

ZONING CODE FOR IRMX DISTRICTS

PLEASE NOTE: *This zoning guide is being revised to reflect recent changes to the Philadelphia zoning code. If you have questions, please contact an experienced zoning attorney at info@phillyzoning.com*

IRMX districts are primarily intended to accommodate a mix of very low-impact industrial uses, including artists and artisan industrial, and residential and neighborhood-oriented commercial uses.

Some uses **a use registration permit** from the Department of Licenses and Inspection or **a special exception** or **a variance** from the Zoning Board of Adjustment. Uses not mentioned require **a variance**. Properties must also conform to specific dimensions listed. Otherwise, you must obtain **a variance**. If you have any questions, please feel free to **contact an experienced zoning attorney**.

RESIDENTIAL USES

HOUSEHOLD LIVING

Household Living is defined as “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.”

Single Family requires **a variance**.

Single Family is defined as “The use of a lot as a residence for one family.”

Two-Family requires **a variance**.

Two Family is defined as “The use of a lot as a residence for two families with each family occupying a single dwelling unit.”

Multi-Family requires **a use registration permit**.

Multi-Family is defined as “The use of a lot as a residence for three or more families with each family occupying a single dwelling unit.”

Caretaker Quarters requires **a use registration permit**.

Caretaker Quarters is defined as “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.”

GROUP LIVING

Group Living is defined as “Residential occupancy of a building or any portion thereof that is not categorized as a household living use 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.”

Personal Care Home requires **a use registration permit**.

Personal Care Home is defined as “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.” Where the Pennsylvania Department of Public Welfare requires, personal care homes must comply with 55 Pa. Code Chapter 2600.

Single-Room Residence requires **a use registration permit**.

Single-Room Residence is defined as “A building containing rooms rented as living quarters without private bathrooms. Examples include dormitories, rooming houses, and supported independent living.”

PARKS AND OPEN SPACES

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.

Passive Recreation requires **a use registration permit**.

Passive Recreation is defined as “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.”

Active Recreation requires **a use registration permit**.

Active Recreation is defined as “Recreational facilities that require major land development, structure construction, and a moderate- to high-level of maintenance and can accommodate large groups of people.”

Public, Civic, and Institutional Uses includes public, quasi-public, and private uses that provide unique services that are of benefit to the public as a whole.

DAY CARE

Day Care is defined as “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.” Care given by guardians or relatives of the children or adults is not regarded as day care, nor is care given away from the primary residence of the children or adults by babysitters or caregivers for fewer than 10 hours per week.

Family Day Care requires **a use registration permit**.

Family Day Care is defined as “The provision of care within the day care provider’s primary residence for children who are not relatives of the provider.” A Family Day Care is limited to providing care to six or fewer children, except in certain areas where they are limited to providing care to four or fewer children. A Family Day Care must be located in a residential dwelling operated by the resident of the dwelling.

Group Day Care requires **a use registration permit**.

Group Day Care is defined as “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.”

Day Care Center requires **a use registration permit**.

Day Care Center is defined as “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.”

DETENTION AND CORRECTIONAL FACILITIES

Detention and Correctional Facilities requires **a variance**

Detention and Correctional Facilities is defined as “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.”

EDUCATIONAL FACILITY

Educational Facility requires **a use registration permit**.

Educational Facility is defined as “Public and private schools at the primary, elementary, junior high, or high school level that provide basic education; or Colleges and other institutions of

FRATERNAL ORGANIZATION

Fraternal Organization requires a **use registration permit**.

Fraternal Organization is defined as “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.”

HOSPITAL

Hospital requires a **variance**.

Hospital is defined as “Uses providing medical or surgical care to patients and offering inpatient (overnight) care.”

LIBRARY OR CULTURAL EXHIBIT

Library or Cultural Exhibit requires a **use registration permit**.

Library or Cultural Exhibit is defined as “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.”

RE-ENTRY FACILITY

Re-Entry Facility requires a **variance**.

Re-Entry Facility is defined as “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.

RELIGIOUS ASSEMBLY

Religious Assembly requires a **use registration permit**.

Religious Assembly is defined as “Religious services involving public assembly that customarily occur in synagogues, temples, mosques, churches, and other facilities used for religious worship.”
Religious Assembly must be in a completely enclosed detached building.

SAFETY SERVICES

Safety Services require a **use registration permit**.

Safety Services is defined as “Establishments that provide fire, police or life protection, together with the incidental storage and maintenance of necessary vehicles.”

TRANSIT STATION

Transit Station requires a **use registration permit**.

Transit Station is defined as “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.”

UTILITIES AND SERVICES

Basic Utilities and Services require a **use registration permit**.

Basic Utilities and Services is defined as “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.”

Major Utilities and Services require a **variance**.

Major Utilities and Services is defined as “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.”

