

DEPARTMENT OF LICENSES AND INSPECTIONS
REGULATIONS UNDER SECTIONS 14-301(3), 14-705(1), 14-801(2), AND 14-529 OF
THE PHILADELPHIA CODE RELATING TO ON-SITE LANDSCAPE AND TREE
REQUIREMENTS

Pursuant to its authority under Section 8-407 of The Philadelphia Home Rule Charter, the Department of Licenses and Inspections hereby promulgates the following regulations relating to on-site landscape and tree requirements under Sections 14-301(3), 14-705(1), 14-801(2), and 14-529 of the Philadelphia Code:

SECTION 1: REVIEWERS AND DECISION-MAKERS

The Philadelphia City Planning Commission shall provide prerequisite approval of zoning permits regarding the on-site landscape and tree requirements of Sections 14-705(1) with the following exception:

- Applications limited to site-clearing shall not require the prerequisite approval of the Commission, unless otherwise required by the Code. Licenses and Inspections (L&I) shall review all site-clearing applications for compliance with Section 14-705(1) and associated regulations of the Philadelphia City Planning Commission.

SECTION 2: CLARIFICATIONS

1. For the purposes of 14-705(1), projects that include phased site-clearing and development shall be reviewed as follows:
 - If site clearing is performed after the effective date of Bill No. 220414 and less than a year prior to submitting application for development, the exceptions of 14-705(1)(a)(.2) shall not apply. The project shall be subject to the requirements of 14-705(1), including Sections 14-705(1)(d) (Landscape Buffering Between Different Zoning Districts), and 14-705(1)(e) (Yard Tree Requirements) unless otherwise exempt under Section 14-705(1)(a)(.1) or 14-705(1)(a)(.3).
 - A Landscape and Tree Preservation Plan meeting the requirements of Section 14-705(1)(b) (Landscape and Tree Preservation Plan Required) shall be submitted with the application for development and include:
 - Reference to Zoning (Site Clearing) Permit Number where a permit was required by Section 14-705(1)(a); or
 - Identification of any trees removed when a Zoning (Site Clearing) Permit was not required under Section 14-705(1)(a).
2. For the purposes of 14-705(1)(g) (Tree Replacement Requirements), *Development Activities* shall be defined as 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 improvement; or any construction thereof.

3. For the purposes of 14-801(2)(e) (Parking Landscape and Screening):
 - For outdoor Personal/Commercial Vehicle Sales and Rentals uses, the only landscaping provisions that shall apply are 14-803(5)(d) (Perimeter Screening from Public Streets for Parking Lots).
 - The provisions of 14-803(5) shall not be considered minimum parking and loading requirements.
 - For the purposes of 14-801(2)(e)(.5), *newly constructed* shall be defined as newly created.

SECTION 3: /VDO, FIFTH DISTRICT OVERLAY DISTRICT

Philadelphia City Planning Commission shall provide prerequisite approval of zoning permits regarding the on-site landscape and tree requirements of Sections 14-705(1) with the following exception:

1. Applications limited to site-clearing shall not require the prerequisite approval of the Commission, unless required by other sections of the Code. Licenses and Inspections (L&I) shall review all site-clearing applications for compliance with Section 14-705(1). Section 14-529(5) states that the changes to the Code set forth in Bill No. 220414 (approved September 13, 2022) shall not apply to lots located within the /VDO, Fifth District Overlay, which lots shall be subject to the relevant provisions of the Zoning Code as they appeared at the time prior to adoption of that ordinance.

Below are the relevant code sections as written prior to the adoption of Bill No. 220414 that shall apply to all applications for properties located in the Fifth District Overlay District:

CHAPTER 14-300. ADMINISTRATION AND PROCEDURES

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§ 14-305. Nonconformities.

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(9) Nonconforming Parking or Site Improvements.

Where 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, the nonconformity 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.

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CHAPTER 14-700. DEVELOPMENT STANDARDS

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§ 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 the list of appropriate plantings maintained by the Commission.

(.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 runoff 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 or lot 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.

