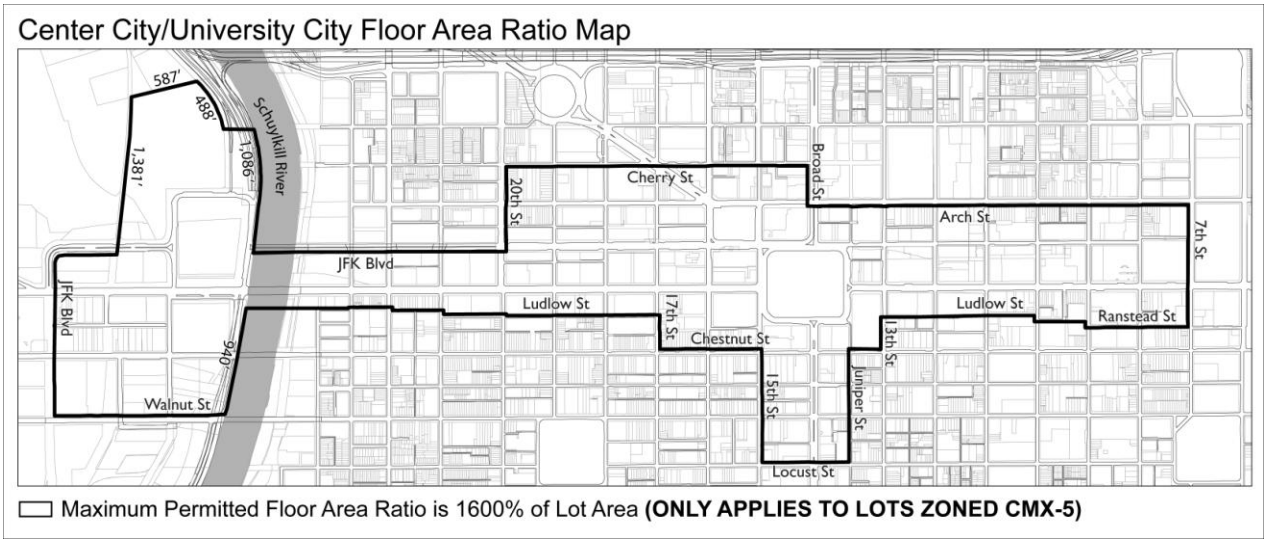


Table 14-701-3 Dimensional Standards for Commercial Districts

Previous District Name	C1	C2/RC2	Commercial Corridor Overlays	C3	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 (ft.)	**[1]**					50	100
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
Yards							
Min. Front Yard Depth (ft.)	**[1]**		Must be built to front lot line				
Min. Side Yard Width, Each (ft.)	**[1]**	5 if used	5 if used	8 if used for buildings containing dwelling units	If used: Buildings ≤ 4 stories with three or fewer dwelling units=5; Others = 8	5 if used	
Min. Rear Yard Depth (ft.)	**[1]**	The greater of 9 ft. or 10% of lot depth	The greater of 9 ft. or 10% of lot depth			5 if used	
Height							
Max. Height (ft.)	**[1]**	38	55			38	38
Min. Cornice Height (ft.)	**[1]**		25				
Floor Area Ratio							
Max. Floor Area (% of lot area)	**[1]**			500	CMX-4: 500 CMX-5: 1200 **[2]** See also §14-701(5) (CMX-4 and CMX-5 Bulk and Massing Controls)		

(4) Industrial District Dimensional Table

(a) Notes for Table 14-701-4

[1] For a building located on a corner lot, the applicant shall designate one yard as a front yard and one yard as a side yard for setback measurement purposes.

[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.

[3] Where the lot abuts a residential district, front yards, side yards, and rear yards shall be provided on the lot on the sides abutting the residential districts. The minimum requirements for those yards shall be either those for the industrial district, or those for the residential district on the abutting side, whichever is larger.

Table 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 [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						
Lot Dimensions						
Max. Occupied Area (% of lot)	100	100	75	100	100	100
Yards						
Min. Front Yard Depth (ft.)	0 [3]	0 [3]	50 if abutting a Residential or SP-PO district [3]; otherwise 20	0 [3]	0 [3]	0 [3]
Min. Side Yard Width, Each (ft.)	8 if used [3]	8 if used [3]	Two yards, each: 50 if abutting a Residential or SP-PO district [3]; otherwise 12	6 if used [3]	If used: Buildings ≤ 4 stories=6; Others = 8 [3]	0 [3]
Min. Rear Yard Depth (ft.)	8 if used [3]	8 if used [3]	50 if abutting a Residential or SP-PO district [3]; otherwise 12	8 if used [3]	8 [3]	0 [3]
Height						
Max. Height (ft.)	60	60	60 if abutting a Residential or SP-PO district; otherwise no limit	60 if abutting a Residential or SP-PO district; otherwise no limit	60 if abutting a Residential or SP-PO district; otherwise no limit	60 if abutting a Residential or SP-PO district; otherwise no limit
Floor Area Ratio (FAR)						
Max. Floor Area Ratio (FAR) (% of lot area)	500	500	225	500	500	

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

(a) Applicability

(.1) Buildings on CMX-4 and CMX-5 lots shall demonstrate compliance with this §14-701(5) (CMX-4 and CMX-5 Bulk and Massing Controls) using

either Option A (Sky Plane Controls), as provided in §14-701(5)(b), or Option B (Open Area, Building Width, Spacing, and Height Controls), as provided in §14-701(5)(c).

(.2) If a building is subject to the provisions of both §14-701(5)(b) and §14-701(5)(c), the applicant may choose to demonstrate compliance in accordance with either option.

(.3) If a building is subject to the provisions of §14-701(5)(c) only, then the building shall comply with §14-701(5)(c).

(.4) When the bulk and massing standards of this §14-701(5) conflict with the floor area ratio standards of §14-701(3) (Commercial Districts Dimensional Table), the stricter standard shall govern.

(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

(.a) For the purposes of this §14-701(5)(b) (Option A: Sky Plane Controls), the term "sky plane" shall mean the set of building bulk and massing that allows visibility of the sky from sidewalk level.

(.b) Buildings may occupy 100% of the lot area below the height threshold for that street as shown in Column B of Table 14-701-5.

(.c) Any portion of a building above the height thresholds listed in Column B of Table 14-701-5 is subject to form controls that limit its massing and bulk in relation to its context so that specific amounts of sky visibility are retained.

(.d) Within each interval of building height shown in Column C of Table 14-701-5, the building may not block more than the percentage of sky plane shown in Column D of Table 14-701-5.

(.e) Sky plane is calculated in relation to a viewing line located at grade at the center of the relevant street and a vertical plotting plane located at the building line. The regulations of the Commission shall contain the method for calculating percentage block of the sky plane, as well as detailed information on materials to be submitted to demonstrate compliance with sky plane requirements (which shall include a signed and sealed statement from a licensed architect certifying compliance with sky plane requirements).

(.f) If two or more building frontages are subject to the provisions of this §14-701(5) (CMX-4 and CMX-5 Bulk and Massing Con-

trols), then the sky plane limits in Table 14-701-5 of the widest street fronting the lot shall apply to each façade. For example, if a lot has frontage on one street that is 70 feet wide and a second street that is 60 feet wide, both frontages must comply with the sky plane requirements applicable for a street 70 feet wide.

(.g) 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).

Table 14-701-5: Sky Plane Requirements by Street

A. **Regulated Street Frontage**	B. **Height Threshold** (ft. above sidewalk)	C. **Regulated Height Interval** (ft. above sidewalk)	D. **Allowed Blockage of Sky Plane**
50-59 ft. wide streets (including but not limited to Race and Locust)	**65**	>575	0%
		285-575	60%
		150-285	70%
		90-150	80%
		65-90	85%
		<65	100%
60-69 ft. wide streets (including but not limited to Chestnut and Walnut)	**80**	>690	0%
		340-690	60%
		175-340	70%
		115-175	80%
		80-115	85%
		<80	100%
70-79 ft. wide streets (including but not limited to Arch)	**100**	>825	0%
		415-825	60%
		200-415	70%
		135-200	80%
		100-135	85%
		<100	100%
80-89 ft. wide streets	**110**	>920	0%
		460-920	60%
		225-460	70%
		150-225	80%
		110-150	85%
		<110	100%
90-99 ft. wide streets	**120**	>1030	0%
		510-1030	60%
		255-510	70%
		170-255	80%
		120-170	85%
		<120	100%
100 ft. and wider streets (including but not limited to Market and John F. Kennedy)	**125**	>1145	0%
		570-1145	60%
		285-570	70%
		190-285	80%
		125-190	85%
		<125	100%

(c) Option B: Open Area, Building Width, Spacing, Height Controls

(.1) Open Area Above Ground Level

The following standards apply to all CMX-4 and CMX-5 lots. All height measurements shall include mechanical space:

(.a) The maximum lot coverage of buildings for the first 65 ft. of building height shall be 100%.

(.b) The maximum lot coverage for portions of buildings above 65 ft. and up to 300 ft. in height shall be 75% of the lot.

(.c) The maximum lot coverage for portions of buildings above 300 ft. and up to 500 ft. in height shall be 50% of the lot. As an alternative, buildings over 300 ft. and up to 500 ft. in height may be constructed so that the average lot coverage of the building above 65 ft. shall not exceed 60% of the lot.

(.d) The maximum lot coverage for portions of buildings above 500 ft. and up to 700 ft. in height shall be 40% of the lot. As an alternative, buildings over 500 ft. and up to 700 ft. in height may be constructed so that the average lot coverage of the building above 65 ft. shall not exceed 50% of the lot.

(.e) The maximum lot coverage for portions of buildings, including mechanical space, above 700 ft. in height shall be 30% of the lot. As an alternative, buildings over 700 ft. in height may be constructed so that the average lot coverage of the building above 65 ft. shall not exceed 40% of the lot.

(.2) John F. Kennedy Boulevard Regulations

(.a) For buildings located within 90 ft. south of the south side of John F. Kennedy Boulevard between 15th Street and 24th Street:

(.i) The minimum distance between buildings, from a height 65 ft. or greater, shall be 75 ft.

(.ii) Along any lot line which is not a street line and which is parallel to any numbered street, the minimum distance between the building, from a height of 65 ft. or greater, and that lot line shall be 37.5 feet.

(.b) For buildings located within 90 ft. south of the south side of John F. Kennedy Boulevard between 15th Street and the Schuylkill River, the maximum width of the building frontage along John F. Kennedy Boulevard for portions of buildings above 65 ft. in height shall be the lesser of 250 ft. or 66 percent of the block frontage along John F. Kennedy Boulevard.

(.c) For lots fronting on the south side of John F. Kennedy Boulevard between 15th Street and the Schuylkill River with a second frontage along a numbered street or Juniper Street, the maximum building height along the second frontage for the first 15 ft. of building closest to that street frontage shall be 65 ft.

(.3) Market Street Regulations

(.a) For buildings located within 90 ft. south of the south side of Market Street between 15th Street and 24th Street:

(.i) The minimum distance between buildings, from a height 65 ft. or greater, shall be 75 ft.

(.ii) Along any lot line which is not a street line and which is parallel to any numbered street, the minimum distance between the building, from a height of 65 ft. or greater, and that lot line shall be 37.5 feet.

(.b) For buildings located within 90 ft. south of the south side of Market Street between 15th Street and the Schuylkill River, the maximum width of the building frontage along John F. Kennedy Boulevard for portions of buildings above 65 ft. in height shall be the lesser of 250 ft. or 66 percent of the block frontage along Market Street.

(.c) For lots fronting on the south side of Market Street between Front Street and the Schuylkill River with a second frontage along a numbered street or Juniper Street, the maximum building height along the second frontage for the first 15 ft. of building depth shall be 65 ft.

(.4) Chestnut Street Regulations

The following standards apply to lots fronting on the south side of Chestnut Street between Front Street and the Schuylkill River:

(.a) The maximum width of a building frontage along Chestnut Street shall be 100 ft. for corner lots and 60 ft. for intermediate lots.

(.b) Except within 130 ft. east of the east side of Broad Street or within 130 ft. west of the west wide of Broad Street, the maximum building height shall be 50 ft. This height limit may be increased to a maximum height of 320 ft.:

(.i) By increasing the height one foot for each foot the building sets back (i.e. along a 45 degree recession plane) from the street line; or

(.ii) On lots located between 12th Street and 13th Street. This subsection (.ii) shall expire six months after the effective date of this Zoning Code.

(.5) Sansom Street Regulations

The maximum building height for lots fronting on Sansom Street between Front Street and the Schuylkill River, except within 130 ft. east of the east side of Broad Street or within 130 ft. west of the west side of Broad Street, shall be 320 ft.

(.6) Walnut Street Regulations

The following standards apply to lots fronting on Walnut Street between Front Street and the Schuylkill River:

(.a) The maximum width of a building frontage along Walnut Street shall be 100 ft. for corner lots and 60 ft. for intermediate lots.

(.b) On the north side of Walnut Street, except within 130 ft. east of the east side of Broad Street or within 230 ft. west of the west wide of Broad Street, the maximum building height shall be 320 ft.

(.c) On the south side of Walnut Street, except within 130 ft. east of the east side of Broad Street or within 230 ft. west of the west wide of Broad Street, the maximum building height shall be 50 ft. This height limit may be increased to a maximum height of 260 ft.:

(.i) By increasing the height one foot for each foot the building sets back (i.e. along a 45 degree recession plane) from the street line; or

(.ii) On lots located between 8th Street and 9th Street. This subsection (.ii) shall expire six months after the effective date of this Zoning Code.

(.7) Locust Street Regulations

The following standards apply to lots fronting on Locust Street between Front Street and the Schuylkill River:

(.a) The maximum width of a building frontage along Locust Street shall be 100 ft. for corner lots and 60 ft. for intermediate lots.

(.b) On the north side of Locust Street, except within 100 ft. east of the east side of Broad Street or within 230 ft. west of the west side of Broad Street, the maximum building height shall be 260 ft.

(.c) On the south side of Locust Street, except within 100 ft. east of the east side of Broad Street or within 230 ft. west of the west side of Broad Street, the maximum building height shall be 50 ft. This height limit may be increased to a maximum height of 260 ft. by increasing the height one foot for each foot the building sets back (i.e., along a forty-five degree recession plane) from the street line.

(.8) Spruce Street Regulations

The following standards apply to lots fronting on Spruce Street between Front Street and the Schuylkill River:

(.a) The maximum width of a building frontage along Spruce Street shall be 100 ft. for corner lots and 60 ft. for intermediate lots.

(.b) On the north side of Spruce Street, except within 100 ft. east of the east side of Broad Street or within 230 ft. west of the west wide of Broad Street, the maximum building height shall be 260 ft.

(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.

Table 14-701-6: Exceptions to Dimensional Standards

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.
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 and fencing: see §14-604(5) (Roof Decks).
	Roof deck access structures (e.g., pilot houses): see §14-604(5) (Roof Decks).
Commercial, Industrial, and Special Purpose districts, when attached to principal building	Chimneys.
	Fire escape towers.
	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 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.
Exceptions to Yard, Setback, and Open Area Requirements	
Type of District	**Permitted Encroachment**
Residential Districts	Fences are permitted in required front yard areas, but any fence located within a required front setback area shall be no more than 4 ft. tall and no more than 50% opaque. Fence posts and gate posts that are included as architectural features are permitted up to 6 ft. in height. This standard shall also apply to any side of a corner lot facing a street.
	Fences are permitted in the required rear yard area and in any portion of the required side yard area behind the front wall of the principal structure, but may not be more than 6 ft. tall. This standard shall also apply to any side of a corner lot that does not face a street.
	Retaining walls are subject to the restrictions on fence heights to the extent that those walls protrude above the actual ground level at the highest point of the wall, but shall not apply to any retaining wall required by the provisions of any section of The Philadelphia Code or related regulations.
	Entranceway covers, canopies, and awnings may project into required front or rear yard areas up to 5 ft., and may project into required side yard areas up to 3 ft.
	Balustrades, chimneys, cornices, and vents may project into required front, side, or rear yard or setback areas up to 24 in.
	Chimneys and pilasters may project into required front, side, or rear yard or setback areas up to 18 in.
	Moldings and belt courses may project into required front, side, or rear yard or setback areas up to 12 in.
	Solar energy collectors:see §14-604(7) (Solar Collectors).
	Wind energy conversion systems; see §14-604(6) (Small Wind Energy Conversion Systems).
	Geothermal energy equipment, rainwater harvesting barrels, and odorless composting equipment shall be allowed to encroach into required side yards that are at least 5 ft. wide, and into required rear yards, but not within 2 ft. of any side or rear lot line.
Commercial, Industrial,	Open work fire escapes shall be allowed to encroach into required setback areas.
	In all Commercial districts, areas not included in required occupied areas may not be used for permanent sto-

and Special Purpose districts	rage purposes, but may be used for temporary storage for up to 30 days in each calendar year. Use of areas not included in required occupied areas for storage for more than 30 days in any calendar year shall require approval of the Zoning Board through the special exception procedures of §14-303(7) (Special Exception Approval).
	Solar energy collectors:see §14-604(7) (Solar Collectors).
	Wind energy conversion systems; see §14-604(6) (Small Wind Energy Conversion Systems).
	Geothermal energy equipment, rainwater harvesting barrels, and odorless composting equipment shall be allowed to encroach into required side and rear yard areas in the Commercial, Industrial, and Special Purpose districts, but not within 2 ft. of any side or rear lot line.

§14-702 Floor Area Bonuses

(1) Purpose

The intent of the floor area bonus provisions is to encourage certain types of development and the creation of specific amenities in the public interest. These floor area bonuses shall be available in the areas listed, and in return for the provision of design or amenities listed.

(2) Eligibility

In order to be eligible for any floor area bonuses pursuant to this section.

(a) The property must be located in the RMX-3, CMX-3, CMX-4, or CMX-5 districts, and property located in those districts shall only be eligible for the bonuses indicated for that district in this §14-702.

(b) If the property is located in the RMX-3, CMX-4, or CMX-5 districts, the property must have frontage on two streets at least 50 ft. wide or three streets at least 20 ft. wide.

(c) If the property is located in the CMX-3 district, it must be located in an area where the Transit Oriented Development (TOD) regulations of §14-513 apply.

(d) Projects may use more than one bonus option unless specifically stated otherwise in this section.

(3) Floor Area Bonus Options Summary Table

The following table summarizes the floor area bonus options in this section. In the event of conflict between the provisions of Table 14-702-1 and the text of this Zoning Code, the text shall govern.

Table 14-702-1: Floor Area Bonus Summary

Bonus Category	**Additional Gross Floor Area, as Percent of Lot Area** (See §14-701(2) (Residential District Dimensional Tables) and §14-701(3) (Commercial Districts Dimensional Table for the maximum allowed base floor area ratios for each district.)

	RMX-3	CMX-3 in TOD Nodes	CMX-4	CMX-5
Public Art (§14-702(5))	N/A	N/A	50%	100%
Public Space (§14-702(6))	N/A	N/A	Up to 200%	Up to 400%
Mixed Income Housing (§14-702(7))	N/A	150%	150%	300%
Transit Improvements (§14-702(8))	N/A	N/A	Up to 200%	Up to 400%
Underground Accessory Parking and Loading (§14-702(9))	100%	N/A	100%	200%
Green Building (§14-702(10))	N/A	Up to 100%	Up to 200%	Up to 400%

(4) Maximum Floor Area Bonus Amounts

(a) If the property is located in the RMX-3 district, the bonuses in this §14-702 may be used in combination to earn additional floor area ratio up to 100% of the lot area.

(b) If the property is located in the CMX-3 district, the bonuses in this §14-702 may be used in combination to earn additional floor area ratio up to 300% of the lot area.

(c) If the property is located in the CMX-4 district, the bonuses in this §14-702 may be used in combination to earn additional floor area ratio up to 700% of the lot area.

(d) If the property is located in the CMX-5 district the bonuses in this §14-702 may be used in combination to earn additional floor area ratio up to 800% of the lot area.

(e) If the property is located in the CMX-5 district, and is included in the Center City/University City Floor Area Ratio area (see §14-701(3) (Commercial Districts Dimensional Table), the bonuses in this §14-702 may be used in combination to earn additional floor area ratio up to 1,000% of the lot area.

(f) All bonus floor area earned pursuant to this section must be used so that the property (a) complies with all dimensional standards applicable to the property (other than maximum gross floor area or floor area ratio) in §14-701 (Dimensional Standards), including without limitation the maximum height for the property established in that section, and (b) complies with all other provisions of this Zoning Code, unless a specific exception to one or more of those requirements is listed in this Zoning Code.

(5) Public Art

The bonus for public art is a mechanism to expand and enrich the public's experience and enjoyment of buildings and public space and to create buildings and public space that is designed and executed with diverse and high quality materials, activities, and furnishings. In order to comply with this subsection, all of the following conditions must be met:

(a) Qualifying Criteria

(.1) Qualifying Items

The items or programs provided to earn this bonus must meet the definition of "On-site Public Art" or "On-site Cultural Programming" in Chapter 14-200 (Definitions). It is not the intention of these requirements to allow decorative, ornamental, or functional elements of the building or public space that are not designed by an artist and created specifically for the site, nor to have landscaped areas or other furnishings or elements required by this Zoning Code, to qualify as part of the public art requirement.

(.2) Commercial Activity Does Not Qualify

Items, functions, and events for which an admission, viewing, or participation fee is charged, such as theatrical productions, movies, commercial art galleries, exhibits of items for sale; or that are primarily designed to advertise or promote a commercial good or service, do not satisfy the requirements of this §14-702(5) (Public Art).

(.3) Location

Public art shall be located upon the building or within public spaces created to meet the requirements of §14-702(6) (Public Space), §14-702(8) (Transit Improvements), or §14-702(9) (Underground Accessory Parking and Loading). Public art may be provided within the public sidewalk if authorization from the City is obtained and if the public art does not impair pedestrian movement within the sidewalk.

(.4) Cost

The applicant shall provide public art at an amount equal to at least 1% of hard construction costs.

(.5) Agreement and Financial Security

In order to expedite the development review and approval process, an applicant for a floor area bonus pursuant to this §14-702(5) may sign an agreement with the Art Commission committing to provide, install, and endow public art as required by this §14-702(5) and posting financial security at least equal to the cost of the required public art pursuant to §14-702(5)(a)(.4) (Cost) above. After signing an agreement in a form acceptable to the City and posting financial security in a form acceptable to the City, the applicant shall be deemed to have satisfied the requirements of this §14-702(5) (Public Art) subject to all other requirements of this §14-702 (Floor Area Bonuses).

(.6) Establishment of Endowments

The method of establishment of an endowment of a trust or other legally binding mechanism to permanently fund cultural programming to meet the requirements of this section shall be approved by the Art Commission.

(b) Approval Criteria

(.1) In order to meet the requirements of this section, the applicant must have the proposed artist(s), and all public art and/or proposal for cultural programming approved either by the Art Commission, pursuant to its standard review and approval procedures, or through an Art Selection Committee established pursuant to §14-702(5)(c) (Art Selection Committee).

(.2) The Art Selection Committee or the Art Commission, depending on the manner of review and approval chosen by the applicant, shall have the final approval of the artist and all public art submitted to meet the requirements of this §14-702(5)(b) (Approval Criteria).

(.3) The Art Selection Committee or the Art Commission, depending on the manner of review and approval chosen by the applicant, may, upon request of the applicant, assist in the selection of an artist or artists for the project and/or the selection of an arts coordinator for the project.

(.4) Final determination as to what items, works, materials, media, infrastructure, support services, etc., qualify as public art or as part of the cost of public art, shall rest with the Art Selection Committee or the Art Commission, depending on the manner of review and approval chosen by the applicant.

(c) Art Selection Committee

(.1) If the applicant chooses to use an Art Selection Committee, it shall consist of five members all of whom shall conform to one or more of the following criteria. At least two members of the committee shall be practicing artists from the visual or performing arts disciplines. All of the remaining members of the committee shall be either (i) an art educator from an accredited college or university, or (ii) a public arts administrator, or (iii) a curator of an institution of art, or (iv) a registered architect or landscape architect, but no more than one of the remaining members may be from each of those disciplines.

(.2) Upon the submission of an Art Selection Committee for review by L&I, the applicant shall also submit the list for proposed committee members to the Art Commission. The Art Commission shall then have 30 days to review the qualifications of proposed committee members and to advise L&I in writing as to its recommendations regarding the qualifications and composition of the committee.

(d) Bonus Floor Area

The additional gross floor area earned for providing public art is:

Additional Gross Floor Area, as Percent of Lot Area	
CMX-4	CMX-5
50%	100%

(6) Public Space

The public space bonus may be earned by providing (1) open space, public parks and/or public plazas or (2) a public room.

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

A floor area bonus may be earned by providing open space, public parks, and/or public plazas, provided they meet the following minimum standards:

(.1) The space shall be open to the sky, except for arbors and trellises.

(.2) The space shall include a minimum of 5,000 sq. ft. of contiguous area, and may include a through-block pedestrian walkway that satisfies the following criteria:

(.a) The applicant's property must contain at least 50,000 sq. ft. of lot area and shall extend (a) between two dedicated public streets or (b) between a dedicated public street and an existing through block pedestrian connection that terminates in a dedicated public alley.

(.b) The applicant's property must be located in the area bounded by the south side of Arch Street, the north side of Pine Street, the west side of 8th Street, and the east side of 24th Street.

(.c) The walkway shall be at least 20 ft. in width and unobstructed and open to the sky, not including trees, seating, and landscaped areas.

(.d) The through block connection shall meet all public access design and engineering requirements for areas required to be accessible to those with physical impairments under the Americans with Disabilities Act and any implementing regulations adopted by the City.

(.e) The walkway shall be open to the public at least during the hours of 8:00 a.m. to 9:00 p.m., daily.

(.f) The walkway shall not be more than three ft. above or below the level of the adjacent sidewalk.

(.g) A minimum of 50% of each building facade that borders the outdoor walkways, up to a height of eight ft. above ground level, shall be improved with an active retail use or with landscaped areas, murals, or architectural details, including but not limited to windows and entrances.

(.h) Vehicular traffic and loading are prohibited from accessing or being located along walkways.

(.3) Walkways shall have pedestrian lighting. The maximum height of the lighting shall be 15 ft. with an illumination level of 2.0 maintained foot candles. Lighting shall be provided along walkways at 100-foot intervals. Lighting design shall be subject to the requirements of §14-707 (Outdoor Lighting).

(.4) No more than 50% of the space shall be located more than three ft. above ground level.

(.5) The space may not be used for parking, loading, or vehicle movements, or for vehicles to access areas used for parking, loading, or other vehicle movements.

(.6) A minimum of 30% of the space shall be landscaped and may incorporate a water feature. Water features shall meet the following criteria:

(.a) The feature shall be located in a public space.

(.b) The feature may consist of fountains, water walls, water channels, water sculptures, pools, or ponds.

(.c) The water feature shall be appropriately scaled and designed to enhance the space.

(.d) The water feature shall be in operation from at least April 1 through October 30 each year, between the hours of 8:00 a.m. and 9:00 p.m, daily.

(.e) The water feature 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).

(.7) Any space that has more than 3,000 sq. ft. of floor area shall have at least one tree per 1,000 sq. ft. in addition to those required by §14-705 (Landscape and Trees).

(.8) One linear foot of seating shall be provided for each 30 sq. ft. of space.

(.9) Pedestrian lighting shall be provided in each public open space, park or plaza. The maximum height of the lighting shall be 15 ft. with an illumination level of 2.0 maintained foot candles. One light shall be provided for every 500 sq. ft. of public space. Lighting design shall be subject to the requirements of §14-707 (Outdoor Lighting).

(.10) The space shall be connected to a sidewalk, but may not disrupt the continuity of an existing street wall.

(.11) The space shall be open to the public at least during the hours of 8:00 a.m. to 9:00 p.m. daily.

(.12) The public open space, park, or plaza shall be located so as to receive natural light during the day.

(b) Criteria for Public Room

A floor area bonus may be earned by providing a public room, provided it meets the following minimum standards:

(.1) The space is within a building that allows for year-round, climate controlled use by the public and that has access to the public street, transit concourses and/or transit stations either directly or through another connecting area open to the public.

(.2) The area shall not include any area for a through-block pedestrian walkway.

(.3) The space shall include a minimum of 5,000 sq. ft. of contiguous floor area and shall have a minimum unobstructed height of 24 ft.

(.4) All or part of the space may be located at the level of any transit concourse or transit station to which it has direct access, or at any level between the level of that transit station or concourse and ground level.

(.5) The space may not be used for parking, loading, or vehicle movements, or for vehicles to access areas used for parking, loading, or other vehicle movements.

(.6) The space must include access to a public amenity, such as retail, public restrooms or other attraction. Spaces that simply serve as a lobby for the transit concourse or building tenants do not qualify.

(.7) One linear foot of seating shall be provided for each 30 sq. ft. of space.

(.8) The space shall be open to the public at least during the hours of 8:00 a.m. to 9:00 p.m. daily.

(c) Bonus Floor Area

The additional gross floor area earned by providing public space is:

Amount of Public Space as Percentage of Lot Area	Additional Gross Floor Area, as Percentage of Lot Area	
	CMX-4	CMX-5
5-10% of lot area	100%	200%
11-20% of lot area	150%	300%
21-30% of lot area	200%	400%

(7) Mixed Income Housing

(a) Criteria

A floor area bonus may be earned by providing affordable housing, provided that it meets the following standards:

(.1) At least 10% of a minimum of five residential dwelling units constructed using base floor area ratio shall be affordable, as defined in §14-702(7)(a)(.3) and §14-702(7)(a)(.4), below.

(.2) This bonus is not available to developers of subsidized housing where 51% or more of the dwelling units will be affordable as defined by §14-702(7)(a)(.3) or §14-702(7)(a)(.4).

(.3) Rental housing shall have total monthly costs (including rent and utility costs) that are affordable to households earning up to 80% of the Area Median Income (AMI) reported by the U.S. Department of Housing and Urban Development for the Philadelphia Metropolitan Fair Market Rent Area.