WIRELESS SERVICE FACILITY

Wireless Service Facility requires a **use registration permit**.

Wireless Service Facility is defined as “Towers, antennas, equipment, equipment buildings, and other facilities used in the provision of wireless communication services.” Freestanding towers must meet the requirements of §14-603(16) of the new Zoning Code. Building- or tower-mounted antennas must meet the requirements of §14-603(17).

Freestanding Towers require a **use registration permit**

Freestanding Towers is defined as “A structure intended to support equipment that is used to transmit and/or receive telecommunications signals including monopoles and guyed and lattice

Building or Tower-Mounted Antennas require **a use registration permit**

Building or Tower-Mounted Antennas are defined as “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.”

OFFICE USES

Office Uses includes uses in an enclosed building, customarily performed in an office, that focus on providing executive, management, administrative, government, professional, or medical services.

BUSINESS AND PROFESSIONAL

Business and Professional requires **a use registration permit**.

Business and Professional is defined as “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.”

MEDICAL, DENTAL, HEALTH PRACTITIONER

Medical, Dental, Health Practitioner is defined as “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.”

Sole Practitioner requires **a use registration permit**.

Sole Practitioner is defined as “An office exclusively operated by one medical, dental, or health practitioner and having no more than one assistant regularly-employed there-in.”

Group Practitioner requires **a use registration permit**.

Group Practitioner is defined as “A medical, dental, or health practitioner office that does not meet the definition of a sole medical, dental, and health practitioner.”

GOVERNMENT

Government requires **a use registration permit**.

Office uses related to the administration of local, state, or federal government services or

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RETAIL SALES USES

Retail Sales includes uses involving the sale, lease, or rental of new or used goods to the ultimate consumer. It must be in an enclosed structure unless the code states otherwise.

ADULT-ORIENTED MERCHANDISE

Adult-Oriented Merchandise requires a **variance**

Adult-Oriented Merchandise is defined as “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.

BUILDING SUPPLIES AND EQUIPMENT

Building Supplies and Equipment requires a **use registration permit**

Building Supplies and Equipment is defined as “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.”

CONSUMER GOODS

Consumer Goods requires a **use registration permit**.

Consumer Goods is defined as “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.”

DRUG PARAPHERNALIA

Drug Paraphernalia Store requires a **variance**.

Drug Paraphernalia Store is defined as “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

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tobacco or the sale by prescription of implements needed for the use of prescribed drugs or narcotics.”

GUN SHOP

Gun Shop requires a **variance**.

Gun Shop is defined as “Any retail sales business engaged in selling, leasing, purchasing, or lending of guns, firearms, or ammunition.”

FOOD, BEVERAGES, AND GROCERIES

Food, Beverages, and Groceries requires a **use registration permit**.

Food, Beverages, and Groceries is defined as “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.”

PETS AND PET SUPPLIES

Pets and Pet Supplies require a **variance**.

Pets and Pet Supplies is defined as “Uses that sell or otherwise provide household pets and pet supplies.”

SUNDRIES, PHARMACEUTICALS, AND CONVENIENCE SALES

Sundries, Pharmaceuticals, and Convenience Sales require a **use registration permit**.

Sundries, Pharmaceuticals, Convenience Sales is defined as “Uses that sell or otherwise provide goods for personal grooming and for the day-to-day maintenance of personal health and well being.”

WEARING APPAREL AND ACCESSORIES

Wearing Apparel and Accessories requires a **use registration permit**.

Wearing Apparel and Accessories is defined as “Uses that sell or otherwise provide goods to cover, protect, or visually enhance the human form.”

COMMERCIAL SERVICES

Commercial Services includes uses that provide for consumer or business services, for the repair and maintenance of a wide variety of products, and for entertainment

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ADULT ORIENTED SERVICE

Adult Oriented Service requires a **variance**.

Adult Oriented Service is defined as "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.

ANIMAL SERVICES

Animal Services requires a **use registration permit**

Animal Services is defined as "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."

Stables requires a **variance**.

Stables is defined as "Boarding facilities for horses and similar animals, including public and commercial stables as defined by §10-100 of The Philadelphia Code (Animals)"

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ASSEMBLY AND ENTERTAINMENT

Assembly and Entertainment requires a **special exception**

Assembly and Entertainment is defined as “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.

Amusement Arcades requires a **variance**

Amusement Arcades is defined as “An establishment that offers to patrons four or more mechanical or electric 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.”

Casino requires a **variance**

Casino is defined as “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”.”

Nightclubs and Private Clubs requires a **special exception**

Nightclubs and Private Clubs is defined as “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.”

Pool or Billiards Room requires a **variance**

Pool or Billiards Room is defined as “An establishment that provides three or more tables for the playing of pool or billiards.”

