



City of Philadelphia

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

BILL NO. 090071
(As Amended, 10/29/09)

Introduced February 5, 2009

Councilmember Jones

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1600, entitled "Miscellaneous," by adopting a new Section, entitled "Overbrook Farms Transit-Oriented Center Special District Controls," under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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

TITLE 14. ZONING AND PLANNING.

* * *

CHAPTER 14-1600. MISCELLANEOUS.

* * *

§ 14- 1637. *Overbrook Farms Transit-Oriented Center Special District Controls.*

(1) *Purpose of the District.*

(a) *The special district is established in order to preserve and protect this area of the city through the enactment of Overbrook Farms Transit-Oriented Center District Controls. It is recognized that this section of the city, located primarily within the Overbrook Farms National Historic District, is a unique*

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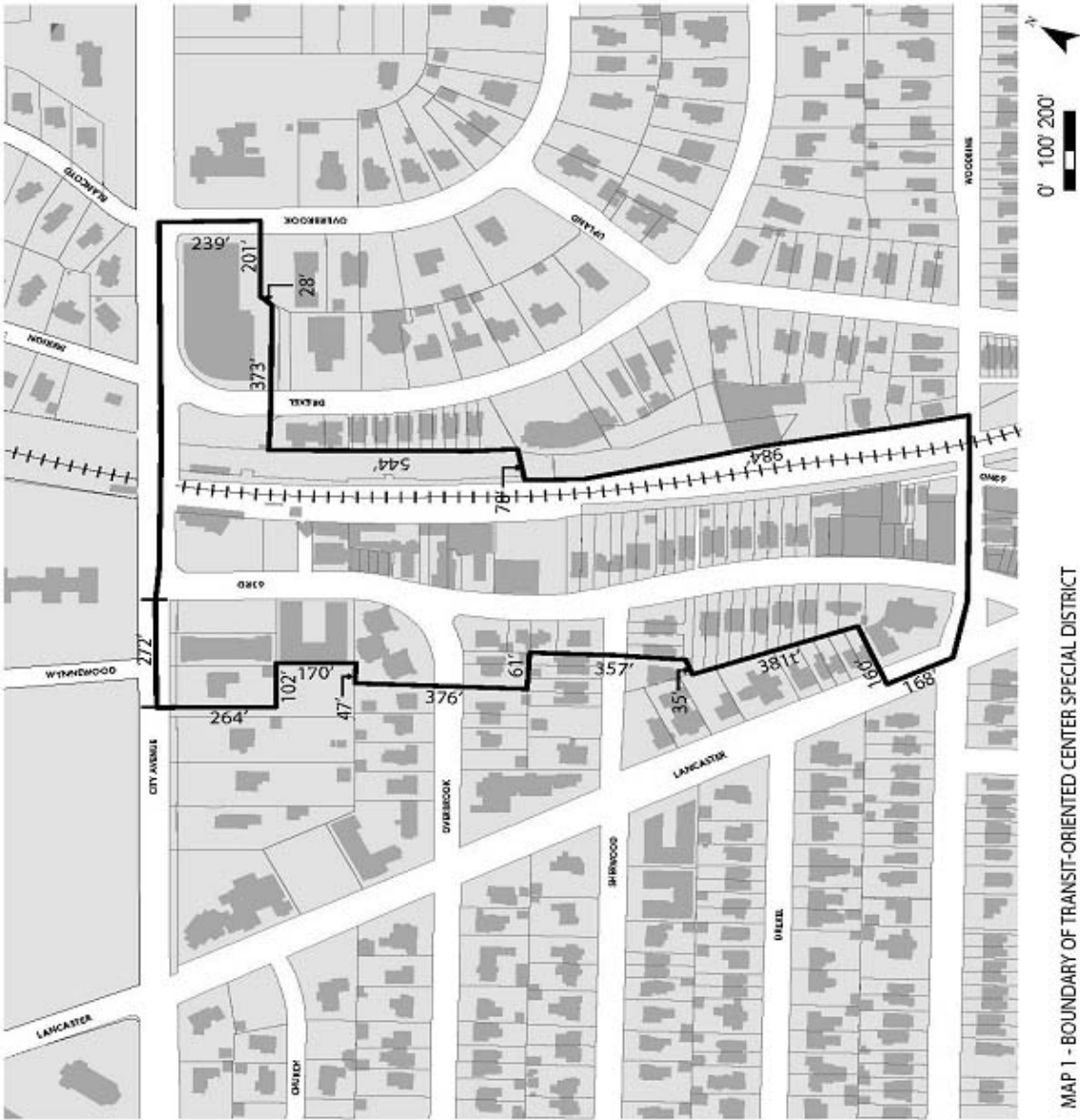
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mixed-use, transit- and neighborhood-oriented retail district containing residential uses and retail uses interspersed at street level, and upper floor residential uses. There is a need to establish special sign and building controls to protect the unique character of the district, foster the preservation of buildings in accordance with its special character, and encourage new compatible development.