(.4) Owner-occupied units shall have total monthly costs (including mortgage principal and interest, property taxes, property insurance, and condominium or homeowner association fees) that are affordable to households earning up to 100% of the AMI reported by the U.S.

Department of Housing and Urban Development for the Philadelphia Primary Metropolitan Statistical Area.

(.5) Affordable units shall be affordable for a term of not less than 15 years, with future sales within such period governed by a restrictive covenant or long-term ground lease.

(.6) Affordable units shall be constructed and available at the same time as market-rate units and reasonably dispersed throughout the development.

(.7) Affordable units shall be comparable to market-rate units in exterior building materials and finishes; overall construction quality; and energy efficiency.

(.8) A developer may choose to make a payment in lieu of building affordable units. The in lieu payment will be contributed to the Philadelphia Housing Trust Fund and shall be the lesser of:

(.a) the amount that a household at 80% of AMI adjusted for household size could afford to pay for purchase of a qualifying unit; or

(.b) the average cost of constructing a qualifying unit.

(b) Bonus Floor Area

The additional gross floor area earned by providing mixed-income housing is:

Additional Gross Floor Area, as Percentage of Lot Area		
CMX-3 in TOD Nodes	**CMX-4**	**CMX-5**
150%	150%	300%

(8) Transit Improvements

(a) Criteria

A floor area bonus may be earned by connecting to, constructing or extending a rail, subway, or trolley transit station or concourse, provided that the project meets the following standards:

(.1) The applicant shall submit a letter from the Southeastern Pennsylvania Transportation Authority (SEPTA) or the Port Authority Transit Corporation (PATCO) confirming that (a) SEPTA or PATCO is aware of the proposed transit improvements; (b) SEPTA or PATCO approves the portion of the project that will be constructed on its property; and (c) SEPTA or PATCO verifies that the improvements are engineered and will be completed to accommodate peak hour travel in all directions.

(.2) Qualifying improvements made by the applicant may include new access easements or improvements to connecting passageways, mezzanines, or concourse areas; or constructing a new rail, subway, or trolley transit station; or extending the concourse of an existing rail, subway or trolley transit station.

(b) Bonus Floor Area

The additional gross floor area earned by providing transit improvements is:

Additional Gross Floor Area, as Percentage of Lot Area	
CMX-4	**CMX-5**
50% of lot area per each 1% of estimated building hard costs spent on transit improvements, up to a maximum of 200% of lot area	100% of lot area per each 1% of estimated building hard costs spent on transit improvements, up to a maximum of 400% of lot area %

(9) Underground Accessory Parking and Loading

(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:

(.1) At least 75% of the accessory parking constructed shall be for the use of residents or occupants of the project, and no more than 25% of the spaces shall be rented on a daily, weekly, monthly, long-term, or any other term to any non-resident or non-occupant of the premises. This shall not prohibit the building owner from billing building residents and occupants for parking spaces separately from rent or other expenses.

(.2) All of the accessory parking constructed shall be located below grade.

(.3) The underground parking constructed must contain a gross floor area (including ramps) equal to at least 50% of the gross floor area of the ground floor of the primary building on the property where the underground parking is located.

(.4) None of the bonus space gained from underground parking or loading may be used to construct additional parking.

(b) Bonus Floor Area

The additional gross floor area earned by providing underground accessory parking and loading is:

Additional Gross Floor Area, as Percentage of Lot Area		
RMX-3	**CMX-4**	**CMX-5**
100%	100%	200%

(10) Green Building

(a) Criteria

(.1) 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, or certification by an

equivalent green building rating system as approved by the Commission, and that preliminary review of building design and elements confirm that it will earn enough points to be certified at that level by an appropriate certifying agency.

(.2) The applicant has signed an agreement with the City confirming that the building 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:

(.a) Make improvements to the building design, equipment, or operation until commissioned at that level, or

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

(b) Bonus Floor Area

The additional gross floor area earned for LEED is:

Level of LEED Certification	Additional Gross Floor Area, as Percentage of Lot Area		
	CMX-3 within a TOD Node	CMX-4	CMX-5
Gold	50%	100%	200%
Platinum	100%	200%	400%

§14-703 Form and Design

(1) General Purpose

The general purpose of this section is to:

(a) Allow full development of properties consistent with the dimensional standards established in §14-701 and the Floor Area Bonuses established in §14-702, while establishing baseline requirements for building and site features that will create stable residential neighborhoods, commercial, and industrial areas.

(b) Enhance the public realm.

(c) Ameliorate conflict between existing and new structures.

(d) Encourage effective development of street frontages and other public elements that enable new projects to add value to existing communities.

(e) Encourage creative and sustainable design responses to contemporary opportunities.

(f) Improve the overall design quality of the city through the use of objective standards that can be administered by L&I without the need for individualized design review of projects, except in those cases covered by §14-304(5) (Civic Design Review).

(2) Applicability

(a) The standards of this section shall apply to all new development, except for the following:

(.1) Detached and semi-detached buildings in which the principal use is single-family or two-family residential;

(.2) A change in the principal use of an existing structure, provided that the structure is not altered; or

(.3) Structures in which the principal use is one of the following use categories or subcategories, as described in Chapter 14-600 (Use Regulations):

(.a) Park and open space;

(.b) Utilities and services, basic;

(.c) Utilities and services, major;

(.d) Wireless service facility;

(.e) Parking, non-accessory;

(.f) Urban agriculture; or

(.g) Industrial.

(b) Unless otherwise expressly stated, the standards of §14-703(4) (Attached Building Design Standards) apply to each group of five or more attached buildings developed as part of a single development project in any zoning district.

(c) Unless otherwise expressly stated, the standards of §14-703(5) (Multi-Family Residential, Commercial, and Institutional) apply in RM-2, RM-3, RM-4, RMX-3, and Commercial Districts to:

(.1) Multi-family buildings that contain 10 or more residential units; and to

(.2) Lots that are at least 10,000 sq. ft. or buildings with at least 10,000 sq. ft. of gross floor area.

(d) In the case of any conflict between the form and design standards of this section and designs recommended as part of the Civic Design Review process in §14-304(5), the form and design standards of this section shall govern.

(e) In the case of any conflict between the form and design standards of this section and design standards applicable to a particular project because of its location in an overlay district listed in Chapter 14-500 (Overlay Zoning Districts) or because of a use-specific standard in §14-603 (Use-Specific Standards) the provisions of the overlay district or use-specific standard shall govern.

(3) Certification

Zoning permit applications must, if subject to the provisions of this §14-703 (Form and Design), include a site plan and elevation drawings prepared by a licensed architect or a licensed professional civil engineer that demonstrates compliance with the standards of this §14-703 (Form and Design).

(4) Attached Building Design Standards

New utility meters must be hidden from view from the street frontage.

(5) Multi-Family Residential, Commercial, and Institutional

The intent of these standards is to promote development of buildings that enhance their surroundings through facades that contribute to street activity, the safe circulation of pedestrians and bicycles to and around buildings, and reduced visibility of utilities and equipment related to buildings.

(a) Site Design

(.1) Entries

Each principal building shall have one or more entry doors facing and visible from an adjacent public street.

(.2) Screening

Utility equipment, transformers, ground mounted chillers or cooling towers, and loading docks including trash loading facilities shall be located in areas that are not visible from adjacent public streets or nearby residential uses, or shall be screened from view. Screening shall be opaque and may include configuration of buildings, permitted fences, lattice structures, topographical changes, and/or plants. Rooftop-mounted equipment shall be screened from view from adjacent public streets, public spaces, or nearby residential uses through the use of parapet walls, roof design configuration, or equipment screens at least as tall as the equipment being screened.

(.3) Access

(.a) When the lot abuts uses in the parks and open space use categories that are administered by DPR, the site design shall provide access for building occupants to the adjacent parks and open space use if appropriate and permitted by DPR.

(.b) Where the Commission's *Philadelphia Pedestrian and Bicycle Plan* show a bicycle or pedestrian path or trail abutting the application site, the site design shall provide connections to those paths or trails.

(.4) Multi-Building Projects

The standards in this §14-703(5) (Multi-Family Residential, Commercial, and Institutional) shall apply to each building that would be considered a principal building as if it were the only building on the lot.

(b) Building Design

(.1) Façade Articulation

Façade articulation is required for each building frontage that is greater than 100 ft. wide and that faces a public street 40 ft. or wider. The intent is to ensure that public streets will not be fronted by featureless, monolithic walls. Between the average ground level and a height of 25 ft., a minimum of 30% of the wall area must include one or more of the following features listed in subsections (.a) through (.c). For purposes of this §14-703(5)(b)(.1), the area of a façade articulation feature shall be the surface area of the wall occupied by the feature. Where that area is

not a rectangle, triangle, square, or circle, the area shall be that of the smallest square or rectangle that could enclose the irregular shape.

(.a) Ornamental and structural detail;

(.b) Projections, recesses, bays, overhangs, or other variations in planes; or

(.c) Transparent windows or other transparent glazed area.

(.2) Exposed Side Walls

The following standards apply to the exposed portion of a wall abutting a side lot line.

(.a) The total height of the exposed portion of a wall abutting a side lot line may be a maximum of 25 ft. in height without any required façade articulation.

(.b) When the exposed portion of a building wall abutting a side lot line exceeds 25 ft in height, the portion of the wall above 25 ft. must have at least 15% of its total surface consisting of articulation that indicates the floor level or implied window openings or other elements and materials to provide visual relief consistent with the architecture of the building and the neighborhood. This may be accomplished by, but is not limited to:

(.i) blind windows,

(.ii) material color or texture change,

(.iii) architectural screens, lattices, or baffles, or

(.iv) articulated structural spandrels.

§14-704 Open Space and Natural Resources

(1) Intent

The open space and natural resource standards of this section are intended to promote safe and compatible development throughout the City of Philadelphia that avoids adverse impacts and degradation of the environment through open space preservation, protection of steep slopes, erosion control, and water quality protection.

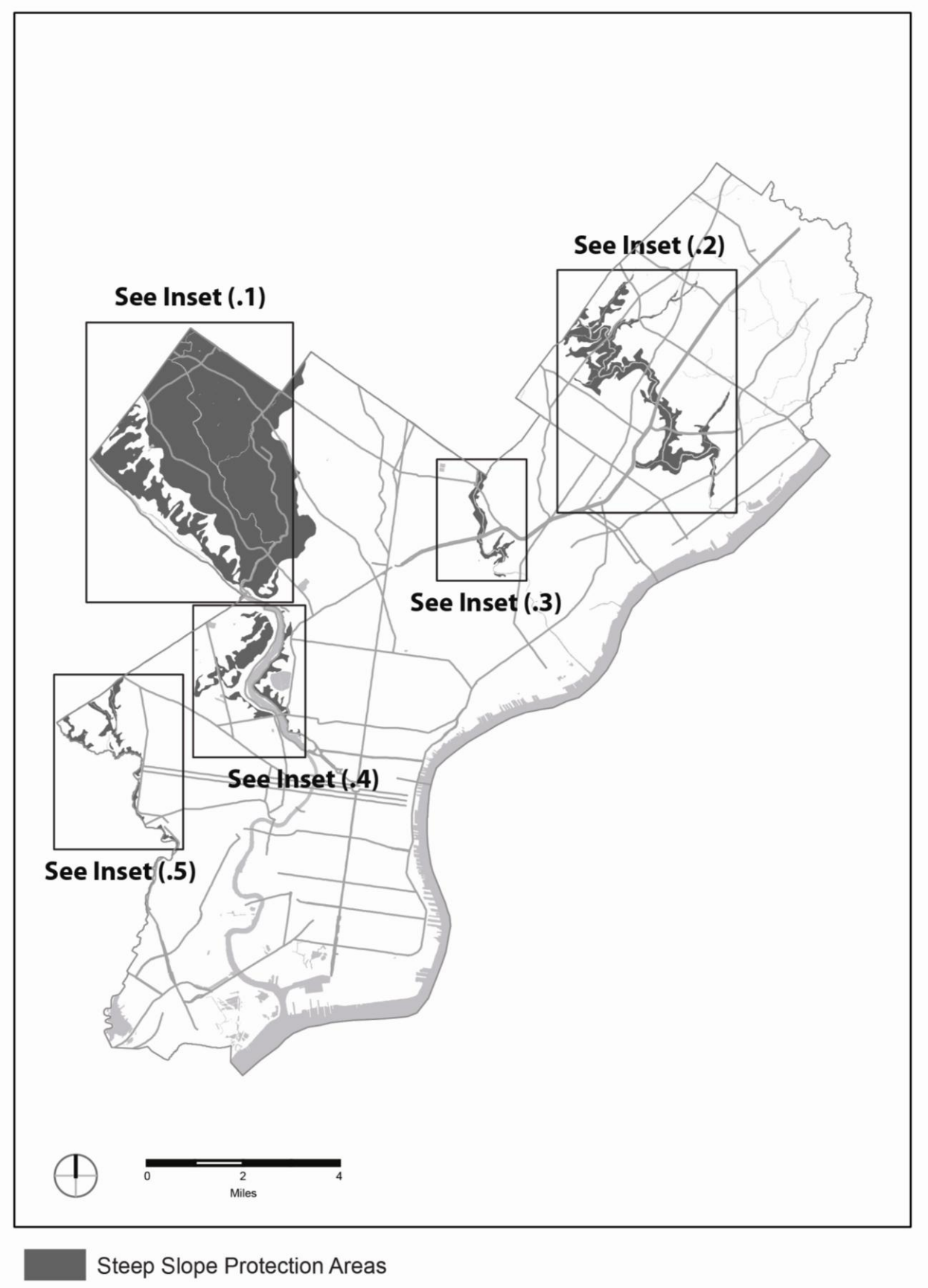
(2) Steep Slope Protection

(a) Applicability

(.1) These steep slope protection standards shall apply in all zoning districts to slopes of 15% or greater on any lot or portion(s) thereof located within the "Steep Slope Protection Area", as shown on the City of Philadelphia Steep Slopes Map maintained by the Commission. The steep slopes map shown below is for illustrative purposes only and is not to be used for detailed planning of proposed development.

(.2) When an application for a permit or approval under this Zoning Code includes any land that is located within the "Steep Slope Protection Area" of the City of Philadelphia Steep Slopes Map, the City may require

that the applicant submit a topographic survey confirming the locations of slopes of 15% or greater.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Miles
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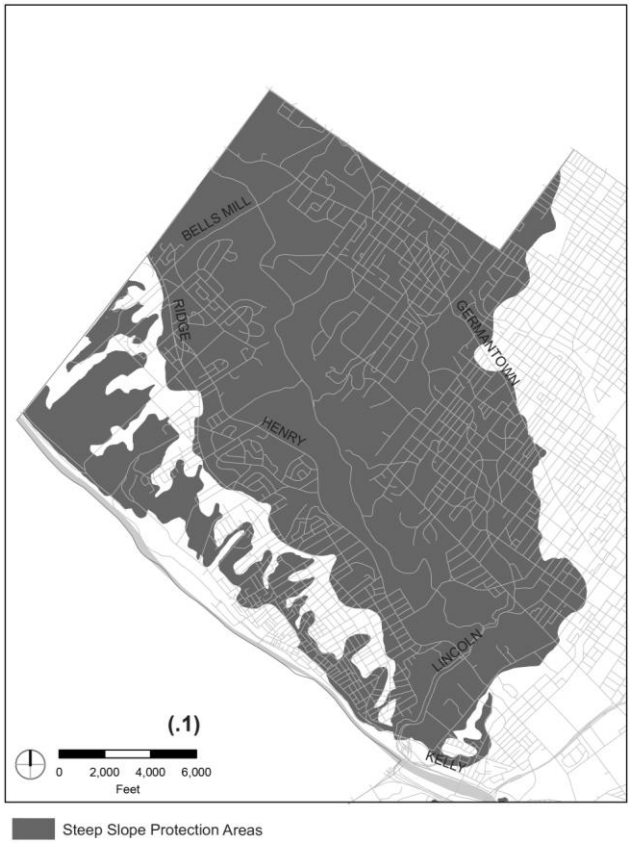
BELLS MILL
RIDGE
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GERMANTOWN
LINCOLN
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(.1)
0 2,000 4,000 6,000
Feet
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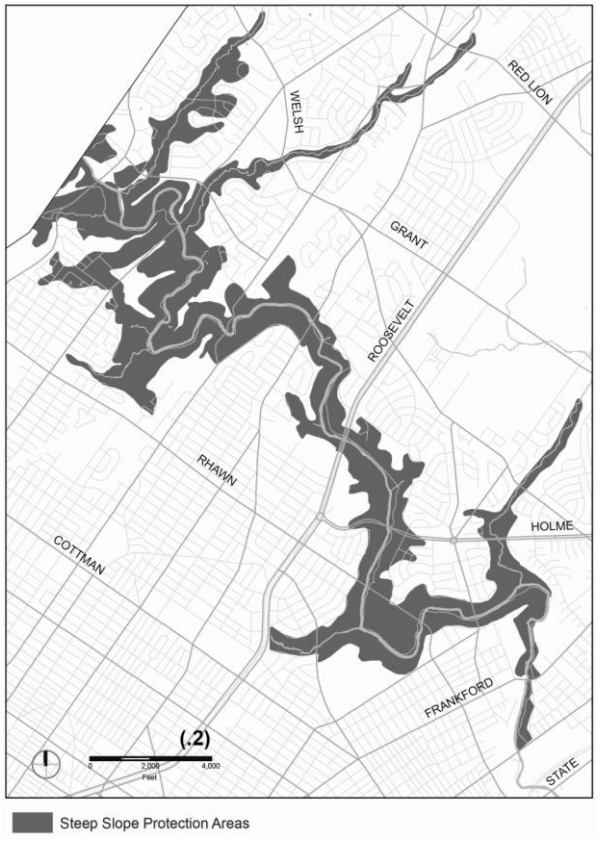
WELSH
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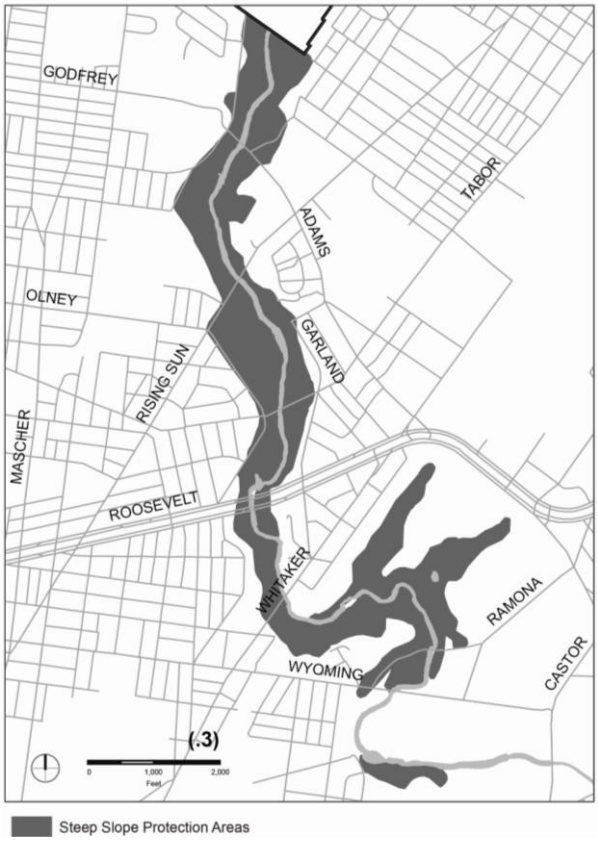
GODFREY
TABOR
ADAMS
OLNEY
GARLAND
RISING SUN
MASCHER
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WHITAKER
RAMONA
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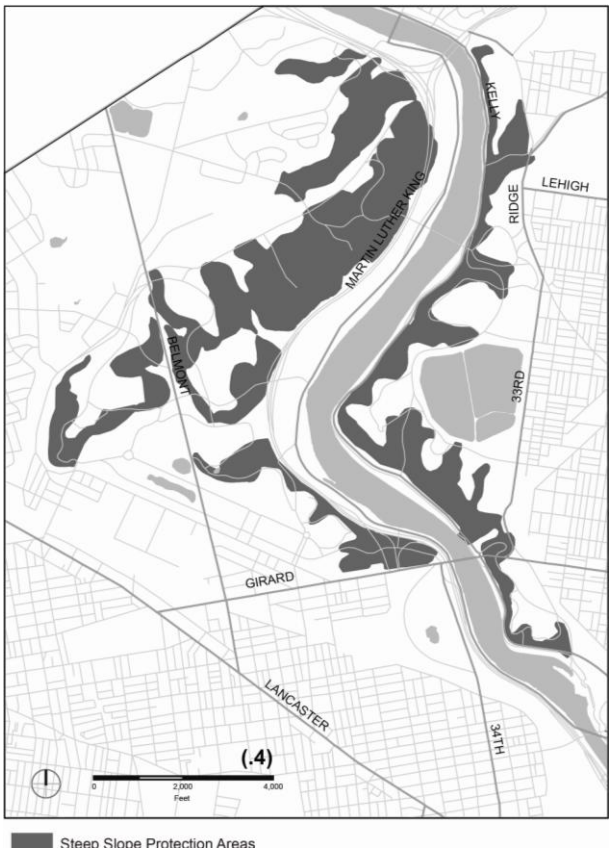
CASTOR
(.3)
Steep Slope Protection Areas



(b) Restrictions on Disturbance

(.1) On those portions of the lot where the slope of the land is more than 15% and less than 25%, site clearing or earth moving activities shall be permitted only in conformance with an earth moving plan described in §14-704(2)(c) below. No earth moving plan shall be required if (a) the lot contains no more than one-half acre of gross land area, or (b) the proposed earth moving will affect 500 sq. ft. of land or less and the proposed activity will increase impervious surface on the lot by no more than 500 sq. ft.

(.2) On those portions of the lot where the slope of land is 25% or greater, no site clearing or earth moving activity is permitted.

(c) Earth Moving Plans

Where an earth moving plan is required pursuant to §14-704(2)(b) above, that plan must be prepared by a licensed professional engineer 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 L&I 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.

(3) Stormwater Management

(a) Applicability and Exceptions

(.1) These standards apply in all zoning districts to earth disturbances that create a significant risk of water pollution from stormwater runoff, erosion, or sedimentation. The Water Department shall establish, by regulation, the threshold of earth disturbance that constitutes a sufficient risk of water pollution requiring Water Department review.

(.2) The standards of this section do not apply to development activities on individual lots that are part of a larger subdivision that has a stormwater management system previously approved by the Water Department, provided that the construction conforms to all of the requirements of the approved system.

(.3) In addition, any development located in the /WWO Overlay district described in §14-510 must comply with the stormwater management provisions of that overlay district.

(b) Permit Required

(.1) No zoning or building permits shall be issued unless the Water Department confirms that the proposed activity and related stormwater management plan complies with the regulations of the Water Department designed to reduce the risk of water pollution.

(.2) The proposed stormwater management plan will be deemed to comply if the Water Department fails to approve or disapprove the plan within 45 days after it receives a copy of the application.

(c) Stormwater Management Plan

A stormwater management plan submitted with a permit application shall comply with the regulations of the Water Department.

(4) Flood Protection

(a) Applicability

These special restrictions and regulations shall apply to the Special Flood Hazard Areas along the Delaware and Schuylkill Rivers, Poquessing Creek, Byberry Creek, Walton Run, Pennypack Creek, Wooden Bridge Run, Tacony-Frankford Creek, Wissahickon Creek, Darby Creek, Cobbs Creek, and Indian Creek, more fully defined by the Flood Insurance Study and Flood Insurance Rate Maps of the U.S. Department of Homeland Security Federal Emergency Management Agency. The Commission shall make the maps available for public inspection upon request.

(b) Disclaimer of Liability

The degree of flood protection sought by the provisions of this Zoning Code is considered reasonable for regulatory purposes and is based on accepted engineering methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as bridge and sewer openings restricted by debris. This Zoning Code does not imply that areas outside any

identified floodplain areas, or that land uses permitted within such areas will be free from flooding or flood damages.

(c) Special Regulations

The following special regulations are imposed to regulate setbacks, construction, and earth-moving activity along watercourses subject to flooding. These regulations are in addition to the requirements of the Pennsylvania Department of Environmental Protection. The Commission may authorize such waivers or partial waivers from the terms of this section as will not be contrary to the public interest if the applicant provides to the Commission a National Flood Insurance Program Elevation Certificate prepared by a licensed land surveyor, professional engineer, or architect authorized by law to certify that the proposed development is not within the floodway or the Special Flood Hazard Area.

(.1) Within the Floodway

(.a) No encroachment (including fill, new construction, or any development) is permitted; except that public utilities, trails, roadways, and bridges are permitted as long as they cause no increase in the Base Flood Elevation.

(.b) Public utility companies shall not place mobile homes or offices within the floodway.

(.c) Construction or substantial improvement of any structure used for the following is prohibited:

(.i) the production or storage of: acetone; ammonia; benzene; calcium carbide; carbon disulfide; celluloid; chlorine; hydrochloric acid; hydrocyanic acid; magnesium; nitric acid and oxides of nitrogen; petroleum products (gasoline, fuel oil, and the like); phosphorus; potassium; sodium; sulphur and sulphur products; pesticides (including insecticides, fungicides, and rodenticides);

(.ii) any activity requiring the maintenance of a supply of any of the materials listed in §14-704(4)(c)(.1)(.c)(.i) in excess of 550 gallons or an equivalent volume; or

(.iii) any purpose involving the production, storage, or use of any amount of radioactive substance.

(.2) Within the Special Flood Hazard Area

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

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

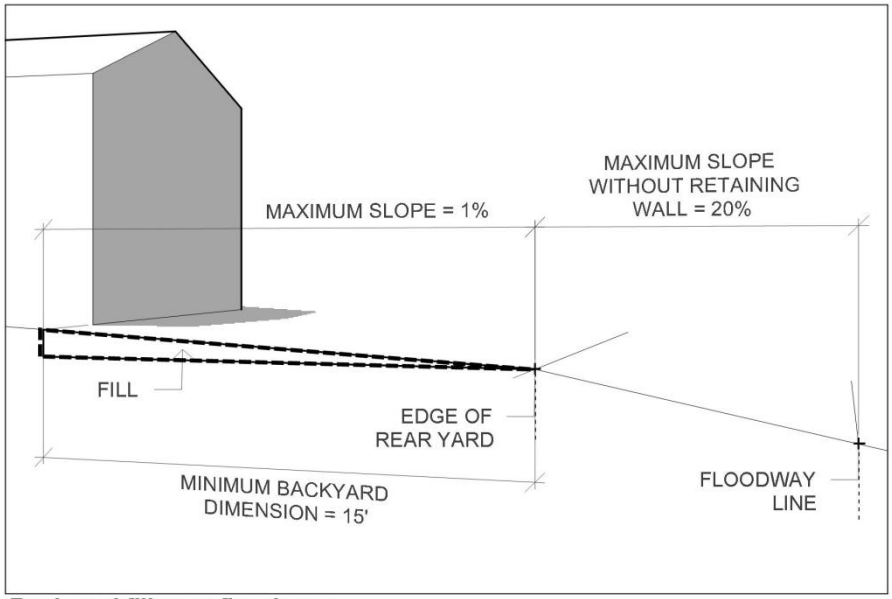
or be designed and constructed so that the space enclosed below the regulatory flood elevation:

(.i) Is flood-proofed so that the structure is watertight with walls substantially impermeable to the passage of water;

(.ii) Has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

(.iii) All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement. Additionally, all air ducts, air conditioning systems, utilities, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be raised to the Regulatory Flood Elevation and shall be securely anchored or affixed to prevent flotation.

(.c) Fully enclosed space that is below the lowest floor of the building and that is used solely for the parking of a vehicle, building access, or incidental storage shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" shall include crawl spaces.



Backyard fill near floodways

(.d) If fill is used to raise the elevation of the site for residential construction, the fill area shall extend out laterally at a maximum slope of 1% for the minimum required rear yard dimension but in no case less than 15 ft. beyond the proposed structure. The

grade from the edge of the rear yard to the floodway line shall not exceed 20% unless a retaining wall is constructed.

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

(.i) the production or storage of: acetone; ammonia; benzene; calcium carbide; carbon disulfide; celluloid; chlorine; hydrochloric acid; hydrocyanic acid; magnesium; nitric acid and oxides of nitrogen; petroleum products (gasoline, fuel oil, and the like); phosphorus; potassium; sodium; sulphur and sulphur products; pesticides (including insecticides, fungicides, and rodenticides);

(.ii) any activity requiring the maintenance of a supply of any of the materials listed in §14-704(4)(c)(.2)(.e)(.i) in excess of 550 gallons or an equivalent volume; or

(.iii) any purpose involving the production, storage, or use of any amount of radioactive substance.

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

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

(.b) The Commission shall determine the regulatory flood elevation in accordance with standard hydrologic and hydraulic engineering methods.