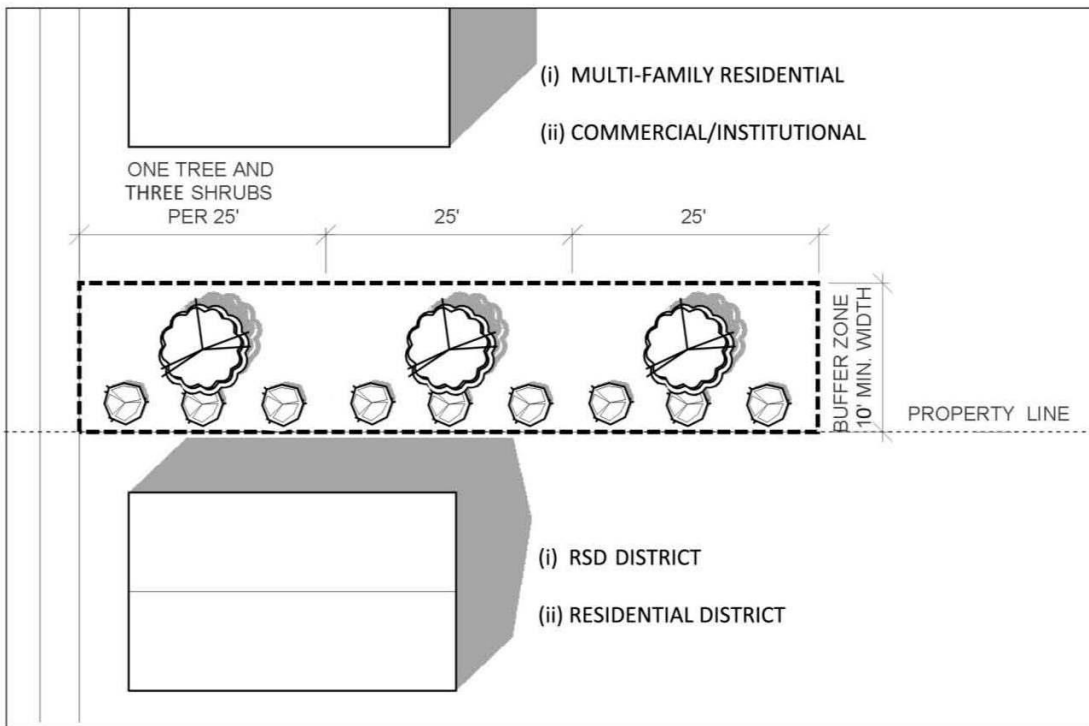
(.b) Option B – Wall, Berm, Fence, or Vegetative Screen.

