



City of Philadelphia

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

BILL NO. 090071

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 is a unique mixed-use, transit- and neighborhood-oriented retail district containing residential uses and retail uses interspersed at street level, and upper floor

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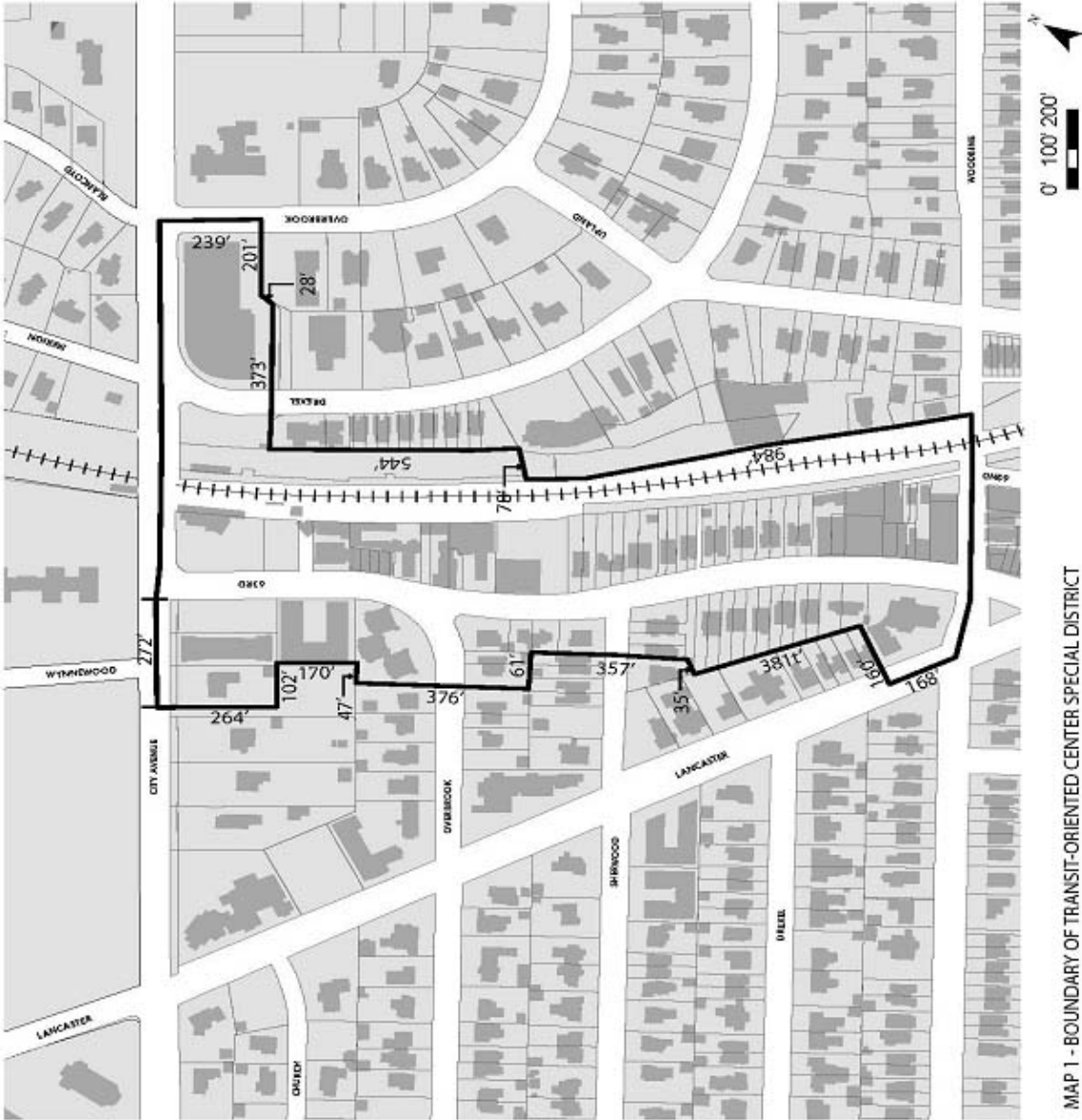
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residential uses. There is a need to establish special sign and building controls to protect the unique character of the district, foster the preservation of buildings in accordance with its special character, and encourage new compatible development.

(2) District Boundaries. For the purposes of this Section the Overbrook Farms Transit-Oriented Center Special District Controls shall apply to all properties with frontage on 63rd Street, between City Avenue and Woodbine Avenue within the area designated on Map "1".

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(3) *Prohibited Uses.* Within the area subject to the Overbrook Farms Transit-Oriented Center, Special District Controls, and 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.* 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 within R-5 zoned parcels, fronting 63rd Street.

(5) *Design Standards.*

(a) *No building shall be erected nor any facade altered on any building, on land fronting on any street located within the area described in Map "1", unless plans of the building and facade have been approved by the Planning Commission staff, for conformance with the Building Design Standards and the design and location of all proposed signs have been approved by the Art Commission staff. The Planning Commission staff shall coordinate the Art Commission staff reviews, and incorporate them into the Planning Commission staff review. The Planning Commission staff shall have 60 days to take action, after which its approval shall be presumed.*

(b) *Building Standards.*

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

(.2) *All exposed architectural elements or appurtenances exhibiting “substantial conditions” of deterioration, including peeling paint, rotting wood, rusted metal, accumulated grime, bent, broken or distorted surfaces shall be considered a violation of this Section. “Substantial conditions” shall be considered 20% or more of the surface area.*

(.3) *New buildings within the Historic District boundaries shall be subject to review and approval by the Planning Commission staff, for conformance of the design 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.*

(6) *Signs.*

(a) *For the area described in Map “1”, signs for non-residential uses shall be permitted in the district 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, 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:*

(.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 lower. No sign shall obscure or extend across a glazed transom or other*

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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 (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 lower. 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 (6) inches 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;

(.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 as defined in Section 14-2009(2)(c) of The Philadelphia Code;

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

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(i) All conditions not conforming to the requirements of paragraphs (.a) through (.h) shall be removed at the termination of the useful life of the sign in conformance with Section 14-2009(5)(h) of The Philadelphia Code. Any such sign lawfully in existence on the effective date of this Section shall not be repaired, altered or moved in any substantial manner.

(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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