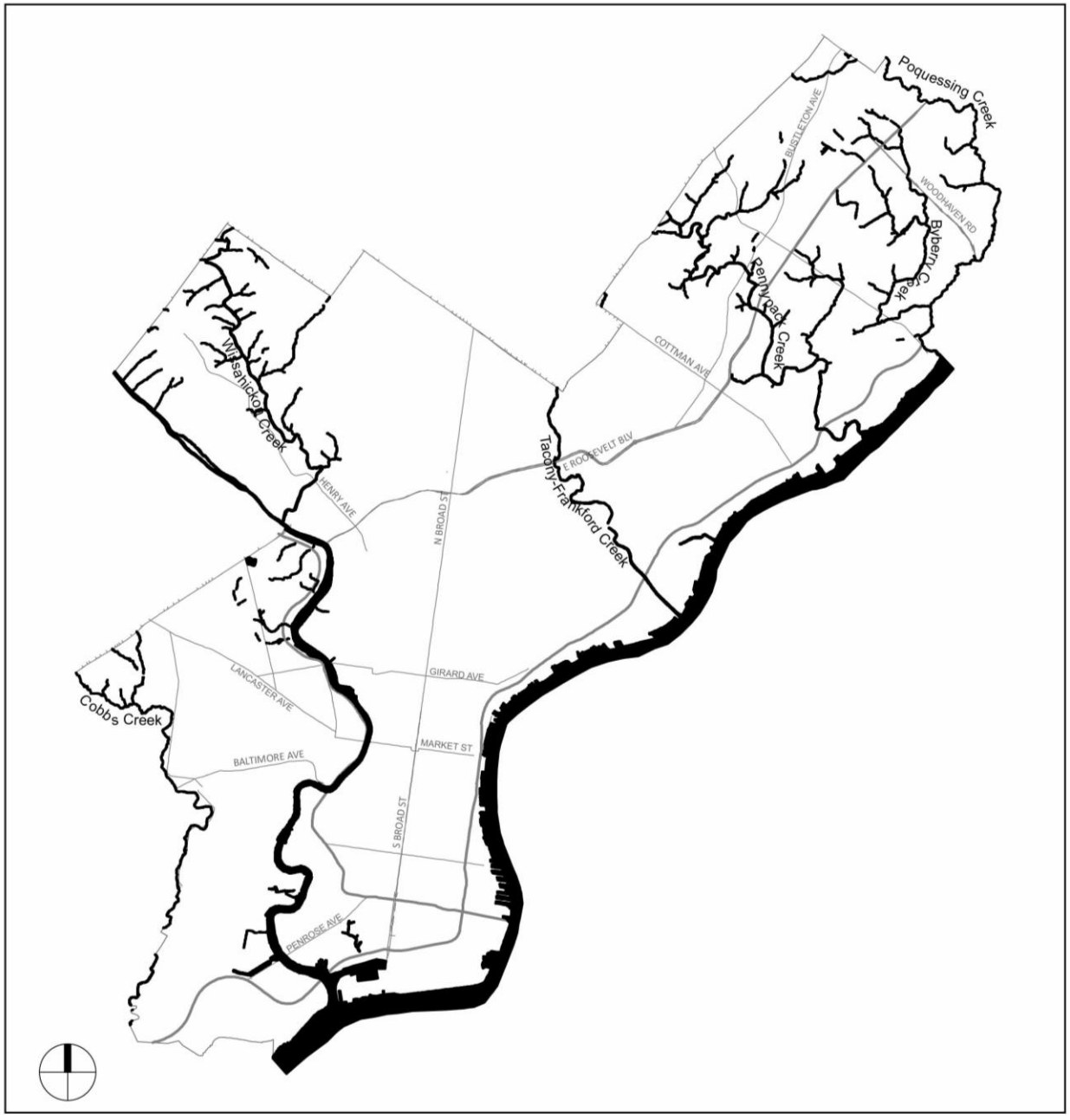
(.c) The following uses are prohibited unless a special exception pursuant to §14-303(7) (Special Exception Approval) is first obtained: Hospital; Medical, Dental, or Health Practitioner; Group Living uses housing elderly or disabled persons or persons with limited mobility; Day Care; or Detention or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

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

(5) Stream Buffers

(a) Applicability

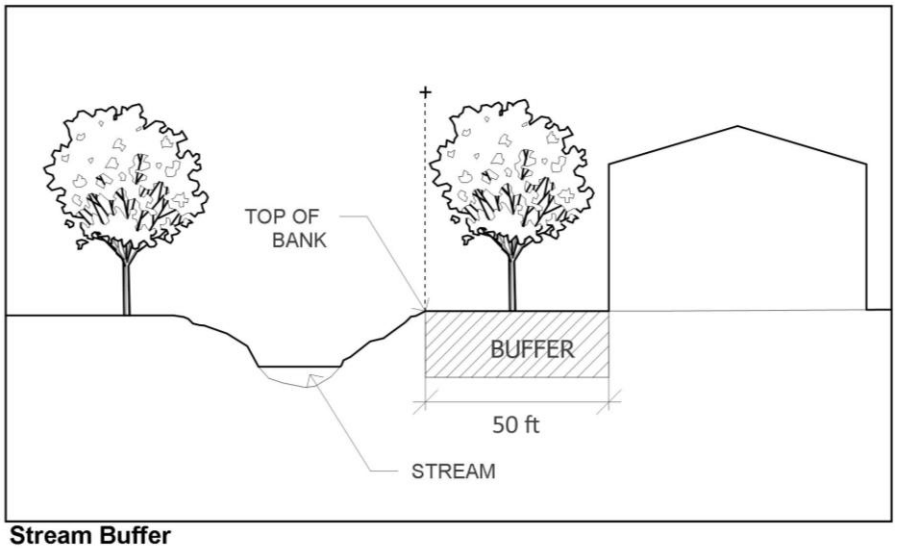
The stream buffer requirement shall apply to all lots sharing a boundary with any water course that contributes to the City's surface drinking water sources. The Water Department shall establish, by regulation, a Hydrology Map that designates these water courses. The map below is for illustrative purposes only.



Stream Buffer Map

(b) General Standards

(.1) All development shall provide a stream buffer at least 50 ft. wide measured perpendicular to and horizontally from the top-of-bank.



Stream Buffer

(.2) The following activities and uses are prohibited within the stream buffer:

(.a) Permanent or temporary structures, except for structures accessory to public open space.

(.b) Clearing of native or non-invasive vegetation.

(.c) Outdoor storage of materials.

(.d) Roads and driveways.

(.e) Parking lots.

(.f) Any other directly connected impervious surface (see §14-203(95) (Directly Connected Impervious Surface).

(.3) Portions of the lot within the stream buffer area may be counted towards any required open space on the lot.

(.4) Plantings within the stream buffer may count toward the minimum landscape requirements required by §14-705 (Landscape and Trees). Any new landscape within the stream buffer shall use the plantings included on the native and non-invasive planting list in the Philadelphia Stormwater Management Guidance Manual.

§14-705 Landscape and Trees

(1) On-Site Landscape and Tree Requirements

(a) Applicability

The on-site landscape and tree requirements of this §14-705(1) (On-Site Landscape and Tree Requirements) shall apply to all development on existing lots greater than 5,000 sq. ft. in area, except:

(.1) Lots with a principal single-family, two-family, parks and open space, or urban agriculture use; and

(.2) Parking lots and garages. Parking lots and garages shall comply with the landscape standards of §14-803(5) (Parking Landscape and Screening).

(b) Landscape and Tree Plan Required

Zoning permit applications must, if subject to the provisions of this §14-705(1) (On-Site Landscape and Tree Requirements), include a landscape and tree plan prepared by a licensed architect, licensed landscape architect, licensed professional civil engineer, or a certified arborist that demonstrates compliance with the standards of this §14-705(1) (On-Site Landscape and Tree Requirements).

(c) General Standards

(.1) Plants

Herbaceous plants or lawn installed in the required landscaped area shall be from a list of low-water species maintained by DPR.

(.2) Minimum Plant Size

Trees installed in the required landscaped area shall have a minimum caliper of 2.0 in.

(.3) Irrigation

All irrigation systems for development shall be designed, installed, and operated to minimize run-off and over-spray of irrigation water onto roadways, sidewalks, and adjacent properties, and shall be installed with rain sensors to turn the system off during rainy conditions.

(.4) Sight Triangle Requirements

Shrubs and similar plants that exceed 2.5 ft. in height are prohibited in sight triangles.

(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:

(.a) Multi-Family Residential, Commercial, or Institutional

(.i) A multi-family building with more than six units that abuts a lot in an RSD zoning district; and

(.ii) A building with a principal use in the public, civic, and institutional, office, retail sales, commercial services, or

vehicle or vehicular equipment sales and service use categories that abuts a lot in a Residential district.

(.b) Industrial

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

(.2) Two Buffering Options

The applicant shall provide the amounts of buffering shown in Table 14-705-1 using either Option A or Option B.

(.a) Option A – Landscape Buffer

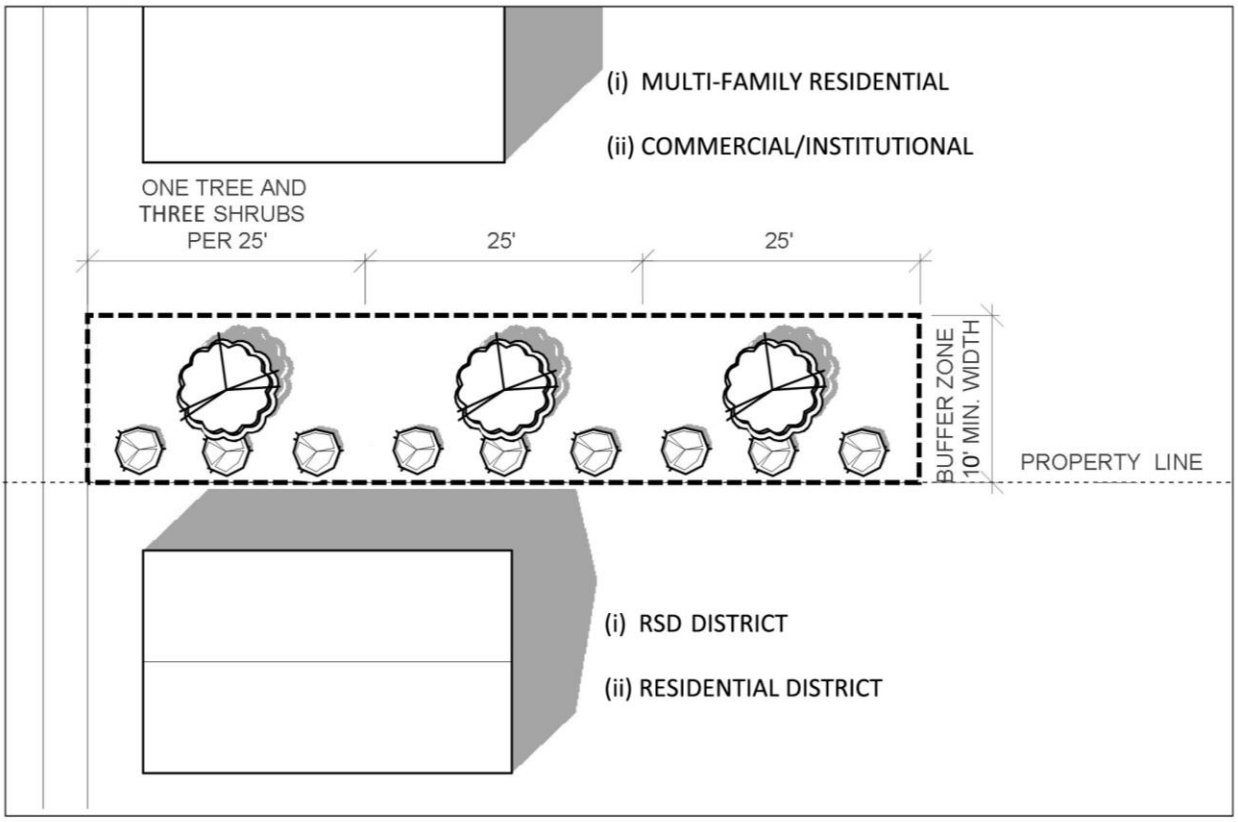
A landscape buffer area meeting the requirements of Table 14-705-1 shall be provided on the shared border to minimize sound, light, and noise impacts. The buffer area shall consist of natural plant materials such as lawn, herbaceous plants, shrubs, and trees, and shall not contain impervious materials. At least 15 ft. of space must be provided between tree trunks. Shrubs shall have a mature height of at least five ft.

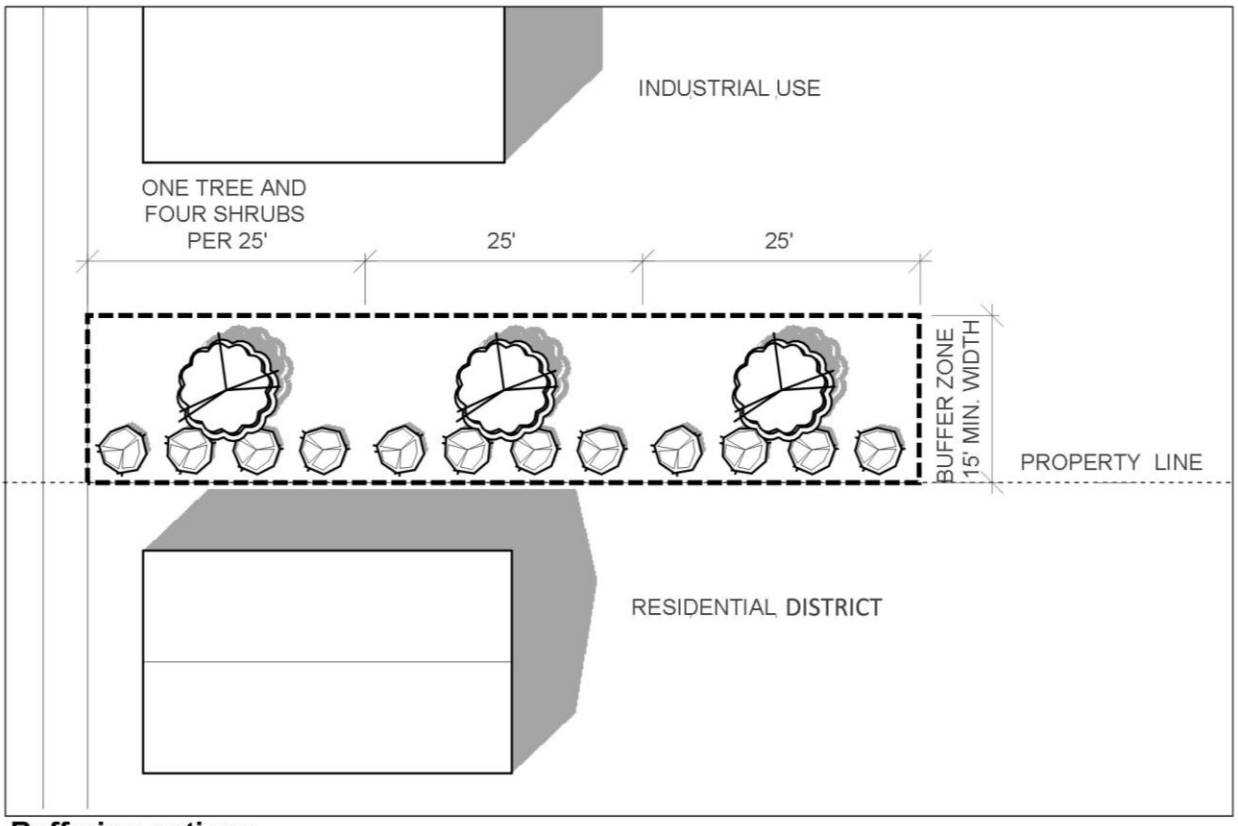
(.b) Option B – Wall, Berm, Fence, or Vegetative Screen

An opaque wall, berm, fence, or dense vegetative screen meeting the requirements in Table 14-705-1 shall be provided on the shared border. If a fence or wall is provided, the side facing the Residential district shall be at least as finished in appearance as the side facing the applicant's use. Fencing shall be constructed of wood or ornamental metal; chain-link and barbed wire are prohibited as fencing material.

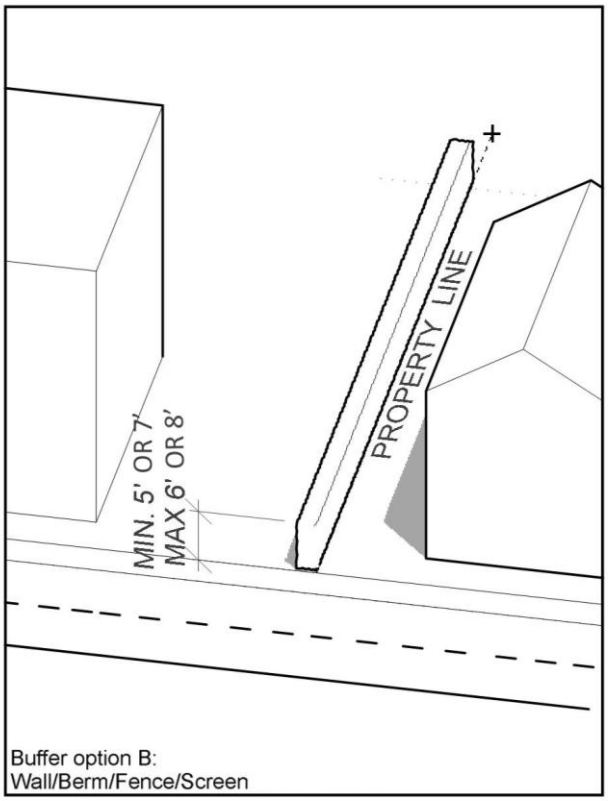
Table 14-705-1: Landscape Buffering Between Different Land Uses

Land Use (Descriptions below are summary only. The provisions of §14-705(1)(d)(.1) shall control.)	**Option A** **Landscape Buffer**	**Option B** **Opaque Wall, Berm, Fence, or Dense Vegetative Screen**
Multi-Family Residential abutting an RSD district; Commercial or Institutional abutting a Residential district (14-705(1)(d)(.1)(.a))	**Width:** 10 ft. min. **Landscape:** At least 1 tree and 3 shrubs per 25 ft.	**Height:** 5 ft. min./6 ft. max. (at least 5 ft. at time of planting for a vegetative screen)
Industrial abutting a Residential district (14-705(1)(d)(.1)(.b))	**Width:** 15 ft. min. **Landscape:** At least 1 tree and 4 shrubs per 25 ft.	**Height:** 7 ft. min./8 ft. max. (at least 7 ft. at time of planting for a vegetative screen)





Buffering options



(e) Preservation of Heritage Trees

Heritage trees may be not be removed from any property unless the applicant obtains a special exception approval. The Zoning Board shall grant a special exception to remove a heritage tree if:

(.1) the applicant replaces the removed heritage tree in accordance with §14-705(1)(f) (Tree Replacement Requirements);

(.2) it determines that the criteria of §14-303(7) (Special Exception Approval) have been met; and

(.3) it confirms one or more of the following:

(.a) a certified arborist has determined that the tree is dead, damaged, diseased, or a threat to public health or safety;

(.b) the Streets Department has determined that the tree interferes with the provision of public services or constitutes a hazard to traffic, bicyclists, or pedestrians; or

(.c) the applicant has demonstrated that the proposed development cannot be practically redesigned to protect the heritage tree.

(f) Tree Replacement Requirements

(.1) Except as set forth in §14-705(1)(f)(.2), below, all healthy trees on the lot of 2.5 in. DBH or larger that are removed, damaged, or destroyed as a

result of development activities shall be replaced in accordance with the following standards:

(.a) All trees proposed for removal and all proposed replacement trees shall be indicated on the site plan.

(.b) The total caliper of all replacement trees shall be no less than the total caliper of all trees removed from the lot. Each replacement tree shall not be less than 2.5 in. DBH at planting.

(.2) Trees removed under the following conditions are exempt from the replacement requirements of §14-705(1)(f):

(.a) As determined by a certified arborist, the tree is dead, damaged, or diseased.

(.b) As determined by a certified arborist, the tree is an undesirable species in its present location.

(.c) As determined by a certified arborist, the tree poses potential danger to life or property.

(g) Credits for Preserving Existing Trees

Applicants who preserve mature, healthy trees as part of a development project may obtain credits toward trees required by this Zoning Code. Trees intended to be preserved shall be indicated on the site plan. To obtain credit, the preserved trees must be on the same lot, at least five in. diameter breast height (DBH) and must be in healthy condition as determined by a certified arborist. The credit for preserved trees shall be as shown in Table 14-705-2 and may be applied toward the number of trees required on the lot. Any preserved trees for which credit is given, and that are lost to damage or disease within two years after the credit is awarded, shall be replaced by the land owner with trees otherwise required.

Table 14-705-2: Tree Preservation Credits

Caliper of Preserved Tree (in.)	Credit (in total DBH)
Over 12 in. DBH	12 in. DBH
Over 8 in. to 12 in. DBH	8 in. DBH
5 in. to 8 in. DBH	5 in. DBH

(2) Street Tree Requirements

(a) Applicability

The street tree requirements of this §14-705(2) (Street Tree Requirements) shall apply to:

(.1) All development on lots greater than 5,000 sq. ft. in area, except lots with a principal single-family, two-family, parks and open space, or urban agriculture use; and

(.2) Subdivisions of three or more lots.

(b) Certification

Before L&I may issue a building permit, the applicant must, if subject to the provisions of this §14-705(2) (Street Tree Requirements), submit a site plan indicating the location and number of street trees to be planted prepared by a

licensed architect, licensed landscape architect, licensed professional civil engineer, or a certified arborist that demonstrates compliance with the standards of §14-705(2) (Street Tree Requirements).

(c) Standards

(.1) Existing street trees in healthy condition that will be preserved may be used to meet the requirements of this section.

(.2) New street tree planting shall comply with the following standards:

(.a) At least one street tree per 35 ft. of linear frontage shall be provided. Street trees may be placed at regular or irregular intervals, provided that there is at least 15 ft. of space between tree trunks.

(.b) To the extent possible, trees shall be planted in alignment with street trees on the same block or adjacent lots.

(.3) The applicant shall plant the required street trees and manage the tree installation.

(.4) L&I shall not grant a building permit to an applicant unless the applicant either makes a deposit into the City treasury, or posts a bond in form satisfactory to the City Solicitor, in an amount sufficient, as determined by DPR, to pay for the City's costs in purchasing and planting the required street trees in the event the applicant fails to comply with the requirements of this §14-705(2) (Street Tree Requirements) and applicable regulations, such amount to be refunded or such bond to be marked satisfied upon compliance by the applicant with these requirements. Retention by the City of the deposit or payment on the bond shall not excuse the applicant from applicable fines or penalties.

(3) Installation and Maintenance of Landscape and Trees

(a) All landscape and trees required to be installed or replaced by this §14-705 (Landscape and Trees) shall be installed or replaced within two years of the issuance of a building permit for the project, or before the issuance of a certificate of occupancy for the principal building on the lot, whichever is later.

(b) The applicant or owner of each property subject to the requirements of this section is required to maintain all required landscape and trees and replace any tree that dies or is required to be removed due to damage or disease.

(c) Failure to install, replace, or maintain landscape or trees as required by this section is a violation of this Zoning Code.

§14-706 Fencing and Walls

(1) Applicability

The fence and wall regulations of this section shall apply in all zoning districts, and to all land uses, unless specifically exempted by another provision of this Zoning Code, or unless inconsistent with a more specific requirement in another provision of this Zoning Code. In addition, all development shall comply with any specific fencing or wall

regulations contained in any overlay district standards in Chapter 14-500 (Overlay Zoning Districts) or any use-specific standard in §14-603 (Use-Specific Standards).

(2) Sight Triangles

Fences and walls over four ft. in height and more than 50% opaque may not be constructed or installed within any sight triangle.

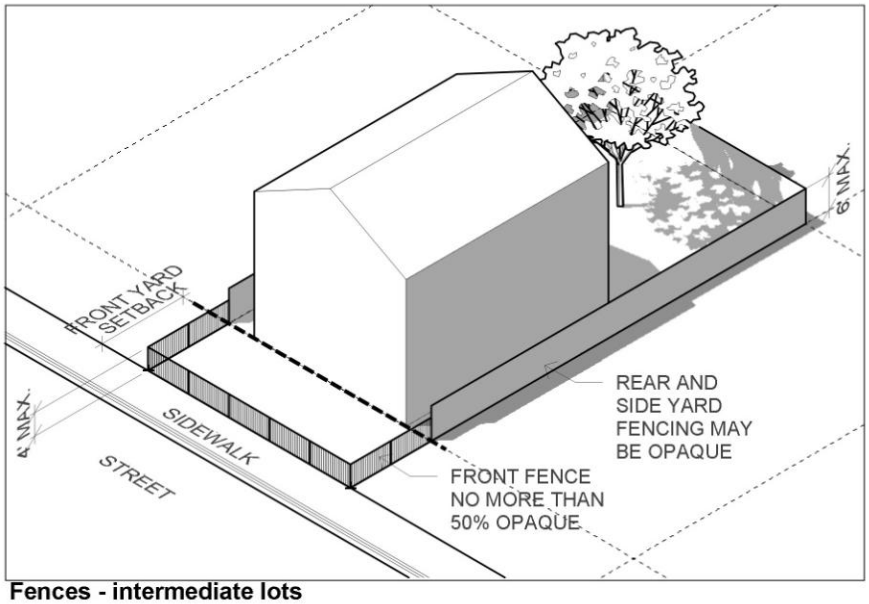
(3) Residential District Standards

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

(a) Intermediate Lots

(.1) Front

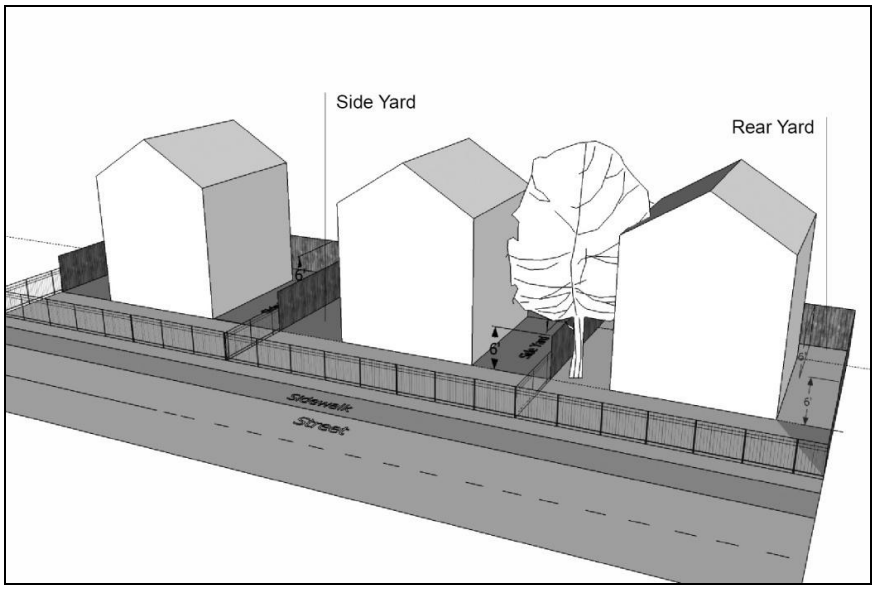
Any fence located nearer to the lot line than the required building setback or the actual distance of the building from the lot line (whichever is greater), shall be no more than four ft. in height and no more than 50% opaque.



Fences - intermediate lots

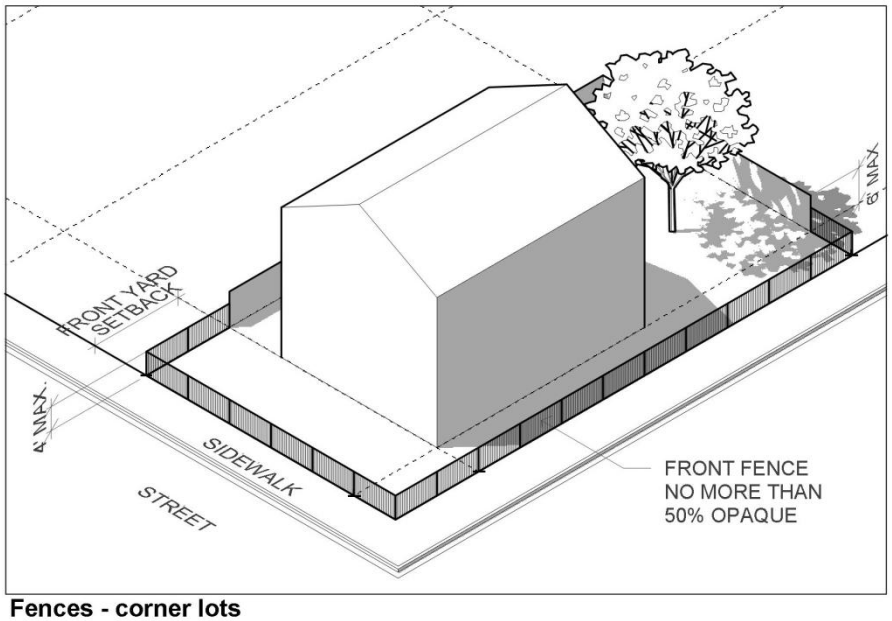
(.2) Side and Rear

Fences in the rear or at the side that are located 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.



(b) Corner Lots

Fences on any side of a corner lot building facing a street shall comply with the front setback rules set forth by §14-706(3)(a)(.1) above for an intermediate lot. Fences on any side of a corner lot building not facing a street shall comply with the side and rear setback rules set forth by §14-706(3)(a)(.2) above of a non-corner lot.



Fences - corner lots

(c) Architectural Fence Features

Fence posts and gate posts that are integrated as architectural features in the fence design are permitted up to 6.5 ft. in height for side and rear fences and up to 4.5 ft. for front fences, but all portions of the fence other than fence posts and gate posts shall comply with the maximum heights stated in §14-706(3)(a) (Intermediate Lots) and §14-706(3)(b) (Corner Lots) above.

(d) Retaining Walls

Any portion of a retaining wall that exists above the higher level grade shall comply with the requirements for fences. Where a fence is located on top of a retaining wall, the combined height of the retaining wall that exists above the higher level grade and fence shall not exceed the maximum height permitted for a fence. This paragraph shall not apply to any retaining wall required to meet alternative standards by any provision of The Philadelphia Code, or any provision of state or federal law, or any regulations adopted to implement the code or those laws.

(e) Fences Around Decks

Standards for fences around decks are in §14-604(4) (Decks).

(4) Commercial District Standards

(a) Intermediate Lots

(.1) Front

Any fence located nearer to the front lot line than the building, shall be no more than four ft. in height and no more than 50% opaque.

