



City of Philadelphia

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

BILL NO. 110083

Introduced February 10, 2011

Councilmember DiCicco

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Section 14-1607 of The Philadelphia Code, entitled "Special District Controls for the Center City Commercial Area," and Section 14-1605 of The Philadelphia Code, entitled "Regulated Uses," and Section 14-305 of The Philadelphia Code, entitled "'C-4' Commercial and 'C-5' Commercial Districts," by adding to all Sections special provisions relating to the area bounded by Chestnut Street, 12th Street, 13th Street, and Sansom Street, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 14-1605 of The Philadelphia Code is hereby amended to read as follows:

§14-1605. Regulated Uses.

* * *

(2) Definitions.

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(i) Pool Room. An establishment which provides two or more tables for the playing of pool and billiards, *except that in the area bounded by Chestnut Street, 12th Street, 13th Street and Sansom Street, an establishment regulated by the Pennsylvania Liquor Control Board shall not be considered a Pool Room if the pool tables and billiard tables are not coin operated.*

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

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

* * *

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

* * *

(b) Restaurants, cafes, coffee shops and other similar establishments for the sale and consumption of food and/or beverages, without drive-in or take-out service (service at tables or sit down counter facilities only); *except for restaurants along the south side of Chestnut Street between 12th Street and 13th Street that are accessory to the principal use of a pool or billards hall*; except for restaurants on Broad street between South Penn Square and Washington avenue and, except for restaurants located within hotels and, except for restaurants accessory to an office building (intended principally to serve the occupants of the building) provided that there shall be no ingress or egress directly from any street (accessible solely from the interior of the building) and there shall be no signage visible from the street;

* * *

(10) Bulk and Height Controls.

* * *

(b) No building shall be erected which is located at a point two hundred fifty feet south of the south side of Chestnut street between Front street and a point one hundred thirty feet east of Broad street or two hundred fifty feet south of the south side of Chestnut street between a point one hundred thirty feet west of Broad street and the Schuylkill River, or within two hundred fifty feet south of the south side of Walnut street between Front street and Eighth street and between Ninth street and a point one hundred feet east of Broad street, or within two hundred fifty feet south of the south side of Walnut street between a point two hundred twenty feet west of Broad street and the Schuylkill River, unless there is compliance with the following height and bulk controls:

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(.1) The main cornice line abutting the south side of Chestnut street or Walnut street shall not exceed fifty feet in height above the average sidewalk level; provided, that no portion of any building within two hundred fifty feet south of the southerly property line of Chestnut street or two hundred fifty feet south of the southerly property line of Walnut street shall exceed this fifty feet height limitation unless the portion or portions above this fifty feet height limitation recede from the plane of the cornice line a distance equal to or greater than the distance it extends above the fifty feet height limit; provided, further, that in no case shall any portion or portions of a building exceed three hundred feet in height. *This subsection (10)(b)(.1) shall not apply to buildings along the south side of Chestnut Street between 12th Street and 13th Street.*

SECTION 3. Section 14-305 of The Philadelphia Code is hereby amended to read as follows:

§14-305. “C-4” Commercial and “C-5” Commercial Districts.

* * *

(7) Height Regulations. The height regulations in these districts shall be as set forth herein, provided, that when other sections of this Title require more restrictive height regulations, the more restrictive regulations shall take precedent.

* * *

(c) Chestnut Street. For lots fronting on and south of Chestnut street between Front street and the Schuylkill River, except within one hundred thirty feet of the east side of Broad street or within one hundred thirty feet of the west side of Broad street, the following regulations shall apply:

* * *

(.2) Maximum Height. The maximum height of any building or structure shall be as follows:

* * *

(.b) South Side. Along the south side of Chestnut street the maximum height of any building, building appurtenance (as permitted in Section 14-312 except flagpoles), or structure shall be fifty feet above the average sidewalk level. This height limit may be increased to a maximum height of three hundred twenty feet above the average sidewalk level 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. *This*

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subsection (7)(c)(1)(b) shall not apply to buildings along the south side of Chestnut Street between 12th Street and 13th Street.

SECTION 3. This Ordinance shall be effective immediately.

Explanation:

Italics indicate new matter added.