BUILDING SERVICES

Building Services requires a **use registration permit**

Building Services is defined as “Uses that provide maintenance and repair services for all structural and mechanical elements of structure, as well as the exterior spaces of a premise. Typical uses include janitorial, landscape maintenance, exterminator, plumbing, electrical, HVAC, window cleaning, and similar devices.”

BUSINESS SUPPORT

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Business Support requires a **use registration permit**.

Business Support is defined as “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.”

PARKING

Parking requires a **variance**

Parking is defined as “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.

Surface Parking requires a **variance**

Surface Parking is defined as “A non-accessory parking lot.”

Structured Parking requires a **variance**

Structured Parking is defined as “A non-accessory parking garage.”

FINANCIAL SERVICES

Financial Services requires a **use registration permit**

Financial Services is defined as “Uses related to the exchange, lending, borrowing, and safe-keeping of money.

Personal Credit Establishment requires a **variance**

Personal Credit Establishment is defined as “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 the check to be cashed or processed by such an establishment; and (3) provides such services to the public.

(b) Pawnshop. An establishment that is engaged to any extent in the 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 implies 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.

EATING AND DRINKING ESTABLISHMENT

Eating and Drinking Establishment requires **a use registration permit**.

Eating and Drinking Establishment is defined as “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.”

Take-Out Restaurant requires **a use registration permit**

A Take-Out Restaurant is defined as “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;

Sit-Down Restaurant requires **a use registration permit**

A Sit-Down Restaurant is defined as “An eating and drinking establishment that does not meet the definition of a take-out restaurant (see -§(7)(f)(.2)) or prepared food shop (see -§(7)(f)(.2)), including establishments that primarily engage in cooking food on the premises and selling it to customers primarily for on-premise consumption.

Prepared Food Shop requires **a use registration permit**

A Prepared Food Shop is defined as “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.

FUNERAL AND MORTUARY SERVICES

Funeral and Mortuary Services requires **a use registration permit**

Funeral and Mortuary Services is defined as “Uses that provide services related to the death of a human, including funeral homes, mortuaries, crematoriums, and similar uses.”

MAINTENANCE AND REPAIR OF CONSUMER GOODS

Maintenance and Repair of Consumer Goods requires **a use registration permit**

Maintenance and Repair of Consumer Goods is defined as “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:”

(i) **On-Premise Dry Cleaning** requires **a use registration permit**

On-Premise Dry Cleaning is defined as “A maintenance and repair of consumer goods 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.”

PERSONAL SERVICES

Personal Services requires **a use registration permit**.

Personal Services is defined as “Uses that provide a variety of services associated with personal grooming, personal instruction, and the maintenance of fitness, health, and well-being.”

Body Art Services requires **a variance**

Body Art Services is defined as “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.”

Fortune Telling Services requires **a use registration permit**

Fortune Telling Services is defined as “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).”

RADIO, TELEVISION, AND RECORDING SERVICES

Radio, Television, and Recording Services requires **a use registration permit**

Radio, Television, and Recording Services is defined as “Uses that provide for audio or video production, recording, or broadcasting.”

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VISITOR ACCOMMODATIONS

Visitor Accommodations requires a **use registration permit**.

Visitor Accommodations is defined as “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.”

VEHICLE AND VEHICULAR EQUIPMENT SALES AND SERVICES

Vehicle and Vehicular Equipment Sales and Services includes uses that provide for the sale, rental, maintenance, or repair of new or used vehicles and equipment.

COMMERCIAL VEHICLE REPAIR AND MAINTENANCE

Commercial Vehicle Repair and Maintenance requires a **variance**

Commercial Vehicle Repair and Maintenance is defined as “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.

COMMERCIAL VEHICLE SALES AND RENTAL

Commercial Vehicle Sales and Rental requires a **use registration permit**

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.

GASOLINE STATION

Gasoline Station requires a **variance**

Gasoline Station is defined as “Uses engaged in retail sales of personal or commercial vehicle fuels.”

PERSONAL VEHICLE REPAIR AND MAINTENANCE

Personal Vehicle Repair and Maintenance requires a **variance**

Personal Vehicle Repair and Maintenance is defined as “Uses, excluding vehicle paint finishing

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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.”

PERSONAL VEHICLE SALES AND RENTAL

Personal Vehicle Sales and Rental requires **a variance**

Personal Vehicle Sales and Rental is defined as “Uses that provide for the sale or rental of new or used autos, small trucks or cans, 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).”

VEHICLE EQUIPMENT AND SUPPLIES SALES AND RENTALS

Vehicle Equipment and Supplies Sales and Rentals requires **a variance**

Vehicle Equipment and Supplies Sales and Rentals is defined as “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 or products from the same premises that sells, leases, or rents vehicles.”

VEHICLE PAINT FINISHING SHOP

Vehicle Paint Finishing Shop requires **a variance**

Vehicle Paint Finishing Shop is defined as “Uses that apply paint to the exterior or interior surfaces of vehicles by spraying, dipping, flow-coating, or other similar means.”