(.2) Side and Rear

Fences in the rear or at the side that are located further from the front lot line than the building may be no more than eight ft. in height.

(b) Corner Lots

Fences on any side of a corner lot building facing a street shall comply with the front setback for an intermediate lot in that zoning district. Fences on any side of a corner lot building not facing a street shall comply with the side and rear setbacks of a non-corner lot in that zoning district.

(c) Fences for Decks in all Commercial Districts Except CMX-4 and CMX-5

Standards for fences around decks for all Commercial districts except CMX-4 and CMX-5 are found in §14-604(4) (Decks).

(d) Fences and Walls for Surface Parking

Fences and walls for surface parking areas are governed by the parking lot landscape provisions of §14-803(5) (Parking Landscape and Screening).

§14-707 Outdoor Lighting

(1) Intent

The outdoor lighting standards of this section are intended to protect residential uses from excessive night time light and glare and to protect motorists from glare along public rights-of-way, to reduce consumption of electricity for lighting purposes, and to assure that exterior lights are shielded through the use of full cut-off fixtures so that they do not cast direct light beyond the property line next to residential areas and public rights-of-way.

(2) Applicability

The outdoor lighting standards of this section apply to all exterior site and parking lot lighting installed on private lots after the effective date of this Zoning Code except:

(a) Lighting for accessory and non-accessory signs.

(b) Outdoor lighting for a single-family or two-family use.

(c) Outdoor lighting used exclusively for public recreational activities, sporting events at stadiums and ball fields, concerts, plays, or other outdoor events that are open to the public.

(d) Outdoor lighting used for emergency equipment and work conducted in the interest of law enforcement or for public health, safety, or welfare.

(e) Outdoor lighting used for a temporary event lasting less than 14 days.

(f) Seasonal outdoor lighting used less than 60 days per calendar year.

(g) Outdoor parking lot lighting in Special Purpose (SP) zoning districts.

(3) Certification

Zoning permit applications must, if subject to the provisions of this §14-707 (Outdoor Lighting), include a lighting plan prepared by a licensed architect or a licensed professional civil engineer that demonstrates compliance with the standards of this §14-707 (Outdoor Lighting).

(4) General Standards

(a) Prohibited Lighting

(.1) Strobe lights that are visible from another property may only be installed by the Philadelphia Regional Port Authority or the Philadelphia Division of Aviation.

(.2) Rotating lights may not be installed in any location where they are visible from any public street.

(.3) Awnings used for building accents over windows or similar features shall not be internally illuminated (i.e., from underneath or behind the awning). However, internal illumination of awnings over doors is permitted for safety purposes.

(b) Shielding

All light sources shall be shielded to prevent glare and spillover beyond the property line. All light sources shall be designed, located, and installed so that the light source is not visible from any Residential district.

(c) Efficiency

All exterior lighting fixtures shall produce at least 80 lumens per watt of energy consumed, as documented by manufacturer's specifications or the results of an independent testing laboratory.

(5) Parking Area Lighting

(a) Light fixtures shall be located to provide a relatively uniform level of lighting and to avoid extreme contrasts between levels of lighting, except as necessary to prevent glare onto adjacent properties.

(b) Within any Residential district, the maximum permitted height of light poles or wall mounted lights is 20 ft.

(c) Within any Commercial or Special Purpose district, the maximum permitted height of light poles or wall mounted lights is 25 ft. within 50 ft. of any Residential district or any lot in residential use, and 35 ft. in all other areas.

(d) Within any Industrial district, the maximum permitted height of light poles or wall mounted lights is 25 ft. within 50 ft. of any Residential district or any lot in residential use, and 50 ft. in all other areas.

(6) Canopy Lighting

(a) All canopy lighting shall use recessed luminaire fixtures and must be designed and located so as to prevent glare onto adjacent properties.

(b) As an alternative or supplement to recessed lighting, indirect lighting may be used where light is directed upward and then reflected down from the underside of the canopy. When this method is used, light fixtures must be shielded so that direct light is focused exclusively on the underside of the canopy and is not visible from any residential use adjacent to the subject property or from any public right-of-way.

(c) No light source in a canopy structure may extend downward further than the lowest edge of the canopy ceiling.

(d) Highly reflective material shall not be installed on the underside of the canopy.

§14-708 Subdivision Standards

(1) Intent

The subdivision standards of this §14-708 (Subdivision Standards) are intended to achieve orderly urban development through land subdivision, to promote and develop the utilization of land to assure the best possible urban environment, to cause land subdivision to be in accordance with the adopted plans of the City, and to promote the health, safety, and general welfare of the community.

(2) Applicability

(a) This §14-708 (Subdivision Standards) shall apply to the activities described in §14-304(7)(a) (Applicability).

(b) No subdivision shall be commenced and no street, driveway, sanitary sewer, stormwater sewer, water main, or public service or other facilities in connection with the subdivision shall be constructed, maintained, opened, or dedicated for public use, or for the common use of occupants of buildings on those lands, until the applicant has completed a subdivision pursuant to §14-304(7) (Subdivisions and Subdivision Plats).

(c) No subdivider shall sell any lot in a subdivision, or erect any building upon land in a subdivision, unless and until a subdivision has been completed pursuant to §14-304(7) (Subdivisions and Subdivision Plats).

(3) Subdivision General Design Standards

The principles, standards, and requirements set forth in this section §14-708 (Subdivision Standards) shall be applied by the Commission in its review of proposed subdivision. These principles and standards are the minimum required and whenever

they conflict with any other applicable provision of this Zoning Code, the more restrictive provision shall govern.

(a) Suitability of Land Use

Land shall be suited to the purposes for which it is to be subdivided and all plans shall be in reasonable conformity with the applicable sections of the Comprehensive Plan and its amendments.

(b) Visitability

In any subdivision containing 50 or more detached, semi-detached or attached houses, at least 10% of the houses shall be visitable dwelling units, as defined in Chapter 14-200 (Definitions).

(c) Community Facilities

If a subdivider reserves an area for community facilities, that area shall be adequate for building sites for those facilities, landscape, and off-street parking as is appropriate to the use proposed.

(d) Larger Developments

Where development covered by §14-708(2)(a) above is located on a gross land area of three or more acres, it shall comply with following standards.

(.1) To the maximum extent feasible, it shall connect with the existing street grid.

(.2) Each street frontage of the project site shall include at least one street stub or connection to the external street system every 1,500 ft, where feasible.

(.3) Whenever cul-de-sac streets are created, one 10 ft. wide public utility easement shall be provided between the cul-de-sac head or street turnaround and the sidewalk system of the closest adjacent street located within 300 ft. of the end of the cul-de-sac, unless (1) the Streets Department determines that public access in that location is not practicable due to site or topography constraints, and (2) the Water Department determines that public utility in that location is not practicable due to site or topography constraints.

(4) Subdivision Block and Lot Standards

(a) The length, width, and shape of blocks shall be designed with due regard for topography and drainage, the requirements of the base and overlay zoning districts in which the property is located, suitable building sites for the land use contemplated, and safe and convenient vehicular, pedestrian, and bicycle circulation.

(b) All blocks shall be provided with a minimum three ft. wide planting strip adjacent to any public right-of-way.

(c) Reverse frontage lots shall be avoided except where essential to provide separation from traffic arteries or to provide protection for abutting properties or to overcome certain conditions of topography or orientation.

(d) Residential blocks must have sufficient depth to accommodate two tiers of lots, except where reverse frontage lots are required pursuant to §14-708(4)(c) above.

(e) Interior walkways are required where necessary to facilitate circulation or provide access to community facilities.

(f) Side lot lines shall be substantially at right angles or radial to street lines.

(g) Depth and width of lots laid out or reserved for nonresidential use shall be adequate for the use proposed and shall be of sufficient size to provide for off-street loading, unloading, and parking.

(h) Where no off-lot sewerage or water facilities are available, the allowable lot size shall be determined by the Commission. In fixing the allowable lot size, the Commission shall give consideration to the topography of the site, the location of existing and proposed buildings on the lot and existing buildings on adjacent lots, the location of existing sewerage and water facilities on adjacent property, the water table, the geology and characteristics of the soil, the type and size of proposed sewerage and water facilities, and the estimated use of those facilities.

(5) Subdivision Street Standards

(a) Streets shall be logically related to the topography so as to produce reasonable grades and suitable building sites and to reduce soil erosion and runoff into waterways.

(b) Proposed streets shall conform to the requirements of all adopted plans for the area and the requirements of this Zoning Code.

(c) Streets shall be constructed in accordance with the standards and requirements of the Streets Department.

(d) Streets in Residential districts shall be laid out to discourage through traffic to the degree consistent with the continuation of existing or proposed major streets or highways.

(e) If lots resulting from original subdivision are large enough to permit re-subdivision, or if a portion of the lot is not subdivided, adequate street rights-of-way to permit further subdivision shall be designated on the submitted preliminary plat.

(f) Where a subdivision abuts or contains an existing or proposed major street or highway, the Commission may require marginal access streets, driveways, reverse frontage lots, or such additional treatment as will reduce the number of intersections with that street or highway, separate local and through traffic, and provide protection for abutting properties.

(g) Dead end streets shall be prohibited, except as short stubs to permit future street extension into adjoining lots, or when designed as cul-de-sacs.

(h) Cul-de-sac streets shall not exceed 500 ft. in length and shall have at the closed end a turn-around containing a right-of-way having an outside radius of not less than 50 ft., which shall be paved to a radius of not less than 40 ft.

(i) Street Widths

(.1) Minimum street right-of-way and cartway widths shall conform to the Comprehensive Plan or, if not shown on that plan, shall conform to the following:

(.a) Two-Way Streets

(.i) A primary residential street shall have a cartway 64 ft. wide included in the right-of-way, but in no case shall the right-of-way be less than 88 ft. wide.

(.ii) A secondary residential street shall have a cartway 34 ft. wide included in the right-of-way, but in no case shall the right-of-way be less than 54 ft. wide.

(.iii) A tertiary residential street shall have a cartway 26 ft. wide included in the right-of-way, but in no case shall the right-of-way be less than 50 ft. wide.

(.iv) A marginal access street shall have a cartway 26 ft. wide, included in a right-of-way, but in no case shall the right-of-way be less than 36 ft. wide.

(.b) One-Way Streets

A one-way street shall have a cartway 20 ft. wide, included in the right-of-way, but in no case shall the right-of-way be less than 44 ft. wide.

(.2) Additional right-of-way and cartway requirements may be established by the Commission in order to lessen congestion in the streets, to secure safety from fire, panic, and other dangers, to facilitate the adequate provision for transportation and other public requirements and to promote the general welfare.

(.3) Short extensions of existing streets with narrower right-of-way or cartway widths may be permitted at the discretion of the Commission.

(j) Street Alignment

(.1) Whenever street lines are deflected more than five degrees, connection shall be made by horizontal curves.

(.2) To ensure adequate sight distance, center line radii for horizontal curves shall be not less than 150 ft. on primary residential streets and 100 ft. on secondary and tertiary residential streets.

(.3) A tangent of at least 50 ft. shall be required between reverse curves.

(k) Street Grades

(.1) Centerline grades shall, wherever possible, be not less than 0.75%.

(.2) Centerline grades shall not exceed 10% on primary and secondary residential streets and 12% on tertiary residential streets.

(.3) Vertical curves shall be used at changes of grades exceeding 3% and shall be designed in relation to the extent of the grade change and to provide sight distances of at least 200 ft. on primary residential streets, 150 ft. on secondary residential streets, and 100 ft. on tertiary residential streets.

(.4) Where the grade of any street at the approach to an intersection exceeds 4%, sufficient leveling areas having a maximum grade of 4% shall be provided for a distance of 25 ft. measured from the nearest right-of-way line of the intersecting street.

(l) Street Intersections

(.1) Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 75 degrees.

(.2) Intersections with major streets or major highways should be reduced to a minimum.

(.3) Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 125 ft. between their center lines.

(.4) Curb radii shall be provided at street intersections varying according to the types of streets intersecting and the angle at which they intersect, but none shall be less than 15 ft.

(m) Sidewalks

Each proposed public or private street shall include a sidewalk with a clear width of at least five ft. on both sides of the street unless the Streets Department waives the requirement based on public safety or site and topography constraints.

(6) Subdivision Driveways and Easements

(a) Where permitted, shared driveways shall have a minimum paved width of 15 ft. when serving residential properties on two sides and a minimum paved width of 12 ft. when serving residential properties on one side only.

(b) Shared driveways shall be required in nonresidential subdivisions, except where other adequate provision is made for off-street loading and parking consistent with the use proposed. Where required, shared driveways shall have a minimum paved width of 18 ft.

(c) Dead end shared driveways shall be avoided if possible, but if unavoidable they shall be terminated with a paved turning area having a minimum depth of 35 ft. and a minimum width of 10 ft.

(d) Driveway intersections and sharp changes in alignment shall be avoided. Where necessary, corners shall be rounded or cut back sufficiently to permit safe vehicular circulation.

(e) Easements shall be provided as necessary for public utilities and shall have a minimum width of 10 ft. Easements shall be located on or be adjacent to rear or side lot lines.

(f) Where a subdivision is traversed by a watercourse, a drainage easement or right-of-way conforming substantially to the line of the watercourse and of a width adequate to preserve natural drainage shall be provided. Each drainage easement or right-of-way shall not be less than 25 ft. in width.

(g) Where a subdivision adjoins a park, watercourse, or other land use different from that on the proposed lots, the Commission may require a setback from that park, watercourse, or other land use for the protection of or separation of those land uses. Each setback shall be not less than 10 ft.

Chapter 14-800 Parking and Loading

§14-801 Purpose, Applicability, and General Standards 8-1
(1) Purpose 8-1
(2) Applicability 8-1
(3) Location 8-2
(4) Use of Required Parking Areas for Parking Only 8-2
(5) Rules of Parking Measurement 8-2
§14-802 Motor Vehicle Parking Ratios 8-2
(1) General Provisions 8-2
(2) Required Parking in Residential Districts 8-3
(3) Required Parking in Commercial Districts 8-3
(4) Required Parking in Industrial Districts 8-5
(5) Parking for Persons with Disabilities 8-7
(6) Preferential Parking 8-8
(7) Regulations Applicable to Specific Areas 8-8
(8) Adjustments and Alternatives 8-14
§14-803 Motor Vehicle Parking Standards 8-15
(1) Accessory Parking Standards 8-15
(2) Parking Space, Drive Aisle, and Reservoir Space Standards 8-18
(3) Mechanical Access Parking 8-19
(4) Parking Design Standards 8-19
(5) Parking Landscape and Screening 8-21
§14-804 Bicycle Parking Ratios and Standards 8-25
(1) Required Bicycle Parking Spaces 8-25
(2) Location of Bicycle Parking Spaces 8-25
(3) Security 8-26
(4) Regulations 8-26
§14-805 Drive-Throughs and Vehicle Stacking Areas 8-26
(1) General Standards 8-26
(2) Stacking Lanes 8-27
§14-806 Off-Street Loading 8-28
(1) General Requirement for All Districts except RMX-3, CMX-4, and CMX-5 8-28
(2) RMX-3, CMX-4, and CMX-5 Districts 8-29
(3) General Design and Access Standards 8-30

§14-801 Purpose, Applicability, and General Standards

(1) Purpose

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

(a) Ensure that off-street parking, loading, and access demands will be met without adversely affecting nearby land uses and neighborhoods;

(b) Provide for vehicle and pedestrian circulation and safety in parking areas, and create a safe and more pedestrian-friendly environment;

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

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

(e) Provide for better pedestrian movement and encourage alternative modes of transportation by reducing the expanses of parking that must be traversed between destinations;

(f) Support a balanced transportation system that is consistent with cleaner air and water, greater transportation choices, and efficient infill and redevelopment; and

(g) Allow flexibility in addressing vehicle parking, loading, and access issues, including providing alternatives to standard required surface parking.

(2) Applicability

(a) New Construction and Additions

The provisions of this Chapter 14-800 apply to structures that are newly-erected or expanded, except for the following:

(.1) Development that increases by 25% or less the number of dwelling units in the structure or the gross floor area of the structure, where there is no change of use; and

(.2) Structures that are destroyed, as set forth in §14-305(10) (Reconstruction of Destroyed Structures).

(b) Change of Use

(.1) The parking and loading requirements of this section are applicable to any change of use that requires more parking and loading spaces than the existing use as set forth by this Zoning Code, except as set forth in §14-801(2)(b)(.2), below.

(.2) The minimum parking and loading requirements of this section do not apply to any change of use within a structure constructed before the ef-

fective date of this Zoning Code, provided that the changes is to a permitted or approved special exception use for the zoning district where the lot is located.

(c) More Specific Standards Elsewhere in the Zoning Code

When an individual zoning district or the rules and exceptions for the zoning districts in another section of this Zoning Code contain parking and/or loading requirements that are different than the requirements of this section, the requirements in those sections shall take precedence over this section.

(3) Location

Except as otherwise expressly provided in this Zoning Code, required off-street parking, loading, and vehicle stacking spaces shall be located on the same lot as the principal use and must have adequate access to a street or driveway connecting to a street.

(4) Use of Required Parking Areas for Parking Only

Required accessory off-street parking spaces in any district shall not be used for open storage, sale, or rental of goods, or storage of inoperable vehicles, unless otherwise permitted in this Code.

(5) Rules of Parking Measurement

(a) Unless otherwise expressly stated, all area-based parking standards must be computed on the basis of gross floor area.

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

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

(.1) Accessible parking;

(.2) Vanpool and carpool parking;

(.3) Auto-share parking space; and

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

(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

(1) General Provisions

(a) Parking Tables

Off-street parking spaces shall be provided in accordance with Table 14-802-1, Table 14-802-2, or Table 14-802-3, as applicable. Additional standards for

certain uses and specific areas are listed in §14-802(5) (Parking for Persons with Disabilities) through §14-802(7) (Regulations Applicable to Specific Areas).

(b) Permitted Adjustments

Permitted parking alternatives and adjustments to the requirements of this Chapter 14-800, are provided in §14-802(8) (Adjustments and Alternatives).

(c) Using the Parking Tables

Parking requirements are listed by the use categories of §14-601 (Use Categories). Where a specific use is not listed here, the general parking requirement for the use category shall be applicable. Tables 14-802-1, 14-802-2 and 14-803-3 do not indicate that the uses listed are permitted in specific zoning districts.

(2) Required Parking in Residential Districts

Table 14-802-1 lists the parking requirements for Residential districts.

Table 14-802-1: Required Parking in Residential Districts

	Minimum Required Parking Spaces (spaces per unit/sq. ft. of gross floor area/beds/seats)		
	RSD-1/2/3 RSA-1/2/3 RTA-1 RMX-1	**RSA-4/5 RM-1**	**RM-2/3/4 RMX-2/3**
Residential Use Category (as noted below)			
Household Living (as noted below)			
Single-Family	1/unit	0	0
Two-Family	1/unit	0	1/2 units
Multi-Family	1/unit	0	3/10 units
Group Living (except as noted below)	1/10 permanent beds	1/10 permanent beds	1/10 permanent beds
Single-Room Residence	1/20 units + 1; min. 2	1/20 units + 1; min. 2	1/20 units + 1; min. 2
Public, Civic, and Institutional Use Category (as noted below)			
Religious Assembly	1/10 seats or 1/1,000 sq. ft., whichever is greater	1/10 seats or 1/1,000 sq. ft., whichever is greater	1/10 seats or 1/1,000 sq. ft., whichever is greater
Wireless Service Facility	0	0	2
Commercial Services Use Category (as noted below)			
Assembly and Entertainment	1/10 seats or 1/1,000 sq. ft., whichever is greater	The greater of (a) none for first 100 seats then 1/10 seats or (b) none for first 2,500 sq. ft. then 1/1,000 sq. ft.	The greater of (a) none for the first 200 seats then 1/10 seats or (b) none for first 4,000 sq. ft. then 1/1,000 sq. ft.
Urban Agriculture Use Category (as noted below)			
Market or Community-Supported Farm	None if lot area is less than 5,000 sq. ft., otherwise 2	None if lot area is less than 5,000 sq. ft., otherwise 2	None if lot area is less than 5,000 sq. ft., otherwise 2
All Other Uses			
All Other Uses	1/1,000 sq. ft.	None for first 2,500 sq. ft., then 1/1,000 sq. ft.	None for first 4,000 sq. ft., then 1/1,000 sq. ft.

(3) Required Parking in Commercial Districts

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

Parking). The CA-1 and CA-2 parking requirements are set forth in §14-802(7)(b) (CA-1 and CA-2 Parking).

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

	Minimum Required Parking Spaces (spaces per unit/sq. ft. of gross floor area/beds/seats/room)			Maximum Number of Parking Spaces
	CMX-2/2.5	CMX-3	CMX-4/5	■ Denotes parking maximum not applicable.
Residential Use Category (as noted below)				
Household Living (except as noted below)	3/10 units	3/10 units	0	■
Multi-Family	3/10 units	3/10 units	3/10 units	■
Caretaker Quarters	1/unit	0	0	■
Group Living (except as noted below)	1/10 permanent beds	1/10 permanent beds	0	■
Single-Room Residence	1/20 units + 1; min.2	1/20 units + 1; min.2	0	■
Public, Civic, and Institutional Use Category (as noted below)				
Detention and Correctional Facilities	1/1,000 sq. ft.	1/1,000 sq. ft.	1/1,000 sq. ft.	125% of min.
Educational Facilities	1/1,000 sq. ft.	1/1,000 sq. ft.	1/1,000 sq. ft.	125% of min.
Fraternal Organization	1/300 sq. ft.	1/500 sq. ft.	1/1,000 sq. ft.	125% of min.
Hospital	1/ 4 bed design capacity	1/ 4 bed design capacity	1/ 4 bed design capacity	125% of min.
Libraries and Cultural Exhibits	1/1000 sq. ft.	None for the first 4,000 sq. ft., then 1/1,000 sq. ft.	None for the first 10,000 sq. ft., then 1/1,000 sq. ft.	The greater of 1 or 125% of min.
Religious Assembly	1/10 seats or 1/1,000 sq. ft., whichever is greater	1/10 seats or 1/1,000 sq. ft., whichever is greater	The greater of (a) none for the first 400 seats then 1/10 seats or (b) none for the first 10,000 sq. ft. then 1/1,000 sq. ft.	The greater of 1 or 125% of min.
Safety Services	1/1,000 sq. ft.	1/1,000 sq. ft.	1/1,000 sq. ft.	125% of min.
Transit Station	0	0	0	■
Utilities and Services, Basic	1/2,000 sq. ft.	1/2,000 sq. ft.	1/2,000 sq. ft.	■
Utilities and Services, Major	1/2,000 sq. ft.	1/2,000 sq. ft.	1/2,000 sq. ft.	125% of min.
Wireless Service Facility	0	0	0	2
Office Use Category (as noted below)				
All Office Uses	0	0	0	5/1,600 sq. ft.
Retail Sales Use Category (as noted below)				
All Retail Sales Uses	0	0	0	5/1,000 sq. ft.
Commercial Services (as noted below)				
Adult-Oriented Service	0	0	0	5/800 sq. ft.
Animal Services	0	0	0	5/800 sq. ft.
Assembly and Entertainment	1/10 seats or 1/1,000 sq. ft., whichever is greater	1/10 seats or 1/1,000 sq. ft., whichever is greater	The greater of (a) none for the first 400 seats then 1/10 seats or (b) none for the first 10,000 sq. ft. then 1/1,000 sq. ft.	The greater of 1 or 125% of min.
Building Services	0	0	0	3/1,000 sq. ft.
Business Support	0	0	0	3/1,000 sq. ft.
Day Care	0	0	0	5/1,600 sq. ft.

	Minimum Required Parking Spaces (spaces per unit/sq. ft. of gross floor area/beds/seats/room)			Maximum Number of Parking Spaces
	CMX-2/2.5	**CMX-3**	**CMX-4/5**	■ Denotes parking maximum not applicable.
Eating and Drinking Establishments	0	0	0	5/1,000 sq. ft.
Financial Services	0	0	0	5/1,600 sq. ft.
Funeral and Mortuary Services	0	0	0	5/1,000 sq. ft.
Maintenance and Repair of Consumer Goods	0	0	0	3/1,000 sq. ft.
Personal Services	0	0	0	5/1,000 sq. ft.
Radio, Television, and Recording Services	0	0	0	3/1,000 sq. ft.
Visitor Accommodations	0	0	0	1/room
Vehicle and Vehicular Equipment Sales and Services Use Category (as noted below)				
Commercial Vehicle Repair and Maintenance	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	0	■
Personal Vehicle Repair and Maintenance	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	0	■
All Other Vehicle and Vehicular Equipment Sales and Services Uses	1/2,000 sq. ft.	1/2,000 sq. ft.	0	3/5,000 sq. ft.
Wholesale, Distribution, and Storage Use Category (as noted below)				
Moving and Storage Facilities	1/1,500 sq. ft.	1/2,000 sq. ft.	1/3,000 sq. ft.	125% of min.
Industrial Use Category (as noted below)				
Artist Studios and Artisan Manufacturing	1/300 sq. ft.	1/800 sq. ft.	None for the first 7,500 sq. ft. then 1/2,000 sq. ft.	The greater of 1 or 125% of min.
Research and Development	1/300 sq. ft.	1/800 sq. ft.	None for the first 7,500 sq. ft. then 1/2,000 sq. ft.	The greater of 1 or 125% of min.
Urban Agriculture Use Category (as noted below)				
Market and Community-Supported Farm	None if lot area is less than 5,000 sq. ft., otherwise 2	None if lot area is less than 5,000 sq. ft., otherwise 2	None if lot area is less than 5,000 sq. ft., otherwise 2	■

(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)		Maximum Number of Parking Spaces
	IRMX ICMX I-1	**I-2/3 I-P**	■ Denotes parking maximum not applicable.
Residential Use Category (as noted below)			
Household Living (except as noted below)	1/2 units	1/2 units	■
Multi-Family Building	1/2 units	1/2 units	■
Caretaker Quarters	1/unit	0	■
Group Living (as noted below)	1/10 permanent beds	1/10 permanent beds	■
Single-Room Residence	1/20 units + 1; min.2	1/20 units + 1; min.2	■

	Minimum Required Parking Spaces (spaces per unit/sq. ft. of gross floor area/beds/seats/room)		Maximum Number of Parking Spaces
	IRMX ICMX I-1	**I-2/3 I-P**	■ Denotes parking maximum not applicable.
Public, Civic, and Institutional Use Category (as noted below)			
Detention and Correctional Facilities	1/1,000 sq. ft.	1/1,000 sq. ft.	200% of min.
Educational Facilities	1/1,000 sq. ft.	1/1,000 sq. ft.	200% of min.
Fraternal Organization	1/300 sq. ft.	1/500 sq. ft.	200% of min.
Hospital	1/ 4 bed design capacity	1/ 4 bed design capacity	200% of min.
Libraries and Cultural Exhibits	1/1000 sq. ft.	None for the first 4,000 sq. ft., then 1/1,000 sq. ft.	The greater of 2 or 200% of min.
Religious Assembly	1/10 seats or 1/1,000 sq. ft., whichever is greater	The greater of (a) none for the first 400 seats then 1/10 seats or (b) none for the first 10,000 sq. ft. then 1/1,000 sq. ft.	The greater of 2 or 200% of min.
Safety Services	1/1,000 sq. ft.	1/1,000 sq. ft.	200% of min.
Transit Station	0	0	■
Utilities and Services, Basic	1/2,000 sq. ft.	1/2,000 sq. ft.	■
Utilities and Services, Major	1/2,000 sq. ft.	1/2,000 sq. ft.	200% of min.
Wireless Service Facility	0	0	2
Office Use Category (as noted below)			
All Office Uses	1/1,000 sq. ft.	1/1,000 sq. ft.	200% of min.
Retail Sales Use Category (as noted below)			
Adult-Oriented Merchandise	1/1,000 sq. ft.	1/1,000 sq. ft.	200% of min.
Building Supplies and Equipment	3/2,000 sq. ft.	3/2,000 sq. ft.	200% of min.
All Other Retail Sales Uses	1/1,000 sq. ft.	None for first 2,500 sq. ft., then 1/1,000 sq. ft.	The greater of 2 or 200% of min.
Commercial Services Use Category (as noted below)			
Assembly and Entertainment	1/10 seats or 1/1,000 sq. ft., whichever is greater	The greater of (a) none for the first 200 seats then 1/10 seats or (b) none for the first 4,000 sq. ft. then 1/1,000 sq. ft.	The greater of 2 or 200% of min.
Eating and Drinking Establishments	5/1,000 sq. ft.	5/2,000 sq. ft.	200% of min
Parking, Non-Accessory	0	0	■
Personal Services	1/1,000 sq. ft.	None for first 2,500 sq. ft., then 1/1,000 sq. ft.	The greater of 2 or 200% of min.
Visitor Accommodations	1/3 rooms	1/3 rooms	200% of min.
All other Commercial Services Uses	1/1,000 sq. ft.	1/1,000 sq. ft.	200% of min.
Vehicle and Vehicular Equipment Sales Services Use Category (as noted below)			
Commercial Vehicle Repair and Maintenance	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	■
Personal Vehicle Repair and Maintenance	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	2 / repair bay or 300 sq. ft. of repair space, whichever is greater	■
All Other Vehicle and Vehicular Equipment Sales and Services	1/2,000 sq. ft.	1/2,000 sq. ft.	200% of min.
Wholesale, Distribution, and Storage Use Category (as noted below)			
All Wholesale, Distribution, and Storage Uses	1/1,500 sq. ft.	1/2,000 sq. ft.	■
Industrial Use Category (as noted below)			
All Industrial Uses	1/300 sq. ft.	1/800 sq. ft.	■
Urban Agriculture Use Category (as noted below)			
Horticulture Nurseries and Greenhouses	1/ 4,000 sq. ft.	None for the first 2,000 sq. ft. then 1/4,000 sq. ft.	■

(5) Parking for Persons with Disabilities

(a) Required Spaces

Where off-street parking is provided, accessible parking spaces complying with ICC/ANSI A117.1 shall be provided in compliance with Table 14-802-4. For every eight or fraction of eight accessible parking spaces required by Table 14-802-4, at least one shall be a van-accessible parking space complying with ICC/ANSI A117.1.