(2) District Boundaries. The provisions of this Section, known as the Overbrook Farms Transit-Oriented Center Special District Controls, shall apply to all properties within the area designated on Map "1", unless otherwise indicated.

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(3) *Prohibited Uses.* Notwithstanding any other Chapter of this Title, the following uses shall be prohibited:

- (a) *Automobile repair shop;*
- (b) *Automobile service station;*
- (c) *Fortune teller establishment/palmist;*
- (d) *Installation of auto, boat, motorcycle, or truck parts;*
- (e) *Regulated uses as defined in § 14-1605;*
- (f) *Restaurants, cafes, or other similar establishments for the sale or consumption of food and beverages, with drive-in service;*
- (g) *Retail sales of automobiles, boats, motorcycles or parts;*
- (h) *Retail sale of packaged beverages as a main use;*
- (i) *Retail sales of products or food through a window or aperture which opens onto the sidewalk.*

(4) *Permitted Uses.* On parcels zoned R-5 Residential that front 63rd Street, in addition to the uses permitted in the underlying zoning classification, office commercial uses, including professional and business offices and financial institutions, shall be permitted.

(5) *Design Standards.*

(a) *The provisions of this subsection (5) shall apply to all properties as set forth in subsection (2) except properties fronting on City Avenue between Drexel Road and Overbrook Avenue.*

(b) *No building shall be erected, no building permit shall be issued, and no facade shall be altered on any building unless a certificate of compliance is first issued by the Planning Commission. The Planning Commission shall issue a certificate of compliance if, based on a review of such plans and materials as the Commission shall require, the proposed alterations are in conformance with the Building Design Standards set forth in subsection (c). The Planning Commission shall have 60 days to approve or refuse a certificate of compliance, after which its approval shall be presumed. The*

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issuance or denial of a certificate of compliance shall be appealable to the Board of Licenses and Inspection Review in the same manner as the issuance or denial of a building permit.

(c) *Building Standards.*

(.1) *Original materials, including storefronts, windows, walls, cornices, bays, and roofs of buildings, shall be repaired or replaced with matching materials or details.*

(.2) *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.*

(d) *Property maintenance requirements. No property owner shall allow any exposed architectural elements or appurtenances to exhibit any "substantial conditions" of deterioration, including peeling paint, rotting wood, rusted metal, accumulated grime, or bent, broken or distorted surfaces. "Substantial conditions" shall be considered 20% or more of the surface area.*

(6) *Signs.*

(a) *Signs uses shall be permitted in the district only on properties containing the additional permitted uses identified in subsection (4) and only under the following conditions:*

(.1) *Non-accessory outdoor advertising signs are prohibited;*

(.2) *Signs shall not be erected nor project above the roof line or wall coping;*

(.3) *Signs shall be permitted at a ratio of one (1) square foot, 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;*

(.4) *Only the following types of signs shall be permitted. A total of only three (3) signs shall be permitted for each property, from the following:*

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(.a) One flat wall sign per street front. The top of such sign shall extend no higher than the bottom of the window sill, or bottom of projecting bay located at the second story of the building, or fourteen feet 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 square feet in area. The copy of such signs shall not be less than six inches (6") in height;

(.b) One projecting sign, provided that it is limited to a maximum surface area of twelve (12) square feet 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 story of the building facade, or fourteen feet above the sidewalk, whichever is lowest. The bottom of the sign shall be no lower than eight (8) feet above the sidewalk. The copy of such sign shall not be less than six inches (6") in height;

(.c) 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;

(.d) Awning/Canopy sign: 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 8 feet 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 feet above grade. Backlit awnings are not permitted;

(.5) Signs may be externally illuminated; provided the illumination shall be focused upon the sign itself, so as to prevent glare upon surrounding areas;

(.6) 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;

(.7) All signs, including support hardware, shall be removed at the end of their useful life as defined in Section 14-2009(2)(c) of The Philadelphia Code;

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(.8) Workmanship of Signs shall be in conformance with Section 14-2009(5)(c) of The Philadelphia Code;

(.9) Lawful pre-existing non-conforming signs shall not be repaired, altered or moved in any substantial manner, and shall be removed at the termination of their useful life.

(7) Conflicting Regulations. Where the requirements of this Section are in conflict with the underlying zoning requirements, the requirements of this Section shall apply.

Explanation:

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

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