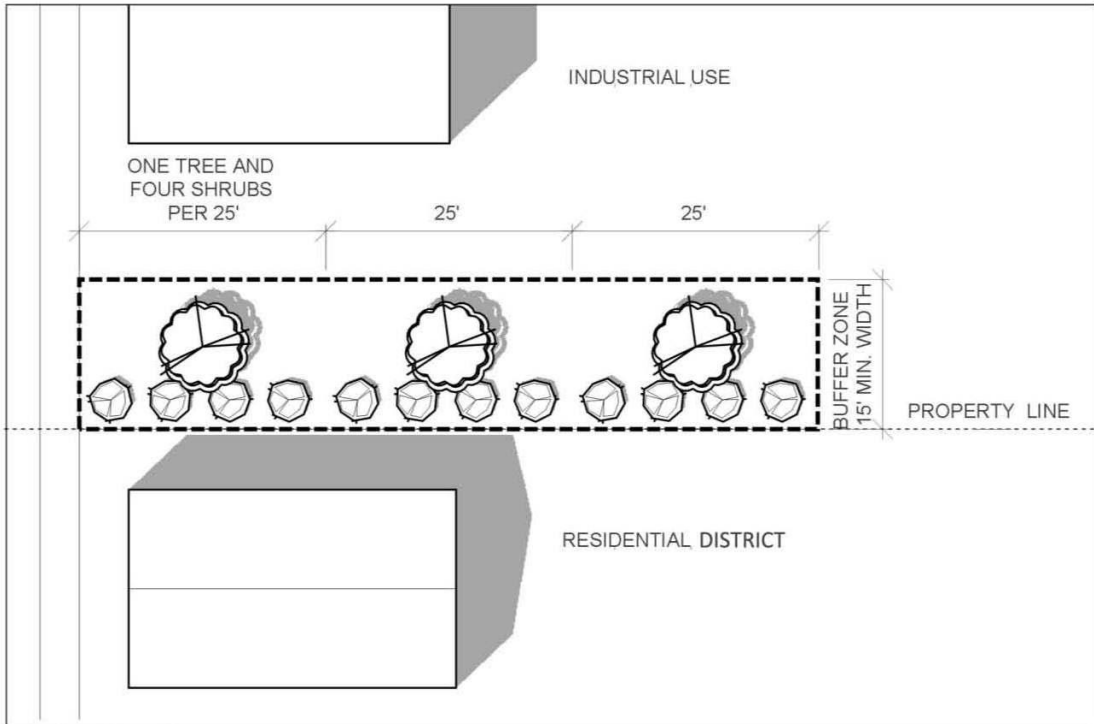
An opaque wall, berm, fence, or dense vegetative screen meeting the requirements in [Table 14-705-1](#) shall be provided on the shared border. If a fence or wall is provided, the side facing the Residential district shall be at least as finished in appearance as the side facing the applicant's

use. Fencing shall be constructed of wood or ornamental metal; chain-link and barbed wire are prohibited as fencing material.

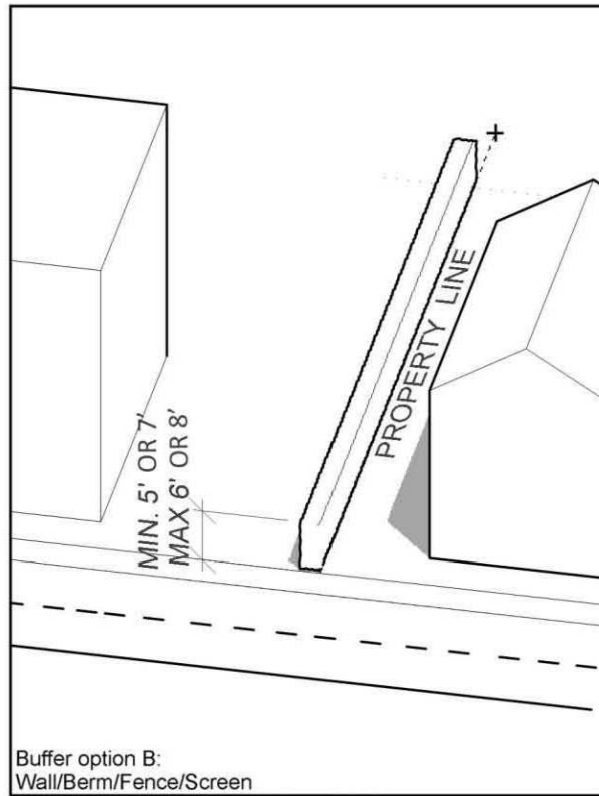
Table 14-705-1: Landscape Buffering Between Different Land Uses

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.

The location, DBH, and species of all existing trees shall be included in a landscape and tree plan. Heritage trees may not be removed from any property unless the applicant meets the standards of § [14-705\(1\)\(e\)\(.1\)](#) or obtains a special exception approval in accordance with § [14-705\(1\)\(e\)\(.2\)](#).

(.1) A heritage tree may be removed from a property without a special exception approval, provided that the applicant replaces the removed heritage tree in accordance with § [14-705\(1\)\(f\)](#) (Tree Replacement Requirements); and either:

(.a) The lot is at least 15 acres in total area and is located within an I-1 zoning district; or

(.b) One or both of the following applies to the heritage tree:

(i) a certified arborist has determined that the tree is dead, damaged, diseased, or a threat to public health or safety; or

(ii) the Streets Department has determined that the tree interferes with the provision of public services or constitutes a hazard to traffic, bicyclists, or pedestrians.

