



# City of Philadelphia

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

**BILL NO. 190859**

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**Introduced October 31, 2019**

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**Councilmember Green**

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**Referred to the  
Committee on Rules**

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## **AN ORDINANCE**

Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” to revise certain provisions of Chapter 14-702, entitled “Floor Area, Height, and Housing Unit Density Bonuses,” by amending the provisions for Mixed Income Housing; all 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 14-700. DEVELOPMENT STANDARDS

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#### **§ 14-702. Floor Area, Height, and Housing Unit Density Bonuses.**

\* \* \*

(7) Mixed Income Housing

\* \* \*

#### **(b) Criteria.**

A floor area, height, or housing unit density bonus, as applicable, may be earned *for developments where at least 50% of the gross floor area will be in*

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*residential use* (i) by providing affordable housing, provided that the project meets the standards set forth in subparagraphs (.1) through (.5), below; or (ii) if the owner of the property enters into a payment-in-lieu agreement that meets the standards set forth in subparagraph (.6), below. *For developments where less than 50% of gross floor area will be in residential use, these bonuses may be earned, as applicable, if the owner of the property enters into a payment-in-lieu agreement that meets the standards set forth in subparagraph (.6), below.* This bonus *provided for in this subsection (7) (“Mixed Income Housing”)* is not available for developments of subsidized housing where 51% or more of the dwelling units will be affordable under any of the definitions set forth in subsection (a) (“Affordability”), *above*. [above, and is not available for developments where less than 50% of gross floor area will be in residential use except for property located in the area bounded by 20th Street, Arch Street, Cuthbert Street, a line parallel to 20th Street that extends north 32 feet from a point located on Cuthbert Street 282.5 feet from the northwest corner of 20th Street and Cuthbert Street, a line beginning at the foregoing point and extending 68.54 feet to the east parallel to Arch Street to a point and a line parallel to 20th Street beginning at the foregoing point and extending north 114.5 feet to the south side of Arch Street.]

\* \* \*

(.6) The applicable bonus shall be available to a property if the owner enters into a binding agreement with the Department of Planning and Development pursuant to which the owner has tendered to the City, prior to the issuance of a building permit, a payment in lieu of providing affordable housing; and the Department of Planning and Development has [agreed] *agreed, for any development where at least 50% of the gross floor area will be in residential use, to use such money for the purposes set forth in § 21-1605 (“Trust Fund Assets Held in the Non-Recording Fee [Sub-Fund”].) Sub-Fund”*), *and, for any development where less than 50% of the gross floor area will be in residential use, for the purposes set forth in § 21-1603 (“Creation, Distribution and Use of the Trust Fund's Assets”)*.

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**Explanation:**

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