Table 14-802-4: Required Parking for Persons with Disabilities

Total Parking Spaces Provided	Minimum Number of Accessible Spaces
1 to 5	1 must be provided, but need not be reserved for disabled
6 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
210 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
more than 1,000	20 plus 1 for each 100 over 1,000

(b) Exceptions

(.1) Single- and Two-Family Uses

Single- and two-family uses are exempt from this requirement.

(.2) Multi-Family Uses

Two percent (2%) of parking spaces provided for multi-family uses that are required by City, state or federal law or regulation to have accessible/adaptable dwelling units shall be accessible. Where 51% or more of parking is provided within or beneath a building, accessible parking spaces shall also be provided within or beneath the building.

(.3) Medical Facilities

Ten percent (10%) of parking spaces provided for medical outpatient facilities shall be accessible. Twenty percent (20%) of parking spaces provided for medical facilities that specialize in treatment or services for persons with mobility impairments shall be accessible.

(c) Location

Accessible parking spaces shall be located on the shortest accessible route of travel from adjacent parking to an accessible building entrance. In parking facilities that do not serve a particular building, accessible parking spaces shall be located on the shortest route to an accessible pedestrian entrance to the parking facility. Where buildings have multiple accessible entrances with adjacent parking, accessible parking spaces except for van-accessible parking spaces shall be dispersed and located near the accessible entrances.

(d) Signs

Designated accessible spaces shall be provided with vertical signage. The sign shall conform to the Federal Highway Administration's "Manual on Uniform Traffic Control Devices". Accessible parking spaces shall also be equipped with the "Reserved Parking Penalties Sign" in accordance with the Pennsylvania Traffic Engineering provisions for Sign R7-8B.

(6) Preferential Parking

Buildings with a principal use in the public, civic, or institutional, office, retail sales, commercial services, or vehicle and vehicular equipment sales and service use categories with 30 or more parking spaces shall designate at least 5% of the parking spaces for carpool, vanpool parking, and hybrid/alternative fuel vehicles. These preferential parking spaces shall be located closer to the principal building than other parking with the exception of accessible parking.

(7) Regulations Applicable to Specific Areas

The following additional parking regulations are applicable to specific areas of the City. When the regulations of Chapter 14-800 (Parking and Loading) are inconsistent with the requirements of this §14-802(7) (Regulations Applicable to Specific Areas), the requirements of this §14-802(7) shall control.

(a) CMX-1 Parking

All buildings in the CMX-1 district shall comply with the parking requirements of the most restrictive adjacent district; provided, however, that when the proposed building is attached to another building in an adjacent district, the regulations of that district shall apply.

(b) CA-1 and CA-2 Parking

(.1) The number of parking spaces shall be provided in accordance with the following schedule, except as provided in §14-802(7)(b)(.1)(.a) and §14-802(7)(b)(.1)(.b), below:

Table 14-802-5: CA-1 and CA-2 Required Parking

Net Leasable Area of Building	Spaces per 1,000 sq. ft. of net leasable area
First 100,000 sq. ft. of Net Leasable Area	4
Net Leasable Area in excess of 100,000 sq. ft. up to 200,000 sq. ft.	3.5
Net Leasable Area in excess of 200,000 sq. ft.	3

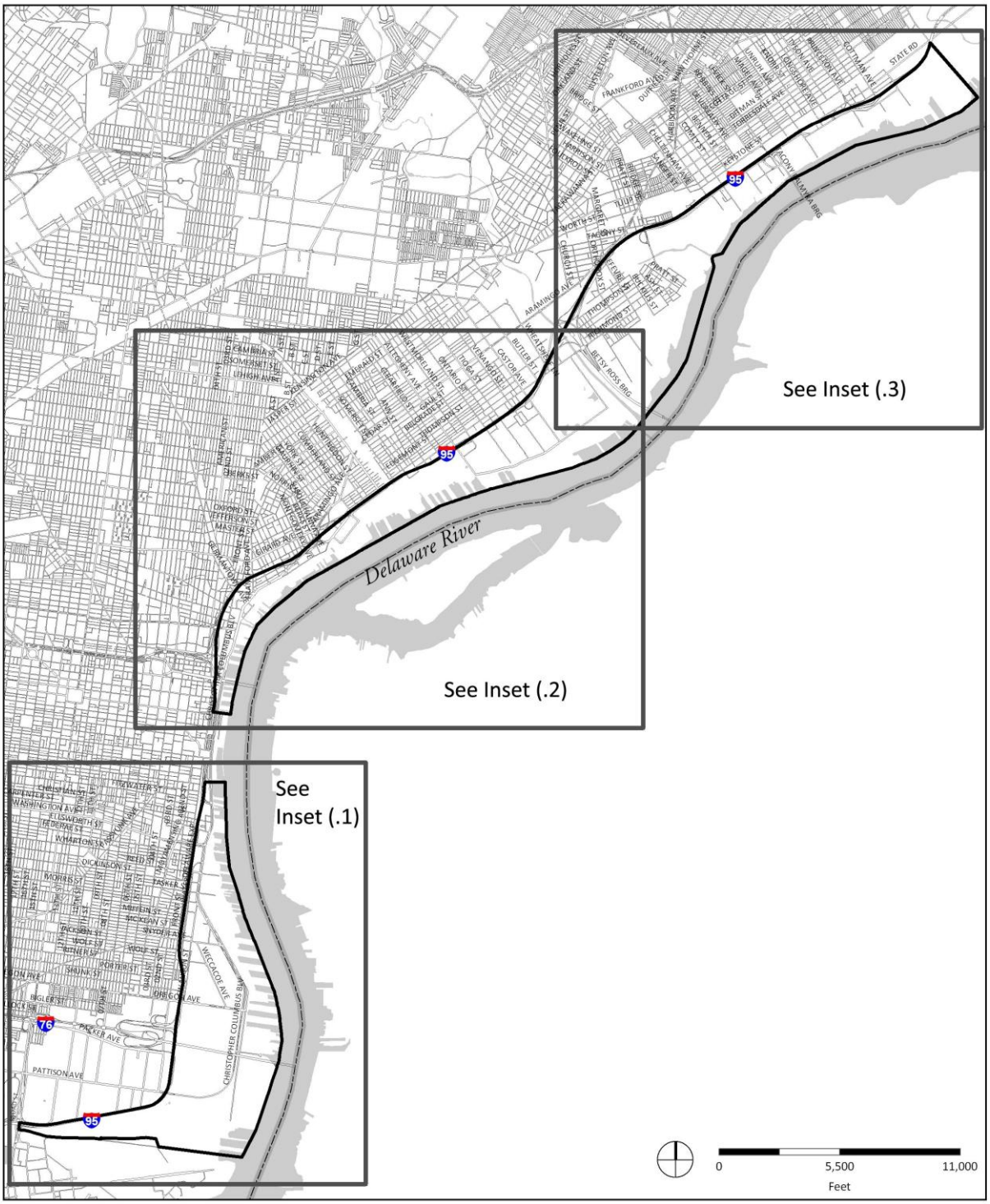
(.a) For any building in a CA-2 district that contains two or more stories, the number of parking spaces required shall be as stated above for the first floor, plus 50% of the stated requirements for any floors above the first floor.

(.b) Assembly and entertainment uses and religious assembly uses that are constructed or expanded, shall provide one parking space for every four permanent seats. In the case of a building expansion, this ratio shall be met for the existing assembly and entertainment or religious assembly space as well as the addition.

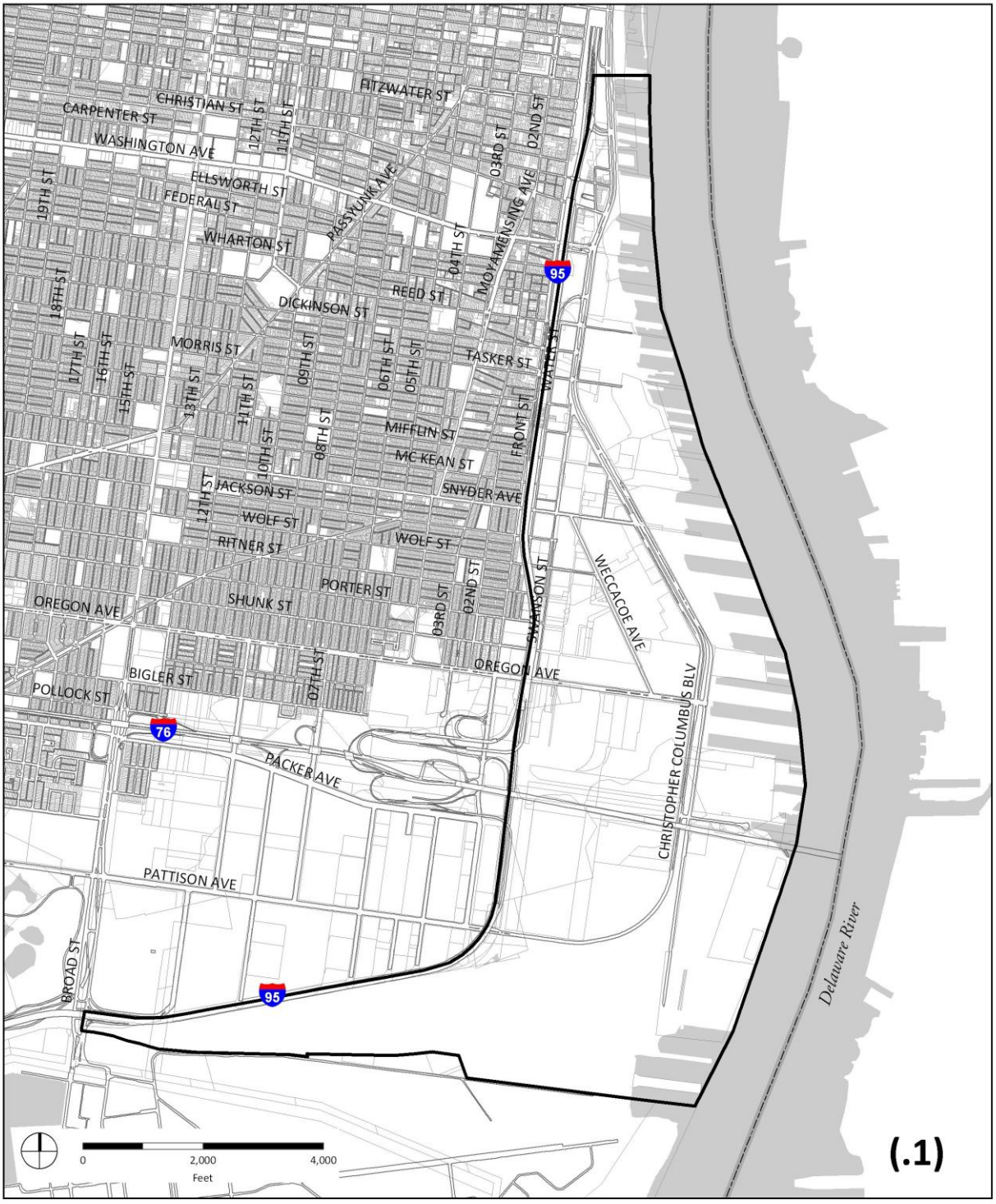
(.2) Where a CA-1 or CA-2 district is located on the same block frontage as a Residential district, all parking spaces and aisles shall be located behind the minimum setback required by the most restrictive Residential district on the same block.

(c) Delaware River Waterfront

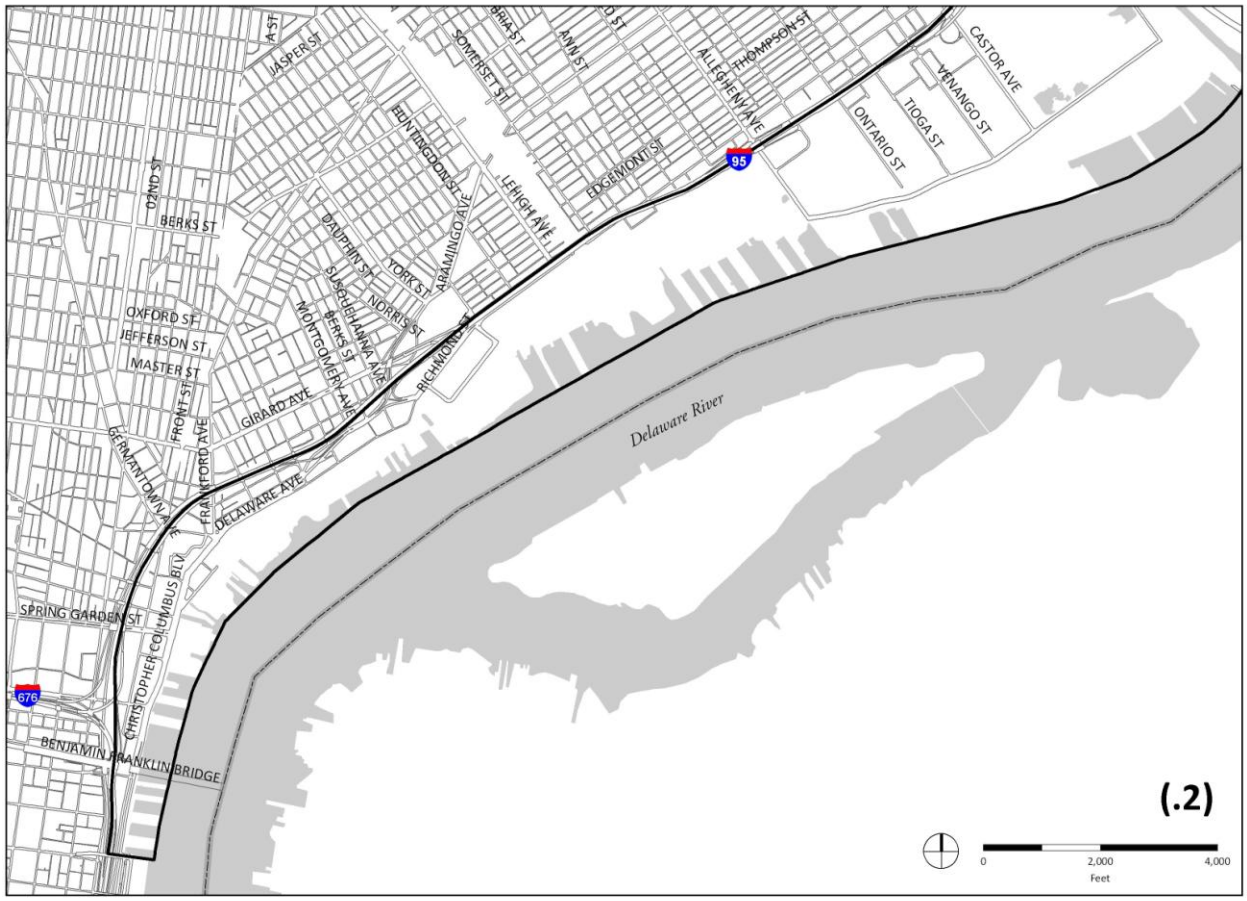
Parking for sit-down restaurants and nightclubs and private clubs on a commercially-zoned lot within the area bounded by Rhawn street, the Delaware River, the Philadelphia Naval Base and the Delaware Expressway (I-95) excluding the area bounded by the north side of Market street extended, the pierhead line of the Delaware River, the south side of South street extended and the easterly side of Christopher Columbus Boulevard (otherwise known as Penn's Landing), as shown on the following map for illustrative purposes only, shall meet the following standards, notwithstanding any other parking requirements set forth in this Chapter 14-800 or elsewhere in this Zoning Code.



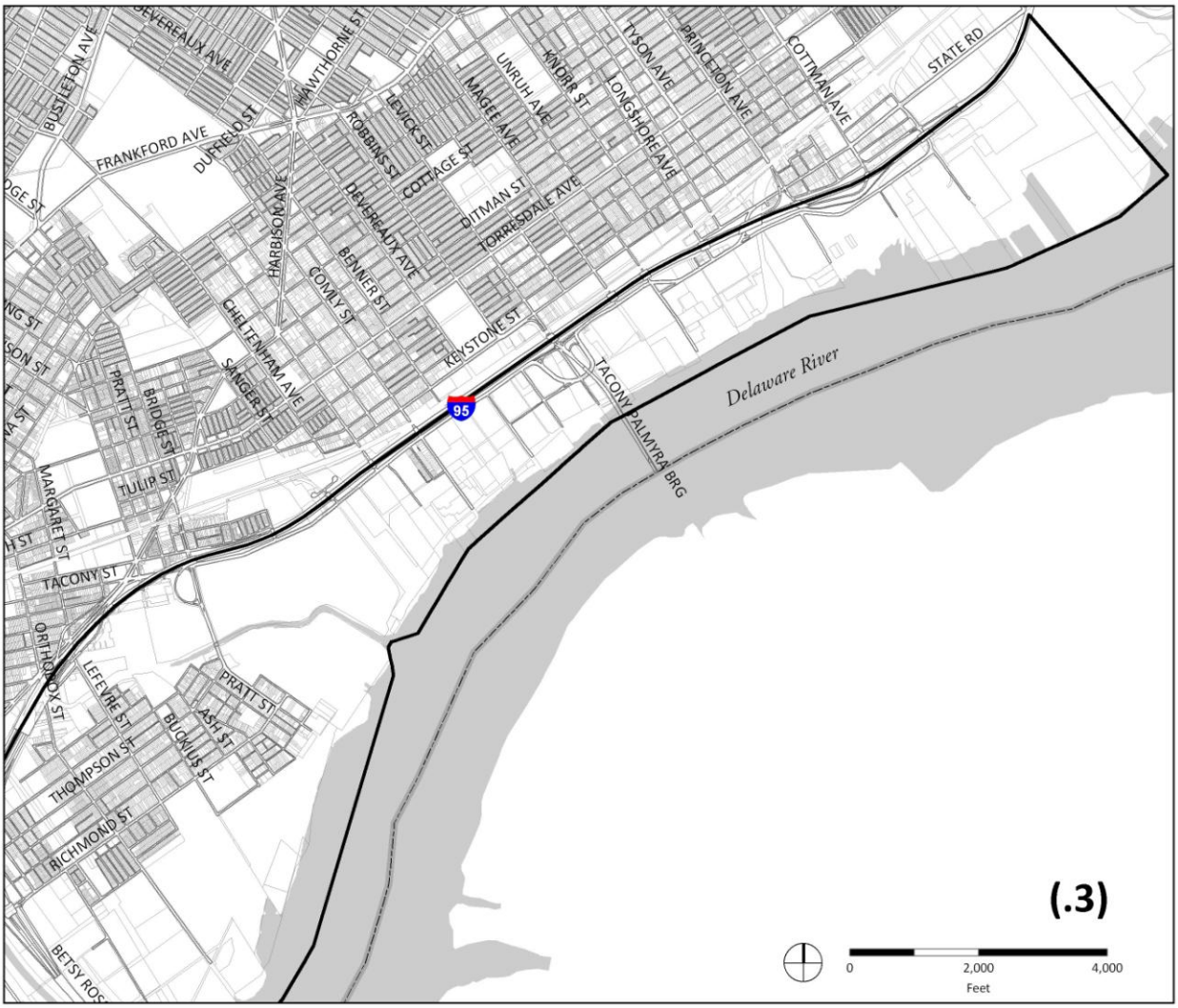
Delaware River Waterfront Parking for "Sit-Down Restaurants and "Nightclubs and Private Clubs"



Delaware River Waterfront Parking for "Sit-Down Restaurants and "Nightclubs and Private Clubs"
(Only applies to commercially-zoned lots)



Delaware River Waterfront Parking for "Sit-Down Restaurants and "Nightclubs and Private Clubs" (Only applies to commercially-zoned lots)



Delaware River Waterfront Parking for "Sit-Down Restaurants and "Nightclubs and Private Clubs"
(Only applies to commercially-zoned lots)

(.1) Required Parking Spaces

The minimum number of required parking spaces for any sit-down restaurants or nightclubs and private clubs in Commercial districts shall be determined by the legal occupancy (pursuant to the Philadelphia Building Construction and Occupancy Code) of the use as follows:

(.a) Sit-Down Restaurant: one space per four occupants; and

(.b) Nightclubs and Private Clubs: one space per two occupants.

(.2) Location of Parking

All required parking shall be located either on:

(.a) the same lot as the sit-down restaurants or nightclubs and private clubs ;

(.b) on an abutting lot; or

(.c) on a non-abutting lot (where parking is a permitted principal use) that is within 1,000 ft. of the sit-down restaurant or night-

club and private club; provided that a special exception approval is obtained.

(8) Adjustments and Alternatives

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

(a) Sharing of Parking Spaces

Where two land uses listed in separate use categories in §14-601 (Use Categories) share a parking lot, parking lots, or structure, the total off-site parking required for those uses may be reduced by the factors shown in Table 14-802-6. Total off-street parking required shall be the sum of the two parking requirements for the two uses divided by the factors in Table 14-802-6. For example, where a development includes both (a) public, civic, and institutional uses and (b) retail sales uses, the amount of parking required is the sum of the parking required for the two uses divided by 1.3.

Table 14-802-6: Shared Parking Reduction Factors

Add the two parking requirements and divide by these factors

Property Use (as stated in §14-601 (Use Categories))	Multi-Family or Group Living	Public, Civic, and Institutional	Eating & Drinking, Assembly & Entertainment, or Visitor Accommodation	Retail Sales	Office or Commercial Services
Multi-Family or Group Living	-	1.1	1.1	1.2	1.3
Public, Civic, and Institutional	1.1	-	1.2	1.3	1.3
Eating & Drinking, Assembly & Entertainment, or Visitor Accommodation	1.1	1.2	-	1.3	1.7
Retail Sales	1.2	1.3	1.3	-	1.2
Office or Commercial Services	1.3	1.5	1.7	1.2	-

(b) Auto-Share Parking Spaces

The required minimum number of off-street parking spaces for a residential use may be reduced by four spaces for each automobile parking space reserved as an auto-share parking space, up to a maximum of a 40% reduction in the required minimum number of parking spaces in any one surface parking lot or parking garage. The calculation of maximum surface parking spaces shall not be affected by this reduction.

(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.

(.2) The required minimum number of off-street parking spaces may be reduced by 50% for any group living use or multi-family use in which occupancy of more than 80% of the units is restricted for use by those

meeting the definition of "handicapped" individuals under the federal Fair Housing Act Amendments

(d) Proximity to Transit

In addition to the parking adjustments permitted in §14-802(8)(a) (Sharing of Parking Spaces) through §14-802(8)(c) (Reduced Need Populations), above, a reduction for properties within Transit-Oriented Development (TOD) nodes is available under §14-513 (/TOD, Transit-Oriented Development Overlay District).

(e) Provision of Bicycle Parking

For every five Class 1 bicycle parking spaces that are provided on a lot, the number of required off-street automobile parking spaces may be reduced by one space, up to a maximum reduction of 10% of the required automobile parking spaces, provided that the bicycle parking spaces comply with §14-804(2) (Location of Bicycle Parking Spaces) and §14-804(3) (Security).

§14-803 Motor Vehicle Parking Standards

(1) Accessory Parking Standards

(a) Permitted Types

Accessory parking may be provided as follows:

(.1) A surface parking lot, provided that mechanical access surface parking lots are prohibited in all zoning districts.

(.2) A parking garage, including a mechanical access parking garage.

(.3) Private residence parking garages and carports, provided that:

(.a) Private residence garages and carports may not exceed a maximum depth of 25 ft. and a maximum width of 35 ft.

(.b) Private residence garages and carports with flat or shed roofs are subject to a maximum height limit of 10 ft. Private residence garages and carports with gable, hip or gambrel roofs are subject to a maximum height limit of 15 ft.

(b) Location of Accessory Parking

(.1) Residential and Commercial Districts

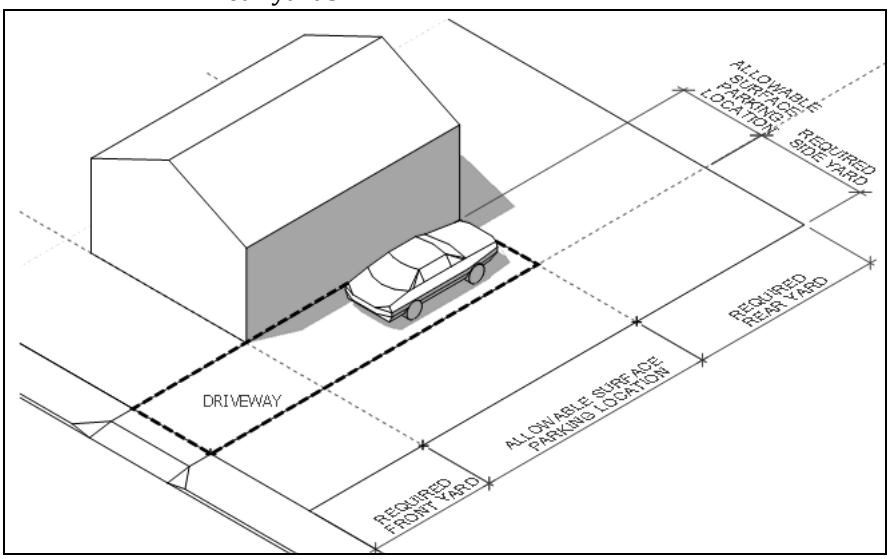
(.a) General

Except as specified in §14-803(1)(b)(.1)(.b) (Exceptions) below, accessory parking in Residential and Commercial Districts must comply with the requirements in this §14-803(1)(b)(.1)(.a).

(.i) Garages which are attached to the principal building shall be governed by the same setback and yard provisions as the building itself.

(.ii) Surface parking spaces and detached garages and carports are prohibited in required front, side, and rear yards.

(.iii) Driveways that provide vehicular access to accessory parking spaces may be located in required front, side, or rear yards.



(.b) Exceptions

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

(.ii) Private residence garages and carports are permitted in any part of the rear yard provided that:

(.aa) The permitted occupied area of the lot is not exceeded;

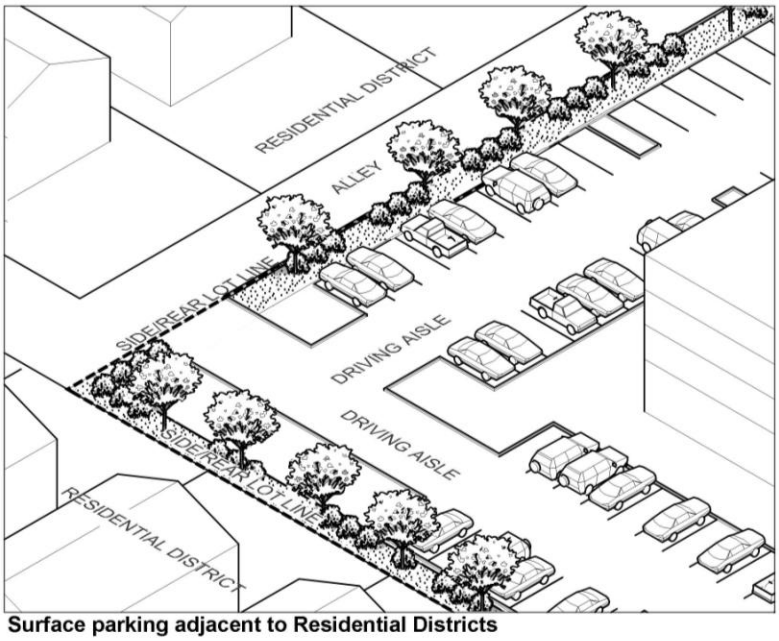
(.bb) Any private residence garage or carport erected after June 23, 1998 shall maintain a minimum setback of three ft. between the garage and any property line; and

(.cc) Any private residence garage or carport erected after June 23, 1998 shall be set back at least 18 ft. from the edge of the sidewalk (or if there is no sidewalk, then the street) closest to the residence.

(.iii) In the CMX-2.5 district, accessory parking is not permitted between the building line and the street line.

(.iv) In Commercial districts, where a building with a primary use in the public, civic, and institutional, office, retail sales, or commercial services use categories is located on a lot whose side or rear lot line is abutting a Residential district, no more than one driving aisle with parking spaces on both sides of the aisle may be located be-

tween the primary structure and any lot line boundary abutting the Residential district.



Surface parking adjacent to Residential Districts

(.2) Industrial Districts

Surface parking lots or parking structures in any Industrial district may be located anywhere upon the lot, except in required front yards in the IRMX, ICMX, and I-1 districts.

(c) Additional Regulations for RSA-5, RM-1, CMX-2, and CMX-2.5 Districts

Notwithstanding the provision of this Zoning Code, accessory parking in the RSA-5, RM-1, CMX-2, and CMX-2.5 districts shall comply with the following:

(.1) Except as provided in §14-803(1)(c)(.2), below, off-street parking for any single-family, two-family, or multi-family use in an attached building or on a lot less than 20 ft. wide shall require special exception approval, unless the parking is accessed by a rear street, rear shared driveway, or rear alley.

(.2) For single-family uses in the RSA-5 district, off-street parking shall be prohibited, unless one or more of the following criteria are satisfied:

(.a) The parking is accessed by a rear street, rear shared driveway, or rear alley.

(.b) All of the immediately abutting lots have off-street parking that is accessed from a street on which the lot fronts.

(d) Additional Regulations for RMX-3, CMX-4, and CMX-5 Districts

In the RMX-3, CMX-4, and CMX-5 districts, special exception approval is required for the following:

(.1) Surface accessory parking lots.

(.2) Aboveground accessory parking garages.

(.3) New accessory parking areas and additions to existing accessory parking areas.

(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.

(a) Minimum Area for Driveways and Aisles

Parking lots and garages, except for those accessory to single-family and two-family uses, must provide an additional area of the parking lot or parking garage equal to not less than 25% of the total area of the lot or garage for access driveways and aisles.