(.2) If the standards of § [14-705\(1\)\(e\)\(.1\)](#) are not met, a heritage tree 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:

(.a) The applicant replaces the removed heritage tree in accordance with § [14-705\(1\)\(f\)](#) (Tree Replacement Requirements);

(.b) It determines that the criteria of § [14-303\(7\)](#) (Special Exception Approval) have been met; and

(.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\(1\)\(f\)\(.2\)](#) or § [14-705\(1\)\(f\)\(.3\)](#), 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 on the same lot or an abutting lot 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.

(c) In the event that the replacement trees are proposed on an abutting lot and such lot is not under the same ownership as the principal lot, a written agreement between the record owners shall be submitted to L&I with the zoning permit application.

(.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.

(.3) For any property that meets the conditions of § [14-705\(1\)\(e\)\(.1\)\(.a\)](#):

(.a) Trees listed on the Department of Parks and Recreation Invasive Species List are not subject to the requirements of section (.1), above.

(.b) Any trees required by and provided pursuant to § [14-705\(1\)\(d\)\(.2\)\(.a\)](#) (Landscape Buffer) or § [14-803\(5\)](#) (Parking Landscape or Screening), shall be counted towards the total tree replacement requirement of section (.1), above.

(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, other than those required under section (f), above. Trees intended to be preserved shall be indicated on the site plan. To obtain credit, the preserved trees must be on the same lot or an abutting 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 or lots. 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

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CHAPTER 14-800. PARKING AND LOADING

§ 14-801. Purpose, Applicability, and General Standards.

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(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 twenty-five percent (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\(2\)\(b\)\(.2\)](#) and § [14-801\(2\)\(d\)](#), 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 effective 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.

(d) **Historic Structures.**

Notwithstanding any other provision of this Zoning Code, no parking or loading spaces shall be required for any portion of a building or structure that, pursuant to [Chapter 14-1000](#), has been designated as historic; or that is located in a district that has been designated as historic and that contributes, in the Historical Commission's opinion, to the character of such district. Expansions to such buildings or structures, as well as portions of such buildings or structures that are not designated as historic or considered contributing by the Historical Commission, shall be subject to a reduction of fifty percent

(50%) of the minimum parking or loading requirement, which may be met off-site under the conditions of § [14-802\(9\)](#) (Off-Site Parking)

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§ 14-803. Motor Vehicle Parking Standards.

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(5) Parking Landscape and Screening.

All parking lots, 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 seventy-five percent (75%) opacity on a year-round basis beginning one year after planting along the full required height and length of the screening buffer.

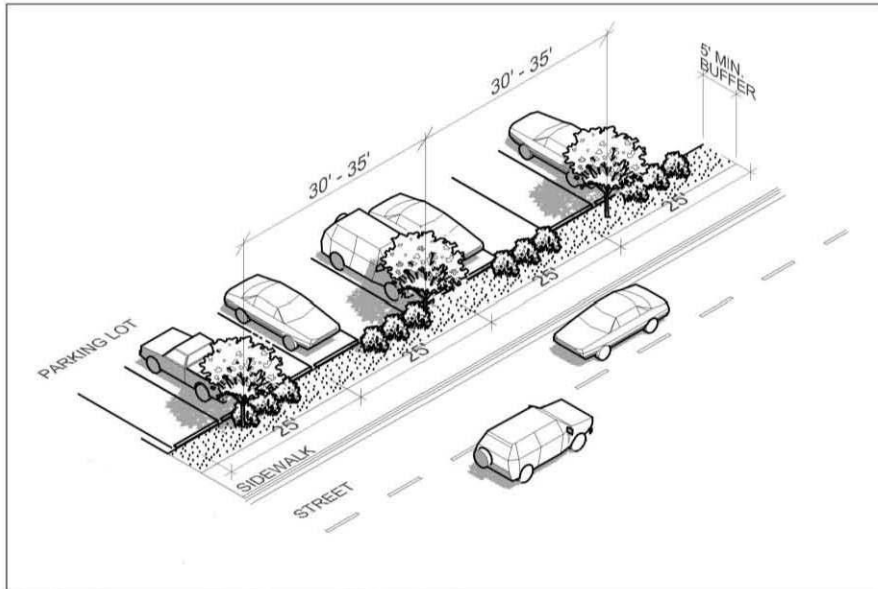
(.3) Screening fences shall be constructed of ornamental metal or wood; chain-link and barbed wire are prohibited as fencing material. The side of the fence presenting a more finished appearance, or the side without bracing supports, shall face towards the Residential district.

