

Legislation Text

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Authorizing the Joint Committees on Housing, Neighborhood Development, and the Homeless and Public Property and Public Works to hold hearings on the ten-year performance of the Philadelphia Land Bank; what barriers exist to effective application review, process efficiency, and transparent communication; and how these can be solved to maximize this unique opportunity to create genuinely affordable housing and community-stewarded green spaces for neighborhoods that need them the most.

WHEREAS, Bill #130156-A, signed into law in December 2013, authorized the creation of the Philadelphia Land Bank and provided for its appointment, powers, and duties, and was followed by approval of its first Strategic Plan and appointment of its inaugural Board of Directors in December 2014; and

WHEREAS, This was the culmination of extensive grassroots community planning over the course of a decade by local Community Development Corporations and advocacy groups, that determined that creation of a municipal land bank is necessary for the strategic redevelopment of publicly controlled vacant property in Philadelphia to support a variety of community-driven productive uses; and

WHEREAS, The benefits offered by municipal land banks were based in national best practices that emphasized consolidating ownership of publicly controlled vacant properties into a single agency to increase efficiency, ensuring clear and transparent operations, and adopting a Strategic Plan with a single vision and philosophy for how best to encourage transformation of properties that can harm communities to properties that can benefit them; and

WHEREAS, From the first bill introduced by this Council proposing a municipal land bank in 2011, top priorities for the Philadelphia Land Bank have been permanent or long-term affordable housing, clear pathways for community members to acquire properties that they have long stewarded, substantial and meaningful involvement by communities affected by vacant land in disposition decisions, and deliberate and sustained public discussion preceding any actions that shape Land Bank policies; and

WHEREAS, In practice, dispositions for these end uses are more the exception than the rule, and multiple policy and organizational structure changes that have taken place have not led to improved processing times for applications for community-driven uses; and

WHEREAS, The first Land Bank Strategic Plan identified about 8,000 vacant properties in public inventory and an additional 24,000 vacant properties that were privately owned and tax delinquent, the Land Bank sold 596 properties from FY17 through FY23; and

WHEREAS, While genuinely affordable housing with pricing aligned to benefit Philadelphians in greatest need represented a significant portion of dispositions in FY17 and FY18, that has steadily decreased over time, with fewer of those units approved across FY21-23 than the Land Bank's inaugural disposition year of FY17; and

WHEREAS, By contrast, FY23 saw the highest number of market rate housing units approved since the Land Bank's inception; and

WHEREAS, Meanwhile, despite being one of the most vocal constituencies advocating for the Land Bank's creation and adoption of best practices, community garden and open space stewards are seeing some of the lowest dispositions of all, with the "best" year yielding 4 properties disposed in FY22; and

WHEREAS, Changes in recent years have disproportionately burdened community garden and open space applicants, with the introduction of application forms that are equally complicated as development applications, and new duplicative restrictive covenants including 30-year self-amortizing mortgages; and

WHEREAS, Bill #190606-AA, signed into law on November 12, 2019, amended the Disposition and Acquisition Policies to make aspects of the policies clearer and more uniform but did so in a way that limits the Land Bank in other ways, including permitting discounted pricing for development applications where the rents are more expensive than what is affordable for Philadelphia's median income, and the ability to efficiently negotiate exchanges where active community gardens are threatened by speculation; and

WHEREAS, The Land Bank's efforts to acquire strategically significant privately owned land and assemblage opportunities have been inconsistent, with an obsolete Acquisition Policy still posted on the PHDC website and never having created an application by which residents or community development organizations can submit requests to initiate tax foreclosure acquisition process for non-competitive end uses; and

WHEREAS, Information published online are not designed and updated frequently enough to serve community-minded applicants that do not have access to the same resources that for-profit developers have, with examples including the Expressions of Interest instructions even though the Land Bank stopped considering them in 2020 and the Land Management Dashboard not being address specific or applicant specific; and

WHEREAS, The Land Bank published a Strategic Plan in June 2019 that has remained a "draft" to this day, despite including helpful recommendations such as creating User Guides for different non-competitive disposition application end uses, developing new community outreach and marketing strategies, and publishing new reporting and tracking mechanisms; and

WHEREAS, Meanwhile, housing insecurity remains a dire issue in Philadelphia. Between 2008 and 2016, Philadelphia lost 13,000 "low cost" apartments that cost \$800 or less and gained 6,000 "high end" apartments that cost \$2,000 or more. Each Council District ranges from 37% to 59% cost burdened and 20%-40% of their total residents earn less than \$30,000 per year; and

WHEREAS, On January 2, 2024, 100th Mayor Cherelle Parker has acknowledged the importance of the Land Bank in generating new affordable housing units, including referencing it in vision and action plan documents that this Council body looks forward to partnering with her Administration to help achieve; now, therefore, be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Authorizes the Joint Committees on Housing, Neighborhood Development, and the Homeless and Public Property and Public Works to hold hearings on the ten-year performance of the Philadelphia Land Bank; what barriers exist to effective application review, process efficiency, and transparent communication; and how these can be solved to maximize this unique opportunity to create genuinely affordable housing and community-stewarded green spaces for neighborhoods that need them the most.