

# City of Philadelphia



(Bill No. 190859)

## 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 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

# City of Philadelphia

BILL NO. 190859 *continued*

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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.

# City of Philadelphia

*BILL NO. 190859 continued*

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# City of Philadelphia

*BILL NO. 190859 continued*

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 12, 2019. The Bill was Signed by the Mayor on December 30, 2019.



Michael A. Decker  
Chief Clerk of the City Council