(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).

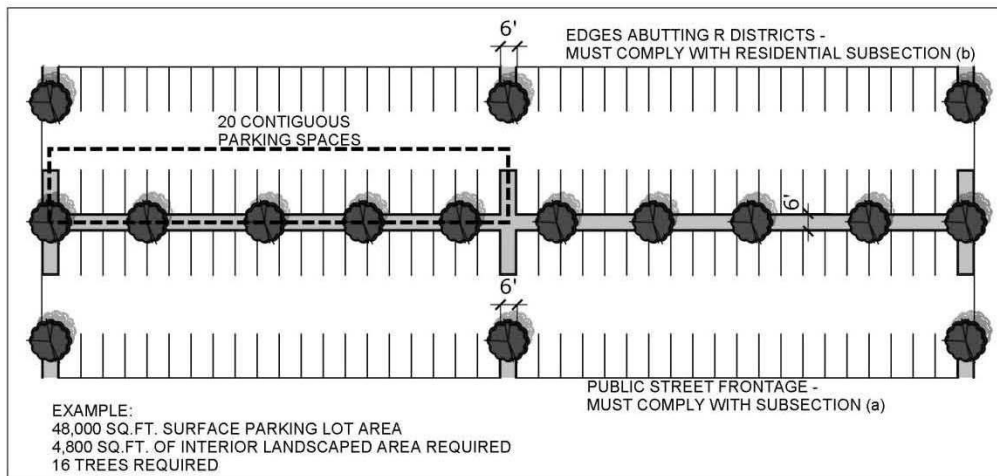
(e) Interior Landscape Requirements for Parking Lots.

(.1) A minimum of ten percent (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

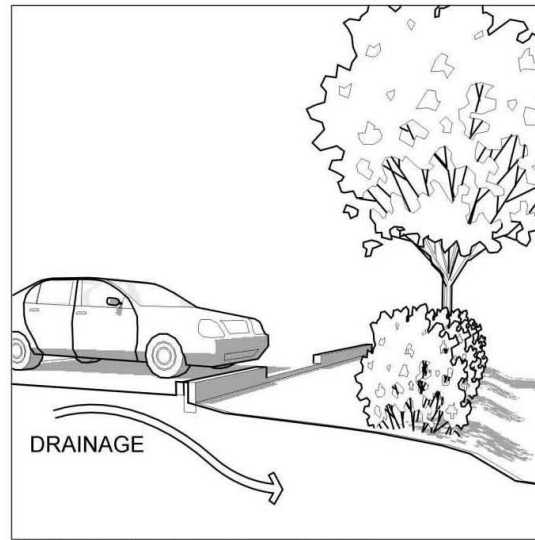
(.5) One tree shall be planted per 300 sq. ft. of interior landscaped area. A minimum of thirty percent (30%) of the required trees shall include deciduous shade trees from DPR's Recommended Street Tree List.

(.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

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§ 14-805. Drive-Throughs and Vehicle Stacking Areas.

(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.

- (e) Unless otherwise provided by this Zoning Code, drive-throughs shall:
 - (.1) Be prohibited in all residential districts and the CMX-1, CMX-2.5, CMX-4, CMX-5, and IRMX districts.
 - (.2) Require special exception approval in the CMX-2 and CMX-3 districts in accordance with § 14-303(7) (Special Exception Approval).