(b) Parking Space and Drive Aisle Dimensions

(.1) For single-family and two-family uses, the minimum dimensions of each parking space shall be 8.5 ft. by 22 ft.

(.2) For all other uses, 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.)
Regular Space – Parallel	8.5	22	10 ft. for one way traffic 24 ft. for two way traffic
Regular Space - 45 degrees	8.5	18	15 ft.[3]
Regular Space - 60 degrees	8.5	18	18 ft.
Regular Space - 90 degrees	8.5	18	10 ft. for one way traffic 24 ft. for two way traffic
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	18	10 ft. for one way traffic 24 ft. for two way traffic
Handicapped Spaces	Shall comply with the Americans with Disabilities Act (42 U.S.C.S. 12101 et. seq.)		

Table Notes:

[1] As measured by a line perpendicular to the stall line at a point on the outside end of the stall, except when the stall is on the inside edge of a curve, in which case the point of measurement shall be on the inside end of the stall.

[2] As measured from required curb on the inside edge of the stall.

[3] 20 ft. minimum is required where needed as a fire line.

[4] Limited to 25% of all parking spaces in lots with more than 25 spaces. All compact spaces must be clearly identified.

(c) Reservoir Space

All surface parking lots and garages in RMX-3, CMX-3, CMX-4, and CMX-5 districts shall provide the number of off-street reservoir spaces required by Table 14-803-2 between the street line and valet pick-up point, or the ticket issuing mechanisms or booths. If the parking lot or garage has two or more points of ingress, the total number of reservoir spaces required at all points of

ingress together shall be at least the number required by Table 14-803-2, and there shall be at least one reservoir space at each point of ingress:

Table 14-803-2: Required Reservoir Space

Number of Parking Spaces Provided	Off-Street Reservoir Space Required (7 ft. by 15 ft.)
1 to 20	1
21 to 50	2
51 to 100	3
101 to 200	5
Over 200 spaces	6 + 1 additional for every 100 spaces over 200

(3) Mechanical Access Parking

(a) Mechanical access parking lots are prohibited in all zoning districts.

(b) Mechanical access parking garages must provide required reservoir spaces.

(c) Automated valet-type mechanical access parking garages are exempt from any aisle, driveway width, and parking space size requirements.

(d) Self park-type and tandem parking-type mechanical access parking garages are exempt from parking space size requirements, but must meet any aisle and driveway width requirements.

(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).

(.1) Grades

All surface parking spaces shall be situated on ground that does not contain any grades in excess of 10%.

(.2) Materials

Surface parking lots shall be covered with a hard top surface of cement concrete, bituminous concrete, asphalt, or pervious pavement, including all accessways and/or driveways from the street. If parking is provided in a surface parking lot and the applicant provides more than 20 spaces beyond the minimum off-street parking required by this Zoning Code, all surface spaces beyond the minimum required shall be surfaced with pervious paving materials that meet the design standards of the Philadelphia Stormwater Management Guidance Manual.

(.3) Approval by the Streets Department

Surface parking lots that provide more than three vehicle parking spaces shall comply with the applicable provisions of §9-601 of The Philadelphia Code and shall be approved by the Department of Streets before L&I may issue a zoning permit.

(.4) Walkways

Except in Industrial districts, where a parking lot contains more than 25 spaces and is located between a building and a public street, pedestrian walkways at least five ft. wide shall be provided and shall comply with the following standards:

(.a) Each walkway shall be located within or along the edge of the parking lot and shall connect the street and the building.

(.b) One pedestrian walkway meeting these standards shall be provided for each 300 ft. of street frontage.

(.c) Where a walkway crosses a driveway or aisle, the driveway or aisle shall be clearly marked and signed so as to indicate the location of the walkway and to require vehicles to stop for individuals using the walkway.

(.5) Vehicle Access Points

Along any street frontage, a surface parking lot shall have no more than one curb cut for both ingress and egress, the maximum width of which shall not exceed 24 ft., or two one-way curb cuts the maximum width of which shall not exceed 12 ft., provided that the curb cuts shall not occupy more than 50% of the street frontage.

(b) Design Standards for Garage Structures in RMX-3 and Commercial Districts

Accessory and non-accessory parking in garage structures in the RMX-3 district or any Commercial district, except those accessory to single-family and two-family uses, shall meet the following standards.

(.1) Vehicle Access Points

(.a) Along any street frontage, a parking garage shall have no more than one curb cut for both ingress and egress, the maximum width of which shall not exceed 24 ft., or two one-way curb cuts the maximum width of which shall not exceed 12 ft., provided that the curb cuts shall not occupy more than 50% of the street frontage.

(.b) 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.

(.2) Facades

All above ground portions of accessory or non-accessory parking garages or portions of structures occupied by automobile parking shall meet the following standards:

(.a) Façade openings that face any public street or publicly accessible open space shall be vertically and horizontally aligned and all floors fronting on those facades shall be level (not inclined).

(.b) At least 30% of each façade facing a public street or publicly accessible open space shall be occupied by doors (on the ground floor), windows, screens, grills, louvers, or other non-opaque façade elements that resemble those features.

(.c) The remainder of each façade facing a public street or publicly accessible open space shall be designed to conceal the view of all parked cars and internal light sources when viewed from the public street or publicly accessible open space.

(.3) Ground Floor Use

(.a) In RMX-3 and commercial districts any portion of the ground floor façade 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.

(.b) Uses in the office, retail sales, commercial services, or public, civic, and institutional use category, except the regulated uses that are listed in §14-603(13) (Regulated Uses), are allowed as accessory uses in parking garages that are subject to the ground floor use provisions of this subsection.

(.4) Parking Garages in RMX-3, CMX-4, and CMX-5 Districts

(.a) L&I shall not issue any building permits for parking garages unless the façade of the proposed garage has been reviewed and approved by the Commission. The Commission shall have 30 days upon receipt of an application to review the proposed parking garage; after the 30-day review period has passed, the approval of the Commission shall be presumed.

(.b) L&I shall not issue any building permits for parking garages unless the internal circulation patterns and points of ingress and egress have been reviewed and approved by the Streets Department. The Streets Department shall have 30 days upon receipt of an application to review the proposed parking garage; after the 30-day review period has passed, the approval of the Streets Department shall be presumed.

(5) Parking Landscape and Screening

All parking lots and parking garages, except those accessory to single-family and two-family uses, shall comply with all applicable requirements of this §14-803(5) (Parking Landscape and Screening).

(a) Parking Landscape Plan

The Commission shall approve a parking landscape plan that satisfies the technical requirements of the regulations of the Commission, or waive the requirements of this §14-803(5) (Parking Landscape and Screening) if the

Commission determines that it would be impractical to provide the required landscape, before L&I may issue a zoning permit.

(b) General Requirements

All parking landscape and screening required by this §14-803(5) (Parking Landscape and Screening) shall comply with the general landscape standards set forth in §14-705(1)(c) (General Standards) and the installation and maintenance requirements set forth in §14-705(3) (Installation and Maintenance of Landscape and Trees).

(c) Perimeter Screening From Abutting Residential District

(.1) When a parking lot or surface parking area associated with a parking garage (including but not limited to driveways and aisles) abuts a Residential district, a continuous screening wall, berm, fence, or row of plants at least five ft. tall shall be provided between the surface parking lot or surface parking area and the Residential district.

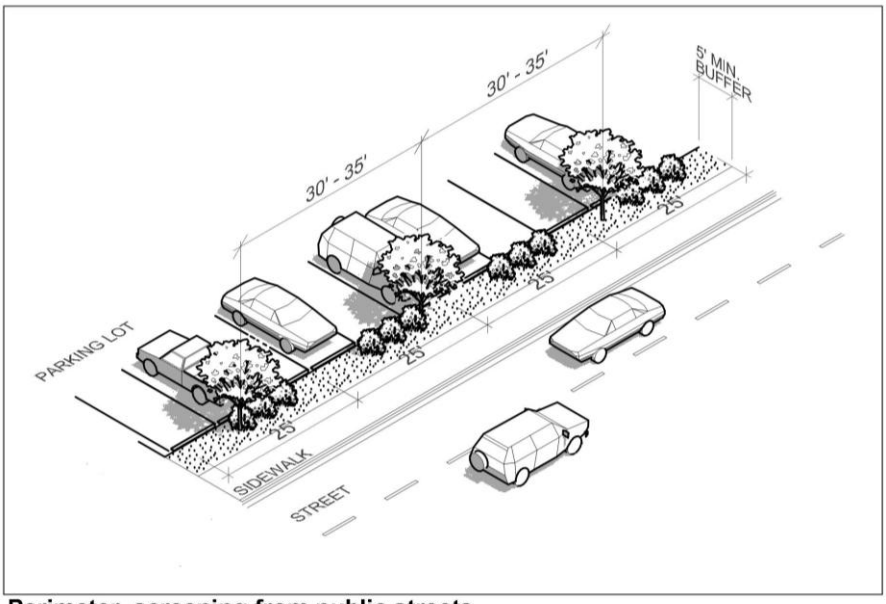
(.2) The screening material shall be designed to provide 75% opacity on a year-round basis beginning one year after planting along the full required height and length of the screening buffer.

(.3) Screening fences shall be constructed of ornamental metal or wood; chain-link and barbed wire are prohibited as fencing material. The side of the fence presenting a more finished appearance, or the side without bracing supports, shall face towards the Residential district.

(d) Perimeter Screening from Public Streets for Parking Lots

(.1) Where any surface parking lot is located along a street frontage, a landscaped area shall be installed along the entire length of the perimeter of the surface parking lot that is located along a street frontage to screen the view of the parking area from the street. Except as provided in §14-803(5)(d)(.2) below, the landscaped area shall be at least equal to the required setback, but in no case less than five ft. wide.

(.a) Trees must be provided within the required landscaped area at a rate of at least one tree per 35 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.



Perimeter screening from public streets

(.b) Shrubs shall be planted at an interval of three shrubs per 25 ft. of linear frontage and must have a mature height of at least two ft.

(.2) Where a five ft. wide perimeter landscape area is not feasible based on existing site or topography constraints, as an alternative to the tree and shrub plantings required by §14-803(5)(d)(.1) above, a decorative masonry wall or ornamental fence at least three ft. in height may be installed. The decorative wall or ornamental fence may be installed on a berm if the combined height of berm and wall or fence is at least three ft. in height.

(.a) The decorative masonry wall must be constructed of brick, stone, decorative block wall, or concrete block with stucco finish, but shall not be constructed of uncolored or painted concrete block.

(.b) The ornamental fence must satisfy the requirements for screening fences in §14-803(5)(c)(.3) (Perimeter Screening From Abutting Residential District).

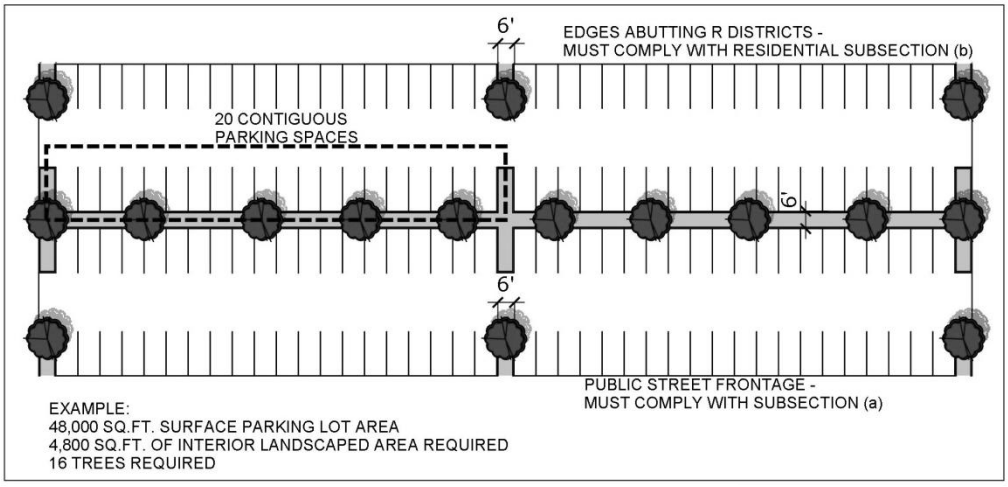
(e) Interior Landscape Requirements for Parking Lots

(.1) A minimum of 10% of the interior surface parking lot in all districts and off-street loading areas in all districts except I-2, I-3, and I-P, calculated as the total of area in all surface parking spaces and surface drive aisles, shall be planted with landscape.

(.2) If the applicant installs a vegetated roof on a primary or accessory structure on the same lot, the amount of interior parking lot landscape may be reduced by one sq. ft. for each one sq. ft. of vegetated roof area installed.

(.3) Perimeter landscape required by §14-803(5)(d) (Perimeter Screening from Public Streets) and §14-803(5)(c) (Perimeter Screening From Abutting Residential District) is not counted towards the minimum interior landscape requirement.

(.4) 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 six 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 20 contiguous parking spaces.



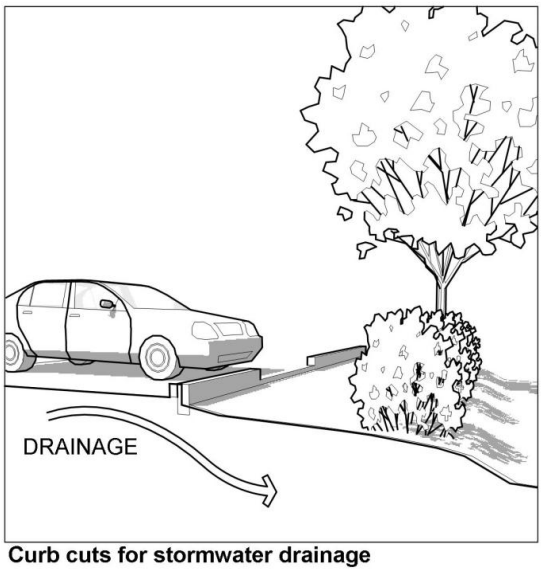
Parking Lot Landscape – Interior Landscape Requirements

(.5) One tree shall be planted per 300 sq. ft. of interior landscaped area. A minimum of 30% of the required trees shall include deciduous shade trees from DPR's Recommended Street Tree List.

(.6) Required perimeter and interior landscaped areas shall maximize effective stormwater management by incorporating any one of the following:

(.a) A bioretention system that is designed in accordance with the Philadelphia Stormwater Management Guidance Manual; or

(.b) Curbs at the edge of the required perimeter and interior landscaped areas to protect the plants, with planted areas installed at a lower grade than the parking lot pavement, and curbing shall have openings allowing drainage from the pavement to enter and percolate through the landscaped areas.



Curb cuts for stormwater drainage

§14-804 Bicycle Parking Ratios and Standards

(1) Required Bicycle Parking Spaces

Bicycle parking spaces shall be provided in accordance with Table 14-804-1:

Table 14-804-1: Required Bicycle Parking

All uses except single-, two-, and multi-family uses, low occupancy facilities, and public parking lots	
Gross Floor Area	**Minimum Number of Bicycle Parking Spaces**
0–7,500 sq. ft.	0
7,501–20,000 sq. ft.	2
Over 20,000 sq. ft.	1 per every 10,000 sq. ft. or fraction thereof
Multi-Family Buildings	
Number of Dwelling Units	**Minimum Number of Class 1A Bicycle Parking Spaces**
Fewer than 12 dwelling units	0
12 or more dwelling units	1 per every 3 dwelling units or fraction thereof
Low-Occupancy Facilities	
Number of Employees	**Minimum Number of Bicycle Parking Spaces**
0–5	0
6–20	2
21–80	4
Over 80	1 per every 20 employees or fraction thereof
Public Parking Lots	
Number of Automobile Spaces	**Minimum Number of Bicycle Parking Spaces**
0-3	0
4–20	2
21–40	4
41 or more	1 per every 10 spaces or fraction thereof

(2) Location of Bicycle Parking Spaces

(a) All required bicycle parking on the lot shall be located along an accessible route as defined by the Philadelphia Building Code. Accessible routes shall be provided between the required on-lot bicycle parking and any public bicycle lanes, paths, or routes on adjacent streets.

(b) Bicycle racks may be placed in the public right-of-way to achieve the required number of spaces under this subsection, provided that the building owner enters into a maintenance agreement with the Streets Department and an approval for the installation is obtained from the Streets Department prior to the issuance of any required zoning permit. No additional encroachment ordinance shall be required.

(c) All required bicycle parking spaces outside a building shall be located within a 50 ft. radius of the primary building entrance except in the following circumstances:

(.1) When bicycle parking spaces are to be located on the lot outside a building, L&I may modify or waive this requirement if it would cause a conflict with any other code provision, but all required spaces shall be located as close to the primary building entrance as site conditions allow.

(.2) When bicycle parking spaces are to be located in the public right-of-way, the Department of Streets may modify or waive this requirement if it would result in excessive sidewalk clutter, impede pedestrian circulation, or cause a conflict with any other code or regulation, but all required spaces shall have convenient access to building entrances that are typically open to intended users.

(.3) Bicycle parking spaces located in attended parking facilities shall be located next to the attendant booth or within an area under regular surveillance.

(3) Security

(a) Rack elements, or the part of the bike rack that supports one bicycle, shall comply with standards established by L&I and the Streets Department and shall support the bicycle frame at two locations, prevent the bicycle from tipping over, and enable the frame and one or both wheels to be secured with a user-supplied locking device.

(b) If provided, bicycle storage facilities shall be provided with tamper-proof locks. When multiple bicycles are stored together, provisions shall be made for locking bicycles individually.

(4) Regulations

L&I and the Streets Department are authorized to promulgate such rules and regulations as are necessary or appropriate to implement the provisions of this subsection.

§14-805 Drive-Throughs and Vehicle Stacking Areas

The following standards shall apply to drive-throughs, regardless if the drive-through is part of another use (e.g., restaurant or financial institution) or if it is a stand-alone use (e.g., automatic teller machine).

(1) General Standards

(a) Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be located within 50 ft. of any

residential property line and shall be subject to Chapter 10-400 of The Philadelphia Code.

(b) No service shall be rendered, deliveries made, or sales conducted within the required front yard or corner side yard. Customers served in vehicles shall be stopped to the side or rear of the drive-through.

(c) All areas associated with the drive-through, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects, shall be located in the side or rear yard of a property to the maximum extent feasible.

(d) Any drive-through lane located within 30 ft. of a Residential district shall comply with one of the landscape buffer options for Multi-Family Residential, Commercial, or Institutional uses shown in Table 14-705-1 of §14-705(1)(d)(.2) (Two Buffering Options), regardless of the zoning district in which the drive-through use is located.

(2) Stacking Lanes

(a) Design

Stacking lanes shall be provided for any use having a drive-through establishment and shall comply with the following standards:

(.1) Drive-through stacking lanes shall have a minimum width of 10 ft.

(.2) When stacking lanes are separated from other stacking lanes, from bypass lanes, or from other site areas, the separation shall be by means of a raised concrete median, concrete curb, or landscape area.

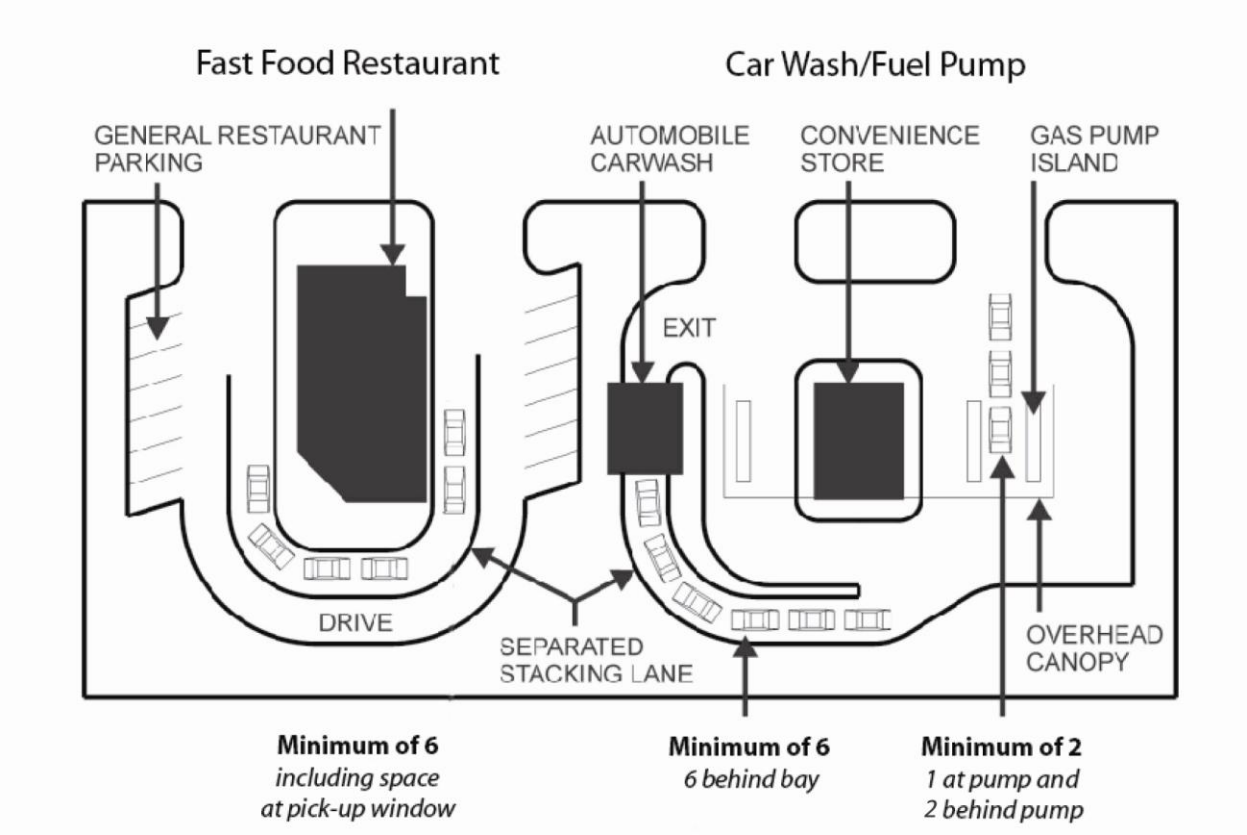
(.3) Stacking lanes shall be set back 20 ft. from any property line.

(b) Stacking Space and Lane Requirements

The number of required stacking spaces shall be as provided for in the following Table 14-805-1.

Table 14-805-1 Stacking Space Requirements

Activity	Minimum Stacking Spaces (per lane)	Measured From:
Financial Services or Automated Teller Machine (ATM)	3	Window or ATM
Eating and Drinking Establishments	5	Order Board
Personal Vehicle Repair and Maintenance – full service car wash	6	Outside of Washing Bay
Personal Vehicle Repair and Maintenance – self service car wash	2	Outside of Washing Bay
Gasoline Stations	2	End of Pump Island



§14-806 Off-Street Loading

All development shall comply with the off-street loading standards in this section. In the case of mixed-use buildings or developments, off-street loading requirements shall only apply to that portion of the building or development in nonresidential use, and only if required by the standards in this section.

(1) General Requirement for All Districts except RMX-3, CMX-4, and CMX-5

Every building on a property that is abutting two or more streets shall provide off-street loading spaces in accordance with Table 14-806-1.

Table 14-806-1: Off-Street Loading

Use	Gross Floor Area (Sq. Ft.)	Required Loading Spaces
Residential Districts except RMX-3		
Office, Hospital, Public, Civic, and Institutional, or Visitor Accommodation	100,000 - 150,000	1
	150,001 - 400,000	2
	400,001 - 660,000	3
	660,001 - 970,000	4
	970,001 - 1,300,000	5
	Over 1,300,000	1 additional space per each additional 350,000 sq.ft.
Commercial Districts except CMX-4 and CMX-5		
Office, Hospital, Public, Civic, and Institutional, or Visitor Accommodation	100,000 - 150,000	1
	150,001 - 400,000	2
	400,001 - 660,000	3
	660,001 - 970,000	4
	970,001 - 1,300,000	5
	Over 1,300,000	1 additional space per each additional 350,000 sq.ft.
All other permitted uses except	20,000 - 40,000	1

Use	Gross Floor Area (Sq. Ft.)	Required Loading Spaces
Residential	40,001 - 100,000	2
	100,001 - 160,000	3
	160,001 - 240,000	4
	240,001 - 320,000	5
	Over 320,000	1 additional space per each additional 90,000 sq. ft.
Industrial Districts		
All permitted uses	10,000 - 20,000	1
	20,001 - 40,000	2
	40,001 - 60,000	3
	60,001 - 80,000	4
	80,001 - 100,000	5
	Over 100,000	1 additional space per each additional 50,000 sq. ft.

(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.

Table 14-806-2: Off-Street Loading in RMX-3, CMX-4, and CMX-5

Use	Gross Floor Area (Sq. Ft.)	Required Loading Spaces
Office and Visitor Accomodation	100,000-150,000	1
	150,001-400,000	2
	400,001 - 660,000	3
	660,001 - 970,000	4
	970,001 - 1,300,000	5
	Over 1,300,000	1 additional space per each additional 400,000 sq.ft.
Residential	50,000-150,000	1
	150,001-500,000	2
	Over 500,000	3
All other permitted uses	40,000-100,000	1
	100,001-160,000	2
	160,001-240,000	3
	240,001-320,000	4
	Over 320,000	1 additional space per each additional 90,000 sq. ft.

(b) Minimum Dimensions

Loading spaces shall be designed to meet the dimensions in Table 14-806-3.

Table 14-806-3: Required Loading Space Dimensions

Required Loading Space	Dimensions
1	10 ft. wide, 40 ft. long, 14 ft. high
2	11 ft. wide, 60 ft. long, 14 ft. high
3	10 ft. wide, 30 ft. long, 14 ft. high
4	10 ft. wide, 40 ft. long, 14 ft. high
5	11 ft. wide, 60 ft. long, 14 ft. high
Each additional	10 ft. wide, 30 ft. long, 14 ft. high

(c) Enclosed Structure Required

Every off-street loading space shall be located either (1) within the building it serves, or (2) in an enclosed structure with direct access to each building the loading spaces serve.

(d) Ingress and Egress

Each individual loading space or group of loading spaces shall be limited to one two-way curb cut with a maximum width of 24 ft. on the street frontage or two one-way curb cuts with a maximum width of 16 ft. on each street frontage. As an exception to this standard, 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. 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.

(e) Common Loading

Two or more buildings may share a common loading area provided that the loading area is located within a commonly accessible structure and that the total number of loading spaces provided is calculated on the basis of the sum of the loading spaces required for each building that the common spaces are intended to serve.

(f) Trash Storage

All trash storage areas shall be located within the building, within a completely enclosed trash storage area located on the same lot as the building it serves, or within a common loading area as provided in §14-806(2)(e) (Common Loading).

(3) General Design and Access Standards

Except as provided in §14-806(2) (RMX-3, CMX-4, and CMX-5 Districts), the following standards apply to all required off-street loading spaces.

(a) Where off-street loading spaces do not adjoin the street, convenient access at least 12 ft. wide to each space shall be provided.

(b) Access driveways across sidewalks shall be subject to the approval of the Streets Department.

(c) Each required off-street loading space shall be at least 11 ft. wide, 60 ft. long, and have at least 14 ft. of unobstructed height unless otherwise stated in another provision of this Zoning Code for a specific location.

(d) No required off-street loading space may be located in a required front setback or rear or side yard area.

Chapter 14-900 Signs

§14-901 Intent 9-1
§14-902 Applicability 9-1
(1) Applicable to All Signs 9-1
(2) Specific Sign Controls 9-1
§14-903 When a Permit is Required 9-1
(1) Permit Required 9-1
(2) Permit Not Required 9-1
§14-904 Accessory Sign Controls 9-2
(1) General Controls 9-2
(2) Signs in Residential Districts 9-3
(3) Signs in Commercial Districts 9-5
(4) Signs in Industrial Districts 9-9
(5) Signs in Special Purpose Districts 9-11
(6) Signs in Overlay Districts 9-11
(7) Signs Requiring Special Review and Approval 9-11
§14-905 Non-Accessory Signs 9-15
(1) Scope 9-15
(2) Spacing Requirements 9-15
(3) Distances from Residential District Property 9-15
(4) Area Regulations 9-15
(5) Height Regulations 9-15
(6) Sign Face Regulations 9-15
(7) Illuminated, Flashing, and Revolving Signs 9-15
(8) Digital Billboards 9-16
(9) Permitted Areas 9-16
(10) Prohibited Areas 9-16
(11) Regulations Applicable to the I-95 Acquisition Corridor 9-17
(12) Permits 9-18
(13) Signs and Their Supporting Structures 9-19
(14) Nuisance, Unlawful, and Prohibited Signs 9-19

§14-901 Intent

It is the intent of this Chapter 14-900 to designate the location, size, type, and features of all signs within the City but not to engage in any form of content-based regulation of sign messages prohibited by the federal or state constitution, statutes, or court decisions. If any portion of this section is determined to include any form of impermissible content-based regulation, that provision shall be severed from the remainder of this Chapter 14-900 and shall be revised to reflect the least possible change that avoids impermissible content-based regulation, and the remainder of this Chapter shall remain in effect. It is the specific intent of the City that any unintentional impermissible content-based regulations not result in the invalidation of this Chapter 14-900.

§14-902 Applicability

(1) Applicable to All Signs

The provisions of this Chapter 14-900 apply to all signs, whether accessory or non-accessory, as defined in §14-203 (Definitions), in the City.

(2) Specific Sign Controls

In addition, specific sign controls in overlay districts listed in Chapter 14-500 (Overlay Zoning Districts) and sign controls applicable to specific uses pursuant to §14-603 (Use-Specific Standards) apply. In the case of any inconsistency between the sign controls in different sections of this Zoning Code, the strictest provisions shall apply, except that where an overlay district contains separate sign regulations those regulations shall apply.