WHOLESALE, DISTRIBUTION, AND STORAGE USE

Wholesale, Distribution, and Storage Use 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.

EQUIPMENT AND MATERIALS STORAGE YARDS AND BUILDINGS

Equipment and Materials Storage Yards and Buildings requires **a variance**

Equipment and Materials Storage Yards and Buildings is defined as “Uses related to outdoor or indoor bulk storage of equipment, products, or materials, whether or not stored in containers.”

MOVING AND STORAGE FACILITIES

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Moving and Storage Facilities requires a **variance**

Moving and Storage Facilities is defined as “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.”

WAREHOUSE

Warehouse requires a **use registration permit**

Warehouse is defined as “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.”

WHOLESALE SALES AND DISTRIBUTION

Wholesale Sales and Distribution requires a **variance**

Wholesale Sales and Distribution is defined as “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.”

Distributor of Malt or Brewed Beverages requires a **use registration permit**

Distributor of Malt or Brewed Beverages is defined as “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 ounces or more (which may be sold separately) for off-premise consumption.”

INDUSTRIAL USE

Industrial Use 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.

ARTIST STUDIOS AND ARTISAN INDUSTRIAL

Artist Studios and Artisan Industrial requires a **use registration permit**

Artist Studios and Artisan Industrial is defined as “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

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LIMITED INDUSTRIAL

Limited Industrial requires a **special exception**

Limited Industrial is defined as “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.”

GENERAL INDUSTRIAL

General Industrial requires a **variance**

General Industrial is defined as “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, bust, noise, vibration, truck traffic or other external impacts that are detectable beyond the property lines of the subject property.”

INTENSIVE INDUSTRIAL

Intensive Industrial requires a **variance**

Intensive Industrial is defined as “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, paints, 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.”

JUNK AND SALVAGE YARDS AND BUILDINGS

Junk and Salvage Yards and Buildings requires a **variance**

Junk and Salvage Yards and Buildings is defined as “An area or building where waste or scrap materials are brought, 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 and auto wrecking yard or building.”

Marine-Related Industrial requires a **variance**

Marine-Related Industrial is defined as “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.”

MINING/QUARRYING

Mining/Quarrying requires a **variance**

Mining/Quarrying is defined as “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.”

RESEARCH AND DEVELOPMENT

Research and Development requires a **use registration permit**

Research and Development is defined as “Uses engaged in scientific research and testing leading to the development of new products and processes.”

TRUCKING AND TRANSPORTATION TERMINALS

Trucking and Transportation Terminals requires a **variance**

Trucking and Transportation Terminals is defined as “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.”

URBAN AGRICULTURE

Urban Agriculture 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.

ANIMAL HUSBANDRY

Animal Husbandry requires a **variance**.

Animal Husbandry is defined as “Uses that involve the feeding, housing, and care of farm animals for private or commercial purposes.” Animal Husbandry is subject to §10-101(8) and §10-112 of the Philadelphia Code regarding farm animals.

COMMUNITY GARDEN

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Community Garden requires **a use registration permit**.

Community Garden is defined as "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.

MARKET OR COMMUNITY-SUPPORTED FARM

Market or Community-Supported Farm requires **a use registration permit**.

Market or Community-Supported Farm is defined as "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.

HORTICULTURE NURSERIES AND GREENHOUSES

Horticulture Nurseries and Greenhouses requires **a use registration permit**.

Horticulture Nurseries and Greenhouses is defined as "A principal use involving propagation and growth of plants in containers or in the ground for wholesale or retail sales and distribution."

ROOF DECKS

Roof Decks require **a zoning permit**, and must comply with the following rules unless **a variance** is obtained.

SETBACK

Roof decks must be set back at least five feet from the front building line. In cases where the top story is already set back at least 5 feet, the roof deck does not require an additional setback. Some properties in RSA-5 districts require that the third floor must be set back from the first two floors (see "front setback" below). In that case, a roof deck may not be constructed on the second floor roof.

ACCESS STRUCTURES ("PILOT HOUSES")

Roof deck access structures (known as "pilot houses") may extend above the maximum height allowed for the building (see below) if they only serve to enclose the access stairs and do not exceed 10 feet in height.

RAILINGS

Railings are permitted up to 48 inches above the midway point between the highest and lowest points of the roof. Railings can extend above the maximum height allowed for the building (see below).

DIMENSIONS

Buildings which do not comply with these dimensions require **a variance**.

Occupied Area (Maximum): 100 percent

Front Yard Depth (Minimum): 0*

Side Yard Width (Minimum): 8 feet if used*

Rear Yard Depth (Minimum): 8 feet if used*

Height (Maximum): 60 feet

FAR (Maximum): 500 percent

*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 district.

CONTACT A ZONING LAWYER

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