



# City of Philadelphia

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

**BILL NO. 250291**

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**Introduced April 3, 2025**

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**Councilmember Gauthier**

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**Referred to the  
Committee on Rules**

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## **AN ORDINANCE**

Amending Section 14-533 of The Philadelphia Code (“/MIN, Mixed Income Neighborhoods Overlay District”) to exempt from certain requirements of that Section residential development under programs designed to create affordable homeownership, which programs mandate deed restrictions and agreements establishing ongoing affordability requirements, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Section 14-533 of The Philadelphia Code is hereby amended as follows:

### **TITLE 14. ZONING AND PLANNING**

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### **CHAPTER 14-500. OVERLAY ZONING DISTRICTS**

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§ 14-533. /MIN, Mixed Income Neighborhoods Overlay District.

\* \* \*

(3) Use Regulations.

The following standards shall apply in addition to those of the applicable base zoning district:

\* \* \*

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(a) At least fifteen percent (15%) of all dwelling units (rounded up, if fractional) shall be provided and maintained as affordable on the same site as all other dwelling units.

(b) Including dwelling units provided pursuant to subsection (a), above, a minimum of twenty percent (20%) of all dwelling units and twenty percent (20%) of all sleeping units (rounded up, if fractional) shall be provided and maintained as affordable on the same site as all other dwelling units, except as follows:

\* \* \*

(d) Any development that meets [either] *any* of the following conditions will not be required to meet the requirements of subsections (a) and (b), above:

(.1) The applicant demonstrates to the satisfaction of the Department of Planning and Development that fifty-one percent (51%) or more units will meet the definition of “Affordable Housing Property” under subsection 7-202(1); [or]

(.2) The Residential Housing Project is otherwise subject to a recorded instrument such that average monthly costs for all rental units may not exceed the standards described under § [14-702(7)(a)(.1)(.a).] *14-702(7)(a)(.1)(.a); or*

(.3) *All units in the Residential Housing Project are part of a program, as certified by the Department of Planning and Development, designed to create owner-occupied housing for first-time homebuyers in which the average monthly costs meet affordability standards set forth by HUD for the Philadelphia Metropolitan Statistical Area for households earning between 60-100% of the AMI, adjusted for household size. Each unit will be bound by a restrictive covenant or regulatory agreement with the City, Commonwealth or City land-holding, or housing-financing agency commemorating on-site housing affordability requirements.*

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## Explanation:

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

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