§14-903 When a Permit is Required

(1) Permit Required

Unless exempted by §14-903(2), no person shall erect or maintain any sign unless that person has obtained a permit from L&I pursuant to §14-303(6). Any person owning, operating, or maintaining any building or structure shall comply with the requirements of this chapter and shall insure the compliance of all tenants with these requirements by lease or otherwise. No permit to erect or maintain any sign shall be granted unless that sign:

(a) Complies with the requirements of this Chapter 14-900 and the regulations issued pursuant to it;

(b) Complies with all other applicable provisions of this Zoning Code;

(c) Complies with the requirements of the Art Commission, where applicable; and

(d) Complies with all applicable regulations of DPR.

(2) Permit Not Required

The following actions related to signs may be performed without obtaining a permit from the City, but the resulting sign must conform to the provisions of this Zoning Code, and failure to conform is a violation of this Zoning Code.

(a) The placement of information on structures as required by law;

(b) The erection or maintenance of a temporary sign, including real estate signs; and

(c) Changing sign content on permitted signs or signs approved by the Zoning Board.

§14-904 Accessory Sign Controls

No accessory sign shall be erected or maintained anywhere in the City except in conformity with the applicable provisions of this §14-904 and all applicable sections of this Zoning Code. Any sign that does not conform to those requirements is declared a public nuisance. No reference to a particular type of use in this Chapter shall be construed to imply that the use is allowed under different circumstances than those stated in Chapter 14-400 (Base Zoning Districts) through Chapter 14-700 (Development Standards).

(1) General Controls

All accessory signs shall comply with the following controls unless a different or more specific control is stated in subsections (2) through (6) below.

(a) Projecting Signs

(.1) Maximum Projection over Sidewalks

No sign shall project:

(.a) More than six in. over any sidewalk when the lowest part of the sign is less than eight ft. above the sidewalk;

(.b) More than two ft. over any sidewalk when the lowest part of the sign is between eight ft. and 10 ft. above the sidewalk; or

(.c) More than two-thirds the width of any sidewalk, or no more than 10 ft. over any sidewalk, whichever is less, when the lowest part of the sign is more than 10 ft. above the sidewalk.

(.2) Maximum Area of Projecting Signs

No projecting sign shall be erected or maintained that contains a total gross area of more than 800 sq. ft. No projecting sign that swings or swivels shall be erected or maintained that contains a total gross area of more than 25 sq. ft. on each of two faces.

(b) Sign Lighting

Unless otherwise noted in this Zoning Code, signs may be illuminated by interior lighting or lighting directed toward the sign, provided that the illumination shall be focused upon the sign itself so as to prevent glare upon adjacent lots.

(c) Temporary Signs

In the Commercial, Industrial, and SP zoning districts, no temporary sign shall be erected or maintained that contains a total gross area of more than 150 sq. ft., in the case of wall signs, or more than 75 sq. ft. on each of two faces in all other cases.

(d) Signs for Regulated Uses

(.1) Regulated uses, as set forth in §14-603(13) (Regulated Uses), shall be permitted accessory signs and visible messages based on the allowable accessory sign area of the zoning district in which they are located; provided:Sign messages shall be limited to verbal description of material or services available on the premises.

(.2) Sign messages may not include any graphic or pictorial depiction of material or services available on the premises.

(.3) Messages which are visible or intended to be visible from outside the property (such as on or within doors or windows) shall not display materials, items, publications, pictures, films, or printed material available on the premises; or pictures, films, or live presentation of persons performing or services offered on the premises.

(2) Signs in Residential Districts

(a) RSD, RSA, RTA, and RM Districts

(.1) Signs other than Real Estate Signs

(.a) Any sign for a nonresidential use shall not exceed a sign area of 15 sq. ft. upon each street frontage.

(.b) Any sign for a residential use shall not exceed a sign area of 150 sq. in. on a face nor have more than two faces upon each street frontage.

(.c) No sign shall extend above the roof line or wall coping, and no-sign shall be placed in any required yard.

(.d) No sign shall be illuminated by flashing, animated, revolving, or intermittent illumination.

(.2) Real Estate Signs

(.a) The total area of real estate signs on a lot shall not exceed 12 sq. ft. for each 50 lineal ft. of street frontage, or 300 sq. ft., whichever is smaller.

(.b) Real estate signs shall be permitted anywhere upon the lot, including required yards.

(b) RMX-1

(.1) All Signs

(.a) Real estate signs shall be permitted anywhere upon the lot, including required yards.

(.b) Revolving signs shall be prohibited.

(.c) Signs may be attached flat against the wall of the building or marquee, or upon the roof of a marquee and may extend above the roof or wall coping, but may not project beyond the building walls.

(.2) Signs for Residential and Institutional Uses

Any sign for a use as a household living, personal care home, educational facility, or religious assembly shall comply with this §14-904 (2) (b) (.2) (Signs for Residential and Institutional Uses).

(.a) Each building is permitted one sign.

(.b) No sign shall exceed 10 sq. ft. in area; provided that this limitation shall not apply to traffic or directional signs.

(.3) Signs for Uses other than Residential or Institutional

Any sign for a use other than a household living, personal care home, educational facility, or religious assembly shall comply with this §14-904(2)(b)(.3) (Signs for Uses other than Residential or Institutional).

(.a) Freestanding signs are prohibited.

(.b) The total area of all signs shall not exceed one sq. ft. for each lineal foot of store front width.

(c) RMX-2

(.1) All Signs

(.a) No sign shall be illuminated by flashing, animated, revolving, or intermittent illumination.

(.b) Revolving signs shall be prohibited.

(.2) Signs other than Real Estate Signs

For uses other than single-family or two-family, each building is permitted one sign, subject to the following limitations:

(.a) Each sign for a use in the residential use category is permitted 10 sq. ft. of total area.

(.b) Each sign for use that is not in the residential use category is permitted 10 sq. ft. of area plus an additional two sq. ft. for each lineal foot of building frontage width.

(.c) Limitations on size stated in this subsection §14-904(2)(c)(.2) (Signs other than Real Estate Signs) shall not apply to traffic or directional signs.

(.3) Real Estate Signs

The total sign area for real estate signs shall not exceed two sq. ft. for each lineal foot of street frontage, provided that no single sign shall exceed a total of 150 sq. ft. per sign face, nor have more than two sides.

(d) RMX-3

(.1) All Signs

(.a) No sign shall be illuminated by flashing, revolving, or intermittent illumination. Animated illumination is permitted, provided that such illumination shall be focused upon the sign itself so as to prevent glare on adjacent lots.

(.b) Revolving signs, portable signs, and roof signs shall be prohibited.

(.c) No sign shall extend above the roof line or wall coping.

(.2) Signs other than Real Estate Signs

Signs for a use in the residential use category are permitted to the extent provided in §14-904(2)(a) (RSD, RSA, RTA, and RM Districts). Signs for all other uses shall are subject to the following limitations:

(.a) Only the following types of signs shall be permitted:

(.i) Flat wall signs.

(.ii) Projecting signs, provided that such signs shall not extend more than 12 in. beyond the property line.

(.iii) Freestanding signs, provided that the maximum height of such signs shall not exceed 10 ft. and further provided that such signs shall be limited to traffic or directional signs, directory signs, or building logo signs.

(.b) Each sign is permitted two sq. ft. of sign area per lineal foot of street frontage, provided that no single sign shall exceed an area of 100 sq. ft. This limitation shall not apply to building logo signs.

(.3) Real Estate Signs

Real estate signs shall not exceed a total sign area of 25 sq. ft.

(.4) Additional Requirements for Building Logo Signs

(.a) Building logo signs shall be located above the second floor.

(.b) L&I shall not issue a zoning permit until the Art Commission has approved the application. The Art Commission shall have 45 days to approve or disapprove the application, after which its approval will be presumed.

(3) Signs in Commercial Districts

(a) CMX-1

(.1) Each building is permitted one wall sign on only one building frontage.

(.2) Each sign is permitted one sq. ft. of sign area per building frontage width.

(.3) No sign shall be illuminated by flashing, animated, revolving, or intermittent illumination.

(.4) Revolving signs shall be prohibited.

(b) CMX-2 and CMX-2.5

(.1) No sign shall be illuminated by revolving illumination.

(.2) Signs with flashing or intermittent illumination are permitted, provided that such signs shall not be erected within 150 ft. of any Residential district nor facing any Residential district within 300 ft. of the sign.

(.3) Signs with animated illumination are permitted, provided that the animated illumination shall be focused upon the sign itself so as to prevent glare on adjacent lots.

(.4) Revolving signs shall be prohibited.

(.5) Lots facing one street line shall be permitted a total sign area of six sq. ft. for each lineal foot of street frontage.

(.6) Lots facing more than one street line shall be permitted a total sign area as follows:

(.a) For the shorter street frontage there shall be permitted a sign area of six sq. ft. for each lineal foot of street frontage;

(.b) For the longer street frontage there shall be permitted a sign area of four sq. ft. for each lineal foot of street frontage; but in no case shall the total sign area permitted on the longer street frontage be less than the equivalent sign area permitted upon the shorter street frontage;

(.c) Where a lot has two or more short or two or more long street frontages, the provisions of subsections §14-904(3)(b)(.6)(.a) and §14-904(3)(b)(.6)(.b) above shall apply to each of those street frontages; and

(.d) The total of the sign areas permitted in §§14-904(3)(b)(.6)(.a) and 14-904(3)(b)(.6)(.b) above may be cumulated but is restricted to use on one street frontage.

(.7) Freestanding signs shall not exceed 20 ft. in height.

(c) CMX-3

(.1) No sign shall be illuminated by revolving illumination.

(.2) Signs with flashing or intermittent illumination are permitted, provided that such signs shall not be erected within 150 ft. of any Residential district nor facing any Residential district within 300 ft. of the sign.

(.3) Signs with animated illumination are permitted, provided that the animated illumination shall be focused upon the sign itself so as to prevent glare on adjacent lots.

(.4) Revolving signs shall be prohibited.

(.5) Lots facing one street line shall be permitted a total sign area of 10 sq. ft. for each lineal foot of street frontage.

(.6) Lots facing more than one street line shall be permitted a total sign area as follows:

(.a) For the shorter street frontage there shall be permitted a sign area of 10 sq. ft. for each lineal foot of street frontage;

(.b) For the longer street frontage there shall be permitted a sign area of five sq. ft. for each lineal foot of street frontage; but in no

case shall the total sign area permitted on the longer street frontage be less than the equivalent sign area permitted upon the shorter street frontage;

(.c) Where a lot has two or more short or two or more long street frontages, the provisions of §§14-904(3)(c)(.6)(.a) and 14-904(3)(c)(.6)(.b) above shall apply to each of those street frontages; and

(.d) The total of the sign areas permitted in §§14-904(3)(c)(.6)(.a) and 14-904(3)(c)(.6)(.b) may be cumulated but is restricted to use on one street frontage.

(.7) Where a building is more than three stories high, 10% of additional sign area shall be permitted for each story over three, to be calculated using the total sign area permitted by §14-904(3)(c)(.5) or §14-904(3)(c)(.6) above as the base for the 10% calculation in each case.

(.8) Freestanding signs shall not exceed 20 ft. in height.

(d) CMX-4 and CMX-5

(.1) All Signs

(.a) No sign shall be illuminated by flashing, revolving, or intermittent illumination. Animated illumination is permitted, provided that such illumination shall be focused upon the sign itself so as to prevent glare on adjacent lots.

(.b) Revolving signs, portable signs, and roof signs shall be prohibited.

(.c) No sign shall extend above the roof line or wall coping.

(.2) Signs other than Real Estate Signs

(.a) Only the following types of signs shall be permitted:

(.i) Flat wall signs.

(.ii) Projecting signs, provided that such signs shall not extend more than 12 in. beyond the property line.

(.ii) Freestanding signs, provided that the maximum height of such signs shall not exceed 10 ft. and further provided that such signs shall be limited to traffic or directional signs, directory signs, or building logo signs.

(.b) Each sign is permitted two sq. ft. of sign area per lineal foot of street frontage, provided that no single sign shall exceed an area of 100 sq. ft.This limitation shall not apply to building logo signs.

(.3) Real Estate Signs

Real estate signs shall not exceed a total sign area of 25 sq. ft.

(.4) Additional Requirements for Building Logo Signs

(.a) Building logo signs shall be located above the second floor.

(.b) L&I shall not issue a zoning permit until the Art Commission has approved the application. The Art Commission shall have 45 days to approve or disapprove the application, after which its approval will be presumed.

(e) CA-1

(.1) Only one sign shall be permitted on each building and it shall not exceed two sq. ft. for each linear foot of building facing any and only one street, shall be constructed facing only on the street designated for the above computation, and may be (1) attached flat against the wall of the building or marquee or, (2) upon the roof of a marquee, and may project above the roof or wall coping, but may not extend beyond the building walls. In the case of multiple users in one building, the locations and numbers of signs totaling not more than the allowable sign area set forth may be approved in accordance with the special exception procedures in §14-303(7) (Special Exception Approval).

(.2) Signs may be animated or illuminated; provided, the illumination shall be focused upon the sign itself, so as to prevent glare upon the adjacent lots.

(.3) Signs with flashing or intermittent illumination shall not be erected within 150 ft. of any Residential District, nor facing any Residential District within 300 ft. of the sign.

(.4) Revolving signs shall be prohibited.

(.5) Any revolving device which causes intermittent flashes of light to be projected shall be prohibited.

(f) CA-2

(.1) No sign shall be illuminated by revolving illumination.

(.2) Signs with flashing or intermittent illumination are permitted, provided that such signs shall not be erected within 150 ft. of any Residential district nor facing any Residential district within 300 ft. of the sign.

(.3) Signs with animated illumination are permitted, provided that the animated illumination shall be focused upon the sign itself so as to prevent glare on adjacent lots.

(.4) Revolving signs shall be prohibited.

(.5) The total area of signs permitted on buildings shall not exceed five sq. ft. for each lineal foot of store front width, and may be attached flat against the wall of the building or marquee, or upon the roof of a marquee and may extend above the roof or wall coping, but may not project beyond the building walls.

(.6) In addition to the signs allowed in §14-904(3)(f)(.5) above, one freestanding sign for each 80,000 sq. ft. of the area the CA-1 district shall be permitted under the following conditions:

(.a) The uses within each 80,000 sq. ft. of CA-2 district area exceed a sales-floor area of 15,000 sq. ft.

(.b) Such sign shall not contain more than two sign faces with a total area of 300 sq. ft., exclusive of supporting structures, nor exceed in total height 40 ft.

(4) Signs in Industrial Districts

(a) IRMX and ICMX

(.1) No sign shall be illuminated by revolving illumination.

(.2) Signs with flashing or intermittent illumination are permitted, provided that such signs shall not be erected within 100 ft. of any Residential district nor facing any Residential district within 200 ft. of the sign.

(.3) Signs with animated illumination are permitted, provided that the animated illumination shall be focused upon the sign itself so as to prevent glare on adjacent lots.

(.4) Revolving signs shall require a special exception approval from the Zoning Board pursuant to §14-303(7) (Special Exception Approval).

(.5) Lots facing one street line shall be permitted a total sign area of three sq. ft. for each lineal foot of street frontage.

(.6) Lots facing more than one street line shall be permitted a total sign area as follows:

(.a) For the shorter street frontage there shall be permitted a sign area of three sq. ft. for each lineal foot of street frontage;

(.b) For the longer street frontage there shall be permitted a sign area of two sq. ft. for each lineal foot of street frontage; but in no case shall the total sign area permitted on the longer street frontage be less than the equivalent sign area permitted upon the shorter street frontage;

(.c) Where a lot has two or more short or two or more long street frontages, the provisions of §§14-904(4)(a)(.6)(.a) and 14-904(4)(a)(.6)(.b) above shall apply to each of those street frontages; and

(.d) The total of the sign areas permitted in §§14-904(4)(a)(.6)(.a) and 14-904(4)(a)(.6)(.b) above may be cumulated but is restricted to use on one street frontage.

(.7) Freestanding signs shall not exceed 20 ft. in height. All other signs shall not project above the roof line or wall coping.

(b) I-1

(.1) Signs shall not face an abutting lot line of a Residential district, nor face or abut any driveway or access road serving a Residential district to the side or rear.

(.2) No sign shall be illuminated by revolving illumination.

(.3) Signs with flashing or intermittent illumination are permitted, provided that such signs shall not be erected within 150 ft. of any Residential district nor facing any Residential district within 300 ft. of the sign.

(.4) Signs with animated illumination are permitted, provided that the animated illumination shall be focused upon the sign itself so as to prevent glare on adjacent lots.

(.5) Revolving signs shall require a special exception approval from the Zoning Board pursuant to §14-303(7) (Special Exception Approval).

(.6) Freestanding signs are prohibited.

(.7) Signs shall not project above the roof line or wall coping.

(.8) The total area of signs shall not exceed 100 sq. ft. upon any street frontage.

(c) I-2, I-3, and I-P

(.1) No sign shall be illuminated by revolving illumination.

(.2) Signs with flashing or intermittent illumination are permitted, provided that such signs shall not be erected within 100 ft. of any Residential district nor facing any Residential district within 200 ft. of the sign.

(.3) Signs with animated illumination are permitted, provided that the animated illumination shall be focused upon the sign itself so as to prevent glare on adjacent lots.

(.4) Revolving signs shall require a special exception approval from the Zoning Board pursuant to §14-303(7) (Special Exception Approval).

(.5) Signs facing one street line or utility right-of-way line shall be permitted an area of 15 sq. ft. per sign face for each lineal foot of street line or utility right-of-way line, subject to the limitations provided for in §14-904(4)(c)(.7) below.

(.6) Signs facing more than one street line or utility right-of-way line shall be permitted an area upon each street line or utility right-of-way line as follows, subject to the limitations provided for in §14-904(4)(c)(.7) below:

(.a) The shorter street line or utility right-of-way line frontage shall be permitted an area per sign face of 15 sq. ft. for each lineal foot of street line or utility right-of-way line.

(.b) The longer street line or utility right-of-way line frontage shall be permitted an area per sign face of five sq. ft. for each lineal foot of street line or utility right-of-way line; further provided, that the total sign area on the longer street line or utility right-of-way line frontage shall not be less than the equivalent sign area permitted upon the shorter street line or utility right-of-way line frontage.

(.c) Where a sign faces two or more shorter and/or longer street line frontages or utility right-of-way line frontage, the provisions of §14-904(4)(c)(.6)(.a) and §14-904(4)(c)(.6)(.b) above shall apply to each of the said street or utility right-of-way frontages.

(.7) The maximum sign area permitted for signs along each street or utility right-of-way frontage shall be as follows:

(.a) Where a street or utility right-of-way frontage is a 60 ft. or greater in width, the maximum sign area permitted for signs along each street or utility right-of-way frontage shall be 1,500 sq. ft. of sign area for each sign face; provided further, that said sign area total on all faces shall not exceed 3,000 sq. ft.

(.b) Where a street or utility right-of-way frontage is smaller than 60 ft. in width, the maximum sign area shall be 1,000 sq. ft. for each sign face and said total on all faces shall not exceed 2,000 sq. ft.

(5) Signs in Special Purpose Districts

Sign regulations specific to the Special Purpose districts are specified in the applicable Special Purpose district regulations of Chapter 14-400 (Base Zoning Districts).

(6) Signs in Overlay Districts

Sign regulations in each overlay district shall be those applicable in the base zoning district where the land is located, as modified by any sign regulations in overlay district regulations of Chapter 14-500 (Overlay Zoning Districts). In the case of a conflict between the sign regulations applicable to a lot or parcel in this chapter and those applicable to the same lot or parcel in Chapter 14-500, the regulations in Chapter 14-500 shall govern.

(7) Signs Requiring Special Review and Approval

(a) Special Sign Control Areas

(.1) Cobbs Creek Parkway and Roosevelt Boulevard Area

This area includes all land within 200 ft. of any boundary line of Roosevelt Boulevard, Cobbs Creek Park, or the Cobbs Creek Parkway, as those boundary lines are determined by the Street Department.

Cobbs Creek Parkway Area (Applies to all lots)
DREXEL
LEBANON
UPLAND
MONTGOMERY
STATES
CHURCH
SHERWOOD
WOODBINE
COLUMBIA
OXFORD
PARKSIDE
JEFFERSON
LANCASTER
LANSDOWNE
MEDIA
MERION
MASTER
THOMPSON
GIRARD
WYALUSING
CALLOWHILL
VINE
ASPEN
RACE
MARKET
ARCH
SANSOM
CHESTNUT
SPRUCE
WALNUT
LARCHWOOD
ADDISON
OSAGE
PINE
CEDAR
HAZEL
CATHARINE
CHRISTIAN
BALTIMORE
COBBS CREEK
ANGORA
WHITBY
PAXON
FLORENCE
SPRINGFIELD
REGENT
BELMAR
ALLISON
REDFIELD
CEMETERY
WOODLAND
LINDBERGH
GOULD
ELMWOOD
GREENWAY
GRAYS
DICKS
REEDLAND
BUIST
SYLMAR
NORWITCH
MILAN
HAVERFORD
CITY
GARDINGTON
75TH
72ND
77TH
76TH
61ST
63RD
67TH
70TH
71ST
73RD
48TH
49TH
50TH
51ST
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57TH
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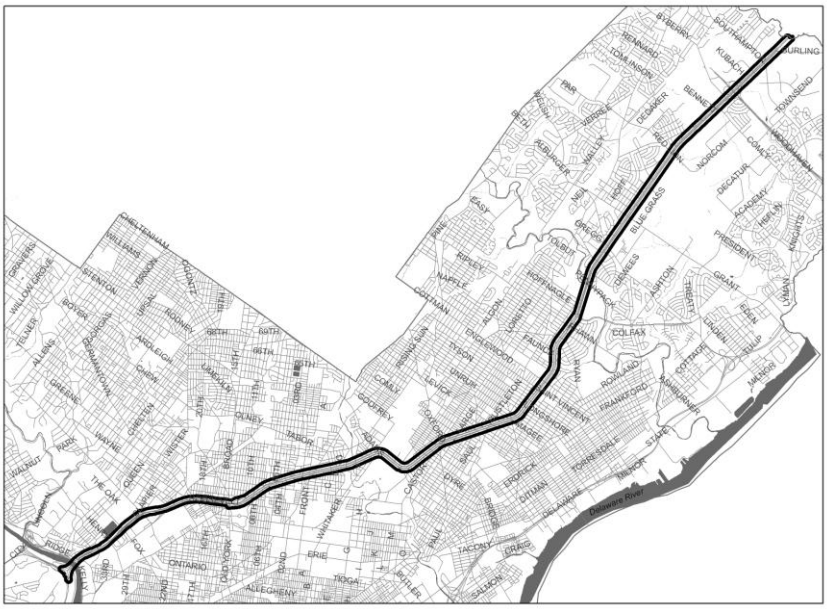
66TH
68TH



(.2) Fairmount Park Area

This area includes all lands within 200 ft. of any boundary line of Fairmount Park in the area generally bounded by Northwestern Avenue (County Line), Stenton Avenue (County Line), Johnson Street, as extended to Stenton Avenue, and Wissahickon Avenue, as extended to Northwestern Avenue, as shown on the following map for illustrative purposes only.

Fairmount Park Area (Applies to all lots)

(b) Special Sign Review

(.1) No person shall erect or maintain any sign within any of the special sign review areas listed in subsection (a) that is visible from any point within the boundaries of any of that respective special sign area unless he has first obtained a permit to do so from L&I.

(.2) In the case of the Cobbs Creek Parkway and Roosevelt Boulevard Area and the Fairmount Park Area:

(.a) L&I shall only issue a permit for the sign if it determines that (1) the sign complies with all applicable provisions of this Zoning Code, (2) the sign complies with any applicable regulations of DPR, and (3) the sign has been approved by the Art Commission.

(.b) A permit shall be granted for the continued maintenance of any sign lawfully in existence within the boundaries of the Cobbs Creek and Roosevelt Boulevard Area or the Fairmount Park area on December 31, 1969 without requiring compliance with any of the other provisions of this subsection. However, any such sign shall not be repaired, altered, or moved in any substantial

manner unless it is made to comply with all the requirements of this subsection.

§14-905 Non-Accessory Signs

(1) Scope

These controls apply to non-accessory signs in all areas of the City, with special restrictions regulating size, height, illumination, distances from residences, spacing, prohibition, and conditions for obtaining permits. These controls shall supplement all provisions of this Chapter 14-900.

(2) Spacing Requirements

In all areas of the City, outdoor advertising signs and non-accessory signs shall not be permitted within 500 ft. of any other outdoor advertising sign. This spacing requirement shall not apply to on-premise or accessory signs, non-commercial signs, and highway directional signs.

(3) Distances from Residential District Property

No sign support structure or sign face shall be erected within 300 ft. of any residentially-zoned property.

(4) Area Regulations

The maximum sign area of any outdoor advertising sign is:

(a) For frontages along a street or right-of-way that is less than 60 ft. wide, 1,000 sq. ft. per sign support structure.

(b) For frontages along a street or right-of-way that are 60 ft. wide or more, 1,500 sq. ft. per sign support structure.

(5) Height Regulations

(a) The bottom edge of any outdoor advertising sign shall not be located more than 25 ft. above the road surface from which the advertising message is visible and the sign shall not extend more than 20 ft. in height above its bottom edge.

(b) When an outdoor advertising sign is to be erected in a location within 150 ft. of two or more street, road, highway, or bridge surfaces, the maximum height of an outdoor advertising sign shall be measured from the surface with the lowest grade elevation.

(c) Where other provisions of The Philadelphia Code are more restrictive than this Chapter 14-900 in terms of height regulations, the more restrictive height regulations shall apply for non-accessory signs whether the signs are freestanding or roof signs.

(6) Sign Face Regulations

No more than two sign faces or advertising messages shall be permitted on any one lot, and no more than one sign support structure shall be permitted on any lot.

(7) Illuminated, Flashing, and Revolving Signs

(a) Signs may be illuminated, but the illumination shall be focused upon the sign itself, so as to prevent glare upon the surrounding areas.

(b) Flashing signs, signs with intermittent illumination, or signs with mechanically or electronically changing messages shall not be erected within 500 ft. of any Residential district, nor face any Residential district within 1,000 ft. of the sign.

(c) Signs that revolve shall require approval from the Zoning Board through the special exception process in §14-303(7).

(8) Digital Billboards

{RESERVED}

(9) Permitted Areas

Outdoor advertising signs and non-accessory signs shall be permitted:

(a) Within the I-2, Medium Industrial district, except within the area bounded by the Delaware Expressway, the Schuylkill Expressway, and Darien Street (extended);

(b) Within the I-3, Heavy Industrial district; and

(c) Within the I-P, Port Industrial district.

(10) Prohibited Areas

Outdoor advertising signs and non-accessory signs shall be prohibited:

(a) Within 660 ft. of all the bridges over the Schuylkill River from the Girard Point Bridge northwestwardly to the Belmont Avenue Bridge;

(b) Within 660 ft. of all ingress and/or egress ramps of the Delaware expressway (I-95), from the Bucks County Line to the Delaware County Line, and the Schuylkill expressway (I-76), between the Montgomery County Line and the Walt Whitman Bridge;

(c) Within 660 ft. of Benjamin Franklin Parkway as defined by the Streets Department;

(d) Between 23rd Street and the Schuylkill River from the south side of Race Street to Chestnut Street;

(e) Between 24th Street and the Schuylkill River from Chestnut Street to South Street;

(f) East of 6th Street from South Street to the south side of Race Street;

(g) Between 6th Street and Christopher Columbus Boulevard from South Street to Washington Avenue;

(h) Within 660 ft. of the outward edge of the right-of-way lines as defined by the Department of Streets, of the Delaware expressway between Washington Avenue and Oregon Avenue;

(i) Within 660 ft. of all the bridges over the Delaware River from the Walt Whitman Bridge to the Tacony-Palmyra Bridge;

(j) Within 660 ft. of the outward edge of the right-of-way lines as defined by the Department of Streets, of Woodhaven Road;

(k) Within 660 ft. of the outward edge of the right-of-way lines as defined by the Department of Streets, of the Roosevelt Boulevard;

(l) Within any area of the City designated as a local or national Historic District;

(m) Within 660 ft. of the outward edge of any park under the jurisdiction of DPR, the Commonwealth of Pennsylvania, or the National Park Service;

(n) Within 660 ft. of any park, playground, recreation center, play lot, or other recreational facility under the jurisdiction of DPR; and

(o) Within 660 ft. of any public or private pre-school, elementary, middle, or high school.

(11) Regulations Applicable to the I-95 Acquisition Corridor

(a) For purposes of this §14-905(11), the "I-95 Acquisition Corridor" shall include all areas within 200 feet of the Pennsylvania Department of Transportation (PennDOT) right-of-way (as that right-of-way may change from time to time) from the south side of Allegheny Avenue to Arch Street.

