



City of Philadelphia

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

BILL NO. 250041 (As Amended, 5/21/25)

Introduced January 30, 2025

Councilmember Gauthier

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending Section 14-303 of The Philadelphia Code, entitled “Common Procedures and Requirements,” by authorizing the Zoning Board of Adjustment to condition zoning approval upon provision of affordable housing, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HERBY ORDAINGS:

SECTION 1. Section 14-303 of The Philadelphia Code is hereby amended to read as follows:

TITLE 14. ZONING AND PLANNING

* * *

CHAPTER 14-300. ADMINISTRATION AND PROCEDURES

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§ 14-303. Common Procedures and Requirements.

(9) Conditions on Approvals.

(a) The Zoning Board is authorized to impose and the Commission is authorized to recommend conditions on approvals that they determine are necessary to:

(.1) Bring the application into compliance with the requirements of this Zoning Code or any previously adopted master plan for the property;
or

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(.2) Prevent or minimize adverse effects upon surrounding areas or upon public facilities and services that are caused by the proposed special exception, variance, or other approval required by this Zoning Code. All conditions imposed shall be reasonably related to the anticipated adverse impacts of the proposed special exception, variance, or other approval required by this Zoning [Code.] Code; or

(.3) Secure compliance with affordable housing commitments, made by applicants with project applications before the Zoning Board that include a residential component, to price at least ten percent of dwelling units in accordance with the minimum Area Median Income (AMI) thresholds for either moderate income rental units set forth at subsection 14-702(7)(a)(.1) or low income rental units set forth at subsection 14-702(7)(a)(.2), as applicable, for a term of not less than 50 years. Prior to conditioning application approval on affordable housing development, the Zoning Board shall receive written evidence from the applicant or the Coordinating RCO that the applicant considered an affordable housing commitment as part of the proposed application. Conditions on approval pursuant to this subsection may not be imposed on an application if the applicant provides evidence of an agreement with the Pennsylvania Housing Finance Agency or the United States Department of Housing and Urban Development to provide affordable housing in connection with the project subject to approval.

(b) Any conditions on a special exception, variance, or other approval required by this Zoning Code shall be listed in or attached to the approval document and expressly identified as a condition. Any violation of an approved condition shall be a violation of this *Zoning Code enforceable pursuant to Section 14-306, or with respect to subsection 14-303(9)(a)(.3) by the Department of Planning and Development or such other entity as the Mayor may designate.*

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SECTION 2. Effective Date. This ordinance shall take effect three months after it becomes law.

Explanation:

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

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