(b) A structure or outdoor advertising sign that is a lawful use located within the I-95 Acquisition Corridor shall be permitted if relocated within the I-95 Acquisition Corridor, notwithstanding any contrary provisions of this Zoning Code, provided all of the following apply:

(.1) The owner or tenant of the structure or outdoor advertising sign has received a Declaration of Taking, a Notice of Acquisition or a Notice of Relocation Eligibility from PennDOT or its agent with respect to such structure or outdoor advertising sign, or has moved its structure or outdoor advertising sign as a result of receiving one of the aforesaid notices;

(.2) The owner or tenant files an Application for Relocation, in a form required by L&I, within three years after receiving such Declaration of Taking, Notice of Acquisition or Notice of Relocation Eligibility or has moved its structure or outdoor advertising sign as a result of receiving one of the aforesaid notices;

(.3) The proposed new location of the structure or outdoor advertising sign is within the I-95 Acquisition Corridor and is within 350 feet of the existing location of the structure or outdoor advertising sign;

(.4) The proposed new location of the structure or outdoor advertising sign is zoned industrial or commercial;

(.5) The dimensions and height of the relocated structure or outdoor advertising sign do not exceed the dimensions and height of the existing structure or sign at the time of the filing of the Application for Relocation;

(.6) The size of the face of the relocated outdoor advertising sign is not greater than 1,200 square feet with a maximum height of 30 feet and a maximum length of 60 feet inclusive of any border of trim but excluding the base or apron, supports or other structural members. The area shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which will encompass the entire sign;

(.7) Where the relocated outdoor advertising sign exceeds 600 square feet in area, it is not double-faced (abutting and facing the same direction);

(.8) The distance between the relocated structure or outdoor advertising sign and any residentially-zoned property is not less than that required by any other applicable provision of this Zoning Code at the time of the filing of the Application for Relocation; except where the distance between a legally existing structure or outdoor advertising sign and any residentially-zoned property is less than the distance required by this Zoning Code and the proposed new location does not meet the required distance from any residentially-zoned property, the relocated structure or outdoor advertising sign shall be at least the same distance from any residentially-zoned property as the existing structure or outdoor advertising sign;

(.9) The relocated outdoor advertising sign is not located within 500 feet of any other outdoor advertising sign as measured along the nearest edge of the pavement between points directly opposite the outdoor advertising signs along the same side of the traveled way;

(.10) The relocated outdoor advertising sign does not include lights which are of such intensity or brilliance as to cause glare or impair the vision of a driver of any vehicle, interfere with any driver's operation of a motor vehicle, or are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of I-95;

(.11) The relocated outdoor advertising sign is not illuminated such that it interferes with the effectiveness of or obscures an official traffic sign, device or signal;

(.12) The relocated outdoor advertising sign is consistent with all other provisions relating to lighting of signs along State highways;

(.13) The relocated outdoor advertising sign is not a non-accessory changeable electronic variable message sign; and

(.14) The owner or tenant has not previously relocated the structure or outdoor advertising sign pursuant to the provisions of this §14-905(11).

(c) None of the provisions of this §14-905(11) shall have any impact upon the duty of an owner or tenant to move its structure or outdoor advertising sign when given notice to vacate by PennDOT.

(12) Permits

(a) Sign permits shall be processed through the Zoning Permit process in §14-204(11).

(b) For each non-accessory sign erected in conformance with these provisions, an existing sign or signs encompassing equal or greater sign area, other than a sign located in the Market Street East Advertising District, as defined in §14-906, shall be removed.

(c) The application to erect an outdoor advertising or non-accessory sign must specify the size and the location of the sign(s) to be removed. Sufficient proof of the physical existence of the sign(s) to be removed shall be supplied to the Department of Licenses and Inspections (L&I). Required proof may be in the form of permits and/or photographs of the existing sign(s).

(d) The application to erect an outdoor advertising or non-accessory sign must also be accompanied by a written authorization from the owner of the property where the sign(s) to be removed are located authorizing the applicant to remove those sign(s) and acknowledging that the right to maintain an outdoor advertising or non-accessory sign is being forfeited through the filing of the application and the issuance of the permit for the erection of the new sign.

(e) No permit for the erection of an outdoor advertising or non-accessory sign shall be issued prior to actual removal of the sign(s) required to be removed as provided in subsections (a), (b), and (c) above.

(f) No permit for the erection of an outdoor advertising or non-accessory sign shall be issued if there is any outstanding violation, for which all legal appeals have been exhausted, of The Philadelphia Code or regulations adopted pursuant to the Code, relating to the premises upon which the outdoor advertising sign or non-accessory sign is to be erected or maintained.

(g) No permit for the erection of an outdoor advertising or non-accessory sign shall be issued if the owner of the premises upon which the outdoor advertising sign or non-accessory sign is to be erected or maintained is delinquent in the payment of any City or School District taxes, charges, fees, rents, or claims, unless the owner has entered into an agreement to pay any the delinquency and is abiding by the terms of the agreement.

(13) Signs and Their Supporting Structures

(a) The supporting structures for non-accessory signs shall conform to the definition of a structure as set forth in Chapter 14-200, shall be considered as structures and shall conform to all the requirements regarding structures contained in this Chapter 14-900. However, Tables 14-602-1 through 14-602-4 shall not apply to outdoor advertising signs and their structures and therefore these types of signs may not be extended or reconstructed pursuant to reconstruction provisions otherwise applicable to Residential districts.

(b) Non-accessory signs shall be considered as the main 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 use.

(14) Nuisance, Unlawful, and Prohibited Signs

(a) Nothing in this section is intended to prohibit L&I from removing a sign at any time without compensation that has been determined to be a public nuisance or unlawfully in existence under any other provision of The Philadelphia Code.

(b) A prohibited 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 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.

§14-906 Market Street East Advertising District

(1) District Boundaries

The Market Street East Advertising District shall encompass all properties fronting on Market Street between 7th Street and 13th Street, subject to the following:

(a) Only properties either with one hundred ft. or more of frontage on Market Street, or belonging to a contiguous set of buildings under common ownership or management with a collective frontage on Market Street of one hundred ft. or more, are included within the District. For the purposes of this §14-906(1), two buildings are contiguous to one another if there are no other lots between them, even if there is a street between them.

(b) With respect to properties in the District that also have frontage on any street that intersects Market Street, only that portion of such frontage located no more than one hundred ft. north or south of the property line on Market Street shall be included in the District.

(2) Applicability

The provisions of this §14-906 (Market Street East Advertising District) apply to accessory and non-accessory signs located in the Market Street East Advertising District, except signs on or abutting a parking garage or surface parking lot with frontage on Market Street.

(3) Sign Regulations

The following regulations shall apply to signs that are subject to this §14-906 (Market Street East Advertising District); provided that the conditions of §14-906(4) (Limitations), below, are satisfied. In the event of a conflict between any provision of this §14-906 and any other provision of this Zoning Code, the provision of this §14-906 shall control.

(a) The following types of accessory and non-accessory signs shall be permitted in the Market Street East Advertising District:

(.1) Wall signs;

(.2) Projecting signs, provided that the maximum projection onto a public right of way shall not exceed three ft., and neither the bottom nor top edge of any projecting sign shall create an acute angle with the vertical wall from which it projects greater than 60 degrees; nor shall any such edge be perpendicular to such wall; and provided further that no antenna may be attached to a projecting sign.

(.3) Accessory freestanding signs, subject to the requirements set forth in §14-904(3)(d)(.2)(.a)(.ii);

(.4) Building logo signs, subject to the requirements set forth in §14-904(3)(d)(.4);

(.5) Real estate signs, subject to the requirements set forth in §14-904(3)(d)(.3);

(.6) Portable signs;

(.7) Roof signs, if located on a building on which a roof sign was situated at any time prior to January 1, 1950;

(.8) Illuminated, flashing, and revolving signs and signs with mechanically or electronically changing messages, provided that:

(.a) The Commission has determined that the 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; provided further, however, that nothing in this §14-906(3)(a)(.8) shall require Commission approval of a sign solely on the basis that the sign displays video, animation, or other moving images. The Commission may adopt regulations in support of this provision; and

(.b) §14-905(7) (Illuminated, Flashing, and Revolving Signs) shall continue to apply, and shall apply to accessory and non-accessory signs.

(b) Signs shall not exceed 1,600 sq. ft. per sign face. The total aggregate sign area on any property, excluding any accessory sign area that would be permitted under §14-904(3)(d)(.2)(.b), shall not exceed 24 times the property's linear footage along Market Street.

(c) The top edge of any sign shall not be located more than 90 ft. above street level; provided further that, on any building on which was situated a sign the top edge of which was located more than 90 ft. above street level at any time prior to January 1, 1950, a sign of no greater size and no greater height shall be permitted.

(d) Non-accessory signs are exempt from the:

(.1) Spacing requirements of §14-905(2) (Spacing Requirements) and the distance from residential zoning district standards of §14-905(3) (Distances from Residential District Property).

(.2) Sign face regulations of §14-905(6) (Sign Face Regulations).

(.3) Prohibited area provisions of §14-905(10) (Prohibited Areas).

(.4) Permit procedures of §14-905(12)(b) through §14-905(12)(e).

(4) Limitations

(a) The provisions of §14-906(3), above, shall only apply with respect to a sign with respect to which the owner of the property, or a tenant with the owner's authorization, has committed, in form satisfactory to the Commission, to use the gross proceeds, in whole or in part, from the erection or maintenance of such sign, including but not limited to any lease payments owing to the property owner, to offset the costs of rehabilitation, repair, or maintenance of the

property, so long as such rehabilitation, repair, or maintenance is certified by the Commission:

(.1) To require a minimum investment of 10 million dollars.

(.2) To have been completed prior to issuance of the certification.

(.3) To materially improve the facade (including, but not limited to, facade lighting) or exterior of the property in a manner that has a material public benefit (which may include, but need not be limited to, creating an aesthetic that promotes active use of the public space or improves connections to public transit) or, if no such material improvements are needed, in the exclusive judgment of the Commission, to materially improve any publicly accessible interior areas of the property.

(b) For any individual property:

(.1) The provisions of §14-906(3), above, shall expire 20 years after the Commission issues its certification for such property under §14-906(4)(a), above. The receipt of gross proceeds from the erection or maintenance of signs on the property in excess of the cost of the improvements required by §14-906(4)(a) shall not cause the authorization to expire sooner.

(.2) The provisions of §14-906(3), above, shall apply only for such periods of time when 60 percent or more of the property is either occupied or, in the judgment of the Commission, is being actively marketed, provided that no space shall be considered actively marketed if vacant for more than three years.

(.3) The provisions of §14-906(3), above, shall not apply if the property owner is delinquent for more than six months on any taxes relating to the subject property owing to the City or the School District, or has any outstanding Code violations relating to the subject property that remain uncured more than six months after notice. A property owner shall not be considered delinquent, and a violation shall not be considered uncured, when there is pending a bona fide legal dispute concerning the tax liability or violation.

(.4) Upon expiration of the time period set forth in §14-906(4)(b)(.1), above, or upon failure to comply with the provisions of §§14-906(4)(b)(.2) or (.3) above, the owner of the property shall remove any sign authorized by this §14-906 (Market Street East Advertising District), or, if the owner fails to do so, the Department may remove such sign and shall place a lien on the property for the costs of removal.

(c) The provisions of this §14-906(4) (Limitations) are not severable from the remainder of the provisions of this Zoning Code relating to the Market Street East Advertising District. Should a court of competent jurisdiction issue an order declaring any part of this §14-906(4) (Limitations) invalid or unenforceable, it is the intent of Council that all provisions of this Zoning Code relating to the Market Street East Advertising District would not have been adopted without

such invalid or unenforceable provision and said provisions shall be null and void.

(d) Historic properties. Nothing in this §14-906 (Market Street East Advertising District) shall permit the erection or maintenance of a sign on any lot on which sits a building designated historic under Chapter 14-1000 (Historic Preservation) unless, in addition to any requirements imposed by Chapter 14-1000 (Historic Preservation), the Historical Commission determines that the placement of the sign is consistent with historic precedent with respect to such building and the sign does not materially obscure the view of the building's key architectural, historic or character-defining features.

(e) Tobacco advertising. Other than a sign permitted by any provision of this Code other than this §14-906 (Market Street East Advertising District), no person shall place or maintain, or allow to be placed or maintained, within 1,000 feet of any school, public playground, recreation center, child-care center or library, any sign advertising any tobacco product.

(f) Nothing in this §14-906 (Market Street East Advertising District) is intended to supersede any requirement of The Philadelphia Code not in conflict with the provisions of this §14-906 (Market Street East Advertising District), including but not limited to the requirements of Chapter 14-1000 (Historic Preservation).

Chapter 14-1000 Historic Preservation

§14-1001 Public Policy and Purposes 10-1
§14-1002 Definitions 10-1
§14-1003 Historical Commission 10-2
§14-1004 Designation 10-3
§14-1005 Regulation 10-5
§14-1006 Performance of Work and Maintenance 10-9

§14-1001 Public Policy and Purposes

It is hereby declared as a matter of public policy that the preservation and protection of buildings, structures, sites, objects, and districts of historic, architectural, cultural, archaeological, educational, and aesthetic merit are public necessities and are in the interests of the health, prosperity, and welfare of the people of Philadelphia. The purposes of this Chapter 14-1000 are to:

(1) Preserve buildings, structures, sites, and objects that are important to the education, culture, traditions, and economic values of the City;

(2) Establish historic districts to assure that the character of such districts is retained and enhanced;

(3) Encourage the restoration and rehabilitation of buildings, structures, sites, and objects that are designated as historic or that are located within and contribute to the character of districts designated as historic without displacing elderly, long-term, and other residents living within those districts;

(4) Afford the City, interested persons, historical societies, and organizations the opportunity to acquire or to arrange for the preservation of historic buildings, structures, sites, and objects that are designated individually or that contribute to the character of historic districts;

(5) Strengthen the economy of the City by enhancing the City's attractiveness to tourists and by stabilizing and improving property values; and

(6) Foster civic pride in the architectural, historical, cultural, and educational accomplishments of Philadelphia.

§14-1002 Definitions

The following words and phrases, which are of direct relevance to the administration, interpretation and enforcement of this Chapter 14-1000, have meanings ascribed to them in Chapter 14-200.

(1) Alter or Alteration

(2) Building

(3) Construct or Construction

(4) Contributing Building, Structure, Site or Object

(5) Demolition or Demolish

(6) Design

(7) District

(8) Historic Building

(9) Historic District, Object, Site or Structure

(10) Object

(11) Public Interior Portion

(12) Site

(13) Structure

§14-1003 Historical Commission

(1) Appointment

The Mayor shall appoint a Philadelphia Historical Commission consisting of

(a) the following individuals:

(.1) President of City Council or his designee;

(.2) the Director of Commerce;

(.3) Commissioner of Public Property;

(.4) the Commissioner of Licenses and Inspections;

(.5) the Chairman of the City Planning Commission or his designee;

(.6) the Director of Housing or his designee; and

(b) eight other persons learned in the historic traditions of the City and interested in the preservation of the historic character of the City. At least one of the appointees shall be:

(.1) an architect experienced in the field of historic preservation;

(.2) an historian;

(.3) an architectural historian;

(.4) a real estate developer;

(.5) a representative of a Community Development Corporation; and

(.6) a representative of a community organization.

(2) Powers and Duties

The powers and duties of the Philadelphia Historical Commission shall be as follows:

(a) Designate as historic those buildings, structures, sites, and objects that the Historical Commission determines are significant to the City, pursuant to the criteria of §14-1004(1);

(b) Designate as historic those public interior portions of buildings that the Historical Commission determines are significant to the City, pursuant to the criteria of §14-1004(1);

(c) Delineate the boundaries of and designate as historic those districts that the Historical Commission determines are significant to the City, pursuant to the criteria of §14-1004(1);

(d) Prepare and maintain or cause to be prepared and maintained a comprehensive inventory of historic buildings, structures, sites, objects, and districts;

(e) Review and act upon all applications for building permits to alter or demolish historic buildings, structures, sites, or objects, or to alter or demolish buildings, structures, sites, or objects located within historic districts, pursuant to §14-1005;

(f) Review and comment upon all applications for building permits to construct buildings, structures, or objects within historic districts, pursuant to §14-1005;

(g) Make recommendations to the Mayor and City Council concerning the use of grants, gifts, and budgetary appropriations to promote the preservation of buildings, structures, site, objects, or districts of historic importance to the City;

(h) Make recommendations to the Mayor and City Council that the City purchase any building, structure, site, or object of historic significance where private preservation is not feasible, or that the City acquire facade easements, development rights, or any other property interest that would promote historic preservation;

(i) Increase public awareness of the value of architectural, cultural, and historic preservation;

(j) Adopt rules of procedure and regulations and establishing any committees deemed necessary for the conduct of its business; and

(k) Keep minutes and records of all proceedings, including records of public meetings during which proposed historic designations are considered.

§14-1004 Designation

(1) Criteria for Designation

A building, complex of buildings, structure, site, object, or district may be designated for preservation if it:

(a) Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the City, Commonwealth, or nation or is associated with the life of a person significant in the past;

(b) Is associated with an event of importance to the history of the City, Commonwealth or Nation;

(c) Reflects the environment in an era characterized by a distinctive architectural style;

(d) Embodies distinguishing characteristics of an architectural style or engineering specimen;

(e) Is the work of a designer, architect, landscape architect or designer, or professsional engineer whose work has significantly influenced the historical, architectural, economic, social, or cultural development of the City, Commonwealth, or nation;

(f) Contains elements of design, detail, materials, or craftsmanship that represent a significant innovation;

(g) Is part of or related to a square, park, or other distinctive area that should be preserved according to a historic, cultural, or architectural motif;

(h) Owing to its unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood, community, or City;

(i) Has yielded, or may be likely to yield, information important in pre-history or history; or

(j) Exemplifies the cultural, political, economic, social, or historical heritage of the community.

(2) Notice

(a) At least 30 days before holding a public meeting to consider the proposed designation of a building, structure, site, or object as historic, the Historical Commission shall send notice to the owner of the property proposed for designation. Such notice shall indicate the date, time, and place of the public meeting at which the Historical Commission will consider the proposed designation. Notice shall be sent to the registered owner's last known address as the same appears in the real estate tax records of the Department of Revenue and sent to "Owner" at the street address of the property in question.

(b) At least 60 days before holding a public meeting to consider the proposed designation of a district as historic, the Historical Commission shall send written notice of the proposed designation to the owners of each building, structure, site or object within the proposed district. The notice shall indicate the date, time, and place of the public meeting at which the Historical Commission will consider the proposed designation. Notice shall be sent to the registered owner's last known address as it appears in the real estate tax records of the Department of Revenue and sent to "Owner" at the street address of the property in question. The Historical Commission shall publish notice of the proposed designation of a district as historic in a newspaper having general circulation within the City at least 60 days before the Historical Commission holds a public meeting to consider the proposed designation. The Historical Commission shall post notice of the proposed designation at locations within the proposed district at least 60 days before the public meeting to consider the proposed designation.

(c) The Historical Commission shall send written notice of the designation as historic of a building, structure, site, object, or district to the owners of each separately designated building, structure, site, or object and to the owners of each building, structure, site, or object within a district designated historic, which shall include reason for the designation. Notice shall be sent to the registered owner's last known address as the same appears in the real estate tax records of the Department of Revenue and sent to the "Owner" at the street and address of the property in question. The Historical Commission shall send written notice of historic designation to any person appearing at the public hearing who requests notification.

(3) Meetings

Any interested party may present testimony or documentary evidence regarding the proposed designation of a building, structure, site, object, or district at the public meeting of the Historical Commission.

(4) Planning Commission Comment

During the 60 days prior to a Historical Commission hearing on designation of a particular historic district, the Planning Commission shall review and comment on creation of the district and transmit its comments to the Historical Commission to assist the Historical Commission in making its determination.

(5) Amendment or Rescission of Designation

Any designation of a building, structure, site, object, or district as historic may be amended or rescinded in the same manner as is specified for designation.

(6) Register of Historic Buildings, Structures, Sites, and Objects

The Historical Commission shall compile a register of buildings, structures, sites, objects, and districts designated as historic by the Historical Commission that shall make the register available in electronic form to the public for inspection during normal business hours.

(7) Designation of Public Interior Portions of Buildings

(a) No public interior portion of a building or structure shall be considered designated for preservation pursuant to this Chapter 14-1000 or §14-2007 of the prior zoning ordinance unless it has been specifically designated after December 28, 2009.

(b) A public interior portion, or any part of a public interior portion, of a building or structure may be designated for preservation regardless whether the remainder of the building, structure, site or appurtenances with which it is associated has been so designated.

(c) The designation of a building, structure, or district shall not constitute designation of any public interior portion of such building, structure or a building or structure in such district, unless the public interior portion is specifically identified in such designation.

§14-1005 Regulation

(1) Building Permit Required

Unless a building permit is first obtained from L&I, no person shall alter or demolish a historic building, structure, site, or object, or alter, demolish, or construct any building, structure, site, or object within a historic district, nor alter or demolish a historic public interior portion of a building or structure, nor perform work on a building or structure that requires a building permit if such building or structure contains a historic public interior portion.

(2) Building Permit Application Referral

Before L&I may issue such a building permit, L&I shall forward the building permit application to the Historical Commission for its review.

(3) Demolition Notice

When a person applies for a building permit involving demolition, L&I shall post, within seven days, notice indicating that the owner has applied for a building permit to demolish the property; that the property is historic or is located within a historic district; that the application has been forwarded to the Historical Commission for review. The notice shall be posted on each street frontage of the premises with which the notice is concerned and shall be clearly visible to the public. Posting of a notice shall not be required in the event of an emergency that requires immediate action to protect the health or safety of the public. No person shall remove the notice unless the building permit is denied or the owner notifies L&I that he or she will not demolish the property.

(4) Comment Review

The Historical Commission's scope of review of applications for building permits for construction, as defined herein, shall be limited to a 45-day period of comment.

(5) Submission Requirements

(a) At the time that a building permit application is filed with L&I for alteration, demolition or construction subject to the Historical Commission's review, the applicant shall submit to the Historical Commission the plans and specifications of the proposed work, including the plans and specifications for any construction proposed after demolition and such other information as the Historical Commission may reasonably require to exercise its duties and responsibilities under this Chapter 14-1000.

(b) In any instance where there is a claim that a building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted, or where a building permit application for alteration, or demolition is based, in whole or in part, on financial hardship, the owner shall submit, by affidavit, the following information to the Historical Commission:

(.1) Amount paid for the property, date of purchase, and party from whom purchased, including a description of the relationship, whether business or familial, if any, between the owner and the person from whom the property was purchased;

(.2) Assessed value of the land and improvements thereon according to the most recent assessment;

(.3) Financial information for the previous two years which shall include, as a minimum, annual gross income from the property, itemized operating and maintenance expenses, real estate taxes, annual debt service, annual cash flow, the amount of depreciation taken for federal income tax purposes, and other federal income tax deductions produced;

(.4) All appraisals obtained by the owner in connection with his purchase or financing of the property, or during his ownership of the property;

(.5) All listings of the property for sale or rent, price asked, and offers received, if any;

(.6) Any consideration by the owner as to profitable, adaptive uses for the property; and

(.7) The Historical Commission may further require the owner to conduct, at the owner's expense, evaluations or studies, as are reasonably necessary in the opinion of the Historical Commission, to determine whether the building, structure, site or object has or may have alternate uses consistent with preservation.

(6) Building Permit Application Review

(a) Determination

Within 60 days after receipt by the Historical Commission of a building permit application, the Historical Commission shall determine whether or not it has any

objection to the proposed alteration or demolition. Before taking any action, the Historical Commission shall afford the owner an opportunity to appear before the Historical Commission to offer any evidence the owner desires to present concerning the proposed alteration or demolition.

(.1) Where the Historical Commission has no objection, L&I shall grant the building permit subject to the requirements of any applicable provisions of The Philadelphia Code and regulations and subject to any conditions of the Historical Commission pursuant to §14-1005(6)(c).

(.2) Where the Historical Commission has an objection, L&I shall deny the building permit.

(.3) Where the Historical Commission has determined that the purpose of this Chapter 14-1000 may best be achieved by postponing the alteration or demolition of any building, structure, site, or object subject to its review, the Historical Commission may, by resolution, defer action on a building permit application for a designated period not to exceed six months from the date of the resolution. The Historical Commission shall inform the owner in writing of the reasons for its action. Where the Historical Commission acts to postpone the proposed alteration or demolition pursuant to §14-1005(6)(a), L&I shall defer action on the building permit application pending a final determination by the Historical Commission approving or disapproving the application.

(b) Postponement of Determination

During the time that action on a building permit application is deferred, the Historical Commission shall consult with the owner, civic groups, public and private agencies, and interested parties to ascertain what may be done by the City or others to preserve the building, structure, site, or object that is the subject of the building permit application. When appropriate, the Historical Commission shall make recommendations to the Mayor and City Council.

(c) Conditions on Approval

The Historical Commission may require that a building permit for the alteration or demolition of any building, structure, site, or object subject to its review be issued subject to such conditions as may reasonably advance the purposes of this Chapter 14-1000. L&I shall incorporate all such requirements of the Historical Commission into the building permit at the time of issuance. In cases where the Historical Commission, pursuant to §14-1005(6)(a), agrees to the demolition of a historic building, structure, site, or object, or of a building, structure, site, or object located within a historic district that contributes, in the Historical Commission's opinion, to the character of the district, the Historical Commission may require that the historic building, structure, site, or object be recorded, at the owner's expense, according to the documentation standards of the Historic American Buildings Survey and the Historic American Engineering Record (HABS/HAER) for deposit with the Historical Commission.

(d) Restrictions on Demolition

No building permit shall be issued for the demolition of a historic building, structure, site, or object, or of a building, structure, site, or object located within

a historic district that contributes, in the Historical Commission's opinion, to the character of the district, unless the Historical Commission finds that issuance of the building permit is necessary in the public interest, or unless the Historical Commission finds that the building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted. In order to show that building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted, the owner must demonstrate that the sale of the property is impracticable, that commercial rental cannot provide a reasonable rate of return, and that other potential uses of the property are foreclosed.

(e) Review Criteria

In making its determination as to the appropriateness of proposed alterations, demolition, or construction, the Historical Commission shall consider the following:

(.1) The purposes of this Chapter 14-1000;

(.2) The historical, architectural, or aesthetic significance of the building, structure, site, or object;

(.3) The effect of the proposed work on the building, structure, site, or object and its appurtenances;

(.4) The compatibility of the proposed work with the character of the historic district or with the character of its site, including the effect of the proposed work on the neighboring structures, the surroundings, and the streetscape; and

(.5) The design of the proposed work.

(.6) In addition to the above, the Historical Commission may be guided in evaluating proposals for alteration or construction by the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" or similar criteria.

(.7) In specific cases as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Chapter 14-1000 would result in unnecessary hardship so that the spirit of this Chapter 14-1000 shall be observed and substantial justice done, subject to such terms and conditions as the Historical Commission may decide, the Historical Commission shall by a majority vote grant an exemption from the requirements of Chapter 14-1000.

(.8) With respect to designated public interior portions,

(.a) the Historical Commission may grant an exemption when, owing to special consideration of the mission and financial status of a non-profit organization, the Historical Commission determines that a literal enforcement of the provisions of this chapter would not be in the public interest and the spirit of this Chapter will be substantially observed, subject to such terms and conditions as the Historical Commission may establish; and

(.b) the Historical Commission shall approve a building permit application for an alteration to a non-designated interior portion if the proposed alteration neither has an effect on the appearance of, nor compromises the structural integrity of, a historic public interior portion.

(f) Jurisdiction During Consideration of Designation

L&I shall not issue any building permit for the demolition, alteration, or construction of any building, structure, site, or object that is being considered by the Historical Commission for designation as historic or that is located within a district being considered by the Historical Commission for designation as historic where the building permit application is filed on or after the date that notices of proposed designation have been mailed, except that L&I may issue a building permit if the Historical Commission has approved the application or has not taken final action on designation and more than 90 days have elapsed from the date the permit application was filed with the Historical Commission. Where the Historical Commission takes final action on designation within the time allotted herein, any building permit application on file with L&I shall be deemed to have been filed after the date of the Historical Commission's action for purposes of this Chapter 14-1000.

§14-1006 Performance of Work and Maintenance

(1) Inspection

L&I shall, upon the request of the Historical Commission, examine the buildings, structures, sites, and objects designated as historic by the Historical Commission and report to the Historical Commission on their physical condition.

(2) Conformity to Permit Requirements

All work performed pursuant to the issuance of a building permit for the alteration or demolition of a building, structure, site, or object subject to the Historical Commission's review shall conform to the requirements of such permit. It shall be the duty of L&I to inspect from time to time any work performed pursuant to such building permit in order to ensure compliance. In the event that work is not being performed in accordance with the building permit requirements, L&I shall issue a stop work order and all work shall cease until the work is brought into conformity with the requirements of the building permit.

(3) Maintenance Requirement

The exterior of every historic building, structure, and object and of every building, structure, and object located within a historic district, and every public interior portion of a building or structure, shall be kept in good repair as shall the interior portions of such buildings, structures, and objects, neglect of which may cause or tend to cause the historic portion to deteriorate, decay, become damaged, or otherwise fall into a state of disrepair.

(4) Ordinary Maintenance and Repair

The provisions of this Chapter 14-1000 shall not be construed to prevent the ordinary maintenance or repair of any building, structure, site, or object where such work does not require a building permit by law and where the purpose and effect of such work is to correct any deterioration or decay of, or damage to, a building, structure, site, or object

and to restore the same to its condition prior to the occurrence of such deterioration, decay, or damage.

§14-1007 Enforcement

(1) L&I Regulations

L&I is authorized to promulgate regulations to perform its duties under this Chapter 14-1000.

(2) Violations

In the case of a violation of this Chapter 14-1000, L&I may issue orders directing compliance with the requirements of this Chapter. An order shall be served upon the owners or person determined by L&I to be violating the requirements of this Chapter. If the person served is not the owner of the property where the violation is deemed to exist or to have occurred, a copy of the order shall be sent to the last known address of the registered owner and a copy shall be posted on the property. Where the owner's address is unknown, a copy of the order shall be posted on the property.

(3) Penalties

In addition to those penalties listed in the Philadelphia Administrative Code, any person who alters or demolishes a building, structure, site, or object in violation of the provisions of this Chapter 14-1000 or in violation of any conditions or requirements specified in a building permit issued by the Historical Commission shall be required to restore the building, structure, site, or object involved to its appearance prior to the violation. Such restoration shall be in addition to and not in lieu of any penalty or remedy available under this Zoning Code or any other applicable law.

§14-1008 Appeals

Any person aggrieved by the issuance or denial of any building permit reviewed by the Historical Commission may appeal such action to the Board of License and Inspection Review. Such appeal must be filed within 30 days of the date of receipt of notification of the Historical Commission's action. The Board of License and Inspection Review shall give written notice of any such appeal to the Historical Commission within three days of the filing of the appeal.